ACTS

AND

RESOLVES

PASSED BY THE

General Court of Massachusetts

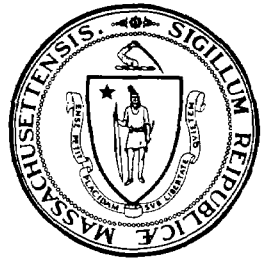
IN THE YEAR

1983

PUBLISHED BY

Michael Joseph Connolly

SECRETARY OF STATE



ACTS

AND

RESOLVES

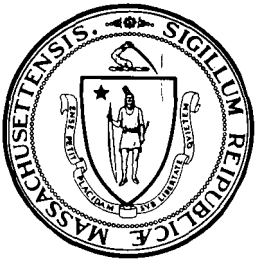
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General Court of Massachusetts

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VOLUME 1



The General Court, which was chosen November 2, 1982, assembled on Wednesday, the fifth day of January, 1983 for its first annual session.

The oaths of office were taken and subscribed to by His Excellency Michael S. Dukakis and His Honor John F. Kerry, on Thursday, the sixth day of January, 1983, in the presence of the two Houses assembled in convention.

Chap. 1. AN ACT MAKING AN APPROPRIATION FOR THE FISCAL YEAR ENDING JUNE THE THIRTIETH, NINETEEN HUNDRED AND EIGHTY-THREE TO PROVIDE FOR SUPPLEMENTING HOME CARE SERVICES.

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

SECTION 1. To provide for supplementing a certain item in the general appropriation act and for certain new activities and projects, the sum set forth in section two for the several purposes and subject to the provisions of law regulating the disbursement of public funds and the conditions pertaining to appropriations in chapter one hundred and ninety-one of the acts of nineteen hundred and eighty-two, for the fiscal year ending June thirtieth, nineteen hundred and eighty-three or for such period as may be specified, the sum so appropriated to be in addition to any amounts available for the purpose.

SECTION 2.

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 for certain persons; 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; provided, further, that monies for this purpose shall be expended pursuant to a schedule submitted concurrently to, and approved by, the house and senate committees on ways and means; and provided, further, that, if within fifteen days of submission of such schedule no action has been taken by either the house or senate committee on ways and means, expenditures of these monies may proceed

$3,163,698

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

Approved March 16, 1983.

Chap. 2. AN ACT PROVIDING CERTAIN ADDITIONAL BENEFITS UNDER THE EMPLOYMENT SECURITY LAW.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for the temporary payment of additional benefits under the employment security law, therefore it is hereby declared to be an emergency law, necessary for the preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 151A of the General Laws is hereby amended by striking out sections 30B and 30C and inserting in place thereof the following section:-

Section 30B. (a) An individual whose eligibility or continued eligibility for unemployment benefits pursuant to the Federal Supplemental Compensation Act of 1982 is terminated solely because of the failure of congress to make available funds for the continued payment of federal supplemental compensation shall be eligible for additional benefits under the same terms and conditions as provided in said Federal Supplemental Compensation Act of 1982.

(b) The weekly benefit amount payable to such individual shall be the amount equal to that amount the individual would be entitled to under section 602 (d) of the Tax Equity and Fiscal Responsibility Act of 1982.

(c) Any benefit paid to an individual under this section shall be charged to the solvency account established pursuant to section fourteen except to the extent that the Unemployment Compensation Fund is reimbursed under any act of congress for the payment of such benefit.

SECTION 2. Notwithstanding any provision of this act to the contrary, payments shall be made under section thirty B of chapter one hundred and fifty-one A of the General Laws, inserted by section one of this act, and no additional benefits provided by section one shall be payable to an individual for any week beginning after March thirty-first, nineteen hundred and eighty-three, and shall be payable only to the extent that unemployment benefits are not payable under any other state or federal law.

Approved March 16, 1983.

Chap. 3. AN ACT RELATIVE TO COMPENSATION PAID

THE BOARD OF ASSESSORS IN THE TOWN OF BECKET.

Be it enacted, etc., as follows

SECTION 1. Notwithstanding the provisions of section one hundred and eight of chapter forty-one of the General Laws or any other general or special law to the contrary, the action of the town of Becket, taken on August eighteenth, nineteen hundred and eighty-one at a special town meeting, rescinding the vote taken at the annual town meeting fixing the salaries of the members of the board of assessors and the action taken at said special town meeting fixing the salaries of each member of the board of assessors at twelve thousand six hundred thirty-four dollars and sixty-five cents, both actions to be effective as of July first nineteen hundred and eighty-two, and at such special meeting the town appropriated the sum of thirty-one thousand one hundred fifty-three dollars and ninety-five cents for the payment of the increases in said salaries, is hereby ratified, validated and confirmed as if this act were in effect at the time such actions were taken by said town.

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

Approved March 18, 1983.

Chap. 4. AN ACT DESIGNATING THE BRIDGE ON WINTHROP STREET IN THE CITY OF MEDFORD AS THE ARTHUR ANTHONY FREDA, JR. BRIDGE.

Be it enacted, etc., as follows:

The bridge over the railroad tracks on Winthrop street in the city of Medford shall be designated and known as the Arthur Anthony Freda, Jr. bridge in memory of SP4 Arthur Anthony Freda, Jr. who was killed in action while a member of the armed forces of the United States in the Vietnam campaign. Suitable markers bearing said designation shall be attached thereto by the department of public works.

Approved March 18, 1983.

Chap. 5. AN ACT FURTHER REGULATING CERTAIN REPORTING REQUIREMENTS OF THE DIRECTOR OF STANDARDS.

Be it enacted, etc., as follows:

Chapter 98 of the General Laws is hereby amended by striking out section 57, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 57. The secretary of the executive office of consumer affairs shall make an annual report of the acts of the director.

Approved March 18, 1983.

Chap. 6. AN ACT DESIGNATING A CERTAIN BUILDING AT THE PAUL A. DEVER STATE SCHOOL AS THE FRANK P. TAPELLA BUILDING.

Be it enacted, etc., as follows:

The Lakeview building, so-called, located on the grounds of the Paul A. Dever state school in the city of Taunton is hereby designated and known as the Frank P. Tapella building. A suitable marker bearing said designation shall be attached at the entrance thereof by the department of mental health.

Approved March 18, 1983.

Chap. 7. AN ACT RELATIVE TO THE PREVENTION OF AND RESPONSE TO RELEASES OF OIL AND HAZARDOUS MATERIALS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to clarify and improve the commonwealth's capability for responding to releases of oil and hazardous material and to recover response costs from persons responsible for releases for which it has incurred such costs, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of public health and safety.

Be it enacted, etc., as follows:

SECTION 1. Section 26A of chapter 21 of the General Laws is hereby amended by striking out the definition of "Hazardous material", inserted by section 1 of chapter 705 of the acts of 1979.

SECTION 2. Section 27 of said chapter 21 is hereby amended by striking out clause (14), as most recently amended by section 1A of chapter 261 of the acts of 1980.

SECTION 3. Section 40 of said chapter 21 is hereby amended by striking out the last paragraph, added by section 3 of chapter 705 of the acts of 1979.

SECTION 4. Section 7 of chapter 21C of the General Laws is hereby amended by inserting after the sixth paragraph, as appearing in section 2 of chapter 704 of the acts of 1979, the following paragraph:-

The commissioner of administration, in consultation with the commissioner of the department of environmental quality engineering, shall establish and annually review a schedule of reasonable fees to be paid by persons licensed to transport hazardous waste under this section. To the extent practical such fees shall be established at a rate or rates intended to generate monies equal to the costs, including costs of debt service, incurred by the commonwealth on account of projects to assess, contain and remove releases and threats of release of oil and hazardous material, less amounts recovered by the commonwealth from persons liable for such releases and threats of release. Such fees shall be established by regulations adopted after public hearing and in accordance with section two of chapter thirty A. Such fees shall be based on the quantity and type of hazardous waste transported or such other factors as the commissioner of administration may deem appropriate; provided, however, that said commissioner may provide reasonable exemptions from such fees for the transport of hazardous waste for recycling or reuse in a manufacturing process. Annually, the commissioner of administration shall report to the house and senate committees on ways and means the amounts received as fees and expended on account of projects to assess, contain and remove releases and threats of release of oil and hazardous material during the preceding year, and the amounts anticipated to be received as such fees and to be expended on account of such projects during the following year.

SECTION 5. The General Laws are hereby amended by inserting after chapter 21D the following chapter:-

CHAPTER 21E.
MASSACHUSETTS OIL AND HAZARDOUS MATERIAL RELEASE PREVENTION AND RESPONSE ACT.

Section 1. This chapter shall be known and may be cited as the "Massachusetts Oil and Hazardous Material Release Prevention Act".

Section 2. As used in this section the following words shall, unless the context clearly requires otherwise, have the following

meanings:-

"Assess" and "Assessment", such investigations, monitoring, surveys, testing, and other information gathering activities to identify: (1) the existence, source, nature and extent of a release or threat of release of oil or hazardous materials; (2) the extent of danger to the public health, safety, welfare and the environment; and (3) those persons liable under section five. The term shall also include, without limitation, studies, services and investigations to plan, manage and direct assessment, containment and removal actions, to determine and recover the costs thereof, and to otherwise accomplish the purposes of this chapter.

"Act of God", an unanticipated grave natural disaster or other natural phenomenon of an exceptional, inevitable, and irresistible character, the effects of which could not have been prevented or avoided by the exercise of due care or foresight. A natural disaster is unanticipated when it is of a type unexpected given the area, the season, and the past history of conditions.

"CERCLA", the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42USCSec.9601 et seq.

"Commissioner", the commissioner of the department of environmental quality engineering.

"Contain" or "Containment", actions taken in response to a release or threat of release of oil or hazardous material into the environment to prevent or minimize such release so that it does not migrate or otherwise cause or threaten substantial danger to present or future public health, safety, welfare or the environment. The term shall also include security measures, including, without limitation, the building of fences for the purpose of limiting and restricting access to a site or vessel where there has been a release or there is a threat of a release of oil or hazardous materials.

"Department", the department of environmental quality engineering.

"Environment", waters, land, surface or subsurface strata, or ambient air of the commonwealth.

"FWPCA", the Federal Water Pollution Control Act, 33USCSec. 1251 et seq.

"Hazardous material", material including but not limited to, any material, in whatever form, which, because of its quantity, concentration, chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment, when improperly stored, treated, transported, disposed of, used, or otherwise managed. The term shall not include oil. The term shall also include all those

substances which are included under 42USCSec.9601(14), but it is not limited to those substances.

"Oil", insoluble or partially soluble oils of any kind or origin or in any form, including, without limitation, crude or fuel oils, lube oil or sludge, asphalt, insoluble or partially insoluble derivatives of mineral, animal or vegetable oils. The term shall not include waste oil, and shall not include those substances which are included in 42USCSec.9601(14).

"Owner" or "Operator", (1) in the case of a vessel, any person owning, operating or chartering by demise such vessel, (2) in the case of a site, any person owning or operating such site, and (3) in the case of an abandoned site, any person who owned, operated, or otherwise controlled activities at such site prior to such abandonment. The term shall not include a person, who, without participating in the management of a vessel or facility holds indicia of ownership primarily to protect his security interest in said vessel or 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 such person, and any group of persons.

"Release", any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing into the environment, but excludes: (1) emissions from the exhaust of an engine, (2) release of source, by product, or special nuclear material from a nuclear incident, as those terms are defined in 42USCSec.2014, if such release is subject to requirements with respect to financial protection established by the Nuclear Regulatory Commission under 42USC Sec.2210, (3) the normal application of fertilizer, and (4) the application of pesticides consistent with their labelling.

"Remove" or "Removal", the cleanup or removal of released oil or hazardous materials from the environment, such actions as may be necessarily taken in the event of the threat of release of oil or hazardous materials into the environment, the disposal of removed oil or hazardous material, or the taking of such other actions as may be necessary to prevent, minimize, or mitigate damage to the public health, safety, welfare or the environment, which may result from a release or threat of release.

"Respond" or "Response" or "Response action", assess, assessment, contain, containment, remove and removal.

"Site", any building, structure, installation, equipment, pipe or pipeline, including any pipe into a sewer or publicly-owned treatment works, well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, or

aircraft, or any other place or area where oil or hazardous material has been deposited, stored, disposed of or placed, or otherwise come to be located. The term shall not include any consumer product in consumer use or any vessel.

"Threat of release", a substantial likelihood of a release which requires action to prevent or mitigate damage to the environment which may result from such release.

"Trade secret", anything tangible which constitutes, represents, evidences or records a secret scientific, technical, merchandising, production, or management information, design, process, procedure, formula, invention or improvement.

"Vessel", every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water.

"Waters of the commonwealth", all waters within the jurisdiction of the commonwealth, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, coastal waters and groundwaters. The term shall not include impoundments of chemical wastes.

Section 3. (a) The department shall take all action appropriate to secure to the commonwealth the benefits of FWPCA, CERCLA and other pertinent federal laws.

(b) For the purpose of implementing this chapter, FWPCA, CERCLA, and other pertinent federal laws and regulations, the department is authorized and directed to prepare and from time to time update a Massachusetts Contingency Plan which, as nearly as the department deems appropriate and practicable, shall comport with and complement the National Contingency Plan prepared under the authority of 33USCSec.1321(c) and 42USCSec. 9605. In preparing said plan the department shall consider and take into account regionally and locally developed contingency plans.

(c) The department shall promulgate such regulations as it deems necessary for the implementation, administration and enforcement of this chapter, FWPCA, CERCLA and other pertinent laws. Such regulations may include provisions waiving or limiting the applicability of this chapter as to any matter which the department determines to be adequately regulated by another program or government agency. The department shall integrate its implementation and enforcement of this chapter with other programs established for the protection of the public health, safety, welfare and the environment.

Section 4. The department, whenever it has reason to believe that oil or hazardous material has been released or that there is a threat of release of oil or hazardous material, is authorized to take or arrange for such response actions as it reasonably deems necessary. Releases and threats of release for which the depart-

ment undertakes such response actions, and the extent of such response actions, shall be determined by reference to the Massachusetts contingency plan. Prior to undertaking any response action, the department shall notify the owner or operator of the site or vessel of its intent to take such action. Such notice shall not be required when the department does not know the identity or location of the owner or operator, or when because of an emergency or other circumstance, the giving of such notice would be impractical. In the event the department and the department of public health jointly determine the need for, scope and cost of a study of the public health effects of a release or threat of release of oil or hazardous material, the department shall provide for the conduct of such a study under the direction of the department of public health.

Nothing in this section shall preclude assessment, containment and removal by any person threatened or damaged by such release or threat of release, provided such assessment, containment and removal is conducted in accordance with the Massachusetts contingency plan and consistently with assessment, containment and removal actions conducted by the department. Chemicals shall not be used in the assessment, containment and removal of released oil or hazardous materials unless and until their use has been authorized by the department.

Any person who undertakes assessment, containment or removal action regarding the release or threat of release of oil or hazardous material shall be entitled to reimbursement from any other person liable for such release or threat of release for the reasonable costs of such assessment, containment and removal. If such release resulted from the negligence of two or more persons, each shall be liable to the others for his pro rata share of the costs of assessment, containment and removal. Any person who without charge renders assistance at the request of a duly authorized representative of the department in removing oil or hazardous material released shall not be held liable, notwithstanding any other provision of law, for civil damages as a result of any act or omission by him in removing such oil or hazardous material, except for acts or omissions of gross negligence or willful misconduct.

Section 5. (a) Except as otherwise provided in this section, (1) the owner or operator of a vessel or a site from or at which there is or has been a release or threat of release of oil or hazardous material; (2) any person who at the time of storage or disposal of any hazardous material owned or operated any site at or upon which such hazardous material was stored or disposed of and from which there is or has been a release or threat of release of hazardous material; (3) any person who by contract, agreement, or otherwise, directly or indirectly, arranged for the

transport, disposal, storage or treatment of hazardous material to or in a site or vessel from or at which there is or has been a release or threat of release of hazardous material; (4) any person who, directly or indirectly, transported any hazardous material to transport, disposal, storage or treatment vessels or sites from or at which there is or has been a release or threat of release of such material; and (5) any person who otherwise caused or is legally responsible for a release or threat of release of oil or hazardous material from a vessel or site, shall be liable, without regard to fault, (i) to the commonwealth for all costs of assessment, containment and removal incurred pursuant to section four and section eight relative to such release or threat of release, (ii) to the commonwealth for all damages for injury to and for destruction or loss of natural resources, including the costs of assessing and evaluating such injury, destruction or loss, incurred or suffered as a result of such release or threat of release, and (iii) to any person for damage to his real or personal property incurred or suffered as a result of such release or threat of release. Except as provided in paragraph (b), such liability shall be joint and several.

(b) Any person otherwise liable for any costs or damages set forth in subclauses (i), (ii) and (iii) of paragraph (a) who establishes by a preponderance of the evidence that only a portion of such costs or damages is attributable to a release or threat of release of such oil or hazardous material for which he is included as a party under clauses (1), (2), (3), (4) or (5) of said paragraph (a) shall be required to pay only for such portion.

(c) Subject to the limitation provided in paragraph (d), there shall be no liability under paragraph (a) for a person otherwise liable who can establish by a preponderance of the evidence, (A) that the release or threat of release of oil or hazardous material and the damages resulting therefrom were caused by:

(1) an act of God;

(2) an act of war;

(3) an act or omission of a third party other than an employee or agent of the person, or than one whose act or omission occurs in connection with a contractual relationship existing directly or indirectly, with the person, except where the sole contractual arrangement arises from a published tariff and acceptance for carriage by a common carrier by rail, if the person establishes by a preponderance of the evidence that he exercised due care with respect to the oil or hazardous material, that he took precautions against forseeable acts or omissions of any third party and the consequences that could forseeably result from such acts or omissions, and that he complied with all notification requirements of section seven; or

(4) any combination of the foregoing paragraphs, or (B) with respect to liabilities under subclauses (i) and (ii) of paragraph (a), that the substance or amount thereof released or threatened to be released does not represent a long or short term danger to the public health, safety, welfare or the environment.

(d) Any person whose land has been the site of a release of hazardous material for which the department has incurred costs for assessment, containment and removal under section four and who can establish by a preponderance of the evidence that he is otherwise eligible for the defenses set forth in paragraph (c) shall be liable to the department for such expenses only to the extent of the value of the property following the department's assessment, containment and removal actions.

(e) All persons liable under this section who are liable for a release or a threat of release for which the department incurs costs for assessment, containment and removal, shall be liable, jointly and severally, to the commonwealth in an amount up to three times their liability as set forth in this section.

(f) No indemnification, hold harmless, or similar agreement or conveyance shall be effective to transfer from the owner or operator of any vessel or site or from any person who may be liable for a release or threat of release of hazardous material under this section, to any other person the liability imposed under this section. Nothing in this paragraph shall bar any agreement to insure, hold harmless, or indemnify a party to such agreement for any liability under this section.

Section 6. The department may specify reasonable requirements, applicable to sites and vessels where releases of hazardous material might occur and to activities which might cause, contribute to, or exacerbate a release of hazardous material, to prevent and control, and to counter the effects of, such releases. Such requirements may be prescribed by regulations adopted under section three for classes of sites and vessels which the department reasonably has determined to pose a threat of release of hazardous material, and by order under section nine for specific sites and vessels which the department has determined to have a record of releases, or to have failed to respond properly to a release or threat of release of hazardous material, or to be conducting an activity which poses a threat of release of hazardous material. Such requirements may include, without limitation, but without duplication of requirements prescribed in other programs of the department, the preparation of contingency plans, the acquisition, construction, maintenance and operation of equipment, facilities and resources for the monitoring, prevention and control of releases, and the staffing and training of personnel regarding the prevention and control of releases of hazardous material.

Section 7. Any owner or operator of a site or vessel, and any person otherwise described in paragraph (a) of section five, as soon as he has knowledge of a release or a threat of release of oil or hazardous material, shall immediately notify the department thereof. Such notice shall not be required hereunder for any release which conforms to the terms of a currently valid permit or license issued by the department. Such notice shall not be required hereunder for the application of a pesticide product registered under the Federal Insecticide, Fungicide, and Rodenticide Act 7USCSec.136 et seq., and under the provisions of chapter one hundred and thirty-two B, or to the handling and storage of such a pesticide product by an agricultural producer.

Section 8. For the purpose of the administration and enforcement of this chapter and for the protection of the public health, safety, welfare and the environment, authorized personnel of the department may enter any site or vessel, at reasonable times and upon reasonable notice, to investigate, sample and inspect any records, conditions, equipment, practice or property. In the event that the department reasonably determines as a result of such investigation, sampling or inspection that there has been a release or that there is a threat of release of oil or hazardous material from or at such site or vessel, the department and its authorized personnel, agents and contractors may enter such site and vessel and areas proximate thereto and undertake such actions pursuant to section four relative to the assessment, containment and removal of oil or hazardous material as it reasonably deems necessary.

In the event that it has reason to believe that the owner or operator of a vessel or site has made fraudulent representations to the department or has destroyed or concealed evidence relating to a release or threat of release or to the assessment, containment or removal of a release or threat of release, the department may seize any records, equipment, property or other evidence it deems necessary. During the course of any assessment, containment and removal actions, the department may restrict and deny entry to the site or vessel and proximate property to protect the public health, safety, welfare and the environment and to provide for the efficient, expeditious and safe conduct of such actions; such restriction and denial shall not preclude access by the owner or operator of such site or vessel, provided that such owner or operator complies with all safety and operational protocols and requirements imposed by and to the satisfaction of the department and provided such owner or operator does not interfere with the efficient, expeditious and safe conduct of the department's assessment, containment and removal actions.

Section 9. Whenever it has reason to believe that oil or hazardous material has been released or that there is a threat of

release of oil or hazardous material, the department may order any person causing or legally responsible for such release or threat of release to conduct an assessment of such release or threat of release. Releases and threats of release for which the department orders such assessment shall be determined by reference to the Massachusetts contingency plan.

Whenever in the opinion of the department release or threat of release poses a significant danger to the public health, safety, welfare or the environment, the department may issue to any person causing or legally responsible for such release or threat of release an order requiring such person to conduct such containment and removal actions, consistent with the Massachusetts contingency plan, as the department reasonably deems necessary.

Whenever there is a violation of this chapter, the department may issue to such person causing or contributing to such violation an order requiring the production or analysis of samples and the production of records, or imposing such restraints of or requiring such action by said persons.

Issuance of an order under this section shall not preclude, and shall not be deemed an election to forego, any action authorized by section four or any action to recover damages, costs, or to seek civil penalties, criminal fines and sanctions, or injunctive relief.

Section 10. Any person aggrieved by a determination by the department to issue, deny, modify, revoke or suspend any order under the provisions of this chapter may request an adjudicatory hearing before the department under the provisions of chapter thirty A. Any such determination shall contain a notice of the right to request a hearing and may specify a reasonable time limit, not to exceed twenty-one days, within which said person shall request said hearing. If no such request is timely made, the determination shall be deemed assented to. If a timely request is received, the department within a reasonable time shall act upon such request in accordance with the provisions of said chapter thirty A.

If in making a determination which under the provisions of the first paragraph may be the subject of an adjudicatory hearing, the department finds that an imminent threat to the public health, safety or the environment could result, pending the conclusion of the adjudicatory hearing requested thereon, the department may order that the determination become provisionally effective and enforceable immediately upon issuance, and shall remain so notwithstanding and until the conclusion of any adjudicatory hearing procedures.

A person aggrieved by a final decision in an adjudicatory hearing held under the provisions of this section may obtain

judicial review thereof pursuant to the provisions of chapter thirty A.

Section 11. Any violation of this chapter, or of any regulation adopted or order issued thereunder, shall be presumed to constitute irreparable harm to the public health, safety, welfare or the environment. Such presumption may be rebutted by a preponderance of evidence.

In addition to liability for costs incurred by the commonwealth for the investigation, assessment, containment and removal of a release or a threat of a release of oil or hazardous material, any person who violates any provision of this chapter, or any order or regulation issued or adopted thereunder: (a) shall be subject to a civil penalty not to exceed twenty-five thousand dollars for each such violation; or (b) shall be punished by a fine of not more than twenty-five thousand dollars, or by imprisonment for not more than five years or both, for each such violation. Each day such violation occurs or continues shall be considered a separate violation.

The superior court department of the trial court shall have jurisdiction to enjoin violations of, or grant such additional relief as it deems necessary or appropriate to secure compliance with, the provisions of this chapter, or any order or regulation issued or adopted thereunder upon the petition of the attorney general or the commissioner. Upon request of the commissioner, the attorney general may bring an action to recover all costs incurred by the commonwealth in the assessment, containment and removal of any release or threat of release of oil or hazardous material. Actions brought by the attorney general to recover such costs shall be commenced within five years from the date the commonwealth incurs all such cost or five years from the date the commonwealth discovers the person responsible for the release or threat of release on account of which the commonwealth has incurred such costs, whichever occurs later.

Section 12. Notwithstanding the provisions of any law to the contrary, any information, record, or particular part thereof, obtained by the department, its personnel or contractors pursuant to the provisions of this chapter, upon request shall be confidential and shall not be considered to be a public record when it is determined 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. This section shall not prevent disclosure of any information necessary for an enforcement or cost recovery action or to comply with CERCLA or FWPCA.

Section 13. Any liability to the commonwealth under this chapter shall constitute a debt to the commonwealth. Any such

debt together with interest thereon at the rate of twelve per cent per annum from the date such debt becomes due, shall constitute a lien on all property, and rights to property, real and personal, presently owned or after acquired, of the persons liable under this chapter if a statement of claim, describing the property subject to the lien and signed by the commissioner, is filed within ninety days after the incurrence of costs and expenses. In the case of real property, the statement shall be filed in, accepted and recorded by the appropriate registry of deeds. In the case of personal property, whether tangible or intangible, the statement shall be filed in accordance with the provisions of section 9-401 of chapter one hundred and six.

Any lien filed pursuant to this section shall have priority over any prior encumbrancer or levying creditor, and over any subsequent purchaser, encumbrancer, or levying creditor of the owner of the property subject to the lien. Such lien shall continue until the liability for the amount so assessed is satisfied. Such lien against real property may be dissolved by filing with the appropriate register of deeds a certificate signed by the commissioner that the debt for which such lien attached, together with interest and costs thereon, has been paid or legally abated.

SECTION 6. The department of environmental quality engineering is authorized and directed to expend a sum, not to exceed twenty-five million dollars, to be raised by the sale of notes and bonds authorized by sections seven and eight of this act, for the purpose of carrying out the actions authorized by section four of chapter twenty-one E of the General Laws. Funds provided by this act shall be in addition to funds provided by chapter six hundred and eighty-seven of the acts of nineteen hundred and sixty-six, chapter seven hundred and forty-seven of the acts of nineteen hundred and seventy, chapter seven hundred and ninety-eight of the acts of nineteen hundred and seventy-nine and by chapter two hundred and eighty-six of the acts of nineteen hundred and eighty-two. Any funds received as fines or penalties under chapters twenty-one C and twenty-one E of the General Laws as well as any funds received as cost recovery from persons liable under section five of said chapter twenty-one E shall be applied to payment of interest and principal on notes and bonds issued under sections seven and eight of this act, as the commissioner of administration may direct.

SECTION 7. In addition to any federal funds received, the state treasurer may borrow from time to time on credit of the commonwealth such sums of money as may be necessary for the purposes of meeting payments under this act, and may issue and renew from time to time notes of the commonwealth therefor,

bearing interest payable at such times and at such rates as shall be fixed by the state treasurer. Said notes may 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 the provisions of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, but the final maturities of such notes shall be not later than June thirtieth, nineteen hundred and ninety.

SECTION 8. To meet a portion of the expenditures necessary in carrying out the provisions of section six of this act, or to refinance notes issued as provided in section seven of this act, the state treasurer, upon request of the governor, shall issue and sell bonds of the commonwealth, registered or with coupons attached, as he deems best, to an amount to be specified by the governor from time to time, but not exceeding, in the aggregate, the sum of twenty-five million dollars.

All bonds so issued by the commonwealth, as aforesaid, shall be designated on their face, Oil and Hazardous Material Response Loan, Act of 1983, and shall be issued for such maximum terms of years, not exceeding thirty-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; provided, however, that all such bonds shall be payable not later than June thirtieth, two thousand and seventeen. 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, notwithstanding any other provisions of this act, shall be general obligations of the commonwealth. 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 seventeen.

SECTION 9. Regulations adopted and orders issued under the authority of sections twenty-six A, twenty-seven and forty of chapter twenty-one of the General Laws and in effect prior to the effective date of this act, shall continue in full force and effect following the effective date of this act, and shall be administered and enforced by the department of environmental quality engineering, and from time to time, as said department deems appropriate, amended or repealed. No suit, action, cause of action or other proceeding arising under the provisions of said sections twenty-six A, twenty-seven and forty or regulations adopted or orders issued thereunder, shall abate or be impaired by reason of the passage of this act. No determination of responsibility or other administrative finding shall be required as a

jurisdictional prerequisite for such suit, action, cause of action or under the provisions of chapter twenty-one E of the General Laws.

SECTION 10. Contracts entered into on account of and under authority of clause (14) of section twenty-seven of chapter twenty-one of the General Laws shall remain in full force and effect following the passage of this act, and expenditures and obligations thereunder shall be payable from funds provided therefor by chapter six hundred and eighty-seven of the acts of nineteen hundred and sixty-six, chapter seven hundred and forty-seven of the acts of nineteen hundred and seventy, and by chapter seven hundred and ninety-eight of the acts of nineteen hundred and seventy-nine, until the term of such contracts shall expire or until such contracts are terminated by action of the department of environmental quality engineering.

SECTION 11. Pending the publication of the Massachusetts contingency plan authorized by section three of chapter twenty-one E of the General Laws, the provisions of said chapter relating to said plan shall not be interpreted, when in the opinion of the department of environmental quality engineering such release or threat of release constitutes a threat to the public health, safety, welfare or the environment, to preclude or restrict the department from undertaking or ordering such response actions as it reasonably deems necessary to protect the public health, safety, welfare or the environment. Pending the publication of said plan, the provisions of said chapter twenty-one E relating to said plan shall not be interpreted to preclude or restrict response actions by any person other than the department threatened or damaged by a release or threat of release of oil or hazardous material.

SECTION 12. Fees determined by the commissioner of administration pursuant to section seven of chapter twenty-one C of the General Laws shall not be assessed until January first, nineteen hundred and eighty-four; provided, that the initial regulations prescribing such fees shall be filed with the state secretary for publication in the Massachusetts Register no later than August thirtieth, nineteen hundred and eighty-three.

SECTION 13. There is hereby established a special commission, to consist of two members of the senate, three members of the house of representatives, the commissioner of environmental quality engineering or his designee, the commissioner of public health or his designee, the secretary of environmental affairs or his designee, the attorney general or his designee, and eight

persons to be appointed by the governor, one of whom shall be an attorney, one of whom shall be experienced in the public health aspects of releases of oil and hazardous material, one of whom shall be a representative of environmental public interest organizations, two of whom shall be representatives of industry, and three of whom shall represent the public at large, is hereby established for the purpose of making an investigation and study relative to determining the adequacy of existing common law and statutory remedies available to the commonwealth to recover its costs of assessing, containing and removing oil and hazardous materials released or threatened to be released into the environment and to any other person for damage, injury, loss or other harm suffered as a result of such release of oil or hazardous material. Said commission shall evaluate the following: (a) the nature, adequacy and availability of existing remedies under present law in compensating for harm to persons or property from such releases or threatened releases, and (b) the scope of liability under existing law and the consequences, particularly with respect to obtaining insurance, of any changes in such liability. 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 to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday in December, nineteen hundred and eighty-three.

Approved March 24, 1983.

Chap. 8. AN ACT CLARIFYING CERTAIN PROVISIONS OF THE SUNDAY LAW, SO-CALLED.

Be it enacted, etc., as follows:

SECTION 1. Clause (50) of section 6 of chapter 136 of the General Laws, as amended by chapter 556 of the acts of 1982, is hereby further amended by striking out the second, third and fourth sentences and inserting in place thereof the following paragraph:-

Any store or shop which qualifies for exemption under this clause or under clause (25) or clause (27) and which employs more than a total of seven persons, including the proprietor, on Sunday or any day throughout the week, shall compensate all employees engaged in the work performed on Sunday pursuant to the provisions of this clause, or clause (25) or clause (27), excepting those bona fide executive or administrative or professional persons earning more than two hundred dollars a week, at

a rate not less than one and one-half times the employee's regular rate. No employee engaged in work subject to the provisions of this clause shall be required to perform such work, and refusal to work for any retail establishment on Sunday shall not be grounds for discrimination, dismissal, discharge, reduction in hours, or any other penalty. The provisions of this paragraph shall be enforced by the department of labor and industries. The provisions of section one hundred and eighty A of chapter one hundred and forty-nine shall apply to any violation of this paragraph.

SECTION 2. Chapter 149 of the General Laws is hereby amended by inserting after section 180 the following section:-

Section 180A. Whoever violates any provisions of the second paragraph of clause (50) of section six of chapter one hundred and thirty-six shall be punished by a fine of not more than one thousand dollars.

Approved March 24, 1983.

EMERGENCY LETTER - March 24, 1983, @ 4:26 P.M.

Chap. 9. AN ACT AUTHORIZING THE SEWER COMMISSION OF THE TOWN OF WESTWOOD TO TAKE A CERTAIN EASEMENT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the sewer commission of the town of Westwood is hereby authorized to take an easement across a certain parcel of land presently under the jurisdiction of the Westwood conservation commission. Said easement to be used for sewer purposes by said sewer commission.

Said easement is shown on a plan of land, "Pear Tree Drive, Westwood, Norfolk County, Mass. - Easement Plan - Date 7-7-82 Job 2381 by Yunits Engineering Co., Inc. Consulting Engineers, 11 Technical Park Drive, Holbrook, Mass. 02343," and further described as follows:

The easement starts at the northeast corner of Lot 42 Pear Tree Drive and thence runs NORTHERLY 45 degrees, one minute and 22 seconds for 20 feet; thence turning and running SOUTHEAST 44 degrees, 30 minutes and 37 seconds for seven feet; thence turning and running SOUTH 88 degrees 26 minutes and 19 seconds for a distance of 316.385 feet to a point on the northwest property line of Glacier Sand Company; thence turning and

running South 36 degrees 10 minutes and 43 seconds west for a distance of 24.30 feet; then turning and running NORTH 88 degrees, 26 minutes and 19 seconds west for a distance of 310.645 feet and finally turning and running NORTH 44 degrees 30 minutes and 37 seconds for 14.90 feet to point of beginning.

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

Approved March 24, 1983.

Chap. 10. AN ACT AUTHORIZING THE CITY OF CHICOPEE TO ACQUIRE BY PURCHASE CERTAIN LAND FOR DEVELOPMENT AND TO BORROW MONEY FOR SAID PURPOSE.

Be it enacted, etc., as follows:

SECTION 1. It is hereby found that there exists within the commonwealth substantial unemployment, that the termination by the United States of certain activities on the Westover property has resulted and, in the absence of orderly conversion and redevelopment of the Westover property to nonmilitary uses, will further result in blight, decadent and substandard areas, economic dislocation and additional unemployment, all to the detriment of the welfare of the people of the commonwealth; and that private enterprise unaided by the commonwealth is unable to accomplish such an orderly conversion and redevelopment to prevent such further detriment. Therefore, it is the purpose of this action to aid private enterprise in the orderly conversion and redevelopment of the Westover property to nonmilitary uses including but not limited to residential, industrial, commercial or manufacturing uses in order to prevent blight, substandard or decadent areas, economic dislocation and additional unemployment and to aid private enterprise fully to utilize opportunities to alleviate unemployment.

SECTION 2. The city of Chicopee is hereby authorized to purchase from the United States of America certain property at Westover Air Force Base described in an offer to purchase dated February fifteenth, nineteen hundred and eighty-three, containing approximately one hundred and fifty-two acres and approximately six hundred and eighty-two units of housing, hereinafter referred to as the "Westover property", and after such acquisition the city may develop or provide for the development of such property in accordance with this act. For said purposes the city may appropriate and expend such sums as may be necessary, not exceeding, in the aggregate, two million dollars.

SECTION 3. For the purpose of making an appropriation under the provisions of section two of this act, the board of aldermen of said city, with the approval of the mayor, may authorize the borrowing from time to time of such sums as may be necessary, not exceeding, in the aggregate, two million dollars, and the issuance of bonds therefor which shall bear on their face the words, Chicopee Land Acquisition and Development Loan, Act of 1983. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. The initial payment of principal of each issue shall be made not later than five years from the date of the loan. The maturities of each issue shall be arranged so that, commencing with the first year in which a principal payment is due, the amounts payable in the several years for principal and interest combined shall be as nearly equal as it is practicable to make them in the opinion of the officers authorized to issue the bonds, or, in the alternative, in accordance with a schedule providing a more rapid amortization of principal.

SECTION 4. If the city votes to issue bonds hereunder, the officers authorized to issue the same may, in the name of the city, make temporary loans in anticipation of the money to be derived from the sale of such bonds, and may issue temporary notes therefor. Each such loan shall be payable within three years from its date, provided that temporary notes issued under this section for a shorter period of time than permitted herein may be refunded by the issue of other temporary notes maturing within the required period, provided that the period from the date of issue of the original notes to the maturity of the refunding notes shall not be more than the period permitted herein, and provided further that the time prescribed herein within which principal payments on the bonds shall be made, shall not be extended by reason of such temporary loans. No payment need be made under section seventeen A of chapter forty-four of the General Laws with respect to any loan refunded pursuant to this section.

SECTION 5. Indebtedness incurred under this act shall be in excess of the statutory limits prescribed by section ten of chapter forty-four of the General Laws, but except as provided herein, shall be subject to the applicable provisions of said chapter forty-four.

SECTION 6. In addition to other lawful items, the costs to be financed by the issue of bonds or notes hereunder may include interest up to three years from the date of the original borrowing under this act, the cost of planning, architectural, engineering,

financial and legal services, plans, specifications, studies of costs and of revenues, administrative expenses, expenses as may be necessary or incident to determining the feasibility or practicability of implementing a development project hereunder and such other expenses as may be necessary or incident to the project, and the financing thereof.

SECTION 7. All proceedings heretofore taken by the city with respect to the acquisition of the Westover property are hereby ratified, validated and confirmed in all respects, and the proceeds of bonds or notes issued under this act may be used to repay advances made by the city from other funds in the amount of one hundred and fifty thousand dollars for deposit as earnest money under the offer to purchase as set forth in section two of this act.

SECTION 8. Prior to the acquisition of the Westover property, the board of aldermen of said city, with the approval of the mayor, shall make findings as to the public benefit to accrue from the acquisition of the Westover property and shall approve a plan for the development of the property. The plan may be amended from time to time and may apply to one or more projects, which plan shall be consistent with local planning objectives relative to land use, traffic, public transportation, public utilities, recreational, educational and community facilities and other public improvements; and shall be sufficiently complete to show such demolition, removal, and rehabilitation of structures, and such redevelopment and general public improvements as may be proposed to be carried out within such area, zoning and planning changes, if any, and proposed land uses, maximum densities and building requirements. No such plan shall be adopted or amended until a public hearing, after notice, is held by the board of aldermen of said city.

SECTION 9. Any project undertaken in accordance with the plan set forth in section eight of this act may include clearance or development of any portion of the Westover property, elimination or prevention of the development or spread of a substandard, decadent or blighted open area by means of rehabilitation or conservation work, which work may include the promulgation and enforcement of building and other codes within such area or the restoration and renewal of any such area or portion thereof, by carrying out a program of voluntary repair and rehabilitation of buildings or other improvements, demolition, removal, or rehabilitation of structures whenever necessary to eliminate unhealthful, unsanitary or unsafe conditions, lessen density, mitigate or eliminate traffic congestion, reduce traffic

hazards, eliminate obsolete or other uses detrimental to the public welfare, provide land for needed public facilities or otherwise remove or prevent the spread of blight and deterioration; or any combination of the foregoing types of projects. Such project may also include the installation, construction or reconstruction of public and private ways, public utilities and services, parks, playgrounds, off-street parking areas, traffic, fire control and police communications systems and other similar installations necessary for carrying out the objectives of the project, together with such site improvements as are necessary for the preparation of any sites for uses in accordance with the plan, and making any land or improvements acquired in the area of the project available for redevelopment or rehabilitation by private enterprise or public charitable agencies, including the sale, initial leasing or retention by said city for residential, recreational, commercial, industrial, public, or other uses in accordance with the plan.

SECTION 10. The city of Chicopee is hereby authorized to contract with the Chicopee Development Corporation, Inc. with respect to the Westover property by which said Chicopee Development Corporation, Inc. may purchase the property from said city for not less than the purchase price paid by said city to carry out a project or projects under chapter forty F of the General Laws, or act as agent for said city for purposes of selling or developing the property, subject to such conditions as shall be established by the board of aldermen with the approval of the mayor; provided, however, that such purchase or transfer of property to said Chicopee Development Corporation, Inc. comply with the provisions of Article XCVII of the Amendments to the Constitution.

SECTION 11. The provisions of this act are severable and if any of its provisions shall be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect or impair any other provisions.

SECTION 12. This act shall take effect upon its passage.

Approved March 24, 1983.

Chap. 11. AN ACT AUTHORIZING ESTIMATED TAX PAYMENTS IN CERTAIN CITIES AND TOWNS.

Whereas, The deferred operation of this act would tend to

defeat its purpose, which is to immediately authorize estimated tax payments in certain cities and towns, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, any city or town undertaking a general revaluation of its property under a program approved by the commissioner of revenue for completion and implementation for fiscal year nineteen hundred and eighty-four and, providing that the commissioner of revenue is satisfied that full and fair valuations shall be established prior to February first, nineteen hundred and eighty-four for certification under paragraph (c) of section two A of chapter fifty-nine of the General Laws and, providing further that said commissioner certifies, in writing, that these conditions have been met, is hereby authorized to issue a first half notice of estimated tax in lieu of the actual assessment and issuance of the tax bill, and require the payment of such estimated tax, which shall in no event exceed fifty per cent of the tax payable during the preceding fiscal year. Upon the completion of such revaluation, but no later than April first, nineteen hundred and eighty-four, the assessors of such city or town shall establish the tax rate for fiscal year nineteen hundred and eighty-four. Payment of the balance of such tax bill, after credit is given for the estimated tax payment previously made, shall represent the second payment upon such bill that is payable on or before May first, nineteen hundred and eighty-four without payment of interest.

All provisions of law regarding the procedures for issuing, mailing and collecting tax assessments upon real and personal property and betterment assessments shall be applicable to the notice of estimated tax provided hereunder, including the payment of interest under section fifty-seven of said chapter fifty-nine. To the extent that any rights or remedies under law accrue from the date that the tax bill is issued, only the tax bill issued upon the establishment of the tax rate for fiscal year nineteen hundred and eighty-four shall govern such rights or remedies. The provisions of section twenty-one C of said chapter fifty-nine shall apply to the tax rate for fiscal year nineteen hundred and eighty-four established by such city or town.

SECTION 2. Notwithstanding the provisions of section one of this act, a city or town authorized to issue a notice of estimated tax in lieu of the tax bill for the fiscal year nineteen hundred and eighty-four may, with the prior written approval of the

commissioner of revenue, require the payment of an estimated tax in excess of fifty per cent of the tax payable during fiscal year nineteen hundred and eighty-three to the extent that such excess represents one-half of the amount of tax accruing as a result of the loss of exemption from tax that had been granted in the preceding fiscal year.

Approved March 24, 1983.

Chap. 12. AN ACT RELATIVE TO THE DATES FOR ANNUAL TOWN MEETING AND SUBMISSION OF BUDGETS IN CITIES IN THE YEAR NINETEEN HUNDRED AND EIGHTY-THREE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize the postponement of annual town meetings and presentation by mayors of city budgets to city councils for the current year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section nine of chapter thirty-nine of the General Laws or any other law, by-law or charter to the contrary, a town, by a vote of its board of selectmen or town council may delay the annual town meeting for the current year; provided, however, that such annual town meeting shall complete its business on or before June thirtieth, nineteen hundred and eighty-three.

SECTION 2. Notwithstanding the provisions of any law or any regional school district agreement to the contrary, a school committee of a regional school district is not required to adopt its annual budget for the fiscal year commencing July first, nineteen hundred and eighty-three earlier than forty-five days prior to the earliest date on which the annual town meeting of any member town is held; provided, however, that the selectmen or town council in the town which has scheduled such earliest date for its annual town meeting may authorize said school committee of the regional school district to adopt its budget subsequent to said forty-five days.

SECTION 3. Notwithstanding the provisions of section thirty-two of chapter forty-four of the General Laws, the mayor in any city, except 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-three submit to the city council the annual budget for the fiscal year nineteen hundred and eighty-four. In any city, except the city of Boston, if said annual budget has been submitted to the city council on the effective date of this act, said city council shall have an additional seventy-five days to consider said budget, but shall be required to take final action, in any event, not later than June fifteenth, nineteen hundred and eighty-three.

SECTION 4. The provisions of sections one and two of this act shall not apply to any portion of the annual town meeting which provides for the elections and certification of officers and other matters to be determined by ballot. The annual town meeting and the election and certification of officers shall be called in pursuance of one or more warrants under the provisions of sections nine A and ten of chapter thirty-nine of the General Laws.

Approved March 24, 1983.

Chap. 13. AN ACT RELATIVE TO THE ANNUAL OBSERVANCE OF GREEK INDEPENDENCE DAY.

Be it enacted, etc.,as follows:

Chapter 6 of the General Laws is hereby amended by inserting after section 15QQ, inserted by chapter 82 of the acts of 1982, the following section:-

Section 15RR. The governor shall annually issue a proclamation setting apart the twenty-fifth day of March as Greek Independence Day and recommending that said day be observed in an appropriate manner by the people.

Approved March 25, 1983.

Chap. 14. AN ACT AUTHORIZING THE CITY OF NEWBURYPORT TO LEASE A CERTAIN BUILDING IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of sections three and three A of chapter forty of the General Laws or any other provision of law to the contrary, the city of Newburyport is hereby authorized to enter into a lease agreement with a

developer, the length thereof to be determined by and between said city and developer, to lease a parcel of land with buildings thereon owned by said city on the northeasterly side of Merrimac street in said Newburyport, known as the former Central Fire Station containing seven thousand three hundred eighty-eight square feet and shown as parcel 13 in Block One on a plan entitled "Central Business Project, Project No. Mass. R-80 Eminent Domain Taking Plan", dated November 20, 1967, amended March 12, 1968 by Metcalf & Eddy, Engineers. Assessors Map 13, Market Square Map 11, Lot One.

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

Approved March 28, 1983.

Chap. 15. AN ACT FURTHER REGULATING THE AVAILABILITY OF CERTAIN PUBLIC RECORDS.

Be it enacted, etc., as follows:

Section 10 of chapter 66 of the General Laws, as most recently amended by chapter 477 of the acts of 1982, is hereby further amended by adding the following paragraph:-

(d) The clerk of every city or town shall post, in a conspicuous place in the city or town hall in the vicinity of the clerk's office, a brief printed statement that any citizen may, at his discretion, obtain copies of certain public records from local officials for a fee as provided for in this chapter.

Approved March 28, 1983.

Chap. 16. AN ACT RELATIVE TO THE SELECTMAN-ADMINISTRATOR FORM OF GOVERNMENT FOR THE TOWN OF STONEHAM.

Be it enacted, etc., as follows:

Section 10 of chapter 26 of the acts of 1981 is hereby amended by striking out paragraph (a) and inserting in place thereof the following paragraph:-

(a) The town administrator shall supervise and direct the administration of all departments, commissions, boards and offices except the board of selectmen, school committee, finance and advisory board, election officers, registrars of voters and all elected officials.

Approved March 28, 1983.

Chap. 17. AN ACT DESIGNATING THE INTERSECTION OF STATE HIGHWAY ROUTE 122 AND PRESTON STREET IN THE TOWN OF MILLVILLE AS THE HONORABLE CHARLES A. MULLALY SQUARE.

Be it enacted, etc., as follows:

The intersection of state highway route 122 and Preston street in the town of Millville shall be designated and known as the Honorable Charles A. Mullaly Square in honor of Charles A. Mullaly, a former member of the general court. The department of public works shall erect suitable markers at said intersection bearing said designation in compliance with the standards of said department.

Approved March 28, 1983.

Chap. 18. AN ACT DESIGNATING THE INTERSECTION OF STATE HIGHWAY ROUTE 146 AND BOSTON ROAD IN THE TOWN OF SUTTON AS THE DUDLEY-GENDRON POST 414 AMERICAN LEGION SQUARE.

Be it enacted, etc., as follows:

The intersection of state highway route 146 and Boston road in the town of Sutton shall be designated and known as the Dudley-Gendron Post 414 American Legion Square in recognition of the contribution of said Post's past and present members to the defense of the nation and of said Post's continuing work to help improve the community. The department of public works shall erect suitable markers in compliance with the standards of said department.

Approved March 28, 1983.

Chap. 19. AN ACT RELATIVE TO PUBLIC ECONOMIC DEVELOPMENT PROJECTS.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any law to the contrary, including paragraph (c) of section seventeen of chapter seven

hundred and thirty-two of the acts of nineteen hundred and eighty-one, and paragraph (b) of section one of chapter three hundred and thirty-five of the acts of nineteen hundred and eighty-two, the following provisions shall apply to the public works economic development projects authorized in said section seventeen and said section one, subject to the provisions of paragraphs (a), (b) and (c):-

(a) The commissioner of public works may commit the funds authorized by said section seventeen and said section one by executing the grant or other contractual agreements with municipalities as are referred to in said section seventeen and said section one, and upon such execution, the funds so committed shall be made available as a grant directly to the municipality which has entered into such agreement without further review or approval of the department of public works. Such agreement shall contain assurances satisfactory to the commissioner that the municipality will award any construction contract for the project which is the subject of such agreement not later than one hundred and eighty days after the date of execution by the commissioner.

(b) In the event that such contract is not awarded by the municipality within such period, the commissioner may require, by written notification to said municipality, that the funds paid to it by the commonwealth pursuant to such agreement shall be returned forthwith to the commonwealth.

(c) The commissioner may, through execution of grant or other contractual agreements as provided in paragraph (a), commit an amount of funds up to but not exceeding the aggregate amount of funds returned by municipalities under the provisions of paragraph (b) to any other municipality which has otherwise complied with applicable requirements for such projects, including the terms and conditions provided in paragraphs (a) and (b).

Approved March 28, 1983.

EMERGENCY LETTER - March 28, 1983 @ 3:29 P.M.

Chap. 20. AN ACT RELATIVE TO FUNDING OUTSTANDING JUDGMENTS AGAINST THE CITY OF EVERETT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the city of Everett may exclude from its annual budget for the fiscal year ending June thirtieth, nineteen hundred and eighty-three all outstanding court

judgments against said city; provided, however, that such exclusion shall not exceed the amount of six hundred and thirty thousand dollars. Said city shall include in its annual budget for the fiscal year ending June thirtieth, nineteen hundred and eighty-four an amount equal to one-half of the amount excluded in the fiscal year ending June thirtieth, nineteen hundred and eighty-three. Said city shall include in its annual budget for the fiscal year ending June thirtieth, nineteen hundred and eighty-five all outstanding amounts remaining from the total amount excluded.

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

Approved March 29, 1983.

Chap. 21. AN ACT RELATIVE TO THE GASOLINE EXCISE TAX.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 64A of the General Laws is hereby amended by striking out paragraph (l), as amended by section 4 of chapter 352 of the acts of 1982, and inserting in place thereof the following paragraph:-

(l) "Tax per gallon", ten per cent of the average price, as determined by the commissioner for each calendar quarter, computed to the nearest tenth of a cent per gallon; provided, however, that such tax shall not be less than eleven cents per gallon.

SECTION 2. Chapter 64E of the General Laws is hereby amended by striking out section 4, as most recently amended by section 11 of said chapter 352, and inserting in place thereof the following section:-

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 at the tax per gallon determined by the commissioner under chapter sixty-four A upon each gallon of special fuels sold or used by him in the commonwealth during the calendar month covered by the return. Notwithstanding the foregoing, the tax per gallon payable upon each gallon of liquified gas shall be separately determined by the commissioner utilizing the same procedures as those used for fuel under chapter sixty-four A and such tax per gallon as so determined shall apply to each gallon of liquified gas sold or used by a licensee in the commonwealth during the calendar

month covered by the return; provided, however, that there shall be no minimum tax per gallon as provided in said chapter sixty-four A.

SECTION 3. The provisions of this act shall apply to all fuel, special fuels and liquified gas sold or used in the commonwealth on or after April first, nineteen hundred and eighty-three.

Approved March 30, 1983.

EMERGENCY LETTER - March 30, 1983. @ 9:10 A.M.

Chap. 22. AN ACT VALIDATING CERTAIN ACTION TAKEN BY THE TOWN OF NANTUCKET AT ITS ANNUAL TOWN MEETING IN THE YEAR NINETEEN HUNDRED AND EIGHTY-TWO.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section ten of chapter thirty-nine of the General Laws or any other general or special law to the contrary, the question placed on the official ballot at the annual town meeting of the town of Nantucket held on April fifth, nineteen hundred and eighty-two pursuant to section twenty-one C of chapter fifty-nine of the General Laws and which read as follows:- "Shall the Town of Nantucket be allowed to exempt the amounts required to pay for the bond issued in order to reconstruct or overlay existing paved roads? YES_____ NO_____", and which was approved by a majority of the voters voting thereon, is hereby validated, ratified and confirmed to the same extent as if said question had been included on the town warrant.

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

Approved March 31, 1983.

Chap. 23. AN ACT AUTHORIZING THE TREASURER OF THE TOWN OF MARSHFIELD TO REIMBURSE CERTAIN REAL PROPERTY OWNERS FOR AN OVERASSESSMENT OF CHARGES FOR THE WASTE-WATER TREATMENT PROJECT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the

contrary, the town of Marshfield is hereby authorized to reimburse certain real estate taxpayers for charges which had been erroneously assessed against said real estate taxpayers for a wastewater treatment project during fiscal year nineteen hundred and eighty-one. The total amount for such reimbursement shall not exceed, in the aggregate, the sum of one hundred ninety-six thousand three hundred twenty-six dollars and sixty cents.

SECTION 2. All actions taken by said town in fiscal year nineteen hundred and eighty-two relative to the payment of money to certain real estate taxpayers for charges which had been erroneously assessed against said taxpayers for said wastewater treatment project during fiscal year nineteen hundred and eighty-one are hereby validated, ratified and confirmed as if section one of this act was in effect at the time of such actions.

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

Approved March 31, 1983.

Chap. 24. AN ACT AUTHORIZING THE TOWN OF ORANGE TO ISSUE A LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO DIANE M. KWOK.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section seventeen of chapter one hundred and thirty-eight of the General Laws, the licensing authority of the town of Orange is hereby authorized to issue a license to Diane M. Kwok, d/b/a Pearl Island, for the sale of all alcoholic beverages to be drunk on the premises under the provisions of section twelve of said chapter one hundred and thirty-eight; provided that the number of seasonal licenses for the sale of all alcoholic beverages to be drunk on the premises authorized for said town to issue under the provisions of said section seventeen is reduced by one such license. Said license shall be subject to all the provisions of said chapter one hundred and thirty-eight except said section seventeen.

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

Approved March 31, 1983.

Chap. 25. AN ACT FURTHER REGULATING THE PRORATION OF CERTAIN BOAT EXCISE TAXES.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 60B of the General Laws, as appearing in section 5 of chapter 581 of the acts of 1978, is hereby amended by striking out paragraph (h) and inserting in place thereof the following paragraph:-

(h) If during any fiscal year ownership of a boat subject to an excise under this chapter is transferred by sale or otherwise, or if during any fiscal year the owner of a boat subject to such an excise removes to another state and registers a boat in such other state and surrenders or does not renew his registration in this state, the excise under this chapter shall be reduced, upon application, by an abatement equal to the proportion of an excise under this chapter on such boat for the full fiscal year which the number of months in said year remaining after the month in which such transfer by sale or otherwise or such surrender or expiration of registration occurs bears to twelve.

SECTION 2. This act shall apply to excises imposed for the fiscal year commencing July first, nineteen hundred and eighty-three and thereafter.

Approved March 31, 1983.

Chap. 26. AN ACT AUTHORIZING THE TOWN OF OXFORD TO BECOME AN ELIGIBLE MEMBER OF THE UPPER BLACKSTONE WATER POLLUTION ABATEMENT DISTRICT.

Be it enacted, etc., as follows:

Section 1 of chapter 752 of the acts of 1968 is hereby amended by striking out the last paragraph, added by chapter 522 of the acts of 1982, and inserting in place thereof the following paragraph:-

The town of Oxford, by vote at a town meeting, may become an eligible member of the district, subject to a majority vote of the board.

Approved March 31, 1983.

EMERGENCY LETTER - April 1, 1983 @ 11:16 A.M.

Chap. 27. AN ACT RELATIVE TO THE FILING OF HOME RULE CHARTERS, SO CALLED.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 12 of chapter 43B of the General Laws, as most recently amended by section 16 of chapter 163 of the acts of 1975, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:- One such certificate shall be deposited in the office of the state secretary and shall be kept under the custody of the archivist of the commonwealth, one shall be deposited in the office of the secretary of communities and development, one shall be deposited in the office of the attorney general and the other shall be recorded in the records of the city or town and deposited in its archives.

SECTION 2. Section 16 of said chapter 43B, as most recently amended by section 20 of said chapter 163, is hereby further amended by adding the following sentence:- Any paper or document which is required by this chapter to be filed with or submitted to the state secretary shall be deemed to be so filed or submitted when it is delivered to the state secretary or to his office.

Approved March 31, 1983.

Chap. 28. AN ACT RELATIVE TO THE LICENSING AND KEEPING OF DOGS IN THE CITY OF PEABODY AND PROVIDING FOR THE PAYMENT OF CERTAIN FEES TO SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section one hundred and thirty-seven of chapter one hundred and forty of the General Laws or any other general or special law to the contrary, the registering, numbering, describing and licensing of dogs, if kept in the city of Peabody shall be conducted in the office of the city clerk of said city.

SECTION 2. Notwithstanding the provisions of section one hundred and forty-seven of said chapter one hundred and forty or any other general or special law to the contrary, all money received for licenses or from the sale of dog licenses by said city, 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 and said city shall retain all monies received.

Approved March 31, 1983.

Chap. 29. AN ACT RELATIVE TO THE LICENSING AND KEEPING OF DOGS IN THE TOWN OF DANVERS AND PROVIDING FOR THE PAYMENT OF CERTAIN FEES TO SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section one hundred and thirty-seven of chapter one hundred and forty of the General Laws or any other general or special law to the contrary, the registering, numbering, describing and licensing of dogs, if kept in the town of Danvers shall be conducted in the office of the town clerk of said town.

SECTION 2. Notwithstanding the provisions of section one hundred and forty-seven of said chapter one hundred and forty or any other general or special law to the contrary, all money received for licenses or from the sale of dog licenses by said town, or recovered as fines or penalties by said town under the provisions of said chapter one hundred and forty relating to dogs, shall be paid into the treasury of said town and said town shall retain all monies received.

Approved March 31, 1983.

Chap. 30. AN ACT INCREASING THE PENALTY FOR VIOLATION OF THE RULES AND REGULATIONS OF THE BOARD OF SEWER COMMISSIONERS OF THE TOWN OF COHASSET.

Be it enacted, etc., as follows:

Section 12 of chapter 65 of the acts of 1962 is hereby amended by striking out, in line 5, the word "twenty" and inserting in place thereof the words:- three hundred.

Approved March 31, 1983.

Chap. 31. AN ACT ESTABLISHING A SELECTMEN-ADMINISTRATOR FORM OF GOVERNMENT IN THE TOWN OF ADAMS.

Be it enacted, etc., as follows:

SECTION 1. Upon the acceptance of this act by the town of Adams, as hereinafter provided, the town shall be governed by the provisions of this act. To the extent that the provisions of this act modify or repeal existing general laws and special acts or that body of law which constitutes the town charter under Section 9 of Article LXXXIX of the Amendments to the Constitution of the Commonwealth, this act shall govern.

SECTION 1A. Following the acceptance of this act, as hereinafter provided, the voters of the town of Adams shall, in accordance with any applicable general or special law or by-law or vote of the town, continue to elect the following:-

(a) town meeting members
(b) moderator
(c) board of selectmen
(d) library trustees
(e) representatives to the Adams-Cheshire Regional School District Committee
(f) representatives to the Northern Berkshire Regional Vocational School Committee
(g) redevelopment authority
(h) housing authority
(i) town clerk
(j) assessor
(k) board of health
(l) cemetery commissioner
(m) park commissioner
(n) planning board member
(o) treasurer-collector.

The acceptance of this act shall not affect the term of office of any such elected official or elected member of such board, committee, or authority. Every other elective office, board, committee, or commission of the town shall become appointive as hereinafter provided, any other provision of law to the contrary notwithstanding. The term of office of any person elected to any office, board, committee or commission existing as an elected office at the time of the acceptance of this act and having become appointive hereunder, shall continue until the term for which that person was elected shall have expired, and until the appointment and qualification of his successor.

The powers, duties and responsibilities of elected officials shall be as now or hereafter provided by applicable provisions of any general law or special law or by-law or vote of the town, except as otherwise expressly provided herein.

Notwithstanding the election by the voters of the town of the

officers named in this section, such officers shall be available to the administrator for consultation, conference and discussion on matters relating to their respective offices.

SECTION 2. The board of selectmen shall consist of five members elected by the voters of the town. At the first annual election after acceptance of this act by the town, there shall be elected three selectmen, one for three years, one for two years, one for one year term. At each annual election thereafter, there shall be elected one or two selectmen such as to maintain a five member board. Those selectmen in office at the time of the approval of this act shall serve until the terms for which they were elected shall have expired.

SECTION 3. The board of selectmen shall appoint the members of all multi-member boards, committees and commissions except those appointed by the moderator and the town administrator as herein provided.

The moderator shall appoint the finance committee, the personnel board, and such committees and officers as he may now or hereafter be directed to appoint by any applicable general or special law or by-law or vote of the town.

SECTION 4. A member of the board of selectmen, or of the finance committee shall during the term for which he was elected or appointed, be ineligible either by election or appointment to hold any other town office, other than that of town meeting member. Any person appointed by the town administrator to any town office under the provisions of this act or of any general or special law shall be eligible during the term of said office to appointment to any other town office, except that the town accountant shall not be eligible to hold the position of town treasurer/collector. The town administrator, subject to any applicable provision of the General Laws relating thereto, may assume the duties of any office which he is authorized to fill by appointment.

SECTION 5. The selectmen elected as provided herein shall appoint, as soon as practicable, for a three year term, a town administrator who shall be a professionally qualified person especially fitted by education, training and previous full-time experience to perform the duties of the office. The town administrator shall be appointed without regard to his political designation. He shall be a citizen of the United States and, although he need not be a resident of the town or of the commonwealth when appointed, shall become a resident of the town during the first year of his appointment unless otherwise provided by the

board of selectmen. He shall have a college degree at the bachelor level and shall have had three years of full-time paid experience in a supervisory administrative position. A masters degree may substitute for not more than two years of such paid experience. No person holding elective office in the town with the exception of town meeting members shall, within three years of holding such office, be eligible for appointment as town administrator. The town administrator may be appointed for successive terms of office. Before entering upon the duties of his office, he shall be sworn, in the presence of a majority of the selectmen, to the faithful and impartial performance thereof by the town clerk or a notary public. He shall execute a bond in favor of the town for the faithful performance of his duties in such sum and with such sureties as may be fixed or approved by the selectmen, the cost for which shall be borne by the town.

SECTION 6. Any vacancy in the office of town administrator shall be filled as soon as possible by the board of selectmen. Pending the appointment of a town administrator or the filling of any vacancy, the board of selectmen shall, within seven days, appoint a suitable person to perform the duties of the office.

SECTION 7. The town administrator may designate, subject to the approval of the board of selectmen, by letter filed with the town clerk, a qualified officer of the town to perform his duties during his temporary absence or disability. In the event of failure of the administrator to make such designation, the board of selectmen may, by resolution, designate an officer of the town to perform the duties of the administrator until he shall return or his disability shall cease.

SECTION 8. The board of selectmen, by a four-fifths vote, may remove the town administrator. At least thirty days before such proposed removal shall become effective, the selectmen shall file a written preliminary resolution of removal with the town clerk setting forth in detail the specific reasons for the proposed removal, a copy of which resolution shall be delivered to the town administrator. The administrator may, within ten days of service of such resolution, reply in writing to the resolution and may request a public hearing. Service shall be deemed to have been accomplished by leaving a copy of such resolution at the administrator's last known abode. If the administrator so requests, the board of selectmen shall hold a public hearing not earlier than twenty days nor later than thirty days after the filing of such request. After such public hearing, if any, otherwise at the expiration of thirty days following the filing of the preliminary resolution, and after full consideration, the

selectmen, by a four-fifths vote of the full membership of the board, may adopt a final resolution of removal. In the preliminary resolution, the selectmen may suspend the administrator from duty, but in any case his salary shall continue to be paid during the period of consideration of the preliminary resolution and until the vote on the final resolution.

SECTION 9. The town administrator shall receive such compensation for his services as the board of selectmen shall determine but it shall not exceed the amount appropriated therefor by the town.

SECTION 10. The town administrator shall appoint all other town officials whose appointment or election is not specifically provided for herein. The town administrator shall appoint with majority approval of the board of selectmen, and may remove with the majority approval of board of selectmen, subject to the provisions of chapter thirty-one of the General Laws where applicable, all department heads, all officers and all subordinates and employees for whom no other method of appointment is provided in this act, except persons serving under other elected agencies and appointments made by representatives of the commonwealth. Appointments to permanent positions made by the town administrator shall become effective on the fifteenth day following the day notice of appointment is filed with the board of selectmen, unless the board of selectmen shall, within that period, by a majority vote of the board, vote to reject any such appointment.

SECTION 11. In addition to specific powers and duties provided in this act, the town administrator shall have the general powers and duties enumerated in this section:-

(a) The town administrator shall supervise and be responsible for the efficient administration of all departments, commissions, boards and offices, except the board of selectmen. He shall not, however, exercise any control over the discretionary power vested by statute in any such board, committee, commission or officer.

(b) The town administrator, with the approval of the board of selectmen and in accordance with the provisions of this act and the General Laws, may reorganize, consolidate or abolish departments, commissions, boards or offices under his direction and supervision, in whole or in part, may establish such new departments, commissions, boards or offices as he deems necessary, and may transfer the powers and duties of one department, commission, board or office to another.

(c) Except as otherwise provided by this act, the town admin-

istrator shall appoint upon merit and fitness alone, and, subject to the provisions of chapter thirty-one of the General Laws where applicable, may remove all officers and employees of the town; town officers and employees not subject to the provisions of said chapter thirty-one shall not be removed by him except on ten days notice in writing, setting forth the cause of such removal.

(d) The town administrator shall attend all regular meetings of the board of selectmen except meetings at which his removal is being considered.

(e) The town administrator shall keep full and complete records of his office, and shall render as often as may be required by the selectmen a full report of all operations during the period reported on.

(f) The town administrator shall keep the selectmen fully advised as to the needs of the town and shall recommend to the selectmen for adoption such measures requiring action by them or by the town as he may deem necessary or expedient.

(g) The town administrator shall have jurisdiction over the rental and use of all town property and shall be responsible for the maintenance and repair of all town buildings. He shall be responsible for the preparation of plans and the supervision of construction, reconstruction, alterations, improvements and other undertakings authorized by the town unless otherwise assigned by the town meeting.

(h) The town administrator shall be responsible for the purchase of all supplies and materials and equipment, except books and other media for the library, and shall approve the award of all contracts for all departments of the town. He shall make purchases for departments not under his supervision only upon and in accordance with requisitions duly signed by the heads of such departments.

(i) The town administrator shall administer either directly or through a person or persons appointed by him in accordance with this act, all provisions of general and special laws applicable to the town, all by-laws and votes of the town, and all regulations established by the board of selectmen.

(j) The town administrator shall, with the approval of the board of selectmen, have authority to prosecute, defend, or compromise all litigation to which the town is party, and shall be the executive officer of a public employer in the town as defined in section one of chapter two hundred and fifty-eight of the General Laws pertaining to the processing of claims against the town.

(k) The town administrator shall be the agent of the board of selectmen for collective bargaining and may employ special counsel to assist him in the performance of these duties.

(l) The town administrator shall attend all town meetings and shall be permitted to speak when recognized by the moderator.

(m) The town administrator shall be responsible for the implementation of town meeting votes and shall report annually in writing to the town meeting on the status of prior town meeting votes on which implementation is not complete.

(n) The town administrator shall be accessible and available for consultation to chairmen of boards, committees and commissions of the town, whether appointed or elected, and shall make accessible and available to them all such data and records of his office as may be requested in connection with their official duties.

(o) The town administrator shall perform such other duties consistent with his office as may be required of him by the by-laws of the town or by the vote of the board of selectmen or town meeting.

SECTION 12. The town administrator may without notice cause the affairs of any division or department under his supervision or the job-related conduct of any officer or employee thereof to be examined. The town administrator shall have access to all town books and papers for information necessary for the proper performance of his duties.

SECTION 13. The town administrator shall be the chief fiscal officer of the town. Warrants for the payment of town funds prepared by the town accountant in accordance with the provisions of section fifty-six of chapter forty-one of the General Laws shall be submitted to the town administrator. The approval of any such warrant by the town administrator shall be sufficient authority to authorize payment by the town treasurer but the selectmen shall approve all warrants in the event of a vacancy in the office of town administrator.

SECTION 14. At least ninety days prior to the annual town meeting, the town administrator shall submit to the board of selectmen a detailed estimate in writing of the probable expenditures of the town government for the ensuing fiscal year, stating the amount required to meet the interest and maturing bonds and notes or other outstanding indebtedness of the town, and showing specifically the amount necessary to be provided for each fund and department, together with a statement of the expenditures of the town for the same purposes in the preceding year and an estimate of the expenditures for the current year. He shall also submit a statement showing all revenues received by the town in the preceding fiscal year together with an estimate of the receipts of the current year and an estimate of the amount of income from

all sources of revenue exclusive of taxes upon property in the ensuing year. He shall report the probable amount required to be levied and raised by taxation to defray all expenses and liabilities of the town together with an estimate of the tax rate necessary to raise said amount. For the purpose of enabling the town administrator to make up the annual estimates of expenditures, all boards, officers, and committees of the town shall, at least one hundred and twenty days prior to the annual town meeting, furnish all information in their possession and submit to him in writing a detailed estimate of the appropriations required for the efficient and proper conduct of their respective departments during the next fiscal year.

SECTION 15. The board of selectmen shall consider the tentative budget submitted by the town administrator and make such recommendations relative thereto as they deem expedient and proper in the interests of the town. On or before the seventy-fifth day prior to the annual town meeting, the board of selectmen shall transmit a copy of the budget, together with their recommendations relative thereto, to each member of the finance committee.

SECTION 16. All laws, by-laws, votes, rules and regulations, whether enacted by authority of the town or any other authority, which are in force in the town of Adams on the effective date of this act, or any portion or portions thereof, not inconsistent with the provisions of this act, shall continue in full force and effect until otherwise provided by other laws, by-laws, votes, rules and regulations, respectively. All other laws, by-laws, votes, rules and regulations so far as they refer to the town of Adams, are hereby suspended but such suspension shall not revive any preexisting enactment.

SECTION 17. No contract existing and no action at law or suit in equity, or other proceeding pending at the time this act is accepted, or at the time of revocation of such acceptance, shall be affected by such acceptance or revocation, except that upon revocation any contract made by the town with the town administrator then in office shall be terminated immediately upon such vote.

SECTION 18. Any person holding a town office or employment under the town shall retain such office or employment and shall continue to perform his duties until provisions shall have been made in accordance with this act for the performance of the said duties by another person or agency. No person in the permanent full-time service or employment of the town shall forfeit his pay

grade or time in service. Each such person shall be retained in a capacity as similar to his former capacity as is practical.

SECTION 19. This act shall be submitted for acceptance to the voters of the town of Adams at the annual town meeting to be held in the year nineteen hundred and eighty-three in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:- "Shall an act passed by the General Court in the year nineteen hundred and eighty-three, entitled 'An Act establishing a Selectmen-Administrator form of government in the Town of Adams', be accepted?"

If a majority of the votes in answer to said question is in the affirmative, said act shall take effect but not otherwise.

If this act is not accepted in the year nineteen hundred and eighty-three, it shall again be submitted at the annual town meeting in the year nineteen hundred and eighty-four, and if accepted shall take full effect but not otherwise.

Approved March 31, 1983.

EMERGENCY LETTER - April 1, 1983 @ 11:17 A.M.

Chap. 32. AN ACT FURTHER REGULATING THE OPERATION OF THE MASSACHUSETTS TECHNOLOGY PARK CORPORATION.

Be it enacted, etc., as follows:

Chapter 40J of the General Laws, inserted by chapter 312 of the acts of 1982, is hereby amended by adding the following section:-

Section 11. The provisions of chapter twelve A which are applicable to a public authority or a public agency shall apply to the corporation.

Approved March 31, 1983.

Chap. 33. AN ACT CHANGING THE NAME OF THE LOWER PIONEER VALLEY REGIONAL PLANNING COMMISSION TO THE PIONEER VALLEY PLANNING COMMISSION.

Be it enacted, etc., as follows:

Notwithstanding the provisions of sections three and four of

chapter forty B of the General Laws or any other general or special law to the contrary, the Lower Pioneer Valley Regional Planning Commission shall be henceforth designated and known as the Pioneer Valley Planning Commission.

Approved March 31, 1983.

Chap. 34. AN ACT ESTABLISHING A DEPARTMENT OF PUBLIC WORKS IN THE TOWN OF ADAMS.

Be it enacted, etc., as follows:

SECTION 1. There is hereby established in the town of Adams a department of public works, which shall have all the powers and duties now vested by the General Laws and town by-laws in the highway department, cemetery department, park department, wastewater treatment plant and the office of tree warden. Upon acceptance of this act by the said town, as hereinafter provided, the aforesaid departments are hereby abolished and their powers and duties shall be transferred to and shall be under the direction of the department of public works.

SECTION 2. (a) The department of public works shall consist of a director appointed by the board of selectmen.

(b) Said director shall be a person qualified by education and experience and shall be responsible for the operational and administrative functions of the department of public works in accordance with a job description to be developed by said town.

(c) The salary of said director and his term of office shall be determined by said board of selectmen, subject to appropriation by the town meeting.

(d) Said director shall hold office subject to the will of said board.

SECTION 3. The department of public works shall consist of the following four divisions: (i) equipment and maintenance, (ii) highways, (iii) parks and grounds, including the cemetery, and (iv) wastewater treatment.

(1) The division of equipment and maintenance shall consist of a chief mechanic and such additional personnel as said director deems necessary.

(2) The division of highways shall consist of a foreman and such additional personnel as said director deems necessary.

(3) The division of parks and grounds shall consist of a foreman a clerk and a tree warden and such additional personnel

as said director deems necessary.

(4) The division of wastewater treatment shall consist of a superintendent and such additional personnel as said director deems necessary.

SECTION 4. All equipment owned by the town of Adams and under the control of the highway, parks, cemetery, wastewater treatment plant and tree warden shall, upon acceptance of this act, be under the control and supervision of the department of public works.

SECTION 5. Upon acceptance of this act, the board of selectmen shall prepare and provide proper job descriptions for employees of the department of public works.

SECTION 6. There is hereby established in the town of Adams a cemetery commission and a parks and playground commission which shall serve said town as advisory commissions; provided however, that the cemetery commission shall also control the care and expenditure of perpetual care funds as provided in chapter eighty-five of the acts of nineteen hundred and thirty-four. The members of said commissions shall be elected in the manner in which the cemetery commission and parks and playground commission in effect in said town prior to the acceptance of this act are elected and the present members of said commissions shall be members of said commissions in office on said date of acceptance of this act and shall serve until their successors are elected.

SECTION 7. Notwithstanding the provisions of section one, the incumbent tree warden on the date this act is accepted by the town of Adams shall continue to perform all the functions of said office until the expiration of the term for which he was elected.

SECTION 8. This act shall be submitted for acceptance to the voters of the town of Adams at the annual town meeting to be held in the year nineteen hundred and eighty-three in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:

"Shall an act passed by the general court in the year nineteen hundred and eighty-three, entitled 'An Act establishing a department of public works in the town of Adams', be accepted?"

If a majority of the voters in answer to said question is in the affirmative, this act shall take effect, but not otherwise except as provided hereafter.

If this act is rejected when so submitted, it shall again be

submitted at the annual town meeting in the year nineteen hundred and eighty-four and if accepted, shall take effect as heretofore provided. If this act is again rejected after having been submitted for the second time, it shall not be submitted again and shall not take effect.

Approved March 31, 1983.

EMERGENCY LETTER - April 1, 1983 @ 11:17 A.M.

Chap. 35. AN ACT FURTHER REGULATING THE NUMBER OF SIGNATURES REQUIRED OF CANDIDATES FOR ELECTION TO THE CITY COUNCIL AND SCHOOL COMMITTEE OF THE CITY OF WORCESTER.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section one hundred and ten of chapter forty-three of the General Laws or any other general or special law to the contrary, the number of certified signatures of registered voters to appear on the petition accompanying the statement of a candidate for election to the city council or school committee of the city of Worcester shall be not less than three hundred.

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

Approved April 1, 1983.

Chap. 36. AN ACT TERMINATING THE INVESTMENT OF PUBLIC PENSION FUNDS IN FIRMS CONTRIBUTING TO THE OPPRESSION IN NORTHERN IRELAND.

Be it enacted, etc., as follows:

Paragraph (d) of subdivision (1) of section 23 of chapter 32 of the General Laws, as most recently amended by chapter 669 of the acts of 1982, is hereby further amended by adding the following two clauses:-

(ix) After July first, nineteen hundred and eighty-three, no public pension funds under this subsection shall remain invested in any bank or financial institution which directly or through any subsidiary has outstanding loans to any individual or cor-

poration engaged in the manufacture, distribution or sale of firearms, munitions, including rubber or plastic bullets, tear gas, armored vehicles or military aircraft for use or deployment in any activity in Northern Ireland, and no assets shall remain invested in the stocks, securities or other obligations of any such company so engaged. Any proceeds of sales required under this paragraph shall be invested as much as reasonably possible in institutions or companies which invest or conduct business operations in Massachusetts so long as such use is consistent with sound investment policy.

(x) Notwithstanding the provisions of the preceding paragraph, if sound investment policy so requires, the investment committee may vote to spread the sale of such investments over no more than three years so that no less than one-third the value of said investments is sold in any one year. So long as any funds remain invested in any bank, financial institution or firm so referred to in clause (ix), the investment committee shall annually, on or before January thirty-first, file with the clerk of the senate and the clerk of the house of representatives a report listing all such related investments held by the fund and their book market value as of the preceding December first.

Approved April 4, 1983.

Chap. 37. AN ACT AUTHORIZING KENNETH W. SKUTT TO TAKE A CIVIL SERVICE EXAMINATION FOR MOTOR VEHICLE EXAMINER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize Kenneth W. Skutt to take a certain civil service examination, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law or rule to the contrary regulating the maximum age of applicants for appointment as a motor vehicle examiner in the registry of motor vehicles, Kenneth W. Skutt of the town of Dedham, shall be eligible to take the next open competitive examination for said motor vehicle examiner and provided he meets all other requirements, shall be eligible for certification and appointment.

Approved April 1, 1983.

Chap. 38. AN ACT RELATIVE TO THE REPORTING OF TUBERCULOSIS.

Be it enacted, etc., as follows:

Section 111 of chapter 111 of the General Laws is hereby amended by striking out the second paragraph, as amended by section 2 of chapter 129 of the acts of 1948, and inserting in place thereof the following paragraph:-

The foregoing provisions of this section shall not apply to tuberculosis, nor shall the foregoing provisions of this section and the provisions of section one hundred and nine apply to venereal diseases as defined under section six, except in the case of eye infections in infants under two weeks of age. Any person having tuberculosis or a venereal disease shall be reported to local boards of health either directly or through the department in accordance with such special rules and regulations as the department may make, having due regard for the best interests of the public.

Approved April 6, 1983.

Chap. 39. AN ACT FURTHER REGULATING THE ENFORCEMENT OF CERTAIN MEDICAL ASSISTANCE REQUIREMENTS.

Be it enacted, etc., as follows:

Chapter 118E of the General Laws is hereby amended by striking out section 19, as appearing in section 1 of chapter 800 of the acts of 1969, and inserting in place thereof the following section:-

Section 19. The department shall distribute to all providers a copy of the rules, regulations, standards, and laws governing the medical assistance program established by this chapter and shall establish administrative sanctions against providers, including, but not limited to, suspension or termination from the program, for any violations of said rules, regulations, standards or laws. The department shall notify the proper professional society and licensing agency of any such violations.

Approved April 6, 1983.

Chap. 40. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THIRTIETH, NINE-

TEEN HUNDRED AND EIGHTY-THREE TO PROVIDE FOR SUPPLEMENTING THE RESPITE CARE PROGRAM FOR THE DEVELOPMENTALLY DISABLED.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain items in the general appropriations 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 one hundred and ninety-one of the acts of nineteen hundred and eighty-two, for the fiscal year ending June thirtieth, nineteen hundred and eighty-three 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 DEPARTMENT OF SOCIAL SERVICES.

48000070 For a program of respite care for the developmentally disabled $2,000,000

Board of Regents

7070-0006 For 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 including expenses for the last two prior fiscal years, as well as for senatorial honor scholarships and a statewide program in consortium scholarships to provide an opportunity for pursuing programs in the private sector that are not presently available in the public sector; provided, that all applications for such consortium scholarships must be approved by the board of regents and be subject to the rules and regulations with respect to eligibility as established by said board; and provided, further, that not more than one hundred and eightyfive thousand dollars shall be expended from this item for the purpose of administering scholarship programs; and provided further that this appropriation shall expire on June thirtieth, nineteen hundred and eighty-four $15,000,000

7070-0060 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, with funds to be apportioned according to amounts appropriated for each fiscal year; provided, that the chancellor of the board of regents 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 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; and provided, further, that this appropriation shall expire on June thirtieth, nineteen hundred and eighty-four $4,000,000

7070-0065 For a reserve for the administration of scholarship programs; provided that the board of regents shall submit a plan to the house and senate committees on ways and means for the distribution of monies under said programs no later than May tenth, nineteen hundred and eighty-three, provided further that no monies shall be expended for said purposes until thirty days after the submission of said plan to the house and senate committees on ways and means, subject however, to the condition that if neither the house nor senate committees on ways and means notifies said board of its disapproval of said plan within said thirty day period, implementation of said plan may proceed and monies may be expended in accordance with said plan; provided, further, that the limitations on the total amount of scholarships awarded to students of institutions of higher education supported by the commonwealth as set forth in

section seven of chapter fifteen A of the General Laws shall not apply to scholarships awarded hereunder; and provided, further, that this appropriation shall expire on June thirtieth, nineteen hundred and eighty-four

$15,000,000

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

Approved April 7, 1983.

Chap. 41. AN ACT AUTHORIZING THE TOWN OF TEWKSBURY TO CONTRACT FOR A SUPPLY OF WATER.

Be it enacted, etc., as follows:

SECTION 1. The town of Tewksbury, acting by and through its Deep Rock well water supply committee, is hereby authorized to contract for a supply of water for said town and its inhabitants for a period not exceeding thirty years; provided, that such contract has been authorized at an annual or special town meeting by a majority vote as defined in section one of chapter forty-four of the General Laws; and provided, further, that the department of environmental quality engineering has approved the use of the source of water supply. Such contract may include provisions for the payment by the town of annual charges based upon the delivery to the town of stated minimum amounts of water and for additional payments based upon the amount of water delivered in excess of such minimum amounts. Such contract may contain an option to purchase, together with such further provisions as may be agreed upon by the parties thereto.

SECTION 2. The action by the town of Tewksbury under Article 1 of the warrant for its special town meeting held on September twenty-seventh, nineteen hundred and eighty-two authorizing its Deep Rock well water supply committee to enter into a contract for a supply of water with BCI Geonetics, Inc., a New Hampshire corporation, containing provisions authorized by section one is hereby ratified, validated and confirmed, as if the provisions of section one were in effect at the time of the posting of the warrant for said meeting.

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

Approved April 7, 1983.

Chap. 42. AN ACT DESIGNATING A PORTION OF INTERSTATE HIGHWAY 190 AS THE VIETNAM VETERANS HIGHWAY.

Be it enacted, etc., as follows:

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

SECTION 2. Chapter 604 of the acts of 1979 is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

The portion of interstate highway route 190 from the border separating the city of Worcester and the town of Holden to the junction of state highway route 2 in the city of Leominster shall be designated and known as the Vietnam Veterans Highway. Suitable markers bearing such designation shall be placed in appropriate locations on said highway by the department of public works in compliance with the standards of said department and as authorized by the Federal Highway Administration.

Approved April 7, 1983.

Chap. 43. AN ACT AUTHORIZING THE TOWN OF REHOBOTH TO HOLD ITS ANNUAL TOWN MEETING AT THE DIGHTON-REHOBOTH REGIONAL HIGH SCHOOL BUILDING.

Be it enacted, etc., as follows:

SECTION 1. The town of Rehoboth, with the approval of the Dighton-Rehoboth Regional School District, may, in the current year, hold its annual town meeting, or special town meetings, or any adjournments thereof at the Dighton-Rehoboth High School building in the town of Dighton; provided, however, that a meeting for the election by official ballot of federal, state or other officials shall be held within the limits of the town of Rehoboth.

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

Approved April 8, 1983.

Chap. 44. AN ACT RELATIVE TO THE SUSPENSION PERIOD OF CERTAIN RATES, PRICES AND CHARGES

FILED WITH THE DEPARTMENT OF PUBLIC UTILITIES.

Be it enacted, etc., as follows:

Section 18 of chapter 25 of the General Laws, as amended by section 3 of chapter 796 of the acts of 1979, is hereby further amended by striking out the last paragraph and inserting in place thereof the following paragraph:-

Notwithstanding the provisions of section twenty of chapter one hundred and fifty-nine and section ninety-four of chapter one hundred and sixty-four, during any fiscal year in which such assessment is made, the department shall have no authority to suspend the effective date of any rate, price or charge set forth in any schedule filed subsequent to January first, nineteen hundred and seventy-seven, by a telephone or telegraph company under the provisions of chapter one hundred and fifty-nine or by any gas or electric company under the provisions of section ninety-four of chapter one hundred and sixty-four for a period longer than six months; provided, however, that in the event that such six month period expires on a Sunday or legal holiday, any rate, price or charge suspended under this section shall remain suspended until the day following the next day which is not a Sunday or legal holiday.

Approved April 12, 1983.

Chap. 45. AN ACT EXEMPTING THE POSITION OF ASSISTANT COMMISSIONER OF CODE INSPECTION IN THE CODE INSPECTION DEPARTMENT OF THE CITY OF WORCESTER FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The position of assistant commissioner of code inspection in the code inspection department of the city of Worcester 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 holding the position of assistant commissioner of code inspection in the code inspection department of the city of Worcester on the effective date of this act.

Approved April 12, 1983.

Chap. 46. AN ACT ESTABLISHING THE OFFICE OF TREASURER-COLLECTOR OF TAXES IN THE TOWN OF TISBURY.

Be it enacted, etc., as follows:

The office of treasurer-collector of taxes of the town of Tisbury is hereby established. Said treasurer-collector of taxes shall be appointed by the board of selectmen for a term not to exceed three years and shall perform all the duties hereinbefore performed by the treasurer and tax collector of said town and shall have such other powers and duties as may from time to time be established. Said town may establish by by-law such qualifications and terms of employment for such office as it deems necessary and appropriate. Any vacancy in said office shall be filled in like manner for the unexpired portion of such term of office. Upon the appointment and qualification of said treasurer-collector of taxes, the terms of office of the persons holding the offices of treasurer and collector of taxes shall terminate.

Approved April 12, 1983.

Chap. 47. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO CLOSE A CERTAIN REST AREA ON UNITED STATES HIGHWAY ROUTE 3 AT OR NEAR THE BOUNDARY LINE OF THE TOWNS OF WESTFORD AND CHELMSFORD.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately close a certain rest area on United States Highway Route 3 at or near the boundary lines of the towns of Westford and Chelmsford, therefore, 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 public works is hereby authorized and directed to close to public access the rest area on the northbound side of United States highway Route 3 at or near the boundary line of the towns of Westford and Chelmsford.

Approved April 14, 1983.

Chap. 48. AN ACT EXEMPTING THE POSITION OF PLUMBING AND GAS INSPECTOR IN THE TOWN OF FRAMINGHAM FROM THE PROVISIONS OF CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The position of plumbing and gas inspector in the town of Framingham 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 holding the position of plumbing and gas inspector in said town on the effective date of this act.

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

Approved April 14, 1983.

Chap. 49. AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO SELL AND TO CONVEY CERTAIN PARK AND/OR PLAYGROUND LAND TO THE SPRINGFIELD BOY'S CLUB.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the city of Springfield is hereby authorized to sell and convey to the Springfield Boy's Club, a corporation duly established under the laws of the commonwealth, for the purpose of enabling said corporation to develop outdoor recreational areas adjacent to its clubhouse, a certain parcel of park land in said city bounded and described as follows:

Beginning at a point in the southerly line of Carew Street, said point being the northeasterly corner of land of said Springfield Boy's Club, Inc., as conveyed by the city of Springfield by deed recorded in Hampden County Registry of Deeds book 3156, page 169; thence running N. 60° 06' 00"E. along said Carew Street seventeen and 49/100 (17.49) feet to a point; thence continuing along said Carew Street in the arc of a curve to the left, having a radius of 3819.38 feet, a distance of two hundred four and 30/100 (204.30) feet to the end of said curve; thence continuing along said Carew Street N. 57° 01' 25"E. twenty-seven and 6/100 (27.06) feet to the westerly line of Mayo Street; thence running S. 32° 59' 35"E. along said Mayo Street

two hundred fifty and 00/100 (250.00) feet to a point; thence continuing along said Mayo Street S. 57° 00' 25"W. one and 68/100 (1.68) feet to a point; thence continuing along said Mayo Street S. 32° 37' 35"E. seventy-four and 00/100 (74.00) feet to a point; thence continuing along the southerly end of said Mayo Street N. 57° 22' 35"E. fifty and 00/100 (50.00) feet to a point at land of the Roman Catholic Bishop Of Springfield; thence running S. 32° 36' 00"E. along last named land two hundred twenty-nine and 32/100 (229.32) feet to a point; thence running S. 60° 06' 00"W. along other land of the grantor herein three hundred and 34/100 (300.34) feet to the southeasterly corner of said land of Springfield Boy's Club, Inc.; thence running N. 32° 31' 15"W. along said last named land five hundred forty-three and 99/100 (543.99) feet to the point of beginning.

The above described land contains an area of 3.399 acres and is more particularly shown on a plan entitled "Compiled Plan Of Land In Springfield, Massachusetts, dated September 25, 1980. Scale 1" = 40' to be conveyed to the Springfield Boy's Club, Inc. Surveyor Merton C. Smith, 245 Arthur Street, Springfield, Massachusetts", the original of which was filed at the Hampden county Registry Of Deeds on October twenty-first, nineteen hundred and eighty-two, Book of Plans 205, Page 98.

SECTION 2. Said sale and conveyance shall be subjected to the following provisions:

(a) All of the land conveyed shall be used for outdoor recreational purposes and no permanent buildings shall be erected on said land.

(b) No artificial lighting for recreational purposes shall be used on said property at any time.

(c) The property shall only be used for the recreational activities of the Springfield Boy's Club during hours when said boy's club is open. All and any other use, including any use for participation in an organized sport league, are hereby forbidden. The property shall only be used between the hours of seven A.M. to nine P.M. from May first to October thirty-first, and from seven A.M. to eight P.M. during the period from November first of any year to April thirtieth.

(d) The said Springfield Boy's Club shall be required to erect and maintain a chain link fence on the property line from Carew street southerly along the Westerly boundary line of Mayo street to the southwest terminus of Mayo street and thence to the southeast terminus of said Mayo street, and thence southerly 229.32 feet along said property line, and thence 300.34 feet in a Westerly direction along said property line.

(e) The property shall be used by the said Springfield Boy's Club only for one combination football-soccer field, two tennis

courts, one running track, and a portion of a basketball court.

(f) A parcel of land, eighty-five feet in width when measured from the present curb location of the westerly side of Mayo street and running the length of Mayo street contiguous to this parcel, and a parcel of land thirty feet in width measured from the present curb location along the southerly side of Carew street and running the length of Carew street contiguous to this parcel, shall be maintained as open land not utilized for recreational purposes.

No private way or public way shall be laid out, created or established on the property being transferred herein. The provisions of paragraphs (a) to (f), inclusive, shall be specifically incorporated into the deed transferring said property.

SECTION 3. Notwithstanding the provisions of any general or special law to the contrary, the land conveyed shall revert to the city of Springfield if said land is not utilized for the purposes and subject to the requirements of the provisions set forth in section two within three years from the date of conveyance. If said property ceases to be used for such purposes and subject to the requirements of said provisions at any future time, the land conveyed shall revert to the city of Springfield.

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

Approved April 14, 1983.

Chap. 50. AN ACT PROHIBITING CERTAIN RESTRICTIVE COVENANTS UPON NURSES AND PRACTICAL NURSES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 112 of the General Laws is hereby amended by inserting after section 74C the following section:-

Section 74D. Any contract or agreement which creates or establishes the terms of a partnership, employment, or any other form of professional relationship with a nurse registered to practice as a registered nurse pursuant to section seventy-four, or a practical nurse registered to practice as a licensed practical nurse pursuant to section seventy-four A, which includes any restriction of the right of such nurse to practice as a nurse in any geographical area for any period of time after the termination of such partnership, employment or professional relationship shall be void and unenforceable with respect to said restriction. Nothing in this section shall render void or unenforceable any

other provision of any such contract or agreement.

SECTION 2. The provisions of section one of this act shall apply to a contract or agreement executed on or after the effective date of this act.

Approved April 14, 1983.

Chap. 51. AN ACT AUTHORIZING EARL LeGEYT, JR. TO TAKE A CIVIL SERVICE EXAMINATION FOR POLICE OFFICER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law or rule to the contrary regulating the maximum age of an applicant for appointment as police officer, Earl LeGeyt, Jr. shall be eligible to take the next open competitive examination for appointment to the position of police officer and provided he meets all other requirements, shall be eligible for certification and appointment.

Approved April 14, 1983.

Chap. 52. AN ACT DESIGNATING THE BRIDGE OVER THE NORTH RIVER ON STATE HIGHWAY ROUTE 3 CONNECTING THE TOWNS OF NORWELL AND PEMBROKE AS THE THEODORE A. BURBANK, JR. MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The bridge over the North river on state highway route 3 connecting the towns of Norwell and Pembroke shall be designated and known as the Theodore A. Burbank, Jr. bridge, in memory of Theodore A. Burbank, Jr. who, while serving as a Captain in the United States Air Force in the Vietnam war, was killed in action. A suitable marker bearing said designation shall be attached thereto by the department of public works in compliance with the standards of said department.

Approved April 14, 1983.

Chap. 53. AN ACT PROVIDING FOR THE ANNUAL OBSERVANCE OF ALBERT SCHWEITZER'S REVERENCE FOR LIFE DAY.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by striking out section 12T, as most recently amended by chapter 182 of the acts of 1982, and inserting in place thereof the following section:-

Section 12T. The governor shall annually issue a proclamation setting apart the fourteenth day of January as Albert Schweitzer's Reverence for Life Day, the third Monday of February as Washington's Day, the first Sunday in April as Veterans of World War I Hospital Day, the second Sunday in April as Aunt's and Uncle's Day, the fourth day of May as Horace Mann Day, the second Sunday in May as Mother's Day, the third Sunday in June as Father's Day, the seventh day of August as Purple Heart Day, the first Sunday in October as Senior Citizens' Day, the first Sunday in December as Disabled American Veteran's Hospital Day and the second Saturday in December as Army and Navy Union Day; and recommending that said days be observed by the people in an appropriate manner.

Approved April 14, 1983.

Chap. 54. AN ACT AUTHORIZING THE TOWN OF FRAMINGHAM TO LEASE CERTAIN MUNICIPAL BUILDINGS.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section three of chapter forty of the General Laws or any other general or special law to the contrary, the town of Framingham is hereby authorized to lease for a term of years not exceeding fifty years the following municipal buildings: the Jonathan Maynard school, Lincoln school, Roosevelt school, Lawrence Street school and the Framingham Center library.

Approved April 19, 1983.

Chap. 55. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE TWO CERTAIN PARCELS OF PUBLIC LAND IN THE TOWN OF HINGHAM 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, and in compliance with the provisions of section forty H of chapter seven of the General Laws and any other applicable provisions of law, 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, two certain parcels of public land or any interest in land hereinafter described, or such portions thereof as said department may determine, and to divert said land from their present public use to highway use, as hereinafter provided.

Said lands to be so acquired and diverted are shown on a map entitled "Plan of Land Town of Hingham to be Acquired by the Commonwealth of Massachusetts Department of Public Works by Eminent Domain for Highway Purposes", 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. 5-11-T, HINGHAM LAYOUT NO. 6476

Beginning at a point in the easterly line of the Downer Avenue town Layout, at the intersection of the northerly location line of the June 2, 1926 State Highway Alteration, otherwise known as Broad Cove Road, auto route 3A, and being the southwest corner of the said parcel, thence running along said easterly line of Downer Avenue northeasterly, a distance of about forty-one (41) feet to a point; thence leaving said easterly line of Downer Avenue and extending southerly to southeasterly by a curve to the left of thirty-five (35) feet radius, about sixty-three (63) feet to a point in the northerly location line of the aforementioned 1926 State Highway Alteration, thence turning and running along said northerly line westerly by a curve to the right of one thousand nine hundred seventy (1970) feet radius, approximately forty-eight (48) feet to the point of beginning. Containing in all approximately four hundred sixty (460) square feet of land, more or less.

PARCEL NO. 5-TE-20, HINGHAM LAYOUT NO. 6476

Beginning at a point in the easterly line of the Downer Avenue town layout, at the intersection of the northerly location line of the June 2, 1926 State Highway Alteration, otherwise known as Broad Cove Road, auto Route 3A, and being the southwest

corner of the parcel, thence running along said easterly line of Downer Avenue northeasterly, a distance of about forty-one (41) feet to the beginning of easement Parcel No. 5-TE-20, thence continuing along said easterly line northeasterly a distance of about sixty-eight (68) feet to a point; thence leaving said easterly line of Downer Avenue and extending easterly about five (5) feet to a point; thence turning southwesterly and running a distance of about forty-nine (49) feet to a point; thence extending southerly to southeasterly by a curve to the left about sixty-six (66) feet to a point in the northerly location line of the aforementioned 1926 State Highway Alteration, thence turning and running along said northerly line westerly by a curve to the right of nineteen hundred seventy (1970) feet radius, about three (3) feet to a point; thence leaving said northerly line of the aforementioned 1926 State Highway Alteration and turning northwesterly by a curve to the right of thirty-five (35) feet radius approximately sixty-three (63) feet to the point of beginning. Containing approximately eleven hundred seventy (1,170) square feet of land, more or less.

For the purpose of this act, the department of public works is hereby authorized to divert the above-described parcels of land from its present use as school and recreation purposes to highway use.

Approved April 25, 1983.

Chap. 56. AN ACT FURTHER REGULATING THE REIMBURSEMENT OF CITY AND TOWN EMPLOYEES FOR CERTAIN LOSSES.

Be it enacted, etc., as follows:

Section 5 of chapter 40 of the General Laws is hereby amended by striking out clause (71), inserted by chapter 425 of the acts of 1977, and inserting in place thereof the following clause:-

(71) For the purpose of reimbursing an employee of a city or town for the loss or damage to personal property owned by said employee while it is in the care, custody or control of such city or town, such reimbursement to be for the full value of property valued at more than fifty dollars, but in no event to exceed two thousand dollars.

Approved April 25, 1983.

Chap. 57. AN ACT DESIGNATING A CERTAIN PORTION OF THE BLACKSTONE RIVER STATE PARK AS THE RICHARD LARKIN MEMORIAL RECREATION AREA.

Be it enacted, etc., as follows:

A certain parcel of land, under the jurisdiction of the department of environmental management, to be selected by said department, bordering the Blackstone river in the town of Northbridge which is a part of the area known as the Blackstone river state park, shall be designated and known as the Richard Larkin memorial recreation area, in recognition of Richard Larkin's leadership in the development of said park. Suitable markers bearing such designation shall be attached thereto by the said department of environmental management in compliance with the standards of said department.

Approved April 25, 1983.

Chap. 58. AN ACT DESIGNATING A CERTAIN PORTION OF THE BLACKSTONE RIVER STATE PARK AS THE CHARLES BALLOU MEMORIAL RECREATION AREA.

Be it enacted, etc., as follows:

A certain parcel of land, under the jurisdiction of the department of environmental management, to be selected by said department, bordering the Blackstone river in the town of Uxbridge which is a part of the area known as the Blackstone river state park, shall be designated and known as the Charles Ballou memorial recreation area, in recognition of Charles Ballou's leadership in the development of said park. Suitable markers bearing such designation shall be attached thereto by the said department of environmental management in compliance with the standards of said department.

Approved April 25, 1983.

Chap. 59. AN ACT FURTHER REGULATING THE LICENSING OF CERTAIN FEMALE DOGS.

Be it enacted, etc., as follows:

Section 139 of chapter 140 of the General Laws is hereby amended by striking out the second sentence, as appearing in section 1

of chapter 35 of the acts of 1962, and inserting in place thereof the following sentence:- If the town clerk is satisfied that the certificate of the veterinarian who spayed the dog cannot be obtained, he may accept in lieu thereof a statement signed under the penalties of perjury by a veterinarian registered and practicing in the commonwealth, describing the dog and stating that he has examined such dog and that it appears to have been, and in his opinion has been, spayed and thereby deprived of the power of propagation or a receipt of a bill from the veterinarian who performed the operation that spayed such female dog.

Approved April 25, 1983.

Chap. 60. AN ACT DESIGNATING A CERTAIN BRIDGE OVER STATE HIGHWAY ROUTE 25 IN THE TOWN OF WAREHAM AS THE PRIVATE FIRST CLASS CARLOS JAMES ROSE MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The bridge numbered W635 over state highway route 25 in the town of Wareham shall be designated and known as the Private First Class Carlos James Rose Memorial bridge in memory of Private First Class Carlos James Rose who was killed in action while serving in the United States Marine Corps during the Vietnam war. 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 April 25, 1983.

Chap. 61. AN ACT DESIGNATING THE BRIDGE OVER STATE HIGHWAY ROUTE 25 ON PLYMOUTH ROAD EXTENSION IN THE TOWN OF WAREHAM AS THE CORPORAL CARL D. WAKEFIELD, JR. MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The bridge over state highway route 25 on the Plymouth road extension in the town of Wareham and further identified as state bridge number W 6 37 shall be designated and known as the Corporal Carl D. Wakefield, Jr. Memorial bridge, in memory of Corporal Carl D. Wakefield, Jr., who was killed in action while in the service of his country in the United States Marine Corps

during the Vietnam war. 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 April 25, 1983.

Chap. 62. AN ACT RELATIVE TO THE ELECTION OF TOWN MEETING MEMBERS IN THE TOWN OF FAIRHAVEN.

Be it enacted, etc., as follows:

Section 4 of chapter 285 of the acts of 1930 is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 609 of the acts of 1970, and inserting in place thereof the following sentence:- Nomination of candidates for town meeting members to be elected under this act shall be made by nomination papers signed by no less than ten voters of the precinct in which the candidate resides, and filed with the town clerk at least twenty-eight days before the election.

Approved April 25, 1983.

Chap. 63. AN ACT RELATIVE TO THE APPOINTMENT OF THE CHIEF OF THE FIRE DEPARTMENT IN THE TOWN OF ASHLAND.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section forty-two of chapter forty-eight of the General Laws or any other general or special law to the contrary, the chief of the fire department of the town of Ashland shall be appointed by the board of selectmen of said town for a term of years not to exceed three years as determined by said board and said chief may be removed for cause by said board after a hearing. Said board shall establish the compensation of the chief; provided, however, that such compensation does not exceed in the aggregate the annual appropriation therefor.

Approved April 25, 1983.

EMERGENCY LETTER - April 26, 1983. @ 11:38 A.M.

Chap. 64. AN ACT AUTHORIZING AND DIRECTING THE SUPERINTENDENT OF STATE OFFICE BUILDINGS TO INSTALL AND MAINTAIN A PLAQUE IN HONOR OF MR. LUIGI TOTINO.

Be it enacted, etc., as follows:

The superintendent of state office buildings is hereby authorized and directed, subject to approval of the art commission as to size and content, to install and maintain a plaque in a suitable space outside the Hall of Flags in the state house in honor of Luigi Totino in recognition of his contribution as the marble and mosaic artisan who supervised the laying of the tile floor in the Hall of Flags. The cost of said plaque shall be borne by private donations.

Approved April 25, 1983.

Chap. 65. AN ACT RELATIVE TO THE ANNUAL OBSERVANCE OF MASSACHUSETTS HOSPICE WEEK.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by inserting after section 15RR, inserted by chapter 13 of the acts of 1983, the following section:-

Section 15SS. The governor shall annually issue a proclamation setting apart the second week in November as Massachusetts Hospice Week and recommending that said week be observed in an appropriate manner by the people.

Approved April 25, 1983.

Chap. 66. AN ACT RELATIVE TO THE PENALTIES FOR ENGAGING IN SEXUAL CONDUCT FOR A FEE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 272 of the General Laws is hereby amended by striking out section 53, as most recently amended by section 20 of chapter 1073 of the acts of 1973, and inserting in place thereof the following section:-

Section 53. Common night walkers, common street walkers, both male and female, common railers and brawlers, persons who with offensive and disorderly acts or language accost or annoy

persons of the opposite sex, lewd, wanton and lascivious persons in speech or behavior, idle and disorderly persons, disturbers of the peace, keepers of noisy and disorderly houses, and persons guilty of indecent exposure may 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 two hundred dollars, or by both such fine and imprisonment.

SECTION 2. Said chapter 272 is hereby further amended by inserting after section 53 the following section:-

Section 53A. Any person who engages, agrees to engage, or offers to engage in sexual conduct with another person in return for a fee, or any person who pays, agrees to pay or offers to pay another person to engage in sexual conduct, or to agree to engage in sexual conduct with another natural person may be punished by imprisonment in a jail or house of correction for not more than one year, or by a fine of not more than five hundred dollars, or by both such fine and imprisonment.

Approved April 25, 1983.

Chap. 67. AN ACT AUTHORIZING THE COMMISSIONER OF PUBLIC SAFETY TO APPOINT CERTAIN AGENTS OF HUMANE SOCIETIES AND ASSOCIATIONS AS SPECIAL POLICE OFFICERS.

Be it enacted, etc., as follows:

Section 10 of chapter 147 of the General Laws is hereby amended by striking out the first sentence, as amended by chapter 597 of the acts of 1977, and inserting in place thereof the following sentence:- The commissioner may appoint, at the request of the Massachusetts Society for the Prevention of Cruelty to Animals, the New England Anti-Vivisection Society, the Berkshire Animal Protective Society, Inc., the Animal Rescue League of Boston, the Boston Work Horse Relief Association, The Lowell Humane Society, the Worcester Animal Rescue League or the Animal Rescue League of New Bedford, duly accredited agents of said corporations as special police officers to serve for one year, subject to removal by the commissioner.

Approved April 25, 1983.

Chap. 68. AN ACT MAKING AN APPROPRIATION TO FUND A COLLECTIVE BARGAINING AGREEMENT BE-

TWEEN THE COMMONWEALTH AND THE MASSACHUSETTS ORGANIZATION OF STATE ENGINEERS AND SCIENTISTS - UNIT 9.

Be it enacted, etc., as follows:

SECTION 1. To provide for the cost of salary adjustments and other employees benefits authorized by the collective bargaining agreement between the commonwealth and the Massachusetts Organization of State Engineers and Scientists - Unit 9, the sum set forth in section two of this act is hereby appropriated, subject to the provisions of law regulating disbursements of public funds and the conditions pertaining to appropriations in chapter one hundred and ninety-one of the acts of nineteen hundred and eighty-two.

SECTION 2.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

Collective Bargaining.

1599-3346 For a reserve to meet the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the commonwealth and the Massachusetts Organization of State Engineers and Scientists - Unit 9 entered into on February twenty-fourth, nineteen hundred and eighty-three 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" positions which would otherwise be covered by this collective bargaining agreement; provided that the personnel administrator, with the approval of the commissioner of administration, shall determine such salary adjustments and other economic benefits for "confidential" employees in accordance with the provisions of the collective bargaining agreement then in effect which would otherwise cover said positions; 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-three such amounts as are necessary to meet the cost of said adjustments and benefits for the fiscal year nineteen hundred

and eighty-three and prior years where the amounts otherwise available are insufficient for the purpose; provided, further, that the commissioner of administration is 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; 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 transfers shall be made without the prior approval of the house and senate committees on ways and means
$24,093,000

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

Approved April 28, 1983.

Chap. 69. AN ACT AUTHORIZING THE TOWN OF GREAT BARRINGTON TO PAY A CERTAIN RETIREMENT ALLOWANCE TO FRANK VANDEUSEN, SR.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any law to the contrary, the town of Great Barrington is hereby authorized to pay a retirement allowance to Frank VanDeusen, Sr., a laborer in the highway department of said town. Said allowance shall be in the amount of seven thousand dollars annually. Upon the death of said Frank VanDeusen, Sr., leaving his widow surviving him, said town is hereby authorized to pay said widow, so long as she remains unmarried, an annuity in the amount of two-thirds of the amount of the pension payable to him at the time of his death.

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

Approved April 29, 1983.

Chap. 70. AN ACT EXEMPTING THE POSITION OF CHIEF OF POLICE IN THE TOWN OF ADAMS FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The position of chief of police in the town of Adams shall not be subject to the provisions of chapter thirty-one of the General Laws.

SECTION 2. The provisions of section one shall not impair the civil service status of any person holding the position of chief of police in the town of Adams on the effective date of this act.

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

Approved April 29, 1983.

Chap. 71. AN ACT FURTHER REGULATING THE PROCEDURES USED FOR FILING FIRE PREVENTION REGULATIONS BY THE DEPARTMENT OF PUBLIC SAFETY.

Be it enacted, etc., as follows:

Chapter 148 of the General Laws is hereby amended by striking out section 10, as most recently amended by section 3 of chapter 144 of the acts of 1948, and inserting in place thereof the following section:-

Section 10. The board of fire prevention regulations shall make, and from time to time may alter, amend and repeal, rules and regulations relative to fire prevention which said board is authorized or required under any provision of this chapter or of section fourteen of chapter twenty-two to adopt or make. Such rules and regulations, and any alterations, amendments, or repeals thereof, shall be filed with the state secretary in accordance with the provisions of chapter thirty A. Subsequent to filing and publication by the state secretary, the commissioner shall cause one copy to be forwarded to each officer or board in each city or town in the commonwealth whose duties under any provisions of this chapter are affected thereby.

The board shall hold public hearings on the first Thursday in May and October in each year, and at such other times as it may determine, on petitions for changes in the rules and regulations formulated by it. If, after any such hearing, it shall deem it advisable to make changes in said rules and regulations, it shall

appoint a day for a further hearing, and shall give notice thereof and of the changes proposed by advertising in such newspapers, and, where appropriate, in such trade, industry or professional publications as the agency may select at least ten days before said hearing. If the board on its own initiative contemplates changes in said rules and regulations, like notice and a hearing shall be given and held before the adoption thereof.

Approved April 29, 1983.

Chap. 72. AN ACT FURTHER REGULATING CERTAIN LOCAL TAXATION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 44 of the General Laws is hereby amended by striking out section 63A, as amended by section 18 of chapter 766 of the acts of 1971, and inserting in place thereof the following section:-

Section 63A. Whenever in any fiscal year a town, which term, as used in this section, shall include a city, shall sell any real estate, the board or officer executing the deed therefor in the name and behalf of the town shall, as a condition precedent to the power to deliver such deed, receive from the grantee as a payment in lieu of taxes allocable to the days ensuing in said fiscal year after the date of such deed, a sum which shall be equal to such portion of a pro forma tax computed as hereinafter provided as would be allocable to the days aforesaid if such pro forma tax were apportioned pro rata according to the number of days in such fiscal year; provided, however, that whenever the said real estate shall be sold between January second and June thirtieth of the fiscal year, the town shall also receive an additional amount equal to the entire pro forma tax computed as hereinafter provided and allocable as a payment in lieu of taxes for the next succeeding fiscal year. Such pro forma tax shall be computed by applying the town's tax rate for the fiscal year of the sale, or, if such rate is not known, the town's tax rate for the fiscal year next preceding that of the sale, to the sale price after crediting any exemption to which, if the deed had been executed and delivered on January first of such next preceding fiscal year, the grantee would have been entitled under section five of chapter fifty-nine. A recitation in the deed that there has been full compliance with the provisions of this section shall be conclusive evidence of such fact. Sums received under this section shall not be subject to section sixty-three of this chapter or to section forty-three of chapter sixty,

but shall be credited as general funds of the town.

SECTION 2. Section 13 of chapter 58A of the General Laws is hereby amended by striking out the eleventh sentence, inserted by section 3 of chapter 415 of the acts of 1976, and inserting in place thereof the following sentence:- If the order grants an abatement of a tax assessed by the board of assessors of a town and the tax has been paid, the amount abated with interest at the rate of eight per cent per annum from the time when the tax was paid, and, if costs are ordered against a board of assessors, the amount thereof, shall be paid to the taxpayer by the town treasurer, and, if unpaid, execution therefor may issue against the town as in actions at law.

SECTION 3. Section 5 of chapter 59 of the General Laws is hereby amended by adding the following clause:-

Forty-ninth, Land classified under chapter sixty-one A, except from taxes provided for in said chapter.

SECTION 4. The second paragraph of section 64 of said chapter 59 is hereby amended by striking out the seventh sentence, as amended by section 2 of chapter 597 of the acts of 1965, and inserting in place thereof the following sentence:- If upon hearing it appears that the complainant has complied with all applicable provisions of law and the appellate tax board finds that the complainant is duly entitled to an abatement, it may grant him such reasonable abatement as justice may require, and shall enter an order directing the treasurer of the town to refund said amount, if the tax sought to be abated has been paid, together with all charges and interest at eight per cent on the amount of the abatement from the date of the payment of the tax.

SECTION 5. Section 72A of said chapter 59, inserted by chapter 253 of the acts of 1968, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- The board or department having control of such land may request in writing that the unpaid taxes on said land for the balance of the fiscal year be abated; provided, however, that if the land is so acquired between January second and June thirtieth, inclusive, such board or department may request that the tax assessed against the land for the ensuing fiscal year also be abated.

SECTION 6. Section 3A of chapter 60 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 5 of chapter 831 of the acts of

1974, and inserting in place thereof the following sentence:- Every bill or notice shall be in a form approved by the commissioner and shall state that applications for abatement or exemption other than an application for exemption under clauses Seventeenth, Seventeenth C, Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second E, Thirty-seventh, Thirty-seventh A, Forty-first or Forty-first B of section five of chapter fifty-nine, on forms so approved, must be filed with the assessors, in case of original assessments, on or before October first of the year to which the tax relates, and that applications for abatement under said clauses Seventeenth, Seventeenth C, Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second E, Thirty-seventh, Thirty-seventh A, Forty-first and Forty-first B of said section five, on forms so approved, must be filed with the assessors on or before December fifteenth of the year to which the tax relates, or, if the bill or notice is first sent after September first of such year, on or before the thirtieth day after the date on which the bill or notice is so sent, excepting applications for exemption under said clauses Seventeenth, Seventeenth C, Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second E, Thirty-seventh, Thirty-seventh A, Forty-first and Forty-first B, and in case of applications for exemption under said clauses within three months after said date, or, in case of an assessment under section seventy-five or section seventy-six of said chapter fifty-nine or a reassessment under section seventy-seven of said chapter fifty-nine, within three months after the sending of the bill or notice.

SECTION 7. Section 97A of chapter 175 of the General Laws, inserted by section 2 of chapter 804 of the acts of 1977, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

Said company shall pay to the city or town any amount shown as outstanding on the certificate of municipal liens arising from the provisions of chapters forty, fifty-nine, sixty, eighty, eighty-three and section fifty-eight B to fifty-eight F, inclusive, of chapter one hundred and sixty-four to the extent of the amount of loss payable under the policy.

Approved April 29, 1983.

Chap. 73. AN ACT RELATIVE TO DIVIDENDS PAID BY CERTAIN CORPORATIONS.

Be it enacted, etc., as follows:

Section 6 of chapter 157 of the General Laws is hereby amended by striking out paragraph 2, as amended by chapter 290 of the acts of 1964, and inserting in place thereof the following paragraph:-

2. They shall declare and pay dividends on the paid-up capital stock not exceeding the prime rate.

Approved April 29, 1983.

Chap. 74. AN ACT FURTHER REGULATING THE PUBLICATION OF JURY LISTS IN ANNUAL TOWN REPORTS.

Be it enacted, etc., as follows:

Chapter 234 of the General Laws is hereby amended by striking out section 9, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 9. The jury lists in cities shall be published as a public document, with the address and occupation of each juror and in towns, the list with the occupation of each juror may be published in the annual town report.

Approved April 29, 1983.

Chap. 75. AN ACT ESTABLISHING MUNICIPAL HANDICAPPED COMMISSIONS.

Be it enacted, etc., as follows:

Chapter 40 of the General Laws is hereby amended by inserting after section 8I the following section:-

Section 8J. A city which accepts the provisions of this section by vote of its city council, subject to the provisions of its charter, or town which accepts the provisions of this section by vote of its inhabitants at an annual meeting or at a special meeting is hereby authorized to establish a handicapped commission, hereinafter called the commission, for the purpose of coordinating or carrying out programs designed to meet the problems of the handicapped in coordination with programs of the office of handicapped affairs. Said commission shall research local problems of the handicapped and shall coordinate the activities of other local groups organized for similar purposes, and may advertise, prepare, print, and distribute books, maps, charts, plans and pamphlets necessary for its work. Said com-

mission shall keep records of its meetings and actions and shall file an annual report which shall be printed in the city or town annual report and shall have at least six meetings annually.

Said commission shall consist of not 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 a Plan D or Plan E form of government, said appointments shall be by the city manager, subject to the provisions of the charter; and in towns they shall be appointed by the selectmen, except towns having a manager form of government, in which towns appointments shall be made by the town manager, subject to the approval of the selectmen and except towns having a town council form of government, the town manager. A majority of said commission members shall consist of handicapped persons and one of such members may be a member of the immediate family of such handicapped person and one member of said commission shall be either an elected or appointed official of that city or town. The terms of the first members of said commission shall be for one, two or three years, and so arranged that the term of one of the members expires each year, and their successors shall be appointed for terms of three years each. Any member of said commission may, after a public hearing, if so requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment. The chairman of the commission shall be chosen by a majority vote of said commission members.

Said commission may receive gifts of property, both real and personal, in the name of the city or town, subject to the approval of the city council in a city or the selectmen in a town, such gifts to be managed and controlled by said commission for the purposes of this section.

Approved April 29, 1983.

Chap. 76. AN ACT RELATIVE TO THE APPOINTMENT OF THE MEMBERS OF THE PERSONNEL ADVISORY BOARD AND THE DIRECTOR OF PERSONNEL ADMINISTRATION 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 to the contrary, the director of personnel administration in the department of personnel adminis-

tration in the city of Fall River shall be appointed by the mayor with confirmation by the city council and shall be employed by contract for a period of not more than three years and shall represent the mayor in the conduct of all labor relations pursuant to chapter one hundred and fifty E of the General Laws. The terms and conditions of such contract shall be determined by the mayor and shall be approved by the city council.

SECTION 2. Notwithstanding the provisions of said section fifty-two of said chapter forty-three or the provisions of any other general or special law to the contrary, the personnel advisory board of the city of Fall River shall consist of three persons, one of whom shall be appointed by the mayor and shall represent management, one of whom shall be elected by employees in the manner provided by city ordinance to represent labor, and ex-officio, the president of the city council. The person appointed by the mayor shall be a resident of the city and shall have been a resident of said city at least two years immediately preceding the date of his appointment. Members shall serve until their successors are chosen and qualified.

Approved April 29, 1983.

Chap. 77. AN ACT INCREASING THE PENSION BENEFITS PAYABLE TO RITA CLOUGHERTY BY THE STATE-BOSTON RETIREMENT SYSTEM.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any law to the contrary and in order to promote the public good, the State-Boston retirement board is hereby authorized and directed to pay to Rita Clougherty the widow of Paul Clougherty, who died on December twenty-sixth, nineteen hundred and eighty-two as a result of injuries sustained on December twenty-sixth, nineteen hundred and eighty-two while in the performance of his duties as supervisor of parks and recreation in the city of Boston an accidental death benefit allowance from the date of his death under section nine of chapter thirty-two of the General Laws. Said accidental death benefit allowance subject to the provisions and limitations of said section nine shall consist of a yearly amount of such allowance equal to the annual rate of regular compensation which would have been payable to said Paul Clougherty had he continued in the service of the city of Boston at the grade held by him at the time of his death. The payments of such pension shall be diminished by the amounts payable to the dependents of

said Paul Clougherty under the provisions of section thirty-one of chapter one hundred and fifty-two of the General Laws.

Approved April 29, 1983.

EMERGENCY LETTER - April 29, 1983 @ 4:19 P.M.

Chap. 78. AN ACT RELATIVE TO THE SALARIES OF THE MEMBERS OF THE BOSTON LICENSING BOARD.

Be it enacted, etc., as follows:

SECTION 1. Chapter 291 of the acts of 1906 is hereby amended by striking out section 2, as most recently amended by section 1 of chapter 413 of the acts of 1975, and inserting in place thereof the following section:-

Section 2. The annual salary of the chairman of said board shall be thirty-seven thousand dollars and that of each of the other two members, thirty-five thousand dollars, and that of the secretary, thirty-five thousand dollars. Such salaries shall be paid in monthly installments by the city of Boston.

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

Approved April 29, 1983.

Chap. 79. AN ACT RELATIVE TO THE TIME PERIOD FOR THE RECERTIFICATION OF LOCAL PROPERTY TAX VALUATION.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 56 of chapter 40 of the General Laws, as most recently amended by section 1 of chapter 369 of the acts of 1982, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- The commissioner shall triennially certify as to whether the board of assessors is assessing property at full and fair cash valuation.

SECTION 2. This act shall apply to real and personal property taxes imposed for fiscal years commencing on or after July first, nineteen hundred and eighty-three.

Approved April 29, 1983.

Chap. 80. AN ACT PROVIDING CERTAIN POLICE DUTIES AND POWERS FOR COURT OFFICERS.

Be it enacted, etc., as follows:

Chapter 221 of the General Laws is hereby amended by adding after section 70 the following section:-

Section 70A. Court officers and those authorized to act as court officers within the judicial branch may perform police duties and have police powers in or about the premises of the court or in the immediate vicinity thereof when so designated by the chief administrative justice.

Approved April 29, 1983.

Chap. 81. AN ACT PROVIDING FOR THE APPOINTMENT OF THE TREASURER AND THE COLLECTOR OF TAXES OF THE TOWN OF WORTHINGTON BY THE BOARD OF SELECTMEN OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the treasurer of the town of Worthington shall be appointed for a three year term by the board of selectmen of said town, and the person so appointed shall have all the powers and duties by law vested in the office of treasurer. Upon the qualification and appointment of the treasurer pursuant to the authority contained in this act, the elected incumbent of the office of treasurer of said town shall cease to exercise the powers and duties of said office. Said town may establish by by-law such qualifications for said office as deemed necessary and appropriate. Any vacancy in such office shall be filled in like manner for the unexpired portion of the term.

SECTION 2. Notwithstanding the provisions of any general or special law to the contrary, the collector of taxes of the town of Worthington shall be appointed for a three year term by the board of selectmen of said town, and the person so appointed shall have all the powers and duties by law vested in the office of collector of taxes. Upon the qualification and appointment of the collector of taxes pursuant to the authority contained in this act, the elected incumbent of the office of collector of taxes shall cease to exercise the powers and duties of said office. Said town may establish by by-law such qualifications for said office

as deemed necessary and appropriate. Any vacancy in such office shall be filled in like manner for the unexpired portion of the term.

SECTION 3. This act shall take effect as of May first, nineteen hundred and eighty-three.

Approved May 2, 1983.

Chap. 82. AN ACT FURTHER REGULATING THE PROCEDURE FOR WITHDRAWALS OF CERTAIN APPEALS IN CRIMINAL CASES.

Be it enacted, etc., as follows:

Chapter 278 of the General Laws is hereby amended by striking out section 25, as most recently amended by section 305 of chapter 478 of the acts of 1978, and inserting in place thereof the following section:-

Section 25. The appellant may withdraw his appeal by coming personally before the court from whose judgment the appeal was taken and making a request therefor; provided, however, that the case has not been transmitted to the jury session. Where the case has been transmitted to said jury session, the appellant may request a withdrawal of his appeal by appearing personally before said jury session at any time thereafter, but before any action other than a continuance or pretrial conference in said jury session has been taken. If the appellant has been committed, the officer in charge of the jail, within forty-eight hours after his commitment, shall notify him of his right to withdraw his appeal and shall furnish him with a blank form of withdrawal, which, if signed by him, shall be witnessed by said officer; thereupon, or if prior to said notice the appellant notifies the said officer of his desire to withdraw his appeal, the said officer shall forward the defendant, with the signed form of withdrawal, to the court before whom the appeal is pending. Where the court allows the withdrawal, it may order the appellant to comply with the sentence appealed from, in the same manner as if it were then first imposed, or may revise or revoke the same if satisfied that cause for such revision or revocation exists; provided, however, that the court shall not increase the sentence as first imposed, and if sureties had recognized with the appellant to prosecute his appeal they shall be discharged.

Approved May 5, 1983.

Chap. 83. AN ACT AUTHORIZING CITIES AND TOWNS TO BORROW MONEY FOR THE REHABILITATION OF FIREFIGHTING APPARATUS AND CERTAIN HEAVY EQUIPMENT.

Be it enacted, etc., as follows:

Section 7 of chapter 44 of the General Laws, as most recently amended by chapter 98 of the acts of 1982, is hereby further amended by inserting after clause 9 the following clause:-

(9A) For the remodeling, reconstruction or rehabilitation of existing firefighting apparatus and heavy equipment including, but not limited to, front-end loaders, road graders, sidewalk plows and motorized sweepers; five years.

Approved May 5, 1983.

Chap. 84. AN ACT PROVIDING FOR THE ENFORCEMENT OF THE STATE SANITARY CODE BY THE COMMISSIONER OF HOUSING INSPECTION IN THE CITY OF CAMBRIDGE.

Be it enacted, etc., as follows:

SECTION 1. Section 127A of chapter 111 of the General Laws is hereby amended by striking out the sixth sentence, as amended by section 1 of chapter 104 of the acts of 1978, and inserting in place thereof the following sentence:- Said code may provide for the demolition, removal, repair or cleaning by local boards of health and, in the cities of Boston, Worcester and Cambridge, by the commissioner of housing inspection, of any structure which so fails to comply with the standards of fitness for human habitation or other regulations in said code, as to endanger or materially impair the health or well-being of the public.

SECTION 2. The first sentence of the first paragraph of section 127B of said chapter 111 is hereby amended by striking out the words "and Worcester", inserted by section 2 of said chapter 104, and inserting in place thereof the words:- Worcester and Cambridge.

SECTION 3. The fifth paragraph of said section 127B of said chapter 111 is hereby amended by striking out the words "and Worcester", inserted by section 3 of said chapter 104, and inserting in place thereof the words:- , Worcester and Cambridge.

SECTION 4. The first paragraph of section 127C of said chapter 111 is hereby amended by striking out the words "and Worcester", inserted by section 4 of said chapter 104, and inserting in place thereof the words:- , Worcester and Cambridge.

SECTION 5. Section 127E of said chapter 111 is hereby amended by striking out the words "and Worcester", inserted by section 5 of said chapter 104, and inserting in place thereof the words:- , Worcester and Cambridge.

SECTION 6. The third sentence of section 127H of said chapter 111 is hereby amended by striking out the words "and Worcester", inserted by section 6 of said chapter 104, and inserting in place thereof the words:- , Worcester and Cambridge.

SECTION 7. The first sentence of the first paragraph of section 127L of said chapter 111 is hereby amended by striking out the words "and Worcester", inserted by section 7 of said chapter 104, and inserting in place thereof the words:- , Worcester and Cambridge.

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

Approved May 9, 1983.

Chap. 85. AN ACT RELATIVE TO THE METROPOLITAN AREA PLANNING COUNCIL.

Be it enacted, etc., as follows:

SECTION 1. Chapter 40B of the General Laws is hereby amended by striking out section 24, as most recently amended by section 98 of chapter 706 of the acts of 1975, and inserting in place thereof the following section:-

Section 24. There shall be a metropolitan area planning council, in this section and in sections twenty-five to twenty-nine, inclusive, called the council. Said council shall consist of one representative from each city and town of the metropolitan area planning district who shall be appointed by the mayor or, if the city has a manager, by the city manager, and in the case of a town, by the board of selectmen or, if the town has a manager, by the town manager, twenty-one persons to be appointed by the governor of which number there shall be sufficient representation of minority and low-income groups so as to substantially

represent their viewpoints in the area to be served by the council; and the following officers or their respective designees who shall be members ex officiis:- the chairman of the Massachusetts Bay Transportation Authority, the chairman of the Massachusetts Port Authority, the chairman of the Massachusetts Turnpike Authority, the commissioner of public safety, the commissioner of the metropolitan district commission, the commissioner of public works, the commissioner of commerce and development, the secretary of communities and development, the commissioner of environmental management, the commissioner of environmental quality engineering, the chairman of the Boston Redevelopment Authority, the commissioner of public works of the city of Boston and the executive director of the Boston Water and Sewer Commission.

Upon the expiration of the term of any appointed member, his successor shall be appointed in like manner for a term of three years. The appropriate appointing authority shall fill any vacancy for the remainder of the unexpired term.

SECTION 2. Section 25 of said chapter 40B, as appearing in section 3 of chapter 849 of the acts of 1970, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

The council shall elect annually by and from its members a president, vice-president, secretary and a treasurer, each of whom shall hold his office until his successor is elected and qualified. Election of said officers shall be held annually in the month of May, and the officers elected shall commence their terms on the fourth Wednesday of May.

SECTION 3. The first paragraph of section 28 of said chapter 40B, as amended by chapter 368 of the acts of 1975, is hereby further amended by striking out the third and fourth sentences and inserting in place thereof the following two sentences:- In addition, the immediate past president, if a council member, shall serve on the executive committee with full voting rights. Each member of the committee shall serve for a term of one year or until a successor has been duly qualified, except for the immediate past president, who shall serve so long as he remains the immediate past president and a member of the council.

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

Approved May 10, 1983.

Chap. 86. AN ACT RELATIVE TO EXAMINATIONS CONDUCTED BY THE BOARD OF REGISTRATION IN VETERINARY MEDICINE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to enable certain veterinary students to be immediately examined by the board of registration in veterinary medicine, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The first paragraph of section 55 of chapter 112 of the General Laws, as amended by section 1 of chapter 576 of the acts of 1981, is hereby further amended by inserting after the second sentence the following sentence:- In order to satisfy the proof of the graduation requirement of this section, the board may, in its discretion, accept a letter from the dean of an approved veterinary school which certifies that an applicant has met all of the requirements for graduation and that such applicant shall graduate from said approved veterinary school no later than forty-five calendar days after the board's examination. If for any reason the candidate does not graduate within forty-five calendar days after the board's examination, a license shall not be issued until proof of graduation is received.

Approved May 10, 1983.

Chap. 87. AN ACT AUTHORIZING THE TOWN OF WATERTOWN TO REDRAW DISTRICT AND PRECINCT LINES IN THE TOWN OF WATERTOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section one of chapter fifty-four of the General Laws or any other general or special law to the contrary, the city known as the town of Watertown is hereby authorized to redraw the district and precinct lines of said town in accordance with the provisions of the charter so that there shall be established twelve precincts, divided into four districts of three precincts each.

SECTION 2. Said town of Watertown is hereby authorized to submit to the state secretary a plan redrawing the districts and precincts in said town as adopted by the town council of said

town on December fourteenth, nineteen hundred and eighty-two and amended on March twenty-second, nineteen hundred and eighty-three; provided, however, that, notwithstanding the provisions of section two of said chapter fifty-four to the contrary, the new division of precincts and districts shown on said plan shall take effect upon its approval by the local election districts review commission.

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

Approved May 10, 1983.

Chap. 88. AN ACT AUTHORIZING CITIES AND TOWNS TO BORROW MONEY TO PURCHASE GALVANIZED MATERIALS.

Be it enacted, etc., as follows:

Section 7 of chapter 44 of the General Laws is hereby amended by inserting after clause (29), as appearing in chapter 98 of the acts of 1982, the following clause:-

(30) For installation, repair or replacement of exposed structural or miscellaneous steel, which has been treated with the hot-dip galvanizing process; three years.

Approved May 10, 1983.

Chap. 89. AN ACT AUTHORIZING THE CITY OF HOLYOKE TO SELL AND CONVEY A CERTAIN PARCEL OF LAND UNDER THE CONTROL OF THE WATER DEPARTMENT OF SAID CITY.

Be it enacted, etc., as follows:

The city of Holyoke is hereby authorized to sell and convey, upon such terms and conditions as the city may impose, a certain parcel of watershed land, under the control of the water department of said city and is bounded and described as follows:-

Being Parcel #3 containing 4.547 acres of land in Holyoke, Hampden County, Massachusetts on a Plan entitled "Plan of Land in Holyoke, Massachusetts, Board of Water Commissioners, Whiting Street Reservoir", by Tighe & Bond, Engineers, dated October, 1979, Revised February 1981, to be recorded in the registry of deeds in the county of Hampden.

Said Parcel #3 is more particularly bounded and described as

follows:

BEGINNING at a stone bound set at the southeasterly corner of said parcel; thence

S 81° 48' 19" W one thousand fifty-eight feet (1058.00) to a point; thence

N 23° 42' 03" E two hundred fifty-nine and 07/100 feet (259.07) to a point; thence

N 81° 48' 19" E seven hundred forty-three feet (743) to a cement bound; thence

S 47° 11' 43" E two hundred eighty-three and 03/100 feet (283.03) to a stone bound, being the point of beginning.

Being part of a parcel conveyed to the City of Holyoke by deed dated August 13, 1939 and recorded in the registry of deeds in the county of Hampden, Book 1678, Pages 455-456.

Said conveyance shall be subject to the restriction that said land shall be used only for, or in connection with, a golf course and that said land shall revert to said city if used for any other purpose.

Approved May 10, 1983.

Chap. 90. AN ACT FURTHER REGULATING THE USE OF MILK BY CERTAIN PUBLIC INSTITUTIONS.

Be it enacted, etc, as follows:

Chapter 94 of the General Laws is hereby amended by striking out section 48B, as amended by chapter 259 of the acts of 1935, and inserting in place thereof the following section:-

Section 48B. No institution supported in whole or in part by funds of the commonwealth shall use for its daily needs, milk produced, processed or packaged elsewhere than within the commonwealth; provided, however, that if at any time the supply of milk so produced, processed or packaged within the commonwealth is insufficient for the needs of such institution, or does not conform to the required standard for such milk, such institution, while and to the extent only that such insufficiency or lack of conformity exists, may use milk not so produced, processed or packaged. This section shall not apply to cream or to certified milk.

Approved May 10, 1983.

Chap. 91. AN ACT EXEMPTING RAMPS FOR THE PHYSICALLY HANDICAPPED FROM CERTAIN PROVISIONS OF THE ZONING LAW.

Be it enacted, etc., as follows:

Section 3 of chapter 40A of the General Laws is hereby amended by adding the following paragraph:-

No dimensional lot requirement of a zoning ordinance or by-law, including but not limited to, set back, front yard, side yard, rear yard and open space shall apply to handicapped access ramps on private property used solely for the purpose of facilitating ingress or egress of a physically handicapped person, as defined in section thirteen A of chapter twenty-two.

Approved May 10, 1983.

Chap. 92. AN ACT AUTHORIZING THE TOWN OF NORWOOD TO TRANSFER A PORTION OF PARK LAND IN SAID TOWN FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

The town of Norwood is hereby authorized to transfer a certain portion of park land in the town of Norwood to be used by said town for highway purposes, said land being bounded and described as follows:

beginning at a point on the northerly side of Bond Street, said point being S39-10-00E, a distance of 313.09 feet from the intersection of the northerly line of Bond Street and the easterly line of Walpole Street, thence running S39-10-00E a distance of 127.93 feet; thence running southeasterly, easterly, and northeasterly by a curve of radius 540.43 feet a distance of 484.08 feet, said point being the point of tangency of the intersection of Bond Street and Winter Street, thence running northwesterly by a curve of radius 300.00 feet a distance of 214.06 feet, thence running northwesterly by a curve of radius 590.25 feet a distance of 172.37 feet, thence running northwesterly by a curve of radius 465.23 feet a distance of 211.16 feet to a point, said point being the terminus of the lines of this taking and said point being the same as the beginning point of the lines of this taking. The area contained within the lines of this taking is 14,604 square feet, more or less, and is shown on the plan showing proposed abandonment of park land for street purposes dated November 17, 1982 by Walter R. Ryan, town Engineer.

Approved May 11, 1983.

EMERGENCY LETTER - May 11, 1983 @ 2:48 P.M.

Chap. 93. AN ACT PROVIDING FOR THE ESTABLISHMENT AND ADMINISTRATION OF RENT REGULATIONS AND THE CONTROL OF EVICTIONS IN MOBILE HOME PARK ACCOMMODATIONS IN THE TOWN OF BERNARDSTON.

Be it enacted, etc., as follows:

SECTION 1. The general court finds and declares that a serious public emergency exists with respect to the housing of a substantial number of citizens in the town of Bernardston, which emergency has been created by excessive, abnormally high and unwarranted rental increases imposed by some owners of mobile home parks located therein; that unless mobile home park rents and eviction of tenants are regulated and controlled, such emergency will produce serious threats to the public health, safety and general welfare of the citizens of said town, particularly the elderly; that such emergency should be met by the commonwealth immediately and with due regard for the rights and responsibilities of the town of Bernardston.

SECTION 2. The town of Bernardston may, by its by-laws, regulate rents for the use or occupancy of mobile home park accommodations in said town, establish a rent board for the purpose of regulating rents, establishing minimum standards for use or occupancy of mobile home park accommodations and eviction of tenants therefrom and may, by its by-laws, require registration by owners of mobile home park accommodations, under penalty of perjury, of information relating to the mobile home park accommodations. Such rents, standards and evictions may be regulated by the rent board so as to remove hardships or correct inequities for both the owner and the tenants of such mobile home park accommodations. Said rent board shall have all powers necessary or convenient to perform its functions and may make rules and regulations, require registration by owners of mobile home park accommodations, under penalty of perjury, of information relating to the mobile park accommodations, sue and be sued, compel the attendance of persons and the production of papers and information, and issue appropriate orders which shall be binding on both the owner and tenants of such mobile home park accommodations. Violations of any by-laws adopted pursuant to this act or any order of said rent board shall be punishable by a fine of not more than one thousand dollars for any one offense.

SECTION 3. In regulating rents, for such mobile home park accommodations, the rent board established under section two

may make such individual or general adjustments, either upward or downward, as may be necessary to assure that rents for mobile home park accommodations in said town are established at levels which yield to owners a fair net operating income which will yield a return, after all reasonable operating expenses, on the fair market value of the property equal to the debt service rate generally available from institutional first mortgage lenders or such other rates of return as the board, on the basis of evidence presented before it, deems more appropriate to the circumstances of the case. The fair market value of the property shall be the assessed valuation of the property or such other valuation as the board, on the basis of evidence presented before it, deems more appropriate to the circumstances of the case.

Said town in its by-laws or said rent board by regulation may establish further standards and rules consistent with this act.

SECTION 4. The provisions of chapter thirty A of the General Laws shall be applicable to the rent board, established under section two, as if said rent board were an agency of the commonwealth, including those provisions giving agencies the power to issue, vacate, modify and enforce subpoenas, and those provisions relating to judicial review of an agency order.

SECTION 5. The Franklin division of the district court department shall have original jurisdiction, concurrently with the superior court, of all petitions for review brought pursuant to section fourteen of chapter thirty A of the General Laws.

The superior court department shall have jurisdiction to enforce the provisions of this act and any by-laws adopted thereunder and may restrain violations thereof.

SECTION 6. The town of Bernardston may by its by-laws regulate the eviction of tenants and the rent board, established under section two, may issue orders which shall be a defense to an action of summary process for possession and such orders shall be reviewable pursuant to sections two and three.

SECTION 7. The personnel of the rent board established under section two shall not be subject to the provisions of section nine A of chapter thirty or chapter thirty-one of the General Laws.

SECTION 8. The provisions of this act are severable and if any of its provisions shall be ruled unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

SECTION 9. This act shall take effect upon its passage.

Approved May 17, 1983.

Chap. 94. AN ACT PROVIDING FOR THE ESTABLISHMENT AND ADMINISTRATION OF RENT REGULATIONS AND THE CONTROL OF EVICTIONS IN MOBILE HOME PARK ACCOMMODATIONS IN THE TOWN OF DALTON.

Be it enacted, etc., as follows:

SECTION 1. The general court finds and declares: that a serious public emergency exists in the town of Dalton with respect to the housing of a substantial number of citizens of said town, which emergency has been created by excessive, abnormally high and unwarranted rental increases imposed by some owners of mobile parks located therein; and by substantial and increasing shortage of mobile home park rental accommodations which most seriously effect families of low and moderate income and elderly on fixed income; that unless mobile home park rents and eviction of tenants are regulated and controlled, such emergency and the further inflationary pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the citizens of Dalton, particularly the elderly; that such emergency should be met by the commonwealth immediately and with due regard for the rights and responsibilities of the town of Dalton.

SECTION 2. The town of Dalton may, by its by-laws, regulate rents for the use and occupancy of mobile home park accommodations including the establishment of a maximum rent at the rental charged on August first, nineteen hundred and eighty-two. Such maximum rent may be subsequently adjusted under the provisions of section three. The town of Dalton may, by its by-laws establish a rent board for the purpose of regulating rents, minimum standards for use or occupancy of mobile home park accommodations in the town and evictions of tenants therefrom and may, by its by-laws, require registration by owners of mobile home park accommodations. Such rents, standards and evictions may be regulated by the rent board so as to remove hardships or correct inequities for both the owner and the tenants of said mobile home park accommodations. The rent board shall have all powers necessary or convenient to perform its functions. It may make rules and regulations, require registration as aforesaid, and under the penalties of perjury, require

owners to submit information relating to said mobile home park accommodations. Said board may sue and be sued, compel the attendance of persons and the production of papers and information, and issue appropriate orders which shall be binding on both the owner and tenants of such mobile home park accommodations. Violations of any by-law adopted pursuant to this act or any order of the rent board shall be punishable by a fine of not more than one thousand dollars for any one offense.

SECTION 3. (a) In regulating such rents, the rent board established under section two may make such individual or general adjustments, either upward or downward, as may be necessary to assure that rents for said mobile home park accommodations in the town are established at levels which yield to the owners a fair net operating income which will yield a return, after all reasonable operating expenses, on the fair market value of the property equal to the debt service rate generally available from institutional first mortgage lenders or such other rates of return as the board, on the basis of evidence presented before it, deems more appropriate to the circumstances of the case. The fair market value of the property shall be the assessed valuation of the property or such other valuation as the board, on the basis of evidence presented before it, deems more appropriate to the circumstances of the case.

(b) The town in its by-laws or the rent board by regulation may establish further standards and rules consistent with the foregoing.

SECTION 4. The provisions of chapter thirty A of the General Laws shall be applicable to the rent board, established under section two, as if said rent board were an agency of the commonwealth, including those provisions giving agencies the power to issue, vacate, modify and enforce subpoenas, as well as those provisions relating to judicial review of an agency order.

SECTION 5. (a) The district court of Berkshire county shall have original jurisdiction, concurrently with the superior court, of all petitions for review brought pursuant to section fourteen of chapter thirty A of the General Laws.

(b) The superior court shall have jurisdiction to enforce the provisions of this act, and any by-law adopted thereunder and may restrain violations thereof.

SECTION 6. The town of Dalton may, by its by-laws, regulate the eviction of tenants, and the rent board, established under section two, may issue orders which shall be a defense to an action of summary process for possession and such orders shall

be reviewable pursuant to sections three and four of this act.

SECTION 7. The personnel of the rent board established under section two shall not be subject to the provisions of section nine A of chapter thirty or chapter thirty-one of the General Laws.

SECTION 8. If any provision of this act or the application of such provision to any person or circumstance shall be held invalid, the validity of the remainder of this act and the application of such provision to other persons or circumstances shall be not affected thereby.

SECTION 9. This act shall take effect upon its passage.

Approved May 17, 1983.

Chap. 95. AN ACT AUTHORIZING THE TOWN OF LEXINGTON TO CONTRACT FOR A COMMUNITY BUS SYSTEM.

Be it enacted, etc., as follows:

SECTION 1. The town of Lexington, acting by and through its board of selectmen, is hereby authorized to make contracts for the use of busses and for their operation to provide a community transportation system. Such contracts may be entered into for periods not exceeding three years.

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

Approved May 17, 1983.

Chap. 96. AN ACT FURTHER REGULATING THE LAW RELATIVE TO USED BEVERAGE CONTAINERS AND TO ENCOURAGE RECYCLING THEREOF.

Be it enacted, etc., as follows:

SECTION 1. Section 322 of chapter 94 of the General Laws, as appearing in section 2 of chapter 571 of the acts of 1981, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Every beverage container sold or offered for sale in the commonwealth shall have a refund value of not less than five cents.

SECTION 2. Section 323 of said chapter 94, as so appearing, is hereby amended by striking out paragraph (d) and inserting in place thereof the following paragraph:-

(d) Except as provided in paragraph (f), a bottler shall accept from a distributor or a dealer any empty reuseable beverage container of the type, size, and brand sold by the bottler within the past sixty days and shall pay the distributor or dealer the refund value of the reuseable beverage container plus a handling fee of at least one cent per container if the empty reuseable beverage container is presented at the time and at the location where the distributor or dealer obtains filled reuseable beverage containers from the bottler; provided, however, that a bottler other than a bottler of soft drinks manufacturing in the commonwealth who offers to refund deposits in accordance with this section, shall not require a distributor to deposit with the bottler the refund value of a beverage container which is not reuseable, nor shall a bottler require of a distributor that beverage containers which are not reuseable, be presented to the bottler at the location where the distributor obtains filled beverage containers.

SECTION 3. Section 325 of said chapter 94, as so appearing, is hereby amended by striking out paragraph (a) and inserting in place thereof the following paragraph:-

(a) Every beverage container, except permanently labelled reusable glass containers, imported into, or offered for sale in the commonwealth by a bottler, distributor, or dealer shall clearly indicate in at least twelve point type, by embossing or by stamp, or by label, or other method securely affixed to any portion except the bottom of the beverage container, the refund value of the container. A permanently labelled reusable glass beverage container first imported into, or offered for sale in the commonwealth after the effective date of this act by a bottler, distributor, or dealer shall clearly indicate in at least twelve point type, by embossing or by stamp, or by label, or other method securely affixed to any portion except the bottom of the permanently labelled reusable glass beverage container, that the container may be returned for deposit. A dealer, distributor, redemption center, or bottler, may refuse to accept from any person any empty beverage container, except a permanently labelled reusable glass beverage container, which does not state thereon a refund value and may refuse to accept any permanently labelled reusable glass beverage container which does not state thereon that the container may be returned for deposit.

Approved May 17, 1983.

EMERGENCY LETTER - May 17, 1983 @ 3:40 P.M.

Chap. 97. AN ACT INCREASING THE LIABILITY FOR THE WILLFUL ACTS OF CERTAIN MINOR CHILDREN.

Be it enacted, etc., as follows:

Section 85G of chapter 231 of the General Laws, as most recently amended by chapter 172 of the acts of 1979, is hereby further amended by striking out, in line 10, the word "one" and inserting in place thereof the word:- two.

Approved May 17, 1983.

Chap. 98. AN ACT RELATIVE TO THEFT OF CERTAIN CABLE TELEVISION SERVICE EQUIPMENT.

Be it enacted, etc., as follows:

SECTION 1. Section 42A of chapter 166 of the General Laws, inserted by chapter 153 of the acts of 1961, is hereby amended by adding the following sentence:- As used in this section, the words "telecommunication service" shall also include the transmission of intelligence by a community antenna television system licensed pursuant to the provisions of chapter one hundred and sixty-six A.

SECTION 2. Section 42B of said chapter 166, inserted by chapter 1157 of the acts of 1973, is hereby amended by adding the following sentence:- As used in this section, the words "telecommunication service" shall also include the transmission of intelligence by a community antenna television system licensed pursuant to the provisions of chapter one hundred and sixty-six A.

SECTION 3. Section twenty-one of chapter one hundred and sixty-six A of the General Laws is hereby repealed.

Approved May 17, 1983.

Chap. 99. AN ACT LIMITING THE LIABILITY OF CERTAIN PERSONS WHO DONATE FOOD.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 94 of the General Laws is hereby amended by striking out the paragraph defining "Food",

as most recently amended by section 1 of chapter 663 of the acts of 1956, and inserting in place thereof the following paragraph:-

"Food", in sections one hundred and eighteen to one hundred and fifty-one, inclusive, one hundred and fifty-four to one hundred and fifty-six, inclusive, one hundred and eighty-one, one hundred and eighty-six to one hundred and ninety-six, inclusive, three hundred and five C, and three hundred and twenty-eight, includes all articles, whether simple, mixed or compound, used for food or drink, confectionery or condiment, by man or animal.

SECTION 2. Said chapter 94 is hereby further amended by adding the following section:-

Section 328. No person who donates food, including open-dated food whose date has passed, to a nonprofit corporation for distribution or serving by such nonprofit corporation without charge or at a charge sufficient only to cover the cost of handling such food, shall be liable for civil damages for any injury arising out of the condition of such food; provided, however, that at the time of donation such food is not misbranded and is not adulterated and has not been manufactured, processed, prepared, handled or stored in violation of applicable regulations of the department of public health; and provided, further, that such injury is not the result of gross negligence, recklessness or intentional misconduct of the donor or any person employed by or under the control of the donor.

No nonprofit corporation shall distribute or serve food from any establishment unless that corporation has been inspected and is in compliance with all inspection or permit requirements of the department and board of health in the city or town in which food is to be distributed or served.

No nonprofit corporation which distributes or serves food without charge or at a charge sufficient only to cover the cost of handling such food, including open-dated food whose date has passed, shall be liable for civil damages for any injury arising out of the condition of such food; provided, however, that at the time of distribution or serving such food is not misbranded or adulterated or has not been manufactured, processed, prepared, handled or stored in violation of applicable regulations of the department of public health, and provided, further, that such injury is not the result of gross negligence, recklessness or intentional misconduct of the nonprofit corporation or any person employed by or under the control of the nonprofit corporation.

Approved May 17, 1983.

EMERGENCY LETTER - May 17, 1983 @ 3:40 P.M.

Chap. 100. AN ACT PROHIBITING THE ASSAULT AND BATTERY ON PAROLE OFFICERS.

Be it enacted, etc., as follows:

Chapter 265 of the General Laws is hereby amended by striking out section 13D, as most recently amended by chapter 680 of the acts of 1975, and inserting in place thereof the following section:-

Section 13D. Whoever commits an assault and battery upon a police officer, firefighter, correction officer, sheriff, deputy sheriff, court officer, parole officer, parole supervisor, constable, an employee of the registry of motor vehicles having police powers, a public school teacher, a public school administrator or any person in a public school system having duties similar to a teacher or administrator when any such person is engaged in the performance of his duty at the time of such assault and battery, shall be punished by imprisonment for not less than ninety days nor more than two and one-half years in a house of correction or by a fine of not less than five hundred nor more than five thousand dollars.

Approved May 17, 1983.

Chap. 101. AN ACT EXEMPTING THE POSITIONS OF HEALTH AGENT AND SANITARIAN IN THE CITY OF MARLBOROUGH FROM THE PROVISIONS OF CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The positions of health agent and sanitarian in the board of health 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 health agent or sanitarian in the board of health of the said city of Marlborough on the effective date of this act.

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

Approved May 17, 1983.

Chap. 102. AN ACT PROVIDING FOR THE FINANCIAL DISCLOSURE BY PUBLIC OFFICIALS AND PUBLIC EMPLOYEES IN THE CITY OF MARLBOROUGH.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, every candidate for public office, every public official and every public employee in the city of Marlborough shall be subject to the provisions of all sections of chapter two hundred and sixty-eight B of the General Laws.

For purposes of this act, the following words and phrases as used in said chapter two hundred and sixty-eight B shall also include the following meanings:-

"Public office", any position in the city of Marlborough for which one is nominated in a municipal primary or to which one is elected in a municipal election.

"Public official", anyone who holds a public office in the city of Marlborough.

"Public employee", any person who holds a major policymaking position in a municipal body in the city of Marlborough; provided, however, that any person who receives no compensation other than reimbursements for expenses, or any person serving on a municipal body that has no authority to expend public funds other than to approve reimbursements for expenses shall not be considered a public employee for the purposes of this act.

Approved May 17, 1983.

Chap. 103. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND EIGHTY-THREE 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 one hundred and ninety-one of the acts of nineteen hundred and eighty-two, for the fiscal year

ending June thirtieth, nineteen hundred and eighty-three 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.

JUDICIARY.

Item — Supreme Judicial Court.

0320-0004 For the salaries and expenses of recalled justices of the appellate courts $45,000

Superior Court.

0331-0200 For clerical assistance to the justices $83,230

Administration of District Courts.
For Salaries and Expenses.

0332-7900 District court of western Worcester (Brookfield), including not more than eight permanent positions $ 6,000

EXECUTIVE.
Governor.

0411-1000 For the salaries of the governor and officers and employees in the governor's office $288,000

0411-1901 For postage, printing, office and other contingent expenses, including travel of the governor $60,000

0411-2000 For the office of federal-state relations $20,000

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 $94,000

0412-2008 For federal-local relations $37,000

MILITARY DIVISION
Adjutant General

0431-0200 For compensation for special and miscellaneous

duty, for transportation of officers to and from military meetings and drills and for expenses of camps of instruction, including not more than five permanent positions $43,245

TREASURER.

0611-5800 For distribution to cities and towns, pursuant to chapters five hundred and fifty-eight of nineteen hundred and eighty-one and five hundred and forty-nine of nineteen hundred and eighty-two, of one-quarter of one per cent of the total pari-mutuel wager for calendar years nineteen hundred and eighty-one and nineteen hundred and eighty-two; provided that from the amount appropriated herein the city of Boston shall receive one million ninety-one thousand four hundred and fifty-six dollars and eighty-four cents, the city of Revere shall receive seven hundred forty-one thousand and forty-four dollars and twenty-seven cents, the town of Raynham shall receive four hundred ninety-five thousand four hundred and seven dollars and eighty-three cents, and the town of Foxborough shall receive two hundred ninety-nine thousand and twelve dollars and eighty cents $2,626,921

EXECUTIVE OFFICE OF ADMINISTRATION AND FINANCE.

Central Services Division.
Other Administration and Finance.

1105-1000 For the administration of the division of employee relations; provided, that during the negotiation of any collective bargaining agreement the commissioner shall file with the house and senate committees on ways and means the provisions of each offer made by the commonwealth, the total estimated cost of such offer, and an analysis of the ability of the commonwealth to provide sufficient revenues to pay for said offer; and provided further, that such information shall be filed with said committees for each subsequent collective bargaining offer made by the commonwealth; including not more than seventeen permanent positions $68,987

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 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 six hundred and forty-nine permanent positions $1,600,000

Highway Fund	10.0%
General Fund	90.0%

1211-0100 For salaries and expenses of the wage reporting system, including not more than sixty-nine permanent positions $92,172

Miscellaneous.

1599-2104 For the payment of indigent counsel services rendered during fiscal year nineteen hundred and eighty, notwithstanding the provisions of section twenty-nine A of the General Laws; appropriation expires June thirtieth, nineteen hundred and eighty-three $10,000

Reserves.

1599-3269 For a reserve to meet the cost of salary adjustments and other employee economic benefits pursuant to chapter five hundred and five of the acts of nineteen hundred and eighty-one $30,173

1599-3337 For a reserve for salary adjustments pursuant to chapter four hundred and fifty-five of the acts of nineteen hundred and eighty-two $2,661,207

1599-3338 For a reserve for salary adjustments pursuant to chapter six hundred and forty-five of the acts of nineteen hundred and eighty-two $1,800,000

1599-3339 For a reserve for salary adjustments pursuant to chapter five hundred and eighty-seven of the acts of nineteen hundred and eighty-two $700,000

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.

Department of Fisheries, Wildlife and Recreational Vehicles.
Office of the Commissioner.

2300-0100 For the office of the commissioner, including not more than six permanent positions $ 3,701

EXECUTIVE OFFICE OF COMMUNITIES AND DEVELOPMENT.

Division of Community Services.

3747-0001 For the administration of the commission on Indian affairs $ 7,987

DEPARTMENT OF PUBLIC HEALTH.

For the maintenance of and for certain improvements at the following institutions under the control of the department of public health:

4532-0001 Lemuel Shattuck hospital, including not more than nine hundred permanent positions $350,239

4535-0001 Rutland Heights hospital, including not more than four hundred and forty-three permanent positions $513,387

DEPARTMENT OF SOCIAL SERVICES.

4800-0060 For an experimental day care project to provide social service support for public assistance applicants and recipients, to provide day care subsidies to any applicant or recipient of aid to families with dependent children who is employed, who has accepted a job offer, or who is participating in a training activity, and to any income-eligible

person who has been a recipient of said aid program within a time period prescribed by the department of public welfare; provided, further, that no more than thirty per cent of the monies appropriated herein may be used to provide day care services to families and children with special and protective needs where such services are not otherwise available; provided further, that said thirty per cent maximum may be exceeded for such special and protective needs services if said commissioner certifies to the house and senate committees on ways and means that such additional monies are needed to eliminate waiting lists for such services; provided however, that no less than ninety thousand dollars shall be expended on a program for certain developmentally disabled children for specialized after-school day care in Region VI; provided further, that the department of social services shall report monthly on the utilization of such special and protective needs services, on a regional basis, and including the number of children on waiting lists for such services, to the commissioner of administration and house and senate committees on ways and means; provided further, that no more than fifteen per cent of the monies appropriated herein may be used for day care services to other income-eligible families and children; provided further, that such project shall utilize a voucher payment system, so-called, to supplement the present purchased slot system; provided, further, that the department of social services shall utilize a blanket contract for the area office model portion of said demonstration program $1,733,275

DEPARTMENT OF MENTAL HEALTH.

Region One.

5183-0100 For the maintenance of the Belchertown state school, including not more than seven hundred and thirty-five permanent positions $1,500,000

5195-0100 For the maintenance of the Northampton state

hospital; provided that not more than one million and twenty thousand dollars may be expended for the twelve month cost of a medical contract serving hospital patients; provided, however, that no funds from this item may be expended for a contracted secure treatment facility; provided, further, that no funds from this item may be expended for persons delivering services or performing administrative functions in community-based programs, including not more than five hundred and eighty-one permanent positions $169,959

Region Two.

5283-0100 For the maintenance of the Monson developmental center, including not more than eight hundred and twenty-five permanent positions $835,000

Region Three.

5345-0000 For the administration of region three, provided that the allocation of funds for the purposes of this item shall be subject to the submission by the commissioner of the department of mental health to the commissioner of administration and the house and senate committees on ways and means by July thirty-first, nineteen hundred and eighty-two of a schedule containing the number, position, and salary of all personnel to be paid from this item; provided, however, that the allocation of funds appropriated herein paid to personnel shall be subject to the approval of the commissioner of administration and written notification to the house and senate committees on ways and means, including not more than three hundred and eighty-three permanent positions $424,000

Region Four A.

5483-0100 For the maintenance of the Walter E. Fernald state school, including not more than one thousand one hundred permanent positions $550,000

5495-0100 For the maintenance of the Metropolitan state hospital; provided, that not more than nine

hundred and one thousand dollars shall be expended as the twelve month fiscal year nineteen hundred and eighty-three cost of the medical services contract for hospital patients; provided further, that no funds may be expended from this item for salaries for persons delivering services or performing administrative functions in community-based programs, including not more than six hundred and ninety-three permanent positions $226,000

Region Four B.

5845-0000 For the administration of region four B, including not more than three hundred and thirty-eight permanent positions $117,171

5883-0100 For the maintenance of the Wrentham state school, including not more than six hundred and fifty permanent positions $1,190,000

5895-0100 For the maintenance of the Medfield state hospital; provided, that no funds may be expended from this item for salaries for persons delivering services or performing administrative functions in community-based programs, including not more than five hundred and eighty-one permanent positions $237,664

EXECUTIVE OFFICE FOR TRANSPORTATION AND CONSTRUCTION.

DEPARTMENT OF PUBLIC WORKS.

Highway Activities.
Personal Services.

6030-7201) From the unexpended balance remaining in item 6010-
6010-0001) 0001 of section two of chapter one hundred and ninety-one of the acts of nineteen hundred and eighty-two the sum of four million and five hundred thousand dollars is hereby transferred and made available for expenditure in item 6030-7201 of said section two of said chapter one hundred and ninety-one.

Maintenance and Operation of State Highways and Bridges.
Appropriation under this heading may be expended for traffic safety and control on certain city or town ways:

6030-7201 For the expenses of snow and ice control, including the removal of sand, and including the cost of sand, salt and chemicals, prior appropriation continued $4,166,588

Highway Fund 100.0%

EXECUTIVE OFFICE OF PUBLIC SAFETY.

Registry of Motor Vehicles.

8400-0040 For the motor vehicle safety and emissions inspection program $94,031

Highway Fund 100.0%

8400-0041 For plans and renovations of the premises to be occupied by the registry of motor vehicles on Washington street in the Roslindale section of the city of Boston upon execution of the lease of said premises by said registry of motor vehicles $10,000

EXECUTIVE OFFICE OF LABOR.

9400-0100 For the office of the secretary, including not more than one permanent position $150,000

SECTION 3. Item 7028-0031 of section 2 of chapter 191 of the acts of 1982 is hereby amended by striking out, in line 3, the word "twenty-five" and inserting in place thereof the words:-one hundred and thirty-five.

SECTION 4. The special committee established, under the provisions of section seventy-four of chapter three hundred and twenty-nine of the acts of nineteen hundred and eighty, authorized to make an investigation and study of the procurement practices of the commonwealth relative to electronic data processing, is hereby revived and continued.

Said committee shall report to the clerk of the house of representatives on or before the last Wednesday of December, nineteen hundred and eighty-four.

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

Approved May 19, 1983.

Chap. 104. AN ACT EXEMPTING OPERATORS OF CERTAIN VEHICLE INSPECTION STATIONS FROM THE REQUIRED PURCHASE OF CERTAIN EQUIPMENT.

Be it enacted, etc., as follows:

Section 7W of chapter 90 of the General Laws, as appearing in section 4 of chapter 761 of the acts of 1979, is hereby amended by striking out paragraph (a) and inserting in place thereof the following paragraph:-

(a) the requirement that the licensee possess an emissions analyzer meeting the design and operational specifications established by the commissioner, except those stations licensed to conduct safety inspections only. Said emissions analyzer shall be operated and maintained in conformance with the regulations adopted under section one hundred and forty-two J of chapter one hundred and eleven.

Approved May 19, 1983.

Chap. 105. AN ACT FURTHER REGULATING PARI-MUTUEL RACING AT CERTAIN RACE TRACKS IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. The third paragraph of section 5 of chapter 128A of the General Laws, as most recently amended by section 1 of chapter 208 of the acts of 1972, is hereby further amended by striking out the first sentence and inserting in place thereof the following two sentences:- No other place or method of betting, poolmaking, wagering or gambling shall be used or permitted by the licensee, nor shall this chapter be deemed to authorize or legalize the pari-mutuel or certificate system of wagering on any races except horse and dog races at the track where such pari-mutuel or certificate system of wagering is conducted; provided, however, that the licensees of running horse racing tracks, harness horse racing tracks, or dog racing tracks, other than running horse racing, harness horse racing, or dog racing conducted in connection with a state or county fair, may enter into a contract with a duly licensed racing association in another state to accept wagers on races of national or general interest which are legally held or conducted in that other state and shown by means of live television, such acceptance of wagers and televising of races to be conducted only at the licensee's track; provided, further, that nothing in this section shall

require such races to be of the same kind as are conducted by the Massachusetts licensee seeking said contract and that said contract shall be filed with the commission for its information and said contract shall be considered a public document and shall be open to inspection during normal business hours; and provided, further, that such events are limited to twenty pari-mutuel races each calendar year to be allocated as follows: five such events for harness racing tracks, ten such events for dog racing tracks with not more than five events to be allocated at any such track, and five such events for running horse racing tracks. Each licensee, qualified under this section, shall withhold the percentage which would have been withheld if the event had been held in the commonwealth for that kind of race which said licensee promotes as a special event, and shall distribute such revenue in the same proportionate manner as provided by law.

SECTION 2. Chapter 271 of the General Laws is hereby amended by striking out section 15, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 15. Whoever, except as provided in section five of chapter one hundred and twenty-eight A, aids, either by printing or writing, or is in any way concerned in setting up, promoting, managing or drawing a lottery for money, set up, promoted, managed, or drawn out of the commonwealth, shall be punished by a fine of not more than two thousand dollars or by imprisonment for not more than one year.

Approved May 19, 1983.

EMERGENCY LETTER - May 20, 1983 @ 9:10 A.M.

Chap. 106. AN ACT AUTHORIZING THE CITY OF LYNN TO SELL AND CONVEY A CERTAIN PARCEL OF PARK LAND IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the city of Lynn is hereby authorized to sell and convey a certain parcel of park land in said city bounded and described as follows:

Beginning at a point on the southeasterly sideline of Strawberry Avenue, which is forty-nine and ninety-three one hundredths (49.93') feet westerly of Chester Place thence running southeasterly along lands now or formerly of Higgins, Anderson,

Melanson, Monks, Burns, and Hubbard two hundred twenty-eight and sixty-eight and turning and running westerly along land now or formerly of Franco American Post 12 thirty-five and forty-five one hundredths feet (35.45') to a point; thence turning and running northeasterly along the southeasterly sideline of Strawberry Avenue thirty and twenty-one hundredths feet (30.21') to the point of beginning.

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

Approved May 20, 1983.

Chap. 107. AN ACT FURTHER REGULATING SPECIAL BROKERS LICENSE AFFIDAVITS.

Be it enacted, etc., as follows:

Section 168 of chapter 175 of the General Laws is hereby amended by striking out the fourth and fifth sentences, as appearing in section 1 of chapter 413 of the acts of 1961, and inserting in place thereof the following two sentences:- Whenever the person named in such license shall procure any insurance in such companies on any such property or interest, he shall in every case execute, and within twenty days thereafter, file with the commissioner an affidavit stating that the full amount of insurance required to protect said property or interest is not procurable, after a diligent effort has been made to do so, from among companies admitted to transact insurance in the commonwealth against the hazard or hazards involved, and that the amount of insurance procured in foreign companies not authorized to transact such business in the commonwealth is only the excess over the amount so procurable from such admitted companies. Said affidavit shall have force and effect for one year only from the date thereof or expiration of policy, whichever comes later.

Approved May 20, 1983.

Chap. 108. AN ACT FURTHER REGULATING PRECAUTIONS FOR THE SAFETY OF TRAVELERS.

Be it enacted, etc., as follows:

The first sentence of section 14 of chapter 90 of the General Laws, as appearing in chapter 324 of the acts of 1948, is hereby amended by striking out, in line 3, the word "horse" and insert-

ing in place thereof the words:- a cow, horse.

Approved May 20, 1983.

Chap. 109. AN ACT AUTHORIZING THE STATE SECRETARY TO PAY CERTAIN LEGAL FEES.

Be it enacted, etc., as follows:

Item 0521-0000 of section 2 of chapter 191 of the acts of 1982 is hereby amended by striking out the wording and inserting in place thereof the following:-

For preparing, printing and distributing ballots and other miscellaneous expenses for primary and other elections, including not more than six permanent positions; provided however, that, notwithstanding the provisions of section twenty-nine A of chapter twenty-nine of the General Laws, an amount not to exceed fifty-four thousand two hundred and forty dollars shall be allowed and paid from this item for legal services rendered from July first, nineteen hundred and eighty-one to June thirtieth, nineteen hundred and eighty-two.

Approved May 20, 1983.

EMERGENCY LETTER - May 20, 1983 @ 4:15 P.M.

Chap. 110. AN ACT RELATIVE TO MEMBERSHIP IN THE SAVINGS BANKS EMPLOYEES RETIREMENT ASSOCIATION.

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

Be it enacted, etc., as follows:

SECTION 1. Section 39 of chapter 168 of the General Laws, as appearing in section 29 of chapter 155 of the acts of 1982, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

All savings banks established under the laws of the commonwealth, all federal savings banks with their main offices located in the commonwealth which have converted from a state chartered

savings bank, the Savings Banks Association of Massachusetts, the Savings Banks Employees Retirement Association, the Mutual Savings Central Fund, Inc., the Savings Banks Life Insurance Council, and such other Massachusetts savings bank organizations as from time to time may be provided for in the by-laws of the association, and such of the respective employees of each of the foregoing as may be provided by such by-laws, shall be eligible for membership in the association. For the purposes of this section and sections thirty-nine, forty and forty-one, reference to "bank" or "banks" shall, unless the context otherwise requires, mean and include any or all of the organizations named or referred to in this paragraph, and a reference to "trustees" of a bank shall, unless the context otherwise requires, mean and include the governing body of each of such organizations.

SECTION 2. Section 74 of said chapter 168, as most recently amended by section 1 of chapter 111 of the acts of 1982, is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

All savings banks established under the laws of the commonwealth, all federal savings banks with their main offices located in the commonwealth which have converted from a state chartered savings bank, the Savings Banks Association of Massachusetts, the Savings Banks Employees Retirement Association, the Mutual Savings Central Fund, Inc., the Savings Banks Life Insurance Council, and such other Massachusetts savings bank organizations as from time to time may be provided for in the by-laws of the association, and such of the respective employees of each of the foregoing as may be provided by such by-laws, shall be eligible for membership in the association. For the purposes of this section and sections seventy-five and seventy-six reference to "bank" or "banks" shall, unless the context otherwise requires, mean and include any or all of the organizations named or referred to in this paragraph, and a reference to "trustees" of a bank shall, unless the context otherwise requires, mean and include the governing body of each of such organizations.

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

Approved May 23, 1983.

Chap. 111. AN ACT RELATIVE TO THE SERVICING OF COMMERCIAL VEHICLE TIRE RIMS.

Be it enacted, etc., as follows:

Section 9C of chapter 90 of the General Laws, inserted by section 1 of chapter 671 of the acts of 1974, is hereby amended by inserting after the second paragraph the following paragraph:-

Any business servicing multi-piece bus, trailer, tractor or truck rims shall train and instruct all employees who service multi-piece rim wheels in the safety procedures to be followed as specified in the Occupational Safety and Health Administration Standard Part 1910. Any business servicing multi-piece bus, trailer, tractor or truck rims shall not allow an employee to service any multi-piece rim wheel unless the employee has been trained and instructed in correct procedures of mounting, demounting, and all related services, activities and safety precautions for the rim type being serviced and the safe operating procedures as specified in said Occupational Safety and Health Administration Standard Part 1910. Information to be used in the training program shall include as a minimum criteria the data contained in said Occupational Safety and Health Administration Standard Part 1910.

Approved May 23, 1983.

Chap. 112. AN ACT FURTHER REGULATING THE SOLEMNIZATION OF MARRIAGES.

Be it enacted, etc., as follows:

SECTION 1. Section 39 of chapter 207 of the General Laws, as most recently amended by section 2 of chapter 464 of the acts of 1975, is hereby further amended by striking out the third sentence and inserting in place thereof the following sentence:- The state secretary may authorize the solemnization of any specified marriage anywhere within the commonwealth by a nonresident minister of the gospel, rabbi, authorized representative of a Spiritual Assembly of the Baha'is, leader of an Ethical Culture Society, or duly ordained priest or minister of the Buddhist religion, subject to such conditions as he may determine and shall issue to him a certificate of such authorization.

SECTION 2. Said chapter 207 is hereby further amended by striking out section 40, as most recently amended by section 2 of chapter 718 of the acts of 1979, and inserting in place thereof the following section:-

Section 40. Every justice of the peace, minister, rabbi, secretary of a Spiritual Assembly of the Baha'is, leader of an Ethical Culture Society, duly ordained priest or minister of the

Buddhist religion, and clerk or keeper of the records of a meeting wherein marriages among Friends or Quakers are solemnized shall make and keep a record of each marriage solemnized by him, or in such meeting, and of all facts relative to the marriage required to be recorded by section one of chapter forty-six. He shall also return each certificate issued under section twenty-eight, no later than the tenth day of the month following each month in which marriages are solemnized by him, to the clerk or registrar who issued the same. Each certificate and copy so returned shall contain a statement giving the place and date of marriage, attested by the signature of the person who solemnized the same or of said secretary of a Spiritual Assembly of the Baha'is or of said leader of an Ethical Culture Society, or of said duly ordained priest or minister of the Buddhist religion, or of said clerk or keeper of the records of a Friends or Quaker meeting. The person who solemnized the marriage shall add the title of the office by virtue of which the marriage was solemnized, as "justice of the peace", "minister of the gospel", "clergyman", "priest", "rabbi", "authorized representative of a Spiritual Assembly", "leader of an Ethical Culture Society", or "duly ordained priest or minister of the Buddhist religion", and his residence. All certificates or copies so returned shall be recorded by the clerk or registrar receiving them.

SECTION 3. Said chapter 207 is hereby further amended by striking out section 42, as most recently amended by section 5 of chapter 81 of the acts of 1968, and inserting in place thereof the following section:-

Section 42. A marriage solemnized by a person professing to be a justice of the peace having authority to solemnize marriages, a minister of the gospel or a rabbi, the leader of an Ethical Culture Society, a duly ordained priest or minister of the Buddhist religion, the Imam of the Orthodox Islamic religion, the authorized representative of a Spiritual Assembly of the Baha'is or by a Friends or Quaker Monthly Meeting, shall not be void, nor shall the validity thereof be in any way affected by want of authority in such person or society, or by an omission or by informality in the manner of filing the notice of intention, if the marriage is in other respects lawful and is consummated with a full belief of either of the persons so married that they have been lawfully married.

Approved May 23, 1983.

EMERGENCY LETTER - May 27, 1983 @ 2:22 P.M.

Chap. 113. AN ACT PROVIDING THAT CERTAIN PERSONAL INFORMATION IN PUBLIC LIBRARY RECORDS NOT BE A PUBLIC RECORD.

Be it enacted, etc., as follows:

Clause Twenty-sixth of section 7 of chapter 4 of the General Laws, as most recently amended by section 2 of chapter 189 of the acts of 1982, is hereby further amended by adding the following subclause:-

(k) that part of the registration or circulation records of every public library which reveals the identity of a borrower.

Approved May 23, 1983.

Chap. 114. AN ACT EXEMPTING THE SECRETARY TO THE PRINCIPAL FROM CIVIL LIABILITY FOR EMERGENCY FIRST AID OR TRANSPORTATION RENDERED TO INJURED STUDENTS.

Be it enacted, etc., as follows:

The second paragraph of section 55A of chapter 71 of the General Laws, added by chapter 660 of the acts of 1973, is hereby amended by inserting after the word "principal", in line 1, the words:- , secretary to the principal.

Approved May 23, 1983.

Chap. 115. AN ACT DESIGNATING THE ROXBURY PUDDINGSTONE AS THE ROCK OR ROCK EMBLEM, PLYMOUTH ROCK AS THE HISTORICAL ROCK, DIGHTON ROCK AS THE EXPLORER ROCK OF THE COMMONWEALTH AND GRANITE AS THE BUILDING AND MONUMENT STONE OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 2 of the General Laws is hereby amended by adding after section 21 the following four sections:-

Section 22. The Roxbury Puddingstone (Roxbury Conglomerate), shall be the rock or rock emblem of the commonwealth.

Section 23. Plymouth Rock, located in the town of Plymouth, shall be the historical rock of the commonwealth.

Section 24. Dighton Rock shall be the explorer rock of the commonwealth.

Section 25. Granite shall be the building and monument stone of the commonwealth.

Approved May 23, 1983.

Chap. 116. AN ACT RELATIVE TO THE NOMINATION OF TOWN MEETING MEMBERS IN THE TOWN OF MILFORD.

Be it enacted, etc., as follows:

Chapter 271 of the acts of 1933 is hereby amended by striking out section 4 and inserting in place thereof the following section:-

Section 4. Nominations of candidates for town meeting members to be elected under this act shall be made by nomination papers, which shall bear no political designation, shall be signed by not less than thirty voters of the precinct in which the candidate resides, and shall be filed with the town clerk at least ten days before the election. No nomination papers shall be valid in respect to any candidate whose written acceptance is not thereon or attached thereto when filed.

Approved May 23, 1983.

Chap. 117. AN ACT RELATIVE TO THE REVIEW PROCEDURE IN CERTAIN PROTECTIVE AND CARE OF CHILDREN CASES IN THE JUVENILE COURT.

Be it enacted, etc., as follows:

Section 26 of chapter 119 of the General Laws is hereby amended by striking out the last paragraph, added by section 3 of chapter 1076 of the acts of 1973, and inserting in place thereof the following paragraph:-

On any petition filed in any court pursuant to this section, the department, parents, person having legal custody of, counsel for a child, the probation officer, guardian or guardian ad litem may petition the court not more than once every six months for a review and redetermination of the current needs of such child whose case has come before the court.

Approved May 23, 1983.

Chap. 118. AN ACT RELATIVE TO THE TAKING OF LOBSTERS AND CRABS IN CERTAIN WATERS IN ESSEX COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Section 37 of chapter 130 of the General Laws is hereby amended by striking out the third paragraph, as most recently amended by chapter 91 of the acts of 1971, and inserting in place thereof the following paragraph:-

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

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

Approved May 25, 1983.

Chap. 119. AN ACT REVIVING AND CONTINUING AND INCREASING THE MEMBERSHIP OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO LOW-LEVEL RADIOACTIVE WASTE.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 1 of chapter 738 of the acts of 1981 is hereby amended by striking out, in line 7, the word "eight" and inserting in place thereof the word:- ten,- and by striking out, in line 16, the word "three" and inserting in place thereof the word:- five.

SECTION 2. The seventh paragraph of said section 1 of said chapter 738 is hereby amended by striking out, in line 6, the words "December, nineteen hundred and eighty-two" and inserting in place thereof the words:- January, nineteen hundred and eighty-five.

Approved May 25, 1983.

EMERGENCY LETTER - May 26, 1983 @ 3:09 P.M.

Chap. 120. AN ACT FURTHER REGULATING THE SEALING OF RECORDS AFTER A PARDON.

Be it enacted, etc., as follows:

Section 152 of chapter 127 of the General Laws, as most recently amended by section 59 of chapter 838 of the acts of 1969, is hereby further amended by inserting after the fourth paragraph the following paragraph:-

Upon approval of a petition for pardon, the governor shall direct all proper officers to seal all records relating to the offense for which the person received the pardon. Such sealed records shall not disqualify a person in any examination, appointment or application for employment or other benefit, public or private, including, but not limited to, licenses, credit or housing, nor shall such sealed record be admissible in evidence or used in any way in any court proceeding or hearing before any board, commission or other agency except in imposing sentence in subsequent criminal proceedings. On any application or in an interview for employment, or in any other circumstances, where a person is asked whether he has been convicted of an offense, a person who has received a pardon for such offense may answer in the negative. The attorney general and the person so pardoned may enforce the provisions of this paragraph by an action commenced in the superior court department of the trial court.

Approved May 25, 1983.

Chap. 121. AN ACT REQUIRING THE SUBMISSION OF COPIES OF PROPOSED AND APPROVED COUNTY BUDGETS TO THE DIRECTOR OF ACCOUNTS.

Be it enacted, etc., as follows:

SECTION 1. Subsection (b) of section 28 of chapter 35 of the General Laws, as appearing in section 143 of chapter 351 of the acts of 1981, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- The clerk of the county commissioners shall record the foregoing in a book kept therefor, and, on or before November first, shall send sufficient copies thereof, by him attested and signed by the chairman, to the county treasurer, to the members of the advisory board on county expenditures, to the director of accounts and to the selectmen of each town and the mayor of each city in the county.

SECTION 2. Subsection (g) of section 28B of said chapter 35, as appearing in section 144 of said chapter 351, is hereby amend_

ed by striking out the last sentence and inserting in place thereof the following sentence:- A copy of the approved budget and any approved supplementary budget shall be transmitted to the director of accounts within fifteen days of the advisory board's action thereon.

Approved May 25, 1983.

Chap. 122. AN ACT RELATIVE TO THE ASSIGNMENT OR CONVEYANCE OF ENCUMBERED REAL ESTATE IN CERTAIN DIVORCE ACTIONS.

Be it enacted, etc., as follows:

Section 34A of chapter 208 of the General Laws is hereby amended by adding the following paragraph:-

No assignment, transfer or conveyance, from one spouse to the other, under this section or under a separation agreement, of real estate which is encumbered by a mortgage shall be deemed a transfer or divestment of said mortgage under the provisions of mortgage covenants, which provide that the debt secured by said mortgage becomes due and payable on demand upon transfer or divestment to anyone other than the mortgagor.

Approved May 25, 1983.

Chap. 123. AN ACT RELATIVE TO THE FILING OF REPORTS BY THE BOARD OF REGENTS.

Be it enacted, etc., as follows:

Section 5 of chapter 15A of the General Laws, as appearing in section 112 of chapter 329 of the acts of 1980, is hereby amended by striking out, in line 4, the word "subsection" and inserting in place thereof the word:- clause,- and by striking out clause (e) and inserting in place thereof the following clause:- (e) annually file a detailed progress report on the five year master plan with said clerks and secretary by the first Wednesday in September.

Approved May 25, 1983.

Chap. 124. AN ACT PROVIDING THAT CERTAIN MEMBERS OF THE DECEASED IMMEDIATE FAMILY BE NOTIFIED OF AN INQUEST.

Be it enacted, etc., as follows:

Section 8 of chapter 38 of the General Laws, as most recently amended by section 1 of chapter 490 of the acts of 1975, is hereby further amended by striking out the third sentence and inserting in place thereof the following two sentences:- The court or justice shall give seasonable notice of the time and place of the inquest to the department of public utilities, in any case of death by accident upon a railroad, electric railroad, street railway, or railroad for private use, and in any case of death in which a motor vehicle of a common carrier of passengers for hire by motor vehicle is involved, and to the department of public works in any case of death in which any motor vehicle is involved. Such notice shall also be given to any parent, spouse, or other member of the deceased's immediate family or his legal representative or legal guardian.

Approved May 25, 1983.

Chap. 125. AN ACT FURTHER REGULATING THE OPERATION OF FUNERAL DIRECTORS.

Be it enacted, etc., as follows:

Section 84B of chapter 112 of the General Laws, inserted by chapter 340 of the acts of 1978, is hereby amended by adding the following two sentences:- Each copy of such itemized statement shall be signed by the funeral director and the person making said arrangements. Any funeral director who fails to deliver such itemized statement to the person making such funeral arrangements shall be punished by a fine of not more than one thousand dollars or by imprisonment of not more than six months, or both.

Approved May 25, 1983.

Chap. 126. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND EIGHTY-THREE TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS AND FOR CERTAIN ACTIVITIES AND PROJECTS OF AN URGENT OR EMERGENCY NATURE.

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 one hundred and ninety-one of the acts of nineteen hundred and eighty-two, for the fiscal year ending June thirtieth, nineteen hundred and eighty-three 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

EXECUTIVE OFFICE OF ADMINISTRATION AND FINANCE.
Group Insurance Commission.

11202000 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 twentysix of chapter twentynine of the General Laws, the commission is hereby authorized to negotiate, purchase and execute contracts by April first of each year for a policy or policies of group insurance as authorized by chapter thirtytwo 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 eightyone said commonwealth's share of the group insurance as provided, in section eight of said chapter thirtytwo A shall be ninety per cent of the total monthly premiums or rates

as established by the commission effective July first, nineteen hundred and eightyone; 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; and provided further that the commission shall notify the house and senate committees on ways and means, by April fifteenth of each year, of the commonwealth's actual cost of its share of group insurance premiums for the next fiscal year; provided, further, that the commission shall report to the house and senate committees on ways and means no later than October first, nineteen hundred and eighty-two on the feasibility of converting the present group health insurance plan, administered by the commission and underwritten by Massachusetts Blue Cross/ Blue Shield, to a standardized health insurance package, such as, but not necessarily limited to, the "Master Medical" plan available from that insurance carrier; prior appropriation continued $4,800,000

Department of Public Welfare.

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 certain recipients shall receive a five per cent cost of living payment on each monthly grant payable to said recipients; provided, further, that no recipient eligible for receipt of benefits under this program shall receive a grant reduction solely as a result of any change in or consolidation of the grant structure; and provided further that no changes in the eligibility criteria for benefits under this program shall be implemented without the prior written approval of the house and senate committees on ways and means; provided, that not more than seven million one hundred thousand dollars may be expended for said medical services $6,500,000

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

Approved May 27, 1983.

Chap. 127. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF NORFOLK COUNTY TO EXPEND MONIES FROM ITS REHABILITATION FUND TO RENOVATE EXISTING STRUCTURES AND CONSTRUCT HANDICAPPED ACCESS RAMPS AT THE MUNICIPAL COURT OF BROOKLINE AND REGISTRY OF DEEDS BUILDING OF NORFOLK COUNTY.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Norfolk county are hereby authorized to expend certain sums from the Rehabilitation Fund of said county to renovate existing structures and construct ramps for access by the handicapped to the municipal court of Brookline and the registry of deeds building of Norfolk county. The total cost for such renovation and construction, the plans and specifications for which have been paid from other sources, shall not exceed thirteen thousand five hundred dollars for said municipal court and six thousand five hundred dollars for said registry of deeds building.

SECTION 2. For the purposes authorized by section one, the treasurer of said county, with the approval of the county commissioners shall expend such sums as may be necessary, not exceeding, in the aggregate, the sum of twenty thousand dollars, from said Rehabilitation Fund authorized pursuant to sections one and two of chapter five of the acts of nineteen hundred and forty-three.

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

Approved May 27, 1983.

Chap. 128. AN ACT AUTHORIZING THE TOWN OF HULL TO REQUIRE OWNERS OF PROPERTY TO CONNECT TO THE TOWN SEWERAGE SYSTEM.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any law to the

contrary, the town of Hull, acting through its permanent sewer commission, is hereby authorized to require the owners of property accessible to the town sewerage system to connect to the same.

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

Approved May 27, 1983.

Chap. 129. AN ACT AUTHORIZING ARTHUR PICHIERRI TO TAKE A CIVIL SERVICE EXAMINATION FOR THE POSITION OF POLICE OFFICER IN THE TOWN OF FRANKLIN, NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law or rule to the contrary regulating the maximum age of an applicant for appointment as a police officer, Arthur Pichierri shall be eligible to take the next open competitive examination for police officer in the town of Franklin, and provided he meets all other requirements, he shall be eligible for certification and appointment.

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

Approved May 27, 1983.

Chap. 130. AN ACT FURTHER DEFINING THE DUTIES OF THE ADMINISTRATIVE JUSTICE OF THE JUVENILE COURT DEPARTMENT.

Be it enacted, etc., as follows:

Section 57A of chapter 218 of the General Laws is hereby amended by adding the following paragraph:-

Said administrative justice may require uniform practices, may prescribe forms of blanks and records, and may superintend the keeping of records by clerks. He shall have general superintendence of all the divisions of the juvenile court department, and their clerks and other offices, but except as otherwise provided by law, shall have no power to appoint any such officers. Said administrative justice shall also prescribe official forms to be used in all divisions of the juvenile court department and in

juvenile sessions of the district court department.

Approved May 27, 1983.

Chap. 131. AN ACT RELATIVE TO TAMPERING WITH OR DESTRUCTION OF A NOTICE OF VIOLATION OF FIRE LAWS.

Be it enacted, etc., as follows:

Chapter 148 of the General Laws is hereby amended by inserting after section 30 the following section:-

Section 30A. Whoever unlawfully tampers with, changes, mutilates, destroys, or otherwise removes, from a building or structure, any notice of violation affixed under the provisions of section thirty, shall be punished by a fine of not more than fifty dollars or by imprisonment in jail for not more than one month, or by both such fine and imprisonment.

Approved May 27, 1983.

Chap. 132. AN ACT RELATIVE TO LOBBYING ACTIVITIES BY CERTAIN NONPROFIT ORGANIZATIONS.

Be it enacted, etc., as follows:

Section 50 of chapter 3 of the General Laws is hereby amended by striking out the second paragraph, added by section 4 of chapter 458 of the acts of 1976.

Approved May 27, 1983.

Chap. 133. AN ACT RELATIVE TO THE LICENSING AND KEEPING OF DOGS IN THE TOWN OF HINGHAM.

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 town of Hingham for the issuance of licenses for dogs shall be as follows: unspayed females and unneutered males, seven dollars, spayed females and neutered males, four 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 town of Hingham, or recovered as fines or penalties by said town under the provisions of said chapter one hundred and forty relating to dogs, shall be paid into the treasury of said town and shall not thereafter be paid over by the town treasurer to Plymouth county.

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 town, shall be conducted in the office of the town clerk of said town.

SECTION 4. Notwithstanding the provisions of section one hundred and thirty-six A of said chapter one hundred and forty or any other provision of law to the contrary, the license period for the town of Hingham is hereby defined as the time between July first and the following June thirtieth, both dates inclusive, and any license issued after March thirty-first, nineteen hundred and eighty-two, shall be deemed to be valid through June thirtieth, nineteen hundred and eighty-three.

Approved May 27, 1983.

Chap. 134. AN ACT REPEALING CERTAIN SPECIAL ACTS RELATIVE TO FISHING ACTIVITIES IN TERRITORIAL WATERS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Section seven of chapter ninety-one of the Revised Laws of nineteen hundred and two is hereby repealed.

SECTION 2. Section one hundred and twenty-one of said chapter ninety-one is hereby repealed.

SECTION 3. Section one hundred and twenty-two of said chapter ninety-one is hereby repealed.

SECTION 4. Section one hundred and twenty-three of said chapter ninety-one is hereby repealed.

SECTION 5. Section one hundred and twenty-four of said chapter ninety-one is hereby repealed.

SECTION 6. Section one hundred and twenty-five of said chapter ninety-one is hereby repealed.

SECTION 7. Section one hundred and twenty-six of said chapter ninety-one is hereby repealed.

SECTION 8. Chapter one hundred and eighteen of the acts of nineteen hundred and four is hereby repealed.

SECTION 9. Chapter two hundred and ninety-eight of the acts of nineteen hundred and seven is hereby repealed.

SECTION 10. Chapter two hundred and ninety-eight of the acts of nineteen hundred and eight is hereby repealed.

SECTION 11. Chapter one hundred and ninety-four of the acts of nineteen hundred and nine is hereby repealed.

SECTION 12. Chapter two hundred and ninety-one of the acts of nineteen hundred and nine is hereby repealed.

SECTION 13. Chapter sixty-nine of the acts of nineteen hundred and eleven is hereby repealed.

SECTION 14. Chapter one hundred and seven of the acts of nineteen hundred and eleven is hereby repealed.

SECTION 15. Chapter three hundred and six of the acts of nineteen hundred and eleven is hereby repealed.

SECTION 16. Chapter three hundred and seventy-four of the acts of nineteen hundred and eleven is hereby repealed.

SECTION 17. Chapter sixty-three of the acts of nineteen hundred and twelve is hereby repealed.

SECTION 18. Chapter three hundred and twenty-seven of the acts of nineteen hundred and twelve is hereby repealed.

SECTION 19. Chapter four hundred and forty-nine of the acts of nineteen hundred and twelve is hereby repealed.

SECTION 20. Chapter four hundred and forty-nine of the acts of nineteen hundred and thirteen is hereby repealed.

SECTION 21. Chapter five hundred and nineteen of the acts of nineteen hundred and thirteen is hereby repealed.

SECTION 22. Chapter five hundred and twenty-three of the acts of nineteen hundred and thirteen is hereby repealed.

SECTION 23. Chapter two hundred and fifty-seven of the acts of nineteen hundred and fourteen is hereby repealed.

SECTION 24. Chapter three hundred and nine of the acts of nineteen hundred and fourteen is hereby repealed.

SECTION 25. Chapter forty-nine of the acts of nineteen hundred and fifteen is hereby repealed.

SECTION 26. Chapter forty-one of the acts of nineteen hundred and sixteen is hereby repealed.

SECTION 27. Chapter fifty of the acts of nineteen hundred and sixteen is hereby repealed.

SECTION 28. Chapter eighty-seven of the acts of nineteen hundred and seventeen is hereby repealed.

SECTION 29. Chapter two hundred and eighty-four of the acts of nineteen hundred and twenty is hereby repealed.

SECTION 30. Chapter twenty-five of the acts of nineteen hundred and twenty-one is hereby repealed.

SECTION 31. Chapter three hundred and fifty-six of the acts of nineteen hundred and twenty-two is hereby repealed.

SECTION 32. Chapter thirty-five of the acts of nineteen hundred and twenty-three is hereby repealed.

SECTION 33. Chapter fifty of the acts of nineteen hundred and twenty-six is hereby repealed.

SECTION 34. Chapter thirty-five of the acts of nineteen hundred and twenty-eight is hereby repealed.

SECTION 35. Chapter eighty-six of the acts of nineteen hundred and thirty-one is hereby repealed.

SECTION 36. Chapter thirty-nine of the acts of nineteen hundred and thirty-five is hereby repealed.

SECTION 37. Chapter one hundred and fifty-eight of the acts of nineteen hundred and thirty-six is hereby repealed.

SECTION 38. Chapter two hundred and thirty-nine of the acts of nineteen hundred and thirty-six is hereby repealed.

SECTION 39. Chapter one hundred and fifty-two of the acts of nineteen hundred and thirty-seven is hereby repealed.

SECTION 40. Chapter one hundred and eighty-two of the acts of nineteen hundred and thirty-seven is hereby repealed.

SECTION 41. Chapter one hundred and fifty-one of the acts of nineteen hundred and thirty-eight is hereby repealed.

SECTION 42. Chapter sixty-seven of the acts of nineteen hundred and fifty is hereby repealed.

SECTION 43. Chapter sixty-eight of the acts of nineteen hundred and fifty is hereby repealed.

SECTION 44. Chapter sixty-nine of the acts of nineteen hundred and fifty is hereby repealed.

SECTION 45. Chapter one hundred and fifty-six of the acts of nineteen hundred and sixty-four is hereby repealed.

SECTION 46. Chapter one hundred and sixty-seven of the acts of nineteen hundred and sixty-four is hereby repealed.

Approved May 27, 1983.

Chap. 135. AN ACT RELATIVE TO THE SALE OF ALCOHOLIC BEVERAGES IN THE CITY OF SOMERVILLE.

Be it enacted, etc., as follows:

Chapter 258 of the acts of 1980 is hereby amended by adding the following paragraph:-

Said licensing commission is hereby authorized and directed to assign two licenses for the sale of all alcoholic beverages to be drunk on the premises, to the area known and bounded as the Assembly Square Commercial Area Revitalization District. Said licenses shall be allocated from among those authorized to be granted under the provisions of the first paragraph and they shall not increase in any way the number of such licenses now

or hereafter available in said city. Licenses granted under the provisions of this act shall be subject to the notice and hearing requirements of the General Laws and all applicable ordinances of said city. Any license not issued by the licensing commission to an establishment located within the Assembly Square Commercial Area Revitalization District within three years from the effective date of this act shall lapse and shall not thereafter be available for issuance anywhere within said city.

Approved May 27, 1983.

Chap. 136. AN ACT FURTHER REGULATING THE PROCEDURES FOR ABANDONING CERTAIN MUNICIPAL WAYS.

Be it enacted, etc., as follows:

Chapter 82 of the General Laws is hereby amended by striking out section 32A, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 32A. The board or officers of a city or town having charge of a public way may, after holding a public hearing, notice of which shall be sent by registered mail, return receipt requested, to all property owners abutting an affected road and notice of which shall be published in a newspaper of general circulation in the city or town once in each of two successive weeks, the first publication to be not less than fourteen days before the day of the hearing and by posting in a conspicuous place in the office of the city or town clerk for a period of not less than fourteen days before the day of the hearing, upon finding that a city or town way or public way has become abandoned and unused for ordinary travel and that the common convenience and necessity no longer requires said town way or public way to be maintained in a condition reasonably safe and convenient for travel, shall declare that the city or town shall no longer be bound to keep such way or public way in repair and upon filing of such declaration with the city or town clerk such declaration shall take effect, provided that sufficient notice to warn the public against entering thereon is posted at both ends of such way or public way, or portions thereof.

Approved May 27, 1983.

Chap. 137. AN ACT INCREASING THE SUM ALLOWED PER DAY TO DOG OFFICERS FOR THE CARE OF DOGS IN THEIR POSSESSION.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 151A of chapter 140 of the General Laws, as appearing in section 2 of chapter 289 of the acts of 1976, is hereby amended by striking out the fifth sentence and inserting in place thereof the following sentence:- A dog officer having custody of a confined dog shall be allowed the sum of three dollars per day for the care of such dog, payable by the owner or keeper thereof, if known, otherwise from the dog fund.

SECTION 2. The second paragraph of said section 151A of said chapter 140, as so appearing, is hereby amended by striking out the fifth sentence and inserting in place thereof the following sentence:- A dog officer having custody of a confined dog shall be allowed the sum of three dollars per day for the care of such dog, payable by the owner or keeper thereof, if known, otherwise from the dog fund.

Approved May 27, 1983.

Chap. 138. AN ACT DESIGNATING THE HAMPSHIRE COUNTY HOUSE OF CORRECTIONS IN THE CITY OF NORTHAMPTON AS THE SHERIFF JOHN F. BOYLE BUILDING.

Be it enacted, etc., as follows:

The main building to be constructed at the Hampshire county jail and house of correction, in the city of Northampton, shall, upon its completion, be designated and known as the Sheriff John F. Boyle Building, in honor of Hampshire county sheriff John F. Boyle.

Approved May 27, 1983.

Chap. 139. AN ACT REGULATING THE USE OF PROTECTIVE DEVICES OR BODY ARMOR SO-CALLED, DURING THE COMMISSION OF A FELONY.

Be it enacted, etc., as follows:

Chapter 269 of the General Laws is hereby amended by inserting after section 10C the following section:-

Section 10D. Whoever, while in the commission or attempted

commission of a felony, uses or wears any body armor, so-called, or any protective covering for the body or any parts thereof, made of resin-treated glass-fiber cloth, or of any other material or combination of materials, designed to prevent, deflect or deter the penetration thereof by ammunition, knives or other weapons, shall be punished by imprisonment in the state prison for not less than two and one-half years nor more than five years or for not less than one year nor more than two and one-half years in a jail or house of correction.

Approved May 27, 1983.

Chap. 140. AN ACT AUTHORIZING JAMES F. SHEEHAN TO TAKE A CIVIL SERVICE EXAMINATION FOR THE POSITION OF FIREFIGHTER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately allow James F. Sheehan to take a civil service examination for the position of firefighter, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law or rule to the contrary regulating the maximum age of an applicant for appointment as a firefighter, James F. Sheehan of the town of Westwood shall be eligible to take the next open competitive examination for the position of firefighter and provided he meets all other requirements, he shall be eligible for certification and appointment to said position.

Approved May 31, 1983.

Chap. 141. AN ACT PROVIDING FOR THE DEFERRAL OF REPAYMENT BY THE CITY OF BROCKTON TO THE COMMONWEALTH FOR OVERPAYMENTS MADE FOR SCHOOL AID FUNDS DISTRIBUTION BY THE DEPARTMENT OF EDUCATION FOR THE FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-TWO.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to

the contrary, no adjustment or withholding of funds from the city of Brockton on account of monies paid to said city for general or special education charges for the fiscal year commencing July first, nineteen hundred and eighty-one and ending June thirtieth, nineteen hundred and eighty-two, shall be made by the department of revenue during the fiscal year commencing July first, nineteen hundred and eighty-two and ending June thirtieth, nineteen hundred and eighty-three; provided, however, that the city of Brockton shall repay any amounts overpaid by the commonwealth for the fiscal year commencing July first, nineteen hundred and eighty-one and ending June thirtieth, nineteen hundred and eighty-two in equal installments over a period of seven years commencing not sooner than the first local aid distribution in the fiscal year commencing July first, nineteen hundred and eighty-three and ending June thirtieth, nineteen hundred and eighty-four. In no event shall the aggregate exceed the sum of one million four hundred ninety-one thousand five hundred and thirty-eight dollars.

Approved May 31, 1983.

EMERGENCY LETTER - June 9, 1983. @ 3:41 P.M.

Chap. 142. AN ACT AUTHORIZING THE STATE POLICE TO INVESTIGATE OR EXAMINE CERTAIN COMMERCIAL MOTOR VEHICLE VIOLATIONS.

Be it enacted, etc., as follows:

Chapter 159B of the General Laws is hereby amended by striking out section 14A, added by section 5 of chapter 664 of the acts of 1951, and inserting in place thereof the following section:-

Section 14A. Every motor carrier, including private carriers and interstate licensees, their agents and employees, when requested by a duly authorized state police officer or an investigator or examiner of the commercial motor vehicle division, who is in uniform or displays the proper insignia of his office, shall stop and submit to said duly authorized state police officer or investigator or examiner all transportation documents, including bills of lading, way bills and other papers relating to his cargo which are in his possession and shall submit the cargo and other contents, if any, of his motor vehicle to such reasonable examination as may be necessary to inform the duly authorized state police officer or investigator or examiner of the nature and the weight thereof. No detailed examination of the cargo shall be made that requires the removal of the cargo from the vehicle except at a place where the motor vehicle stops for the purpose

of loading or delivery, and such motor vehicle may be required to detour to the nearest available scale within a distance of not more than five miles for the purpose of determining the weight thereof. Any such carrier who, personally or by his agent, or any such driver who violates any provision of this section, shall be punished by a fine of not less than two hundred and fifty nor more than five hundred dollars for the first offense and not less than five hundred nor more than one thousand dollars for subsequent offenses.

Approved May 31, 1983.

Chap. 143. AN ACT AUTHORIZING THE CITY OF QUINCY TO GRANT AN ANNUITY TO HELEN PHELAN, THE WIDOW OF MICHAEL PHELAN.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of promoting the public good, the city of Quincy is hereby authorized to appropriate and pay to Helen Phelan, the widow of Michael Phelan, a former employee of the fire department in the city of Quincy an annuity in the sum of one thousand six hundred and eighty dollars payable in equal monthly installments as long as she remains unmarried. The annuity provided by this act shall be in lieu of any annuity or pension payable to said widow under any general or special law.

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

Approved May 31, 1983.

Chap. 144. AN ACT INCREASING THE PENALTY FOR DISPOSING OF GARBAGE OR REFUSE IN CONTAINERS PLACED ALONG HIGHWAYS.

Be it enacted, etc., as follows:

Chapter 270 of the General Laws is hereby amended by striking out section 17, as amended by chapter 144 of the acts of 1963, and inserting in place thereof the following section:-

Section 17. Whoever disposes of household or commercial garbage or refuse by placing it in a trash barrel placed on a public highway by the commonwealth, or by any political subdivi-

sion thereof for the convenience of the traveling public shall be punished by a fine of not less than two hundred dollars. One-half of any fine paid into a court shall be paid over to the city or town where said offense occurred.

Approved May 31, 1983.

Chap. 145. AN ACT FURTHER REGULATING TESTIMONY IN CERTAIN PROCEEDINGS INVOLVING THE PHYSICAL OR SEXUAL ABUSE OF A CHILD.

Be it enacted, etc., as follows:

Chapter 233 of the General Laws is hereby amended by striking out section 20, as most recently amended by section 3 of chapter 765 of the acts of 1963, and inserting in place thereof the following section:-

Section 20. Any person of sufficient understanding, although a party, may testify in any proceeding, civil or criminal, in court or before a person who has authority to receive evidence, except as follows:

First, Except in a proceeding arising out of or involving a contract made by a married woman with her husband and except in a proceeding under chapter two hundred and seventy-three A and in a prosecution begun under sections one to ten, inclusive, of chapter two hundred and seventy-three, neither husband nor wife shall testify as to private conversations with the other;

Second, Except as otherwise provided in section seven of chapter two hundred and seventy-three and except in any proceeding relating to child abuse, including incest, neither husband nor wife shall be compelled to testify in the trial of an indictment, complaint or other criminal proceeding against the other;

Third, The defendant in the trial of an indictment, complaint or other criminal proceeding shall, at his own request, but not otherwise, be allowed to testify; but his neglect or refusal to testify shall not create any presumption against him.

Approved May 31, 1983.

Chap. 146. AN ACT RELATIVE TO MOTOR VEHICLES PROPELLED BY SPECIAL FUELS.

Be it enacted, etc., as follows:

SECTION 1. The fourth paragraph of section 2 of chapter 64E

of the General Laws, as amended by section 1 of chapter 544 of the acts of 1980, is hereby further amended by adding the following four sentences:- Whoever violates the provisions of this paragraph shall be punished by a fine of not more than one hundred dollars. Any person charged with such a violation may, in writing without his presence in court, waive his right to trial, plead guilty and pay the maximum statutory penalty. Such waiver of the right to trial and plea of guilty shall be made on a form approved by the administrative justice of the district court department and shall be provided to each defendant by the appropriate division of the court department at the same time and in the same manner as the issuance of any summons. Any person who desires to waive his right to trial and to plead guilty without his appearance in court shall return such written waiver and plea together with payment of the maximum statutory penalty before the return day of such summons.

SECTION 2. Said chapter 64E is hereby further amended by striking out section 11, as most recently amended by section 66 of chapter 415 of the acts of 1976, and inserting in place thereof the following section:-

Section 11. Any person who violates any provisions of this chapter, for which a penalty is not otherwise provided, shall be punished by a fine of not more than one thousand dollars or by imprisonment for one year, or both.

Approved May 31, 1983.

Chap. 147. AN ACT FURTHER DEFINING THE TERM "PROPERTY" IN THE CRIME OF LARCENY.

Be it enacted, etc., as follows:

SECTION 1. Section 30 of chapter 266 of the General Laws is hereby amended by striking out paragraph (2), as most recently amended by section 3 of chapter 979 of the acts of 1977, and inserting in place thereof the following paragraph:-

(2) The term "property", as used in this section, shall include money, personal chattels, a bank note, bond, promissory note, bill of exchange or other bill, order or certificate, a book of accounts for or concerning money or goods due or to become due or to be delivered, a deed or writing containing a conveyance of land, any valuable contract in force, a receipt, release or defeasance, a writ, process, certificate of title or duplicate certificate issued under chapter one hundred and eighty-five, a public record, anything which is of the realty or is annexed thereto, a

security deposit received pursuant to section fifteen B of chapter one hundred and eighty-six, electronically processed or stored data, either tangible or intangible, data while in transit and any domesticated animal, other than a dog, or a beast or bird which is ordinarily kept in confinement and is not the subject of larceny at common law.

SECTION 2. Paragraph (4) of said section 30 of said chapter 266, added by section 1 of chapter 817 of the acts of 1967, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- The term "trade secret" as used in this paragraph means and includes anything tangible or electronically kept or stored, which constitutes, represents, evidences or records a secret scientific, technical, merchandising, production, or management information, design, process, procedure, formula, invention or improvement.

Approved May 31, 1983.

Chap. 148. AN ACT ABOLISHING THE SALEM OFF-STREET PARKING COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. On the effective date of this act the city of Salem shall be the lawful assignee and successor in interest and shall assume all the legal rights, duties, obligations and contracts of the Salem Off-Street Parking Commission established under the provisions of chapter three hundred and forty-eight of the acts of nineteen hundred and seventy-one, and said city, under the provisions of its charter and ordinances, shall take all necessary and proper actions to carry out the purposes of this act.

SECTION 2. Chapter three hundred and forty-eight of the acts of nineteen hundred and seventy-one is hereby repealed.

SECTION 3. This act shall take effect upon its acceptance by the city of Salem.

Approved May 31, 1983.

Chap. 149. AN ACT RELATIVE TO REGIONAL SCHOOL DISTRICT COMMITTEES.

Whereas, The deferred operation of this act would tend to

defeat its purpose, which is to immediately establish a certain subcommittee in school committees, therefore 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 16A of chapter 71 of the General Laws, as most recently amended by section 1 of chapter 1104 of the acts of 1973, is hereby further amended by adding the following paragraph:-

The committee may establish a subcommittee of no less than three members for the purpose of signing payroll warrants and accounts payable warrants to allow for the release of checks; provided, however, that such subcommittee shall make available to the committee at the next meeting, a record of such actions of such subcommittee.

Approved June 3, 1983.

Chap. 150. AN ACT PROVIDING THAT SCHOOL BUSES UNDER CONTRACT TO A SCHOOL SYSTEM MAY TRANSPORT PUPILS TO AND FROM SUMMER SCHOOL.

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 amended by chapter 68 of the acts of 1980, 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 summer school and school sponsored extracurricular activities.

Approved June 3, 1983.

Chap. 151. AN ACT RELATIVE TO THE SALARIES OF CERTAIN JUDICIAL POSITIONS IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section twenty-six of chapter six hundred and thirty-two of the acts of nineteen

hundred and eighty-one, any person appointed or elected between December sixteenth, nineteen hundred and eighty-one and January fifth, nineteen hundred and eighty-three to an office or position, the salary of which is fixed by the provisions of section fourteen of chapter one hundred and eighty-five, section twenty-two of chapter two hundred and eleven, section two or six of chapter two hundred and eleven A, section four of chapter two hundred and eleven B, section twenty-eight, twenty-nine, thirty-five A or thirty-five B of chapter two hundred and seventeen, section ten or seventy-nine of chapter two hundred and eighteen, section ninety-four of chapter two hundred and twenty-one, or section ninety-eight or ninety-nine D of chapter two hundred and seventy-six of the General Laws, shall receive the salary or compensation established for such office or position by the provisions of said chapter six hundred and thirty-two said salary or compensation to be effective as of the date of his appointment or election, and shall, after January fifth, nineteen hundred and eighty-three, receive the salary provided by chapter four hundred and fifty-five of the acts of nineteen hundred and eighty-two.

SECTION 2. Notwithstanding the provisions of section ten A of chapter four hundred and fifty-five of the acts of nineteen hundred and eighty-two or section twenty-six of chapter six hundred and thirty-two of the acts of nineteen hundred and eighty-one, any person appointed or elected after January fifth, nineteen hundred and eighty-three to an office or position, the salary of which is fixed by the provisions of section fourteen of chapter one hundred and eighty-five, section twenty-two of chapter two hundred and eleven, section two or six of chapter two hundred and eleven A, section four of chapter two hundred and eleven B, section twenty-eight, twenty-nine, thirty-five A or thirty-five B of chapter two hundred and seventeen, section ten or seventy-nine of chapter two hundred and eighteen, section ninety-four of chapter two hundred and twenty-one, or section ninety-eight or ninety-nine D of chapter two hundred and seventy-six of the General Laws, shall receive the salary or compensation established for such office or position by the provisions of said chapter four hundred and fifty-five or if not established by said chapter four hundred and fifty-five, such salary or compensation established for such office or position by the provisions of said chapter six hundred and thirty-two, said salary or compensation to be effective as of January fifth, nineteen hundred and eighty-three.

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

Approved June 6, 1983.

Chap. 152. AN ACT RELATIVE TO THE OPERATION OF CERTAIN DRIVER TRAINING EDUCATION SCHOOLS UNDER THE CONTROL OF THE REGISTRY OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

Section 32G of chapter 90 of the General Laws is hereby amended by striking out the eighth paragraph, as appearing in chapter 563 of the acts of 1953, and inserting in place thereof the following paragraph:-

The registrar shall prescribe such reasonable rules and regulations as he may deem necessary to carry out the provisions of this section; provided, however, that as a condition of granting or renewing a license pursuant to this section he shall require that alcohol education be included in the licensee's course of instruction.

Approved June 7, 1983.

Chap. 153. AN ACT EXEMPTING SCHOOL TRAFFIC SUPERVISORS AND SCHOOL CROSSING GUARDS IN THE TOWN OF FRANKLIN FROM THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The positions of school traffic supervisor and school crossing guard in 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 school traffic supervisor or school crossing guard on the effective date of this act.

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

Approved June 8, 1983.

Chap. 154. AN ACT PROVIDING CERTAIN RETIREMENT BENEFITS FOR HAROLD F. MacGILVRAY, JR., A POLICE OFFICER OF THE METROPOLITAN DISTRICT COMMISSION POLICE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary and in order to promote the public good, the state retirement board is hereby authorized and directed to retire Harold F. MacGilvray, Jr., a police officer of the metropolitan district commission police who, as a result of being struck by a hit and run driver sustained injuries while in the performance of his duties on November thirteenth, nineteen hundred and seventy-eight, is totally and permanently incapacitated for further service as a police officer, at a yearly amount of pension equal to the regular rate of compensation which he would have been entitled to receive had he continued in service as a metropolitan district commission police officer at the grade held by him at the time of his retirement. Such retirement shall become effective as of the date following the last day on which he received regular compensation.

SECTION 2. Said Harold F. MacGilvray, Jr., shall be entitled to receive from said retirement board indemnification for all hospital, medical and related expenses that have been, or may be, incurred as a result of the injuries sustained by him while in the performance of his duties, on said date of injury, according to the provisions of section sixty-three A of chapter ninety-two of the General Laws.

SECTION 3. Upon the death of said Harold F. MacGilvray, Jr., if Frances N. MacGilvray, his wife, survives him, the state retirement board is authorized and directed to pay to her, so long as she remains unmarried, an annuity in the amount of three-fourths of the amount of the pension payable to him at the time of his death, increased by three hundred and twelve dollars for each child of said Harold F. MacGilvray, Jr., during such time as each such child is under eighteen years of age and such payment shall continue for each child over said age who is physically or mentally incapacitated from earnings. If said Frances N. MacGilvray, remarries, said state retirement board shall pay, in lieu of the aforesaid annuity to her, an annuity of five hundred and twenty dollars to or for the benefit of each such child during the time aforesaid. Upon the death of the survivor of said Harold F. MacGilvray and said Frances N. MacGilvray the state retirement board shall pay to each surviving child of Harold and Frances MacGilvray, until such child reaches the age of eighteen, an annuity of equal proportions to each child which shall total three-fourths of the amounts of the pension payable to Harold F. MacGilvray and Frances N. MacGilvray at the time of his death.

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

Approved June 8, 1983.

Chap. 155. AN ACT EXEMPTING EMPLOYEES OF CERTAIN AMUSEMENT PARKS FROM THE LAW PROVIDING FOR OVERTIME PAY.

Be it enacted, etc., as follows:

Section 1A of chapter 151 of the General Laws, as most recently amended by chapter 108 of the acts of 1969, is hereby further amended by adding the following clause:-

(20) in an amusement park containing a permanent aggregation of amusement devices, games, shows, and other attractions operated during a period or accumulated periods not in excess of one hundred and fifty days in any one year.

Approved June 8, 1983.

Chap. 156. AN ACT FURTHER CLARIFYING AN ESTATE OF HOMESTEAD.

Be it enacted, etc., as follows:

The second paragraph of section 1 of chapter 188 of the General Laws, as appearing in section 1 of chapter 791 of the acts of 1977, is hereby amended by adding the following sentence:- For the purpose of this chapter, the word family shall include either a parent and child or children, or a husband and wife and their children, if any.

Approved June 8, 1983.

Chap. 157. AN ACT RELATIVE TO THE LICENSING AND KEEPING OF DOGS IN THE TOWN OF HOPEDALE.

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 town of Hopedale for the issuance of licenses for dogs shall be as follows: unspayed females, seven dollars; spayed females and males, four 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 town of Hopedale, or recovered as fines or penalties by said town under the provisions of said chapter one hundred and forty relating to dogs, shall be paid into the treasury of said town and shall not thereafter be paid over by the town treasurer to the county of Worcester.

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 registration, numeral listing, description and licensing of dogs, if kept in said town, shall be conducted in the office of the town clerk of said town.

Approved June 8, 1983.

Chap. 158. AN ACT RELATIVE TO THE LICENSING AND KEEPING OF DOGS IN THE TOWN OF KINGSTON.

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 general or special law to the contrary, the annual fees to be charged by the town of Kingston for the issuance of licenses for dogs shall be as follows: unspayed and unneutered dogs six dollars; spayed and neutered dogs three dollars.

SECTION 2. Notwithstanding the provisions of section one hundred and forty-seven of said chapter one hundred and forty or any other general or special law to the contrary, all money received for licenses or from the sale of dog licenses by the town of Kingston or recovered as fines or penalties by said town under the provisions of said chapter one hundred and forty relating to dogs shall be paid into the treasury of said town and shall not thereafter be paid over by the town treasurer to the county of Plymouth.

SECTION 3. Notwithstanding any provision of the 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 town is hereby exempt from the provisions of section three of said chapter forty-nine A, and no such animal pound located in said town 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 and medicine.

Approved June 8, 1983.

Chap. 159. AN ACT INCREASING THE FEES FOR JUSTICES OF THE PEACE TO SOLEMNIZE MARRIAGES.

Be it enacted, etc., as follows:

Chapter 262 of the General Laws is hereby amended by striking out section 35, as most recently amended by section 2 of chapter 521 of the acts of 1981, and inserting in place thereof the following section:-

Section 35. The fee for lawfully solemnizing and certifying a marriage shall not exceed thirty-five dollars if performed in the justice of the peace's home community or fifty dollars if performed in any municipality in the commonwealth; provided, however, that no additional charge shall be made for travel in connection with such solemnization notwithstanding any law to the contrary.

Approved June 8, 1983.

EMERGENCY LETTER - June 20, 1983. @ 12:35 P.M.

Chap. 160. AN ACT RELATIVE TO THE MEETINGS OF THE BOARD OF STATE EXAMINERS OF PLUMBERS.

Be it enacted, etc., as follows:

Chapter 13 of the General Laws is hereby amended by striking out section 37, as most recently amended by chapter 102 of the acts of 1966, and inserting in place thereof the following section:-

Section 37. The examiners shall hold meetings at such times and places as they may designate.

Approved June 8, 1983.

Chap. 161. AN ACT AUTHORIZING THE CITY OF GLOUCESTER TO ISSUE TO LOUIS A. LINQUATA A 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 city of Gloucester is hereby authorized to issue to Louis A. Linquata, d/b/a Causeway Liquors, 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 said section seventeen; provided, however, that said licensing authority shall not approve the transfer of said license within one year after the date of issuance of such license; provided, further, that if the holder of said license is a corporation, said licensing authority shall not approve the transfer, pledging or issuance of shares of stock of such corporation within one year after the date of issuance of said license; and provided, further, that the number of seasonal licenses for sale of all alcoholic beverages not to be drunk on the premises under the provisions of said section seventeen shall be reduced by one such license.

Approved June 8, 1983.

Chap. 162. AN ACT FURTHER REGULATING THE PAYMENT OF THE PROCEEDS OF CERTAIN INSURANCE POLICIES.

Be it enacted, etc., as follows:

Section 97A of chapter 175 of the General Laws is hereby amended by striking out the second paragraph, as amended by section 7 of chapter 72 of the acts of 1983, and inserting in place thereof the following paragraph:-

Said company shall pay to the city or town any amount shown as outstanding, including any interest currently accruing, on the certificate of municipal liens arising from the provisions of chapters forty, fifty-nine, sixty, eighty, eighty-three and section fifty-eight B to fifty-eight F, inclusive, of chapter one hundred and sixty-four to the extent of the amount of loss payable under the policy and a copy of said transaction shall be sent to the insured and mortgagees named on the policy.

Approved June 8, 1983.

Chap. 163. AN ACT RELATIVE TO THE COMPOSITION OF THE SCHOOL COMMITTEE OF THE CITY OF PITTSFIELD.

Be it enacted, etc., as follows:

SECTION 1. Chapter 280 of the acts of 1932 is hereby amended by striking out section 37, as most recently amended by section 11 of chapter 611 of the acts of 1958, and inserting in place thereof the following section:-

Section 37. The school committee shall consist of the mayor and six other persons elected as provided in section fifteen. Except as in this section otherwise provided, the members of the committee shall serve without compensation.

On the first Monday of January, following the biennial municipal election, at eight o'clock in the evening, the members of the school committee and the members elect shall meet and the members elect shall be sworn to the faithful discharge of their duties. The oath may be administered by the city clerk or by any officer qualified to administer oaths, and a certificate thereof shall be entered in the records of the committee. At any meeting thereafter the oath may be administered in the presence of the committee to any member-elect absent from the meeting of the first Monday of January. The meetings of the school committee shall be open to the public.

Said committee shall annually elect one of its number as chairman, shall annually appoint one of its number to attend the meetings of city council, and shall annually appoint one of its number as secretary, who shall be under its direction and control. Said committee shall elect teachers and a superintendent of schools annually, except as provided by section forty-one of chapter seventy-one of the General Laws, and may dismiss or suspend such teachers and superintendent, subject to section forty-two of said chapter seventy-one. Such superintendent shall not be elected from the membership of said committee. Said committee may, under chapter thirty-one of the General Laws, appoint, suspend or remove such subordinate officers and assistants, including custodians of school buildings, as it may deem necessary for the proper discharge of its duties. The committee shall fix the salaries of such secretary and superintendent and may remove such secretary for sufficient cause.

SECTION 2. This act shall be submitted for acceptance to the voters of the city of Pittsfield at the city election in the year nineteen hundred and eighty-three in the form of the following question, which shall be placed upon the official ballot to be used for the election of city officers at said election:-

"Shall an act passed by the general court in the year nineteen hundred and eighty-three, entitled 'An Act relative to the composition of the school committee in the city of Pittsfield', be accepted?" If a majority of the votes in answer to said question

is in the affirmative, then this act shall thereupon take full force and effect in the city of Pittsfield, but not otherwise.

Approved June 8, 1983.

Chap. 164. AN ACT RELATIVE TO THE ASSESSMENT OF PROPERTY TAXES IN THE TOWN OF ABINGTON.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section twenty-one C of chapter fifty-nine of the General Laws or any other general or special law to the contrary, the town of Abington is hereby authorized to assess for taxes in fiscal year nineteen hundred and eighty-four an amount equal to one hundred and two and one-half per cent of fiscal year nineteen hundred and eighty-two allowable tax levy limit, as established by the commissioner of revenue for said town; provided, however, the total taxes assessed within said town shall not exceed two and one-half per cent of the full and fair cash valuation of said town.

Approved June 9, 1983.

Chap. 165. AN ACT PROHIBITING CERTAIN ACTS AGAINST PERSONS AND PROPERTIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 265 of the General Laws is hereby amended by adding the following section:-

Section 39. Whoever commits an assault or a battery upon a person or damages the real or personal property of another for the purpose of intimidation because of said person's race, color, religion, or national origin, shall be punished by a fine of not more than five thousand dollars or not more than three times the value of the property destroyed or damaged, whichever is greater, or by imprisonment in a house of correction for not more than two and one-half years, or both.

SECTION 2. Chapter 266 of the General Laws is hereby amended by inserting after section 127 the following two sections:-

Section 127A. Any person who willfully, intentionally and without right, or wantonly and without cause, destroys, defaces, mars, or injures a church, synagogue or other building, structure or place used for the purpose of burial or memorializing the

dead, or a school, educational facility or community center or the grounds adjacent to and owned or leased by any of the foregoing or any personal property contained in any of the foregoing shall be punished by a fine of not more than two thousand dollars or not more than three times the value of the property so destroyed, defaced, marred or injured, whichever is greater, or by imprisonment in a house of correction for not more than two and one-half years, or both; provided, however, that if the damage to or loss of such property exceeds five thousand dollars, such person shall be punished by a fine of not more than three times the value of the property so destroyed, defaced, marred or injured or by imprisonment in a state prison for not more than five years, or both.

Section 127B. Any person incurring injury to his person or damage or loss to his property as a result of conduct in violation of section one hundred and twenty-seven A or of section thirty-nine of chapter two hundred and sixty-five shall have a civil action to secure injunctive relief, special and general damages, reasonable attorney fees and costs against the person whose conduct has violated said section one hundred and twenty-seven A of this chapter or of section thirty-nine of chapter two hundred and sixty-five. In any such action the burden of proof shall be the same as in other civil actions for similar relief.

Notwithstanding any other provision of law to the contrary, the parent or legal guardian of an unemancipated minor child shall be liable for any judgment rendered against such minor under the provisions of this section.

Approved June 10, 1983.

EMERGENCY LETTER - June 15, 1983. @ 2:56 P.M.

Chap. 166. AN ACT AUTHORIZING THE CITY OF TAUNTON TO SELL CERTAIN PARK LAND.

Be it enacted, etc., as follows:

The city of Taunton is hereby authorized to sell and convey, upon such terms as the city may determine subject, however, to the approval of the secretary of environmental affairs, that parcel of park land on the northwesterly side of School street in the city of Taunton, known as the School street mini-park, as shown on a plan of land entitled "city of Taunton engineering dept. Plan showing property to be conveyed to CITY OF TAUNTON Scale: 1" = 20' Date: July 1969 J. Stewart McNamara City Eng." and recorded in the north district, registry of deeds

in the county of Bristol in plan book #117 Page 67.

Approved June 10, 1983.

Chap. 167. AN ACT FURTHER REGULATING THE LAW RELATIVE TO WATER POLLUTION CONTROL AND WATER SUPPLY AND CONSERVATION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately make certain changes in law relative to water pollution control and water supply and conservation, therefore 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 9A of chapter 21 of the General Laws is hereby amended by adding the following three paragraphs:-

The commission may also reimburse a city, town or district for acquisition costs of lands, waters and easements necessary for the development and protection of water impoundments for a regional municipal water supply system, provided that said regional water supply system meets criteria which may be established by the commission. For purposes of this section, a regional municipal water supply system shall consist of two or more municipalities.

In the event that said city, town or district does not begin said regional water supply system project as authorized by law within a number of years to be determined by said commission, then said city, town or district receiving such reimbursement shall repay all monies at the prevailing interest rates to the commonwealth.

When an impoundment site is acquired under the provisions of this section which has the capacity for future development to meet substantially more than the needs of the cities, towns or districts served by the initial regional water supply system, provisions shall be included in the agreement with the commission and in the agreement forming the district which will preserve the opportunity for other cities, towns or districts to later join the district and to share the impounded waters after having participated in the cost of the reservoir enlargement. The water resources commission shall enter into an agreement under this section to facilitate development of a water system to serve the original district and to preserve the opportunity for future expansion of said district.

SECTION 2. The second paragraph of section 30A of said chapter 21, as appearing in section 4 of chapter 557 of the acts of 1979, is hereby amended by striking out the first sentence.

SECTION 3. The first paragraph of section 6 of chapter 747 of the acts of 1970, as added by section 9 of said chapter 557, is hereby amended by striking out, in line 9, the word "also".

SECTION 4. The second paragraph of said section 6 of said chapter 747, as so appearing, is hereby amended by striking out, in line 15, the words "in like manner" and inserting in place thereof the words:- for other collection system projects.

SECTION 5. Section 5 of said chapter 747, as most recently amended by section 10 of chapter 286 of the acts of 1982, is hereby further amended by striking out the first and second sentences and inserting in place thereof the following two sentences:- To meet the expenditures necessary for carrying out the provisions of clause (14) of section twenty-seven of chapter twenty-one of the General Laws, the director of the division of water pollution control is authorized to expend a sum not to exceed five hundred thousand dollars in any one fiscal year. To meet the expenditures necessary for carrying out the provisions of section thirty-eight of said chapter twenty-one, the director of the division of water pollution control is authorized to expend a sum not to exceed one million dollars in any one fiscal year.

SECTION 6. The seventh paragraph of section 12 of chapter 286 of the acts of 1982 is hereby amended by striking out, in line 3, the word "expend" and inserting in place thereof the words:- allocate to the division of fisheries and wildlife, within the department of fisheries, wildlife and recreation vehicles.

SECTION 7. The ninth paragraph of said section 12 of said chapter 286 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- From funds made available by bonds issued pursuant to section three of chapter seven hundred and forty-seven of the acts of nineteen hundred and seventy, and from funds made available by bonds issued pursuant to the provisions of sections twenty-one and twenty-two of this act, said director may increase, from forty per cent to fifty per cent, the amounts which have been granted public entities, under the authority of section thirty A of chapter twenty-one of the General Laws, for the construction of collection systems; provided, however, that said division may not so increase such a grant where the total amount received by the public entity from federal and state funds for such collection

sewer project will exceed one hundred per cent of said construction costs.

SECTION 8. Section 13 of said chapter 286 is hereby amended by striking out, in line 2, the word "ten" and inserting in place thereof the word:- twelve.

SECTION 9. Section 15 of said chapter 286 is hereby amended by striking out, in line 3, the words "twelve and thirteen" and inserting in place thereof the words:- fourteen and fourteen A.

SECTION 10. Said chapter 286 is hereby further amended by striking out section 16 and inserting in place thereof the following section:-

Section 16. For the purposes of developing new water conservation projects specifically designed to promote the utilization of less water supply in public buildings in the commonwealth, including the retrofit of water using fixtures in state, county, city, town, and district buildings with water conserving devices, projects which demonstrate the feasibility of devices or methods of decreasing the total amount of water used in public or private buildings, and projects which demonstrate the effectiveness of reusing grey water for nonpotable uses, there is hereby made available the sum of two million five hundred thousand dollars which shall be expended by the department of environmental quality engineering for grants to the division of capital planning and operations, counties, cities, towns, and districts of the commonwealth, in conformity with standards and criteria established by said department, and approved by the water resources commission; provided, however, that any such grants approved by the department and provided hereunder to cities, towns, or districts shall be matched by an equal sum appropriated by said cities, towns, and districts. 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. Said funds granted to any city, town, or district, shall not be used to finance the costs of construction, reconstruction, rehabilitation, or enlargement of any pipes, standpipes, reservoirs, filtration plants, filter beds, or administrative garaging, or maintenance facilities, the maintenance of any of the foregoing or of any facility whose construction is financed wholly or in part by any grant funds, nor the acquisition or rental of land or any interest therein.

SECTION 11. Chapter 313 of the acts of 1982 is hereby amended by striking out section 6 and inserting in place thereof

the following section:-

Section 6. The secretary of environmental affairs is hereby authorized to expend a sum not exceeding five million dollars to assist cities and towns in the acquisition of land pursuant to the provisions of chapter nine hundred and thirty-three of the acts of nineteen hundred and seventy-seven. The amount hereby appropriated shall be in addition to any funds previously appropriated for this purpose. A maximum of twenty per cent of this appropriation may be utilized to assist cities and towns in the renovation of recreation facilities pursuant to section eleven E of chapter one hundred and thirty-two A of the General Laws.

SECTION 12. Sections three and four of this act shall take effect as of June thirtieth, nineteen hundred and eighty-two.

Approved June 13, 1983.

Chap. 168. AN ACT RELATIVE TO REDUCTION IN RANK FOR CERTAIN PUBLIC EMPLOYEES IN THE CITY OF PITTSFIELD.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section thirty-nine of chapter thirty-one of the General Laws or any other general or special law or regulation to the contrary, demotions due to reductions in force in the police department and fire department in the city of Pittsfield, in all ranks above the lowest full time rank of such service, and any subsequent reinstatements, shall be based solely on seniority in rank after permanent promotion.

In the determination of seniority in rank higher than the lowest full time rank of such service, the time in rank of any employee shall include the accumulated permanent time in any rank above the said higher rank.

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

Approved June 15, 1983.

Chap. 169. AN ACT RELATIVE TO THE NUMBER OF MEMBERS OF THE RESERVE POLICE FORCE IN THE CITY OF MARLBOROUGH.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section twelve of chapter one hundred and forty-seven of the General Laws or of any other law to the contrary, the city of Marlborough shall determine by ordinance the number of members of its reserve police force; provided, however, that said number shall not exceed fifty per cent of the number of members of the regular police force.

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

Approved June 15, 1983.

Chap. 170. AN ACT RELATIVE TO THE BOUNDARY LINE BETWEEN THE TOWNS OF SUDBURY AND WAYLAND.

Be it enacted, etc., as follows:

SECTION 1. The following described line shall hereafter constitute a portion of the boundary line between the towns of Sudbury and Wayland:

Beginning at a rough split granite monument 4.5 feet in height and about 6½ x 10 inches in section marking the present corner of Sudbury-Wayland-28 (S-W-28) at latitude 42°-21'-42.81" and longitude 71°-23'-32.24", thence following a bearing S 6°-19'-54.55312" E a distance of 2419.42 feet to a corner of Sudbury-Wayland-30 (S-W-30) at latitude 42°-21'-19.05575" and longitude 71°-23'-28.68636"; thence following a bearing S 50°-39'-0.17603" E a distance 243.77 feet to a corner Sudbury-Wayland-31 (S-W-31) at latitude 42°-21'-17.52890" and longitude 71°-23'-26.17587"; thence following a bearing S 10°-5'-14.30811" E a distance of 1773.49 feet to a corner Sudbury-Wayland-32 (S-W-32) at latitude 42°-21'-0.28037" and longitude 71°-23'-22.03939"; thence following a bearing S 28°-44'-32.42907" E a distance of 575.57 feet to a corner Sudbury-Wayland-33 (S-W-33) at latitude 42°-20'-55.29516" and longitude 71°-23'-18.35357"; thence following a bearing S 7°-14'-37.73097" E a distance of 505.00' to a corner Sudbury-Wayland-34 (S-W-34) at latitude 42°-20'-50.34637" and longitude 71°-23'-17.50563"; thence following a bearing S 0°-15'-51.18993" W a distance of 885.41 feet to the present Sudbury-Wayland-29 (W.M.) corner, a granite monument 4 feet in height and about 6½ x 8 inches in section marked S-W at latitude 42°-20'-41.60" and longitude 71°-23'-17.56".

All of the foregoing positions and bearings refer to the North

American Datum established prior to nineteen hundred and twenty-seven and are in accordance with the Commonwealth of Massachusetts, Harbor and Land Commission Town Boundary Atlases, dated nineteen hundred and four.

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

Approved June 15, 1983.

Chap. 171. AN ACT PROVIDING FOR THE TOWN CLERK OF THE TOWN OF WATERTOWN TO ASSUME CERTAIN ELECTION DUTIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter four hundred and thirty-two of the acts of nineteen hundred and seventy is hereby repealed.

SECTION 2. The board of election commissioners as constituted and empowered under Article 7 of the Watertown home rule charter shall be allowed to appoint the town clerk to the position of chief elections officer.

SECTION 3. Notwithstanding the provisions of section twenty-five of chapter fifty-one of the General Laws or any other general or special law to the contrary, said chief elections officer, acting in such capacity and under the direction of the board of election commissioners, shall have the powers and perform the duties of assistant registrars of voters as prescribed by said chapter fifty-one and shall have such other powers and perform such other duties as said board may from time to time delegate and require.

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

Approved June 15, 1983.

Chap. 172. AN ACT AUTHORIZING THE STATE SECRETARY TO AUTHORIZE THE SOLEMNIZATION OF A CERTAIN MARRIAGE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section thirty-

nine of chapter two hundred and seven of the General Laws, the state secretary may authorize in the manner set forth under said chapter thirty-nine, the solemnization of a marriage by Christy S. Berkos, as he is a judge of the circuit court of Cook County, Illinois, in the town of Duxbury on June eighteenth, nineteen hundred and eighty-three between Maureen Gilpin of the town of Duxbury and John P. Gillig, Jr. of the city of Quincy, and the state secretary shall issue to said Christy S. Berkos in his capacity as aforesaid a certificate of such authorization.

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

Approved June 15, 1983.

Chap. 173. AN ACT RELATIVE TO THE EMPLOYMENT OF MINORS ON FARMS.

Be it enacted, etc, as follows:

Section 62A of chapter 149 of the General Laws, as most recently amended by chapter 257 of the acts of 1981, is hereby further amended by inserting after the word "gardeners", in line 5, the words:- nor shall it prohibit the operation of a farm tractor operated on a farm; provided, that such minors under the age of sixteen have been certified as having satisfactorily completed a training program in vocational agriculture by the department of education.

Approved June 15, 1983.

Chap. 174. AN ACT RELATIVE TO INDEMNIFICATION OF DIRECTORS AND OFFICERS OF BUSINESS CORPORATIONS.

Be it enacted, etc., as follows:

Chapter 156B of the General Laws is hereby amended by striking out section 67, as most recently amended by section 4 of chapter 929 of the acts of 1971, and inserting in place thereof the following section:-

Section 67. Indemnification of directors, officers, employees and other agents of a corporation, and persons who serve at its request as directors, officers, employees or other agents of another organization, or who serve at its request in any capacity with respect to any employee benefit plan, may be provided by

it to whatever extent shall be specified in or authorized by (i) the articles of organization or (ii) a by-law adopted by the stockholders or (iii) a vote adopted by the holders of a majority of the shares of stock entitled to vote on the election of directors. Except as the articles of organization or by-laws otherwise require, indemnification of any persons referred to in the preceding sentence who are not directors of the corporation may be provided by it to the extent authorized by the directors. Such indemnification may include payment by the corporation of expenses incurred in defending a civil or criminal action or proceeding in advance of the final disposition of such action or proceeding, upon receipt of an undertaking by the person indemnified to repay such payment if he shall be adjudicated to be not entitled to indemnification under this section which undertaking may be accepted without reference to the financial ability of such person to make repayment. Any such indemnification may be provided although the person to be indemnified is no longer an officer, director, employee or agent of the corporation or of such other organization or no longer serves with respect to any such employee benefit plan.

No indemnification shall be provided for any person with respect to any matter as to which he shall have been adjudicated in any proceeding not to have acted in good faith in the reasonable belief that his action was in the best interest of the corporation or to the extent that such matter relates to service with respect to an employee benefit plan, in the best interests of the participants or beneficiaries of such employee benefit plan.

The absence of any express provision for indemnification shall not limit any right of indemnification existing independently of this section.

A corporation shall have power to purchase and maintain insurance on behalf of any person who is or was a director, officer, employee or other agent of the corporation, or is or was serving at the request of the corporation as a director, officer, employee or other agent of another organization or with respect to any employee benefit plan, against any liability incurred by him in any such capacity, or arising out of his status as such, whether or not the corporation would have the power to indemnify him against such liability.

Approved June 15, 1983.

Chap. 175. AN ACT RELATIVE TO UNLAWFULLY TAKING OR HOLDING A CHILD OUTSIDE THE COMMONWEALTH.

Be it enacted, etc., as follows:

Section 26A of chapter 265 of the General Laws, inserted by section 2 of chapter 465 of the acts of 1979, is hereby amended by inserting after the word "section", in line 10, the words:- by taking or holding said child outside the commonwealth or.

Approved June 15, 1983.

EMERGENCY LETTER - June 21, 1983. @ 3:52 P.M.

Chap. 176. AN ACT ADDING CERTAIN SPECIAL POLICE OFFICERS OF THE TOWN OF AVON TO THE LIST OF PERMANENT INTERMITTENT POLICE OFFICERS FOR SAID TOWN.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, special police officers Harold E. Smith III, Paul Chapman, Joseph Noonan, and Daniel MacPhee shall be added to the list of permanent intermittent police officers for the town of Avon.

Approved June 15, 1983.

Chap. 177. AN ACT FURTHER REGULATING THE RIGHT OF CERTAIN METROPOLITAN DISTRICT COMMISSION OFFICERS AND EMPLOYEES TO ENTER UPON CERTAIN REAL PROPERTY.

Be it enacted, etc., as follows:

Section 6B of chapter 92 of the General Laws, as appearing in section 5 of chapter 814 of the acts of 1975, is hereby amended by striking out the second paragraph.

Approved June 15, 1983.

Chap. 178. AN ACT RELATIVE TO THE AMOUNT OF RETIREMENT BENEFIT WHICH MAY BE PAID BY THE NEEDHAM POLICE BENEFIT ASSOCIATION, INCORPORATED OF THE TOWN OF NEEDHAM.

Be it enacted, etc., as follows:

The Needham Police Benefit Association, Incorporated, a corporation duly established under chapter one hundred and

seventy-six of the General Laws, is hereby authorized, upon the retirement from the police department of the town of Needham of any member in good standing, to pay to such member such sum, not exceeding fifteen hundred dollars, as may be determined by vote of said corporation. Any amount paid in accordance with this provision shall reduce the death benefit otherwise available upon the death of such member.

Approved June 15, 1983.

Chap. 179. AN ACT RELATIVE TO THE FILLING OF VACANCIES IN CERTAIN OFFICES IN THE CITY OF PITTSFIELD.

Be it enacted, etc., as follows:

SECTION 1. Chapter 280 of the acts of 1932 is hereby amended by striking out section 16, as amended by section 4 of chapter 611 of the acts of 1958, and inserting in place thereof the following section:-

Section 16. If a person nominated for the office of mayor, city clerk, councillor at large, councillor from a ward or member of the school committee dies before the municipal election at which his name would have gone on the ballot, no election shall be held for such office until the completion of the proceedings as hereinafter provided. Any votes that may be cast for such office prior to the completion of such proceedings shall be null and void. After such death, the city council shall forthwith cause warrants to be issued for a new preliminary election for such nomination. The person receiving the highest number of votes at such new preliminary election and the survivor of the two candidates originally nominated shall be the sole candidates for that office, and the same proceedings shall be thereafter had in all respects as hereinbefore provided for such office, which shall be repeated until an election to such office is completed; provided, that if the deceased person was the only nominee for such office, then the two persons receiving the highest number of votes at such new preliminary election shall be the sole candidates for that office.

If it shall appear that there is otherwise no choice for any elective office at any municipal election, the city council shall forthwith cause warrants to be issued for a new election for such office; and the same proceedings shall be had in all respects as hereinbefore provided for such office, which shall be repeated until an election to such office is completed.

(a) If the person elected mayor shall refuse to accept the

office, or shall die before qualifying, there shall be a vacancy in such office from the beginning of the term for which such person was elected mayor; and in the event of such vacancy or any other vacancy which shall occur at a point when more than one-fourth of the term for which he was elected, the city council shall forthwith cause warrants to be issued for a new election, and the same proceedings shall be had in all respects as hereinbefore provided, for the election of a mayor to fill the vacancy so existing, which shall be repeated until an election of a mayor is completed. If, however, such vacancy occurs at a point when less than one-fourth of the term for which the mayor was elected, the then president of the city council shall automatically become mayor. If the council president refuses the office of mayor, the city council in special convention, with the council president presiding, shall choose one of the members of the city council to fill the rest of the term.

(b) If the person elected city clerk, councillor at large, councillor from a ward or member of the school committee shall refuse to accept the office, or shall die before qualifying, there shall be a vacancy in such office from the beginning of the term for which such person was elected, and such vacancy or any other vacancy in any such office occurring at any other time thereafter shall be filled in the following manner:

(1) If the vacancy is in the office of a councillor from a ward and more than six months remain in the term of office, the city council shall forthwith cause warrants to be issued for a new election, and the same proceedings shall be had in all respects as hereinbefore provided, for the election of a councillor from a ward to fill the vacancy so existing, which shall be repeated until an election of a councillor from a ward is completed.

(2) If the vacancy is in the office of a councillor at large and more than six months remain in the term of office, the person who at the last election for the office received the next most votes to those persons who have held the office of councillor at large during the term that began subsequent to the last election, shall fill said vacancy, provided the person received a vote equal in number to thirty-five per cent of the voters who cast votes in the last election. If no person qualifies or the person who qualifies refuses the office, the city council shall forthwith cause warrants to be issued for a new election and the same proceedings shall be had in all respects as hereinbefore provided for the election of a councillor at large to fill the vacancy so existing which shall be repeated until an election of a councillor at large is completed.

(3) If a vacancy occurs in the office of the city clerk, the mayor shall appoint, subject to the confirmation or rejection of the city council, some qualified person to serve until the next

regular biennial municipal election, at which time the person elected to fill the next succeeding term shall assume office immediately upon qualification and shall serve during the remainder of the unexpired term in addition to the term for which he was elected.

(4) If the vacancy is in the school committee and more than six months remain in the term of office, the person who at the last election for the school committee received the next most votes to those persons who have been members of the school committee during the term of office that began subsequent to the last election, shall fill said vacancy provided the person received a vote equal in number to thirty-five per cent of the voters who cast votes at the last election. If no person qualifies or the person who qualifies refuses the office, then the city council shall forthwith cause warrants to be issued for a new election and the same proceedings shall be had in all respects as hereinbefore provided for the election of a school committee member to fill the vacancy so existing which shall be repeated until an election of a school committee member is completed.

SECTION 2. This act shall be submitted for acceptance to the voters of the city of Pittsfield at the city election to be held in the year nineteen hundred and eighty-three in the form of the following question, which shall be placed upon the official ballot to be used for the election of city officers at said election: "Shall an act passed by the general court in the year nineteen hundred and eighty-three, entitled 'An Act relative to the filling of vacancies in certain offices in the city of Pittsfield', be accepted?"

If a majority of the votes in answer to said question is in the affirmative this act shall take full effect on January first, nineteen hundred and eighty-four, but not otherwise.

Approved June 15, 1983.

Chap. 180. AN ACT AUTHORIZING EDWARD M. MONAHAN OF THE CITY OF LYNN TO TAKE A CIVIL SERVICE EXAMINATION FOR POLICE OFFICER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize Edward M. Monahan of the city of Lynn, to take a civil service examination for police officer, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the

public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law or rule to the contrary regulating the maximum age of applicants for appointment as a police officer, Edward M. Monahan of the city of Lynn shall be eligible to take the next open competitive examination for appointment to the position of police officer, and provided he meets all other requirements, he shall be eligible for certification and appointment.

Approved June 16, 1983.

Chap. 181. AUTHORIZING THE EMPLOYMENT OF PRISONERS OF COUNTY CORRECTIONAL INSTITUTIONS ON MUNICIPAL PROPERTIES WITHIN THE COUNTY.

Be it enacted, etc., as follows:

Chapter 127 of the General Laws is hereby amended by inserting after section 49B the following section:-

Section 49C. Prisoners in county correctional institutions may, in the custody of an officer, be eligible to provide services for municipalities within the county, including the care of public lands or buildings and grounds. No prisoner may participate in a program under this section unless he has been screened both by the committee for the correctional institution wherein he is confined that determines an inmate's fitness to participate in outside programs, and by a member of the professional staff of the institution or agency at which he is to provide such care or service. Said member shall be designated by the head of said institution or agency or the person in charge of such public lands or buildings. Any prisoner who escapes from the premises at which he is providing care or service under this section shall be deemed to have escaped from the institution of which he is an inmate. No prisoner, except as provided in section forty-nine, shall be employed outside the precincts of the place of his imprisonment doing work of any kind for private persons.

No person who is serving a sentence for violation of or for an attempt to commit any crime referred to in section two, three, four, five, six, seven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, twenty-four, twenty-six, twenty-eight, twenty-eight A, twenty-eight B, twenty-nine, thirty, thirty A, thirty-one, thirty-two, thirty-four, thirty-five, or

thirty-five A of chapter two hundred and seventy-two or section thirteen B, twenty-two, twenty-two A, twenty-three, twenty-four, twenty-four B of chapter two hundred and sixty-five or who is under commitment under the provisions of chapter one hundred and twenty-three A may participate in a program under the provisions of this section.

Approved June 16, 1983.

Chap. 182. AN ACT CLARIFYING NOTICE AND HEARING ON THE EMERGENCY TRANSFER OF CUSTODY OF CHILDREN IN NEED OF SERVICES.

Be it enacted, etc., as follows:

Chapter 119 of the General Laws is hereby amended by striking out section 24, as most recently amended by chapter 181 of the acts of 1980, and inserting in place thereof the following section:-

Section 24. The Boston juvenile court, the Worcester juvenile court, the Bristol 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. If after reasonable search no such parent can be found, summons shall be issued to the child's lawful guardian, if any, known to reside within the commonwealth, and if not, to the person with whom such child last resided, if known. If, after a recitation under oath by the petitioner of the facts of the condition of the child who is the subject of the petition, the court is satisfied that there is reasonable cause to believe that the child is suffering from serious abuse or neglect, or is in

immediate danger of serious abuse or neglect, and that immediate removal of the child is necessary to protect the child from serious abuse or neglect, the court may issue an emergency order transferring custody of a child under this section to the department or to a licensed child care agency or individual described in clause (2) of section twenty-six. Said transfer of custody shall be for a period not exceeding seventy-two hours, except that upon the entry of said order, notice shall be given to either or both parents, guardian with care and custody, or other custodian, to appear before said court. The court at this time shall determine whether such temporary custody should continue until a hearing on the merits of the petition for care and protection is concluded before said court. Upon the issuance of the precept and order of notice the court shall appoint a person qualified under section twenty-one, to make a report to the court under oath of an investigation into conditions affecting the child. Said report shall then be attached to the petition and be on a part of the record. The jurisdiction of the Boston juvenile court for the subject matter of this section shall extend to the territorial limits of Suffolk county.

(The foregoing was laid before the Governor on the second day of June, 1983 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. 183. AN ACT REQUIRING THE DEPARTMENT OF PUBLIC WORKS TO PROVIDE FOUR LANES OF TRAVEL FOR MOTOR VEHICLES ON A CERTAIN HIGHWAY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide for four lanes of travel for motor vehicles on a certain portion of the highway designated as Route 6, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience and safety.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the department of public works is hereby authorized and directed to provide for four lanes of travel for motor vehicles on that portion of the highway designated as Route 6 lying between the town boundary lines of the

towns of Wareham and Fairhaven and shall eliminate on said portion of said highway the breakdown lanes, so-called.

SECTION 2. Said department shall complete the establishment of said four lanes by July fifteenth, nineteen hundred and eighty-three.

Approved June 16, 1983.

Chap. 184. AN ACT RELATIVE TO THE DESTRUCTION OF CONTROLLED SUBSTANCES AND NARCOTIC DRUGS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to allow immediately for the destruction of controlled substances and narcotic drugs at any time subsequent to their seizure, therefore 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 47A of chapter 94C of the General Laws is hereby amended by striking out the second and third paragraphs, inserted by chapter 798 of the acts of 1977, and inserting in place thereof the following four paragraphs:-

At any time after the seizure of a controlled substance or narcotic drug, a district attorney or the attorney general may petition the superior court in the name of the commonwealth to order the destruction of said controlled substance or narcotic drug seized in the course of any arrest or investigation. The court shall order the commonwealth to give notice by certified or registered mail to the known defendant and his attorney and shall promptly, but not less than two weeks after notice, hold a hearing on the petition. At such hearing, the court shall hear evidence from the parties on the issue of destruction, the extent of the proposed destruction, the preservation of samples, the inspection, examination and testing of the controlled substance or narcotic drugs. The court, after such hearing, shall have the power to order the forfeiture and destruction of such controlled substance or narcotic drug as it so determines, under procedures and to the extent as so determined by the court, with the remainder to be kept under the provisions of this section and shall thereupon issue a final order in writing.

Such final order shall provide for the analysis of representative and fair samples of such forfeited controlled substances or

narcotic drugs by a chemist of the department of public safety or by a chemist at the University of Massachusetts medical school or by an analyst of the department of public health who shall issue a signed certificate, on oath, of the results of such analysis. Such certificate shall be sworn to before a justice of the peace or a notary public and shall be prima facie evidence of the composition and quality of such controlled substances or narcotic drugs when introduced as evidence before a grand jury or any court proceeding in the commonwealth. Upon completion of such analysis, such order shall direct the evidence officer to deliver such controlled substances or narcotic drugs ordered destroyed to the department for such destruction or disposition in any way not prohibited by law; provided, however, that the evidence officer shall make proper provisions for maintaining and securing such samples as may be directed by the court.

The court having jurisdiction shall, upon completion of a trial or other disposition by the trial court and after the expiration of the period for an appeal from that trial or disposition, in writing, order such forfeited controlled substances or narcotic drugs not destroyed prior thereto to be caused to be delivered forthwith by the evidence officer to the department for destruction or disposition in any way not prohibited by law. In the event of an appeal as prescribed by law, the evidence officer shall retain possession of such controlled substances or narcotic drugs until final disposition of the case, at which time, the district attorney or attorney general may petition the superior court for summary destruction of such controlled substances or narcotic drugs.

The department shall keep a record of the place where such controlled substances or narcotic drugs were seized, of the kinds and quantities of drugs received, by whose order the controlled substance or narcotic drugs were received, by whom the controlled substance or narcotic drugs were delivered and received, the date and manner of destruction or disposition of such controlled substances or narcotic drugs, and a report under oath of such destruction or disposition shall be made to the court, which record shall be open to inspection by attorneys of record in the case and by all federal and state officers charged with enforcement of federal and state narcotic laws.

SECTION 2. This act shall apply to any controlled substance or narcotic drug seized on or after January first, nineteen hundred and eighty-two.

Approved June 17, 1983.

Chap. 185. AN ACT ESTABLISHING A TRAFFIC COMMISSION IN THE CITY OF REVERE.

Be it enacted, etc., as follows:

SECTION 1. There is hereby established in the city of Revere, hereinafter referred to as the city, a traffic commission, consisting of the superintendent of public works, the chief of police, the chief of the fire department, the city engineer and the director of planning and community development.

SECTION 2. The members of the traffic commission shall elect a chairman annually. Said members of the said commission shall receive no compensation for their services to said commission, but shall be reimbursed by the city for any expenses incurred by the performance of their duties.

SECTION 3. Said traffic commission shall have exclusive authority, except as otherwise provided in this act, to take any and all of the following actions, if it determines that such actions serve the public safety, welfare or convenience. Subject to the provisions of section two of chapter eighty-five of the General Laws:

(a) Said traffic commission may adopt, alter or repeal rules and regulations, not inconsistent with general law as modified by this act, relative to vehicular and pedestrian traffic in the streets of the city, and to the movement, stopping, standing or parking of vehicles on, and their exclusion from, all or any streets, ways, highways, roads and parkways under the control of the city, including rules and regulations designating any way or part thereof under such control as a throughway under and subject to the provisions of section nine of chapter eighty-nine of the General Laws. Any rule or regulation adopted under this clause, prohibiting the parking or standing of vehicles on the whole or any part or parts of one or more streets, ways, highways, roads or parkways under the control of the city, may provide that it shall not apply in such residential areas as shall be specified, and at such times as shall be prescribed, in such rule or regulation, to any motor vehicle registered under chapter ninety of the General Laws as principally garaged in the city and owned or used by a person residing in such area who, in the year in which such vehicle is parked or in the preceding December for such year, shall have given, by a writing executed in such form and detail as such rule or regulation shall prescribe and filed with the parking clerk, 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. Said traffic commission may, with the approval of the mayor and the city council of said city, prescribe a schedule of fines not exceeding the amount for each violation of parking regulations in the calendar year as authorized by section twenty A½ of said chapter ninety.

No adoption, alteration, or repeal of a regulation shall take effect until public notice of the proposed action has been given, except with respect to such special rules or regulations as are declared by said commission to be urgently required for public safety or welfare or such as are of a temporary nature and are to be effective for a period of not more than three weeks. Public notice shall be given by publication in full of the proposed adoption, alteration or repeal not less than once in each of three successive weeks in one or more newspapers published or distributed in the city. The public notice shall include a statement of the effective date of the proposed action, which shall not be less than twenty-one days following the first of the three newspaper publications.

(b) Said traffic commission may erect, make or maintain, or cause to be erected, made and maintained, traffic signs, signals, markings and other devices for the control of traffic and parking in the city and for informing and warning the public as to rules and regulations adopted under this act, subject, however, to section two of chapter eighty-five and to sections eight and nine of chapter eighty-nine of the General Laws.

(c) Said traffic commission, with the approval of the mayor and the city council of said city, may retain the services of qualified consultants when such retention is deemed necessary or advisable.

(d) Said traffic commission may recommend to the city council of said city the alteration, construction, erection, installation and maintenance of street lights.

(e) Nothing in this act shall be construed to authorize said traffic commission to adopt, alter or repeal any rule or regulation excluding the trackless trolley vehicles or buses of a street railway or bus company from any way or part thereof in which said company has a location; or to modify or limit any power or authority of the metropolitan district commission or the departments of public works or public utilities of the commonwealth; or to modify or limit any power or authority of the mayor, city council or of any board or head of a department of said city with reference to the issuance of licenses or permits for the opening, using or occupying of streets and sidewalks for reasons not relating to traffic.

SECTION 4. The planning director, the chief of police, the chief of the fire department, the superintendent of public works,

the city engineer, the parking clerk and city solicitor of the city shall be available to said traffic commission to advise on matters relating to their respective departments and shall be responsible for putting into effect the rules and regulations adopted by said traffic commission in so far as such rules and regulations relate to their respective departments. Said traffic commission shall cooperate with the planning board of the city and with such public carriers as may be authorized and licensed to render services within the city, on matters relating to traffic planning, and shall cooperate with said planning board on all matters that may relate to the need for location, construction, erection and maintenance of public parking facilities or of private parking facilities for public use within the city. When it is necessary to coordinate with federal, state or other local agencies on matters of traffic movement and traffic planning, said traffic commission may serve as liason for the city.

SECTION 5. All existing orders, ordinances, rules and regulations relating to the control of vehicular traffic, including those relating to the parking of vehicles on any streets, ways, highways, roads and parkways, under the control of the city, shall remain in full force and effect until superseded by rules and regulations adopted by said traffic commission pursuant to clause (a) of section three of this act, and the adoption thereof shall not effect any act done, any right accrued, any penalty incurred or any suit, prosecution or proceeding pending at the time of such adoption.

SECTION 6. Chapter four hundred and sixty-one of the acts of nineteen hundred and seventy-six is hereby repealed.

SECTION 7. This act shall take effect upon its acceptance by the city of Revere.

Approved June 17, 1983.

Chap. 186. AN ACT RELATIVE TO THE FEES FOR LICENSES AUTHORIZING THE SALE OF ALCOHOLIC BEVERAGES.

Be it enacted, etc., as follows:

The first sentence of section 70 of chapter 138 of the General Laws, as appearing in section 15 of chapter 929 of the acts of 1977, is hereby amended by inserting after the word "be", in line 4, the words:- ; provided, however, that the local licensing

authority may allow such fees to be paid semiannually.

Approved June 17, 1983.

Chap. 187. AN ACT FURTHER REGULATING THE INSTALLATION OF CERTAIN AUTOMATIC SPRINKLER SYSTEMS.

Be it enacted, etc., as follows:

Section 27A of chapter 148 of the General Laws is hereby amended by striking out the second sentence, as appearing in chapter 283 of the acts of 1932, and inserting in place thereof the following two sentences:- This section shall not prevent the temporary shutting off or disconnection or partial removal of such a system, main, hydrant or other device for the purpose of making necessary repairs or preventing freezing or other property damage; provided, however, that the head of the fire department is notified immediately of such emergency action. The head of the fire department shall also be notified when the system, main, hydrant or other device is placed back in service.

Approved June 17, 1983.

Chap. 188. AN ACT RELATIVE TO THE MEMBERSHIP OF THE BOARD OF FIRE PREVENTION REGULATIONS.

Be it enacted, etc., as follows:

The first paragraph of section 14 of chapter 22 of the General Laws, as appearing in section 1 of chapter 462 of the acts of 1980, is hereby amended by striking out, in lines 28 and 29, the words "an owner of buildings subject to chapter one hundred and forty-three" and inserting in place thereof the words:- a person representative of the public.

Approved June 17, 1983.

Chap. 189. AN ACT RELATIVE TO CERTAIN FEES CHARGED BY COLLECTORS OF TAXES.

Be it enacted, etc., as follows:

Section 15 of chapter 60 of the General Laws is hereby amended by striking out clauses 10 and 11, as amended by section 1 of chapter 64 of the acts of 1980, 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, seven 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, twelve dollars.

Approved June 17, 1983.

EMERGENCY LETTER - June 21, 1983 @ 3:53 P.M.

Chap. 190. AN ACT AUTHORIZING THE RAY MEMORIAL ASSOCIATION IN THE TOWN OF FRANKLIN TO CONVEY TO THE INHABITANTS OF THE TOWN OF FRANKLIN ALL ITS REAL ESTATE AND ASSETS.

SECTION 1. The Ray Memorial Association, a corporation located in the town of Franklin, incorporated under the appropriate provisions of Revised Laws and chartered in February, 1903, is hereby authorized to convey to the inhabitants of the town of Franklin, and said inhabitants of the town of Franklin are hereby authorized to receive from said Ray Memorial Association, upon such terms as may be mutually agreed upon, and thereafter to hold and maintain, as a public library and if for any reason in the future said use as a public library shall be discontinued, then said library building shall be used for the artistic, educational, or scientific purposes as the need of the inhabitants of said town may require, the real and personal property of said Ray Memorial Association, including all moneys and trust funds belonging to the said Ray Memorial Association.

SECTION 2. After such conveyance and transfer, said inhabitants of the town of Franklin shall hold said property and rights upon the same trusts and for the same uses and purposes as the same were previously held by the Ray Memorial Association and shall be charged with the same duties and liabilities relative thereto.

SECTION 3. The power to transfer, hold and use moneys 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.

Approved June 17, 1983.

Chap. 191. AN ACT FURTHER ESTABLISHING THE AMOUNT OF CERTAIN RETIREMENT AND DEATH BENEFITS WHICH MAY BE PAID BY THE BELMONT POLICE RELIEF ASSOCIATION, INCORPORATED.

Be it enacted, etc., as follows:

SECTION 1. The Belmont Police Relief Association, Incorporated, a corporation duly established under the laws of the commonwealth, is hereby authorized to pay an amount not exceeding ten thousand dollars to the designated beneficiary of a nonretired member of the association upon the death of said member; and also to pay an amount not exceeding ten thousand dollars to the designated beneficiary of a retired member of said corporation who is a permanent officer of the town of Belmont police department upon the death of said member.

SECTION 2. The Belmont Police Relief Association, Incorporated is hereby authorized to pay an amount not exceeding ten thousand dollars to a member of the corporation in good standing with ten or more years service as a permanent officer of the town of Belmont police department upon said member's retirement or any member with less than ten years service who by reason of a job related disability retires as a permanent police officer.

SECTION 3. This act shall take effect as of May first, nineteen hundred and eighty-two.

Approved June 17, 1983.

Chap. 192. AN ACT AUTHORIZING THE TOWN OF SOUTHWICK TO ENTER INTO AN AGREEMENT WITH THE TOWN OF SUFFIELD IN THE STATE OF CONNECTICUT FOR THE PURPOSES OF WATERSHED MANAGEMENT AND LAKE RESTORATION FOR THE CONGAMOND LAKES.

Be it enacted, etc., as follows:

The town of Southwick is hereby authorized to enter into agreements with the town of Suffield in the state of Connecticut, for the purposes of watershed management and in-lake restoration for the Congamond Lakes when said town of Suffield, is duly authorized to do so by the state of Connecticut. The town of Southwick is further authorized to expend monies in conjunction

with said town of Suffield to further the purposes of such agreements.

Approved June 17, 1983.

EMERGENCY LETTER - June 21, 1983. @ 3:53 P.M.

Chap. 193. AN ACT PERMITTING THE HOLDER OF A LEARNER'S PERMIT TO BE ACCOMPANIED BY CERTAIN MEMBERS OF THE ARMED FORCES, WHILE OPERATING A MOTOR VEHICLE.

Be it enacted, etc., as follows:

The first paragraph of section 8B of chapter 90 of the General Laws, as most recently amended by section 5 of chapter 261 of the acts of 1976, is hereby further amended by striking out the third sentence and inserting in place thereof the following sentence:- The registrar, after the applicant has successfully passed all parts of the examination other than the driving test, may issue to the applicant a learner's permit which shall entitle him, while having such permit in his immediate possession, to drive a motor vehicle upon any way when accompanied by an operator, licensed by the registrar, and who is eighteen years of age or over, who has had at least one year of driving experience or who is the parent of the applicant and is on active duty in the armed forces of the United States on assignment in the commonwealth and has a valid operator's license issued by the state where he is domiciled, and who is occupying a seat beside the driver; provided, however, that in the case of a motorized bicycle, no such accompanying operator shall be required; and provided, further, that if the applicant has been issued a learner's permit restricted to the operation of a motorcycle, said learner's permit shall not entitle him to carry any passenger while operating such motorcycle upon any way or to operate a motorcycle upon any way at any time after sunset or before sunrise; and provided, further, that anything to the contrary contained in this section notwithstanding, all learner's permits restricted to the operation of motorcycles shall be valid for six months from the date of issue or until the holder shall have received a license to operate motorcycles, whichever first occurs; and the holder of such motorcycle learner's permit may take not more than three driving tests within said six month period upon payment of the fee required by section thirty-three.

Approved June 17, 1983.

Chap. 194. AN ACT AUTHORIZING THE NATICK POLICE RELIEF ASSOCIATION, INC. TO PAY CERTAIN SUMS OF MONEY TO MEMBERS UPON THE DEATH OF THEIR WIVES.

Be it enacted, etc., as follows:

Chapter 304 of the acts of 1966 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The Natick Police Relief Association, Inc., a corporation duly established under the laws of the commonwealth, is hereby authorized to pay to a member in good standing of said corporation, upon the death of his wife, one-half the current death benefit.

Approved June 17, 1983.

Chap. 195. AN ACT AUTHORIZING ODD FELLOWS HOME OF MASSACHUSETTS TO HOLD ADDITIONAL REAL AND PERSONAL PROPERTY.

Be it enacted, etc., as follows:

Chapter 560 of the acts of 1898 is hereby amended by striking out section 5, as amended by chapter 47 of the acts of 1930, and inserting in place thereof the following section:-

Section 5. The corporation hereby established is hereby authorized to hold real and personal estate for the aforesaid charitable uses and purposes to an amount not exceeding three million dollars, to be devoted exclusively to the purposes and objects hereinbefore set forth. Said trustees shall invest the funds of this corporation in such securities only as are authorized by law for the investment of the funds of savings banks in the commonwealth. No officer of said corporation shall hire or borrow any portion of the funds belonging to said corporation nor be security for loans thereof to another.

Approved June 17, 1983.

Chap. 196. AN ACT RELATIVE TO THE PAYMENT BY THE FALL RIVER POLICE RELIEF ASSOCIATION OF SUMS OF MONEY TO RETIRED MEMBERS OF THE ASSOCIATION AND AUTHORIZING THE PAYMENT OF CERTAIN DEATH BENEFITS.

Be it enacted, etc., as follows:

Chapter 194 of the acts of 1959, as amended by chapter 287 of the acts of 1975, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- The Fall River Police Relief Association, a corporation duly established under the laws of the commonwealth, is hereby authorized, upon the retirement of any member in good standing from the police department of the city of Fall River, to pay such member such sum, not exceeding one thousand two hundred and fifty dollars, as may be determined by vote of the board of directors of said corporation.

Approved June 17, 1983.

Chap. 197. AN ACT AUTHORIZING THE TOWN OF BARNSTABLE TO MAKE LOANS OR GRANTS TO ITS RESIDENTS OF LOW OR MODERATE INCOME FOR THE PURPOSE OF SUPPLYING THEMSELVES WITH PURE WATER.

Be it enacted, etc., as follows:

SECTION 1. The board of selectmen of the town of Barnstable is hereby authorized to make loans and grants in accordance with the provisions of this act to residents of said town for the purpose of enabling such residents to acquire a source of pure water. Whenever an entity or agency authorized to supply water in said town proposes to extend water mains to a specific defined area thereof, said entity or agency shall prepare estimates of the cost of the proposed extension, categorized by the cost of the extension of the water mains and the cost of making service connections from the water mains to the respective buildings in the area. The cost of the water mains shall thereupon be apportioned among all of the owners of property abutting the ways in which the water mains are to be laid, based upon frontage along said ways, and the cost of making the connections shall be divided equally among the owners of such abutting property as elect to make such connections at the time of the installation of the mains, as hereinafter provided. The selectmen may establish, from time to time, any alternative method of apportioning the costs which is authorized under section fifteen of chapter eighty-three of the General Laws.

The board of selectmen may thereupon make available to the affected property owners their apportioned share, to be used for the purpose of paying the same to the agency or entity installing

the water mains and service connections. In so doing, the selectmen shall determine a date by which the property owners shall signify in writing that they presently desire to connect to the water main. Such abutters shall receive their apportioned share, together with such an additional amount apportioned among all those agreeing to presently connect to the water main, as shall, in the aggregate, equal the entire cost of the water main extension and the service connections. The selectmen shall establish reasonable maximum income categories for the purpose of determining, on the basis of low or moderate income and assets, whether the amounts so paid shall be deemed to be loans or grants, and in the case of loans, reasonable, scaled interest rates to be charged therefor. The principal amount of any loan shall include only the share of the service connection cost and the water main cost based on the respective owners' frontage, as provided above. Loans made under the authority of this act shall be evidenced by a written agreement which may be recorded in the registry of deeds in the county of Barnstable and which shall constitute a lien on the affected real estate in the same manner as a lien for betterments under chapter eighty of the General Laws.

Owners of abutting property who do not presently connect to the water main shall nevertheless be liable under the provisions hereof for their apportioned share of the water main cost as a betterment and the provisions of said chapter eighty shall apply. Upon connecting, they shall pay any connection charges then legally chargeable by the agency or entity making the same.

SECTION 2. The board of selectmen of the town of Barnstable is hereby authorized to expend from available funds, without further appropriation, one hundred and sixty thousand dollars for the purpose of section one of this act, to provide for loans and grants to install water mains and service connections in and along the following streets in the Hyannis section of the town of Barnstable: Mitchell's way, Pine Grove, Betty's Pond road, Phillips road, Orr's way and St. John's street.

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

Approved June 21, 1983.

Chap. 198. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF WORCESTER COUNTY TO APPROPRIATE AND PAY A CERTAIN SUM OF MONEY TO WORCESTER DENTAL ASSOCIATES, INC.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Worcester 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 to Worcester Dental Associates, Inc. in the city of Worcester the sum of nine hundred and ten dollars for services rendered to several inmates of the Worcester county jail and house of correction in nineteen hundred and seventy-nine, which bills are legally unenforceable against said county by reason of their being incurred in excess of available appropriations.

SECTION 2. Notwithstanding the provisions of the tenth paragraph of section thirty-two of chapter thirty-five of the General Laws, bills in excess of one year may be paid.

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

Approved June 21, 1983.

Chap. 199. AN ACT RELATIVE TO THE PRACTICE OF DENTISTRY.

Be it enacted, etc., as follows:

Chapter 112 of the General Laws is hereby amended by striking out section 50, as most recently amended by section 1 of chapter 408 of the acts of 1954, and inserting in place thereof the following section:-

Section 50. A person shall be deemed to be practicing dentistry if he holds himself out as being able to diagnose, treat, operate or prescribe for any disease, pain, injury, deficiency, deformity or other condition of the human teeth, alveolar process, gums or jaws, and associated parts, intraorally or extraorally, or if he either offers or undertakes by any method to diagnose, treat, operate or prescribe for any disease, pain, injury, deficiency, deformity or other condition of the same; or if he, except on the written prescription of a registered dentist and by the use of impressions made by a registered dentist, directly or indirectly by mail, carrier, personal agent, or by any other method, supplies, constructs, reproduces, relines, repairs, adds or directs the application of any substance, of a durable nature, to dentures, bridges, appliances or other structures to be used and worn as substitutes for natural teeth or solicits or advertises, except as permitted in section fifty-two A, to supply,

construct, reproduce, repair, reline, add or direct the application of any substance, of a durable nature, to dentures, bridges, appliances or other structures to be used and worn as substitutes for natural teeth; or if he places such substitutes in the mouth or adjusts the same; or if he, except on the written prescription of a registered dentist, observes a patient's natural dentition for purposes of matching coloration or other aesthetic characteristic to aid in the fabrication or repair of a prescribed restorative appliance.

Approved June 21, 1983.

Chap. 200. AN ACT RELATIVE TO VENUE FOR CERTAIN SEXUAL OFFENSES WITH FEEBLEMINDED PERSONS.

Be it enacted, etc., as follows:

Chapter 265 of the General Laws is hereby amended by striking out section 24A, as appearing in section 5 of chapter 474 of the acts of 1974, and inserting in place thereof the following section:-

Section 24A. If, in connection with the alleged commission of a crime described in section thirteen B, thirteen F, thirteen H, twenty-two, twenty-two A, twenty-three, twenty-four or twenty-four B of this chapter or in section five of chapter two hundred and seventy-two, the person against whom said crime is alleged to have been committed has been conveyed from one county or judicial district into another, said crime may be alleged to have been committed, and may be prosecuted and punished, in the county or judicial district where committed or from which such person was so conveyed.

Approved June 21, 1983.

Chap. 201. AN ACT AUTHORIZING GARY A. BAKER TO TAKE A CIVIL SERVICE EXAMINATION FOR THE POSITION OF FIREFIGHTER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize Gary A. Baker to take a civil service examination for firefighter, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law or rule to the contrary regulating the maximum age of an applicant for appointment as a firefighter, Gary A. Baker of the city of Haverhill shall be eligible to take the next open competitive examination for the position of firefighter and provided he meets all other requirements he shall be eligible for certification and appointment to said position.

Approved June 23, 1983.

Chap. 202. AN ACT MAKING CERTAIN APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-FOUR PRIOR TO ACTION ON THE GENERAL APPROPRIATION BILL FOR SAID YEAR.

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 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, provided that the governor upon recommendation of the commissioner of administration shall limit the allotment of the amounts appropriated in section two to those amounts required to meet current expenses through July thirty-first of the fiscal year nineteen hundred and eighty-four.

SECTION 2.

Item			
	TREASURER AND RECEIVER-GENERAL.		
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.....		$ 16,000,000
	Highway Fund	15.0%	
	General Fund	84.3%	
	Inland Fisheries and Game Fund	0.2%	
	State Recreation Areas Fund	0.5%	
0612-1900	For authorization of payment of retirement benefits pursuant to chapter seven hundred and twelve and seven hundred and twenty-one of the acts of nineteen hundred and eighty-one, respectively.....		2,700
0612-2000	For the compensation of veterans who may be retired by the state board of retirement and for the cost of medical examinations in connection therewith.....		1,600,000
	Highway Fund	22.0%	
	General Fund	78.0%	
	Pensions for Retired Justices.		
0612-3000	For pensions of retired judges or their widows.....		160,000
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.....		$ 4,400

	MDC Sewerage District Fund	25.0%
	MDC Water District Fund	25.0%
	Highway Fund	25.0%
	MDC Parks District Fund	25.0%

0612-6000 For retirement allowances of certain veterans and police officers formerly in the service of the metropolitan district commission; provided, that said commission's share of this item shall be assessed by methods fixed by law..... 90,000

	Highway Fund	60.0%
	MDC Parks District Fund	39.0%
	General Fund	1.0%

0612-7000 For retirement allowances of certain veterans formerly in the service of the metropolitan sewerage district..... 22,000

MDC Sewerage District Fund 100.0%

0612-8000 For retirement of certain veterans formerly in the service of the metropolitan water system..... 45,000

MDC Water District Fund 100.0%

0612-9000 For annuities for widows of certain former members of the uniformed branch of the state police..... 12,000

	Highway Fund	66.0%
	General Fund	34.0%

EXECUTIVE OFFICE OF ADMINISTRATION AND FINANCE.

1111-1003 For the payments of the commonwealth's share in financing the teacher's retirement system, prior appropriation continued..... 15,000,000

1599-2091 For the payment of salaries, permanent and temporary, to all employees and officers of the commonwealth, provided that the comptroller is hereby directed to limit payments from this item, to the cost of salaries for such office and positions authorized as of June thirtieth, nineteen hundred and eighty-three..... 126,676,000

1599-2093 For a reserve for payment of any postage cost incidental to payments authorized under this act, provided that the comptroller may charge such expenses directly to this item..... 75,000

EXECUTIVE OFFICE OF HUMAN SERVICES.

4110-1010 For aiding the adult blind..... $ 1,296,000

4170-0300 For the payment of annuities to certain disabled veterans..... 990,000

4403-2000 For a program of aid to families with dependent children; provided, that all federal funds received for the purpose of this item shall be credited to the General Fund..... 51,000,000

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..... 13,000,000

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 five million six hundred dollars may be expended for said medical services..... 9,400,000

4408-2000 For a program to provide emergency needs such as those resulting from fire, flood or other disaster, and burials..... 73,000

SECTION 3. This act shall cease to be operative on the effective date of the general appropriation bill for the fiscal year nineteen hundred and eighty-four, and all action taken under this act shall apply against said appropriation act.

SECTION 4. Notwithstanding any provisions of law to the contrary, no cost-of-living adjustments shall be granted in the following accounts during the month of July:

0612-1000
0612-1900
0612-2000
0612-3000
0612-5000
0612-6000
0612-7000
0612-8000
0612-9000
1111-1003
4110-1010
4170-0300
4403-2000
4405-2000
4406-2000

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

Approved June 24, 1983.

Chap. 203. AN ACT AUTHORIZING CERTAIN ORGANIZATIONS TO RETAIN MEMBERSHIP IN THE CO-OPERATIVE BANKS EMPLOYEES RETIREMENT ASSOCIATION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide continued membership in the Co-operative Bank Employees Retirement Association for employees of certain banks, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 28 of chapter 170 of the General Laws is hereby amended by striking out the fourth paragraph, as appearing in section 46 of chapter 155 of the acts of 1982, and inserting in place thereof the following paragraph:-

After compliance with the first paragraph of this section and approval of such conversion by the shareholders as required thereby and upon the approval of the conversion by the appropriate federal supervising authority to the extent required by applicable provisions of federal law and regulations thereunder, and the issuance by such authority of a federal savings bank charter or a federal savings and loan association charter, such corporation shall cease to be a member bank of The Co-operative Central Bank, referred to in section one of chapter forty-five of the acts of nineteen hundred and thirty-two, and in section one of chapter seventy-three of the acts of nineteen hundred and thirty-four, hereinafter called the central bank.

SECTION 2. Section 30 of said chapter 170 is hereby amended by striking out the second paragraph, as so appearing, and inserting in place thereof the following paragraph:-

All co-operative banks established under the laws of the commonwealth, all such co-operative banks which have converted to a federal savings bank or a federal savings and loan association and which have their main offices located in the commonwealth, the Co-operative Bank League of Massachusetts, the Co-operative Banks Employees Retirement Association, The Co-operative Central Bank, and such other Massachusetts co-operative bank organizations as from time to time may be provided for in the by-laws of the association, and such of the respective employees of each of the foregoing as may be provided by such by-laws, shall be eligible for membership in the association. For the purposes of this section and sections thirty-one and thirty-two a reference to "bank" or "banks" shall, unless the context otherwise requires, mean and include any or all of the organizations

named or referred to in this paragraph, and a reference to "board of directors" of a bank shall also, unless the context otherwise requires, mean and include the governing body of each of such organizations.

SECTION 3. This act shall take effect on July first, nineteen hundred and eighty-three.

Approved June 24, 1983.

Chap. 204. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THE THIRTIETH, NINETEEN HUNDRED AND EIGHTY-THREE 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 one hundred and ninety-one of the acts of nineteen hundred and eighty-two, for the fiscal year ending June thirtieth, nineteen hundred and eighty-three 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.	
0185-7820	For the expenses of the special commission on television and radio broadcasting .	$ 50,000
0185-7821	For a special commission to study the causes of violence against children, said appropriation to expire on June thirtieth, nineteen hundred and eighty-four	50,000
	JUDICIARY.	
	Supreme Judicial Court. Board of Bar Examiners.	
0321-1001	For the 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 .	28,814
	Appeals Court.	
0322-0002	For the salaries and expenses of the appeals court	34,636
	Trial Court.	
0330-0200	For the salaries of the recalled justices of the trial court	9,200
0330-2100	For counsel to indigents; provided, that four hundred and thirty-eight thousand four hundred and thirty-seven 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	1,020,000
0330-2600	For travel expenses of judicial personnel	166,484

0330-3000 For the purchase and rental of equipment in the trial court, to be allocated by the chief administrative justice; provided that an amount not to exceed five hundred thousand dollars shall be expended from this item for the purchase of equipment and furnishings for the third district and juvenile court in New Bedford, including the cost to engage a consultant to develop specifications for said furnishings and equipment and oversee the delivery and installation of the same; provided, that no funds shall be expended from this item except as in accordance with schedules approved by the house and senate committees on ways and means; said appropriation shall expire June thirtieth, nineteen hundred and eighty-four 1,755,838

Superior Court.
For Salaries and Expenses.

0331-2300 Bristol superior court, including not more than twenty-eight permanent positions 43,000

Administration of District Courts.
For Salaries and Expenses.

0332-1800 Third district court of Bristol (New Bedford), including not more than forty-six permanent positions 62,000

0332-2500 District court of eastern Essex (Gloucester), including not more than twenty permanent positions 6,000

0332-3000 District court of Greenfield, including not more than twenty-two permanent positions 8,000

0332-3300 District court of Holyoke, including not more than twenty-eight permanent positions 32,000

0332-5900 Third district court of Plymouth (Plymouth), including not more than thirty-eight permanent positions 1,000

0332-6000 Fourth district court of Plymouth (Wareham), including not more than thirty permanent positions 12,000

0332-6400 District court of Dorchester, including not more than one hundred and fifteen permanent positions 11,556

0332-7300 First district court of northern Worcester (Gardner), including not more than twenty-seven permanent positions 28,000

0332-8300 Berkshire juvenile probation district, including not more than six permanent positions 9,640

Probate and Family Court Department.
For Salaries and Expenses.

0333-0100	Barnstable, including not more than twenty permanent positions	36,300
0333-0500	Essex, including not more than fifty-three permanent positions	64,975
0333-1100	Norfolk, including not more than sixty-eight permanent positions	94,569

Housing Court.
For Salaries and Expenses.

0336-0100	Boston housing court; provided that, notwithstanding the provisions of chapter two hundred and eleven B of the General Laws to the contrary, the administrative justice of the housing court department holding such office prior to the effective date of this act shall receive a salary equivalent to a justice of the trial court, including not more than thirty-four permanent positions	21,554

Juvenile Court.

0337-0300	Springfield juvenile court, including not more than thirty-two permanent positions	12,374

District Attorneys.
For the salaries of district attorneys and assistants for the eleven districts:

0340-0600	Northwestern, including not more than thirteen permanent positions	14,500

TREASURER AND RECEIVER-GENERAL.

0610-0000	For the office of the treasurer and receiver-general, including not more than one hundred and eight permanent positions, prior appropriation continued	168,500

Highway Fund	30.0%
General Fund	70.0%

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 thirty-eight permanent positions, prior appropriation continued	80,000
0612-1900	For payment of retirement benefits	$ 2,756
0612-9000	For annuities for widows of certain former members of the uniformed branch of the state police	1,246

Highway Fund	66.0%
General Fund	34.0%

State Lottery Commission.

0640-0100 For the expenses of the operation and administration of the arts lottery 650,000

EXECUTIVE OFFICE OF ADMINISTRATION AND FINANCE.

Central Services Division.

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, provided further that the state superintendent of buildings create suitable space in the government center area of Boston, so called to be utilized as a day care center for children of state employees provided that the operator of such day care center shall pay rent to the commonwealth for said space and shall reimburse the commonwealth for any state tax revenue expended for the purpose of making improvements to the space provided, and that said space requirements and any incidental expenses attendant thereto shall be at no cost to the commonwealth, provided further, that no less than fourteen thousand dollars shall be expended for the purposes of a Law Enforcement Co-op Program, including not more than three hundred and one permanent positions 14,000

1102-3915 For certain renovations and improvements to the state house, including furnishings and equipment 40,000

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 15,000

Reserves.

1599-3315 Item 1599-3315 of section 2 of chapter 191 of the acts of 1982 is hereby amended by inserting, in line 10, after the word "means" the following words:- and provided, further, in addition to the foregoing, each sheriff participating in this program shall be reimbursed for expenses associated with the use of county-owned vehicles used in conjunction with this program in accordance with schedules approved by the house and senate committees on ways and means.

1599-3327 For the payment of a certain moral obligation as authorized by section sixteen of this act 250,000

1599-3336 For the payment of a certain moral obligation as authorized by section fifteen of this act 50,000

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.

Department of Environmental Management.

2120-0300 Item 2120-0300 of section 2 of chapter 191 of the acts of 1982 is hereby amended by striking out the wording and inserting in place thereof the following wording:-

For the administration of the bureau of recreation, and for the operation of facilities under the management of the bureau of recreation including forests and parks, certain reservations, salt water beaches, and skating rinks and swimming pools; provided, however, that any positions assigned to skating rinks and swimming pools, including the positions assigned to skating 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; provided, further, that not less than four positions shall be assigned to the Blackstone river state park; provided further, that a sum not exceeding ten thousand dollars shall be used for snow fencing and plant material at Salisbury beach; provided further, that an amount not exceeding sixty thousand dollars shall be allocated for expenses related to development of conservation plans for land abutting the Merrimack river in the municipalities of Lawrence, Dracut, Andover, North Andover, Tewksbury, and Methuen; and for the expenses of planning, acquisition, development and associated costs of a boathouse, park and related facilities on land on the Merrimack river in the city of Lawrence, in association with the Lawrence Urban Heritage State Park, and for transferring funds to the Lawrence Redevelopment Authority for such purposes under the provisions of chapter five hundred and twelve of the acts of nineteen hundred and eighty, prior appropriation continued, to be expended by June thirtieth, nineteen hundred and eighty-four, such amount may be in addition to any other funds which may be appropriated for this purpose.

State Recreation Areas Fund 100.0%

Division of Forests and Parks.

2120-0800 For the design and construction, repair and improvement of sidewalks at the William Webb State Park in the town of Weymouth, provided, the department of environmental management shall commit such funds authorized upon the petition of the local executive governmental body and provided further, the funds so committed shall be made available as a grant directly to the town of Weymouth without further review or approval of the department of environmental management 300,000

Division of Water Resources.

2130-0109 For the division of water resources for payment of certain outstanding court-ordered judgements including interest thereon against the commonwealth

resulting from land damage claims or property owners in the towns of Berlin and Northborough and the city of Marlborough including Griefen, Hines and Wheeler vs. Commonwealth of Massachusetts No. 75-4642 Middlesex Superior Court for land acquisition to complete the final phase of the SUASCO watershed project ..... $ 31,000

2130-0600 For the administration of a program of wetlands restriction; provided that the expenses of the North river commission and the scenic rivers program shall be paid from this account; provided, further, that a sum not exceeding ten thousand dollars shall be used for the expenses of the North river commission; including not more than three permanent positions 2,000

Division of Hazardous and Solid Waste Disposal.

2270-0523 For the study and design of a flood control project to a section of the Counterpane Brook in the town of Clinton 35,000

DEPARTMENT OF ENVIRONMENTAL QUALITY ENGINEERING.

Division of Waterways.

2270-0524 For the purposes of supervising the salvage operation of treasure ship, the Whidah 50,000

2270-0525 For the design and replacement of retaining walls and fences along a nine hundred foot section of the Pine Tree Brook between Central Avenue and Brook Road in the town of Milton, provided, that the funds appropriated herein may be expended without further appropriation subject to schedules approved by the house and senate committees on ways and means 25,000

2270-0526 For the dredging of the Aberjona River/Wedge Pond, Winchester; provided, that the funds appropriated herein may be expended without further appropriation subject to schedules approved by the house and senate committees on ways and means 150,000

Division of Law Enforcement

2330-0510 For the reimbursement by the division of losses shown to the satisfaction of the division to have been incurred by shellfish harvesters as a result of the spoilage of shellfish caused by the equipment failure experienced during the reactivation of the Newburyport shellfish treatment plant, provided that amounts shall be expended from this item only in accordance with a schedule prepared by the division and approved by the senate and house committees on ways and means 30,000

2350-0100 For the administration of the division of law enforcement; provided, however, that each county in the time natural resource officer, including not more than seventy-three permanent positions 40,104

Inland Fisheries and Game Fund	30.0%
State Recreation Areas Fund	15.0%
General Fund	55.0%

Metropolitan District Commission.
Administration.

2410-1000 For general administration, provided that the commissioner of the department of the metropolitan district commission is hereby authorized to enter into inter-agency 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 fifty-four permanent positions 39,940

MDC Parks District Fund	25.0%
MDC Sewerage District Fund	25.0%
MDC Water District Fund	50.0%

Metropolitan District Commission Parks Division.

2440-0024 For the purpose of increased police patrols at the Chestnut Hill Reservoir Reservation 10,000

MDC Parks District Fund 100.0%

Metropolitan Parks District

2440-9001 For certain payments for consultant services rendered to the metropolitan district commission during the period June fifteenth, nineteen hundred and eighty-two through June thirtieth, nineteen hundred and eighty-two 1,472

MDC Parks District Fund 100.0%

Department of Food and Agriculture.
Division of Regulatory Services.

2511-3000 For the administration of the division, including the pesticide bureau, the bureau of plant pest control, the bureau of farm products, the bureau of dairying, and the milk control commission, including not more than fifty-one permanent positions appropriation to expire June thirtieth, nineteen hundred and eighty-four 60,000

EXECUTIVE OFFICE OF COMMUNITIES AND DEVELOPMENT.

3722-9004 Item 3722-9004 of section 2 of chapter 191 of the acts of 1982 is hereby amended by inserting, in line 5, after the word "program" the following words:- ; and provided, further, that of the amount appropriated herein, eighteen

million five hundred thousand dollars shall expire on September thirtieth, nineteen hundred and eighty-three.

3722-9005 Item 3722-9005 of section 2 of chapter 191 of the acts of 1982 is hereby amended by inserting, in line 8, after the word "authorities" the following words:- ; and provided, further, that of the amount appropriated herein, nine million nine hundred and forty-one thousand and seven hundred and eight dollars shall expire on December thirty-first, nineteen hundred and eighty-three.

3722-9006 Item 3722-9006 of section 2 of chapter 191 of the acts of 1982 is hereby amended by inserting, in line 8, after the word "authorities" the following words:- ; and provided, further, that of the amount appropriated herein, twenty-six million five hundred and twelve thousand seven hundred and thirty-five dollars shall expire on December thirty-first, nineteen hundred and eighty-three.

EXECUTIVE OFFICE OF HUMAN SERVICES.

Massachusetts Commission for the Blind.

4110-1020 For support of a medical assistance program for the blind, including previous fiscal years, and including not more than four permanent positions ..... $ 2,903,000

Commissioner of Veterans' Services.

4170-0010 For the office of the commissioner, including not more than seventy-one permanent positions 80,000

4170-0300 For the payment of annuities to certain disabled veterans 2,383

DEPARTMENT OF YOUTH SERVICES.

4238-1000 For the operation of the secure facilities administered and operated by the department; and for a short term secure treatment program similar to the one presently operated at the Worcester facility, including not more than one hundred and twenty permanent positions appropriation to expire June thirtieth, nineteen hundred and eighty-four 100,000

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 187,636

Department of Public Welfare.

4400-1000 Item 4400-1000 of section 2 of chapter 191 of the acts of 1982 is hereby amended by adding the words:- provided, that notwithstanding the provisions of section twenty-nine A of chapter twenty-nine of the General Laws or any

other general or special law to the contrary, certain contractual services rendered during the period of July first, nineteen hundred and eighty-two through June thirtieth, nineteen hundred and eighty-three in an amount not to exceed two hundred and seventy-two thousand two hundred twenty-five dollars and forty-one cents for which prior approval had not been given shall be allowed and paid from this item.

4402-5000 For a medical assistance program including 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; 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 sixty-four million eight hundred twenty-five thousand dollars may be expended from this item for expenses incurred in the prior fiscal 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 ..... $ 15,000,000

Department of Mental Health.

5011-0020 For the cost of providing medical, habilitative and laboratory services to residents of Belchertown state school, Monson developmental center, the Walter E. Fernald state school, the Paul A. Dever state school, and the Wrentham state school 936,680

5017-0100 For the office of the court monitor; provided however, that 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 an amount not to exceed seven thousand two hundred and sixty-one dollars for certain contractual services for which prior approval had not been given, shall be allowed and paid from account 5017-0100 7,261

5018-0100 Item 5018-0100 of section 2 of chapter 191 of the acts of 1982 is hereby amended by striking out the wording and inserting in place thereof the following:-
For furnishings and equipment for capital projects for the state schools and facilities for the retarded to be owned and operated by the commonwealth provided that any items purchased from this item shall have a value of less than one hundred dollars and a life expectancy of less than five years.

Region One.

5145-0000 Item 5145-0000 of section 2 of chapter 191 of the acts of 1982 is hereby amended

by adding the words:- ; provided, that notwithstanding the provisions of section twenty-nine A of chapter twenty-nine of the General Laws or any *other general or special law to the contrary, a payment of an Interim Award* for attorney's fees for the period from December fifteenth, nineteen hundred and seventy-six to December thirty-first, nineteen hundred and eighty-one, in the matter of Brewster vs. Dukakis, and any interest accrued on said fees, not to exceed three hundred ninety-nine thousand two hundred and ninety-eight dollars ..... $ 399,298

Region Two.

5246-0000 For mental health community services; provided, that not less than nine hundred and seventy thousand dollars shall be obligated for children's mental health services 387,304

5252-0100 For the maintenance of the Blackstone Valley mental health center, including not more than forty-seven permanent positions 43,235

EXECUTIVE OFFICE FOR TRANSPORTATION AND CONSTRUCTION.

Department of Public Works.
Highway Activities.
Personnel Services.

6020-2503 For an appropriation authorizing and directing the department of public works to expend a sum not to exceed twenty thousand dollars for the purpose of providing a noncontaminated water supply to the Lepisto and Newman residences in the town of Ashby, which are currently sodium-contaminated. Appropriation expires June thirtieth, nineteen hundred and eighty-four 20,000

6020-2504 For the purpose of providing a noncontaminated water supply to the Forrest residence in the town of Northfield, provided that the department shall provide for the digging or excavation of a well or alternative water supply and any other additional work which may be required to restore a noncontaminated water supply to said residence, and provided further that not more than three thousand six hundred and eighty-five dollars shall be expended by the department for the purpose of reimbursing the owners of said residence for costs which are shown to have been incurred as a direct and necessary result of the contamination of said water supply; and, provided further, that this appropriation shall expire on June thirtieth, nineteen hundred and eighty-four 12,000

6020-2914 To provide for an additional appropriation to complete the work authorized by chapter three hundred and ninety-two of the acts of nineteen hundred and eighty-one which authorizes and directs the department of public works to expend for the excavation, filling, loaming and seeding of salt contaminated ground on County road and County street in the town of Lakeville and to provide for filtration systems to remove sodium chloride from the drinking water of six residences and two businesses located on County road and County street in the town of Lakeville ..... $ 4,000

EDUCATION.

Compact for Education.

7000-9401 Item 7000-9401 of section 2 of chapter 191 of the acts of 1982 is hereby amended by striking out the wording and inserting in place thereof the following wording:- For state aid to regional public libraries, provided that in addition to any other amounts to which it is entitled under section nineteen C of chapter seventy-eight of the General Laws, the Boston Public Library, as the library of last recourse for reference and research services for the commonwealth, shall be paid an additional eight and seven-tenths cents for each resident of the commonwealth.

Local Aid Fund	100.0%

BOARD OF REGENTS.

7066-0001	For the administration of the intern program	$ 5,648

7100-0100 Item 7100-0100 of section 2 of chapter 191 of the acts of 1982 is hereby amended by striking out, in line 21, the words:- "thirteen thousand six hundred and ninety" and inserting in place thereof the words:- thirteen thousand seven hundred and ten.

University of Massachusetts at Boston.

7416-2002	For the rental of temporary classroom facilities on the Harbor campus, including the expenses of moving and relocation of programs presently located on the Huntington avenue campus	850,000

Massachusetts College of Art.

7416-2005	For the expenses of moving and relocation of programs to Huntington avenue campus provided, that this item shall expire on June thirtieth, nineteen hundred and eighty-four	150,000
7452-0200	For the purpose of club football at the University of Massachusetts at Boston ..	50,000

EXECUTIVE OFFICE OF PUBLIC SAFETY.

Office of the Secretary.

8000-0110	For the administration and operation of the criminal justice information system, including not more than fifty permanent positions	357,503

General Fund	50.0%
Highway Fund	50.0%

Division of State Police.

8312-0100 For the administration of the division, provided, however, that not less than one

hundred fifty thousand dollars be expended on investigations concerning prescription drug abuse to be conducted by the drug investigation unit, so-called; provided, further, that not less than one hundred twenty-five thousand dollars shall be used for mounted units which shall patrol facilities as appropriate, including not more than one thousand one hundred and fifty-seven positions ..... $ 117,000

General Fund 15.0%
Highway Fund 85.0%

8312-0200 For the administration of the narcotics unit in the bureau of investigative services within the division of the state police provided; that there shall be a minimum of one hundred state police officers assigned to full time duty with said unit and under the command of a commissioned officer of the state police; all such officers shall be exclusively assigned on a full time basis to undercover operations, smuggling operations, the investigation of the diversion of legally manufactured drugs, and the investigation of illegal distributions of controlled substances among minors; officers assigned to said unit shall not be discharged to details other than those described above unless they are replaced by another officer. This appropriation to expire June thirtieth, nineteen hundred and eighty-three 1,000,000

General Fund 15.0%
Highway Fund 85.0%

State Boxing Commission.

8317-1000 For the administration of the commission, including not more than six permanent positions 1,396

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, registry of motor vehicles, and director of employee relations shall not be subject to the civil service law and rules; including not more than one thousand permanent positions; and be it further provided that the registrar shall cause to be implemented recommendations numbered two, three, four, five, six, eight and nine of the special committee authorized to make an investigation and study of the operation and administration of the registry of motor vehicles as reported in House No. 6019 filed with the clerk of the house of representatives in March of nineteen hundred and eighty-two and be it further provided that the registrar shall submit to the secretary of administration and finance a plan to implement recommendations number 1, and 10 with copies filed with the house and senate clerks office 84,500

Highway Fund 100.0%

8400-0016 Special payments for the highway safety bureau ..... $ 89,483

Highway Fund 100.0%

EXECUTIVE OFFICE OF MANPOWER AFFAIRS.

9091-0516 For the expenses of the state office of minority business assistance, including not more than three permanent positions 20,898

EXECUTIVE OFFICE OF CONSUMER AFFAIRS.

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 38,000

SECTION 3. Notwithstanding the provisions of section twenty-nine A of chapter twenty-nine of the General Laws or any other general or special law to the contrary, a payment in the amount of fourteen hundred seventy-two dollars as compensation for consultant services rendered to the metropolitan district commission during the period of June fifteenth, nineteen hundred and eighty-two through June thirtieth, nineteen hundred and eighty-two shall be allowed for payment, and paid from account numbered 2440-9001.

SECTION 4. Notwithstanding the provisions of section twenty-nine A of chapter twenty-nine of the General Laws or any other general or special law to the contrary, a payment in the amount of eleven thousand three hundred ninety-four dollars and forty cents as compensation for certain consultant services rendered to the department of food and agriculture during the period of July first, nineteen hundred and eighty-two through November twenty-seventh, nineteen hundred and eighty-two shall be allowed and paid from federal grant numbered 2511-0310.

SECTION 5. Notwithstanding the provisions of section twenty-nine A of chapter twenty-nine of the General Laws or any other general or special law to the contrary, a payment in the amount of three hundred and thirty-five thousand dollars as compensation for contractual services rendered to the department of public welfare during the period of January sixteenth, nineteen hundred and eighty-two through January fifteenth, nineteen hundred and eighty-three shall be allowed and paid from federal grant numbered 4402-5125.

SECTION 6. Notwithstanding the provisions of section twenty-nine A of chapter twenty-nine of the General Laws or any other general or special law to the contrary, a payment in the amount of thirty-four thousand five hundred dollars for certain data processing consultant services rendered to the office of management information systems during the period of July first, nineteen hundred and eighty through June thirtieth, nineteen hundred and eighty-two shall be allowed and paid from account 1599-2050, funds allocated to account 1101-2371.

SECTION 7. Notwithstanding the provisions of section twenty-nine A of chapter twenty-nine of the General Laws or any other general or special law to the contrary, a payment in an amount not to exceed one thousand two hundred and forty-one dollars for certain contractual services rendered to the department of mental health during the period of August first, nineteen hundred and eighty-two through August fourteenth, nineteen hundred and eighty-two shall be allowed and paid from account 5011-0000.

SECTION 8. On the effective date of this act, the comptroller shall transfer from the General Fund to the Local Aid Fund the sum of one hundred forty-three thousand thirty-four dollars and four cents for the purposes of chapter six hundred and sixty-four of the acts of nineteen hundred and eighty-one.

SECTION 9. Notwithstanding the provisions of section forty G of chapter seven of the General Laws, the deputy commissioner of capital planning and operations is hereby authorized to include, in state agency leases of private space entered into between July first, nineteen hundred and eighty-one through June thirtieth, nineteen hundred and eighty-three, an escalation clause providing for a maximum increase of seven per cent annually.

SECTION 10. Notwithstanding the provisions of section twenty-nine A of chapter twenty-nine of the General Laws or any other general or special law to the contrary, the department of environmental quality engineering requests to be allowed to pay the sum of twenty-six thousand and six hundred dollars from Federal Grant Account Number 2200-9001, State Subsidiary 03-Services, Object code 149, as compensation for certain consultant services provided for under the Intergovernmental Personnel Act and rendered to the department of environmental quality engineering during the period from October first, nineteen hundred and eighty-two to February eighth, nineteen hundred and eighty-three.

SECTION 11. Notwithstanding the provisions of section twenty-nine A of chapter twenty-nine of the General Laws or any other general or special law to the contrary, a payment in the amount of five hundred dollars as compensation for services performed during the period April thirteenth, nineteen hundred and eighty-two through April thirtieth, nineteen hundred and eighty-two shall be allowed and paid from account 2000-0141.

SECTION 12. Section two of chapter seven hundred and thirty-eight of the acts of nineteen hundred and eighty-one is hereby repealed.

SECTION 13. The state treasurer is hereby authorized to issue a revised version of the warrant required under chapter four hundred and fifty-six of the acts of nineteen hundred and forty-five to the twelve towns remaining as members of the Berkshire County Mosquito Control Project following the withdrawal from membership of nineteen cities and towns pursuant to the provisions of chapter one hundred and nineteen of the acts of nineteen hundred and eighty-two. The revised warrant shall reflect the downward adjustment in the amount to be expended, and assessed, by the project, due to the reduced membership, from two hundred and eighty-five thousand dollars to one hundred and three thousand seven hundred and ninety-seven dollars, and by any balance remaining from the previous year.

The state treasurer is further authorized and directed to refund to each of said twelve towns an amount reflecting its proportionate share of said downward adjustment in the amount to be expended and assessed by the project in fiscal year nineteen hundred and eighty-three.

SECTION 14. That for the purpose of discharging a moral obligation of the commonwealth, there shall be allowed and paid out of the state treasury, subject to appropriation, to Carter Zeleznik and Betty Zeleznik, the parents of Arnold Zeleznik, who was killed by Vernal Walford shortly after said Vernal Walford's release from Northhampton state hospital, the sum of fifty thousand dollars, in recognition of years of effort by the said Zeleznik family to bring to the public's attention the facts surrounding such release of said Vernal Walford; provided, however, that no funds shall be expended for this purpose until the treasurer receives a release for all claims relative to the death of Arnold Zeleznik in a form approved by the attorney general.

SECTION 15. The board of regents of higher education is hereby directed to allocate twenty of the positions authorized in item 7100-0100 to the University of Lowell for the purposes of meeting the needs of the engineering programs at said university.

SECTION 16. For the purpose of discharging a certain moral obligation of the commonwealth, there shall be allowed and paid out of the state treasury the sum of two hundred and fifty thousand dollars to Massachusetts Association for Mental Health, Inc., a Massachusetts charitable corporation, for the purpose of providing reimbursement for medical insurance coverage for employees who are serving the public under contracts with the commonwealth by providing mental health and retardation services to persons in the commonwealth who are in need of such services and who would not otherwise receive such services unless provided by these employees, provided that any third party reimbursement for this purpose that might be recovered shall be transmitted forthwith to the state treasurer.

SECTION 17. Item 2270-0503 of section 2 of chapter 191 of the acts of 1982 is hereby amended by striking out the wording and inserting in place thereof the following wording:-
For a continuous program of cleaning of harbors and inland waterways, as authorized by chapter eight hundred and seventy-eight of the acts of nineteen hundred and seventy, provided, that a sum not exceeding four hundred and seventy-five thousand dollars, to be in addition to any amounts deposited with the state treasurer pursuant to section four D of chapter forty of the General Laws, shall be expended to clear and dredge Wellfleet Harbor in the town of Wellfleet and to monitor the dredge disposal site and develop a generic environmental impact report on the designation of a regional disposal site for dredged material in Cape Cod Bay; provided, however, that a sum not exceeding thirty-five thousand dollars shall be used to repair and reconstruct the automatic tidal gate located at the headwaters of Straits Pond at the boundaries of the towns of Cohasset, Hingham and Hull; provided, further, that a sum not exceeding one hundred and 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 two hundred thousand dollars shall be expended to clear and dredge the Hoosic River in the town of Cheshire, for stream clearance, and selective excavation and improvements; provided, further, that a sum not exceeding thirty thousand dollars shall be used for the design of flood control and erosion control improvements to a section of the Green River in the town of Williamstown.

SECTION 18. Item 7410-8812 of section 2 of chapter 578 of the acts of 1980 is hereby amended by striking out the wording and inserting in place thereof the following wording:-
For studies and the preparation of plans, if necessary, and the repair, renovation and improvements to the library building, including multi-tiered shelving and installation and evaluation of a trial masonry repair design and procedure.

SECTION 19. Bond fund account 2490-0004, authorized by chapter six hundred and seventy-nine of the acts of nineteen hundred and sixty-five, shall expire June thirtieth, nineteen hundred and eighty-three.

SECTION 20. Section 22 of chapter 732 of the acts of 1981 is hereby amended by striking out, in lines 2 to 4, inclusive, the words "section one of chapter six hundred and seventy-nine of the acts of nineteen hundred and sixty-five and."

SECTION 21. Item 0611-5800 of section 2 of chapter 103 of the acts of 1983 is hereby amended by striking out, in lines 16 and 17, the words "ninety-five thousand four hundred and seven dollars and eighty-three" and inserting in place thereof the words:- nineteen thousand fifty-three dollars and thirty-three, and the town of Dighton shall receive seventy-six thousand three hundred fifty-four dollars and forty-nine cents.

SECTION 22. Notwithstanding the provisions of section twenty-nine A of chapter twenty-nine of the General Laws or of any other general or special law to the contrary, a payment in the amount of seventy dollars and sixty-nine cents as compensation for services performed during the period of October tenth, nineteen hundred and eighty-two through October sixteenth, nineteen hundred and eighty-two shall be allowed and paid from account 2050-0100.

SECTION 23. A special commission, to consist of three members of the senate, five members of the house of representatives, the secretary of human services, the commissioner of the department of social services, the director of the office for children and eleven persons to be appointed by the governor, of whom two shall be district attorneys, one shall be a justice of the district court department of the trial court, one shall be a member of the Massachusetts Police Chiefs Association, one shall be a protective social service worker in the department of social services who shall also be a member of the collective bargaining unit of said department, two shall be pediatricians from urban hospitals, one shall be a member of an agency which provides child welfare services, and one shall be selected from each of the following organizations: the Massachusetts Advocacy Center, the Massachusetts Committee on Children and Youth, and Parents Anonymous, is hereby established for the purpose of making an investigation and study relative to the causes of violence against children and ways to reduce the incidence thereof. Said commission shall include, but not be limited to, the creation of a multi-disciplinary response to such violence; the identification and elimination of barriers among state agencies which inhibit full cooperation in response to such violence; the development of uniform training programs for all agencies with child welfare services; the development of procedures to assure confidential exchange of medical, social, and legal information among agencies while protecting privacy rights; the creation of a diversion system as an alternative to incarceration; and the establishment of methods of communication and cooperation between social service agencies and law enforcement agencies.

Said commission shall report to the general court the results of its investigation and study, and its recommendations, together with drafts of legislation, if any, necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before December first, nineteen hundred and eighty-four.

SECTION 24. Item 2200-0300 in section 2 of chapter 241 of the acts of 1982 is hereby amended by striking out the wording and inserting in place thereof the following wording:-

For a program of water conservation grants to the cities, towns, and districts of the commonwealth, excluding the metropolitan district commission, which shall include the provision of information and technical assistance to water consumers regarding the needs for water conservation and the methods by which the water supply can be conserved and protected, and projects which are designed specifically to promote the utilization of less water supply than currently is being sold to consumers by local water managers; provided, however, that said grants shall be matched by an equal amount appropriated by said cities, towns, and districts; provided, further, that said program shall include the purchase and distribution of water conserving devices for the retrofit of water using fixtures in existing structures throughout the commonwealth; provided, that said funds shall be administered by the cities, towns, and districts of the commonwealth pursuant to standards and criteria established by the department of environmental quality engineering and approved by the water resources commission; provided, further, that such standards and criteria establish that priority be given, for receipt of such funds, to such cities, towns, and districts that charge or are in the process of adopting a rate structure that charges the actual cost of water services to its consumers; provided, further, that a sum not exceeding twenty thousand dollars shall be used for the development of such standards and criteria and for the administration of said grants program; and provided, further, that said cities, towns, and districts, shall distribute said devices at the cost of purchase to residents of said cities, towns, and districts; appropriation continues through June thirtieth, nineteen hundred and eighty-four.

SECTION 25. Item 1599-3337 of section 2 of chapter 103 of the acts of 1983 is hereby amended by striking out the wording and inserting in place thereof the following wording:-

For a reserve for salary adjustments pursuant to chapter four hundred and fifty-five of the acts of nineteen hundred and eighty-two; provided, however, that the commissioner of administration is hereby authorized to transfer from the sum appropriated to other items of appropriation such amounts as are necessary to meet the cost of said salary adjustments where the amounts otherwise available are insufficient for the purpose.

SECTION 26. Item 1599-3338 of said section 2 of said chapter 103 is hereby amended by striking out the wording and inserting in place thereof the following wording:-

For a reserve for salary adjustments pursuant to chapter six hundred and forty-five of the acts of nineteen hundred and eighty-two; provided, however, that the commissioner of administration is hereby authorized to transfer from the sum appropriated to other items of appropriation such amounts as are necessary to meet the cost of said salary adjustments where the amounts otherwise available are insufficient for the purpose.

SECTION 27. Item 1599-3339 of said section 2 of said chapter 103 is hereby amended by striking out the wording and inserting in place thereof the following wording:-

For a reserve for salary adjustments pursuant to chapter five hundred and eighty-seven of the acts of nineteen hundred and eighty-two; provided, however, that the commissioner of administration is hereby authorized to transfer from the sum appropriated to other items of appropriation such amounts as are necessary to meet the cost of said salary adjustments where the amounts otherwise available are insufficient for the purpose.

SECTION 28. This act shall take effect upon its passage.

Approved June 29, 1983.

Chap. 205. AN ACT AUTHORIZING CERTAIN TRANSPORTATION AREAS TO PROVIDE ADDITIONAL SERVICES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize certain transportation areas to provide additional services, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section 143 of chapter 161 of the General Laws, as amended by section 10 of chapter 563 of the acts of 1964, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- A city or town may establish, or two or more cities or two or more towns, or two or more cities and towns, may unite for the purpose of establishing, transportation areas for the operation of freight or passenger service, or both, on street railways existing therein, and for the operation of bus, demand response and other services for the transportation of passengers and freight within and outside member towns.

Approved June 30, 1983.

Chap. 206. AN ACT FURTHER REGULATING LIMITED PARTNERSHIPS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately clarify the applicability of revisions of the uniform limited partnership act to certain limited partnerships, therefore 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 20 of chapter 109 of the General Laws, as appearing in section 1 of chapter 202 of the acts of 1982, is hereby amended by striking out clause (2) and inserting in place thereof the following clause:-

(2) withdraws from future equity participation in the enterprise by executing and filing in the office of the state secretary a certificate declaring withdrawal under this section.

SECTION 2. Said chapter 109 is hereby further amended by striking out section 22, as so appearing, and inserting in place thereof the following section:-

Section 22. After the filing of a limited partnership's original certificate of limited partnership, additional general partners may be admitted only with the specific written consent of each partner.

SECTION 3. Section 53 of said chapter 109, as so appearing, is hereby amended by inserting after the word "correcting", in line 6, the words:- or amending.

SECTION 4. Section 54 of said chapter 109, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The registration of a foreign limited partnership doing business in the commonwealth shall be cancelled in the manner and at such times as are provided in section ten except that the cancellation shall be signed by a general partner.

SECTION 5. Chapter 202 of the acts of 1982 is hereby amended by inserting after section 1 the following four sections:-

Section 1A. Clause (1) of section two and sections eight and forty-seven of chapter one hundred and nine of the General Laws, as appearing in section one of this act, shall not apply to any limited partnership formed on or before September twenty-eighth, nineteen hundred and eighty-two.

Section 1B. Sections four and five and clause (1) of section twenty-one of said chapter one hundred and nine, as so appearing, shall not apply to any limited partnership until such limited partnership shall first file a certificate of amendment after June thirtieth, nineteen hundred and eighty-three. Such certificate of amendment shall include the information required by clause (3) of subsection (a) of section eight of said chapter one hundred and nine.

Section 1C. Sections eleven, thirteen and sixteen of said chapter one hundred and nine, as so appearing, shall not apply to any certificate filed by a limited partnership on or before September twenty-eighth, nineteen hundred and eighty-two.

Section 1D. To the extent that sections one A to one C, inclusive, of this act provides that any limited partnership shall not be subject to any provision of said chapter one hundred and nine, such limited partnership shall be subject to the applicable provisions of said chapter one hundred and nine which were in effect prior to the effective date of this act.

SECTION 6. This act shall take effect as of July first, nine-

teen hundred and eighty-two, and no person shall be subject to any liability resulting from any failure by any person at any time after such effective date to comply with any provision of chapter one hundred and nine of the General Laws, inserted by section one of chapter two hundred and two of the acts of nineteen hundred and eighty-two, which is not applicable to such person under the provisions of this act.

Approved June 30, 1983.

Chap. 207. AN ACT PROVIDING FOR THE APPOINTMENT OF KENNETH J. WATSON AS A POLICE OFFICER IN THE CITY OF NORTHAMPTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section fifty-eight of chapter thirty-one of the General Laws, the personnel administrator is hereby directed to certify Kenneth J. Watson for the eligible list for appointment as a police officer in the city of Northampton as if he had resided in said city for one year prior to the taking of his examination provided that he meets all other requirements of said chapter.

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

Approved June 30, 1983.

Chap. 208. AN ACT AUTHORIZING THOMAS J. EGAN TO TAKE A CIVIL SERVICE EXAMINATION FOR POLICE OFFICER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize Thomas J. Egan to take a civil service examination for police officer, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any law or rule to the contrary regulating the maximum age for applicants for appointment as a police officer, Thomas J. Egan of the city of Gloucester shall be eligible to take the next open competitive examination

for police officer and provided he meets all other requirements of law, shall be eligible for certification and appointment as a police officer.

Approved June 30, 1983.

Chap. 209. AN ACT AUTHORIZING CERTAIN MUNICIPAL LIGHT COMPANIES TO PURCHASE OIL AND OTHER FUEL SUPPLIES WITHOUT BIDS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize certain purchases of oil and other fuel supplies without bids, therefore 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 243 of the acts of 1980 is hereby amended by striking out section 3 and inserting in place thereof the following section:-

Section 3. This act shall become inoperative on July first, nineteen hundred and eighty-five.

Approved June 30, 1983.

Chap. 210. AN ACT FURTHER REGULATING THE CONSTRUCTION OF STATUTES.

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

Be it enacted, etc., as follows:

Section 6 of chapter 4 of the General Laws is hereby amended by adding the following paragraph:-

Eleventh, The provisions of any statute shall be deemed severable, and if any part of any statute shall be adjudged unconstitutional or invalid, such judgment shall not affect other valid parts thereof.

Approved June 30, 1983.

Chap. 211. AN ACT AUTHORIZING WILLIAM E. FITZGERALD TO TAKE A CIVIL SERVICE EXAMINATION FOR POLICE OFFICER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize William E. Fitzgerald to take a civil service examination for police officer, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. _____

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law or rule to the contrary regulating the maximum age of an applicant for appointment as police officer, William E. Fitzgerald of the Dorchester district of the city of Boston shall be eligible to take the next open competitive examination for police officer and provided he meets all other requirements of law, he shall be eligible for certification and appointment to said position.

Approved June 30, 1983.

Chap. 212. AN ACT RELATIVE TO THE CONDUCT OF A PAROLE HEARING FOR INMATES SERVING MASSACHUSETTS SENTENCES IN OTHER JURISDICTIONS.

Be it enacted, etc., as follows:

Paragraph (c) of section 134 of chapter 127 of the General Laws, as appearing in section 1 of chapter 390 of the acts of 1979, is hereby amended by inserting after the word "state", in line 3, the words:- or at the written request of the inmate the federal paroling authority with jurisdiction over the institution in which said inmate is housed.

Approved June 30, 1983.

Chap. 213. AN ACT FURTHER REGULATING THE ENTRANCE EXAMINATION FOR THE DIVISION OF STATE POLICE.

Be it enacted, etc., as follows:

The first paragraph of section 9A of chapter 22 of the General Laws is hereby amended by striking out the eighth sentence, as most recently amended by section 1 of chapter 374 of the acts of 1979, and inserting in place thereof the following sentence:- No person who has not reached his nineteenth birthday nor any person who has passed his thirtieth birthday shall be eligible to take the entrance examination or be enlisted for the first time as an officer of the division of state police.

Approved June 30, 1983.

Chap. 214. AN ACT ESTABLISHING THE STATE RECLAMATION AND MOSQUITO CONTROL BOARD.

Be it enacted, etc., as follows:

Section 2 of chapter 252 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by chapter 641 of the acts of 1977, and inserting in place thereof the following sentence:- One employee of the department of environmental quality engineering designated by its commissioner, one employee of the department of food and agriculture designated by its commissioner, and one employee of the department of environmental management designated by its commissioner, shall constitute the state reclamation and mosquito control board, in this chapter called the board.

Approved June 30, 1983.

Chap. 215. AN ACT RELATIVE TO THE LICENSING AND KEEPING OF DOGS AND CATS IN THE CITY OF WOBURN.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special 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 any person licensed as an animal dealer with the United States Department of Agriculture, or 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 30, 1983.

Chap. 216. AN ACT RELATIVE TO THE DATE OF THE PRESIDENTIAL PREFERENCE PRIMARY.

Be it enacted, etc., as follows:

The second sentence of the first paragraph of section 28 of chapter 53 of the General Laws, as appearing in section 8 of chapter 600 of the acts of 1975, is hereby further amended by striking out, in lines 1 and 2, the words "first Tuesday after the first Monday" and inserting in place thereof the words:- second Tuesday.

Approved June 30, 1983.

Chap. 217. AN ACT AUTHORIZING INNHOLDERS TO STORE WINES IN CERTAIN WAREHOUSES.

Be it enacted, etc., as follows:

Section 20 of chapter 138 of the General Laws is hereby amended by inserting after the third paragraph the following paragraph:-

An innholder licensed under chapter one hundred and forty and section twelve of chapter one hundred and thirty-eight is hereby permitted under this section to store wines in a licensed and bonded warehouse. Said licensee shall only be permitted to use the hereinabove described stored wines on such licensee's premises in the normal course of business and such wines shall not be for resale to other establishments licensed under this chapter.

Approved June 30, 1983.

Chap. 218. AN ACT RELATIVE TO CERTAIN FEES PAID TO THE TOWN CLERK IN THE TOWN OF BELLINGHAM.

Be it enacted, etc., as follows:

SECTION 1. The town clerk of the town of Bellingham shall pay over to the town treasurer on the first Monday of each month all fees which said clerk is entitled to retain under the provisions of section one hundred and forty-seven of chapter one hundred and forty of the General Laws and all amendments thereto, and all fees which said clerk is entitled to retain under the provisions of section seventeen of chapter one hundred and thirty-one of the General Laws and all amendments thereto;

provided, however, that the salary of the town clerk shall, in addition to any general salary increases voted from time to time for elected officials, include an amount equal to the fees retained under the provisions of said sections one hundred and forty-seven of said chapter one hundred and forty and said section seventeen of said chapter one hundred and thirty-one.

SECTION 2. The town clerk of the town of Bellingham shall continue to pay over to the town treasurer on the first Monday of each month all fees collected under sections thirty-four and thirty-four A of chapter two hundred and sixty-two of the General Laws.

SECTION 3. Any actions previously taken by the town of Bellingham relative to the salary of the town clerk and fees received from the sale of dog licenses and fish and game licenses are hereby ratified, validated and confirmed as if the provisions of this act were in effect when such actions were taken.

SECTION 4. Money paid over to the town treasurer under the provisions of this act shall become part of the estimated receipts of the town of Bellingham.

Approved June 30, 1983.

Chap. 219. AN ACT ABOLISHING THE BOARD OF TRUSTEES OF THE BESSIE M. BURKE MEMORIAL HOSPITAL AND INFIRMARY IN THE CITY OF LAWRENCE.

Be it enacted, etc., as follows:

SECTION 1. Part II of chapter 621 of the acts of 1911 is hereby amended by striking out section 38, as most recently amended by chapter 98 of the acts of 1955, and inserting in place thereof the following section:-

Section 38. There shall be the following administrative officers who shall perform the duties prescribed by law for them, respectively, and such further duties, not inconsistent with the nature of their respective offices, and with general law, as the city council may prescribe, except as is otherwise provided herein: a city clerk, a city treasurer, a collector of taxes, a city auditor, a purchasing agent, a board of public welfare consisting of five persons, a city engineer, a city physician, a board of health consisting of three persons, of whom the city physician shall be one, a city solicitor, a board of park commissioners consisting of five persons, a board of sinking fund commissioners

consisting of three persons, a board of assessors consisting of three persons, a board of trustees of the public library consisting of nine persons, as provided in section twenty-eight, and a board of cemetery directors consisting of five persons as hereinafter provided. The mayor shall be, ex officio, chairman and a member of the board of public welfare.

SECTION 2. Sections thirty-nine A and thirty-nine B of said part II of said chapter six hundred and twenty-one are hereby repealed.

SECTION 3. Sections four and five of chapter three hundred and thirty-five of the acts of nineteen hundred and fifty-three are hereby repealed.

Approved June 30, 1983.

Chap. 220. AN ACT INCREASING THE AMOUNT OF THE HOMESTEAD EXEMPTION.

Be it enacted, etc., as follows:

Section 1 of chapter 188 of the General Laws is hereby amended by striking out the introductory paragraph, as most recently amended by section 1 of chapter 756 of the acts of 1979, and inserting in place thereof the following paragraph:-

An estate of homestead to the extent of sixty thousand dollars in the land and buildings may be acquired pursuant to this chapter by an owner or owners of a home or one or all who rightfully possess the premise by lease or otherwise and who occupy or intend to occupy said home as a principal residence. Said estate shall be exempt from the laws of conveyance, descent, device, attachment, levy on execution and sale for payment of debts of legacies except in the following cases:.

Approved June 30, 1983.

Chap. 221. AN ACT FURTHER 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, as amended by chapter 87 of the acts of 1980,

and inserting in place thereof the following section:-

Section 21. The landlord or lessor of any residential or commercial property except owner-occupied dwellings of four units or fewer, upon the written request of any tenant or lawful occupant or of any code or other law enforcement official, shall disclose in writing within fifteen days of such request the name of the company insuring the property against loss or damage by fire and the amount of insurance provided by each such company and the name of any person who would receive payment for a loss covered by such insurance. Whoever violates the provisions of 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 June 30, 1983.

EMERGENCY LETTER - July 18, 1983. @ 3:03 P.M.

Chap. 222. AN ACT RELATIVE TO PRIVILEGED COMMUNICATIONS IN CARE AND PROTECTION PROCEEDINGS.

Be it enacted, etc., as follows:

Section 51A of chapter 119 of the General Laws is hereby amended by striking out the sixth paragraph, as amended by section 2 of chapter 91 of the acts of 1981, and inserting in place thereof the following paragraph:-

Any privilege established by section one hundred and thirty-five of chapter one hundred and twelve or by section twenty B of chapter two hundred and thirty-three, relating to confidential communications shall not prohibit the filing of a report pursuant to the provisions of this section or the provisions of section twenty-four.

Approved June 30, 1983.

Chap. 223. AN ACT RELATIVE TO THE TOWN OF CONCORD'S HISTORIC DISTRICT BY-LAWS.

Be it enacted, etc., as follows:

Section 6 of chapter 345 of the acts of 1960 is hereby amended by striking out paragraph (c) and inserting in place thereof the following paragraph:-

(c) The exterior color of any building or structure within the

historic districts may be changed without the filing of an application for, or the issuance of, a certificate of appropriateness to any color or any combination of colors which the commission shall determine from time to time may be used without substantial derogation from the intent and purposes of this act.

Approved June 30, 1983.

Chap. 224. AN ACT FURTHER REGULATING THE OPERATION OF THE GLOUCESTER PIER ADVISORY BOARD.

Be it enacted, etc., as follows:

Subsection (a) of section 5 of chapter 740 of the acts of 1981, as amended by section 3 of chapter 537 of the acts of 1982, is hereby further amended by inserting after the word "vessels", in line 8, the words:- ; provided, however, that priority be given to the processing and storage of fresh and frozen fish.

Approved June 30, 1983.

Chap. 225. AN ACT AUTHORIZING EARL CLEMONS, JR. TO TAKE A CIVIL SERVICE EXAMINATION FOR NATURAL RESOURCES OFFICER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law or rule to the contrary regulating the maximum age of an applicant for appointment as a natural resources officer, Earl Clemons, Jr. of the city of Everett shall be eligible to take the next open competitive examination for the position of natural resources officer, and provided he meets all other requirements of law, he shall be eligible for certification and appointment to said position.

Approved June 30, 1983.

Chap. 226. AN ACT AUTHORIZING THE CITY OF HOLYOKE TO ISSUE AN ADDITIONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES TO GODERE'S PACKAGE STORE AND HILLSIDE TAKE OUT AND CATERING SERVICE.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section seventeen of chapter one hundred and thirty-eight of the General Laws or any other law to the contrary, the local licensing authority of the city of Holyoke is hereby authorized and directed to issue to George W. Godere, d/b/a Godere's Package Store and James P. Lavelle, d/b/a Hillside Take Out and Catering Service, each, 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 licenses shall be subject to all the provisions of said chapter one hundred and thirty-eight except said section seventeen; provided, however, that the number of seasonal licenses for the sale of all alcoholic beverages not to be drunk on the premises authorized for said town to grant under the provisions of said section seventeen of said chapter one hundred and thirty-eight is reduced by two such licenses; and provided, further, that the number of licenses for the sale of wine and malt beverages not to be drunk on the premises authorized for said town to issue under the provisions of said section seventeen of said chapter one hundred and thirty-eight is reduced by two such licenses.

Approved June 30, 1983.

Chap. 227. AN ACT RELATIVE TO THE INTRODUCTION OF ASSESSED VALUE AS EVIDENCE OF FAIR MARKET VALUE IN CERTAIN EMINENT DOMAIN CASES.

Be it enacted, etc., as follows:

Chapter 79 of the General Laws is hereby amended by striking out section 35, as amended by chapter 209 of the acts of 1969, and inserting in place thereof the following section:-

Section 35. The valuation made by the assessors of a town for the purposes of taxation for the three years next preceding the date of the taking of or injury to real estate by the commonwealth or by a county, city, town or district under authority of law may, in proceedings, brought under section fourteen to recover the damages to such real estate, the whole or part of which is so taken or injured, be introduced as evidence of the fair market value of the real estate by any party to the suit; provided, however, that if the valuation of any one year is so introduced, the valuations of all three years shall be introduced in evidence; and provided, further, that no such valuation shall be so introduced as such evidence unless within the five years preceding

such taking or injury there has been a comprehensive revaluation of the real estate of the town and the valuation or valuations sought to be introduced are valuations assessed after such comprehensive revaluation.

Approved June 30, 1983.

Chap. 228. AN ACT REQUIRING THE USE OF SEAT BELTS DURING DRIVING TRAINING.

Be it enacted, etc., as follows:

Section 32G of chapter 90 of the General Laws is hereby amended by striking out the last paragraph, as amended by section 2 of chapter 349 of the acts of 1963, and inserting in place thereof the following paragraph:-

Each licensee of a driver school shall equip the front seats of school training vehicles with safety belts for the instructor and the student and the student shall wear his safety belt during road instruction.

Approved June 30, 1983.

Chap. 229. AN ACT PROVIDING THAT A LIMITED PARTNERSHIP BE EXEMPT FROM THE FILING OF CERTAIN CERTIFICATES WITH THE CLERKS OF CITIES AND TOWNS.

Be it enacted, etc., as follows:

Chapter 110 of the General Laws is hereby amended by striking out section 6, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 6. The preceding section shall not apply to any corporation doing business under its true corporate name, nor to any partnership doing business under any title which includes the true surname of any partner; nor to any association which has complied with sections five and six of chapter one hundred and fifty-nine; nor to any partnership, joint stock company or association the business of which is conducted by trustees under a written instrument or declaration of trust, provided that the names of such trustees with a reference to such instrument or declaration of trust shall be filed as provided in section five, nor to any limited partnership organized or qualified under chapter one hundred and nine doing business under its true

partnership name if such name contains without abbreviation the words "limited partnership".

Approved June 30, 1983.

Chap. 230. AN ACT AUTHORIZING THE APPOINTMENT OF KENNETH W. SKUTT AS MOTOR VEHICLE EXAMINER.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize the appointment of Kenneth W. Skutt as a motor vehicle examiner, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law or rule to the contrary, the administrator of the division of personnel administration is hereby authorized to certify Kenneth W. Skutt for appointment as a motor vehicle examiner in the registry of motor vehicles according to the grade he received in the examination for said position held on March twenty-sixth, nineteen hundred and eighty-three as if chapter thirty-seven of the acts of nineteen hundred and eighty-three was in full force and effect on said date.

Approved June 30, 1983.

Chap. 231 AN ACT AUTHORIZING THE TREASURER OF THE CENTRAL BERKSHIRE REGIONAL SCHOOL DISTRICT TO EXPEND CERTAIN FUNDS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of the law to the contrary, in the event that the annual regional school district budget for the Central Berkshire Regional School District has not been approved under section sixteen B of chapter seventy-one of the General Laws before July first, nineteen hundred and eighty-three, by the member municipalities, the treasurer of each municipality shall pay to the treasurer of said Central Berkshire Regional School District, on or before July fifteenth, nineteen hundred and eighty-three and on or before the fifteenth day of each succeeding month until said budget has been so approved, but in no case beyond October fifteenth, nineteen

hundred and eighty-three, a sum equal to one-twelfth of the total amount apportioned and certified to such municipality for the preceding fiscal year. The treasurer of said Central Berkshire Regional School District is hereby authorized to expend all funds so paid by each member municipality and in addition thereto, all available funds, state receipts and any other funds ordinarily received for the operation of said Central Berkshire Regional School District, at a level no higher than the annual budget for fiscal year nineteen hundred and eighty-three.

Upon approval of the annual regional school district budget for the fiscal year nineteen hundred and eighty-four, by the member municipalities, the treasurer of the Central Berkshire Regional School District shall deduct from the amounts so certified or recertified to each member municipality, all amounts previously paid to the district on account of said fiscal year nineteen hundred and eighty-four and the balance payable by each such municipality shall be paid to the Central Berkshire Regional School District in accordance with the terms of the agreement.

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

Approved July 1, 1983.

Chap. 232. AN ACT PROVIDING FOR THE ELIGIBILITY OF THE MUSEUM OF FINE ARTS FOR PROPERTY TAX EXEMPTION AND APPLICATION FOR ABATEMENT OF TAXES ASSESSED OR PAID FOR THE TAXABLE YEARS DURING THE PERIOD OF JANUARY FIRST, NINETEEN HUNDRED AND EIGHTY-THREE AND ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND EIGHTY-FOUR.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to enable the Museum of Fine Arts which failed to file seasonably the necessary list to qualify for local property tax exemption, to file such list on or before September first of the current year, and thereby qualify for such exemption, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of paragraph (b) of clause Third of section five of chapter fifty-nine of the General Laws, the Museum of Fine Arts, a charitable corporation chartered

under chapter four of the acts of eighteen hundred and seventy, shall be eligible for the exemption provided in said section five for the taxable years during the period commencing January first, nineteen hundred and eighty-three and ending June thirtieth, nineteen hundred and eighty-four, provided that the list of property required by section twenty-nine of said chapter fifty-nine is filed on or before September first, nineteen hundred and eighty-three, and all other requirements for such exemption are complied with. If the said Museum of Fine Arts files the required list of property on or before September first, nineteen hundred and eighty-three, 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 eighty-three and ending June thirtieth, nineteen hundred and eighty-four, would have received a property tax exemption in said years, said Museum of Fine Arts 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-three, and, if said Museum of Fine Arts would otherwise be eligible for such exemption, the taxes so assessed or paid shall be abated.

Approved July 1, 1983.

Chap. 233. AN ACT TO PROVIDE A REVENUE ENFORCEMENT AND PROTECTION PROGRAM FOR THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. The last paragraph of section 183 of chapter 6 of the General Laws, as appearing in section 1 of chapter 266 of the acts of 1976, is hereby amended by striking out the last sentence and inserting in place thereof the following three sentences:- The commissioner of insurance shall apportion estimated costs among all such companies and shall assess them for the same on a fair and reasonable basis. Said estimated costs shall be paid to the commissioner within thirty days after the date of the notice from the commissioner of such estimated costs. The commissioner shall subsequently apportion actual costs among all such companies and shall make assessment adjustments for any variation between estimated and actual costs on a fair and reasonable basis. Such estimated and actual costs shall include an amount equal to the cost of fringe benefits as established by the commissioner of administration pursuant to section six B of chapter twenty-nine.

SECTION 2. Section 65 of chapter 6A of the General Laws, as appearing in section 1B of chapter 372 of the acts of 1982, is hereby amended by adding the following paragraph:-

Each acute care hospital shall pay to the commonwealth an amount for the estimated expenses of the commission. Such amount shall be equal to seventy-five thousandths of one per cent of the gross patient service revenues of such hospital approved under this chapter; provided, however, that the total amount of such assessment shall not be less than such estimated expenses. If the application of such percentage to each hospital's gross patient service revenues produces an amount less than such estimated expenses, such assessments shall be increased for each acute hospital by multiplying the ratio of the hospital's gross patient service revenue to the total of all such hospitals' gross patient service revenues times the amount by which such total assessments are less than such estimated expenses. Such hospitals shall pay such amounts within thirty days after notice from the commission of such estimated expenses. The commission shall subsequently adjust this assessment for any variation between the estimated and actual costs. Such estimated and actual costs shall include an amount equal to the cost of fringe benefits as established by the commissioner of administration pursuant to section six B of chapter twenty-nine. The provisions of this paragraph shall not apply to any state institution or to any acute hospital which is operated by a city or town.

SECTION 3. Clause (5) of section 13 of chapter 23B of the General Laws, added by section 1 of chapter 658 of the acts of 1982, is hereby amended by inserting after the word "eighty-three" in line 4, the words:- ; provided, however, that the on-site construction of such facility has been completed and such facility has become operational prior to June thirtieth, nineteen hundred and eighty-five.

SECTION 4. Said chapter 23B is hereby further amended by inserting after section 13 the following section:-

Section 13A. For the purposes solely of a determination of the Bureau with reference to an application for a renewal or extension of a certificate of eligibility pursuant to the provisions of clauses (a) and (b) of section fifteen, including, but only insofar as related to such a determination, for the purposes of clauses (c), (d), and (f) of section eleven, section thirteen, clause (d) of section fifteen, and section thirty-eight F of chapter sixty-three, the term "eligible section of substantial poverty," shall include, in addition to the areas currently defined by clause (a) of section eleven, such areas as had formerly been determined by

the bureau pursuant to section twelve as satisfying the requirements of said clause (a) of section eleven for a taxable year prior to the taxable year for which such renewal or extension is sought; provided, that the applicant for such renewal or extension had, in such prior taxable year, operated a business facility located in a city or town which contained such eligible section or in a municipality which was contiguous to a city or town which contained such eligible section and, otherwise satisfying the requirements of section thirteen for such prior taxable year, had been properly issued a certificate of eligibility or renewal or extension thereof by the bureau for such prior taxable year.

SECTION 5. Chapter 25 of the General Laws is hereby amended by striking out section 17A, as amended by section 9 of chapter 514 of the acts of 1978, and inserting in place thereof the following section:-

Section 17A. With respect to assessments authorized by sections seventeen, eighteen and eighteen A, the commission shall certify to the commissioner of revenue the estimated amount of assessment to be made for the pending fiscal year and the name and address of each company against which such assessment is made. Such estimated assessments shall be collected by the commissioner of revenue in accordance with the applicable provisions of chapter sixty-three; provided, however, that each company shall pay the amount assessed against it within thirty days after the date of the notice of estimated assessment from the commissioner of revenue. The amount so collected shall be credited to the General Fund. The commission shall subsequently certify to the commissioner of revenue the actual amount of such assessments and the commissioner of revenue shall make assessment adjustments for the same for any variation between the estimated and actual amounts of such assessments. Such estimated and actual costs shall include an amount equal to the cost of fringe benefits as established by the commissioner of administration pursuant to section six B of chapter twenty-nine.

SECTION 6. The second paragraph of section 8E of chapter 26 of the General Laws, inserted by section 1 of chapter 728 of the acts of 1975, is hereby amended by striking out the third sentence and inserting in place thereof the following four sentences:- The commissioner shall apportion estimated costs among all such companies and shall assess them for the same on a fair and reasonable basis. Said estimated costs shall be paid to the commissioner within thirty days after the date of the notice from the commissioner of such estimated costs. The commissioner shall subsequently apportion actual costs among all such companies and shall make assessment adjustments for any variation between

estimated and actual costs on a fair and reasonable basis. Such estimated and actual costs shall include an amount equal to the cost of fringe benefits as established by the commissioner of administration pursuant to section six B of chapter twenty-nine.

SECTION 7. Said chapter 26 is hereby further amended by striking out section 8F, inserted by section 4 of chapter 266 of the acts of 1976, and inserting in place thereof the following section:-

Section 8F. The commissioner of insurance is hereby authorized to make an annual estimated assessment against each insurance company doing business in the commonwealth on so much of the estimated business of any such company the rates for which are determined pursuant to chapter one hundred and seventy-five E, or are fixed and established by or are subject to approval of the commissioner of insurance based upon estimated intrastate operating revenues of each of such companies derived from estimated insurance policies or premiums. Said estimated assessments shall be paid to the commissioner within thirty days after the date of the notice from the commissioner of such estimated assessments.

Said estimated assessments shall be in such amounts as shall be determined and certified annually by the commissioner of insurance as sufficient to produce two hundred thousand dollars in revenue to the commonwealth and shall be assessed proportionately against each such company on the basis of said estimated intrastate operating revenues of each company. The commissioner shall subsequently assess proportionately the amount of actual assessments against each such company and shall make assessment adjustments for any variation between estimated and actual costs on the basis of said actual intrastate operating revenues of each such company; provided, however, that such estimated and actual costs shall include an amount equal to the cost of fringe benefits as established by the commissioner of administration pursuant to section six B of chapter twenty-nine; provided further, however, that if the attorney general fails to expend in any fiscal year the total amount of two hundred thousand dollars for the purposes set forth under the provisions of section eleven F of chapter twelve, any amount unexpended in such fiscal year shall be credited against the assessment in the following year and the assessment in such following year shall be reduced by such unexpended amount.

Assessments made under this section may be credited to the normal operating costs of each such company and shall be utilized by the attorney general for the purposes set forth under the provisions of section eleven F of chapter twelve.

SECTION 8. Section 36 of chapter 51 of the General Laws is hereby amended by inserting after the first paragraph the following paragraph:-

A copy of this document may be forwarded to the department of revenue and registry of motor vehicles.

SECTION 9. Said section 36 of said chapter 51 is hereby further amended by adding the following paragraph:-

Local officials shall make copies of said affidavit available to the department of revenue and the registry of motor vehicles of all executed affidavits.

SECTION 10. Section 7 of chapter 58 of the General Laws is hereby amended by adding the following paragraph:-

The commissioner may annually obtain from local officials at the expense of the commonwealth copies of all affidavits executed under section thirty-six of chapter fifty-one, and shall include the information obtained from such affidavits in any examination of tax records so as to insure the payment of taxes by all domiciliaries of the commonwealth. The commissioner shall also forward a copy of such list of residents to the registrar of motor vehicles.

SECTION 11. Section 1 of chapter 62 of the General Laws is hereby amended by striking out subsection (c), as most recently amended by section 1 of chapter 408 of the acts of 1979, and inserting in place thereof the following subsection:-

(c) "Code", the Internal Revenue Code of the United States, as amended on February first, nineteen hundred and eighty-three and in effect for the taxable year.

SECTION 12. Paragraph (1) of subsection (a) of section 2 of said chapter 62 is hereby amended by adding the following subparagraph:-

(G) Amounts excluded under section one hundred and twenty-eight of the Code.

SECTION 13. Said paragraph (1) of said subsection (a) of said section 2 of said chapter 62 is hereby further amended by adding the following subparagraph:-

(H) Amounts excluded under section three hundred and five (e) of the Code.

SECTION 14. Subsection (c) of section 2 of said chapter 62 is hereby amended by striking out paragraph (3), added by section 2 of chapter 409 of the acts of 1979, and inserting in place thereof the following paragraph:-

(3) A deduction not to exceed fifty per cent of net capital gain.

SECTION 15. Subsection (d) of said section 2 of said chapter 62 is hereby amended by adding the following paragraph:-

(12) The deduction allowed by section two hundred and twenty-one of the code relating to two-earner married couples.

SECTION 16. Said subsection (d) of said section 2 of said chapter 62 is hereby further amended by adding the following paragraph:-

(13) The deduction allowed by section one hundred and sixty-two (h) of the code.

SECTION 17. Subparagraph (3) of paragraph (a) of subsection B of section 3 of said chapter 62, as appearing in section 1 of chapter 45 of the acts of 1943, is hereby amended by adding the following sentence:- In no event shall the aggregate of the otherwise allowable deductions of this subparagraph and of all sums deducted from wages as contributions to an annuity, pension, endowment or retirement fund of the United States government, the commonwealth or any political subdivision thereof, attributable to any one taxpayer exceed two thousand dollars.

SECTION 18. Said paragraph (a) of said subsection B of said section 3 of said chapter 62 is hereby amended by striking out subparagraph (4), as so appearing, and inserting in place thereof the following subparagraph:-

(4) All sums deducted from wages as contributions to any annuity, pension, endowment or retirement fund of the United States government, the commonwealth or any political subdivision thereof, provided, that the deduction for such contributions and the deductions otherwise allowable under subparagraph (3) hereof attributable to any one taxpayer shall not in the aggregate exceed two thousand dollars, and any income from any contributory annuity, pension, endowment or retirement fund of the United States government or the commonwealth or any political subdivision thereof, to which the employee has contributed, or any income from a contributory annuity, pension, endowment or retirement fund of any other state or any political subdivision thereof, provided that income from any such similar fund established under the laws of the commonwealth is not subject to taxation in such other state or political subdivision.

SECTION 19. Said paragraph (a) of said subsection B of said section 3 of said chapter 62 is hereby amended by striking out subparagraph (7), as amended by section 6 of chapter 599 of the acts of 1977, and inserting in place thereof the following subparagraph:-

(7) An amount equal to employment-related expenses allowed

for purposes of determining the credit allowable under section forty-four A of the Code.

SECTION 20. Subparagraph (2) of paragraph (b) of said subsection B of said section 3 of said chapter 62, as appearing in section 1 of chapter 377 of the acts of 1982, is hereby amended by striking out subsection (A) and inserting in place thereof the following subsection:-

(A) a personal exemption of two thousand two hundred dollars, and an amount not exceeding two thousand two hundred dollars, equal to the earned income included in Part B gross income of the spouse having the smaller amount of such income; and an additional exemption of one thousand dollars for the spouse having the smaller amount of such income, provided that the total amount of such income of such spouse for the calendar year in which the taxable year of the taxpayer began did not exceed two thousand two hundred dollars. "Earned income", as used herein, shall mean salary, wages, other employee compensation, self-employment income and any amount received as a pension or annuity to the extent includable in earned income as defined under section nine hundred and eleven (b) of the Code. In no event shall the exemptions under this subsection exceed forty-four hundred dollars.

SECTION 21. Section 5 of said chapter 62 is hereby amended by striking out subsection (a), as most recently amended by section 8 of chapter 796 of the acts of 1967, and inserting in place thereof the following subsection:-

(a) Notwithstanding the provisions of section four, Part A taxable income and Part B taxable income shall be exempt from all taxes imposed by this chapter if the total income of the taxable year does not exceed three thousand six hundred dollars for a single individual or six thousand one hundred dollars in the aggregate for a husband and wife. No tax shall be imposed under this chapter which shall reduce such total income below three thousand six hundred dollars and six thousand one hundred dollars respectively. No exemption shall be allowed under this section to any married individual unless a joint return is filed. In the case of a short taxable year, occurring for any reason other than residence during one portion of the normal taxable year and nonresidence during another portion, there shall be substituted for the amounts of three thousand six hundred dollars and six thousand one hundred dollars those amounts which bear the same relation to such sums as the number of days in the taxable year bears to three hundred and sixty-five. For purposes of this section, "total income" means the sum of (i) the Part A adjusted gross income, (ii) the Part B adjusted gross

income, (iii) the amount deducted under subparagraphs (A) and (C) of paragraph (2) of subsection (a) of section two, and (iv) interest on governmental obligations excluded under section one hundred and three of the Code to the extent not includable in Massachusetts gross income under subparagraph (A) of paragraph (1) of subsection (a) of section two. With respect to a person who is a nonresident for all or part of the taxable year, total income shall be determined as if he were a resident of the commonwealth throughout the entire taxable year.

SECTION 22. Said section 5 of said chapter 62 is hereby further amended by striking out subsection (a), as most recently amended by section 21 of this act, and inserting in place thereof the following subsection:-

(a) Notwithstanding the provisions of section four, Part A taxable income and Part B taxable income shall be exempt from all taxes imposed by this chapter if the total income of the taxable year does not exceed four thousand four hundred dollars for a single individual or seven thousand two hundred dollars in the aggregate for a husband and wife. No tax shall be imposed under this chapter which shall reduce such total income below four thousand four hundred dollars and seven thousand two hundred dollars respectively. No exemption shall be allowed under this section to any married individual unless a joint return is filed. In the case of a short taxable year, occurring for any reason other than residence during one portion of the normal taxable year and nonresidence during another portion, there shall be substituted for the amounts of four thousand four hundred dollars and seven thousand two hundred dollars those amounts which bear the same relation to such sums as the number of days in the taxable year bears to three hundred and sixty-five. For purposes of this section, "total income" means the sum of (i) the Part A adjusted gross income, (ii) the Part B adjusted gross income, (iii) the amount deducted under subparagraphs (A) and (C) of paragraph (2) of subsection (a) of section two, and (iv) interest on governmental obligations excluded under section one hundred and three of the Code to the extent not includable in Massachusetts gross income under subparagraph (A) of paragraph (1) of subsection (a) of section two. With respect to a person who is a nonresident for all or part of the taxable year, total income shall be determined as if he were a resident of the commonwealth throughout the entire taxable year.

SECTION 23. Said section 5 of said chapter 62 is hereby further amended by striking out subsection (a), as most recently amended by section 22 of this act, and inserting in place thereof the following subsection:-

(a) Notwithstanding the provisions of section four, Part A taxable income and Part B taxable income shall be exempt from all taxes imposed by this chapter if the total income of the taxable year does not exceed five thousand dollars for a single individual or eight thousand three hundred dollars in the aggregate for a husband and wife. No tax shall be imposed under this chapter which shall reduce such total income below five thousand dollars and eight thousand three hundred dollars respectively. No exemption shall be allowed under this section to any married individual unless a joint return is filed. In the case of a short taxable year, occurring for any reason other than residence during one portion of the normal taxable year and nonresidence during another portion, there shall be substituted for the amounts of five thousand dollars and eight thousand three hundred dollars those amounts which bear the same relation to such sums as the number of days in the taxable year bears to three hundred and sixty-five. For purposes of this section, "total income" means the sum of (i) the Part A adjusted gross income, (ii) the Part B adjusted gross income, (iii) the amount deducted under subparagraphs (A) and (C) of paragraph (2) of subsection (a) of section two, and (iv) interest on governmental obligations excluded under section one hundred and three of the Code to the extent not includable in Massachusetts gross income under subparagraph (A) of paragraph (1) of subsection (a) of section two. With respect to a person who is a nonresident for all or part of the taxable year, total income shall be determined as if he were a resident of the commonwealth throughout the entire taxable year.

SECTION 24. Subsection (a) of section 5A of said chapter 62, as appearing in section 8 of chapter 698 of the acts of 1966, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:- Items of gross income from sources within the commonwealth are items of gross income derived from or effectively connected with (1) any trade or business, including any employment carried on by the taxpayer in the commonwealth; (2) the participation in any lottery or wagering transaction within the commonwealth; or (3) the ownership of any interest in real or tangible personal property located in the commonwealth.

SECTION 25. Section 6 of said chapter 62, as most recently amended by section 2A of chapter 577 of the acts of 1980, is hereby amended by striking out subsection (b).

SECTION 26. Section 1 of chapter 62B of the General Laws is hereby amended by striking out the definition of "Wages", as

amended by chapter 591 of the acts of 1972, and inserting in place thereof the following definition:-

"Wages", for withholding purposes only, wages as defined in section thirty-four hundred and one (a) of the Internal Revenue Code and periodic payments and nonperiodic distributions as defined in section thirty-four hundred and five of said Code and subject to federal withholding.

SECTION 27. Section 2 of said chapter 62B is hereby amended by adding the following paragraph:-

Every person, including the United States, the commonwealth or any other state, or any political subdivision or instrumentality of the foregoing, making any payment of winnings, except winnings from horse and dog racing, which are subject to tax under chapter sixty-two and which are subject to withholding under section thirty-four hundred and two (q) of the Internal Revenue Code shall deduct and withhold from such payment an amount equal to five per cent of such payment. For purposes of this chapter and chapter sixty-two C, such payment of winnings shall be treated as if it were wages paid by an employer to an employee. Every person who is to receive a payment of winnings which is subject to withholding under this section shall furnish to the person making such payment a statement, made under penalties of perjury, containing the name, address and taxpayer identification number of the person receiving the payment and of each person entitled to any portion of such payment.

SECTION 28. Section 4 of said chapter 62B is hereby amended by adding the following paragraph:-

(f) If the commissioner finds that an employee has no reasonable basis for the number of dependency exemptions claimed in the exemption certificate filed with his employer, the commissioner shall determine the proper number of dependency exemptions to which such employee is entitled, and shall so notify the employer. Upon such notification, the employer shall use the number of dependency exemptions determined by the commissioner with respect to any payment of wages thereafter made to such employee.

SECTION 29. Section eleven of said chapter sixty-two B is hereby repealed.

SECTION 30. Said chapter 62B is hereby further amended by inserting after section 11 the following section:-

Section 11A. In addition to any criminal penalty provided by law, if (1) any individual makes a statement under section four which results in a decrease in the amount deducted or withheld

under this chapter, and (2) as of the time of such statement was made, there was no reasonable basis for such statement, such individual shall pay a penalty of five hundred dollars for such statement.

Said penalty shall be paid upon notice by the commissioner and shall be assessed and collected in the same manner as a tax.

The commissioner may waive, in whole or in part, the penalty imposed under this section if the taxes imposed with respect to the individual under chapter sixty-two for the taxable year are equal to or less than the sum of the credits against such taxes allowed by chapter sixty-two and this chapter.

SECTION 31. Said chapter 62B is hereby further amended by inserting after section 12 the following section:-

Section 12A. Every department, board, commission, division, authority, district or other agency of the commonwealth or any subdivision of the commonwealth, including a city, town or district, making any payment to a person furnishing personal services pursuant to contract shall deduct and withhold from such payment a tax equal to three and one-half per cent thereof and shall pay over such tax to the commissioner in accordance with the provisions of this chapter applicable to the withholding of tax upon wages, provided, however, that this provision shall not apply to payments for services made with state appropriations from the subsidiary account entitled "07, Laboratory and Medical Supplies and Expenses and General Care."

All taxes so deducted and withheld and paid over to the commissioner shall be deemed and credited as payments on account of the tax imposed under chapter sixty-two or sixty-three, as the case may be, and shall be considered estimated taxes paid on account of such liability.

SECTION 32. Paragraph (a) of section 18 of said chapter 62B is hereby further amended by striking out the first sentence, as amended by section 2 of chapter 27 of the acts of 1980, 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 eighteen per cent per annum upon the amount of the underpayment for the period of underpayment.

SECTION 33. Section 1 of chapter 62C of the General Laws is hereby amended by striking out the definition of "Code", as appearing in section 22 of chapter 415 of the acts of 1976, and inserting in place thereof the following definition:-

"Code", the Internal Revenue Code of the United States in effect on July first, nineteen hundred and eighty-three.

SECTION 34. Section 32 of said chapter 62C, as amended by section 3 of chapter 27 of the acts of 1980, is hereby further amended by striking out the last paragraph and inserting in place thereof the following paragraph:-

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 eighteen per cent per annum.

SECTION 35. Said chapter 62C is hereby further amended by inserting after section 47 the following section:-

Section 47A. (a) Every department, board, commission, division, authority, district or other agency of the commonwealth or any subdivision of the commonwealth, including a city, town or district, issuing or renewing a license or other authority to conduct a profession, trade or business shall annually, on or before February first, furnish to the commissioner, in such form as the commissioner may by regulation determine, a list of all licenses or certificates of authority issued or renewed by such agency during the preceding year.

(b) Every department, board, commission, division, authority, district or other agency of the commonwealth or any subdivision of the commonwealth, including a city, town or district to the extent hereinafter provided, shall annually, on or before August first, furnish to the commissioner, in such form as the commissioner may, by regulation, determine, a list of all persons furnishing goods, services, or real estate space to such agency during the preceding fiscal year. The commissioner, in his discretion, may, by regulation, require cities, towns and districts with a population exceeding such level as he may determine, to furnish on an annual basis the information required under this paragraph.

(c) The lists provided to the commissioner shall contain the name, address, social security or federal identification number of such licensee or provider, and such other information as the commissioner may by regulation provide.

(d) If the commissioner determines from the information furnished pursuant to paragraphs (a), (b) and (c), or otherwise, that any person who holds a license or certificate of authority issued by any such agency or who has agreed to furnish goods, services or real estate space to any such agency has neglected or refused to file any returns or to pay any tax required under this chapter and that such person has not filed in good faith a pending application for abatement of such tax or a pending petition before the appellate tax board contesting such tax, the commissioner shall so notify such agency and such person in writing. Upon the written request of the commissioner, and

after a hearing and notice to the licensee as required under any applicable provision of law, such agency, if a department, board, commission, division, authority, district or other agency of the commonwealth, shall revoke or suspend such license or certificate of authority if such agency finds that the returns and taxes required under this chapter have not been filed or paid and that the licensee has not filed in good faith a pending application for abatement of such tax or a pending petition before the appellate tax board contesting such tax. For the purpose of such findings, the written representation to that effect by the commissioner to the agency shall constitute prima facie evidence thereof. The commissioner shall have the right to intervene in any hearing conducted with respect to such license revocation or suspension. Any findings made by the agency with respect to such license revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license revocation or suspension. Any license or certificate of authority suspended or revoked under this section shall not be reissued or renewed until the agency receives a certificate issued by the commissioner that the licensee is in good standing with respect to any and all returns due and taxes payable to the commissioner as of the date of issuance of said certificate, including all taxes and returns referenced in the initial notification. Any person aggrieved by the decision of the agency may appeal therefrom pursuant to the provisions of section fourteen of chapter thirty A.

SECTION 36. Said chapter 62C is hereby further amended by inserting after section 49 the following section:-

Section 49A. (a) Any person applying to any department, board, commission, division, authority, district or other agency of the commonwealth or any subdivision of the commonwealth, including a city, town or district, for a right or license to conduct a profession, trade or business, or for the renewal of such right or license, shall certify upon such application, under penalties of perjury, that he has complied with all laws of the commonwealth relating to taxes. Such right or license shall not be issued or renewed unless such certification is made.

(b) No contract or other agreement for the purposes of providing goods, services or real estate space to any of the foregoing agencies shall be entered into, renewed or extended with any person unless such person certifies in writing, under penalties of perjury, that he had complied with all laws of the commonwealth relating to taxes.

(c) Any such agency, which has been notified by the commissioner pursuant to section forty-seven that a person who holds a

license or certificate of authority issued by such agency or who has agreed to furnish goods, services or real estate space to such agency has neglected or refused to file any returns or to pay any tax required under this chapter and that such person has not filed in good faith a pending application for abatement of such tax or a pending petition before the appellate tax board contesting such tax, shall refuse to reissue, renew or extend such license, certificate of authority, contract or agreement until the agency receives a certificate issued by the commissioner that the person is in good standing with respect to any and all returns due and taxes payable to the commissioner as of the date of issuance of said certificate, including all returns and taxes referenced in the initial notification.

SECTION 37. Said chapter 62C is hereby further amended by striking out section 65, as appearing in section 22 of chapter 415 of the acts of 1976, and inserting in place thereof the following section:-

Section 65. Taxes shall be collected within ten years after the assessment of the tax, or prior to the expiration of any period of collection agreed upon in writing by the commissioner and the taxpayer before the expiration of such ten year period or, if there is a release of levy under section sixty-four after such ten year period, then before such release. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon. When any question relative to such taxes is pending before any agency or court at the end of such ten year period, the commissioner's right to collect any tax due shall continue until one year after the final determination of such question.

SECTION 38. Said chapter 62C is hereby further amended by inserting after section 67A the following section:-

Section 67B. The commissioner may enter into reciprocal agreements with appropriate officials of any other state for the purpose of encouraging vendors in such states to collect and pay over Massachusetts sales and use taxes under chapters sixty-four H and sixty-four I; and, as part of such agreements, the commissioner may waive all or any part of the possible liabilities of such out-of-state vendors for prior periods under said chapters so long as they agree prospectively to collect and pay over Massachusetts sales and use taxes. Any such agreement with such other state is conditional upon such state granting equivalent waivers to vendors located in the commonwealth who do business in such other state.

SECTION 39. Said chapter 62C is hereby further amended by

inserting after section 67B, inserted by section 38 of this act, the following section:-

Section 67C. If the commissioner determines that significant tax evasion is attributable to the improper use of sales or use tax resale, exemption, exempt use and other types of certificates issued under chapters sixty-four H and sixty-four I, he is authorized to revise the procedures for the issuance, acceptance and recognition of such certificates. He may, in his discretion, prohibit the use of blanket certificates, require such certificates to contain additional or more specific information relating to the sale or use, or require the periodic transmittal of copies of such certificates, or a summary thereof, to him as part of the return otherwise due from the vendor.

SECTION 40. Said chapter 62C is hereby further amended by striking out section 72, as appearing in section 22 of chapter 415 of the acts of 1976, and inserting in place thereof the following section:-

Section 72. The term "person", as used in section seventy-three, shall include, but not be limited to, an officer or employee of a corporation, a member, officer or employee of a partnership, or a trustee, officer or employee of a corporate trust who as such officer, employee, member or trustee is under a duty either to perform or to refrain from performing the act with respect to which the violation occurs. Sections seventy-three and seventy-seven shall apply to persons, as herein defined, acting in any fiduciary capacity.

SECTION 41. Said chapter 62C is hereby further amended by striking out section 73, as amended by section 143 of chapter 514 of the acts of 1978, and inserting in place thereof the following section:-

Section 73. (a) Any person who willfully attempts in any manner to evade or defeat any tax imposed by this chapter or the statutes referred to in section two or the payment thereof shall, in addition to other penalties provided by law, be guilty of a felony and, upon conviction thereof, shall be fined not more than one hundred thousand dollars or five hundred thousand dollars in the case of a corporation, or by imprisonment for not more than five years, or both, and shall be required to pay the costs of prosecution.

(b) Any person required under this chapter or the statutes referred to in section two to collect, account for, and pay over any tax to the commissioner who willfully fails to collect or truthfully account for and pay over such tax shall, in addition to other penalties provided by law, be guilty of a felony and, upon conviction thereof, shall be fined not more than ten thou-

sand dollars, or by imprisonment for not more than five years, or both, and shall be required to pay the costs of prosecution.

(c) Any person required under this chapter or the statutes referred to in section two or by regulations made under authority thereof to pay any estimated tax or tax, make a return, keep records, or supply any information, who willfully fails to pay such estimated tax or tax, make such return, keep such records, 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 shall be fined not more than twenty-five thousand dollars or one hundred thousand dollars in the case of a corporation, or by imprisonment for not more than one year, or both, and shall be required to pay the costs of prosecution. In the case of any person with respect to whom there is a failure to pay any estimated tax, this section shall not apply to such person with respect to such failure if there is not addition to tax under chapter sixty-two B or sixty-three B with respect to such failure.

(d) In lieu of any other penalty provided by law, except the penalty provided by section eleven A of chapter sixty-two B, any person required under the provisions of section five of chapter sixty-two B to furnish a statement who willfully furnishes a false or fraudulent statement or who willfully fails to furnish a statement in the manner, at the time, and showing the information required under said section five, or regulations prescribed thereunder, shall, for each offense, be guilty of a misdemeanor and shall be fined not more than one thousand dollars, or by imprisonment for not more than one year, or both.

(e) In lieu of any other penalty provided by law, except the penalty provided by section eleven A of chapter sixty-two B, any individual required to supply information to his employer under section four of chapter sixty-two B who willfully supplies false or fraudulent information, or who willfully fails to supply information thereunder that would require an increase in the tax to be withheld under section two of chapter sixty-two B, shall be guilty of a misdemeanor and shall be fined not more than one thousand dollars, or by imprisonment for not more than one year, or both.

(f) Any person who:-

(1) Willfully makes and subscribes any return, statement, or other document, that contains or is verified by a written declaration that is made under the penalties of perjury, and that he does not believe to be true and correct as to every material matter; or

(2) Willfully aids or assists in, or procures, counsels, or advises the preparation or presentation under, or in connection with any matter arising under this chapter or the statutes referred to in section two of this chapter, of a return, affidavit,

claim, or other document, which is fraudulent or is false as to any material matter, whether or not such falsity or fraud is with the knowledge and consent of the person authorized or required to present such return, affidavit, claim or document; or

(3) Willfully simulates or falsely or fraudulently executes or signs any bond, permit or other document required by this chapter or the statutes referred to in section two of this chapter, or by any regulation made in pursuance thereof, or willfully procures the same to be falsely or fraudulently executed or advises, aids in, or connives at such execution thereof; or

(4) Willfully removes, deposits, or conceals, or is concerned with removing, depositing, or concealing, any goods or commodities for or in respect whereof any tax is or shall be imposed, or any property upon which levy is authorized by section fifty-three, with intent to evade or defeat the assessment or collection of any tax; or

(5) Any person who, in connection with the preparation of a tax return for another, the filing of a tax return or the payment of any tax, receives money from such other person on the understanding that it is to be paid over to the commissioner to discharge, in whole or in part, such other person's tax liability and willfully fails to pay over the same to the commissioner, shall be guilty of a felony and, upon conviction thereof, shall be fined not more than one hundred thousand dollars or five hundred thousand dollars in the case of a corporation or by imprisonment for not more than three years, or both, together with the costs of prosecution.

(g) Any person who willfully delivers or discloses to the commissioner any list, return, account, statement, or other document, known by him to be fraudulent or to be false as to any material matter, shall be fined not more than ten thousand dollars or fifty thousand dollars in the case of a corporation, or by imprisonment for not more than one year, or both.

(h) Whoever willfully corrupts or by force or threats of force, including any threatening letter or communication, endeavors to intimidate or impede an officer or employee of the commonwealth acting in an official capacity under this chapter, or in any other way corrupts or by force or threats of force, including any threatening letter or communication, obstructs or impedes, or endeavors to obstruct or impede, the due administration of this chapter, shall upon conviction thereof, be fined not more than five thousand dollars, or imprisoned not more than three years, or both, except that if the offense is committed only by threats of force, the person convicted thereof shall be fined not more than three thousand dollars or imprisoned not more than one year, or both. The term "threats of force", as used in this subsection, means threats of bodily harm to the officer or employee of the commonwealth or to a member of his family.

(i) any person who, for the purpose of evading payment of sales or use tax, willfully gives to another a certificate under the provisions of chapter sixty-four H or sixty-four I known by him to be fraudulent or false as to any material matter shall be fined not more than ten thousand dollars or imprisoned for not more than one year, or both; provided that any corporation which commits such offense shall be punished by a fine of not more than fifty thousand dollars.

SECTION 42. Chapter 63 of the General Laws is hereby amended by striking out section 11, as most recently amended by section 44 of chapter 684 of the acts of 1975, and inserting in place thereof the following section:-

Section 11. Every savings bank as defined in chapter one hundred and sixty-eight, every co-operative bank as defined in chapter one hundred and seventy, every state or federal savings and loan association and every federal savings bank, located in the commonwealth shall pay to the commissioner an annual excise equal to the following:

(a) on or before the twenty-fifth day of the seventh month of the taxable year, there shall be paid (1) six hundred and twenty-seven one-thousandths per cent of a reasonable estimate of its net operating income, as hereinafter defined, for the taxable year, and (2) one-sixteenth of one per cent of the average amount of its deposits or of its savings accounts and share capital for the first six months of the taxable year, after deducting from such average amounts (i) its real estate used for banking purposes, valued at cost less reasonable depreciation, and (ii) the unpaid balances on its loans secured by the mortgage of real estate, both as of the close of such six-month period; and

(b) on or before the twenty-fifth day of the first month following the close of the taxable year, there shall be paid (1) one and two hundred and fifty-four one-thousandths per cent of its net operating income, as hereinafter defined, for the taxable year, less the estimated amount previously paid with respect to such income, and (2) one-sixteenth of one per cent of the average amounts of its deposits or of its savings accounts and share capital for the second six months of the taxable year, after deducting from such average amount (i) its real estate used for banking purposes, valued at cost less reasonable depreciation, and (ii) the unpaid balances on its loans secured by the mortgage of real estate, both as of the close of the taxable year.

For the purpose of this section, "net operating income" shall mean gross income from all sources, without exclusion, for the taxable year, less (i) operating expenses, (ii) net losses upon assets sold, exchanged or charged off as uncollectible during the

taxable year, and (iii) minimum additions during the taxable years to its guaranty fund or surplus required by law or the appropriate federal and state supervisory authorities; and "taxable year" shall mean any fiscal or calendar year or period for which the bank is required to make a return to the federal government. Federal and state taxes paid or accrued during the taxable year shall not be deductible in computing "net operating income".

SECTION 43. Chapter 63 of the General Laws is hereby amended by inserting after section 32B the following section:-

Section 32C. Notwithstanding the provisions of sections thirty-one A and thirty-eight E and section eleven of chapter seven hundred and fifty-two of the acts of nineteen hundred and seventy-three, the maximum amount of credits, otherwise allowable in any one taxable year to a corporation, shall not exceed fifty per cent of its excise imposed by section thirty-two or thirty-nine. Any corporation may carry over and apply to its excise for any subsequent taxable year the portion of those credits, as reduced from year to year, which were not allowed by this section.

SECTION 44. Section 38 of said chapter 63 is hereby amended by adding the following subsection:-

(j) If the apportionment provisions of this section are not reasonably adapted to approximate the net income derived from business carried on within this commonwealth by any type of industry group, the commissioner may, by regulation, adopt alternative apportionment provisions to be applied to such an industry group in lieu of the foregoing provisions.

SECTION 45. Section 52A of said chapter 63 is hereby amended by striking out subdivision (3), as appearing in section 1 of chapter 641 of the acts of 1951, and inserting in place thereof the following subdivision:-

(3) The portion of net income derived from business carried on within the commonwealth by a corporation subject to tax under this section shall be determined under the provisions of sections thirty-eight and forty-two; provided, however, that under subsection (c) of section thirty-eight its taxable net income shall be multiplied by a fraction, the numerator of which is the property factor plus the payroll factor plus the sales factor, and the denominator is three.

SECTION 46. Paragraph (a) of section 6 of chapter 63B of the General Laws is hereby amended by striking out the first sentence, as amended by section 8 of chapter 27 of the acts of

1980, 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 (b), 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 eighteen per cent per annum upon the amount of the underpayment for the period of the underpayment.

SECTION 47. Section 6 of chapter 64C of the General Laws is hereby amended by striking out the first two sentences, as amended by section 3 of chapter 481 of the acts of 1979, and inserting in place thereof the following two sentences:- Every licensee who is required to file a return under section sixteen of chapter sixty-two C shall, at the time of filing such return, pay to the commissioner an excise equal to thirteen mills for each cigarette so sold during the calendar month covered by the return; provided, however, that cigarettes with respect to which the excise under this chapter has once been imposed and has not been refunded, if paid, shall not be subject upon a subsequent sale to the excise imposed by this chapter. Each unclassified acquirer shall, at the time of filing a return required by section sixteen of chapter sixty-two C, pay to the commissioner an excise equal to thirteen mills for each cigarette so imported or acquired and held for sale or consumption, and cigarettes, with respect to which such excise has been imposed and has not been refunded, if paid, shall not be subject, when subsequently sold, to any further excise under this chapter.

SECTION 48. The last paragraph of section 8 of said chapter 64C, as appearing in section 1 of chapter 547 of the acts of 1945, is hereby amended by inserting after the word "thirty-eight", in line 14, the words:- , except that the sale of any such property shall be conducted by the commissioner.

SECTION 49. Said chapter 64C is hereby further amended by striking out section 34, as amended by section 61 of chapter 415 of the acts of 1976, and inserting in place thereof the following section:-

Section 34. Whoever, not being a licensed transportation company or a person specifically authorized by the commissioner, holds for sale, offers for sale, sells, possesses with intent to sell, or otherwise disposes of cigarettes within the commonwealth, unless each individual package containing said cigarettes has affixed thereto a Massachusetts stamp showing that said excise has been paid, shall be punished by a fine of not more than five thousand dollars or by imprisonment in state prison for not more

than five years, or both; provided, however, that a violation involving fewer than twelve thousand cigarettes, shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both.

The absence of such stamp on any package containing said cigarettes which is held for sale, possessed with intent to sell, offered for sale, sold or otherwise disposed of within the commonwealth shall be prima facie evidence that said excise has not been paid thereon. If such a stamp on a package of cigarettes is stained or smudged and its characteristics are so blurred, obscured or indistinct that it cannot be distinguished as a Massachusetts excise stamp, it shall be presumed that the said excise has not been paid with respect to said package of cigarettes. It shall be presumed that all sales of cigarettes are subject to the said excise until the contrary is established, and the burden of proof that a sale is not taxable shall be upon the vendor.

If any cigarettes are found within the commonwealth in the place of business of any licensee, other than a stamper or such other licensee as the commissioner may authorize, without the stamp affixed thereto, it shall be prima facie evidence that such licensee in whose place of business said cigarettes were found possessed said unstamped cigarettes with the intent to sell the same.

Except as otherwise provided, the possession of cigarettes in unstamped packages by any person, other than a stamper or a licensee, shall be prima facie evidence that such person possessed said unstamped cigarettes with the intent to sell the same.

SECTION 50. Said chapter 64C is hereby further amended by striking out section 35, as appearing in section 5 of chapter 435 of the acts of 1966, and inserting in place thereof the following section:-

Section 35. Whoever, not being a stamper or licensed transportation company or such other person as the commissioner may authorize, knowingly possesses or delivers or transports unstamped cigarettes in the commonwealth shall be punished by a fine of not more than five thousand dollars or by imprisonment in state prison for not more than five years, or both; provided, however, that a violation involving fewer than twelve thousand cigarettes shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both.

Any such person shall be subject to all the provisions as to arrest, search and seizure, as set forth in section eight, insofar as applicable, and the unstamped cigarettes, the vending machines, receptacles, boxes or cartons in which the same are contained, any vehicle used in the illegal transportation and any

records relating to the purchase and sale of such cigarettes shall be subject to seizure in the manner provided in said section eight and shall be turned over to the commissioner and shall be forfeited to the commonwealth. Proceedings shall be had as provided in section eight, and on the judgment of the court after verdict, whether a forfeiture of the whole or any part of the cigarettes, machines, receptacles, vehicles, and the records seized, or otherwise, similar proceedings shall be had as are directed in sections fifty to fifty-five, inclusive, of chapter one hundred and thirty-eight, except that the sale of such property shall be conducted by the commissioner.

SECTION 51. Said chapter 64C is hereby further amended by inserting after section 38 the following section:-

Section 38A. Whenever the commissioner or a police officer shall discover, in the possession of any person not being a stamper, licensed transportation company or one authorized by the commissioner, any cigarettes subject to tax under this chapter that do not have affixed thereto the required Massachusetts stamps showing the payment of excise, he is hereby authorized and empowered to seize and take possession of such cigarettes, together with any vending machine or other receptacle in which they are contained. Such cigarettes, vending machine or other receptacle seized by a police officer shall be turned over to the commissioner and shall be forfeited to the commonwealth. The commissioner shall, within a reasonable time thereafter, by a public notice at least five days before the day of sale, sell such forfeited cigarettes, vending machines or other receptacles at public sale and pay the proceeds into the state treasury. Cigarettes so seized and sold shall be sold only to a stamper or other licensee under this chapter, and the notice of sale shall contain a provision to this effect. Amounts received by the commissioner from the sale of seized or forfeited property under the provisions of this chapter shall be deposited into the General Fund.

SECTION 52. Paragraph (e) of section 6 of chapter 64H of the General Laws, as amended by chapter 341 of the acts of 1968, is hereby further amended by adding the following sentence:- The certificate of exemption issued by the commissioner under clause (2) shall be effective for a period of five years from the date of its issuance or until January first, nineteen hundred and eighty-four, whichever shall last expire provided that ninety days prior to said date the commissioner shall notify such corporation, foundation, organization or institution of the expiration date of said certificate. Such corporation, foundation, organization or institution must obtain from the commissioner a

renewal of such certificate in order to be entitled to a continuance of such exemption beyond the expiration date of any existing certificate.

SECTION 53. Said section 6 of said chapter 64H is hereby further amended by adding the following paragraph:-

(jj) sales of "scientific equipment or apparatus" within the meaning of section 170 (e) (4) (B) (v) of the Internal Revenue Code of the United States as amended on January first, nineteen hundred and eighty-three, by the manufacturer when such scientific equipment or apparatus is donated by said manufacturer at no charge to a public or private nonprofit educational institution located in the commonwealth or to the Massachusetts Technology Park Corporation for the purposes of clause (4) of paragraph (b) of section six of chapter forty J, or to the Bay State Skills Corporation.

SECTION 54. Section 8 of said chapter 64H, as amended by section 1 of chapter 89 of the acts of 1968, is hereby further amended by striking out paragraph (e).

SECTION 54A. Said section 8 of said chapter 64H is hereby further amended by striking out paragraph (i).

SECTION 55. Said chapter 64H is hereby further amended by inserting after section 25A the following section:-

Section 25B. The harbormaster in every city or town shall annually file with the commissioner a report for each calendar year listing boats not registered in the commonwealth which were allowed to anchor in a harbor, wharf or pier or other area under his jurisdiction for a period of at least two weeks. Such report shall give the name and address of the owner or operator of the boat, the state of registration and its registration number, the date and length of stay and such other information as the commissioner may require. Such report shall be filed on or before January thirty-first following the close of the calendar year. The information in such report shall be made available by the commissioner to cities and towns for local excise tax purposes.

SECTION 56. Section 8 of chapter 64I of the General Laws, as amended by section 2 of chapter 89 of the acts of 1968, is hereby further amended by striking out paragraph (e).

SECTION 57. Said section 8 of said chapter 64I is hereby further amended by striking out paragraph (j).

SECTION 58. Chapter 65C of the General Laws is hereby

amended by inserting after section 4 the following section:-

Section 4A. (a) When used in this section, the following words shall, unless the context indicates otherwise, have the following meanings:-

(1) "Generation-skipping transfer", every transfer subject to the federal generation-skipping transfer tax in which the original transferor is a resident of the commonwealth at the date of original transfer or the property transferred is real or personal property in the commonwealth.

(2) "Original transferor", any grantor, donor, settlor or testator who by grant, gift, trust or will makes a transfer of real or personal property that results in a federal generation-skipping transfer tax.

(b) A tax is hereby imposed upon every generation-skipping transfer in which the original transferor is a resident of the commonwealth at the date of original transfer, in an amount equal to the amount allowable as a credit for state death taxes under section twenty-six hundred and two of the Internal Revenue Code of the United States in effect on December thirty-first, nineteen hundred and eighty-one.

(c) A tax is hereby imposed upon every generation-skipping transfer in which the original transferor is not a resident of the commonwealth at the date of the original transfer but in which the property transferred includes real or personal property in the commonwealth, in an amount equal to the amount allowable as a credit for state death taxes under section twenty-six hundred and two of the Internal Revenue Code of the United States in effect on December thirty-first, nineteen hundred and eighty-one.

(d) Every person required to file a return reporting a generation-skipping transfer under applicable federal law and regulations shall file with the commissioner, on or before the last day prescribed for filing the federal return, a return in such form as the commissioner may prescribe, including a duplicate copy of the federal return.

(e) The person liable for payment of the federal generation-skipping transfer tax shall be liable for the tax imposed by this section, which tax is due upon a taxable distribution or taxable termination as determined under the applicable provisions of the federal generation-skipping transfer tax, and shall be paid to the commissioner.

(f) Any person failing to file any payment of tax required by this section when due shall be subject to the interest and penalty provisions under sections thirty-two and thirty-three of chapter sixty-two C.

(g) If, after a duplicate copy of the federal return of a generation-skipping transfer has been filed with the commissioner, the amount of the federal generation-skipping transfer tax is

increased or decreased by the federal government, an amended return shall be filed with the commissioner showing all changes made in the original return and the amount of increase or decrease in the federal generation-skipping transfer tax and in the state death tax credit relating thereto.

SECTION 59. Section 7A of chapter 90 of the General Laws is hereby amended by striking out the fifth paragraph, as appearing in section 2 of chapter 761 of the acts of 1979, and inserting in place thereof the following paragraph:-

Each inspection station shall remit a portion of the fee, said portion to be determined by the registrar and commissioner for deposit in the Highway Fund.

SECTION 60. Section 20 of said chapter 90 is hereby further amended by striking out the first paragraph, as amended by chapter 489 of the acts of 1981, and inserting in place thereof the following four paragraphs:-

A person convicted of a violation of any provision of this chapter the punishment for which is not otherwise provided, or of a violation of any rule or regulation of the registrar made under authority of section thirty-one, shall be punished by a fine of not more than twenty-five dollars for the first offense, not less than twenty-five nor more than fifty dollars for a second offense, and not less than fifty nor more than one hundred dollars for subsequent offenses committed during any twelve-month period; provided, that any person convicted of operating or permitting the operation of a school bus carrying passengers in excess of the number authorized under section seven B shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days, or both, and that any person convicted of violating any of the provisions of section sixteen shall be punished by a fine of not less than twenty nor more than one hundred dollars, and that any person convicted of operating a motor vehicle, trailer, semi-trailer or semi-trailer unit in violation of section nineteen shall be punished by a fine of not more than one hundred dollars and that any person convicted of knowingly operating a motor vehicle, trailer, semi-trailer or semi-trailer unit or any owner or bailee convicted of requiring or permitting the operation thereof in violation of section nineteen A or of the terms of any permit issued under sections thirty and thirty A of chapter eighty-five shall be punished by a fine of thirty dollars for each one thousand pounds of weight or fraction thereof by which the gross weight of such motor vehicle, trailer, semi-trailer or semi-trailer unit as operated exceeds either that permitted by said section nineteen A or by permit issued for such motor vehicle, trailer, semi-trailer

or semi-trailer unit under sections thirty and thirty A of chapter eighty-five, whichever is greater; provided, however, that if the total of such excess weight is greater than ten thousand pounds, the fine shall be sixty dollars for each one thousand pounds or fraction thereof over said ten thousand pounds; provided, further, that in a case of so-called irreducible loads, if the owner or bailee of the motor vehicle, trailer, semi-trailer or semi-trailer unit, or his agent, servant or employee did not have reasonable means or opportunity to ascertain the weight of the load prior to applying for the permit, then the fine shall be ten dollars for each one thousand pounds of weight by which the gross weight of such motor vehicle, trailer, semi-trailer or semi-trailer unit as operated exceeds either that permitted by said section nineteen A or section thirty A or the gross weight specified in such permit but in no event more than five hundred dollars.

Any person convicted of a violation of the provisions of section seventeen, or of a violation of a special speed regulation lawfully made under the authority of section eighteen, shall be punished by a fine of not more than fifty dollars for the first offense, not less than fifty nor more than one hundred dollars for a second offense, and not less than one hundred nor more than two hundred dollars for subsequent offenses committed during any twelve-month period.

Any person convicted of a violation of the provisions of section seventeen while operating any motor vehicle, trailer, semi-trailer or semi-trailer unit under a permit issued under section thirty and thirty A of chapter eighty-five and while the weight of such motor vehicle, trailer, semi-trailer or semi-trailer unit exceeds the limits provided in section nineteen A, exclusive of the additional limits provided in such permit, shall be punished by a fine of not more than one hundred dollars for the first offense, not less than one hundred dollars nor more than one hundred and fifty dollars for a second offense committed in any twelve-month period, and not less than one hundred and fifty nor more than three hundred dollars for subsequent offenses committed in any twelve-month period, and complaints of such violations, notwithstanding the subsequent provisions of this section shall not be placed on file by the court.

A complaint against a person for a violation of section eleven or section sixteen or section seventeen or of a regulation made under section eighteen may be placed on file at the discretion of the court if the violation appears to have been unintentional or if no person or property could have been endangered thereby. Upon a third or subsequent conviction in the same year of a violation of section sixteen or section seventeen or of a regulation made under section eighteen, the registrar shall forthwith revoke

the license of the person convicted, and no new license shall be issued to such person for at least thirty days after the date of such revocation, nor thereafter except in the discretion of the registrar.

SECTION 61. Said section 20 of said chapter 90 is hereby further amended by striking out the last paragraph.

SECTION 62. The seventh paragraph of section 20A of said chapter 90, as amended by section 5 of chapter 746 of the acts of 1981, is hereby further amended by striking out the first two sentences and inserting in place thereof the following two sentences:- If any person fails to appear in accordance with said notice, the parking clerk shall notify the registrar of motor vehicles who shall place the matter on record and, upon receipt of two or more such notices, shall not renew the license to operate a motor vehicle of the registered owner of the vehicle or the registration of said vehicle until after notice from the parking clerk that all such matters have been disposed of in accordance with law. Upon such notification to the registrar, an additional ten dollar charge, payable to the registrar of motor vehicles, shall be assessed against the registered owner of said vehicle.

SECTION 63. The eighth paragraph of section 20A½ of said chapter 90, as amended by section 7 of said chapter 746, is hereby further amended by striking out the first two sentences and inserting in place thereof the following two sentences:- If any person fails to appear in accordance with said notice, the parking clerk shall notify the registrar of motor vehicles who shall place the matter on record and, upon receipt of two or more such notices, shall not renew the license to operate a motor vehicle of the registered owner of the vehicle or the registration of said vehicle until after notice from the parking clerk that all such matters have been disposed of in accordance with law. Upon such notification to the registrar, an additional ten dollar charge, payable to the registrar of motor vehicles, shall be assessed against the registered owner of said vehicle.

SECTION 64. Section 323 of chapter 94 of the General Laws, as appearing in section 2 of chapter 571 of the acts of 1981, is hereby amended by adding the following paragraph:-

(g) Any bottler or distributor who receives deposits and/or handling charges under this chapter shall segregate said deposits or handling charges in a fund which shall be maintained separately from all other revenues. Said bottler or distributor shall report on a monthly basis to the alcoholic beverage control commission in a manner prescribed by said commission, the

amount of said deposits or handling charges received and the amount refunded.

SECTION 65. Paragraph (b) of section 5B of chapter 128A of the General Laws, as appearing in section 4 of chapter 494 of the acts of 1978, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- Said assessment shall be made at a rate as shall be determined and certified annually by the commission as sufficient to produce revenue to reimburse the commonwealth for funds appropriated for the operation of the commission, including amounts sufficient to cover the cost of fringe benefits as established by the commissioner of administration pursuant to section six B of chapter twenty-nine; provided, however, that the total assessment for all licensees, not including the revenues received pursuant to paragraph (a), shall not exceed seven hundred and fifty thousand dollars.

SECTION 66. Paragraph (2) of subsection (i) of section 14 of chapter 151A of the General Laws, as most recently amended by section 1 of chapter 489 of the acts of 1982, is hereby further amended by adding the following sentence:- With respect to the calendar year beginning January first, nineteen hundred and eighty-four, the experience rate of an employer qualifying therefor under subsection (b) shall be the rate which appears in the column designated "D" and on the line with the applicable employer account reserve percentage, as set forth in the foregoing table.

SECTION 67. Said chapter 151A is hereby further amended by inserting after section 14C the following section:-

Section 14D. Each employer required to make contributions pursuant to section fourteen shall pay, at the same time as the required contributions are due, an excise equal to 0.2 per cent of the wages paid its employees; provided that for the purposes of this section, the term "wages" shall not include that part of remuneration which, after remuneration equal to seven thousand dollars with respect to employment with such employer has been paid to an individual during the calendar year, is paid to such individual during such year. Such excise shall be paid to the director in accordance with the procedures prescribed by the director. The receipts from such excise shall not be deposited in the state unemployment compensation fund, but shall be paid into the treasury of the commonwealth and shall be credited on the books of the commonwealth to the economic development fund.

Except where inconsistent with the terms of this section, the

terms and conditions of this chapter which are applicable to the payment of and the collection of contributions shall apply to the same extent to the payment of and the collection of said excise; provided, however, that said excise shall not be credited to the employer's account or the solvency account established pursuant to section fourteen.

SECTION 67A. Section fourteen D of said chapter one hundred and fifty-one A, inserted by section sixty-seven of this act, is hereby repealed.

SECTION 68. Said chapter 151A is hereby further amended by inserting after section 14D, inserted by section 67 of this act, the following two sections:-

Section 14E. There is hereby established a separate fund to be known and referred to as the economic development fund. There shall be credited to such fund all amounts received under section fourteen D. Money in the fund, subject to appropriation, shall be used only for the activities and programs of state agencies and instrumentalities, including the administration of the same, which are reasonably calculated to support economic development within the commonwealth, including but not limited to activities and programs concerned with skills training and education consistent with employment need, capital formation, tourist promotion, and industrial promotion and development.

Section 14F. On or before the fifteenth day of October of each year, the director is hereby authorized and directed to file with the house and senate committees on ways and means and the clerks of the house of representatives and the senate and the joint committee on commerce and labor a report which contains a proposal of an adequate and proper average balance to be maintained and credited to the commonwealth's account in the unemployment trust fund during the ensuing calendar year and a statement of the actual balance then projected to be credited to the commonwealth's account during such year. Such report shall describe in detail the criteria employed by the director in formulating such a proposal for an adequate and proper average balance and in developing such a projection relative to the actual balance, including but not limited to an explanation of the economic assumptions and projections related thereto, an analysis of the effect upon such balances of actual or proposed amendments to federal and state law relative to unemployment compensation, and a comparison of the actual balance then credited to the commonwealth's account in the unemployment trust fund with the actual balances then credited to the accounts of other states, both in terms of the amount of monies so credited and in terms of such monies as a percentage of total wages paid. If the

director's proposal of an adequate and proper average balance for the ensuing calendar year exceeds the director's statement of the projected actual average balance for such year, then the report shall in addition include recommendations for such legislative actions as the director deems appropriate to ensure that an adequate and proper average balance is maintained in favor of the commonwealth during such year, provided, that recommendations for legislative action, if any, shall be accompanied by drafts of legislation necessary to carry such recommendations into effect. On or before the fifteenth day of the months of January, April, and August of the calendar year next following the submission of the report required by the first sentence hereof, the director is hereby further authorized and directed to file with the chairman of said committees an updated report detailing the most recently available statement of the actual balance then credited to the commonwealth's account in the unemployment insurance trust fund together with a revised statement of the actual balance then projected to be credited to the commonwealth's account during such year.

SECTION 69. Clause (4) of the fifth paragraph of section 69H of chapter 164 of the General Laws, as most recently amended by section 351 of chapter 572 of the acts of 1980, is hereby further amended by adding the following three sentences:- With respect to the fees for long-range forecasts or supplements thereto, as provided in clause (b), the council shall apportion such fees on an estimated basis for the pending fiscal year among electric and gas companies and shall assess them on a fair and reasonable basis. Such companies shall pay such assessments to the commonwealth within thirty days of receipt of notice thereof. The council shall subsequently apportion actual fees among all such companies and shall make assessment adjustments for the same for any variation between estimated and actual fees in a fair and reasonable basis.

SECTION 70. Section 2 of chapter 167 of the General Laws, as most recently amended by chapter 531 of the acts of 1981, is hereby further amended by striking out the second and third paragraphs and inserting in place thereof the following paragraph:-

The cost of the annual examination or audit of each bank under the supervision of the commissioner shall be paid by said bank and shall include, subject to the limitations herein contained, all monies expended by the commonwealth for personal services and such proportion of the general overhead of the division of banks and loan agencies, including travel, hotel and meal allowances, and other direct and indirect costs, as is determined by the commissioner to be attributable to such examina-

tion or audit. Such costs shall include an amount equal to the cost of fringe benefits as established by the commissioner of administration pursuant to section six B of chapter twenty-nine. 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, and shall be paid by each bank within thirty days notice from the commissioner of the charge for such examination or audit. In addition to the foregoing, a charge, also determined under the aforementioned provision, and which shall be based on the total amount of assets held by each bank as stated on the report to the commissioner of banks filed most recent to December thirty-first of each preceding year, may be assessed annually which together with the charge authorized by the preceding sentence will be sufficient to reimburse the commonwealth for the direct and indirect costs of the operations of the office of the commissioner of banks, and each bank shall within thirty days notice from the commissioner of the charge assessed under the preceding sentence, pay to him such charge. Such costs shall include an amount equal to the cost of fringe benefits as established by the commissioner of administration pursuant to section six B of chapter twenty-nine. Said notice shall be issued annually by the commissioner on January thirty-first. No examination charge shall be collected hereunder from a bank which has been in operation for one year or less nor shall a charge in excess of one-half of the amount actually attributable to such examination or audit be assessed against a bank which has been in operation for more than one year but less than two years.

SECTION 71. Section 4 of chapter 175 of the General Laws is hereby amended by striking out the second paragraph, as appearing in the Tercentenary Edition, and inserting in place thereof the following paragraph:-

At least once in three years, and whenever he determines it to be prudent, he shall personally, or by his deputy or examiner, visit each domestic company, and thoroughly inspect and examine its affairs to ascertain its financial condition, its ability to fulfill its obligations, whether it has complied with the law, and any other facts relating to its business methods and management, and the equity of its dealings with its policyholders. He shall also make such examination upon the request of five or more of the stockholders, creditors, policyholders or persons pecuniarily interested therein who shall make affidavit of their belief, with specifications of their reasons therefor, that such company is in an unsound condition. The charge for each such examination shall be determined annually by the commissioner of administration under the provisions of section three B of chapter seven, and

shall be paid by each company within thirty days notice from the commissioner of such charge. Such charge shall include an amount equal to the cost of fringe benefits as established by the commissioner of administration pursuant to section six B of chapter twenty-nine. If, in the course of an examination of a domestic company which maintains a branch office outside the commonwealth, it becomes necessary or expedient for the commissioner or any of his deputies or examiners to travel outside the commonwealth, such company shall pay the proper expenses of the commissioner, his deputies or examiners incurred by reason thereof. Whenever he deems it advisable he shall cause a complete audit of the books of the company to be made by a disinterested expert accountant, and such company shall pay the proper expenses of such audit.

SECTION 72. Chapter 175 of the General Laws is hereby amended by striking out section 195, as most recently amended by section 10 of chapter 795 of the acts of 1981, and inserting in place thereof the following section:-

Section 195. Sums for the estimated expenses of the operation of training facilities and curriculum for fire fighting personnel of the Massachusetts Fire Fighting Academy, not to exceed six hundred thousand dollars per year, as may be appropriated therefor, shall be paid to the commonwealth by insurance companies writing fire, homeowners multiple peril or commercial multiple peril policies on property situated in the commonwealth within thirty days after notice from the commissioner of such estimated expenses. The commissioner shall apportion such estimated charges among all such companies and shall assess them for the same on a fair and reasonable basis, not to exceed one-fourth of one per cent of their estimated gross premiums on such insurance written on property situated in the commonwealth. The commissioner shall subsequently apportion actual costs among all such companies and shall make assessment adjustments for the same for any variation between estimated and actual costs on a fair and reasonable basis, not to exceed one-fourth of one per cent of their actual gross premium on such insurance written on property situated in the commonwealth. Such estimated and actual costs shall include an amount equal to the cost of fringe benefits as established by the commissioner of administration pursuant to section six B of chapter twenty-nine.

SECTION 73. Section 5 of chapter 200A of the General Laws is hereby amended by striking out section 5, as most recently amended by section 104 of chapter 351 of the acts of 1981, and inserting in place thereof the following section:-

Section 5. Subject to the provision of section one A, all

intangible personal property not otherwise presumed under any other section of this chapter, 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 five 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.

SECTION 74. Section 17 of chapter 208 of the General Laws, as amended by section 21 of chapter 400 of the acts of 1975, is hereby further amended by adding the following sentence:- When the court makes an order for alimony on behalf of a party, and such party is not a member of a private group health insurance plan, the court shall include in such order for alimony a provision relating to health insurance, which provision shall be in accordance with section thirty-four.

SECTION 75. Section 20 of said chapter 208, as most recently amended by section 3 of chapter 609 of the acts of 1977, is hereby further amended by adding the following sentence:- When the court makes an order for maintenance of a spouse or support of a minor child, and such spouse or child is not a member of a private group health insurance plan, the court shall include in such order a provision relating to health insurance, which provision shall be in accordance with section thirty-four.

SECTION 76. Section 28 of said chapter 208, as most recently amended by section 1 of chapter 279 of the acts of 1977, is hereby further amended by adding the following two sentences:- When the court makes an order for maintenance or support of a child, and such child is not covered by a private group health insurance plan, said court shall determine whether the obligor under such order has health insurance on a group plan available to him through an employer or organization that may be extended to cover the child for whom support is ordered. When said court has determined that the obligor has such insurance, said court shall include in the support order a requirement that the obligor exercise the option of additional coverage in favor of such child.

SECTION 77. Section 34 of said chapter 208, as most recently amended by section 1 of chapter 642 of the acts of 1982, is hereby further amended by adding the following two sentences:- When the court makes an order for alimony on behalf of a spouse, and such spouse is not covered by a private group health insurance plan, said court shall determine whether the obligor under such order has health insurance on a group plan available to him through an employer or organization that may be extended to cover the spouse for whom support is ordered. When said court has determined that the obligor has such insurance, said court shall include in the support order a requirement that the obligor exercise the option of additional coverage in favor of such spouse.

SECTION 78. Said chapter 208 is hereby further amended by striking out section 36, as most recently amended by section 1 of chapter 54 of the acts of 1982, and inserting in place thereof the following section:-

Section 36. When alimony or an annual allowance is adjudged for the spouse or children, the court may require sufficient security for its payment according to the judgement.

Each order for support issued by a court pursuant to this chapter shall include an order directing the obligor to assign a portion of his commission, earnings, salaries, wages, or other periodic income to a person designated by the court in an amount sufficient to comply with such support order. The court may designate any of the following persons or agencies as the assignee: the person entitled to receive such support under the order, the guardian or conservator of such person, the family service office of the court, or where the person entitled to receive such support is a recipient of public assistance, the department of public welfare or the department of social services. If the obligor does not execute an assignment when so ordered, the court shall execute such assignment. Such assignment shall take effect when the obligor has failed to meet two successive required payments of support or, if the court finds that the obligor is likely to default on the support order, the court may order such assignment to be effective immediately.

The chief probation officer of the court, upon application of the person designated by the court to receive payments, shall send a notice by certified or registered mail to the last-known address of any obligor who has made less than full payment for two consecutive scheduled support payments. Such notice shall be sent no later than ten days after the date upon which the application was filed and shall notify the obligor that such assignment shall go into effect fifteen days after the notice was sent. If the obligor requests a hearing within said fifteen days

period on the issue of whether such assignment should take affect, the execution of the assignment shall be stayed pending the outcome of the hearing. The court shall hold a hearing pursuant to this section within thirty days of the request. If at the hearing the obligor establishes that extraordinary circumstances prevented him from meeting the requirements of the support orders and that such circumstances are beyond the control of the obligor, the court may order that such assignment not take effect until such time, within the next twelve months, as another support payment is missed or only partially met.

The court shall send a notice of the assignment to the employer to effectuate the assignment and such assignment shall take effect on the next payment of earnings after the employer of the obligor receives notice thereof. The order of assignment shall specify the amount of earnings to be paid to the person supported and shall not exceed the federal limits on the percentage of an obligor's income which may be asssigned for support. The obligor may move to terminate or modify the amount of such assignment at any time for good cause.

The employer may deduct from said earnings a sum not exceeding one dollar as reimbursement for costs incurred. The employer may not discipline, suspend, or discharge an employee because of an assignment executed pursuant to this section. Any employer who violates this section shall be liable to such employee for all wages and employment benefits lost by the employee from the period of unlawful discipline, suspension, or discharge to the period of reinstatement. Any employer who fails to comply with a wage assignment executed pursuant to this section shall be liable to the party designated by the court to receive such funds for the full amount of the wages assigned.

If the employment of the obligor is terminated, the obligor shall promptly notify the court and the court shall order an assignment of earnings from any subsequent employer. Where an obligor has voluntarily executed a wage assignment and said assignment is submitted to the court, the assignment shall be subject to the provisions of this section. Any judgment or order for support issuing from a court of competent jurisdiction of any state, which has law similar to this section which provides for reciprocity to this commonwealth, shall have the same force and effect as if the judgment or order originated from a court in the commonwealth.

Any existing order for support in any case which is brought before a court shall be modified by such court to conform to the provisions of this section.

SECTION 79. The third paragraph of section 32 of chapter 209 of the General Laws, inserted by section 1 of chapter 984 of the

acts of 1977, is hereby amended by adding the following two sentences:- When the court makes an order for maintenance of support of a spouse or child, and such spouse or child is not covered by a private group health insurance plan, said court shall determine whether the obligor under such order has health insurance on a group plan available to him through an employer or organization that may be extended to cover the spouse or child for whom support is ordered. When said court has determined that the obligor has such insurance, said court shall include in the support order a requirement that the obligor exercise the option of additional coverage in favor of such spouse or child.

SECTION 80. Said chapter 209 is hereby further amended by striking out section 32E, inserted by section 2 of chapter 54 of the acts of 1982, and inserting in place thereof the following section:-

Section 32E. Each order for support issued by a court pursuant to this chapter shall include an order directing the obligor to assign a portion of his commission, earnings, salaries, wages, or other periodic income to a person designated by the court in an amount sufficient to comply with such support order. The court may designate any of the following persons or agencies as the assignee: the person entitled to receive such support under the order, the guardian or conservator of such person, the family service office of the court, or where the person entitled to receive such support is a recipient of public assistance, the department of public welfare or the department of social services. If the obligor does not execute an assignment when so ordered, the court shall execute such assignment. Such assignment shall take effect when the obligor has failed to meet two successive required payments of support or, if the court finds that the obligor is likely to default on the support order, the court may order such assignment to be effective immediately.

The chief probation officer of the court, upon application of the person designated by the court to receive payments, shall send a notice by certified or registered mail to the last-known address of any obligor who has made less than full payment for two consecutive scheduled support payments. Such notice shall be sent no later than ten days after the date upon which the application was filed and shall notify the obligor that such assignment shall go into effect fifteen days after the notice was sent. If the obligor requests a hearing within said fifteen days period on the issue of whether such assignment should take affect, the execution of the assignment shall be stayed pending the outcome of the hearing. The court shall hold a hearing pursuant to this section within thirty days of the request. If at the hearing the

obligor establishes that extraordinary circumstances prevented him from meeting the requirements of the support orders and that such circumstances are beyond the control of the obligor, the court may order that such assignment not take effect until such time, within the next twelve months, as another support payment is missed or only partially met.

The court shall send a notice of the assignment to the employer to effectuate the assignment and such assignment shall take effect on the next payment of earnings after the employer of the obligor receives notice thereof. The order of assignment shall specify the amount of earnings to be paid to the person supported and shall not exceed the federal limits on the percentage of an obligor's income which may be asssigned for support. The obligor may move to terminate or modify the amount of such assignment at any time for good cause.

The employer may deduct from said earnings a sum not exceeding one dollar as reimbursement for costs incurred. The employer may not discipline, suspend, or discharge an employee because of an assignment executed pursuant to this section. Any employer who violates this section shall be liable to such employee for all wages and employment benefits lost by the employee from the period of unlawful discipline, suspension, or discharge to the period of reinstatement. Any employer who fails to comply with a wage assignment executed pursuant to this section shall be liable to the party designated by the court to receive such funds for the full amount of the wages assigned.

If the employment of the obligor is terminated, the obligor shall promptly notify the court and the court shall order an assignment of earnings from any subsequent employer. Where an obligor has voluntarily executed a wage assignment and said assignment is submitted to the court, the assignment shall be subject to the provisions of this section. Any judgment or order for support issuing from a court of competent jurisdiction of any state, which has law similar to this section which provides for reciprocity to this commonwealth, shall have the same force and effect as if the judgment or order originated from a court in the commonwealth.

Any existing order for support in any case which is brought before a court shall be modified by such court to conform to the provisions of this section.

SECTION 81. Section 37 of said chapter 209, as most recently amended by section 2 of chapter 279 of the acts of 1976, is hereby further amended by adding the following two sentences:- When the court makes an order for support or maintenance on behalf of a child, and such child is not covered by a private group health insurance plan, said court shall determine whether

the obligor under such order has health insurance on a group plan available to him through an employer or organization that may be extended to cover the spouse or child for whom support is ordered. When said court has determined that the obligor has such insurance, said court shall include in the support order a requirement that the obligor exercise the option of additional coverage in favor of such child.

SECTION 82. Section 33 of chapter 268 of the General Laws, as appearing in section 7 of chapter 400 of the acts of 1945, is hereby amended by inserting after the word "commission", in line 8, the words:- , or examiner, investigator or other officer of the department of revenue.

SECTION 83. Section 4 of chapter 273 of the General Laws, as most recently amended by section 3 of chapter 848 of the acts of 1977, is hereby further amended by adding the following sentence:- When said court makes an order for maintenance on behalf of a party, and such party is not a member of a private group health insurance plan, said court shall include in such order a provision relating to health insurance, which provision shall be in accordance with section five.

SECTION 84. Section 5 of said chapter 273 is hereby further amended by striking out the second paragraph, as most recently amended by section 3 of chapter 54 of the acts of 1982, and inserting in place thereof the following seven paragraphs:-

When the court makes an order for support on behalf of a spouse or child, and such spouse or child is not covered by a private group health insurance plan, said court shall determine whether the obligor under such order has health insurance on a group plan available to him through an employer or organization that may be extended to cover the spouse or child for whom support is ordered. When said court has determined that the obligor has such insurance, said court shall include in the support order a requirement that the obligor exercise the option of additional coverage in favor of such spouse or child.

Each order for support issued by a court pursuant to this chapter shall include an order directing the obligor to assign a portion of his commission, earnings, salaries, wages, or other periodic income to a person designated by the court in an amount sufficient to comply with such support order. The court may designate any of the following persons or agencies as the assignee: the person entitled to receive such support under the order, the guardian or conservator of such person, the probation office of the court, or where the person entitled to receive such support is a recipient of public assistance, the department of

public welfare or the department of social services. If the obligor does not execute an assignment when so ordered, the court shall execute such assignment. Such assignment shall take effect when the obligor has failed to meet two successive required payments of support or, if the court finds that the obligor is likely to default on the support order, the court may order such assignment to be effective immediately.

The chief probation officer of the court, upon application of the person designated by the court to receive payments, shall send a notice by certified or registered mail to the last-known address of any obligor who has made less than full payment for two consecutive scheduled support payments. Such notice shall be sent no later than ten days after the date upon which the application was filed and shall notify the obligor that such assignment shall go into effect fifteen days after the notice was sent. If the obligor requests a hearing within said fifteen days period on the issue of whether such assignment should take affect, the execution of the assignment shall be stayed pending the outcome of the hearing. The court shall hold a hearing pursuant to this section within thirty days of the request. If at the hearing the obligor establishes that extraordinary circumstances prevented him from meeting the requirements of the support orders and that such circumstances are beyond the control of the obligor, the court may order that such assignment not take effect until such time, within the next twelve months, as another support payment is missed or only partially met.

The court shall send a notice of the assignment to the employer to effectuate the assignment and such assignment shall take effect on the next payment of earnings after the employer of the obligor receives notice thereof. The order of assignment shall specify the amount of earnings to be paid to the person supported and shall not exceed the federal limits on the percentage of an obligor's income which may be assigned for support. The obligor may move to terminate or modify the amount of such assignment at any time for good cause.

The employer may deduct from said earnings a sum not exceeding one dollar as reimbursement for costs incurred. The employer may not discipline, suspend, or discharge an employee because of an assignment executed pursuant to this section. Any employer who violates this section shall be liable to such employee for all wages and employment benefits lost by the employee from the period of unlawful discipline, suspension, or discharge to the period of reinstatement. Any employer who fails to comply with a wage assignment executed pursuant to this section shall be liable to the party designated by the court to receive such funds for the full amount of the wages assigned.

If the employment of the obligor is terminated, the obligor

shall promptly notify the court and the court shall order an assignment of earnings from any subsequent employer. Where an obligor has voluntarily executed a wage assignment and said assignment is submitted to the court, the assignment shall be subject to the provisions of this section. Any judgment or order for support issuing from a court of competent jurisdiction of any state, which has law similar to this section which provides for reciprocity to this commonwealth, shall have the same force and effect as if the judgment or order originated from a court in the commonwealth.

Any existing order for support in any case which is brought before a court shall be modified by such court to conform to the provisions of this section.

SECTION 85. Section 10 of chapter 273A of the General Laws is hereby further amended by striking out the second paragraph, added by section 4 of said chapter 54, and inserting in place thereof the following seven paragraphs:-

When the court makes an order for support on behalf of a spouse or child, and such spouse or child is not covered by a private group health insurance plan, said court shall determine whether the obligor under such order has health insurance on a group plan available to him through an employer or organization that may be extended to cover the spouse or child for whom support is ordered. When said court has determined that the obligor has such insurance, said court shall include in the support order a requirement that the obligor exercise the option of additional coverage in favor of such spouse or child.

Each order for support issued by a court pursuant to this chapter shall include an order directing the obligor to assign a portion of his commission, earnings, salaries, wages, or other periodic income to a person designated by the court in an amount sufficient to comply with such support order. The court may designate any of the following persons or agencies as the assignee: the person entitled to receive such support under the order, the guardian or conservator of such person, the probation office of the court, or where the person entitled to receive such support is a recipient of public assistance, the department of public welfare or the department of social services. If the obligor does not execute an assignment when so ordered, the court shall execute such assignment. Such assignment shall take effect when the obligor has failed to meet two successive required payments of support or, if the court finds that the obligor is likely to default on the support order, the court may order such assignment to be effective immediately.

The chief probation officer of the court, upon application of the person designated by the court to receive payments, shall

send a notice by certified or registered mail to the last-known address of any obligor who has made less than full payment for two consecutive scheduled support payments. Such notice shall be sent no later than ten days after the date upon which the application was filed and shall notify the obligor that such assignment shall go into effect fifteen days after the notice was sent. If the obligor requests a hearing within said fifteen days period on the issue of whether such assignment should take affect, the execution of the assignment shall be stayed pending the outcome of the hearing. The court shall hold a hearing pursuant to this section within thirty days of the request. If at the hearing the obligor establishes that extraordinary circumstances prevented him from meeting the requirements of the support orders and that such circumstances are beyond the control of the obligor, the court may order that such assignment not take effect until such time, within the next twelve months, as another support payment is missed or only partially met.

The court shall send a notice of the assignment to the employer to effectuate the assignment and such assignment shall take effect on the next payment of earnings after the employer of the obligor receives notice thereof. The order of assignment shall specify the amount of earnings to be paid to the person supported and shall not exceed the federal limits on the percentage of an obligor's income which may be assigned for support. The obligor may move to terminate or modify the amount of such assignment at any time for good cause.

The employer may deduct from said earnings a sum not exceeding one dollar as reimbursement for costs incurred. The employer may not discipline, suspend, or discharge an employee because of an assignment executed pursuant to this section. Any employer who violates this section shall be liable to such employee for all wages and employment benefits lost by the employee from the period of unlawful discipline, suspension, or discharge to the period of reinstatement. Any employer who fails to comply with a wage assignment executed pursuant to this section shall be liable to the party designated by the court to receive such funds for the full amount of the wages assigned.

If the employment of the obligor is terminated, the obligor shall promptly notify the court and the court shall order an assignment of earnings from any subsequent employer. Where an obligor has voluntarily executed a wage assignment and said assignment is submitted to the court, the assignment shall be subject to the provisions of this section. Any judgment or order for support issuing from a court of competent jurisdiction of any state, which has law similar to this section which provides for reciprocity to this commonwealth, shall have the same force and effect as if the judgment or order originated from a court in the commonwealth.

Any existing order for support in any case which is brought before a court shall be modified by such court to conform to the provisions of this section.

SECTION 86. The second paragraph of section 2 of chapter 280 of the General Laws, as appearing in section 118 of chapter 351 of the acts of 1981, is hereby amended by inserting after the word "committed", in line 5, the words:- ; provided, however, that any increase in the amount of fines collected pursuant to violations of section seventeen of chapter ninety or of a special speed regulation lawfully made under the authority of section eighteen of said chapter ninety over the amount collected in fiscal year nineteen hundred and eighty-three which is attributable solely to an increase in the authorized levels of such fines over the levels existing in fiscal year nineteen and hundred eighty-three shall be paid over to the state treasurer and credited to the Highway Fund.

SECTION 87. Section 4C of chapter 263 of the acts of 1929, as appearing in section 13B of chapter 190 of the acts of 1982, is hereby amended by striking out the second and third sentences and inserting in place thereof the following two sentences:- If any person fails to pay any parking violation notice within twenty-one days or fails to appear in accordance with said hearing notice the parking clerk shall notify the registrar of motor vehicles who shall place the matter on record and, upon the receipt of two or more such notices, shall not renew the license to operate a motor vehicle of the registered owner of the vehicle or the registration of said vehicle until after notice from the parking clerk that all such matters have been disposed of in accordance with law. Upon such notification to the registrar, an additional ten dollar charge, payable to the registrar of motor vehicles, shall be assessed against the registered owner of said vehicle.

SECTION 88. The third paragraph of section 12 of chapter 362 of the acts of 1975 is hereby amended by striking out the last sentence and inserting in place thereof the following four sentences:- The commissioner of insurance shall apportion estimated costs among all such companies and shall assess them on a fair and reasonable basis. Said estimated costs shall be paid to the commissioner within thirty days after notice from the commissioner of such estimated costs. The commissioner shall subsequently apportion actual costs among all such companies and shall make assessment adjustments for the same for any variation between estimated and actual costs on a fair and reasonable basis. Such estimated and actual costs shall include an amount equal to the

cost of fringe benefits as established by the commissioner of administration pursuant to section six B of chapter twenty-nine of the General Laws.

SECTION 89. Subsection (e) of section 7 of chapter 465 of the acts of 1980 is hereby amended by striking out the first four sentences and inserting in place thereof the following seven sentences:- 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. The executive office or department shall apportion estimated costs for the pending fiscal year among all such utilities and shall assess them on a fair and reasonable basis. 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. The executive office or department shall subsequently apportion actual costs among all such utilities and shall make assessment adjustments for the same for any variation between estimated and actual costs on a fair and reasonable basis. Such estimated and actual costs shall include an amount equal to the cost of fringe benefits as established by the commissioner of administration pursuant to section six B of said chapter twenty-nine.

SECTION 90. Moneys in the employment security administrative account established pursuant to subsection (a) of section fifty-eight of chapter one hundred and fifty-one A of the General Laws or the contingent fund established pursuant to section fifty-eight A of said chapter one hundred and fifty-one A shall not be used for payment of administrative costs incurred as a result of section sixty-seven of this act, except insofar as funds have been advanced to the division for payment of said administrative costs.

SECTION 91. The commissioner of revenue shall file quarterly reports with the house and senate committees on ways and means. Said reports shall detail sources of revenue which the department of revenue administers, amounts collected in each quarter and

amounts not collected but due the commonwealth under the provisions of sections one to sixty-eight, inclusive. Said report shall be in a form prescribed by the commissioner of revenue. The house and senate committees of ways and means shall transmit the contents of said reports to the members of the general court.

SECTION 92. On or before September first in each year, the registrar of motor vehicles shall certify for each city and town in the commonwealth the total number of charges to be assessed pursuant to sections twenty A and twenty A½ of chapter ninety of the General Laws and section four C of chapter two hundred and sixty-three of the acts of nineteen hundred and twenty-nine relative to the failure to pay parking violation notices for which the registrar has been notified and which have been disposed of in accordance with law. The registrar shall transmit such certified assessments to the state treasurer who shall include such assessments in the warrants prepared in accordance with section twenty of chapter fifty-nine of the General Laws.

SECTION 93. The deputy commissioner of capital planning and operations is hereby authorized to enter into agreements with private contractors, in accordance with the provisions of section forty H of chapter seven of the General Laws, for the rental of parking spaces in the evening and on weekends on property owned by the commonwealth, except for parking facilities located in or around the grounds of the state house, the John W. McCormack State Office Building parking garage and the Leverett Saltonstall State Office Building parking garage.

SECTION 94. With respect to taxes remaining unpaid on July first, nineteen hundred and eighty-three, the provisions of sections thirty-two, thirty-four and forty-six 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 said section shall apply only with respect to any applicable period from July first, nineteen hundred and eighty-three to the date of payment.

SECTION 95. Every manufacturer, wholesaler, vending machine operator, unclassified acquirer or retailer, as defined in section one of chapter sixty-four C of the General Laws, who, at the commencement of business on July eleventh, nineteen hundred and eighty-three, has on hand any cigarettes for sale or any unused adhesive or meter stamps, shall make and file with the commissioner of revenue within twenty days thereafter a return, subscribed under the penalties of perjury, showing a complete

inventory of such cigarettes and stamps, and shall, at the time he is required to file such return, pay an additional excise at the rate of two and one-half mills per cigarette on all cigarettes and all unused adhesive and meter stamps upon which an excise of only ten and one-half mills has previously been paid. All provisions of chapters sixty-two C and sixty-four C of the General Laws, relative to the assessment, collection, payment, abatement, verification and administration of taxes, including penalties, shall, so far as pertinent, be applicable to the excise imposed by this section.

SECTION 96. For the purpose of collecting unpaid charges for services provided by the department of public health, the commissioner of administration is authorized to enter into agreements with one or more private persons, companies, associations or corporations doing business in the commonwealth to provide collection services within and outside the commonwealth with respect to such unpaid charges. Notwithstanding the provisions of any general or special law to the contrary, said department shall furnish the commissioner with such information as the commissioner may request including but not limited to the name, address, and social security number of the person receiving such services, for the purpose of collecting such unpaid charges. Said commissioner shall only seek to collect such unpaid charges if it appears that the liability for such charges is the responsibility of a third-party payor authorized to do business in the commonwealth pursuant to chapters one hundred and seventy-five, one hundred and seventy-six A, one hundred and seventy-six B, or one hundred and seventy-six G of the General Laws. The commissioner shall not enter into any agreement to provide collection services for such unpaid charges until after the billing offices of the various institutions within said department shall have made one or more attempts to notify such payor and shall have demanded payment therefor. No such agreement shall be entered into unless proposals for the same have been invited by public notice published in at least one newspaper once a week for at least two consecutive weeks and the last publication to be at least one week prior to the time specified for the opening of said proposals. All such proposals shall be opened in public. The commissioner is reserved the right to reject any or all of such proposals.

SECTION 97. For the purpose of collecting unpaid charges for services provided by the department of mental health the commissioner of administration is authorized to enter into agreements with one or more private persons, companies, associations or corporations doing business in the commonwealth to provide

collection services within and outside the commonwealth with respect to such unpaid charges. Notwithstanding the provisions of any general or special law to the contrary, said department shall furnish the commissioner with such information as the commissioner may request including but not limited to the name, address, and social security number of the person receiving such services, for the purpose of collecting such unpaid charges. Said commissioner shall only seek to collect such unpaid charges if it appears that the liability for such charges is the responsibility of a third-party payor authorized to do business in the commonwealth pursuant to chapters one hundred and seventy-five, one hundred and seventy-six A, one hundred and seventy-six B, or one hundred and seventy-six G of the General Laws. The commissioner shall not enter into any agreement to provide collection services for such unpaid charges until after the billing offices of the various institutions within said department shall have made one or more attempts to notify such payor and shall have demanded payment therefor. No such agreement shall be entered into unless proposals for the same have been invited by public notice published in at least one newspaper once a week for at least two consecutive weeks and the last publication to be at least one week prior to the time specified for the opening of said proposals. All such proposals shall be opened in public. The commissioner is reserved the right to reject any or all of such proposals.

SECTION 98. In order to encourage the voluntary disclosure and payment of taxes owed to the commonwealth, the commissioner of revenue is hereby authorized during the fiscal year ending June thirtieth, nineteen hundred and eighty-four to establish a three-month period during which all penalties, imposed by sections thirty-three and thirty-four of chapter sixty-two C of the general laws will be waived if any taxpayer voluntarily files delinquent returns and pays taxes owed. Such waiver shall apply to the non-reporting, under-reporting of tax liabilities or to the non-payment of tax previously assessed, but shall extend only to penalties attributable to the taxes paid during said three-month period. The terms and other conditions of such a program shall be determined by the commissioner.

SECTION 99. For the purpose of collecting certain taxes, the commissioner of revenue is authorized to enter into agreements with one or more private persons, companies, associations or corporations doing business in the commonwealth to provide collection services within and outside the commonwealth with respect to unpaid taxes. No such agreement shall be entered into unless proposals for the same have been invited by public

notice published in at least one newspaper once a week for at least two consecutive weeks and the last publication to be at least one week prior to the time specified for the opening of said proposals. All such proposals shall be opened in public. The commissioner is reserved the right to reject any or all of such proposals. The commissioner shall not enter into any agreement to provide collection services for unpaid taxes of any taxpayer owing such taxes until such taxpayer has been sent a notice by certified mail, first within sixty days and second within thirty days, of the intent of the commissioner to assign the collection of such unpaid taxes of such taxpayer to the person, company, association or corporation doing business with respect to the collection of unpaid taxes. Any such agreement may provide, in the discretion of the commissioner, the manner in which the compensation for such services will be paid. Under standards established by the commissioner, such compensation shall be added to the amount of the tax and collected as a part thereof by the contractor; deducted and retained by the contractor from the amount of tax collected; or paid by the commonwealth from funds appropriated therefor. On or before September fifteenth the commissioner shall file with the secretary of state a report listing all private persons, companies, associations, or corporations which the said commissioner has entered into agreements with to provide collection services. The report shall contain the amount of taxes collected by and the compensation paid pursuant to each agreement. The provisions of this section shall become inoperative on September fifteenth, nineteen hundred and eighty-five.

SECTION 100. Notwithstanding any other provision of law, prior to a court judgment or decision by the appellate tax board, the commissioner of revenue may accept a lesser amount than the tax liability owed by a taxpayer in final and full settlement thereof, provided that the following conditions are met:

(a) The commissioner finds that there is serious doubt either as to the collectibility of the tax due or as to the taxpayer's liability;

(b) The commissioner finds that the taxpayer has not acted with intent to defraud;

(c) The settlement is approved by the commissioner and at least two deputy commissioners of the department of revenue; and

(d) There is a written agreement, signed by all parties, setting forth the commissioner's reasons for the settlement and all relevant information, including, but not limited to, the names of all parties, the amount and type to tax, interest, penalties and charges settled, and the amount actually paid in accordance

with the terms of the settlement. Any amount assessed that is not collected pursuant to the provisions of this section shall be abated by the commissioner.

Upon request said commissioner shall make available for public inspection the written agreement containing a settlement pursuant to this section.

Notwithstanding any provisions of law to the contrary, any tax liability settlement under this section which proposes to accept an amount which is twenty thousand or more dollars less than the full amount of the tax liability owed by the taxpayer or which proposes to accept an amount which is less than fifty per cent of the full amount of the tax liability owed by the taxpayer shall be submitted to the attorney general for review. Any such settlement proposal shall take effect twenty-one days after its receipt by the attorney general, unless the attorney general objects in writing to the settlement. In the event the attorney general objects to a settlement proposal, such settlement shall not take effect until the objection is resolved by the commissioner and the attorney general. Any settlement approved under the terms of this section will not be subject to the confidentiality provisions of section twenty-one of this chapter.

Neither the taxpayer nor the commissioner, upon signing the agreement, shall be permitted to reopen the case except by reason of (1) falsification or concealment of assets by the taxpayer, or (2) mutual mistake of a material fact sufficient to cause a contract to be reformed or set aside.

The authority granted hereunder to the commissioner and deputy commissioners may not be delegated to other officials of the department.

On or before September fifteenth said commissioner shall file a report with the secretary of state listing all settlements entered into pursuant to this section during the previous fiscal year. Such report shall list the name of each taxpayer agreeing to a settlement and the amount of such settlement. The provisions of this section shall expire on September fifteenth, nineteen hundred and eighty-five.

SECTION 101. Section forty-two shall apply to taxable years commencing on or after November first, nineteen hundred and eighty-two. Section fifty-three shall take effect on January first, nineteen hundred and eighty-three. Sections eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-four, twenty-six, thirty-three, and forty-three shall apply to taxable years commencing on or after January first, nineteen hundred and eighty-three. Sections fifty-nine and seventy-three shall take effect on June thirtieth, nineteen hundred and eighty-three. Sections one, two, five, six, seven, twenty-seven, twenty-eight, forty-eight to fifty-one,

inclusive, sixty-four, sixty-five, sixty-nine, seventy, seventy-one, seventy-two, seventy-four to eighty-one, inclusive, eighty-three to eighty-five, inclusive, eighty-eight, eighty-nine, and ninety-three shall take effect July first, nineteen hundred and eighty-three. Section forty-seven shall take effect on July eleventh, nineteen hundred and eighty-three. Sections sixty to sixty-three, inclusive, eighty-six, eighty-seven, and ninety-two shall take effect on September first, nineteen hundred and eighty-three. Sections forty-four and forty-five shall apply to tax years ending on or after December thirty-first, nineteen hundred and eighty-three. Section sixty-six shall take effect on January first, nineteen hundred and eighty-four. Sections three, four, twenty-five, and thirty-one shall apply to tax years commencing on or after January first, nineteen hundred and eighty-four. Section sixty-seven shall take effect on January first, nineteen hundred and eighty-four, and section sixty-seven A shall take effect on January first, nineteen hundred and eighty-five. Section twenty-one shall apply to tax years commencing on or after January first, nineteen hundred and eighty-four and before January first, nineteen hundred and eighty-five. Section twenty-two shall apply to tax years commencing on or after January first, nineteen hundred and eighty-five and before January first, nineteen hundred and eighty-six. Section twenty-three shall apply to tax years commencing on or after January first, nineteen hundred and eighty-six. Section thirty-seven shall take effect on January first, nineteen hundred and eighty-five; provided that said section shall apply to all taxes assessed and remaining unpaid on said date. The remaining sections shall take effect upon passage.

Approved July 1, 1983.

EMERGENCY LETTER - July 1, 1983 @ 4:38 P.M.

Chap. 234. AN ACT REGULATING THE USE OF COMMONWEALTH PIER COMMONLY KNOWN AS PIER 5.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately regulate the use of Commonwealth Pier commonly known as Pier 5, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Whereas, Pursuant to the grant of powers under

chapter four hundred and sixty-five of the acts of nineteen hundred and fifty-six as heretofore amended, the Massachusetts Port Authority is authorized to lease all or any portion of Commonwealth Pier, commonly known as Pier 5, upon such terms and conditions as it may deem to be necessary or appropriate for the rehabilitation of said Pier, including provision of such uses and public purposes as a passenger ship terminal, a computer and communications industry market center, and related hotel, restaurant, and hospitality facilities.

SECTION 2. Chapter six hundred and thirty-six of the acts of nineteen hundred and eighty-two is hereby repealed.

Approved July 5, 1983.

Chap. 235. AN ACT RELATIVE TO THE TRANSFER OF CERTAIN SCHOOL RECORDS OF PRIVATE SCHOOL STUDENTS TO THE DEPARTMENT OF EDUCATION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately allow the transfer of certain school records of private school students to the department of education, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

SECTION 1. Chapter 71 of the General Laws is hereby amended by inserting after section 34F the following section:-

Section 34G. In the event that any private educational institution providing a course of study through the twelfth grade level ceases operation, the owner or administrators shall transfer transcripts of all students or former students to the department of education; provided, however, that in the case of a student who is transferring to another private or public educational institution, such student's records shall be transferred to the school the student will be attending, rather than to the department. The department may, upon request of a former student of an educational institution which has transferred transcripts pursuant to this provision, provide such student with a copy of his transcript. For the purposes of this section a transcript shall mean the documentary record or records which contain the name, address and phone number of the student, the student's birthdate, name, address and phone number of parent or guardian, course titles, grades, or equivalent thereof when grades are not applicable, course credit, grade level completed

and the year completed. Said educational institution shall limit the student record information transmitted to the department to that required to be contained in the transcript.

SECTION 2. The provisions of this act shall apply only to educational institutions which cease operation after the effective date of this act.

Approved July 5, 1983.

Chap. 236. AN ACT EXEMPTING THE POSITIONS OF CHIEF TRAFFIC SUPERVISOR, DEPUTY CHIEF TRAFFIC SUPERVISOR AND SCHOOL TRAFFIC SUPERVISORS IN THE CITY OF BROCKTON FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The positions of chief traffic supervisor, deputy chief traffic supervisor and school traffic supervisors in the city of Brockton 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 incumbent holding permanent civil service status in the positions of chief traffic supervisor, deputy chief traffic supervisor and school traffic supervisors in the city of Brockton on the effective date of this act.

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

Approved July 7, 1983.

Chap. 237. AN ACT INCREASING THE FINES FOR PARKING IN THE TOWN OF HULL.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section twenty A½ of chapter ninety of the General Laws, the town of Hull is hereby authorized to increase the maximum limit for parking ticket fines to twenty dollars if paid within twenty-one days, to twenty-five dollars if paid thereafter, but before the parking clerk of said town reports to the registrar of motor vehicles, and to forty dollars if paid thereafter.

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

Approved July 7, 1983.

Chap. 238. AN ACT PROVIDING FOR THE ESTABLISHMENT AND ADMINISTRATION OF RENT REGULATIONS AND THE CONTROL OF EVICTIONS IN MOBILE HOME PARK ACCOMMODATIONS IN THE TOWN OF BELCHERTOWN.

Be it enacted, etc., as follows:

SECTION 1. The general court finds and declares that a serious public emergency exists with respect to the housing of a substantial number of citizens in the town of Belchertown, which emergency has been created by excessive, abnormally high and unwarranted rental increases imposed by some owners of mobile home parks located therein; that unless mobile home park rents and eviction of tenants are regulated and controlled, such emergency will produce serious threats to the public health, safety and general welfare of the citizens of said town, particularly the elderly; that such emergency should be met by the commonwealth immediately and with due regard for the rights and responsibilities of the town of Belchertown.

SECTION 2. The town of Belchertown may, by its by-laws, regulate rents for the use or occupancy of mobile home park accommodations in said town, establish a rent board for the purpose of regulating rents, minimum standards for use or occupancy of mobile home park accommodations and eviction of tenants therefrom and may, by its by-laws, require registration by owners of mobile home park accommodations, under penalty of perjury, of information relating to the mobile home park accommodations. Such rents, standards and evictions may be regulated by the rent board so as to remove hardships or correct inequities for both the owner and the tenants of such mobile home park accommodations. Said rent board shall have all powers necessary or convenient to perform its functions, may make rules and regulations, require registration by owners of mobile home park accommodations, under penalty of perjury, of information relating to the mobile park accommodations, sue and be sued, compel the attendance of persons and the production of papers and information, and issue appropriate orders which shall be binding on both the owner and tenants of such mobile home park accommodations. Violations of any by-laws adopted pursuant to this act or any order of said rent board shall be punishable by a fine of not more than one thousand dollars for any one offense.

SECTION 3. In regulating rents, for such mobile home park accommodations, the rent board established under section two may make such individual or general adjustments, either upward

or downward, as may be necessary to assure that rents for mobile home park accommodations in said town are established at levels which yield to owners a fair net operating income which will yield a return, after all reasonable operating expenses, on the fair market value of the property equal to the debt service rate generally available from institutional first mortgage lenders or such other rates of return as the board, on the basis of evidence presented before it, deems more appropriate to the circumstances of the case. The fair market value of the property shall be the assessed valuation of the property or such other valuation as the board, on the basis of evidence presented before it, deems more appropriate to the circumstances of the case.

Said town in its by-laws or said rent board by regulation may establish further standards and rules consistent with this act.

SECTION 4. The provisions of chapter thirty A of the General Laws shall be applicable to the rent board, established under section two, as if said rent board were an agency of the commonwealth, including those provisions giving agencies the power to issue, vacate, modify and enforce subpoenas, and those provisions relating to judicial review of an agency order.

SECTION 5. The Hampshire division of the district court department shall have original jurisdiction, concurrently with the superior court, of all petitions for review brought pursuant to section fourteen of chapter thirty A of the General Laws.

The superior court department shall have jurisdiction to enforce the provisions of this act and any by-laws adopted thereunder and may restrain violations thereof.

SECTION 6. The town of Belchertown may by its by-laws regulate the eviction of tenants and the rent board, established under section two, may issue orders which shall be a defense to an action of summary process for possession and such orders shall be reviewable pursuant to sections two and three.

SECTION 7. The personnel of the rent board established under section two shall not be subject to the provisions of section nine A of chapter thirty or chapter thirty-one of the General Laws.

SECTION 8. If any provision of this act or the application of such provision to any person or circumstances shall be held invalid, the validity of the remainder of this act and the applications of such provision to other persons or circumstances shall not be affected thereby.

SECTION 9. This act shall take effect upon its passage.

Approved July 7, 1983.

Chap. 239. AN ACT AUTHORIZING THE TOWN OF MEDWAY TO GRANT AN EASEMENT TO THE CHARLES RIVER POLLUTION CONTROL DISTRICT TO INSTALL AND MAINTAIN A SEWER PIPE IN CERTAIN LAND HELD FOR CONSERVATION AND RECREATION PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The town of Medway, acting through its board of selectmen is hereby authorized to grant an easement to the Charles River Pollution Control District as shown on a plan entitled, "Plan of easement to be acquired by the Charles River Pollution Control District, Medway, MA.," Scale: 1" = 40', dated April 4, 1983 and April 30, 1983 by Bay Colony Surveying Co., Foxboro, MA., a copy of which is on file with the town clerk, to install and maintain a sewer line in and over a parcel of land in Medway, MA., known as the "Black Swamp" a portion of which was acquired by the town on December twentieth, nineteen hundred and seventy-seven for conservation purposes by deed recorded with the registry of deeds in the county of Norfolk in Book 5422, and Plan 413, shown as parcel A on the above entitled plan and a portion of which was acquired by the town between the years nineteen hundred and fifty-nine and nineteen hundred and sixty-one for recreation purposes as recorded with the assessor of said town, shown as Parcel K on the above entitled plan, said easement area being more fully described as follows:

PARCEL A

Beginning at a point 104.43 ft northeasterly of the northwest corner of land of the Town of Medway Wastewater Treatment Facility;
Thence N 25°-00'-05" W, 127.13 ft;
Thence N 10°-51'-00" E, 337.34 ft;
Thence N 10°-37'-25" W, 313.99 ft;
Thence N 00°-30'-45" W, 178.63 ft to the southerly line of other land of the Town of Medway;
Thence S 87°-13'-47" E along the southerly line of the Town of Medway 20.03 ft;
Thence S 00°-30'-45" E, 175.72 ft;
Thence S 10°-37'-25" E 316.01 ft;

Thence S 10°-51'-00" W 334.66 ft;
Thence S 25°-00'-05" E 128.85 ft to the northerly line of the Town of Medway Wastewater Treatment Facility;
Thence S 87°-15'-44" W, 21.62 ft to the point of beginning.

PARCEL K

Beginning at a point 215.55 feet easterly of the southerly sideline of Converse Road;
Thence N 02°-14'-34" E, 57.49 ft;
Thence S 05°-12'-10" E, 57.01 ft;
Thence S 84°-47'-50" W 7.45 ft to the point of beginning.

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

Approved July 7, 1983.

Chap. 240. AN ACT PROVIDING FOR THE ESTABLISHMENT AND ADMINISTRATION OF RENT REGULATIONS AND THE CONTROL OF EVICTIONS IN MOBILE HOME PARK ACCOMMODATIONS IN THE TOWN OF LUDLOW.

Be it enacted, etc., as follows:

SECTION 1. The general court finds and declares that a serious public emergency exists in the town of Ludlow with respect to the housing of a substantial number of citizens of said town, which emergency has been created by excessive, abnormally high and unwarranted rental increases imposed by some owners of mobile parks located therein; that unless mobile home park rents and eviction of tenants are regulated and controlled, such emergency will produce serious threats to the public health, safety and general welfare of the citizens of Ludlow, particularly the elderly; that such emergency should be met by the commonwealth immediately and with due regard for the rights and responsibilities of the town of Ludlow.

SECTION 2. The town of Ludlow, may, by its by-laws, regulate rents for the use or occupancy of mobile home park accommodations in the town, establish a mobile home rent board for the purpose of regulating rents, minimum standards for use or occupancy of mobile home park accommodations in the town and eviction of tenants therefrom and may, by its by-laws, require registration by owners of mobile home park accommodations, under penalty of perjury, of information relating to the mobile

home park accommodations. Such rents, standards and evictions may be regulated by the mobile home rent board so as to remove hardships or correct inequities for both the owner and the tenants of such mobile home park accommodations. The mobile home rent board shall have all powers necessary or convenient to perform its functions. It may make rules and regulations, require registration by owners of mobile home park accommodations, under penalty of perjury, of information relating to the mobile park accommodations, sue and be sued, compel the attendance of persons and the production of papers and information, and issue appropriate orders which shall be binding on both the owner and tenants of such mobile home park accommodations. Violations of any by-laws adopted pursuant to this act or any order of the mobile home rent board shall be punishable by a fine of not more than one thousand dollars for any one offense.

SECTION 3. In regulating such rents, the mobile home rent board established under section two may make such individual or general adjustments, either upward or downward, as may be necessary to assure that rents for mobile home park accommodations in the town are established at levels which yield to owners a fair net operating income for such units. Fair net operating income shall be that income which will yield a return, after all reasonable operating expenses, on the fair market value of the property equal to the debt service rate generally available from institutional first mortgage lenders or such other rates of return as the board on the basis of evidence presented before it, deems more appropriate to the circumstances of the case. The fair market value of the property shall be the assessed valuation of the property or such other valuation as the board, on the basis of evidence presented before it, deems more appropriate to the circumstances of the case.

The town in its by-laws or the rent board by regulation may establish further standards and rules consistent with the foregoing.

SECTION 4. The provisions of chapter thirty A of the General Laws shall be applicable to the mobile home rent board, established under section two, as if said mobile home rent board were an agency of the commonwealth, including those provisions giving agencies the power to issue, vacate, modify and enforce subpoenas, as well as those provisions relating to judicial review of an agency order.

SECTION 5. The eastern Hampden division, district court department, shall have original jurisdiction, concurrently with the superior court of Hampden county, of all petitions for review

brought pursuant to section fourteen of chapter thirty A of the General Laws.

The superior court shall have jurisdiction to enforce the provisions of this act, and any by-laws adopted thereunder, and may restrain violations thereof.

SECTION 6. The town of Ludlow may by its by-laws, regulate the evictions of tenants, and the mobile home rent board, established under section two, may issue orders which shall be a defense to an action of summary process for possession and such orders shall be reviewable pursuant to sections four and five.

SECTION 7. The personnel of the mobile home rent board established under section two shall not be subject to the provisions of section nine A of chapter thirty of the General Laws or chapter thirty-one of the General Laws.

SECTION 8. If any provision of this act or the application of such provision to any person or circumstances shall be held invalid, the validity of the remainder of this act and the application of such provision to other persons or circumstances shall not be affected thereby.

SECTION 9. This act shall take effect upon its passage.

Approved July 7, 1983.

Chap. 241. AN ACT FURTHER REGULATING MOTOR VEHICLE INSURANCE.

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

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 183 of chapter 6 of the General Laws, as appearing in section 1 of chapter 266 of the acts of 1976, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- The board shall formulate and administer a plan for the compiling, gathering and disseminating of information, operator records and histories, and such other data as it deems necessary or appropriate pertaining to motor vehicle accidents, claims under motor

vehicle policies and motor vehicle violations in order to facilitate the implementation and operation of the safe driver insurance plan provided in section one hundred and thirteen B of chapter one hundred and seventy-five.

SECTION 2. The third paragraph of section 34 O of chapter 90 of the General Laws, as appearing in section 7 of said chapter 266, is hereby amended by striking out, in line 1, the word "Every" and inserting in place thereof the words:- Except for coverages which insurers may refuse to offer under the provisions of paragraph (A) of section one hundred and thirteen H of chapter one hundred and seventy-five, every.

SECTION 3. Subparagraph (1) of said third paragraph of said section 34 O of said chapter 90, as so appearing, is hereby amended by striking out, in line 4, the word "two" and inserting in place thereof the word:- three.

SECTION 4. Said third paragraph of said section 34 O of said chapter 90, as so appearing, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- Benefits under this coverage are payable without regard to negligence, comparative negligence, gross negligence or fault of any kind; except that said policy or bond shall provide that benefits under this coverage shall not be payable if said loss of or damage to the insured vehicle occurs when the operator of such vehicle is a household member, other than the insured, who is not listed as an operator on such policy or bond and if listed, would be classified as an inexperienced driver or would subject the policy to increased premiums under the provisions of the safe driver insurance plan established by the commissioner pursuant to the provisions of section one hundred and thirteen B of chapter one hundred and seventy-five.

SECTION 5. The fifth paragraph of said section 34 O of said chapter 90, as so appearing, is hereby amended by striking out subparagraph (2) and inserting in place thereof the following subparagraph:-

(2) Limited Collison Coverage. The insurer shall pay either to the insured or to a repair shop if the insured so indicates in writing to his insurance company for direct and accidental loss of or damage to the insured motor vehicle in cases described in clauses (a) to (d), inclusive, subject to a deductible of three hundred dollars, up to a limit equal to the actual cash value of the vehicle less such deductible without regard to comparative negligence attributable to the operator of the vehicle which is not in excess of fifty per cent; except that the policy or bond

shall provide that benefits under this coverage shall not be payable if said loss of or damage to the insured motor vehicle occurs when the operator of such vehicle is a household member, other than the insured, who is not listed as an operator on such policy or bond and, if listed, would be classified as an inexperienced driver or would subject the policy to increased premiums under the provisions of the safe driver insurance plan established by the commissioner pursuant to the provisions of section one hundred and thirteen B of chapter one hundred and seventy-five.

SECTION 6. The eighth paragraph of said section 34 O of said chapter 90, as so appearing, is hereby amended by striking out, in line 3, the word "two" and inserting in place thereof the word:- three.

SECTION 7. The twelfth paragraph of said section 34 O of said chapter 90, as added by section 2 of chapter 775 of the acts of 1981, is hereby amended by striking out the word "two" and inserting in place thereof the word:- three.

SECTION 8. Section 22C of chapter 175 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by section 8 of chapter 266 of the acts of 1976, and inserting in place thereof the following paragraph:-

No company shall issue any policy of insurance which provides coverage, as described in section thirty-four O of chapter ninety, or coverage against loss or damage to, or loss of, motor vehicles resulting from collision, fire, lightning, larceny, pilferage, theft, malicious mischief, vandalism or other perils usually insured against; or provides personal injury protection or which insures any person against legal liability for loss or damage on account of the bodily injury or death of any other persons or on account of any damages to property of another, arising out of the ownership, maintenance, control or use of motor vehicles, including a motor vehicle liability policy as defined in section thirty-four A of chapter ninety, unless said policy contains a provision that, except with respect to a notice of cancellation issued either before or after the effective renewal date by the company to take effect within the first ninety days of the renewal policy period for those policies not renewed in accordance with section twenty-two E or except with respect to a notice of cancellation issued for failure of the applicant to complete and furnish the insurance company a renewal application on a form prescribed by the commissioner at least thirty days before the expiration of the previous policy period, it shall be noncancellable by the company, except for nonpayment of premiums, fraud or a material misrepre-

sentation in the application for insurance or renewal thereof, or unless the operator's license or motor vehicle registration of the named insured or of any other person who resides in the same household as the named insured and who usually operates a motor vehicle insured under the policy has been under suspension or revocation during the policy period, or for coverages which insurers refuse to offer under the provisions of paragraph (A) of section one hundred and thirteen H. Every company cancelling an insurance policy under authority of this paragraph shall, upon demand, refund within thirty days all money due to the insured as the result of such cancellation. Any company violating the provisions of the preceding sentence shall be liable to the insured in an action of contract for double the amount of the refund plus reasonable legal fees.

SECTION 9. Said chapter 175 is hereby further amended by striking out section 22E, as most recently amended by section 9 of said chapter 266, and inserting in place thereof the following section:-

Section 22E. No insurance company, and no officer or agent thereof in its behalf, shall refuse to issue, renew or execute as surety a motor vehicle liability policy or bond, or any other insurance based on the ownership or operation of a motor vehicle because of age, sex, race, occupation, or principal place of garaging of the vehicle. A particular company may make a general reduction in volume of automobile insurance in the commonwealth if such a reduction is determined by the commissioner not to be an attempt to circumvent the purposes of this section and that the company's refusal to write motor vehicle liability policies or bonds is not contrary to the public interest by disrupting the market for said insurance in the commonwealth. Any company which does not intend to issue a renewal policy shall give written notice of its intent not to issue a policy for the ensuing policy period in accordance with the provisions of section one hundred and thirteen F and such notice shall specify the reasons for such nonrenewal.

SECTION 10. Section 113B of said chapter 175, as most recently amended by chapter 401 of the acts of 1979, is hereby further amended by inserting after the second sentence the following sentence:- In fixing and establishing premium charges in accordance with the provisions of this section, the deficit of the plan, established under section one hundred and thirteen H, shall not be distributed to risks based on classification or territory.

SECTION 11. Said section 113B of said chapter 175, as most recently amended by said chapter 401, is hereby further amended

by inserting after the fifth paragraph the following six paragraphs:-

In so fixing and establishing classifications of risks under this section, the commissioner shall establish a safe driver insurance plan to equitably reflect the driving records of insureds. Such plan shall reflect an adjustment of insurance premium based on at-fault accidents, convictions of moving violations of motor vehicle laws, including payments pursuant to chapter ninety C, or any combination thereof, and based on four or more comprehensive claims totalling two thousand dollars or more, unless fire, theft, comprehensive and collision coverages are not purchased by the insured, as compiled and recorded by the motor vehicle insurance merit rating board established pursuant to section one hundred and eighty-three of chapter six.

Such an adjustment shall reflect an aggregate credit to safe drivers' premiums, which shall equal the increase in aggregate premiums to be charged to those not defined as safe drivers, categorized under the safe driver plan.

No safe driver insurance plan shall use any records or factors which occurred more than three years prior to the policy year for which an adjustment of insurance cost is reflected.

The commissioner shall establish reasonable rules to assure that all insureds are informed of any premium adjustments, and the reasons therefore, made as the result of this safe driver insurance plan.

If the method of operation of any company other than those operating pursuant to the so-called American Agency System results in excessive profits above nine per cent return on its earned premiums averaged over three years, the commissioner shall order a refund or dividend to current policyholders in the amount of such profit attributable to the difference between the amount allowed for expenses including acquisition costs in the rates for motor vehicle insurance and the company's actual expenses including acquisition costs incurred over the same three year period, provided such profits have not been previously returned to the holders of policies issued by such company.

In so fixing and establishing premium charges to be used and charged in accordance with the provisions of this section, the commissioner shall consider, in establishing said rates, the reduction of fraud achieved through the entity created pursuant to section one hundred and thirteen H.

SECTION 12. The first sentence of the second paragraph of section 113C of said chapter 175, as most recently amended by section 3 of chapter 707 of the acts of 1975, is hereby further amended by striking out, in line 1, the word "No" and inserting in place thereof the words:- Except for coverages which insurers

may refuse to offer under the provisions of paragraph (A) of section one hundred and thirteen H, no.

SECTION 13. Said chapter 175 is hereby further amended by striking out section 113E, as most recently amended by section 4 of chapter 551 of the acts of 1973, and inserting in place thereof the following section:-

Section 113E. Nothing in this chapter shall be construed to prohibit an insurance company, its agent or any broker, from requiring a deposit premium before issuance of a policy or execution of a bond, providing the per vehicle deposit does not exceed thirty per cent of the annual premium or the full short term premium for the insurance requested, whichever is less, unless the applicant has been in default in the payment of any premium for automobile insurance during the preceding twenty-four months.

SECTION 14. The first paragraph of section 113F of said chapter 175, as appearing in chapter 545 of the acts of 1970, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- Such notice shall, except as hereinafter provided, be sent to the registrar of motor vehicles, and it shall be irrefutably presumed to be the notice of cancellation, and such notice shall also be sent either to said insured or principal or to the insurance agent of the company or insurance broker who negotiated the issue of the policy or the execution of the bond.

SECTION 15. The fifth sentence of the first paragraph of said section 113F of said chapter 175, as appearing in chapter 545 of the acts of 1970, is hereby amended by striking out, in line 1, the words "form satisfactory to" and inserting in place thereof the following words:- standard form prescribed by.

SECTION 16. Said section 113F of said chapter 175, as most recently amended by chapter 333 of the acts of 1973, is hereby further amended by striking out the fourth and fifth paragraphs and inserting in place thereof the following paragraph:-

The insured or principal shall be advised in any such notice that, in accordance with the provisions of the plan established by section one hundred and thirteen H, he shall be eligible for nonrenewed coverages if he is unable to obtain such coverages by the method which insurance is voluntarily made available. Any company failing to send notice as hereinbefore provided, or which sends such notice and subsequently renews such policy or bond, shall, upon request of such insured or principal, issue a new policy or execute a new bond as surety to at least the

amount of coverages provided by the expiring policy covering said insured or principal and the same or replacement motor vehicle or vehicles and shall recognize the agent or broker designated by the insured in the same manner as provided by any contract, custom, or usage then in effect between such agent or broker and such company.

SECTION 17. Said chapter 175 is hereby further amended by striking out section 113H, as most recently amended by chapter 180 of the acts of 1982, and inserting in place thereof the following section:-

Section 113H. (A) Insurance companies undertaking to issue motor vehicle liability policies or bonds, both as defined in section thirty-four A of chapter ninety, shall cooperate in the preparation and submission of a plan which shall provide motor vehicle insurance to applicants who have been unable to obtain insurance through the method by which insurance is voluntarily made available; except that the plan shall provide that no insurance company shall be required to issue such policy or execute such bond if:

(1) The applicant or any person who usually drives the motor vehicle has failed to pay an insurance company any motor vehicle insurance premiums due or contracted during the preceding twelve months; or

(2) Any person who usually drives the motor vehicle does not hold or is not eligible to obtain an operator's license.

Such a plan shall provide for the fair and equitable apportionment among such insurance companies of premiums, losses or expenses, or any combination thereof.

Such a plan shall provide that at least the following coverages be made available at the option of the applicant:

(1) bodily injury liability and property damage liability coverage in at least the minimum amounts required by law;

(2) personal injury protection;

(3) medical payments coverage, to a limit of at least five thousand dollars;

(4) increased limits of bodily injury liability coverage in an amount to bring the total bodily injury liability coverage available for any one accident to two hundred and fifty thousand dollars per person and five hundred thousand dollars per accident;

(5) increased property damage liability limits in an amount to bring the total property damage liability coverage available for any one accident to fifty thousand dollars;

(6) uninsured motorist limits in an amount up to the bodily injury liability limits of the policy;

(7) physical damage insurance, which shall mean: (a) collision coverage or limited collision coverage, (b) fire and theft

coverage, or (c) comprehensive coverage, so-called, as those coverages are defined in sections thirty-four A and thirty-four O of chapter ninety and section one hundred and thirteen O. The plan shall permit the refusal of collision, fire, theft or comprehensive coverage under the following circumstances:

(i) comprehensive, fire and theft or collision coverage on a vehicle customarily driven by or owned by persons convicted within the most recent five year period of any category of vehicular homicide, auto insurance related fraud, or motor vehicle theft;

(ii) comprehensive, fire and theft or collision coverage on a vehicle customarily driven by or owned by persons who have, within the most recent five year period, made an intentional and material misrepresentation in making claim under such coverages;

(iii) collision coverage on a vehicle customarily driven by or owned by persons who have been involved in four or more accidents in which such person has been deemed to be at fault in excess of fifty per cent within the three years immediately preceding the effective date of the policy, or

(iv) comprehensive or fire and theft coverages on a vehicle customarily driven by or owned by persons who have had two or more total theft or fire claims within the three years immediately preceding the effective date of the policy.

(B) Such a plan shall be prepared and administered by a governing committee appointed by the commissioner for terms of six years, consisting of six members from insurance companies participating in the plan and one additional representative from a domestic insurer in the commonwealth whose annual motor vehicle policy premiums amount to ten million dollars or less and unaffiliated with any other insurance company and six members from associations of insurance producers. Effective as of July first, nineteen hundred and eighty-two, the governing committee shall consist of three members from insurance companies participating in the plan and two members from associations of insurance producers appointed for terms of six years, two members from insurance companies participating in the plan, two members from associations of insurance producers appointed for terms of four years, two members from insurance companies participating in the plan and two members from the associations of insurance producers appointed for terms of two years. The provisions of this section shall not be construed so as to alter or amend the terms of the present governing members. As of July first, nineteen hundred and eighty-four, one of the producer representatives shall be a producer who writes private passenger automobile insurance exclusively through a servicing carrier assigned pursuant to the provisions of the plan approved under this section. The governing committee shall be responsible for the

hiring of the employees of the plan.

In the event that a company represented on the committee decreases its book of automobile business in the commonwealth by more than ten per cent from the previous calendar year, as determined by the commissioner, the member representing such company shall cease to be a member of the committee and a new company and a member thereof shall be appointed as prescribed herein. Not more than one insurer in a group under the same management shall serve on the committee at the same time.

(C) The plan shall provide that every licensed agent or broker shall be assigned to at least one servicing carrier; except that the governing committee shall not be required to make any such assignment if subject, to reasonable standards adopted by the governing committee:

(i) the agent or broker has been convicted of a dishonest act related to his occupation as an insurance agent or broker;

(ii) the broker's license to engage as an insurance broker has been revoked;

(iii) there has been a material and substantial breach of a contract between a servicing carrier and a producer by a broker or agent; or

(iv) the broker or agent has an uncured default in remittance of any premiums due the servicing carrier.

The plan shall require the appointment and participation at all times of no fewer than twenty servicing carriers and the plan shall establish reasonable eligibility requirements for appointment as a servicing carrier, including but not limited to, the maintenance of a specific investigative unit to investigate suspicious or questionable motor vehicle insurance claims for the purpose of eliminating fraud. Not more than one insurer in a group under the same management shall serve as a servicing carrier at the same time. There shall be provided within the plan a specific investigative unit to monitor the effectiveness of servicing carrier fraud control efforts. No domestic insurance company shall be denied participation as a servicing carrier based solely upon its share of the Massachusetts motor vehicle insurance market.

In order to insure an orderly transition from the existing plan, the plan shall provide for assignment of licensed agents and brokers, as far as is practicable, to a servicing carrier through whom such agent or broker is currently writing a substantial portion of his private passenger automobile insurance business and such carrier shall service such agent or broker under substantially the same contractual terms and conditions governing their normal agency relationship and may not endorse or declare that the policy is underwritten by the plan.

Changes of assignment of servicing carriers, for reasonable business purposes, may be made upon application to and approval

by the governing committee, provided there is not significant disruption of the marketplace and no unfair or inequitable apportionment of premiums, losses or expenses.

The plan shall include guidelines for installment payment plans to be provided by servicing carriers.

To control the size of the population of the plan, the plan shall annually provide for territorial and classification credits for those companies voluntarily writing private passenger automobile insurance within those territories and classifications that would otherwise be disproportionately represented in the plan. The size of the credits shall be such as to enhance the prospects that no classification or territory is disproportionately represented in the plan.

(D) The plan shall provide for the payment of a commission to independent insurance agents or brokers on business insured through the plan which shall be stated in the filing of rates as a percentage equal to the average percentage commission paid for risks not insured through the plan to agents by companies which do business through independent insurance agents pursuant to the so-called American Agency System.

The plan shall provide that the allocation of premiums, losses and expenses among companies for all policies issued during the first year of operation of the plan shall be based on the total number of risks written by each company during the calendar year nineteen hundred and eighty-two, excluding risks written through designated producers. Adjustment and consideration may be given to those companies that, due to percentage of business ceded during the base year, fall at either extreme as a result of this method of allocating premiums, losses and expenses under this plan. For policy years thereafter, the allocation shall be based on a method so that no company materially or substantially reduces its percentage of participation by reducing its writings, nor shall any company have their participation materially or substantially increased because of the action of other companies.

All policies insured through the plan shall be rated in accordance with the manual of classifications, rules and rates, and rating plans filed by or on behalf of the plan under the provisions of chapter one hundred and seventy-five A. The statistical data previously and hereafter recorded under this section for risks insured through the plan shall be given due consideration in developing the rates for such risks.

Each risk insured through the plan shall be subject to the provisions of the safe driver insurance plan established by the commissioner pursuant to the provisions of section one hundred and thirteen B in the same manner as risks who are not insured in the plan.

The premium charges filed by or on behalf of the plan shall provide that such premium charges for any risks, other than those so-called fleet risks rated under the provisions of the Massachusetts Commercial Automobile Insurance Manuals, which is approved by the commissioner for use in nineteen hundred and eighty-two, shall not exceed the premium charges which would be used by each such risk's servicing carrier for that risk if such risk were not insured in the plan.

(E) Meetings of the governing committee of the plan shall be conducted in accordance with the provisions of section eleven A½ of chapter thirty A.

Before becoming effective and upon any written request of the commissioner on a new plan thereafter, any such plan shall be filed with the commissioner, who shall conduct a public hearing within thirty days to determine whether such plan is consistent with public policy and meets the requirements of this section. At such hearing, insurance companies and any other party having a direct interest shall have an opportunity to be heard. Unless sooner approved or disapproved in writing by the commissioner, such plan shall be deemed to meet the requirements of this section within thirty days after the public hearing.

Amendments to such plan shall be prepared and filed in the same manner as herein provided with respect to the original plan. Such amendments, unless sooner approved or disapproved in writing by the commissioner, shall be deemed to meet the requirements of this section in thirty days from the date of filing. The commissioner shall, prior to the disapproval of any such amendments, issue a notice specifying in what respects the amendments do not meet the requirements of this section and fixing a date for a public hearing thereon, at which insurance companies and any other parties having a direct interest shall have an opportunity to be heard.

If the commissioner shall have requested the submission of a new plan or amendments to the plan, and no such plan or amendments have been filed with and approved by the commissioner within sixty days after such request, the commissioner may, if he deems it necessary to carry out the purposes of this section, prepare and publish proposed amendments or a proposed plan that in his opinion would carry out the purposes of this section. He shall submit a copy of such proposed amendments or proposed plan to the joint committee on insurance at the time of publication, and shall schedule a public hearing thereon not less than ten days after the publication thereof. After such hearing the commissioner may promulgate such plan or amendments thereto as he finds will best carry out the purposes of this section.

When such plan or amendment has been approved or promulgated, no insurer may thereafter issue a motor vehicle policy or

bond unless such insurer shall participate in such an approved or promulgated plan.

Any insurer and any other party affected may appeal to the commissioner from any ruling or decision with reference to the operation of such plan.

The rules for such plan shall require that separate statistical data be recorded for risks insured in the plan and may provide incentives and penalties to prevent abuse of such plan. The rules for such plan shall also include a provision giving the commissioner authority, after due hearing and investigation, to order that any company he finds using practices which have the effect of distributing risks or expenses or losses of risks unfairly and inequitably on other companies or agents or brokers be assigned a share of the expenses and losses of said risks to insure a fair and equitable distribution. The commissioner may relieve any insurer of a part or all of its obligations under the plan, if he finds that continuation of such obligations would threaten the solvency of such insurer.

Any insurer or group of insurers participating in such plan and other person aggrieved shall be authorized to bring a complaint to the commissioner alleging unfair or unreasonable or improper practices by any insurer, agent, or broker. The commissioner shall, in all such cases, cause a proper hearing on such complaint to be held and shall issue such orders as he then deems appropriate.

If the commissioner finds that, after due hearing and investigation, that any activities or practices of any insurer, agent or broker in connection with the submission or operation of such plan is unfair or unreasonable or inconsistent with the provisions of this section, he may issue a written order specifying in what respects such activity or practice is unfair or unreasonable or inconsistent with the provisions of this section, and requiring the discontinuance of such activity or practice.

Any ruling, order or decision of the commissioner under authority of this section shall be subject to review by appeal to the superior court department of the trial court of Suffolk county at the instance of any party in interest, which appeal shall be on the basis of the record of the proceeding before the commissioner. Said court shall have jurisdiction to modify, amend, annul, review or affirm such action, order, finding or decision, shall review all questions of fact and of law involved therein, and may make any other appropriate order or decree. Said court shall determine whether the filing of the appeal shall operate as a stay of any such order or decision of the commissioner.

SECTION 18. Section 113 O of said chapter 175 is hereby amended by adding the following paragraph:-

In the event of an insured fire or theft loss which would result in the payment of the total value of the insured vehicle, less salvage, the fire or theft coverage on any replacement vehicle may be suspended, and if suspended, shall not apply unless the insured has made the replacement vehicle reasonably available to the insurer, his agent or his representative for inspection by five o'clock post meridian of the second registry of motor vehicles' business day following the day of acquisition. The insurer may also require that in lieu of the deductible otherwise available, a deductible of ten per cent of the actual cash value of such replacement vehicle, but in no event less than three hundred dollars, shall apply unless the insured installs an approved anti-theft device in such replacement vehicle.

SECTION 19. Said section 113 O of said chapter 175 is hereby further amended by striking out the first and second sentences, as appearing in section 18 of chapter 266 of the acts of 1976, and inserting in place thereof the following two sentences:- All policies providing fire and theft coverage or comprehensive coverage, so-called, shall pay for loss or damage to the insured vehicle under the terms of the policy up to a limit equal to the actual cash value of the vehicle, less a deductible of three hundred dollars. Insurers shall also make available additional coverage whereby the deductible of three hundred dollars is reduced to two hundred dollars or to an amount not less than one hundred dollars, except that an insurer may refuse to issue such optional additional coverage on the basis of claims paid, provided that no insurer may refuse to issue such optional additional coverage because of age, sex, race, occupation or principal place of garaging of the vehicle.

SECTION 20. Said chapter 175 is hereby further amended by striking out section 113P, as most recently amended by section 3 of chapter 680 of the acts of 1981, and inserting in place thereof the following section:-

Section 113P. Any insured aggrieved by any determination of an insurer as to the application of any provision of the safe driver insurance plan established by the commissioner pursuant to the provisions of section one hundred and thirteen B may, within thirty days thereafter, file a written complaint with the board of appeals on motor vehicle policies and bonds, hereinafter called the board. Such complaint shall be accompanied by a filing fee to be determined by the board. The board may deny such appeal without a hearing on the basis of the standards of fault to be promulgated by the board. In the notice of its decision to deny the complaint by the insured, the board shall notify the insured that he has a right to a hearing on the appli-

cation of the safe driver insurance plan.

The board shall provide the insurer and the insured with at least ten days notice of any hearing held under this section. If, after a hearing, the board finds that the application of the safe driver insurance plan was in accordance with the standards promulgated by the board and the provisions of the safe driver insurance plan established by the commissioner, it shall deny the appeal. If the board finds that the insurer's application of the safe driver insurance plan was not in accordance with said standards and provisions, it shall order the insurer to make the appropriate premium adjustment. The board may designate a person to act as a hearing officer pursuant to this section. The hearing officer shall file a memorandum of his findings or order in the office of the board, and shall send a copy to the insurer and the insured.

Any person or company aggrieved by any finding or order of the board may appeal therefrom to the superior court department of the trial court, pursuant to the provisions of section fourteen of chapter thirty A. The appellant shall file with his appeal a duly certified copy of the complaint and of the finding and order thereon, and, if the appeal is taken from a finding and order of the board in respect to a cancellation, the clerk of such court shall forthwith, upon the filing of such an appeal, give written notice of the filing thereof to the registrar of motor vehicles and to the appellee. Said court shall, after such notice to the parties as it deems reasonable, give a summary hearing on such appeal and shall have such jurisdiction in equity to review all questions of fact and law, and to affirm or reverse such finding or order and may make any appropriate decree. Said court or justice may allow such appeal, finding or order to be amended. The decision of the court or justice shall be final. The clerk of such court shall, within two days after entry thereof, send an attested copy of the decree to each of the parties and the commissioner and to said registrar, or his office. Said court or justice may make such order as to costs as it or he deems equitable. Said court may make reasonable rules to secure prompt hearings on such appeals and a speedy disposition thereof.

SECTION 21. The second sentence of the first paragraph of section 4 of chapter 175A of the General Laws, as amended by section 2 of chapter 896 of the acts of 1971, is hereby further amended by inserting after the word "seventy-five", in line 10, the words:- except as provided through a plan approved under section one hundred and thirteen H of chapter one hundred and seventy-five.

SECTION 22. Said first paragraph of said section 4 of said

chapter 175A is hereby amended by striking out the sentence inserted by section 3 of chapter 774 of the acts of 1977, and inserting in place thereof the following sentence:- This chapter shall also apply to insured legal services plans and membership legal services plans under the provisions of chapter one hundred and seventy-six H, and to regulation of rates for such motor vehicle insurance as is provided through the plan approved under section one hundred and thirteen H of chapter one hundred and seventy-five.

SECTION 23. The commissioner shall, prior to the effective date of this act, and after notice, due hearing and investigation, promulgate rules and regulations to implement the operation of the safe driver rules and regulations to implement the operation of the safe driver insurance plan established pursuant to section twelve of this act. The commissioner shall promulgate reasonable rules governing the confirmation that there are no outstanding premiums due when a new risk application is accepted.

SECTION 24. The provisions of this act are severable and if any of its provisions shall be held unconstitutional by any court of competent jursidiction, the decision of such court shall not impair any of the remaining provisions.

SECTION 25. This act shall take effect on January first, nineteen hundred and eighty-four. For the purpose of the issuance of motor vehicle policies or bonds for the calendar year nineteen hundred and eighty-four, all things necessary to be done prior to said effective date may be done.

Approved July 7, 1983.

Chap. 242. AN ACT ELIMINATING THE INTERSTATE COMMERCE AND FEDERAL TRADE COMMISSION EXEMPTIONS IN CERTAIN CONSUMER PROTECTION ACTIONS.

Be it enacted, etc., as follows:

Chapter 93A of the General Laws is hereby amended by striking out section 3, as amended by section 2 of chapter 814 of the acts of 1969, and inserting in place thereof the following section:-

Section 3. Nothing in this chapter shall apply to transactions or actions otherwise permitted under laws as administered by any regulatory board or officer acting under statutory authority of the commonwealth or of the United States.

For the purpose of this section, the burden of proving exemptions from the provisions of this chapter shall be upon the person claiming the exemptions.

Approved July 7, 1983.

EMERGENCY LETTER - July 20, 1983 @ 9:45 A.M.

Chap. 243. AN ACT RELATIVE TO THE GENERAL INSURANCE GUARANTY FUND.

Be it enacted, etc., as follows:

The first paragraph of section 18 of chapter 178 of the General Laws, as appearing in chapter 372 of the acts of 1979, is hereby amended by adding the following sentence:- The trustees of the General Insurance Guaranty Fund may also make loans from said fund, secured or unsecured, to any savings and insurance bank on such terms and conditions as the trustees may determine if policy loans or surrenders of life insurance or annuity contracts create cash flow demands which, in the judgment of the trustees, would require liquidation of life insurance department assets at less than book values.

Approved July 7, 1983.

Chap. 244. AN ACT FURTHER REGULATING THE FORM OF PROPERTY TAX BILLS.

Be it enacted, etc., as follows:

Section 3A of chapter 60 of the General Laws is hereby amended by adding the following paragraph:-

The collector in a city or town may, with the approval of the board of selectmen, or mayor, as the case may be, include in the envelope in which property tax bills are to be mailed nonpolitical municipal informational material so long as the mailing of such material so included does not cause an increase in the postage required for the mailing of the tax bill.

Approved July 7, 1983.

Chap. 245. AN ACT RELATIVE TO CERTAIN POWERS OF THE MUTUAL SAVINGS CENTRAL FUND, INC.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 3A of chapter 43 of the acts of 1934, as most recently amended by chapter 367 of the acts of 1980, is hereby further amended by adding the following four clauses:- (f) assume any liabilities of such member bank; (g) make loans or contributions to or deposits in, or purchase any assets of, any financial institution which will acquire control of or merge or consolidate with such member bank or will purchase the assets and assume the liabilities of such member bank; (h) guarantee such member bank, or any financial institution which will acquire control of or merge or consolidate with such member bank or will purchase the assets and assume the liabilities of such member bank, against loss by reason of such acquisition of control, merger or consolidation or purchase of assets and assumption of liabilities; (i) take any other action which the directors in their opinion deem appropriate to carry out the purposes of this section.

SECTION 2. The second paragraph of said section 3A of said chapter 43, inserted by section 7 of chapter 324 of the acts of 1956, is hereby amended by striking out, in line 9, the letter "(d)" and inserting in place thereof the following:- (i).

Approved July 7, 1983.

Chap. 246. AN ACT EXEMPTING CERTAIN PERSONS FROM CLAIMS MADE AGAINST HOUSING AUTHORITIES.

Be it enacted, etc., as follows:

The first paragraph of section 13 of chapter 121B of the General Laws, as appearing in section 1 of chapter 751 of the acts of 1969, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- The members, employees, officers and agents of an operating agency shall not be liable as such on its contracts or for torts not committed or directly authorized by them nor shall said members be liable for any negligent or wrongful act or omission for which the operating agency would be liable under applicable rules of law, in which event any action either civil or criminal against the operating agency shall be the exclusive remedy for any injured party.

Approved July 7, 1983.

Chap. 247. AN ACT AUTHORIZING THE TOWN OF DUXBURY TO ISSUE AN ADDITIONAL LICENSE FOR THE SALE OF ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES TO OSBORN'S COUNTRY STORE, INC.

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 Duxbury is hereby authorized to issue to Osborn's Country Store, Inc. 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 said section seventeen; provided that the number of seasonal licenses for the sale of all alcoholic beverages not to be drunk on the premises, and the number of licenses for the sale of wine and malt beverages not to be drunk on the premises authorized for said town to issue under the provisions of said section seventeen of said chapter one hundred and thirty-eight is reduced by one such license in each category.

Approved July 7, 1983.

Chap. 248. AN ACT RELATIVE TO COLLECTIVE BARGAINING AGREEMENTS BY THE BOARD OF REGENTS OF HIGHER EDUCATION.

Be it enacted, etc., as follows:

The second paragraph of paragraph (c) of section 7 of chapter 150E of the General Laws, as appearing in section 126 of chapter 329 of the acts of 1980, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- Whenever the governor shall have failed, within forty-five 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.

Approved July 7, 1983.

Chap. 249. AN ACT AUTHORIZING THE TOWN OF FALMOUTH TO CONSTRUCT SEWAGE PUMPING STATIONS ON CERTAIN PARK LAND IN SAID TOWN.

Be it enacted, etc., as follows:

The town of Falmouth, acting by and through its board of selectmen, is hereby authorized to grant an easement for the purpose of constructing sewage pumping stations on two parcels of park land bounded and described as follows:-

PARCEL I.

Beginning at a bound in the South line of Surf Drive;
Thence S 76 degrees 38'00" E in the South line of Surf Drive for a distance of 147.30 feet to a point;
Thence S 28 degrees 15'00" for a distance of 52.04 feet to a point;
Thence N 72 degrees 56'00" W for a distance of 156.20 feet to a point;
Thence N 27 degrees 51'00" E for a distance of 40.01 feet to a point in the South line of Surf Drive;
Thence S 83 degrees 28'0" E for a distance of 11.92 feet by the South line of Surf Drive to the point of beginning and containing 7,235 square feet more or less.
All as shown on a plan entitled "Plan of Proposed Addition To Falmouth Bathing Casino, Falmouth, Scale 20 feet to an inch and dated April 1925, W.A. Gifford, C.E., Falmouth, Mass."

PARCEL II.

As shown on a plan entitled "Plan of Land at Falmouth, Massachusetts to be acquired by the Town of Falmouth for Park purposes," Scale 1" = 40' and dated March 23, 1953, Charles A. White, C.E. and containing 15,360 S.F. more or less of upland and 3,240 S.F. more or less of marsh. See deed from Dorothy D. Nickerson and Alma D. Butterfield, to Town of Falmouth, Barnstable Registry of Deeds Book 841, Page 378. Said parcel being located at the northerly end of Falmouth Harbor off Robbins Road and shown on the Town Assessors' Map Sheet 46, Section 2, Lot 1-C.

Approved July 7, 1983.

Chap. 250. AN ACT RELATIVE TO THE LICENSING AND KEEPING OF DOGS IN THE CITY OF BEVERLY.

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 general or special law to the contrary, the annual fees to be charged by the city of Beverly for the issuance of licenses for dogs shall be as follows: unspayed females and unneutered males, ten dollars, spayed females and neutered males, three dollars.

SECTION 2. Notwithstanding the provisions of section one hundred and forty-seven of said chapter one hundred and forty or any other general or special law to the contrary, money received for licenses or from the sale of dog licenses by the city of Beverly, or received 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 and shall not thereafter be paid over by said city to Essex county.

SECTION 3. Notwithstanding the provisions of section one hundred and thirty-seven of said chapter one hundred and forty or any other general or special 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 dog officer 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 July 7, 1983.

Chap. 251. AN ACT FURTHER REGULATING THE BOARD OF REGISTRATION IN PODIATRY.

Be it enacted, etc., as follows:

Chapter 112 of the General Laws is hereby amended by inserting after section 17A the following section:-

Section 17B. No person filing a complaint or reporting or providing information or assisting the board at its request 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.

Approved July 7, 1983.

Chap. 252. AN ACT AUTHORIZING BARNSTABLE COUNTY TO BORROW MONEY FOR THE PURPOSE OF PAYING THE COUNTY'S PROPORTIONAL COST FOR CONSTRUCTION OF SEA WALLS AND OTHER FORMS OF SHORE PROTECTION FOR TOWNS IN SAID COUNTY.

Be it enacted, etc., as follows:

The county treasurer of Barnstable county, with the approval of the county commissioners, with the approval of a two-thirds vote of the advisory board on county expenditures, may pay the county's proportion of the cost of constructing sea walls or other works, to be built by the department of public works during the years nineteen hundred and eighty-three, nineteen hundred and eighty-four, nineteen hundred and eighty-five, and nineteen hundred and eighty-six, under authority of section eleven of chapter ninety-one of the General Laws, for the protection of the shores of the towns in said county from erosion by the sea. Such payment shall be made from the highway appropriation for the year during which the agreement to make such payment is entered into or, for the purpose of so paying, said county may borrow from time to time on the credit of the county such sums as may be necessary, not exceeding, in the aggregate, three hundred thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Barnstable County Shore Protection Loan, Act of 1983.

Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than five years from their dates. Such bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell such securities at public or private sale upon such terms and conditions as the county commissioners, with the approval of a two-thirds vote of the advisory board on county expenditures, may deem proper, but not for less than their par value. Indebtedness incurred under this act shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

Approved July 8, 1983.

Chap. 253. AN ACT AUTHORIZING THE TREASURER OF BARNSTABLE COUNTY TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, the treasurer of Barnstable county is hereby authorized, with the approval of the county commissioners, to pay from any available fund, to George W. Curtis the sum of three hundred dollars, to Michael J. Princi the sum of one hundred and thirty-eight dollars and fifty cents and to the group insurance commission the sum of eighty-four dollars and eighty-seven cents for work done for said county during the fiscal years nineteen hundred and seventy-eight to nineteen hundred and eighty-one, inclusive.

Approved July 8, 1983.

Chap. 254. AN ACT AUTHORIZING THE USE OF CERTAIN FORESTRY LAND FOR CEMETERY PURPOSES IN THE TOWN OF WINCHENDON.

Be it enacted, etc., as follows:

SECTION 1. The town of Winchendon is hereby authorized to transfer the following described parcel of land, presently under the care, custody and control of the forestry committee of said town to the cemetery department of said town for cemetery purposes:

A certain tract of land situated on the southerly side of Glenallen Street in the Town of Winchendon bounded and described as follows;

Commencing at the northwesterly corner of said premises and an iron pin which is the southwesterly corner of land presently under the jurisdiction of the Department of Public Works; THENCE N. 88° 22' 20" E. by said Public Works land, 766.26 feet to an iron pin; THENCE N. 1° 37' 40" W., 300 feet by said Public Works land to the southerly line of Glenallen Street; THENCE N. 88° 22' 20" E. by said Glenallen Street, 299.87 feet to a Worcester County Highway Plug; THENCE by the same course and the southerly line of said Glenallen Street, 248.78 feet to a second Worcester County Highway Plug; THENCE S. 80° 58' 00" E. still by said street line, 129.74 feet to a third Worcester County Highway Plug; THENCE by a curve to the right whose radius is 160 feet, 90.66 feet to a plug in the westerly line of

Tolman Road; THENCE S. 48° 42' 57" E. by said Tolman Road, 184.22 feet; THENCE S. 50° 13' 35" E. still by said road line, 253.41 feet to a concrete bound; THENCE S. 68° 16' 35" W. by other land composing said Winchendon Town Forest, 2,322.11 feet to a stone bound; THENCE N. 16° 42' 59" E., 555.43 feet to a stone bound; THENCE N. 46° 27' 14" W., 73.33 feet to a concrete bound; THENCE N. 42° 19' 33" E., 247.33 feet to a concrete bound; THENCE N. 19° 55' 52" E., 105.46 feet to the place of beginning.

Containing 25.801 acres and more particularly shown on a plan entitled: "Plan of Land prepared for Town of Winchendon Cemetery Department, Winchendon, MA, Scale: 1 inch = 100 ft., December 8, 1982, Michael S. Szoc, R. L. Surveyor, 32 Pleasant Street, Gardner, MA".

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

Approved July 11, 1983.

Chap. 255. AN ACT FURTHER REGULATING THE OPERATION OF MUNICIPAL CONSERVATION COMMISSIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to ensure immediately that conservation commissions hold hearings with a quorum present, therefore, 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 eleventh paragraph of section 40 of chapter 131 of the General Laws, as most recently amended by section 7 of chapter 119 of the acts of 1978, is hereby further amended by adding the following sentence:- No conditions shall be imposed, nor shall any determination be rendered by a conservation commission, in reference to this section, unless the conservation commission meets with a quorum present.

Approved July 11, 1983.

Chap. 256. AN ACT AUTHORIZING THE TREASURER OF NORFOLK COUNTY TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The treasurer of Norfolk county, with the approval of the county commissioners of said county, is hereby authorized to pay from any available funds during the current fiscal year such of the unpaid bills incurred by said county and totalling four thousand two hundred and eighty-three dollars, as are set forth in a list on file in the office of the bureau of accounts in the department of revenue as authorized by orders of the Norfolk superior court, No. 120701, dated June seventeenth, nineteen hundred and seventy-seven and No. 120489, dated March twenty-third, nineteen hundred and eighty-one for goods supplied to said county which are legally unenforceable against said county by reason of 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 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.

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

Approved July 11, 1983.

Chap. 257. AN ACT AUTHORIZING THE TREASURER OF BRISTOL COUNTY TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section seventeen of chapter thirty-four of the General Laws to the contrary, the county treasurer of Bristol county in order to correct inequities and moral obligations, is hereby authorized to pay out of any funds available such unpaid bills incurred by said county and totalling thirteen thousand three hundred and sixty-nine dollars as set forth on a list on file in the bureau of accounts in the department of revenue. Said bills may be paid, notwithstanding the provisions of the tenth paragraph of section thirty-two of chapter thirty-five of the General Laws, for services rendered to said county during the fiscal years nineteen hundred and seventy-nine, nineteen hundred and eighty and nineteen hundred

and eighty-one said bills being legally unenforceable against said county.

SECTION 2. No bills shall be approved by the county commissioners 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 services for which said bills were submitted were ordered by an official or an employee of said county and that such services were rendered to said county.

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

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

Approved July 11, 1983.

Chap. 258. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF NORFOLK COUNTY TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Norfolk county are hereby authorized to approve for payment and to pay, subject to appropriation, and after such appropriation, the county treasurer of said county is hereby authorized to pay, such unpaid bills incurred by said county and totalling thirty-six thousand nine hundred sixty-seven dollars and seventy-three cents, as set forth on a list on file in the office of the bureau of accounts in the department of revenue, which bills are legally unenforceable against said county by reason of their being incurred in excess of available appropriations. Said bills may be paid notwithstanding the provisions of the tenth paragraph of section thirty-two of chapter thirty-five of the General Laws.

SECTION 2. No bill shall be approved by the county commissioners of said county or paid by said county treasurer under the authority of this act unless and until a certificate has been signed and filed with 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 services were rendered to said county, or both.

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

Approved July 11, 1983.

Chap. 259. AN ACT AUTHORIZING THE TOWN OF MARION TO ISSUE AN ADDITIONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES TO RICHARD I. GASKILL.

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 Marion is hereby authorized to issue to Richard I. Gaskill, d/b/a 3-D Package Store, 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 said section seventeen; provided, however, that the number of seasonal licenses for the sale of all alcoholic beverages not to be drunk on the premises under the provisions of said section seventeen of said chapter one hundred and thirty-eight shall be reduced by one such license.

Approved July 11, 1983.

Chap. 260. AN ACT AUTHORIZING THE TOWN OF MARION TO ISSUE AN ADDITIONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES TO CHARLES NILOSEK.

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 Marion is hereby authorized to issue to Charles Nilosek, d/b/a New Marion Package Store, 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 said section seventeen; provided, however, that the number of seasonal licenses for the sale of all alcoholic beverages not to be drunk on the premises under the provisions of said section seventeen of said chapter one hundred and thirty-eight shall be reduced by one such license.

Approved July 11, 1983.

Chap. 261. AN ACT AUTHORIZING CERTAIN INMATES TO ADDRESS PUBLIC GATHERINGS OUTSIDE A CORRECTION FACILITY.

Be it enacted, etc., as follows:

Chapter 127 of the General Laws is hereby amended by inserting after section 86G the following two sections:-

Section 86H. The commissioner of correction may permit an inmate to leave a state correctional facility to address a public gathering, provided that the commissioner receives a request in writing from the sponsor of the public gathering desiring such an address, the inmate selected to present the address is recommended by the committee established under the provisions of section forty-nine A, the inmate leaves the correctional facility in the custody of an officer or employee of the department and remains in such custody until returned to the facility by said officer or employee, and the sponsor of the public gathering bears the cost of transportation for the inmate and the officer.

An inmate shall, at all times during his absence from a correctional facility under this section, be considered as in the custody of the officer having charge of the correctional facility, and the time away from the facility shall be considered as part of the term of the sentence.

Section 86I. The administrator of a county correctional facility may permit an inmate to leave such facility in order to address a public gathering, provided that the administrator receives a request in writing from the sponsor of the public gathering desiring such an address, the inmate is selected after a careful screening process, the inmate leaves the facility in the custody of an officer or employee of the facility and remains in such custody until returned to the facility by said officer or employee, and the sponsor of the public gathering bears the cost of transportation for the inmate and officer.

An inmate shall, at all times during his absence from a correctional facility under this section, be considered as in the custody

of the officer having charge of the correctional facility, and the time away from the facility shall be considered as part of the term of the sentence.

Approved July 11, 1983.

Chap. 262. AN ACT PROVIDING FOR THE ABATEMENT OF INTEREST PAYABLE ON CERTAIN BETTERMENT ASSESSMENTS IN THE CITY OF NORTHAMPTON.

Be it enacted, etc., as follows:

Notwithstanding the provisions of sections twelve and thirteen of chapter eighty of the General Laws, the assessors in the city of Northampton are hereby authorized to grant abatements of interest on certain betterments for the construction of concrete sidewalks on Main street, southerly side, from Crafts avenue to Pleasant street, according to a plan recorded in the Hampshire county registry of deeds and approved by the city council on August twenty-ninth, nineteen hundred and seventy-nine and for betterment assessments for the construction of concrete sidewalks on Main street, northerly side from State street to Market street according to a plan recorded in the registry of deeds in the county of Hampshire and approved by the Northampton city council on November nineteenth, nineteen hundred and eighty.

Approved July 11, 1983.

Chap. 263. AN ACT RELATIVE TO THE ANNUAL OBSERVANCE OF PUBLIC EMPLOYEES APPRECIATION DAY.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by inserting after section 15SS, inserted by chapter 65 of the acts of 1983, the following section:-

Section 15TT. The governor shall annually issue a proclamation setting apart the first Wednesday in June as "Public Employees Appreciation Day" in recognition of the service and contributions of civil servants in all levels of government and recommending that said day be observed in an appropriate manner by the people.

Approved July 11, 1983.

Chap. 264. AN ACT AUTHORIZING THE APPOINTMENT OF FRANK A. WELSH AS A FIRE FIGHTER IN THE CITY OF CHELSEA.

Be it enacted, etc., as follows:

Notwithstanding the provisions of chapter thirty-one of the General Laws or any rule or regulation to the contrary, the city of Chelsea is hereby authorized to appoint Frank A. Welsh as a fire fighter.

Approved July 11, 1983.

Chap. 265. AN ACT RELATIVE TO THE USE OF ANIMALS IMPOUNDED IN THE CITY OF QUINCY FOR SCIENTIFIC OR EXPERIMENTAL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, any animal, as defined in section one of chapter forty-nine A of the General Laws, impounded in any animal pound, as defined in said section one 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. Neither the dog officer nor the city shall sell or turn over any animal which may come into their custody, to any business or institute, licensed or registered as a research facility, or animal dealer, or business with the United States Department of Agriculture.

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

Approved July 12, 1983.

Chap. 266. AN ACT FURTHER REGULATING THE ISSUANCE OF ALCOHOLIC BEVERAGE LICENSES WITHIN FIVE HUNDRED FEET OF A SCHOOL OR CHURCH.

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

regulation of alcoholic beverage licenses, therefore 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 16C of chapter 138 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by section 1 of chapter 192 of the acts of 1970, and inserting in place thereof the following paragraph:-

Premises, except those of an innholder and except such parts of buildings as are located ten or more floors above street level, located within a radius of five hundred feet of a school or church shall not be licensed for the sale of alcoholic beverages unless the local licensing authority determines in writing and after a hearing that the premises are not detrimental to the educational and spiritual activities of said school or church; but this provision shall not apply to the transfer of a license from premises located within said distance to other premises located therein, if it is transferred to a location not less remote from the nearest school or church than its former location. Any applicant who has been denied a license under this section shall have the right to an appeal under section sixty-seven.

Approved July 12, 1983.

Chap. 267. AN ACT AUTHORIZING THE TOWN OF MARSHFIELD TO ESTABLISH A SEWER SURPLUS ACCOUNT AND A SEWER CONSTRUCTION ACCOUNT.

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 Marshfield is hereby authorized to establish a sewer surplus account and a sewer construction account.

SECTION 2. Any excess of receipts of fees charged to users in connection with the operation of the sewer system in the town of Marshfield over the expenses of such system shall be paid into the sewer surplus account. Upon vote of the town meeting, funds held in the sewer surplus account shall be transferred into the sewer construction account for the purpose of defraying the costs of the purchase, replacement or reconstruction of major sewer equipment, providing funds for general sewer system

maintenance, or reducing the sewer user charge.

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

Approved July 13, 1983.

Chap. 268. AN ACT AUTHORIZING TILL FREEMAN TO TAKE A CIVIL SERVICE EXAMINATION FOR POLICE OFFICER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize Till Freeman to take a civil service examination for police officer, 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:

Notwithstanding the provisions of any general or special law or rule to the contrary regulating the maximum age of applicants for appointment as a police officer, Till Freeman of the Dorchester district of the city of Boston shall be eligible to take the next open competitive examination for appointment to the position of police officer, and provided he meets all other requirements, he shall be eligible for certification and appointment.

Approved July 13, 1983.

Chap. 269. AN ACT AUTHORIZING THE TOWN OF LENOX TO ISSUE AN ADDITIONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES TO STOCKBRIDGE WINE CELLAR, INC.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section seventeen of chapter one hundred and thirty-eight of the General Laws, the licensing authority of the town of Lenox is hereby authorized to issue to Stockbridge Wine Cellar, Inc. 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

said section seventeen; provided, however, that the number of seasonal licenses for the sale of all alcoholic beverages not to be drunk on the premises authorized for said town to grant under the provisions of said section seventeen of said chapter one hundred and thirty-eight shall be reduced by one such license.

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

Approved July 13, 1983.

Chap. 270. AN ACT EXEMPTING THE POSITIONS OF SECRETARY AND CLERK IN THE OFFICE OF THE TOWN CLERK AND ACCOUNTANT OF THE TOWN OF NORWOOD FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The positions of secretary and clerk in the office of the town clerk and accountant of the town of Norwood 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 secretary or clerk in the office of the town clerk and accountant of the town of Norwood on the effective date of this act.

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

Approved July 13, 1983.

Chap. 271. AN ACT DESIGNATING THE BRIDGE OVER INTERSTATE HIGHWAY ROUTE 495 IN THE CITY OF TAUNTON AS THE HONORABLE RUDOLPH H. DeSILVA MEMORIAL BRIDGE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately designate the bridge over interstate highway route 495 in the city of Taunton as the Honorable Rudolph H. DeSilva memorial bridge, therefore 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 bridge on interstate highway route 495 over Bay street in the city of Taunton shall be designated and known as the Honorable Rudolph H. DeSilva memorial bridge, in memory of a former prisoner of war and former mayor of the said city of Taunton. 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 13, 1983.

Chap. 272. AN ACT RELATIVE TO THE QUALIFICATIONS OF CERTAIN DIRECTORS OF BANKS.

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

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 13 of chapter 172 of the General Laws, as appearing in section 60 of chapter 155 of the acts of 1982, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Each director shall own, in his own right and free of any lien or encumbrance, common stock, either of such corporation or of a company owning seventy-five per cent of the stock of such corporation, having a par value, or a fair market value on the date the person became a director, of not less than one thousand dollars.

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

Approved July 13, 1983.

Chap. 273. AN ACT RELATIVE TO BORROWING BY OFFICERS OF TRUST COMPANIES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to authorize certain officers of trust companies to borrow therefrom, therefore 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 18 of chapter 172 of the General Laws, as appearing in section 60 of chapter 155 of the acts of 1982, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

No officer of a trust company shall, except as hereinafter provided, borrow from or otherwise become indebted to a trust company of which he is an officer, and no trust company shall, except as hereinafter provided, make any loan or extend credit in any other manner to any of its own officers; provided, however, that with the prior approval of a majority of the entire board of directors, a trust company may loan or extend credit to any such officer and such officer may become indebted to such trust company, in any amount not exceeding ten thousand dollars on a loan or extension of credit, secured or unsecured, and to any amount on a loan or extension of credit secured for educational purposes, and in an amount not exceeding one hundred and twenty 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 officer; and provided, further, that such trust company shall not give a preferential rate of interest, or other preferential terms, on any loan to such officer.

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

Approved July 13, 1983.

Chap. 274. AN ACT FURTHER REGULATING THE OPERATION AND EQUIPMENT OF BICYCLES.

Be it enacted, etc., as follows:

Section 11B of chapter 85 of the General Laws, as most recently amended by section 2 of chapter 806 of the acts of 1973, is hereby further amended by striking out clauses (8) and (9) and inserting in place thereof the following two clauses:-

(8) During the period from one-half hour after sunset to one-half hour before sunrise, the operator shall display to the front of his bicycle a lamp emitting a white light visible from a distance of at least five hundred feet, and to the rear of said bicycle either a lamp emitting a red light, or a red reflector

visible for not less than six hundred feet when directly in front of lawful lower beams of headlamps on a motor vehicle. A generator powered lamp which emits light only when the bicycle is moving shall meet the requirements of this clause.

(9) During the period from one-half hour after sunset to one-half hour before sunrise, the operator shall display on each pedal of his bicycle a reflector, or around each of his ankles reflective material visible from the front and rear for a distance of six hundred feet, and reflectors or reflective material, either on said bicycle or on the person of the operator, visible on each side for a distance of six hundred feet, when directly in front of lawful lower beams of headlamps of a motor vehicle. This clause shall not prohibit a bicycle or its operator to be equipped with lights or reflectors in addition to those required by clauses (8) and (9).

Approved July 13, 1983.

Chap. 275. AN ACT AUTHORIZING THE CITY OF BROCKTON TO APPROPRIATE MONEY FOR THE PAYMENT OF AND TO PAY A CERTAIN UNPAID BILL.

Be it enacted, etc., as follows:

The city of Brockton is hereby authorized to appropriate money for the payment of, and after such appropriation, the treasurer of said city is hereby authorized to pay Bertarelli Bros, Inc., three thousand five hundred eight dollars and seventy-five cents for services rendered to the city of Brockton during the fiscal year nineteen hundred and eighty-two.

Approved July 13, 1983.

Chap. 276. AN ACT INCREASING THE AMOUNT OF INCOME WHICH MAY BE DERIVED FROM THE REAL AND PERSONAL PROPERTY HELD BY THE FIRST CONGREGATIONAL SOCIETY IN THE TOWN OF BECKET.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section two of chapter fifty-one of the acts of seventeen hundred and ninety-seven or any other general or special law to the contrary, the First Congregational Society in the town of Becket may hold any real or per-

sonal estate the annual income of which shall not exceed ten thousand dollars.

Approved July 13, 1983.

Chaps. 277. AN ACT RELATIVE TO CERTAIN MARRIAGES.

Be it enacted, etc., as follows:

Chapter 207 of the General Laws is hereby amended by striking out sections 1 and 2, as appearing in the Tercentenary Edition, and inserting in place thereof the following two sections:-

Section 1. No man shall marry his mother, grandmother, daughter, granddaughter, sister, stepmother, grandfather's wife, grandson's wife, wife's mother, wife's grandmother, wife's daughter, wife's granddaughter, brother's daughter, sister's daughter, father's sister or mother's sister.

Section 2. No woman shall marry her father, grandfather, son, grandson, brother, stepfather, grandmother's husband, daughter's husband, granddaughter's husband, husband's grandfather, husband's son, husband's grandson, brother's son, sister's son, father's brother or mother's brother.

Approved July 13, 1983.

Chap. 278. AN ACT MAKING UNIFORM THE PROCEDURE FOR RECORDING OR FILING FEDERAL TAX LIENS ON REAL AND PERSONAL PROPERTY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 36 of the General Laws is hereby amended by striking out section 24, as most recently amended by chapter 209 of the acts of 1971, and inserting in place thereof the following section:-

Section 24. Notice of a federal tax lien which may be filed in the commonwealth or other federal lien on any real property or fixtures may, upon payment of a filing and recording fee of five dollars and whether the title of the real property involved is registered or unregistered, be filed with the register of deeds of the county where the real property or fixtures are situated who shall record such notice. Each register of deeds shall cause competent persons to prepare and keep current an alphabetical listing of all taxpayers against whom such a federal tax lien or other federal lien have been recorded commencing with the year

nineteen hundred and fifteen. Certificates of discharge or certificates releasing specific property from such liens may upon payment of a like fee be filed with the same register of deeds wherein the notice of lien was filed. The register of deeds shall record the certificate and make a note of reference thereto on the margin of the record of the notice referred to in such certificate. Certification of notices of liens, certificates discharging liens, certificates releasing specific property from liens, or other notices affecting federal liens upon real property or fixtures by the secretary of the treasury of the United States or his delegate, or by any official or entity of the United States responsible for filing or certifying of any other lien shall entitle them to be recorded and no other attestation, certification or acknowledgment shall be necessary. The register of deeds may bill the district directors of internal revenue or other appropriate federal officials on a monthly basis for fees for documents filed by them.

SECTION 2. Section 46 of chapter 185 of the General Laws is hereby amended by striking out clause "Sixth", added by section 2 of chapter 242 of the acts of 1963, and inserting in place thereof the following clause:-

Sixth, Liens in favor of the United States for unpaid taxes arising or existing under the Internal Revenue Code of 1954 as amended from time to time and any other federal lien which may be filed in the commonwealth.

SECTION 3. Said chapter 185 is hereby further amended by striking out section 78, as most recently amended by section 3 of said chapter 242, and inserting in place thereof the following section:-

Section 78. A writing of any description or a copy of any writ required by law to be filed or recorded in the registry of deeds in order to create or preserve any lien, right or attachment upon unregistered land, if intended to affect registered land shall, except in the case of notices, releases and discharges of federal tax liens and other federal liens which may be filed in the commonwealth, in lieu of recording, be filed and registered in the office of the assistant recorder for the registry district where the land lies, and, in addition to any particulars required in such papers for recording with records of deeds, shall also contain a reference to the number of the certificate of title of the land to be affected, and the volume and page of the registration book in which the certificate is registered, and also, if the attachment, right or lien is not claimed on all the land in any certificate of title, shall contain a description sufficiently accurate for identification of the land intended to be affected.

SECTION 4. Said chapter 185 is hereby further amended by striking out section 80, as amended by section 4 of said chapter 242, and inserting in place thereof the following section:-

Section 80. Attachments on mesne process and liens of every description upon registered land shall be continued, reduced, discharged and dissolved by any methods sufficient in law to continue, reduce, discharge or dissolve like liens on unregistered land. All certificates or other instruments permitted or required by law to be recorded in the registry of deeds to give effect to the continuance, reduction, discharge or dissolution of attachments or other liens upon unregistered land, or to give notice of such continuance, reduction, discharge or dissolution, shall, in the case of like liens upon registered land, except releases and discharges of liens for federal taxes and other federal liens which may be filed in the commonwealth be filed with the assistant recorder and registered in the registration book, in lieu of recording.

SECTION 5. Chapter 255 of the General Laws is hereby amended by striking out section 39B, inserted by section 5 of said chapter 242, and inserting in place thereof the following section:-

Section 39B. This section applies only to federal tax liens and to other federal liens which may be filed in the commonwealth. Notices of liens, certificates, and other notices affecting federal tax liens or other federal liens upon personal property must be filed in accordance with the provisions of this section.

Notices of federal liens upon personal property, whether tangible or intangible, for obligations payable to the United States and certificates and notices affecting the lien shall be filed as follows:-

(a) if the person against whose interest the lien applies is a corporation or a partnership whose principal executive office is in the commonwealth, as these entities are defined in the internal revenue laws of the United States, in the office of the state secretary;

(b) if the person against whose interest the lien applies is a trust that is not covered by paragraph (a), in the office of the state secretary;

(c) if the person against whose interest the lien applies is the estate of a decedent, in the office of the state secretary;

(d) in all other cases, in the office of the clerk of the city or town where the person against whose interest the lien applies resides at the time of filing of the notice of lien.

Certification of notices of liens, certificates, or other notices affecting federal liens upon personal property by the Secretary of the Treasury of the United States or his delegate, or by any

official or entity of the United States responsible for the filing or certifying of notice of any other lien, entitles them to be filed and no other attestation, certification, or acknowledgment is necessary.

If a notice of federal lien, a refiling of a notice of federal lien, or a notice of revocation of any certificate described below is presented to a filing officer, he shall cause the notice to be marked, held and indexed in accordance with the provisions of subsection (4) of section 9-403 of chapter one hundred and six as if the notice were a financing statement within the meaning of said section 9-403.

If a certificate of release, nonattachment, discharge, or subordination of any lien is presented to the filing officer for filing he shall:

(a) cause a certificate of release or nonattachment to be marked, held, and indexed as if the certificate were a termination statement within the meaning of chapter one hundred and six, but the notice of lien to which the certificate relates may not be removed from the files; and

(b) cause a certificate of discharge or subordination to be marked, held, and indexed as if the certificate were a release of collateral within the meaning of said chapter one hundred and six.

Upon request of any person the filing officer shall issue his certificate showing whether there is on file, on the date and hour stated therein, any notice of lien or certificate or notice affecting any lien filed under this section, naming a particular person, and if a notice or certificate is on file, giving the date and hour of filing of each notice or certificate. The fee for a certificate is five dollars. Upon request, the filing officer shall furnish a copy of any notice of federal lien, or notice or certificate affecting a federal lien, for a fee of two dollars and if such statement consists of more than three pages, an additional fee of one dollar for the fourth and each succeeding page.

The uniform fees for filing and indexing a certificate of release or nonattachment, for filing and indexing each notice of lien or certificate of notice affecting the lien, for filing and indexing each certificate of discharge or subordination, and for filing and indexing any other notice shall each be set by the filing officer, but in no event shall any such fee be greater than ten dollars. The filing officer may bill the district directors of internal revenue or other appropriate federal officials on a monthly basis for fees for documents filed by them.

SECTION 6. This act shall take effect on January first, nineteen hundred and eighty-four.

Approved July 13, 1983.

Chap. 279. AN ACT ESTABLISHING A FOUR YEAR TERM FOR THE OFFICE OF MAYOR IN THE CITY OF PITTSFIELD STARTING IN THE YEAR NINETEEN HUNDRED AND EIGHTY-SIX.

Be it enacted, etc., as follows:

SECTION 1. Section 15 of chapter 280 of the acts of 1932, as most recently amended by section 3 of chapter 611 of the acts of 1958, is hereby further amended by striking out, in line 4, the word "two" and inserting in place thereof the word:- four.

SECTION 2. Section one of this act shall take effect on January first, nineteen hundred and eighty-five.

SECTION 3. This act shall be submitted for acceptance to the voters of the city of Pittsfield at the municipal election to be held in the year nineteen hundred and eighty-three in the form of the following question, which shall be placed upon the official ballot to be used for the election of city officers at said election:- "Shall an act passed by the general court in the year nineteen hundred and eighty-three, entitled 'An Act establishing a four year term for the office of mayor in the city of Pittsfield starting in the year nineteen hundred and eighty-six', be accepted?" If a majority of the votes cast in answer to said question are in the affirmative then this act shall take effect, but not otherwise.

Approved July 13, 1983.

Chap. 280. AN ACT PROVIDING FOR RECALL ELECTIONS IN THE CITY OF PITTSFIELD.

Be it enacted, etc., as follows:

SECTION 1. Any holder of an elective office in the city of Pittsfield may be recalled and removed therefrom by the qualified voters of the city of Pittsfield as herein provided.

SECTION 2. Any qualified voter of the city of Pittsfield may make and file with the city clerk an affidavit containing the name of the officer sought to be recalled and a statement of the grounds of recall. The city clerk shall thereupon deliver to the voter making such affidavit a sufficient number of copies of petition blanks for such recall, printed forms of which said city clerk shall keep on hand. The blanks shall be issued by the city clerk with his signature and official seal thereto attached;

they shall be dated and addressed to the city council; shall contain the name of the person to whom issued; the number of blanks so issued; the name of the person sought to be recalled; the office from which such recall is sought; the grounds of recall 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 city clerk. Said recall petition shall be returned and filed with the city clerk on or before the first workday following thirty days after the filing of the affidavit. Said petition before being returned and filed shall be signed by twenty-five per cent of the qualified voters in the city of Pittsfield, and to every such signature shall be added the place of residence of the signer, giving the street and number; such signatures need not all be on one paper. One of the signers of every such paper shall make an affidavit thereto that the statements therein contained are true, and that each signature appended to the paper is the genuine signature of the person whose name it purports to be. All such papers for the recall of any one officer shall be filed as one instrument, with the endorsements thereon of the names and addresses of three persons designated as filing the same. Said recall petition shall be submitted, at or before three o'clock in the afternoon of the Monday preceding the day on which it must be filed, to the registrars of voters in the city of Pittsfield, and the registrars shall forthwith certify thereon the number of signatures which are names of voters of said city.

SECTION 3. Within five days after the filing of said petition, the city clerk shall ascertain by examination thereof and of the registration books and election returns whether the petition is signed by the requisite number of qualified voters, and shall attach thereto his certificate showing the result of such examination.

If his certificate shows the petition to be insufficient, he shall within said five days so notify in writing one or more of the persons designated on the petition as filing the same; and the petition may be amended by the addition of signatures at any time within five days after the giving of said notice by the city clerk. The city clerk shall, within three days after such amendment, make like examination of the amended petition, and attach thereto his certificate of the results. If then insufficient, or if no amendment was made, he shall return the petition to one of the persons designated thereon as filing it, without prejudice, however, to the filing of a new petition for the same purpose.

SECTION 4. If the petition or amended 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 the councillors 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 an election to be held on a Tuesday fixed by them not less than sixty nor more than seventy 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 said certificate, the city council may, in their discretion, postpone the holding of the 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 in this section provided, in addition to the provisions of sections seven and eight of the charter of the city of Pittsfield.

SECTION 5. Any officer sought to be removed may be a candidate to succeed himself, and, unless he requests otherwise in writing, the city clerk shall place his name on the official ballot without nomination. The nomination of other candidates, the publication of the warrant for such recall 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.

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, except as provided in section eight of this act. 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 five 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 in said city 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 directions of the voters required under the provisions of section forty-two of chapter fifty-four of the General Laws and beneath the names of candidates nominated in accordance with the provisions of law relating to elections.

SECTION 8. No recall petition shall be filed against any officer within three months after his election, nor, in the case of an officer reelected in a recall election, until three months after that election.

SECTION 9. No person who has been removed from an office by recall, or who has resigned from some office while recall proceedings were pending against him, shall be appointed to any city office within two years after such removal by recall or such resignation.

SECTION 10. The term "qualified voter", wherever it occurs in this act, shall mean a voter qualified by law to vote for candidates for the office to be filled or from which a removal is sought.

SECTION 11. This act shall be submitted for acceptance to the voters of the city of Pittsfield at its next regular election in the form of the following question which shall be placed on the official ballot to be used for the election of city officers at said election:-

"Shall an act passed by the general court in the year nineteen hundred and eighty-three, entitled 'An Act providing for recall elections in the city of Pittsfield', be accepted?".

If a majority of the votes cast in answer to said question is in the affirmative, then this act shall take full force and effect, but not otherwise.

SECTION 12. At any time except as herein provided after the expiration of six years from the date on which this act is accepted, and not less than ninety days before the date of an annual city election, a petition, signed by not less than fifteen per cent of the registered voters of the city may be filed with the city council, requesting that the question of revoking the acceptance of this act be submitted to the voters. Thereupon the city council shall cause to be printed on the official ballot to be used for the election of city officers at the regular city election next following the filing of such a petition the following question:-

"Shall an act passed by the general court in the year nineteen hundred and eighty-three, entitled 'An Act providing for recall elections in the city of Pittsfield', be revoked?"

If a majority of the votes cast in answer to said question is in the affirmative, the acceptance of this act shall be revoked and it shall become null and void beginning with the first day of the month next following such revocation. A petition to revoke the acceptance of this act shall not be filed more often than once in every three years.

Approved July 13, 1983.

Chap. 281. AN ACT FURTHER REGULATING A BOARD OF DIRECTORS APPROVAL OF CERTAIN SALARIES IN DOMESTIC INSURANCE COMPANIES.

Be it enacted, etc., as follows:

Section 35 of chapter 175 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by chapter 332 of the acts of 1979, and inserting in place thereof the following sentence:- No domestic company shall pay any salary or compensation to the five most highly compensated officers, trustees or directors thereof or to any additional officers, trustees or directors whose salary or compensation exceeds one hundred and fifty thousand dollars, unless such payment be first authorized by a vote of its board of directors, trustees or a committee thereof.

Approved July 13, 1983.

Chap. 282. AN ACT FURTHER DEFINING APOTHECARY LABELLING.

Be it enacted, etc., as follows:

SECTION 1. Section 21 of chapter 94C of the General Laws, as amended by chapter 110 of the acts of 1976, is hereby further amended by inserting after the word "address", in line 4, the following words:- , the filling pharmacist's initials.

SECTION 2. Section thirty-one of chapter one hundred and twelve of the General Laws is hereby repealed.

Approved July 13, 1983.

Chap. 283. AN ACT RELATIVE TO THE DISCONTINUANCE AND RELOCATION OF RESIDENTS WITHIN MOBILE HOME PARKS.

Be it enacted, etc., as follows:

Section 32L of chapter 140 of the General Laws, as most recently amended by section 1 of chapter 277 of the acts of 1974, is hereby further amended by striking out subsection 7 and inserting in place thereof the following four subsections:-

7. Failure to comply with the provisions of subsections 1 to

6, inclusive, shall constitute an unfair and deceptive trade practice under the provisions of paragraph (a) of section two of chapter ninety-three A.

8. A mobile park licensee shall give at least fifteen days written notice, delivered by certified or registered mail to each mobile home park tenant, that the licensee will be appearing before a governmental board, commission or body to request a permit for a change of use or discontinuance of the mobile park. Upon a change of use approved by the governmental board, commission or body, or a change that requires no local governmental permit or permits, the licensee shall give to each mobile home park tenant at least two years written notice, delivered by certified or registered mail, prior to the mobile park licensee's determination that a change of use or discontinuance will occur. The licensee shall disclose and describe in the notice the nature of the change of use or discontinuance.

9. The mobile home park licensee shall give each prospective tenant written notice prior to the inception of tenancy that the licensee is requesting a change of use before local governmental bodies, or that a change of use has been granted, or that a change of use which requires no governmental approval will occur, noting the effective date of change of use or discontinuance.

10. Enforcement of compliance with the provisions of subsections 8 and 9 shall be in accordance with the provisions of sections four to eight, inclusive, of chapter ninety-three A. Any mobile park resident shall have the right to damages as provided in sections nine and ten of said chapter ninety-three A.

Approved July 13, 1983.

Chap. 284. AN ACT RELATIVE TO THE POWERS OF THE BOARD OF REGISTRATION IN DENTISTRY.

Be it enacted, etc., as follows:

Chapter 112 of the General Laws is hereby amended by inserting after section 52D the following section:-

Section 52E. The board, after due notice and hearing, may suspend, revoke, cancel or reprimand the holder of any certificate, registration, license or authority issued by it, of any dentist whom it finds has engaged in repeated irregularities in billing an insurance company or other third party payer for services rendered to a patient.

For the purposes of this section irregularities in billing shall include: reporting charges for the purpose of obtaining a total

payment in excess of that usually received by the dentist for the services rendered; falsely reporting treatment dates for the purpose of obtaining payment; reporting charges for services not rendered; falsely reporting services rendered for the purpose of obtaining payment; or abrogating the copayment provisions of a contract by accepting the payment received from the third party payer as full payment.

Any person aggrieved by the action of the board by a suspension, revocation, cancellation or reprimand under this section of any certificate, registration, license or authority issued by it may appeal such action under the provisions of section fourteen of chapter thirty A.

Approved July 13, 1983.

Chap. 285. AN ACT REGULATING THE LABELLING AND SALE OF CERTAIN MAPLE PRODUCTS.

Be it enacted, etc., as follows:

Chapter 128 of the General Laws is hereby amended by striking out section 36C, inserted by section 1 of chapter 103 of the acts of 1982, and inserting in place thereof the following section:-

Section 36C. No person shall manufacture, label, package, sell, keep for sale, expose or offer for sale any food article or food product branded as maple, maple syrup, maple candy, maple creams, maple butter, or maple sugar which is not made from pure maple syrup derived from the sap of the maple tree. Any compound or mixture branded or labelled as maple, maple syrup, maple candy, maple creams, maple butter or maple sugar, or branded as an imitation thereof, which consists of maple syrup mixed with any other substances or ingredients shall have printed on the package containing such compound or mixture a statement of the ingredients of which it is made, all said ingredients to be set forth in the same size type as the words "maple syrup".

The use of the words "maple" or "maple syrup", shall not be used in the labelling or branding of any food product which does not contain any maple syrup in its ingredients.

Approved July 13, 1983.

Chap. 286. AN ACT FURTHER REGULATING THE OFFICE OF CAMPAIGN FINANCE.

Be it enacted, etc., as follows:

Section 5 of chapter 55 of the General Laws, as appearing in section 1 of chapter 151 of the acts of 1975, is hereby amended by inserting after the third paragraph the following paragraph:-

Whenever a statement of organization of a political committee is filed on behalf of a candidate who became a candidate after the deadline for filing nomination papers, the director shall at the time of the filing notify the candidate or his representative of the requirements of clause (a) of section five of chapter two hundred and sixty-eight B and he shall also forward the name and address of such candidate to the state ethics commission within three days after the filing of a political committee with his office.

Approved July 13, 1983.

Chap. 287. AN ACT PROVIDING FOR THE TERMINATION OF THE SERVICES OF CERTAIN WELFARE VENDORS CONVICTED OF FRAUD.

Be it enacted, etc., as follows:

Chapter 118E of the General Laws is hereby amended by striking out section 18, as appearing in section 1 of chapter 800 of the acts of 1969, and inserting in place thereof the following section:-

Section 18. Participation in the program shall be limited to providers of services who have not been convicted of larceny or fraud or any other crime in connection with such services, or the billing therefor and who:

(1) indicate their intention to the department to so participate;

(2) present evidence, satisfactory to the department, of their qualifications to provide such services;

(3) agree to accept, as payment in full, the amounts paid in accordance with the fee schedules provided for under this chapter; and

(4) agree to comply with all laws, rules and regulations governing the operation of the program.

Approved July 13, 1983.

Chap. 288. AN ACT RELATIVE TO THE REPORTING OF CERTAIN CASES OF CHILD ABUSE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 28A of the General Laws is hereby amended by inserting after section 6 the following section:-

Section 6A. The director shall convene and chair interagency childrens' services teams for determining which agency shall provide or contract for appropriate services to a child in cases when disputes arise among agencies over the delivery of services to a child or when such services are not being provided to a child. For purposes of this section, "agency" shall mean any department, office, commission, board, institution, or other agency of the commonwealth or any political subdivision thereof.

The director or his designee shall chair such teams and preside over meetings. Such teams shall also include the commissioner or chief executive officer, or his designee, of the following agencies: the department of public health, the department of social services, the department of mental health, the department of youth services, the department of education, the department of public welfare, the Massachusetts rehabilitation commission, the commission for the blind, or any other agency as deemed necessary by the director to ensure delivery of appropriate and needed services to a child.

Such teams shall review such cases and seek to identify the services necessary to resolve such cases; designate the agency or agencies which shall provide or contract for such services; direct such designated agency or agencies to accept responsibility for such child and provide or contract for such services; and provide opportunities to receive testimony and evidence from such child, the family of such child, the representative of such child or such family, or the representative or other employee of such agency.

If no decision is agreed upon by a majority of the team, the director shall designate and require an agency to provide appropriate and needed services to such child. If a designated agency fails to provide services to a child in a manner consistent with the decision of the team, the director shall notify the commissioner or chief executive officer of the agency of its noncompliance and shall refer the case to the secretary of the executive office of human services. If said secretary finds that such decision of the team is reasonable and within the jurisdiction of the designated agency, he shall direct such agency to provide services in accordance with the decision of the team and shall take any other action consistent with state law to ensure that appropriate services are provided to such child.

The teams shall have full access to, and the agencies shall provide all information to such cases, notwithstanding any provisions of chapter sixty-six A, chapter one hundred and nineteen,

chapter one hundred and twelve, or any other law to the contrary related to the confidentiality of personal data.

For purposes of this section, "child" shall mean a person under the age of eighteen, or under the age of twenty-two if such person is disabled or has special needs.

The director shall issue an annual report summarizing the activities of the teams during the preceding fiscal year.

SECTION 2. Section 51B of chapter 119 of the General Laws, as amended by chapter 131 of the acts of 1978, is hereby further amended by striking out clauses (4) to (7), inclusive, and inserting in place thereof the following five clauses:-

(4) notify in writing the district attorney for the county in which the child resides by transmitting to such district attorney a copy of the report required under section fifty-one A if, after an investigation and evaluation undertaken pursuant to clause (1), the department has reasonable cause to believe that any of the following conditions has resulted from abuse or neglect:

(a) a child has died;

(b) a child has been raped as defined in sections twenty-two A and twenty-three of chapter two hundred and sixty-five;

(c) a child has suffered brain damage, loss or substantial impairment of a bodily function or organ, or substantial disfigurement;

(d) a child has been sexually exploited, which shall mean encouraging a child to engage in prostitution as defined in sections four A and four B of chapter two hundred and seventy-two or in the obscene or pornographic photographing, filming, or depicting of a child as defined in section twenty-nine A of chapter two hundred and seventy-two; or

(e) a child has suffered serious bodily injury as the result of a pattern of repetitive actions by a family member.

The department shall within forty-five days after making such notification further notify the district attorney of the service plan, if any, developed for such child and his family. No provision of chapter sixty-six A, section one hundred and thirty-five of chapter one hundred and twelve, and sections fifty-one E and fifty-one F of this chapter relating to confidential data or confidential communications shall prohibit the department from making such notifications or from providing to the district attorney any information obtained pursuant to clause (1). No person providing notification or information to a district attorney pursuant to the provisions of this clause shall be liable in any civil or criminal action by reason of such action. Nothing herein shall be construed to prevent the department from notifying a district attorney relative to any incidents reported to the department pursuant to section fifty-one A or to limit the prosecutorial

power of a district attorney.

(5) offer to the family of any child which it has reasonable cause to believe is suffering from any of the conditions described in the report appropriate social services to prevent further injury to the child, to safeguard his welfare, and to preserve and stabilize family life whenever possible. If the family declines or is unable to accept or to participate in the offered services, the department, or any person may file a petition pursuant to section twenty-four requesting an appropriate order with reference to the care and protection of the child;

(6) file in the central registry established under section fifty-one F a written report containing information sufficient to identify each child whose name is reported pursuant to section fifty-one A or fifty-one B. A notation shall be sent to such central registry whenever further reports on each such child are filed with the department;

(7) utilize or purchase and utilize such protective services of private and voluntary agencies as it determines necessary;

(8) promulgate regulations to implement the provisions of sections fifty-one A to fifty-one F, inclusive.

SECTION 3. Said chapter 119 is hereby further amended by striking out section 51D, as amended by section 32 of chapter 552 of the acts of 1978, and inserting in place thereof the following section:-

Section 51D. Each regional director of the department shall be responsible for implementing the provisions of clause (4) of section fifty-one B. Each such regional director shall report to the appropriate district attorney cases as provided for in said clause (4). Each area director shall assist the regional director in implementing the provisions of this section.

Each such regional director shall, in cooperation with the appropriate district attorney, establish one or more multi-disciplinary service teams to review the provision of services to children and their families who are the subject of such reports. Such teams shall each consist of one representative of the department who shall be the caseworker for the particular case, one representative of the appropriate district attorney, and at least one other member who is not an employee of either such office but shall be appointed by the regional director. The additional member shall have training and experience in the fields of child welfare or criminal justice and, as far as practicable, be involved with the provision of services to such families. No members of such team shall receive any compensation, or in the case of a state employee, any additional compensation, for service on such team.

Such team shall review and monitor the service plan developed

by the department pursuant to clause (5) of section fifty-one B. Such team shall evaluate such service plan in regard to its effectiveness in protecting the child from further abuse or neglect. Such team shall make recommendations regarding amendments to the service plan, the advisability of prosecuting members of the family, and the possibility of utilizing diversionary alternatives. If such team finds that services required under such plan are not provided to such family, the case shall be referred to the interagency children's services team established pursuant to section six A of chapter twenty-eight A.

Such multi-disciplinary service team shall have full access to such service plan and any personal data known to the department which is directly related to the implementation of such plan, notwithstanding the provisions of chapter sixty-six A, section one hundred and thirty-five of chapter one hundred and twelve, and sections fifty-one E and fifty-one F of this chapter. The members of such team shall be considered to be employees of the department for purposes of protecting the confidentiality of such data and such data shall be utilized solely to carry out the provisions of this section; provided, however, that such team may report to such district attorney the information that the family has failed to participate in such plan.

Each such director shall file a monthly report with the commissioner of the department regarding the activities in the region which have occurred in the previous month pursuant to this section. Such report shall be written on a form prescribed by said commissioner and shall include, but not be limited to, the number of cases reported pursuant to clause (4) of section fifty-one B, the activities of the multi-disciplinary service teams, the availability of services which are by such service plans, and the number of family members that are subject of such reports that have been prosecuted. Said commissioner, after deleting all personal identifying information, shall combine these regional reports into one monthly report which shall be filed with the secretary of human services, each district attorney, the joint committee on human services and elderly affairs, and the house and senate committees on ways and means.

SECTION 4. A special commission to consist of three members of the senate, five members of the house of representatives, the secretary of human services, the commissioner of the department of social services, the director of the office for children and eleven persons to be appointed by the governor, two of whom shall be district attorneys, one of whom shall be a justice of the juvenile court department of the trial court, one of whom shall be a member of the Massachusetts Police Chiefs Association, one of whom shall be a protective social service worker in the depart-

ment of social services who shall also be a member of the collective bargaining unit of said department, two of whom shall be pediatricians from urban hospitals, one of whom shall be a member of a private agency which provides protective services to children, and one of whom shall be selected from each of the following organizations: the Massachusetts Advocacy Center, the Massachusetts Committee on Children and Youth, and Parents Anonymous is hereby established for the purpose of making an investigation and study relative to the causes of violence against children and ways to reduce the incidence thereof.

Said commission shall report to the general court the results of its investigation and study and its recommendations, together with drafts of legislation, if any, necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before December first, nineteen hundred and eighty-four.

SECTION 5. The department shall conduct in-house training sessions, to provide all social workers employed by the department, prior to being assigned to protective service cases, a minimum knowledge of child neglect or child abuse.

Approved July 14, 1983.

Chap. 289. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-FOUR 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 by the Senate and House of Representatives in General Court assembled, and by the authority of the same, 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 and section three, 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-four, in this act referred to as the year nineteen hundred and eighty-four, or for such period as may be designated.

SECTION 2.

LEGISLATURE.

Senate.

Item		
0111-0000	For the compensation of senators, prior appropriation continued	$ 1,350,000
0111-8000	For expenses of senators, including travel, prior appropriation continued	200,000
0112-0000	For the office of the senate clerk, prior appropriation continued, including not more than eleven permanent positions	420,000
0112-0100	For the rental and maintenance of a photocopy machine	65,000
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	390,000
0115-0000	For administrative and legislative aides to the senators, prior appropriation continued	2,770,000
0116-0000	For secretarial and clerical assistance to the senators, prior appropriation continued	830,000
0116-0030	For a legislative intern program for the senate, prior appropriation continued ...	65,000
0117-0000	For the office of the senate committee on ways and means, prior appropriation continued, including not more than four permanent positions	850,000
0118-0000	For the office supplies and other expenses of the senators, prior appropriation continued	460,000

House of Representatives.

0121-0000	For the compensation of representatives, prior appropriation continued	$ 5,207,500
0121-8000	For expenses of representatives, including travel, prior appropriation continued.	980,000
0122-0000	For the office of the clerk of the house of representatives, prior appropriation continued, including not more than eleven permanent positions	420,252
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	852,500
0125-0000	For the office of the house committee on rules, including not more than fourteen permanent positions, prior appropriation continued	1,300,000
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, prior appropriation continued.	
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, prior appropriation continued.	
0126-0000	For the office of the house committee on ways and means, prior appropriation continued, including not more than nine permanent positions	875,000
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	3,002,115
0127-0020	For administrative and legislative aides to the members of the house of representatives, prior appropriation continued	3,170,000
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 residents of the district; and provided, further, that each reside in separate counties and neither shall reside in the county in which the elected representative resides	39,930
0127-0030	For a legislative intern program	140,000

0127-0040	For office supplies and other expenses of the house of representatives, prior appropriation continued	$ 550,000
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.	
0129-0000	For the expenses of televising sessions of the house of representatives	260,000
	Sergeant-at-Arms.	
0131-0000	For the office of the sergeant-at-arms, including not more than eleven permanent positions, prior appropriation continued	329,000
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	2,200,000
0132-1000	For the salaries of clerks employed in the legislative document room, including not more than thirteen permanent positions	335,000
0133-0000	For contingent expenses of the senate and house of representatives and necessary expenses in and about the state house, with the approval of the sergeant-at-arms, prior appropriation continued	190,000
0135-0000	For the rental, maintenance and updating of an electric roll call system	111,000
	Other Expenses.	
0141-0000	For the expenses of the legislative research council	9,000
0142-0000	For the legislative research bureau	448,650
0143-0000	For the legislative service bureau, prior appropriation continued	2,550,000
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	125,000
0147-0000	For the administration of the legislative engrossing division, including not more than four permanent positions, prior appropriation continued	140,000
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 and other expenses, prior appropriation continued	$ 1,650,000
0161-1000	For telephone and telegraph service, prior appropriation continued	1,160,000
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	24,000
0163-0000	For the expenses of the joint committee on rules and for clerical and other assistance to the joint committees, prior appropriation continued	100,000
0164-0010	For expenses of joint standing and special committees authorized by joint order to sit and travel during the session and recess of the general court, said funds to be allocated to committees only upon written approval of the president of the senate and the speaker of the house of representatives, prior appropriation continued	60,000
0164-0020	For expenses of joint standing and special committees authorized by the president of the senate and the speaker of the house of representatives under the provisions of joint rule 3 to sit and travel during the recess of the general court, said funds to be allocated to committees only upon written approval of the president and the speaker, prior appropriation continued.	
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 .	93,986
0169-7102	For the office of legislative post audit and oversight bureau of the senate, prior appropriation continued	100,000
0169-7103	For the office of legislative post audit and oversight of the house of representatives, prior appropriation continued	834,667
0181-5002	For the office of the Science Resource Network; provided, that these funds may be expended upon written approval of the president of the senate and the speaker of the house of representatives, prior appropriation continued	200,000
0181-5007	For an econometric model of the Massachusetts economy, prior appropriation continued	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 the provisions of chapters one hundred and seventy-six A and one hundred and seventy-six B of the General Laws, prior appropriation continued 100,000

0185-7510 For the special commission on the performing arts, prior appropriation continued.

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 on the current local aid distribution formula in order to determine if said formulas provide a fair and equitable distribution to the cities and 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, prior appropriation continued 50,000

0185-7804 For the expenses of the special joint commission on the development of Boston harbor, prior appropriation continued 45,000

0185-7806 For a study of the procurement practices of the commonwealth relative to electronic data processing, prior appropriation continued.

0185-7807 For a study of the tax implications of allowing deductions for charitable giving, prior appropriation continued 15,000

0185-7810 For the expenses of the special joint legislative commission established to investigate and study the adequacy of water supply in the commonwealth, prior appropriation continued.

0185-7811 For the expenses of the special commission on the privatization of state services, prior appropriation continued.

0185-7812 For the expenses of the special commission on low-level radioactive waste established pursuant to chapter seven hundred and thirty-eight of the acts of nineteen hundred and eighty-one, prior appropriation continued.

0185-7813 For a study by the house committee on ways and means relative to United States federal court consent decrees concerning certain agencies of the commonwealth, prior appropriation continued ..... $ 75,000

0185-7814 For the expenses of the special committee to study the public employees retirement law contained in chapter thirty-two of the General Laws, prior appropriation continued.

0185-7815 For a study by the joint committee on education relative to the improvement and modernization of the public school system in the commonwealth 100,000

0185-7816 For a study by the senate committee on ways and means relative to United States federal court consent decrees concerning certain agencies of the commonwealth, prior appropriation continued.

0185-7817 For a study by the senate committee on ways and means relative to employee productivity and operational efficiency of state government, prior appropriation continued.

0185-7818 For a special commission to make an investigation and study of the concerns of Vietnam era war veterans as established by section two of chapter three hundred and fifty-one of the acts of nineteen hundred and eighty-one, prior appropriation continued.

0185-7819 For a special commission on alcohol and drug abuse education, prior appropriation continued.

0185-7822 To provide for an investigation and study by a special commission of all state, local, special district and county taxation within the commonwealth in order to develop a tax reform program for the commonwealth, established by section eighty-two A of this act 300,000

0185-7823 For an investigation and study relative to comparable worth in employment and the extent to which sex segregation continues to exist in the state service, knowledge and skill required to carry out the duties of such position, (2) working conditions, (3) responsibility, (4) accountability, (5) interpersonal skills; provided that no rating factors shall be based on existing wage patterns, and provided further that said study shall be designed to determine, through the assignment of factors values, those classified positions studied for which compensation is not commensurate with positions of comparable worth 75,000

0185-7824 To provide for an investigation and study by a special commission relative to municipal detention areas in order to determine the level of care for detainees and to prevent suicide by such detainees. Said commission shall consist of three members of the senate, five members of the house, the commissioner of corrections, the president of the Municipal Police Chiefs Association, the sheriff of Suffolk county, the commissioner of the department of social service and eight persons to be appointed by the governor 19,500

INSPECTOR GENERAL.

0200-0100	For the administration and expenses of the office of inspector general, including not more than one permanent position	$ 965,273

JUDICIARY.

Supreme Judicial Court.

0320-0001	For the salaries, travelling allowances and expenses of the chief justice and of the six associate justices	455,000
0320-0003	For salaries and expenses of the supreme judicial court	2,506,285
0320-0004	For the salaries and expenses of recalled justices of the appellate courts	187,500
0321-0001	For expenses of the commission on judicial conduct; provided, that the commission shall submit annually to the clerks of the house of representatives and the senate and to the supreme judicial court a report of its activities which shall include the number and type of complaints it has received, the number of investigations it has initiated and their disposition, the number and type of complaints it has forwarded to the supreme judicial court for further action, and the action taken on those cases	98,756

Board of Bar Examiners.

0321-0100	For the service of the board	399,220
0321-1001	For the 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 and one hundred and ten temporary positions	5,055,066
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	170,020
0321-2100	For a correctional legal services committee	309,736
0321-4000	For disability representation for chronically mentally and physically handicapped persons; provided that any awards for attorney representation made by the social security administration for such representation for which the attorney of record received compensation from monies appropriated herein shall be deposited in the treasury and shall be credited to the General Fund, prior appropriation continued	500,000

Appeals Court.

0322-0001	For the salaries, travelling allowances and expenses of the chief justice and of the nine associate justices	$ 650,501
0322-0002	For salaries and expenses of the appeals court	1,355,745

Trial Court.

0330-0100	For the salaries of the justices of the trial court; notwithstanding this item the justices of the trial court shall continue their commission of appointment to a specific division within a department or to a department according to the terms of said commissions; provided that nothing herein shall be construed to limit the authority of the chief administrative justice as enumerated in chapter two hundred and eleven B of the General Laws, including not more than two hundred and seventy-eight permanent positions	16,706,923
0330-0200	For the salaries of the recalled justices of the trial court	904,999
0330-0300	For salaries and expenses of the administrative staff, including not more than sixty-one permanent positions	1,917,295
0330-1000	For payments of expenses of juries	4,716,280
0330-2000	For salaries and expenses of certain law libraries; provided, that two hundred and sixty-six thousand two hundred and fifty dollars of the amount appropriated herein shall be expended for the expenses of the social law library located in Suffolk county, including not more than twenty-nine temporary positions	1,752,485
0330-2100	For counsel to indigents; provided, that four hundred eighty-five thousand five hundred and eighty-two 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, and provided further that, except as provided herein no increase in the rate of compensation for counsel to indigents shall be authorized until funds for such increase are appropriated by the general court	8,886,700
0330-2200	For the rental of court facilities	11,805,561
0330-2300	For payments of witness fees	843,361
0330-2400	For education and training programs to be allocated at the direction of the chief administrative justice, prior appropriation continued, including not more than one permanent position	107,968
0330-2500	For clerical assistance for the divisions of the trial court, including not more than ten temporary positions	200,000

0330-2501	For clerical assistance for the divisions of the trial court, provided, however, that all such funds shall be expended for child support enforcement activities, including not more than twelve temporary positions	$ 134,400
0330-2600	For travel expenses of judicial personnel	1,149,113
0330-2700	For printing expenses, prior appropriation continued	863,179
0330-2800	For repairs of equipment	408,870
0330-3000	For the purchase and rentals of equipment in the trial court, to be allocated by the chief administrative justice; provided that in purchasing said equipment the chief administrative justice shall utilize the approved vendor determined by the state purchasing agent for such equipment whenever the terms those otherwise available, prior appropriation continued	1,217,848
0330-3100	For the payments of indigent court costs	100,000
0330-3200	For the payment of salaries and expenses of superior court officers; provided that, any court officer scheduled to work nineteen hundred and fifty and eighty-three shall be considered a full-time and eighty-four, all other per diem court officers shall be paid the daily rate in accordance with the collective bargaining agreement; including not more than one hundred and eighty-three permanent positions and two hundred and twenty-six temporary positions	8,891,988
0330-3300	For the payment of office, administrative, special, and maintenance and repair expenses in the trial court,to be allocated by the chief administrative justice,prior appropriation continued	100,000
	Superior Court.	
0331-0100	For salaries and expenses of the administrative staff, including not more than sixteen permanent positions	525,025
0331-0200	For clerical assistance to the justices, *including not more than thirty-three* permanent and forty temporary positions	1,696,621
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 one of the General Laws, including payments of the prior year	60,000
0331-0600	For the expenses of superior court probation services, including not more than two hundred and thirty-nine permanent positions	5,187,734
	For Salaries and Expenses.	
0331-2100	Barnstable superior court, including not more than seven permanent positions ..	188,669

0331-2200	Berkshire superior court, including not more than six permanent positions	$ 184,070
0331-2300	Bristol superior court, including not more than twenty-nine permanent positions.	748,747
0331-2400	Dukes superior court, including not more than two permanent positions	46,398
0331-2500	Essex superior court, including not more than thirty-nine permanent positions and one temporary position	1,105,130
0331-2600	Franklin superior court, including not more than six permanent positions	146,529
0331-2700	Hampden superior court, including not more than thirty-four permanent positions	880,168
0331-2800	Hampshire superior court, including not more than eight permanent positions ...	220,757
0331-2900	Middlesex superior court, including not more than ninety-six permanent positions	2,548,784
0331-3000	Nantucket superior court, including not more than two permanent positions	49,464
0331-3100	Norfolk superior court, including not more than twenty-eight permanent positions and two temporary positions	888,051
0331-3200	Plymouth superior court, including not more than thirty-two permanent positions and two temporary positions	845,737
0331-3300	Suffolk superior civil court, including not more than one hundred and twenty-two permanent positions	2,705,479
0331-3310	Suffolk superior criminal court, including not more than sixty-nine permanent positions	1,452,284
0331-3400	Worcester superior court, including not more than forty-five permanent positions	1,101,960

Administration of District Courts.
For Salaries and Expenses.

0332-0100	District court, administrative staff, including not more than ten permanent positions	323,273
0332-1100	First district court of Barnstable, including not more than forty-three permanent positions	964,588
0332-1200	Second district court of Barnstable (Orleans), including not more than twenty-four permanent positions and one temporary position	541,678

0332-1300	District court of northern Berkshire (Adams, North Adams, Williamstown), including not more than thirteen permanent positions	$ 305,581
0332-1400	District court of central Berkshire (Pittsfield), including not more than twenty-one permanent positions	477,161
0332-1500	District court of southern Berkshire (Great Barrington, Lee), including not more than ten permanent positions	242,070
0332-1600	First district court of Bristol (Taunton), including not more than thirty-one permanent positions and one temporary position	655,700
0332-1700	Second district court of Bristol (Fall River), including not more than fifty permanent positions	1,016,625
0332-1800	Third district court of Bristol (New Bedford), including not more than forty-seven permanent positions	1,003,080
0332-1900	Fourth district court of Bristol (Attleboro), including not more than twenty-six permanent positions	540,718
0332-2000	District court of Edgartown, including not more than eight permanent positions	161,013
0332-2100	First district court of Essex (Salem), including not more than thirty-four permanent positions and one temporary position	836,640
0332-2200	Second district court of Essex (Amesbury), including not more than eleven permanent positions	219,511
0332-2300	Third district court of Essex (Ipswich), including not more than six permanent positions	115,804
0332-2400	Central district court of northern Essex (Haverhill), including not more than thirty-one permanent positions	681,701
0332-2500	District court of eastern Essex (Gloucester), including not more than eighteen permanent positions	406,326
0332-2600	District court of Lawrence, including not more than forty-three permanent positions	948,145
0332-2700	District court of southern Essex (Lynn), including not more than forty-three permanent positions and five temporary positions	981,321
0332-2800	District court of Newburyport, including not more than ten permanent positions	237,052
0332-2900	District court of Peabody, including not more than twenty-five permanent positions	607,953

0332-3000	District court of Greenfield, including not more than twenty-two permanent positions	$ 451,383
0332-3100	District court of Orange, including not more than twelve permanent positions and one temporary position	221,181
0332-3200	District court of Chicopee, including not more than nineteen permanent positions	433,656
0332-3300	District court of Holyoke, including not more than twenty-five permanent positions	544,054
0332-3400	District court of eastern Hampden (Palmer), including not more than seventeen permanent positions	414,800
0332-3500	District court of Springfield, including not more than one hundred and fifteen permanent positions	2,305,601
0332-3600	District court of western Hampden (Westfield), including not more than nineteen permanent positions	593,216
0332-3700	District court of Hampshire (Northampton), including not more than thirty-eight permanent positions	839,765
0332-3800	District court of eastern Hampshire (Ware), including not more than seven permanent positions	129,282
0332-3900	District court of Lowell, including not more than sixty-four permanent positions and eleven temporary positions	1,554,575
0332-4000	District court of Somerville, including not more than sixty-three permanent positions	1,304,881
0332-4100	District court of Newton, including not more than twenty-eight permanent positions	642,307
0332-4200	District court of Marlborough, including not more than twenty-one permanent positions	503,869
0332-4300	District court of Natick, including not more than seventeen permanent positions	371,695
0332-4400	District court of eastern Middlesex (Malden), including not more than fifty-four permanent positions	1,104,965
0332-4500	Second district court of eastern Middlesex (Waltham), including not more than thirty-nine permanent positions	858,706
0332-4600	Third district court of eastern Middlesex (Cambridge), including not more than one hundred and five permanent positions	2,152,369

0332-4700	Fourth district court of eastern Middlesex (Woburn), including not more than fifty-six permanent positions	$ 1,145,085
0332-4800	First district court of northern Middlesex (Ayer), including not more than thirty-two permanent positions	724,812
0332-4900	First district court of southern Middlesex (Framingham), including not more than forty-nine permanent positions	1,114,859
0332-5000	District court of central Middlesex (Concord), including not more than forty permanent positions	899,594
0332-5100	District court of Nantucket, including not more than six permanent positions	115,522
0332-5200	District court of northern Norfolk (Dedham), including not more than forty-seven permanent positions	966,527
0332-5300	District court of east Norfolk (Quincy), including not more than ninety permanent positions and twenty-three temporary positions	2,324,696
0332-5400	District court of western Norfolk (Wrentham), including not more than thirty-four permanent positions	720,905
0332-5500	District court of southern Norfolk, including not more than forty permanent positions and four temporary positions	909,154
0332-5600	Municipal court of Brookline, including not more than twenty-three permanent positions	499,620
0332-5700	District court of Brockton, including not more than seventy-two permanent positions	1,672,093
0332-5800	Second district court of Plymouth (Hingham), including not more than forty-four permanent positions	946,146
0332-5900	Third district court of Plymouth (Plymouth), including not more than thirty-six permanent positions and four temporary positions	849,234
0332-6000	Fourth district court of Plymouth (Wareham), including not more than twenty-nine permanent positions and two temporary positions	686,916
0332-6100	District court of Brighton, including not more than thirty-four permanent positions	794,835
0332-6200	District court of Charlestown, including not more than sixteen permanent positions	469,739
0332-6300	District court of Chelsea, including not more than forty-five permanent positions	914,504

0332-6400	District court of Dorchester, including not more than one hundred and ten permanent positions	$ 2,296,083
0332-6500	District court of East Boston, including not more than forty-five permanent positions	991,372
0332-6600	District court of Roxbury, including not more than one hundred and eighteen permanent positions and provided further, that one hundred thousand dollars be used for the Juvenile Session Outreach Program of the Roxbury district court	2,840,263
0332-6700	District court of South Boston, including not more than twenty-four permanent positions	608,140
0332-6800	District court of West Roxbury, including not more than forty-five permanent positions	1,028,594
0332-6900	District court of Worcester, including not more than eighty-five permanent positions	1,728,215
0332-7000	District court of Fitchburg, including not more than twenty-five permanent positions	557,175
0332-7100	District court of Leominster, including not more than eleven permanent positions	245,907
0332-7200	District court of Winchendon, including not more than three permanent positions	89,922
0332-7300	First district court of northern Worcester (Gardner), including not more than twenty-five permanent positions	569,128
0332-7400	First district court of eastern Worcester (Westborough), including not more than twenty-nine permanent positions	571,192
0332-7500	Second district court of eastern Worcester (Clinton), including not more than thirteen permanent positions	278,116
0332-7600	First district court of southern Worcester (Dudley), including not more than twenty-four permanent positions and two temporary positions	540,801
0332-7700	Second district court of southern Worcester (Uxbridge), including not more than thirteen permanent positions	276,472
0332-7800	Third district court of southern Worcester (Milford), including not more than eighteen permanent positions	416,937
0332-7900	District court of western Worcester (Spencer), including not more than eight permanent positions and two temporary positions	197,655

0332-8100	Middlesex juvenile probation district, including not more than twenty-five permanent positions	$ 713,262
0332-8200	Northern Essex juvenile probation district, including not more than twelve permanent positions	293,365
0332-8300	Berkshire juvenile probation district, including not more than seven permanent positions	160,277
0332-8500	Northern Worcester juvenile probation district, including not more than eleven permanent positions	268,572
0332-8600	Southern Worcester juvenile probation district, including not more than ten permanent positions	252,592

Probate and Family Court Department.
For Salaries and Expenses.

0333-0001	Probate court, administrative staff, including not more than four permanent positions and one temporary position	154,098
0333-0100	Barnstable, including not more than twenty-one permanent positions and three temporary positions	479,369
0333-0200	Berkshire, including not more than eleven permanent positions	279,100
0333-0300	Bristol, including not more than forty-three permanent positions	938,878
0333-0400	Dukes, including not more than three permanent positions	88,772
0333-0500	Essex, including not more than fifty-two permanent positions	1,168,244
0333-0600	Franklin, including not more than ten permanent positions	216,180
0333-0700	Hampden, including not more than fifty-five permanent positions	1,131,108
0333-0800	Hampshire, including not more than fourteen permanent positions	389,483
0333-0900	Middlesex, including not more than one hundred and six permanent positions	2,464,902
0333-0911	For a demonstration project in the Middlesex probate court's family service clinic, including not more than six permanent positions	145,542
0333-1000	Nantucket, including not more than two permanent positions	55,721
0333-1100	Norfolk, including not more than sixty-four permanent positions	1,668,960
0333-1111	For a family service clinic in the Norfolk probate court, including not more than four permanent positions	98,317

0333-1200	Plymouth, including not more than forty-four permanent positions	$ 1,122,980
0333-1300	Suffolk, including not more than eighty-nine permanent positions	1,833,257
0333-1400	Worcester, including not more than fifty-four permanent positions	1,094,360

Land Court.

0334-0001	For the office of the land court, including not more than sixty-four permanent positions	1,539,285

Boston Municipal Court.

0335-0001	For salaries and expenses of the Boston municipal court, including not more than one hundred and eighty-four permanent positions	3,909,065

Housing Court.
For Salaries and Expenses.

0336-0100	Boston housing court; provided that, notwithstanding the provisions of chapter two hundred and eleven B of the General Laws to the contrary, the administrative justice of the housing court department holding such office prior to the effective date of this act shall receive a salary equivalent to a justice of the trial court, including not more than twenty-eight permanent positions	693,555
0336-0200	Hampden housing court, including not more than eleven permanent positions	221,473

Juvenile Court.
For Salaries and Expenses.

0337-0001	For salaries and expenses of the administrative staff, including not more than seven permanent positions	231,824
0337-0100	Boston juvenile court, provided that not less than one hundred thousand dollars of the amount appropriated herein shall be used for a statewide juvenile court clinic program, including not more than ninety-four permanent positions and one temporary position	2,845,927
0337-0200	Bristol juvenile court, including not more than thirty-five permanent positions and six temporary positions	980,695
0337-0300	Springfield juvenile court, including not more than thirty-one permanent positions	892,315
0337-0400	Worcester juvenile court, including not more than twenty-five permanent positions and three temporary positions	662,808

Committee on Probation.

0339-1001	For the office of the commissioner of probation, including not more than one hundred and twenty-eight permanent positions and four temporary positions	$ 3,161,526
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 thirteen permanent positions	635,948

Judicial Council.

0339-2200	For the service of the council, including not more than two permanent positions	64,900

District Attorneys.
For the salaries of district attorneys and assistants for the eleven districts:

0340-0100	Suffolk, including not more than one hundred and seventeen permanent positions and eighty-three temporary positions	5,495,829
0340-0200	Northern, *including not more than eighty*-three permanent positions and forty-seven temporary positions	3,899,017
0340-0300	Eastern, including not more than thirty permanent positions and forty-nine temporary positions	2,534,594
0340-0360	For the purposes of a federally funded grant entitled, Juvenile Diversion Program	26,196
	General Federal Grants Fund 100.0%	
0340-0400	Middle, including not more than fifty-four permanent positions and twenty-seven temporary positions	2,776,166
0340-0500	Hampden, including not more than forty-two permanent positions and fifteen temporary positions	1,778,056
0340-0600	Northwestern, including not more than thirteen permanent positions and twenty-two temporary positions	979,841
0340-0700	Norfolk, including not more than fifty-one permanent positions and twenty-seven temporary positions	2,554,270
0340-0800	Plymouth, including not more than fifteen permanent positions and forty temporary positions; prior appropriations continued	1,531,827

0340-0900 Bristol, provided, that forty-three thousand and eight hundred and seventy dollars of the amount appropriated herein shall be for the reimbursement to the town of Fairhaven the cost incurred by said town in providing security for the safeguarding of certain evidence, including not more than twenty-two permanent positions and twenty-eight temporary positions... $ 1,744,223

0340-1000 Cape and Islands, including not more than thirteen permanent positions and nine temporary positions 740,762

0340-1100 Berkshire, including not more than sixteen permanent positions and four temporary positions 685,399

EXECUTIVE.

Governor.

0411-1000 For the salaries of the governor and officers and employees in the governor's office, including the director of the office of human resources and the director of the office of economic development 1,435,000

0411-1901 For postage, printing, office and other contingent expenses, including travel of the governor 330,000

0411-3000 For certain expenses and fees for the national governor's association 67,600

0411-3001 For certain expenses and fees for the coalition of New England governors 25,000

0411-3002 For certain expenses and fees for the New England governor's conference 67,000

0411-4000 For the administration of the public safety committee, including not more than ten temporary positions 238,803

0411-4013 For the purposes of a federally funded grant entitled, Juvenile Justice Delinquency and Prevention Act - Planning 73,950

General Federal Grants Fund 100.0%

0411-4014 For the purposes of a federally funded grant entitled, Juvenile Justice Delinquency and Prevention Act 1,600,000

General Federal Grants Fund 100.0%

0411-6000 For the office of intergroup affairs 95,000

0411-7000 For the commission on the status of women 44,000

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 ..... $ 45,000

0411-8031 For certain expenses of the governor's committee on children and family 62,500

Lieutenant Governor.

0412-1000 For the salary of the lieutenant governor and for personal services for the lieutenant governor's office 255,000

0412-2000 For the office of federal state relations 354,000

0412-2008 For federal-local relations 189,000

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 269,050

MILITARY DIVISION.

Notwithstanding the provisions of chapter thirty of the General Laws, certain military personnel in the military division may be paid salaries according to military pay grades, so-called.

Adjutant General.

0431-0010 For the office of the adjutant general, including not more than twenty-one permanent positions 500,678

0431-0200 For compensation for special and miscellaneous duty, for transportation of officers to and from military meetings and drills, for expenses of camps of instruction, for compensation for accidents and injuries sustained in the performance of military duty, for small claims for damages to private property and for allowances to companies and other administrative units to be expended under the direction of the adjutant general, including not more than four permanent positions 240,920

0431-0500 For the operation of the war records project, so-called, including not more than seven permanent positions and two temporary positions 127,483

State Quartermaster.

0431-1010	For the office of the state quartermaster	$ 10,000
0431-1110	For the operation of armories of the first class, provided that, notwithstanding any law to the contrary, all revenue in an amount not to exceed four hundred thousand dollars, received from fees paid for the non-military rental or use of said armories may be expended without further appropriation, subject to the approval of the state quartermaster and the state comptroller, for the cost of energy audits for said armories, for the cost of a study for improvements in the fee rental structure used at said armories, for the cost of utilities and maintenance and for the implementation of energy conservation measures with regard to said armories; provided further, the state quartermaster shall report quarterly to the house and senate committees on ways and means the income derived from such rentals and funds expended for the cost of utilities and maintenance and for the implementation of energy conservation measures, including not more than seventy-one permanent positions and two temporary positions	2,304,273
0431-1300	For the camp Curtis Guild rifle range, including not more than seven permanent positions	113,560
0431-1410	For certain storage and maintenance facilities, including not more than twenty-two permanent positions	305,445
0431-1510	For certain national guard aviation facilities, including not more than seven permanent positions	196,385
0431-9003	For the operation of the state house office of Vietnam Veterans of Massachusetts, Inc.	20,000

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; provided further, that a sum not less than twenty thousand dollars shall be expended for maintenance at the training academy in Topsfield, including not more than thirty-nine permanent positions	513,052
0432-0002	For the service of the civil defense agency nonmatching fund program	8,500
0432-0103	For the purposes of a federally funded grant entitled, Emergency Management Assistance - personnel and administrative expenses	1,200,440
	General Federal Grants Fund 100.0%	
0432-0222	For the purposes of a federally funded grant entitled, Disaster Preparedness Assistance	50,000

General Federal Grants Fund 100.0%

0432-0691 For the purposes of a federally funded grant entitled, Radiological Systems Maintenance ..... $ 223,850

General Federal Grants Fund 100.0%

0432-0693 For the purposes of a federally funded grant entitled, Radiological Defense Officer 125,000

General Federal Grants Fund 100.0%

0432-0792 For the purposes of a federally funded grant entitled, Community Shelter Planning Program subject to the for activities related to planning for nuclear war 414,000

General Federal Grants Fund 100.0%

0432-3010 For the purposes of a federally funded grant entitled, Emergency Management Training - state/local personnel 55,000

General Federal Grants Fund 100.0%

0432-3015 For the purposes of a federally funded grant entitled, Earthquake Loss Study ... 175,000

General Federal Grants Fund 100.0%

0432-3016 For the purposes of a federally funded grant entitled, Tornado Preparedness ... 75,000

General Federal Grants Fund 100.0%

0432-3017 For the purposes of a federally funded grant entitled, Industrial Preparedness 75,000

General Federal Grants Fund 100.0%

0432-3018 For the purposes of a federally funded grant entitled, National Shelter Protection subject to the condition that no funds from this item may be used for activities related to planning for nuclear war 100,000

General Federal Grants Fund 100.0%

0432-3019 For the purposes of a federally funded grant entitled, Radiological Emergency Response 40,000

General Federal Grants Fund 100.0%

0432-4000 For the purchase and installation of certain equipment to be allocated to the state civil defense program; provided, that expenditures from this item

shall be contingent upon the prior approval of the proper federal authorities and shall be expended with at least an equivalent amount of federal grants for the purposes of this item ..... $ 8,960

0432-4091 For the purposes of a federally funded grant entitled, Emergency Management - Communications and Warning Systems 145,900

General Federal Grants Fund 100.0%

0432-4092 For the purposes of a federally funded grant entitled, Hurricane Loss Study ... 100,000

General Federal Grants Fund 100.0%

0432-4093 For the purposes of a federally funded grant entitled, Emergency Operating Center 150,000

General Federal Grants Fund 100.0%

0432-4094 For the purposes of a federally funded grant entitled, State and Local Support Material 85,000

General Federal Grants Fund 100.0%

0433-0100 For providing matching funds for a federal planning and administration grant to the Governor's Highway Transportation Act of nineteen hundred and seventy-eight section 207(d), including not more than nine temporary positions 121,215

0433-0101 For the purposes of a federally funded grant entitled, Governor's Highway Safety Program - Disbursements to Cities and Towns 1,113,865

General Federal Grants Fund 100.0%

0433-0110 For the purposes of a federally funded grant entitled, Highway Safety Programs - Administrative and Planning expenses 197,000

General Federal Grants Fund 100.0%

0433-0115 For the purposes of a federally funded grant entitled, State Agency Programs ... 1,791,000

General Federal Grants Fund 100.0%

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 of the 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 3,710,185

0517-0000 For the expense of printing various documents; including a public register listing all notices of contractual opportunities offered by any public agency or authority of the commonwealth; provided that,notwithstanding any law to the contrary, all revenue accrued from the sale of such documents may be expended without further appropriation an amount up to three hundred and fifty thousand dollars subject to the approval of the secretary and the state comptroller for the expense of printing such documents including costs of materials, supplies, and equipment; and provided further that the secretary shall make quarterly reports to the house and senate committees on ways and means on the revenues accrued from the sale of such documents and on measures which have been taken to increase such revenues, including not more than five permanent positions, prior appropriation continued ..... $ 335,040

0518-0000 For the purchase and distribution of certain journals of the house of representatives 7,500

0521-0000 For preparing, printing and distributing ballots and other miscellaneous expenses for primary and other elections, including not more than six permanent positions, prior appropriation continued 2,156,883

0524-0000 For expenses of compiling and publishing information to voters 27,315

Massachusetts Historical Commission.

0526-0100 For the administration of the commission; including not more than one permanent position 319,750

0526-0105 For the purposes of a federally funded grant entitled, Massachusetts Historical Survey 411,803

General Federal Grants Fund 100.0%

0526-0106 For the purposes of a federally funded grant entitled, Emergency Federal Jobs Bill-Massachusetts Historical Survey 31,957

General Federal Grants Fund 100.0%

0526-0115 For the purposes of a federally funded grant entitled, Massachusetts Historical Preservation 281,804

General Federal Grants Fund 100.0%

0526-0116 For the purposes of a federally funded grant entitled, Emergency Federal Jobs Bill-Massachusetts Historical preservation 607,190

General Federal Grants Fund 100.0%

0526-0200 Middlesex Canal Commission 45,000

Ballot Law Commission.

0527-0100 For the compensation and expenses of the commissioners, including not more than five permanent positions ..... $ 21,000

Records Conservation Board.

0528-0100 For the expenses of the board 20,751

Commission on Interstate Cooperation.

0530-0100 For the expenses of the commission, including not more than three permanent positions 155,448

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 eleven permanent positions 316,654

TREASURER AND RECEIVER-GENERAL.

0610-0000 For the office of the treasurer and receiver-general, including not more than one hundred and eight permanent positions, prior appropriation continued .. 5,152,825

Highway Fund 30.0%
General Fund 70.0%

0611-1000 For the administration and expenses of bonus payments to war veterans 204,681

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 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, notwithstanding the provisions of any general or special law to the contrary, victims of the crime of rape shall be notified of all available services designed to assist rape victims including but not limited to the provisions outlined in section five of chapter two hundred and fifty-eight A of the General Laws; and provided, further, that compensation to such claimant shall be limited to a maximum of fifty dollars, prior appropriation continued 1,100,000

0611-5500 For additional assistance to cities and towns, to be distributed under the provisions of section three of this act; provided, however, that the final distribution of fiscal nineteen hundred and eighty-four shall not be paid *until the commissioner of revenue* has accepted the prior fiscal year's annual financial reporting requirements pursuant to the three of the General Laws 485,719,394

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 thirty-eight permanent positions ..... $ 1,460,367

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 provided, however, that no more than thirty-five million dollars in excess earnings from the assets of the state employees' retirement system may be used in addition to the amount appropriated herein for such payments, prior appropriation continued 143,085,000

Highway Fund	15.0%
General Fund	84.3%
Inland Fisheries and Game Fund	0.2%
State Recreation Areas Fund	0.5%

0612-1100 For cost of living increases to former teachers, municipal, county and district employees whose retirement expenses are assessed upon cities and towns, and state employees; provided that such increases to the above-mentioned groups shall not exceed three per cent, and provided further, that the treasurer, the state board of retirement and each city, town, county or district shall verify the cost thereof and the treasurer shall be authorized to make such payments 27,645,071

Local Aid Fund	80.0%
General Fund	15.0%
Highway Fund	5.0%

0612-1500 For a reserve to meet the full cost of the commonwealth's share in financing the state employees' and teachers' retirement systems; provided, 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

0612-1900 For authorization of payment of retirement benefits pursuant to chapter seven hundred and twelve and seven hundred and twenty-one of the acts of nineteen hundred and eighty-one, respectively 33,000

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 ..... $ 14,609,000

Highway Fund	22.0%
General Fund	78.0%

Pensions for Retired Justices.

0612-3000 For pensions of retired judges or their widows 1,982,000

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 60,000

MDC Sewerage District Fund	25.0%
MDC Water District Fund	25.0%
Highway Fund	25.0%
MDC Parks District Fund	25.0%

0612-6000 For retirement allowances of certain veterans and police officers formerly in the service of the metropolitan district commission; provided, that said commission's share of this item shall be assessed by methods fixed by law .. 1,081,275

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 279,650

MDC Sewerage District Fund	100.0%

0612-8000 For retirement of certain veterans formerly in the service of the metropolitan water system 549,050

MDC Water District Fund	100.0%

0612-9000 For annuities for widows of certain former members of the uniformed branch of the state police 122,304

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 commissioner 8,952

Emergency Finance Board.

0630-0000 For administration of the board, including not more than one permanent position ..... $ 71,829

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 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 34,994,079

0640-0100 For the expenses of the operation and administration of the arts lottery 2,310,600

Arts Lottery Council.

0640-0300 For the expenses of the operation of the arts lottery council 113,000

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 2,138,562

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 3,568,915

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 ..... $ 44,592

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 194,000

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 6,145,566

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 6,453,661

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 4,294,688

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 6,259,033

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 4,323,943

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 5,373,955

MDC Parks District Fund 100.0%

0699-6800	For the payment of interest on certain bonded debt of the commonwealth; provided, that any deficit existing in this item at the close of this fiscal year shall be charged to the Highway Fund debt service reserve	$ 44,614,517
	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	51,930,100
	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	150,551,770
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	153,204,950
0699-9100	For the payment of interest of issuance costs of notes issued pursuant to section forty-nine B of chapter twenty-nine of the General Laws; provided that any deficit existing in this item at the close of the fiscal year shall be charged to the General Fund	6,800,000
	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	7,500,000
	Highway Fund 30.0% General Fund 70.0%	
0710-0100	For the administration and expenses of the bureau of local mandates, prior appropriation continued	237,800
	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	8,176,670
0810-0014	For the expenses incurred by the department pursuant to section eleven E of chapter twelve of the General Laws	500,000
0810-0021	For the expenses of administering the medicaid fraud control unit; provided, that the federal reimbursement for any expenditure for this item shall not be less than seventy-five per cent of such expenditure	1,570,482

0810-0031 For the expenses of administering the local consumer aid fund, established by section eleven G of chapter twelve of the General Laws ..... $ 312,700

0810-0035 For the administration and expenses of the Anti-Trust division 385,071

Anti-Trust Enforcement Fund 100.0%

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

0830-0100 For the administration and expenses of the commissioner on uniform state laws .. 17,950

STATE ETHICS COMMISSION.

0900-0100 For the administration and expenses of the state ethics commission 753,151

EXECUTIVE OFFICE OF ADMINISTRATION AND FINANCE.

Office of the Commissioner.

1100-1100 For the office of the commissioner, including not more than eleven permanent positions and four temporary positions 598,621

Highway Fund 30.0%
General Fund 70.0%

1100-1150 For the administration of tort claims, including not more than six temporary positions 154,849

1100-1452 For the purposes of a federally funded grant entitled, Disaster Recovery, HUD .. 191,277

General Federal Grants Fund 100.0%

1100-1514 For the purposes of a federally funded grant entitled, Protection and Advocacy Grant 177,556

General Federal Grants Fund 100.0%

1100-1551 For the purposes of a federally funded grant entitled, Emergency Food and Shelter Program 1,297,737

General Federal Grants Fund 100.0%

1100-1703 For the purposes of a federally funded grant entitled, Administering Agency for Developmental Disabilities 974,335

General Federal Grants Fund 100.0%

1100-1710 For the purposes of a federally funded grant entitled, Massachusetts Developmental Disabilities Council Service ..... $ 223,814

General Federal Grants Fund 100.0%

1100-1711 For the purposes of a federally funded grant entitled, Coordinating Services for Developmental Disability State Plan 179,923

General Federal Grants Fund 100.0%

Fiscal Affairs Division.

1101-2100 For the administration of the division, including not more than thirty-four permanent positions and twenty-two temporary positions 1,789,162

Highway Fund 30.0%
General Fund 70.0%

1101-2300 For the administration of the bureau of systems operations, provided that said bureau shall prepare a report allocating to the various agencies of the commonwealth utilizing said bureau, all expenditures, both direct and indirect, related to the operation of the computer facility, to the systems and programming activities, and to the data entry activities of said bureau for fiscal year nineteen hundred and eighty-three and estimated for fiscal year nineteen hundred and eighty-four; and provided further that said report shall include a detailed description of the actions required for implementation in fiscal year nineteen hundred and eighty-five of a monthly chargeback procedure for the aforementioned expenditures; and provided further that the aforementioned report shall be filed on or before October first, nineteen hundred and eighty-three, with the house and senate committees on ways and means; and provided further that no expenditures for systems and programming, and systems development activities, undertaken for, or by, the department of public welfare shall be made from this account, including not more than one hundred and thirty-seven permanent positions and one hundred and forty-five temporary positions 9,262,711

1101-2304 For the expenses relating to the personnel management information system, including all expenditures related to the systems and programming of said system, training for operators of said system, and the operation of said system by private data processing service bureaus; and provided further that the executive office for administration and finance shall prepare and submit reports quarterly during fiscal year nineteen hundred and eighty-four on the progress of the statewide implementation of said system, including expenditures related thereto, to the house and senate committees on ways and means, including not more than five permanent positions and twenty-six temporary positions 1,696,359

1101-2380 For the administration of the office of management information systems, including not more than fifteen permanent positions and five temporary positions ..... $ 663,818

1101-2390 For the administration of the bureau of systems policy and planning, provided that said bureau shall conduct and complete an update to a data processing survey, of all state departments and agencies, including the judicial branch and all educational institutions under the board of regents, and all said departments and agencies are hereby directed to provide the information or data on such forms as the bureau shall prescribe as follows: (1) a report of each such agency specifying all data processing equipment, and specifying whether said equipment is owned, leased or in the possession of such agency on July one, nineteen hundred and eighty-three, including a projection for fiscal year nineteen hundred and eighty-four, in the case of an agency contracting for data processing services, listing the name of the vendor, the dollar amount of the contract and the terms thereof briefly summarized, a brief description of the product to be delivered, if applicable, and the purpose of each such contract; (2) a summary report of all the funds budgeted for fiscal year nineteen hundred and eighty-four for all agencies for data processing within said agencies according to subsidiary accounts, excluding projects with said bureau of systems operations; but including all salaries and equipment related expenses; and (3) a summary report of all funds budgeted for fiscal year nineteen hundred and eighty-four by all agencies for data processing projects to be done with said bureau of systems operations specifying the name of each project, a brief description of the purposes to be accomplished by the project in fiscal year nineteen hundred and eighty-four, including the fiscal year nineteen hundred and eighty-four salaries and equipment related expenses to be expended by the agency, and provided further, that said bureau may call upon any state department, agency, judicial branch or educational institution, including an on-site visit to verify any such survey information and no department or agency shall refuse entry or fail to cooperate in such verification; provided, however, that the lottery commission, for purposes of security of information, may impose reasonable restrictions and establish guidelines for proper supervision by it of any such on-site visit, and provided further that a complete report of the aforementioned summaries shall be filed on or before January fifteenth, nineteen hundred and eighty-four, with the house and senate committees on ways and means, including not more than ten permanent positions and twenty-two temporary positions 1,080,174

Central Services Division.

1102-3210 For the administration of the division of capital planning and operations; provided, that, notwithstanding any law to the contrary, the director of the division of capital planning and operations is hereby authorized and directed to provide suitable space in the McCormack State Office

Building to be utilized as a day care center for the children of state employees provided that the operator of such day care center shall pay rent to the commonwealth for said space and shall reimburse the commonwealth for any state tax revenue expended for the purpose of making improvements to the space provided, and that said space requirements and any incidental expenses attendant thereto shall be at no cost to the commonwealth, including not more than one hundred and fifty-eight permanent positions and twenty-two temporary positions .... $ 5,072,319

1102-3212 For a reserve to meet the costs of the management of the transportation building located in Park Square in the city of Boston; provided, however, that the allocation of funds for purposes of this item shall be in accordance with schedules filed by the commissioner of administration and finance and approved by the house and senate committees on ways and means 2,550,000

1102-3301 For the administration of the bureau of state buildings, including a Law Enforcement Co-op Program, 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 house and senate committees on ways and means, a copy of which is on file with the personnel administrator, including not more than two hundred and thirty-two permanent positions and twelve temporary positions 15,458,961

1102-4010 For the administration and operation of certain central services, including not more than thirty-four permanent positions and two temporary positions 873,123

1102-4050 For the administration and operation of an office of telecommunications, including not more than twelve permanent positions and four temporary positions 310,928

1102-5201 For the expenses and administration of a motor vehicles management bureau, including not more than thirteen permanent positions 294,140

1102-5211 For fuel and repairs of certain motor vehicles 2,323,036

1102-5221 For the purchase of motor vehicles 1,900,000

Comptroller's Division.

1103-1000 For the administration of the division, including not more than one hundred and seventeen permanent positions 2,625,431

Highway Fund	30.0%
General Fund	70.0%

1103-2000 For the administration of the federal funds unit to carry out the provisions of section six B of chapter twenty-nine of the General Laws, including not more than five temporary positions ..... $ 170,000

1103-5010 For the administration of the bureau of special investigations, including not more than fifty-six permanent positions and eighty-nine temporary positions 3,481,251

Purchasing Agent's Division.

1104-1000 For the administration of the division, including not more than thirty-one permanent positions and seven temporary positions 859,322

Highway Fund	30.0%
General Fund	70.0%

Other Administration and Finance.

1105-1000 For the administration of the division of employee relations; provided, that during the negotiation of any collective bargaining agreement the commissioner shall file with the house and senate committees on ways and means the provisions of each offer made by the commonwealth, the total estimated cost of such offer, and an analysis of the ability of the commonwealth to provide sufficient revenues to pay for said offer; and provided further, that such information shall be filed with said committee for each subsequent collective bargaining offer made by the commonwealth; including not more than sixteen permanent positions 678,757

Department of Personnel Administration.

1107-1000 For the administration of the department; provided, that no less than forty thousand dollars shall be expended for the administration of the state office for affirmative action; provided, that notwithstanding any special or general law or rule or regulation to the contrary, the civil service commission is hereby authorized and directed to establish a fee of not less than ten dollars for each civil service examination given on or after September thirtieth, nineteen hundred and eighty-four; including not more than two hundred and eighteen permanent positions and thirty-eight temporary positions 5,660,587

Highway Fund	20.0%
General Fund	80.0%

1107-1011 For the administration of the civil service commission, including not more than eleven permanent positions 251,488

1107-2400 For the office of handicapped affairs, including not more than six permanent positions 168,271

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 seven permanent positions and seven temporary positions ..... $ 371,673

1111-0010 For the administration of the bureau of teachers' retirement, including not more than twenty-four permanent positions and eighteen temporary positions 770,740

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 19,807,297

Local Aid Fund 100.0%

1111-1003 For the payment of the commonwealth's share in financing the teachers' retirement system, provided, however, that not more than twenty-six million dollars in excess earnings from the assets of the teachers' retirement system may be used in addition to the amount appropriated herein for such payments, prior appropriation continued 135,294,772

Local Aid Fund 100.0%

Group Insurance Commission.

1120-1000 For administration of the group insurance program; provided, that the commission shall submit to the house and senate committees on ways and means, no later than October first, nineteen hundred and eighty-three, a report relative to the modernization of its operation, including not more than thirty-six permanent positions and forty-one temporary positions 1,402,900

1120-1001 For the expense of implementing certain improvements in the operation of the group insurance commission, provided that the house and senate committees on ways and means shall be notified of any expenditure from this appropriation no less than thirty calendar days prior to such expenditure; provided, further, that any purchase of electronic data processing equipment and materials shall be subject to the approval of the director of the office of management information services .. 70,000

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 by April first of each year 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-three 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 commission effective July first, nineteen hundred and eighty-three; 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; and provided further that the commission shall notify the house and and senate committees on ways and means, by April fifteenth of each year, of the commonwealth's actual cost of its share of group insurance premiums for the next fiscal year; prior appropriation continued ..... $ 114,890,000

1120-2001 For the reserve required to supplement the commonwealth's share of the group insurance premium provided for in item 1120-2000 to provide payment for health insurance claims incurred between July first, nineteen hundred and eighty-three through June thirtieth, nineteen hundred and eighty-four in addition to the allocation appropriated in item 1120-2000 submitted for payment in fiscal year nineteen hundred and eighty-four or in future fiscal years; and, provided, that no transfer from the reserve herein shall be made but upon schedules submitted by the commissioner of administration and approved by the house and senate committees on ways and means; and, provided further, 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; 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, prior appropriation continued 21,400,000

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 ..... $ 914,153

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 3,621,761

Council on the Arts and Humanities.

1121-0100 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, subject to the condition that not less than one million dollars be spent for the purposes of the community resource act as provided for in chapter seven hundred and seventy-two of the acts of nineteen hundred and eighty-one; and provided further, that there shall be no interchange or interchanges between any subsidiary account and the subsidiary account entitled "13, Special Supplies and Expenses" within this appropriation account; including not more than thirteen temporary positions 8,523,671

General Fund 75.9%
Local Aid Fund 24.1%

1121-9717 For the purposes of a federally funded grant entitled, Promotion of Arts Basic State Grant 475,296

General Federal Grants Fund 100.0%

1121-9718 For the purposes of a federally funded grant entitled, Promotion of Arts, Artists in Education 95,100

General Federal Grants Fund 100.0%

1121-9720 For the purposes of a federally funded grant entitled, Folk Arts 35,000

General Federal Grants Fund 100.0%

1140-0100 For the administration of a division of public employee retirement, including not more than forty-eight temporary positions 1,248,076

1140-0200 For the purposes of workmen's compensation paid to public employees, including previous fiscal years ..... $ 10,909,973

Highway Fund 35.0%
General Fund 65.0%

1140-0300 For the purposes of medical panels of the division of public employee retirement 1,500,000

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; and provided further, that said commission shall pursue the highest rate of federal reimbursement per charge allowable, including not more than twenty-nine permanent positions and twelve temporary positions 1,137,874

1150-5300 For the purposes of a federally funded grant entitled, Fair Housing Assistance Program - Type II, Year I - Technical Assistance 7,350

General Federal Grants Fund 100.0%

1150-5323 For the purposes of a federally funded grant entitled, Fair Housing Assistance Program - Type I, Year I 1,340

General Federal Grants Fund 100.0%

1150-5326 For the purposes of a federally funded grant entitled, Fair Housing Assistance Program - Type II, Year I - Innovative Projects 8,000

General Federal Grants Fund 100.0%

1150-5327 For the purposes of a federally funded grant entitled, Fair Housing Assistance Program - Type I, Year II 18,690

General Federal Grants Fund. 100.0%

1150-5328 For the purposes of a federally funded grant entitled, Fair Housing Assistance Program - Type I, Year III 53,000

General Federal Grants Fund 100.0%

1150-5329 For the purposes of a federally funded grant entitled, Fair Housing Assistance Program - Type II, Year II 85,000

General Federal Grants Fund 100.0%

1150-5330 For the purposes of a federally funded grant entitled, Fair Housing Assistance Program - Type II, Year I - Data and Information ..... $ 35,000

General Federal Grants Fund 100.0%

1150-5331 For the purposes of a federally funded grant entitled, 1981 Backlog Charge Resolution Contract II 25,000

General Federal Grants Fund 100.0%

1150-5332 For the purposes of a federally funded grant entitled, 1981 Age Charge Resolution Contract 8,100

General Federal Grants Fund 100.0%

1150-5334 For the purposes of a federally funded grant entitled, 1982 New Charge Resolution Contract 10,391

General Federal Grants Fund 100.0%

1150-5335 For the purposes of a federally funded grant entitled, 1983 New Charge Resolution Contract 247,900

General Federal Grants Fund 100.0%

1150-5336 For the purposes of a federally funded grant entitled, 1983 Age Charge Reduction 65,625

General Federal Grants Fund 100.0%

1150-5337 For the purposes of a federally funded grant entitled, 1983 Inventory Reduction 55,124

General Federal Grants Fund 100.0%

1150-5338 For the purposes of a federally funded grant entitled, Fair Housing Assistance Program - Type I, Year IV 155,000

General Federal Grants Fund 100.0%

1150-5339 For the purposes of a federally funded grant entitled, 1984 New Charge Resolution 354,375

General Federal Grants Fund 100.0%

1150-5340 For the purposes of a federally funded grant entitled, 1984 Age Charge Resolution 81,563

General Federal Grants Fund 100.0%

1150-5341 For the purposes of a federally funded grant entitled, 1984 Inventory Reduction ..... $ 73,961

General Federal Grants Fund 100.0%

Retirement Law Commission.

1180-1000 For the administration of the commission, including not more than two permanent positions and one temporary position 107,444

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; for the expenses of administering section forty-five A of chapter sixty-two C of the General Laws, for salaries and expenses of the wage reporting system; provided that not less than one million three hundred thousand dollars be spent for the expenses of the wage reporting system; 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 nine hundred and eleven permanent positions and two temporary positions 49,538,051

Highway Fund 10.0%
General Fund 90.0%

1211-0101 For expenses and salaries of designing and implementing a computer assisted mass appraisal system to aid cities and towns in updating property tax assessments 400,000

Bureau of Accounts.

1231-0100 For the administration of the bureau, including the expense of auditing municipal accounts where the circumstances require state assistance to accomplish a specific purpose in the protection of the public interest; for the operation of technical assistance and educational 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; provided that not less than two hundred thousand dollars shall be expended for the purpose of establishing and maintaining a municipal data bank; including not more than fifty-seven permanent positions 1,767,179

1231-1000 For the administration of the county personnel board, including not more than five permanent positions ..... $ 45,810

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 5,200,000

Local Aid Fund 100.0%

1233-2310 For reimbursing 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 government center 357,570

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 4,407,285

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 twenty-five permanent positions; and provided, further, that the board schedule hearings in Barnstable, Lawrence, Pittsfield, Worcester, and Springfield ... 747,728

Miscellaneous.

1599-0002 For the payment of miscellaneous obligations of the commonwealth, including contributions toward the maintenance of the old provincial state house; for certain annuities and pensions of soldiers and others under the provisions of certain acts and resolves; for claims authorized by section

	one hundred and forty-nine D of chapter one hundred and seventy-five of the General Laws and for reimbursement for funds previously deposited in the treasury and escheated to the commonwealth; for claims for unpaid checks with the certification of the state treasurer to the comptroller of the amount due; and for the payment 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 the comptroller is hereby authorized to certify such payments and to allocate the cost of such payments to the several or other state funds to which the items of appropriation are charged	$ 58,500
1599-0008	For a reserve for tort claims	150,000
1599-2012	For the payment of wages to patients and residents in mental health facilities in accordance with a schedule approved by the house and senate committees on ways and means; provided, that the commissioner of administration in conjunction with the secretary of human services, is hereby directed to conduct a study of wages proposed to be paid and charges to be made in the institutions of the commonwealth from funds made available by this item, prior appropriation continued	807,325
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	1,800,000
1599-2056	For a reserve to meet the cost of the retirement law commission research project, provided, that the allocation of funds for the purpose of this item shall be based upon a recommendation of the commissioner of administration and finance and approval of the house and senate committees on ways and means	100,000
1599-3100	For the payment of certain employment security benefits, prior appropriation continued	4,750,000
1599-3192	For a reserve to fund certain projects, designed to improve the productivity and efficiency of agency operations, through innovative cost-saving meausures and/or equipment acquisition, provided that the commissioner	

of administration be authorized to transfer such funds, not to exceed seventy-five thousand dollars for any one project, to other appropriation items where he deems there exists a significant potential for increased productivity in agency operation that will result from the expenditure of these funds; provided, further, that the commissioner shall notify both the house and senate committees on ways and means of any such transfer of funds from this reserve ..... $ 500,000

1599-3284 For a reserve to meet the cost of community college training in conjunction with the development and the establishment of a work and training program for public assistance applicants and recipients, provided that the commissioner of administration is hereby authorized to transfer from the sum appropriated to item 4407-1000 in the department of public welfare to be expended on training programs in the work and training program, prior appropriation continued.

1599-3315 For the transportation of prisoners to and from the several departments of the trial court by the sheriffs of the various counties, including the cost of personal services and the purchase of vehicles and other equipment for said purposes; provided that, the commissioner of administration is hereby authorized to advance to the county treasurer of each county the sums set forth below for each respective county: Barnstable, one hundred sixty-six thousand eight hundred and forty-eight dollars; Berkshire, one hundred fourteen thousand one hundred and eighty-five dollars; Bristol, two hundred fifteen thousand three hundred and forty dollars; Dukes, forty thousand and twenty-six dollars; Essex, two hundred fifty-seven thousand three hundred and seventy-four dollars; Franklin, one hundred twenty-six thousand three hundred and thirteen dollars; Hampden, two hundred fifty-two thousand five hundred and sixty-nine dollars; Hampshire, one hundred thirty-five thousand seven hundred and ninety-seven dollars; Middlesex, four hundred eighty-eight thousand six hundred and ninety-two dollars; Norfolk, two hundred sixty-nine thousand three hundred and ninety dollars; Plymouth, two hundred fifty-three thousand nine hundred and forty-four dollars; Suffolk, two hundred and twenty-one thousand nine hundred and thirty six dollars; Worcester, two hundred forty-two thousand one hundred and ninety-one dollars; provided further, that each such treasurer shall deposit said amounts into a fund to be expended solely for the purposes of this item and that any unexpended balance of such fund as of June thirtieth, nineteen hundred and eighty-four, shall be returned to the commonwealth 2,784,605

Local Aid Fund 100.0%

1599-3323 For a reserve to fund studies of investment strategies and policies which can be adopted by private and public institutions to revitalize depressed urban neighborhoods in the commonwealth; provided, that funds to finance investment studies go directly to community organizations; provided, further, that the allocation of funds for this purpose shall be

based on a recommendation of the commissioner of administration and approval of the house and senate committees on ways and means ..... $ 100,000

1599-3351 For a reserve to meet the cost of advertising and printing; provided, that no department, office, commission, agency, board or institution shall expend any funds for said purposes under subsidiary account entitled "11 Advertising and Printing", or if its subsidiary accounts are unscheduled, unless funds have been specifically appropriated therefor, and no department, office, commission, board, institution or agency head shall, in such subsidiary account set up as prescribed in the schedules referred to in section twenty-seven of chapter twenty-nine of the General Laws, increase or decrease said subsidiary account by the interchange with any other subsidiary account within the same appropriation account; and, provided further, that where no funds have been appropriated for said subsidiary account to any department, office, commission, agency, board or institution, the commissioner of administration shall establish and monitor a control system of the reserve established by this item for the efficient expenditure of funds therefrom and may for said purposes allocate to each such agency or expend directly from this reserve only such funds as it deems necessary to carry out the objectives of said control system and shall rigorously adhere to the provisions of chapter twenty-nine of the General Laws governing the expenditures of state funds 6,090,000

1599-3388 For a reserve to fund the lease and purchase of certain data processing equipment by the commissioner of administration pursuant to the provisions of section four of this act; provided that said commissioner is authorized to transfer funds herein appropriated to those appropriation items specified in said section four; provided further that on or before the tenth day of each month the commissioner of administration shall file with the house and senate committees on ways and means a report detailing by agency the amount of funds expended and the specific equipment purchased or leased 2,000,000

1599-3390 For a reserve to fund an arson task force, provided that the commissioner of administration is hereby authorized to transfer from the sum appropriated to appropriate accounts; provided further that no transfers shall be made without the prior approval of the house and senate committees on ways and means 150,000

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.

Office of the Secretary.

Notwithstanding any provision of law to the contrary, the secretary of environmental affairs shall provide the secretary of administration and finance and the house and senate committees on ways and means notification of any alterations in programmatic undertakings from those programs listed in the line item below. If, within thirty days of noti-

fication of said alterations in programmatic undertakings, no action has been taken by either the secretary of administration and finance or the house and senate committees on ways and means, said alterations shall take effect.

2000-0100 For the office of the secretary, including the expenses of the water resources commission, the division of conservation services, a program for coastal zone management, for a program of review of environmental impact reports pursuant to chapter thirty of the General Laws, and for a land use planning and development unit; including not more than twenty-seven permanent positions and not more than seventeen temporary positions ..... $ 1,182,817

General Fund	72.5%
MDC Water District Fund	5.0%
MDC Sewerage District Fund	5.0%
MDC Parks District Fund	5.0%
State Recreation Areas Fund	7.5%
Highway Fund	5.0%

2000-0141 For the purposes of a federally funded grant entitled, Coastal Zone Management Development 363,000

General Federal Grants Fund 100.0%

2000-0142 For the purposes of a federally funded grant entitled, Coastal Energy Impact Program 140,268

General Federal Grants Fund 100.0%

2000-0150 For the expenses of the Martha's Vineyard Commission 90,000

2000-9730 For the purposes of a federally funded grant entitled, Transportation Air Quality Planning $3,974

General Federal Grants Fund 100.0%

2010-0100 For the administration and maintenance of the Massachusetts World War II Memorial, prior appropriation continued.

2030-9701 For the purposes of a federally funded granted entitled, Outdoor Recreation Projects, Political Subdivision 6,491,332

General Federal Grants Fund 100.0%

Hazardous Waste Facility Site Safety Council.

2050-0100 For the administration of the hazardous waste facility site safety council, including not more than twenty permanent positions 273,865

2050-0200 For technical assistance grants to cities and towns, as authorized in chapter twenty-one D of the General Laws and for a hazardous waste source reduction program to be administered by the department of environmental management, prior appropriation continued ..... $ 300,000

Department of Environmental Management.

Notwithstanding any general or special law to the contrary, the department of environmental management, upon approval of the secretary of environmental affairs, shall provide the secretary of administration and finance and the house and senate committees on ways and means notification of any alterations in programmatic undertakings from those programs listed in the line item below. If, within thirty days of notification of said alterations in programmatic undertakings no action has been taken by either the secretary of administration and finance, or the house or senate committees on ways and means, said alterations shall take effect.

2100-0100 For the administration of the department, for the operation of the division of forests and parks, including a program of public transportation assistance to the recreation areas and facilities of the Boston Harbor Islands, for the division of water resources, including the expenses of certain flood control commissions, for the expenses of the Ipswich river watershed commission, for the expenses of the bureau of solid waste disposal, for the administration of the hazardous waste source reduction and facility siting program, for the division of waterways, for the dam safety program, for the maintenance of property in the town of Plymouth, for the operation and maintenance of state piers in New Bedford and Gloucester, for the expenses of the North river commission in an amount not to exceed ten thousand dollars, and for the expenses of the scenic rivers program, 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; provided, further, that the department of environmental management, with the approval of the secretary of environmental affairs, shall submit to the secretary of administration and finance and the house and senate committees on ways and means on or before August fifteenth, nineteen hundred and eighty-three, a plan for the distribution of the funds appropriated herein among the major programs as set forth above, such plan to include a narrative statement for each program contrasting the funding for that program in the plan for the fiscal year nineteen hundred and eighty-four and the amounts funded in fiscal year nineteen hundred and eighty-three and explaining the rationale for any major variations; the number of personnel to be assigned to each program and a subsidiary account analysis for each program for each quarter of the year; provided, further, that the department shall report quarterly to the secretary of administration and finance and the house and senate committees on ways and means on the status of each program including detailed descriptions of expenditures and explanation of any variances from the finance plan submitted on or before August fifteenth, nineteen hundred and eighty-three; including not more

than one hundred and six permanent positions and not more than thirty-six temporary positions ..... $ 4,303,621

General Fund 65.0%
State Recreation Areas Fund 35.0%

2100-0105 For the expenses of the renovation of the Geisler and Allicon pools in the city of Lawrence upon acquisition of such pools by the department from the city of Lawrence for nominal consideration 350,000

State Recreation Areas Fund 100.0%

2100-0160 For the development of a Supplemental Master Plan for the Blackstone River and Canal Heritage Park and include that portion of the Blackstone River and Canal located within the boundaries of the city of Worcester within said Heritage Park project 50,000

2100-0161 For the development of final design and engineering plans, including the preparation of bidding documents, copies of engineer permits and other documents necessary for the implementation of the Master Plan for the Blackstone River and Canal Heritage State Park 240,000

2100-9706 For the purposes of a federally funded grant entitled, Heat Recovery at Department of Environmental Management Rinks 104,882

General Federal Grants Fund 100.0%

2120-0300 For the administration of the bureau of recreation, and for the operation of facilities under the management of the bureau of recreation including forests and parks, certain reservations, salt water beaches, and skating rinks and swimming pools; provided, however, that any positions assigned to skating rinks and swimming pools, including the positions 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; provided, further, that not less than four positions shall be assigned to the Blackstone river state park; provided further, that a sum not exceeding ten thousand dollars shall be used for snow fencing and plant material at Salisbury beach; including not more than one hundred and forty-eight permanent positions and not more than three hundred and eight temporary positions 13,350,465

State Recreation Areas Fund 100.0%

2120-1100 For the expenses of programs in forest management and development, including forestry assistance projects, the office of the state fire warden, and suppression of insect pests and shade tree diseases; including not more than one hundred and seventeen permanent positions and not more than fourteen temporary positions 2,986,876

2120-1500 For a reserve to meet the expenses of the bureau of urban services for the administration of the urban heritage parks program through grants or service contracts; provided however, that if grants are not accepted or service contracts cannot be established, for a program of direct operation; provided that the department of environmental management may expend funds directly from this reserve, upon approval of the secretary of environmental affairs pursuant to schedules submitted by the department to the house and senate committees on ways and means. If within thirty days of submission of said schedules no action has been taken by either the house and senate committees on ways and means, expenditures may proceed as provided herein ..... $ 742,000

2120-9701 For the purposes of a federally funded grant entitled, Rural Community Fire Protection 26,000

General Federal Grants Fund 100.0%

2120-9707 For the purposes of a federally funded grant entitled, Urban and Community Forestry 30,000

General Federal Grants Fund 100.0%

2120-9708 For the purposes of a federally funded grant entitled, Improved Lumber Drying Program 27,000

General Federal Grants Fund 100.0%

2120-9715 For the purposes of a federally funded grant entitled, Emergency Federal Jobs Bill 908,600

General Federal Grants Fund 100.0%

2121-9709 For the purposes of a federally funded grant entitled, Forestry Planning 15,000

General Federal Grants Fund 100.0%

2121-9710 For the purposes of a federally funded grant entitled, Rural Fire Protection Property 42,000

General Federal Grants Fund 100.0%

2121-9731 For the purposes of a federally funded grant entitled, Recreational Capital Expenditures - Federal Share 313,587

General Federal Grants Fund 100.0%

2130-9702 For the purposes of a federally funded grant entitled, Water Resources Planning - Title III 33,850

General Federal Grants Fund 100.0%

2130-9703 For the purposes of a federally funded grant entitled, Washington Brook Watershed Project ..... $ 244,625

General Federal Grants Fund 100.0%

2130-9704 For the purposes of a federally funded grant entitled, Quabog River Watershed .. 50,000

General Federal Grants Fund 100.0%

2130-9706 For the purposes of a federally funded grant entitled, Cooperative Agreement for Water Use Studies 16,304

General Federal Grants Fund 100.0%

2130-9707 For the purposes of a federally funded grant entitled, Diamond Brook Watershed Project - Town of Walpole 600,000

General Federal Grants Fund 100.0%

2130-9708 For the purposes of a federally funded grant entitled, National Flood Insurance Program 66,000

General Federal Grants Fund 100.0%

2150-0500 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; including a program of dredging and related work at Cranberry Pond drainage area at Fore River in the town of Weymouth; provided, that an amount not exceeding three hundred thousand dollars shall be used for the dredging of the Belle Isle inlet; provided further, that the sum of one hundred thousand dollars shall be used for the 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 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 a sum not exceeding fifteen thousand dollars shall be used for development of final engineering plans, including the preparation of bidding documents, corps of engineers permits and other documents for the control of the outflow and water level of Lake Nipmuc in the town of Mendon; 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, 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 one hundred and 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 bidding process to accomplish the dredging; provided further, that an amount not exceeding three hundred thousand dollars shall be used for western Massachusetts inland waters, specifically the Hoosic River in Cheshire for stream clearance and selective excavation and improvement; provided further, that a sum not exceeding twenty-five thousand dollars shall be used to study the cause of weed and algae growth in Forest Lake in Methuen; provided further that a sum not exceeding three hundred thousand dollars shall be used for the dredging of Madaket Harbor in the town of Nantucket and provided further that the sum not exceeding fifty thousand dollars shall be used for the dredging of Polpis Harbor in the town of Nantucket; provided, that the funds appropriated herein may be expended without further appropriation subject to schedules approved by the house and senate committees on ways and means, prior appropriation continued.

2150-0501 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 a sum not exceeding one hundred thousand dollars shall be used to clear and dredge the Salisbury Plain river and the Matfield river in the towns of West Bridgewater and East Bridgewater; provided, that the funds appropriated herein may be expended without further appropriation subject to schedules approved by the house and senate committees on ways and means, prior appropriation continued.

2150-0502 For a continuous program of cleaning and dredging of the Neponset River basin at Milton Lower Mills/Milton Town landing; provided, that the funds appropriated herein may be expended without further appropriation subject to schedules approved by the house and senate committees on ways and means, prior appropriation continued.

2150-0503 For a continuous program of cleaning of harbors and inland waterways, as authorized by chapter eight hundred and seventy-eight of the acts of nineteen hundred and seventy; provided, that a sum not exceeding thirty-five thousand dollars shall be used to repair and reconstruct the automatic tidal gate located at the headwaters of Straits Pond at the

boundaries of the towns of Cohasset, Hingham and Hull; provided further, that a sum not exceeding one hundred and 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 two hundred thousand dollars shall be expended to clear and dredge the Hoosic River in the town of Cheshire, for stream clearance, and selective excavation and improvements; provided further, that a sum not exceeding thirty thousand dollars shall be used for the design of flood control and erosion control improvements to a section of the Green River in the town of Williamstown; and provided further, that no funds shall be expended for such clearing and dredging project prior to the completion and consideration of an environmental impact report undertaken pursuant to sections sixty-one through sixty-two H, inclusive, of chapter thirty of the General Laws, provided further, that the funds appropriated herein may be expended without further appropriation subject to schedules approved by the house and senate committees on ways and means, prior appropriation continued.

2150-0504 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 two hundred and fifty thousand dollars shall be used for the rehabilitation and dredging of Mill Brook in Webster and the construction of a secondary outlet for Webster lake including related environmental reports and permits, engineering contingencies and such land and easement taking costs related thereto; provided further, that the funds appropriated herein may be expended without further appropriation subject to schedules approved by the house and senate committees on ways and means, prior appropriation continued.

2150-0505 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 the amount appropriated herein shall be used for the cleaning and dredging of the South River Tributary at Pickman Park in the city of Salem, including any environmental impact reports or engineering studies that are deemed necessary by the division prior to the actual commencement of dredging activities; provided further, that the funds appropriated herein may be expended without further appropriation subject to schedules approved by the house and senate committees on ways and means, prior appropriation continued.

2150-0507 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 this appropriation be used for the rehabilitation and dredging of McKinstry Pond in Oxford, including related environmental reports or engineering studies that the division deems necessary prior to the actual commencement of

dredging activities; provided, that the funds appropriated herein may be expended without further appropriation subject to schedules approved by the house and senate committees on ways and means, prior appropriation continued.

2150-0508 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 this appropriation shall be used for the dredging of Madaket Harbor on the island of Nantucket, for preconstruction activities including hydrographic survey, material sampling, testing, quantity determination, disposal site location corp permits, and contract document; provided, that the funds appropriated herein may be expended without further appropriation subject to schedules approved by the house and senate committees on ways and means, prior appropriation continued.

2150-0509 Dredging Aberjona River/Wedge Pond, Winchester; provided, that the funds appropriated herein may be expended without further appropriation subject to schedules approved by the house and senate committees on ways and means, prior appropriation continued.

2150-0520 For the dredging of the Belle Isle Inlet as authorized by chapter eight hundred and seventy-eight of the acts of nineteen hundred and seventy; provided, that the funds appropriated herein may be expended without further appropriation subject to schedules approved by the house and senate committees on ways and means, prior appropriation continued.

2150-0527 For the design of stream clearance and channel excavation of Pine Tree Brook from Pope's Pond to Turner's Pond in the town of Milton; provided, that the funds appropriated herein may be expended without further appropriation subject to schedules approved by the house and senate committees on ways and means ..... $ 20,000

2150-0528 For the planning and design of a project for the upgrading of the public recreational facilities of Lake Mascuppic located in the towns of Tyngsborough and Dracut, for the enjoyment of the citizens of the commonwealth and said towns, and to effectuate an algae and weed control program to clear the waters of said lake 20,000

2150-0529 For the restoration of Great Head Drumlin in the town of Winthrop, subject to acceptance by town meeting in said town 400,000

2150-0530 For the replacement and/or reconstruction of a failing and partially collapsed timber crib retaining wall along a portion of the north bank of the west branch of the Housatonic River in the city of Pittsfield, in accordance with plans and designs authorized by item 2270-0506 of chapter one hundred and ninety-one of the acts of nineteen hundred and eighty-two 175,000

Department of Environmental Quality Engineering.
Office of the Commissioner.

Notwithstanding any general or special law to the contrary, the department of environmental quality engineering upon approval of the secretary of environmental affairs, shall provide the secretary of administration and finance and the house and senate committees on ways and means notification of any alterations in programmatic undertakings from those programs listed in the line item below. If, within thirty days of notification of said alterations in programmatic undertakings, no action has been taken by either the secretary of administration and finance, or the house and senate committees on ways and means said alterations shall take effect.

2200-0100 For the administration of the department including the administration of the division of water pollution control, and for the administration of the collection sewer grants management program, for the bureau of environmental sanitation and for the expenses of the Lawrence Experimental station, for the expenses of programs in air quality control, including the administration of six air pollution control districts, for programs in hazardous and solid waste disposal, for the operation of a wetlands program in accordance with the provisions of sections forty and forty A of chapter one hundred and thirty-one and section one hundred and five of chapter one hundred and thirty of the General Laws; provided, further, that a sum not exceeding five hundred thousand dollars shall be used to contract with the University of Massachusetts for a program in environmental research; provided, further, that the department of environmental quality engineering, with the approval of the secretary of environmental affairs, shall submit to the secretary of administration and finance and the house and senate committees on ways and means on or before August fifteenth, nineteen hundred and eighty-three, a plan for the distribution of the funds appropriated herein among the major programs as set forth above, such plan to include a narrative statement for each program contrasting the funding for that program in the plan for the fiscal year nineteen hundred and eighty-four and the amounts funded in fiscal year nineteen hundred and eighty-three and explaining the rationale for any major variations; the number of personnel to be assigned to each program and a subsidiary account analysis for each program for each quarter of the year; provided, further, that the department shall report quarterly to the secretary of administration and finance and the house and senate committees on ways and means on the status of each program including detailed descriptions of expenditures and explanation of any variances from the financial plan submitted on or before August fifteenth, nineteen hundred and eighty-three; including not more than one hundred and forty-five permanent positions and not more than two hundred and forty-nine temporary positions ..... $ 10,484,929

2200-9704 For the purposes of a federally funded grant entitled, Solid Waste Disposal - Conservation and Recovery ..... $ 1,500,000

General Federal Grants Fund 100.0%

2200-9705 For the purposes of a federally funded grant entitled, Underground Water Protection Program 133,080

General Federal Grants Fund 100.0%

2200-9706 For the purposes of a federally funded grant entitled, Groundwater Protection Program 799,000

General Federal Grants Fund 100.0%

2200-9707 For the purposes of a federally funded grant entitled, Solid Waste Disposal, RCRA 208,000

General Federal Grants Fund 100.0%

2240-0500 For reimbursement to cities, towns and districts for certain chemical costs in accordance with the provisions of section thirty-seven of chapter twenty-one of the General Laws 2,000,000

Local Aid Fund 100.0%

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 893,884

Local Aid Fund 100.0%

2240-9706 For the purposes of a federally funded grant entitled, Water Pollution Control .. 1,044,000

General Federal Grants Fund 100.0%

2240-9709 For the purposes of a federally funded grant entitled, Clean Lakes Program 1,200,000

General Federal Grants Fund 100.0%

2240-9710 For the purposes of a federally funded grant entitled, Administration of the Construction Grant Program 2,400,000

General Federal Grants Fund 100.0%

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 purposes, provided that an amount not exceeding ten thousand dollars shall be used for weed

control and cleanup at Sluce Pond in the city of Lynn; provided further, that an amount not exceeding fifteen thousand dollars shall be used for weed control and cleanup at Spy Pond in the town of Arlington; provided further that an amount not exceeding eighteen thousand dollars shall be used for weed control and cleanup at Hoosac Lake in the town of Cheshire; provided further, that an amount not exceeding ten thousand dollars shall be used for weed control and cleanup at Laurel Lake in the towns of Lee and Lenox; provided further, that an amount not exceeding fifteen thousand dollars shall be used for weed control and cleanup at Lake Buel in the towns of Monterey and New Marlboro; provided further, that an amount not exceeding twenty thousand dollars shall be used for weed control and cleanup at Richmond Pond in the town of Richmond; provided further, that an amount not exceeding thirty thousand dollars shall be used for weed control and cleanup at Pontoosuc Lake in the city of Pittsfield; provided further, that an amount not exceeding twenty-five thousand dollars shall be used for weed control and cleanup at Lake Mahkeenac in the town of Stockbridge; provided further, that an amount not exceeding ten thousand dollars shall be used for weed control and cleanup at Cedar Lake in the town of Sturbridge; provided further, that an amount not exceeding twenty-five thousand dollars shall be used for weed control and cleanup at Webster Lake in the town of Webster; provided further, that an amount not exceeding ten thousand dollars shall be expended for weed control at Hampton Pond in the cities of Westfield and Holyoke and the town of Southampton; provided further, that an amount not exceeding twenty thousand dollars shall be used for weed control and cleanup at Forest Lake in the town of Palmer; for the control of algae, weeds and other aquatic nuisances in the Sudbury River in the town of Framingham in the areas of the Fenwick Street Dam and the Linda Avenue Bridge; provided further, that an amount not to exceed twenty-five thousand dollars shall be used for weed control and cleanup at Monponsett Pond in the towns of Halifax and Hanson; provided that an amount not exceeding five thousand dollars shall be used for weed control of algae, weeds and other aquatic nuisances at Chandler's Pond in the Brighton section in the city of Boston; provided, that the department shall complete a study and prepare plans and cost estimates of said project, and upon completion, shall submit copies of said studies, plans and cost estimates to the house and senate committees on ways and means; and provided, further, that no funds shall be expended for the development of plans except as approved by the house and senate committees on ways and means subsequent to the receipt of said studies; prior appropriation continued ..... $ 18,000

2250-0902 For a grant to the town of East Brookfield for the completion of a lake restoration project on Lake Lashaway, said grant to be in addition to any funds provided under chapter six hundred and twenty-eight of the acts of nineteen hundred and eighty-one 45,000

2250-9701 For the purposes of a federally funded grant entitled, Public Water Supply Supervision Program ..... $ 414,144

General Federal Grants Fund 100.0%

2250-9710 For the purposes of a federally funded grant entitled, Statewide Air Pollution Control Program 3,278,324

General Federal Grants Fund 100.0%

2260-0220 For the administration of a program which shall be conducted as soon as possible to test the health of residents potentially affected by the PCB hazardous waste problem in Norwood and otherwise to test air, water and soil sediments to document the scope and magnitude of the problem 100,000

2260-0300 For the administration of a comprehensive program of testing in the area of the Cochato River and the Richardi Reservoir for the purpose of determining the safety of the water quality for the towns of Holbrook, Braintree and Randolph 75,000

2260-0301 For the administration of a program for the city of New Beford for a participation public education, and local coordination activities relative to the problem of P.C.B. contamintion in the greater New Bedford area; including the Acushnet River Estuary site, the commonwealth's highest priority hazardous waste site requiring an estimated cost of two hundred million dollars for a five year duration clean-up 150,000

Department of Fisheries, Wildlife and Recreational Vehicles.
Office of the Commissioner.

2300-0100 For the office of the commissioner, including not more than seven permanent positions 240,789

General Fund 100.0%

Division of Fisheries and Wildlife.

Federal funds received as reimbursements 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 twenty-five permanent positions and not more than one temporary position 668,984

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 200,000

Inland Fisheries and Game Fund 100.0%

2310-0315 For the purchase or lease of certain equipment, in accordance with a schedule approved by the house and senate committees on ways and means 274,000

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, and for the administration of fish hatcheries, for the improvement and management of lakes, ponds and rivers, for fish restoration projects, for the commonwealth's share of certain cooperative fishery programs, and for certain programs reimbursable under the federal aid to fish restoration act; provided, that an amount not to exceed one hundred forty-four thousand dollars shall be used by the University of Massachusetts for the purposes of wildlife and fisheries research; provided further, 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 expended, including not more than one hundred and eight permanent positions and not more than six temporary positions 2,875,593

Inland Fisheries and Game Fund 100.0%

2310-0500 For the expenses of a state funded program in natural heritage; provided that an amount not less than twenty thousand dollars shall be allocated for the expenses of a program in greenway planning 155,000

2310-0550 The division of fisheries and wildlife is hereby authorized and directed to contract with the water resources research center at the university of Massachusetts for the purposes of continuing the program now being conducted by the center to monitor and evaluate the impact of acid deposition, commonly known as acid rain, on the inland fisheries and water resources of the commonwealth 50,000

2315-0100 For the administration of a program of non-game management and research, including not more than one permanent position 45,481

Inland Fisheries and Game Fund 50.0%
General Fund 50.0%

Public Access Board.

2320-0100 For the maintenance, operation, acquisition and improvement of public access land and water areas, as authorized by section seventeen A of chapter twenty-one of the General Laws; provided, however, that the position of head administrative assistant shall not be subject to the provisions of chapter thirty-one of the General Laws, including not more than one temporary position, prior appropriation continued ..... $ 77,428

Division of Marine Fisheries.

2330-0100 For the administration of the division, including expenses of the Cat Cove marine research station, marine research programs, marine recreational fisheries programs, and commercial fisheries, and for the operation of the shellfish treatment plant at Newburyport, including not more than thirty-one permanent positions and not more than thirty-one temporary positions 1,543,459

2330-0600 For a program of self-help to cities and towns for the cultivation, propagation and protection of shellfish, provided that towns receiving funds under this program shall develop a shellfish management plan approved by the director of the division of wildlife and shall provide that division with an accurate accounting of the use of these monies; the treasurer of each participating city or town shall annually certify to the director the amounts appropriated by said city or town for the cultivation, propagation, and protection of shellfish, the director may, expend such sums as may be appropriated but such sums as are expended shall not exceed two-thirds of the city or town's annual expenditure for the cultivation, propagation, and protection of shellfish in the preceding year; family use areas and recreational shellfish areas set aside pursuant to section fifty-two which are cultivated, propagated or protected under the funding or provision of this section shall be open to all inhabitants of the commonwealth upon payment of a reasonable fee 300,000

Local Aid Fund 100.0%

2330-9706 For the purposes of a federally funded grant entitled, Extended Fisheries Jurisdiction 25,000

General Federal Grants Fund 100.0%

2330-9709 For the purposes of a federally funded grant entitled, Commercial Fisheries Research and Development 91,650

General Federal Grants Fund 100.0%

2330-9710 For the purposes of a federally funded grant entitled, Cod Aging 31,953

General Federal Grants Fund 100.0%

2330-9712 For the purposes of a federally funded grant entitled, Commercial Fisheries Statistics ..... $ 86,534

General Federal Grants Fund 100.0%

2330-9716 For the purposes of a federally funded grant entitled, Plymouth Bay Ecosystem Assessment 20,000

General Federal Grants Fund 100.0%

2330-9718 For the purposes of a federally funded grant entitled, Striped Bass Landings ... 32,577

General Federal Grants Fund 100.0%

2330-9719 For the purposes of a federally funded grant entitled, Vessel Services, Assessment 30,000

General Federal Grants Fund 100.0%

2330-9721 For the purposes of a federally funded grant entitled, Anadromous Fish Management 40,000

General Federal Grants Fund 100.0%

Division of Marine and Recreational Vehicles.

2340-0100 For the administration of the division, including not more than sixty-two permanent positions and not more than ten temporary positions 1,601,458

General Fund 60.0%
State Recreation Areas Fund 40.0%

Division of Law Enforcement.

2350-0100 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-seven permanent positions 2,040,704

Inland Fisheries and Game Fund 15.0%
State Recreation Areas Fund 15.0%
General Fund 70.0%

2350-0101 For the hunter safety training program, including not more than four temporary positions 157,508

Inland Fisheries and Game Fund 100.0%

2350-9701 For the purposes of a federally funded grant entitled, Cooperative Law Enforcement - Marine Fisheries Program ..... $ 100,000

General Federal Grants Fund 100.0%

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 forty-eight permanent positions 1,670,766

MDC Parks District Fund 25.0%
MDC Sewerage District Fund 25.0%
MDC Water District Fund 25.0%
Highway Fund 25.0%

2410-9061 For the Massachusetts summer youth program, to be allocated, with the approval of the commissioner of the department of 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 1,500,000

Metropolitan Water System.

2420-0100 For the maintenance and operation of the metropolitan water system, including not more than four hundred and four permanent positions and including not more than six temporary positions, provided that no water shall be diverted from the Connecticut and Sudbury Rivers by the metropolitan

district commission except if there is a water emergency as declared by the department of environmental quality engineering pursuant to section forty of chapter forty of the General Laws ..... $ 12,867,850

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%

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 sewerage disposal for the metropolitan sewerage district, including not more than four hundred and forty-six permanent positions 15,168,000

MDC Sewerage District Fund 100.0%

2430-9001 For special sewerage maintenance, prior appropriation continued 1,000,000

MDC Sewerage District Fund 100.0%

Metropolitan Parks District.

2440-0010 For the administration of the metropolitan district commission parks and recreation division, including the Southwest Corridor Park System, division of central services and division of highways; for maintenance of parks, reservations and the Charles river basin, for the maintenance of boulevards, parkways, locks, bridges and dams, and for the maintenance of vehicles and metropolitan district commission parks district garages and the purchase of supplies and equipment; including not more than five hundred permanent positions; provided, that the metropolitan district commission shall annually pay a reasonable fee to the town of Hull for the use of its sewerage treatment plant; 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

a structure does not adversely effect the use or enjoyment of such premises by the public ..... $ 24,283,271

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 60,000

MDC Parks District Fund 100.0%

2440-0015 For the administration of the metropolitan district commission police division; provided that notwithstanding any provisions of chapter thirty-one of the General Laws, certain members 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 five hundred and seventy-nine permanent positions and including not more than seventy-nine temporary positions 16,676,875

Highway Fund 67.0%
MDC Parks District Fund 33.0%

2440-0020 For payment to the city of Boston for maintenance and operation of the James Michael Curley recreation center, prior appropriation continued 310,000

MDC Parks District Fund 100.0%

2440-0021 For the purpose of providing a mounted patrol at Lynn Beach, Kings Beach and Nahant Beach. This sum shall be expended only for this purpose and the leasing of any necessary equipment 55,000

MDC Parks District Fund 100.0%

2440-0022 For the purpose of increased nighttime police patrol at Revere Beach boulevard... 50,000

MDC Parks District Fund 100.0%

2440-0023 For the administration of the metropolitan district commission police southwest corridor park system, Franklin Zoological park, and Arnold Arboretum division, including not more than thirty permanent positions, prior appropriation continued.

MDC Parks District Fund 100.0%

2440-0024 For the purpose of increased police patrols at the Chestnut Hill Reservoir Reservation 75,000

2440-0027 For the purpose of increased patrols on Wollaston Beach and Quincy Shore Drive. $ 30,000

MDC Parks District Fund 100.0%

2440-0028 For the purpose of increased patrols on Winthrop Beach and Winthrop Shore Drive 20,000

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%

2444-4591 For the Mystic sailing program at Shore Drive Boat House in Somerville 30,000

MDC Parks District Fund 100.0%

2444-5511 For a sailing program at Pleasure Bay 30,000

MDC Parks District Fund 100.0%

2444-9001 For the construction, reconstruction and improvement of boulevards and parkways, including bridges, and including the resurfacing and repairing thereof and the installation of traffic lights thereof, provided, that not less than two hundred thousand dollars be spent for Pemberton Pier in Hull; prior appropriation continued; and provided further that this item shall fund during this fiscal year the installation of new lighting and replacement of trees on the Leo A. Birmingham Parkway in the Brighton section of the city of Boston 750,000

Highway Fund 100.0%

2444-9004 For certain payments for the maintenance and use of the Trailside Museum and the Chickatawbut Hill Center 225,000

MDC Parks District Fund 100.0%

2444-9005 For the operation of street lighting for parkways and boulevards 2,245,000

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 to employees previously paid from highway bond funds including not more than eighteen temporary positions .. 428,428

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, including not more than one hundred and ninety-two temporary positions ..... $ 4,734,346

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, including not more than eighteen permanent positions and not more than one temporary position 434,593

2511-0310 For the purposes of a federally funded grant entitled, Pesticide Enforcement 143,411

General Federal Grants Fund 100.0%

2511-0320 For the purposes of a federally funded grant entitled, Restricted use of Pesticide Applicators 14,562

General Federal Grants Fund 100.0%

Division of Regulatory Services.

2511-3000 For the administration of the division, including the pesticide bureau, the bureau of plant pest control, the bureau of farm products, the bureau of dairying, and the milk control commission, including not more than thirty-nine permanent positions and not more than five temporary positions.. 968,158

Division of Agricultural Development.

2511-4000 For the administration of the division, and for the expenses of the bureau of markets and the bureau of land use, including for promotion of Massachusetts agriculture, provided that a sum not less than ten thousand dollars be expended for the MassSeed program, including not more than twelve permanent positions and eight temporary positions 663,486

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-two permanent positions and not more than three temporary positions 565,926

2516-3000 For the purposes of a federally funded grant entitled,Crop Survey ..... $ 6,132

General Federal Grants Fund 100.0%

2516-9002 For the purposes of a federally funded grant entitled, Development of Institutional Marketing 50,000

General Federal Grants Fund 100.0%

Division of Fairs.

2518-1000 For the administration of the division, provided that payments for state prizes and agricultural exhibits, including allotment funds for 4-H activities, may be made from this appropriation, and for the display of exhibits at certain fairs; provided, that not less than two hundred thousand dollars shall be used for certain prizes; provided, further, that not less than eighty-seven thousand five hundred dollars shall be used for rehabilitation purposes; including not more than three permanent positions, and not more than one temporary position, prior appropriation continued 570,692

2518-3000 For the payment of certain prizes to promote the breeding of thoroughbred horses in the commonwealth, in accordance with the provisions of section two of chapter one hundred and twenty-eight of the General Laws; provided however, that the balance of any funds accruing to the Massachusetts thoroughbred breeding program under the provisions of section fourteen of chapter four hundred and ninety-four of the acts of nineteen hundred and seventy-eight and not appropriated hereunder or appropriated under item 2518-4000, shall be deposited by the treasurer in a separate account designated Massachusetts thoroughbred breeding program and shall not revert to the General Fund, prior appropriation continued 460,000

2518-4000 For the expenses of an equine research, loans and scholarship program in cooperation with the Tufts University School of Veterinary Medicine, and in accordance with the provisions of section two of chapter one hundred and twenty-eight of the General Laws; provided, however, that the balance of any funds accruing to the Massachusetts thoroughbred breeding program under the provisions of section fourteen of chapter four hundred and ninety-four of the acts of nineteen hundred and seventy-eight and not appropriated hereinafter or appropriated under item 2518-3000, shall be deposited by the treasurer in a separate account designated Massachusetts thoroughbred breeding program and shall not revert to the General Fund, prior appropriation continued 112,500

2518-5000 For the payment of certain prizes, to promote the breeding of standardbred horses in the commonwealth, in accordance with the provisions of section two of chapter one hundred and twenty-eight of the General Laws; provided, however, that the balance of any funds accruing to or allocated

to the Massachusetts standardbred agricultural fair and breeding fund committee established under section ten of chapter one hundred and twenty-eight of the General Laws, as most recently amended by section fourteen of chapter four hundred and ninety-four of the acts of nineteen hundred and seventy-eight, shall be deposited by the treasurer in a separate account designated the Massachusetts standardbred agricultural fair and breeding fund and shall not revert to the General Fund, prior appropriation continued ..... $ 345,000

State Reclamation Board.

2520-0100 For the administration of the board, including not more than one permanent position and not more than one temporary position 166,656

For the expenses of the following mosquito control projects:

2520-0300 Cape Cod 450,940

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 467,143

Mosquito and Greenhead Fly Control Fund 100.0%

2520-1100 Berkshire county 105,554

Mosquito and Greenhead Fly Control Fund 100.0%

2520-1200 Norfolk county 312,807

Mosquito and Greenhead Fly Control Fund 100.0%

2520-1300 Bristol county 295,750

Mosquito and Greenhead Fly Control Fund 100.0%

2520-1400 Plymouth county 381,335

Mosquito and Greenhead Fly Control Fund 100.0%

2520-1500 Essex county ..... $ 349,300

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; provided however, that the persons employed under items 2520-0300, 2520-0900, 2520-1000, 2520-1100, 2520-1200, 2520-1300, 2520-1400, 2520-1500 and 2521-0100 shall be exempt from the provisions of section twenty-nine A of chapter twenty-nine of the General Laws 298,909

EXECUTIVE OFFICE OF COMMUNITIES AND DEVELOPMENT.

Office of the Secretary.

3000-0100 For the office of the secretary, and the general administration of the department, including not more than forty-one permanent positions and forty-eight temporary positions 2,444,534

3423-2112 For the purposes of a federally funded grant entitled, S.B.C.C. Lighting and Thermal Study (allocation of 0411-1633) 22,000

General Federal Grants Fund 100.0%

Division of Community Development.

3722-9001 For a reserve for grants to Neighborhood Housing Services Corporations in existence on July first, nineteen hundred and eighty-two to complete the commonwealth's obligation for a neighborhood housing rehabilitation loan program notwithstanding the provisions of chapter four hundred and ninety of the acts of nineteen hundred and eighty and chapter two hundred and forty-one of the acts of nineteen hundred and eighty-two; provided, that the allocation of funds for the purpose of this item shall be based upon the recommendation of the secretary of the executive office of communities and development and the approval of the house and senate committees on ways and means; and provided further, that revenues accrued from said loan program may be expended without further appropriation 780,000

3722-9002 For certain financial assistance for housing projects for veterans 4,010,000

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; provided, however, that an amount greater than eight per cent of the amount appro-

priated herein may be used for administration of said program with the approval of the house and senate committees on ways and means; and, provided further, that the secretary of the executive office of communities and development submit to the house and senate committees on ways and means a proposal for changes in the existing administrative fee structure for said rental assistance program no later than September thirtieth, nineteen hundred and eighty-three, *including not more than* three temporary positions ..... $ 23,066,876

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 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 13,098,719

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 26,603,566

3722-9008 For reimbursement of 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 General Laws; provided, that no payment shall be made from this item until the said deficiencies have been certified by the state comptroller 84,432

3722-9009 For state financial assistance for a supportive services program for public housing developments maintained by local housing authorities established pursuant to section three of chapter one hundred and twenty-one B of the General Laws, prior appropriation continued 1,000,000

3722-9012 For a program of jobs for youth residing in public housing developments *maintained by local* housing authorities established pursuant to section three of chapter one hundred and twenty-one B of the General Laws ... 500,000

3722-9013 For the purposes of a federally funded grant entitled, Housing Allowance Program, Section 8 21,790,708

General Federal Grants Fund 100.0%

3722-9018 For a program of G.E.D. or other programs leading to a high school equivalency diploma, and job training for public housing developments maintained

by local housing authorities established pursuant to section three of chapter one hundred and twenty-one B of the General Laws, provided, however, that two hundred and fifty thousand dollars shall be expended for such a program at the Bunker Hill housing development in Charlestown and that seventy-five thousand dollars shall be expended for such a program at the Washington Beach housing development in Roslindale; and provided further, that four hundred thousand dollars shall be expended for such a program at the Jefferson Park housing development in Cambridge ..... $ 2,325,000

3722-9019 For the purposes of a federally funded grant entitled, Moderate Rehabilitation, Section 8 3,600,000

General Federal Grants Fund 100.0%

3722-9020 For the purposes of a federally funded grant entitled, New Construction Program, Operating Subsidy, HUD Section 111 3,546,383

General Federal Grants Fund 100.0%

3722-9101 For reimbursement of cities and towns for the commonwealth's statutory share of federally aided urban renewal 2,300,000

Local Aid Fund 100.0%

3722-9102 For reimbursement of cities and towns for the commonwealth's share of certain nonfederally aided urban renewal projects; provided, that, notwithstanding the provision 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 eight hundred thousand dollars may be expended for urban renewal assistance grants 771,400

Local Aid Fund 100.0%

3722-9109 For a program of assistance to municipalities for the purpose of updating Comprehensive Community Development Plans, so-called Master Plans, initiated prior to nineteen hundred and seventy provided that expenditures from this item shall be in accordance with a plan approved by the house and senate committees on ways and means 250,000

Local Aid Fund 100.0%

3724-3037 For the purposes of a federally funded grant entitled, CDBG-Small Cities 27,380,000

General Federal Grants Fund 100.0%

3724-3038 For the purposes of a federally funded grant entitled, Emergency Federal Jobs Bill - Small Cities ..... $ 4,290,000

General Federal Grants Fund 100.0%

3724-9009 For the purposes of a federally funded grant entitled, Substantial Rehabilitation, Section 8 1,279,052

General Federal Grants Fund 100.0%

Division of Community Services.

3731-2003 For expenses of community development and housing program services, including not more than thirty-one temporary positions 807,224

3731-2007 For the purposes of a federally funded grant entitled, Comprehensive Planning 1043 9,000

General Federal Grants Fund 100.0%

3731-2008 For the purposes of a federally funded grant entitled, Intergovernmental Personnel Program (Allocation of 1101-2521) 16,300

General Federal Grants Fund 100.0%

3731-2019 For the purposes of a federally funded grant entitled, State Incentive Strategy... 4,053

General Federal Grants Fund 100.0%

3731-2020 For the purposes of a federally funded grant entitled, CDBG Technical Assistance 129,500

General Federal Grants Fund 100.0%

3731-2024 For the purposes of a federally funded grant entitled, Areawide Housing 18,000

General Federal Grants Fund 100.0%

3731-2025 For the purposes of a federally funded grant entitled, Areawide Housing 48,000

General Federal Grants Fund 100.0%

3731-2026 For the purposes of a federally funded grant entitled, S.111 Area Development .. 100

General Federal Grants Fund 100.0%

3732-3021 For the purposes of a federally funded grant entitled, Department of Community Affairs, Planning Assistance 70,000

General Federal Grants Fund 100.0%

3732-3033	For the purposes of a federally funded grant entitled, Housing Allowances Experiment	$	3,463
	General Federal Grants Fund 100.0%		
3732-3034	For the purposes of a federally funded grant entitled, Low Rent Public Housing in Rural Areas		13,308
	General Federal Grants Fund 100.0%		
3732-3038	For the purposes of a federally funded grant entitled, Design Arts		1,044
	General Federal Grants Fund 100.0%		
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		40,000
	Local Aid Fund 100.0%		
3743-2006	For the purposes of a federally funded grant entitled, Technical Assistance Program		12,636
	General Federal Grants Fund 100.0%		
3743-2008	For the purposes of a federally funded grant entitled, Special Crisis Intervention		2,754
	General Federal Grants Fund 100.0%		
3743-2013	For the purposes of a federally funded grant entitled, Weatherization Crisis-Energy		5,038
	General Federal Grants Fund 100.0%		
3743-2021	For the purposes of a federally funded grant entitled, Emergency Energy Conservation II		6,677
	General Federal Grants Fund 100.0%		
3743-2024	For research and planning by the Blue Hill Avenue Regional Development Corporation provided that expenditures from this item shall be in accordance with a plan approved by the house and senate committees on ways and means		100,000

3743-2027 For providing funds for local community economic development provided such funds are to be awarded to community based organizations for community oriented businesses, including not more than one temporary position ..... $ 500,000

3743-2028 For the purposes of a federally funded grant entitled, Training and Technical Assistance 1,963

General Federal Grants Fund 100.0%

3743-2029 For the purposes of a federally funded grant entitled, S.304 Economic Development 2,000

General Federal Grants Fund 100.0%

3743-2030 For the purposes of a federally funded grant entitled, Weatherization Assistance for Low Income Persons 4,385,294

General Federal Grants Fund 100.0%

3743-2031 For the purposes of a federally funded grant entitled, Emergency Federal Jobs Bill - Weatherization Assistance 3,108,889

General Federal Grants Fund 100.0%

3743-2032 For the purpose of establishing a revolving loan fund for periodic advance funding for a low income energy assistance program; provided, that expenditures from this item are reimbursed by the federal government upon the availability of federal funds under the "Low Income Home Energy Assistance Act of 1981", Title XXVI of the Omnibus Budget Reconciliation Act of 1981 (P.L. 97-35) or any amendments or successor acts thereto, and for the purpose of providing advance funding for a bulk oil purchase program, for needy elderly, including one and two person families, and families whose income does not exceed one hundred and seventy-five per cent of the poverty level, as established by the United States Office of Management and Budget, provided that, expenditures from this item are reimbursed by the federal government upon the availability of federal funds under the aforementioned federal act or any amendments or successor acts thereto; and provided that, expenditures for the purchase of bulk oil shall not be contingent upon approval of a state plan or upon receipt of federal funds; and provided further, that all federal funds received for the purpose of this item shall be credited to the General Fund 4,500,000

3743-2033 For the purposes of a federally funded grant entitled, Energy Crisis Assistance Program 88,000,000

General Federal Grants Fund 100.0%

3743-2034 For the purposes of a federally funded grant entitled, Community Services Block Grant; provided, that ninety per cent of these funds be directly contracted with community action agencies ..... $ 8,167,869

General Federal Grants Fund 100.0%

3743-2035 For the purposes of a federally funded grant entitled, Emergency Federal Jobs Bill - Community Services, provided, that ninety per cent of these funds be directly contracted with community action agencies 495,120

General Federal Grants Fund 100.0%

3743-3005 For the purposes of a federally funded grant entitled, Accidental Hypothermia ... 7,530

General Federal Grants Fund 100.0%

3743-3006 For the purposes of a federally funded grant entitled, Solar Greenhouse Demonstration 567

General Federal Grants Fund 100.0%

3743-3008 For the purposes of a federally funded grant entitled, Department of Community Affairs, Bureau of Community Group Assistance, CSBG Planning Evaluation and Management 346,215

General Federal Grants Fund 100.0%

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; subject to the condition that amounts paid to recipients of aid to families with dependent children shall not reduce the amount of their assistance checks 435,600

3744-4012 For payments of stipends to corpsmen of the commonwealth service corps in conjunction with the work and training program for public assistance applicants and recipients, provided that no corpsman may receive stipends for more than six months; provided, further, that amounts paid to recipients of aid to families with dependent children shall not reduce the amount of their assistance checks; and provided, further, that the balance remaining of the amount transferred into this account from account 1599-3286 shall expire on June thirtieth, nineteen hundred and eighty-four.

3745-1000 For a program of supplemental energy crisis assistance for needy elders and families to be administered in accordance with regulations promulgated under the "Low Income Home Energy Assistance Act of 1981",

Title XXVI of the Omnibus Budget Reconciliation Act of 1981 (P.L. 97-35) or any amendments or successor acts thereto; provided, that federal funds are not available at the time of application for assistance by said needy elders and families; and provided further, that expenditures for administration of this program shall be subject to the approval of the secretary of the executive office of communities and development; and for a program of emergency crisis assistance for needy elders and families whose income is above one hundred and fifty per cent of the federal poverty level or above sixty per cent of the state median income level, whichever eligibility level is adopted pursuant to the approved state plan for the Low Income Home Energy Assistance Program, but not over one hundred and seventy-five per cent of the federal poverty level for one and two person families to be administered, except for the income eligibility requirement, in accordance with the aforementioned federal program or any amendments or successor acts thereto; and provided further, that funds from this item may be used for weatherization assistance, such funds to be in addition to any federal funds received for this purpose, subject to the condition, however, that funds shall be expended for weatherization assistance only in accordance with a plan submitted by the secretary of communities and development and approved by the house and senate committees on ways and means ..... $ 17,000,000

3745-2000 For a comprehensive emergency weatherization assistance program for needy Massachusetts individuals and families whose income is either at or below one hundred and seventy-five per cent of the poverty level as determined by the United States Office of Management and Budget or at or below the Bureau of Labor Statistics lower living standard, whichever is higher. The secretary of the executive office of communities and development shall on or before November first, nineteen hundred and eighty-two and on or before November first of each ensuing year the program is in operation, submit to the commissioner of administration and to the chairmen of the house and senate committees on ways and means, a plan for the annual distribution of funds under said program. Such plan shall include but not be limited to (a) a provision for public participation in the development of the plan; (b) a description of the weatherization work to be done, the estimated number of dwelling units to be weatherized, the weatherization materials to be used, and, the procedures by which eligible households will be identified and certified as participants in the program; (c) a description of the measures which will be taken to assure coordination of this program with all other energy conservation and energy assistance programs including programs for energy audits administered by the executive office of energy resources; (d) an analysis and recommendation of cost-effective options available to the state for the provision of assistance to low-income persons in private housing; and (e) a detailed accounting of the costs of the program, provided that administrative costs shall not exceed ten per cent of the total amount allocated for the program in any year 1,250,000

3747-0001 For the administration of the commission on Indian affairs, including not more than three temporary positions ..... $ 65,660

EXECUTIVE OFFICE OF HUMAN SERVICES.

Office of the Secretary.

Notwithstanding any provision of law to the contrary the secretary of human services shall undertake a study of the feasibility of a reorganization of the delivery of mental retardation and mental illness services by the department of mental health. The goal of the reorganization shall be to provide complete services to those who need them, in a cost effective and efficient manner. The secretary shall submit said report to the house and senate committees on ways and means on or before January first, nineteen hundred and eighty-four.

Notwithstanding any provision of law to the contrary the secretary of human services shall submit quarterly, in writing, to the house and senate committees on ways and means a status report on the department of public welfare's medical assistance program item 4402-5000. Said report shall include the following: expenditures made in the medical assistance program, the total dollar amount of invoices submitted by provider type, the average amount of time between submission of an invoice and the payment of said invoice by provider type, the monthly average utilization of services by recipient for each eligibility category, and a projection of expenditures to be made for medical assistance for each quarter to the end of the fiscal year including an explanation of the assumptions made by the department to calculate said projection.

4000-0100 For the office of the secretary, including a hospital revenue collection program and the health facilities appeals board, provided however, that no funds appropriated for personnel or programs within the office of the secretary shall be transferred out of said office or used to employ any person or support any program, activity or personnel in any other agency; provided, further, that the secretary of human services shall develop a long-range comprehensive plan for respite services to be submitted to the house and senate committees on ways and means and the joint committee on human services and elderly affairs, no later than January first, nineteen hundred and eighty-four, including not more than five permanent positions and sixty-two temporary positions ... 1,921,200

4000-0400 For an audit team to provide management, fiscal, and programmatic auditing of all human services agencies and contracts; provided that, the executive office of human services shall submit quarterly to the house and senate committees on ways and means a status report on the number of audits performed and the status of all audits, including not more than twenty-two temporary positions 845,000

4000-0700 For the administration of the office of state health planning, including a health maintenance organization program; provided, that not less than one hundred and twenty-five thousand dollars shall be expended for a program to provide technical assistance to community health programs administered by community health centers as referred to in section three hundred and thirty of the federal Public Health Services Act of 1978, as amended (Public Law 95-626); provided, *further, that* the office of state health planning shall reserve funds for nursing homes in receivership, including not more than three temporary positions ..... $ 732,956

4000-0760 For a reserve to meet the needs of children who are otherwise ineligible for services provided by agencies or departments within the secretariat of human services; provided, that the secretary of human services 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 meet the needs of said children; provided further, that no transfer shall be made without the prior approval of the house and senate committees on ways and means; prior appropriation continued 500,000

4000-1503 For the purposes of a federally funded grant entitled, Office of State Health Planning 372,042

General Federal Grants Fund 100.0%

4000-9000 For the purposes of a federally funded grant entitled, Refugee Resettlement Services; provided, however, that quarterly reports on all expenditures made *from this* grant shall be submitted to the house and senate committees on ways and means 2,683,836

General Federal Grants Fund 100.0%

4000-9400 For the purposes of a federally funded grant entitled, Alcohol, Drug Abuse and Mental Health Block Grant 17,292,000

General Federal Grants Fund 100.0%

4000-9501 For the purposes of a federally funded grant entitled, Federal Emergency Jobs Bill - ADAMH Block Grant 1,184,400

General Federal Grants Fund 100.0%

Rate Setting Commission.

4100-0010 For the administration of the commission; provided, that not more than the sum of five hundred thousand dollars may be expended to meet the costs of data processing, including, but not limited to hardware, software, storage, programming, maintenance and technical assistance pursuant to schedules approved by the house and senate committees on

ways and means, including not more than forty-eight permanent positions and ninety temporary positions ..... $ 3,917,815

Massachusetts Commission for the Blind.

4110-0001 For the office of the commissioner and bureau of research, including not more than ten permanent positions and fourteen temporary positions 709,763

4110-1010 For aiding the adult blind 11,227,303

4110-1020 For support of a medical assistance program for the blind, including not more than three permanent positions 24,852,092

Bureau of Individual Services.

4110-2010 For administration of a talking book program, including not more than two permanent positions 323,019

4110-2040 For certain social services programs, including not more than sixty-one permanent positions, provided, that not less than fifty-five thousand dollars shall be expended for a radio reading program for the blind 1,407,322

Bureau of Rehabilitation.

4110-3010 For a program of vocational rehabilitation of the blind in cooperation with the federal government, provided, that no funds from the federal vocational rehabilitation grant or state appropriation shall be deducted for pensions, group health and life insurance, and any other such indirect cost of the federally reimbursed state employees, provided that a sum of not less than two hundred and fifty thousand dollars shall be for the purpose of purchasing electronic equipment to be utilized in the vocational rehabilitation of the blind within fields of competitive employment, prior appropriation continued 1,297,501

4110-3020 For the purposes of a federally funded grant entitled, Vocational Rehabilitation provided, that the amount of funds used for personnel assumed by the state in line item 4110-0001, may be used only for direct services 4,216,776

General Federal Grants Fund 100.0%

Bureau of Industrial Aid and Workshops.

4110-4000 For the administration of the bureau and the operation of local shops and the Cambridge Industries for the Blind, including not more than nineteen permanent positions; provided, however, that retired workshop employees shall receive grants equal to three-fourths of the salaries of current workshop employees; and provided further 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 ..... $ 1,639,230

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; provided, further, that from the sum appropriated herein two hundred thousand dollars shall be expended for adaptive housing and van modification services for the severely physically handicapped clients, including not more than one permanent position; provided, further, that no funds from the federal vocational rehabilitation grant or state appropriation shall be deducted for pensions, group health and life insurance, and any other such indirect cost of the federally reimbursed state employees; and provided, further, that upon the written request of the commissioner of revenue, the commissioner of rehabilitation shall provide lists of individual clients to whom or on behalf of whom payments have been made for the purpose of verifying eligibility and detecting and preventing fraud, error and abuse in the programs administered by the commission, and provided, further, that the information in such lists shall include the client's name and social security number and the payee's name and other identification, if different from the client's 5,712,918

4120-0020 For the purposes of a federally funded grant entitled, Vocational Rehabilitation .. 19,003,272

General Federal Grants Fund 100.0%

4120-0031 For a program of extended employment for the handicapped; provided that upon the written request of the commissioner of revenue, the commissioner of rehabilitation shall provide lists of individual clients to whom or on behalf of whom payments have been made for the purpose of verifying eligibility and detecting and preventing fraud, error and abuse in the programs administered by the commission; and provided, further, that the information in such lists shall include the client's name and social security number and the payee's name and other identification, if different from the client's, including not more than four temporary positions 3,562,250

4120-0041 For the administration of the office of deafness, provided that not less than fifteen thousand dollars shall be expended for interpreter services for the deaf or hearing impaired; and provided further, that the office submit to the house and senate committees on ways and means a plan for the establishment of a sliding fee scale for said interpreter services no later than September thirtieth, nineteen hundred and eighty-three; provided further, that from the sum appropriated herein one hundred and forty thousand dollars shall be expended for a program of independent living services for the hearing impaired, including not more than one permanent position and eight temporary positions ..... $ 346,159

4120-0051 For a program of personal care assistance, prior appropriation continued 678,355

4120-0061 For a program for independent living, provided, that from the sum appropriated herein forty thousand dollars shall be expended for an independent living service center in Berkshire County; provided further that said funds are to be used in addition to any federal funds received for this purpose 300,000

4120-0171 For the purposes of a federally funded grant entitled, Teaching Grant and Traineeship in RSA 100,000

General Federal Grants Fund 100.0%

4120-0511 For the purposes of a federally funded grant entitled, Determination of Disability 18,308,881

General Federal Grants Fund 100.0%

4120-0611 For the purposes of a federally funded grant entitled, Rehabilitation - Social Services-Beneficiaries 100,000

General Federal Grants Fund 100.0%

4120-0720 For the purposes of a federally funded grant entitled, Vocational Rehabilitation Title XVI 100,000

General Federal Grants Fund 100.0%

4120-0760 For the purposes of a federally funded grant entitled, Independent Living, provided, that not less than twenty-five thousand dollars shall be expended on a program for the deaf and hearing impaired 600,000

General Federal Grants Fund 100.0%

Office for Children.

4130-0001 For the office of the director, provided that, subject to the approval of the director, provided further that, all program personnel within the

regions shall be paid out of the 01 and 02 subsidiaries, including not more than twenty-one permanent positions ..... $ 639,038

4130-0010 For a program of licensing, in accordance with the provisions of section four of chapter twenty-eight A of the General Laws, including not more than sixteen permanent *positions and forty-six* temporary positions ... 1,533,640

4130-0015 For a program of advocacy, in accordance with the provisions of chapter twenty-eight A of the General Laws, including the help for children and the community development programs, provided, that a sum of not less than one hundred and ninety thousand dollars shall be for the Individual Kid Money program, including not more than fifty-six permanent positions and ninety-six temporary positions 3,218,419

4130-2073 For a federally funded grant entitled, Citizen Involvement for Quality Day Care 108,420

General Federal Grants Funds 100.0%

Commissioner of Veterans' Services.

4170-0010 For the *office of the commissioner,* including not more than fifty-two permanent positions and one temporary position 1,036,020

4170-0012 For a counseling program for Vietnam veterans including the establishment of two outreach centers, one to be located in Fitchburg, and one to be located in the Roxbury section of Boston 80,000

4170-0300 For the payment of annuities to certain disabled veterans 160,000

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 and fifteen of the General Laws, provided that amounts contained in this item for the winter fuel allotment benefit provided for in section five of said chapter is hereby identified as energy assistance for veterans and dependents, prior appropriation continued 8,577,904

Local Aid Fund 100.0%

4170-0500 For laboratory tests to study the effect of agent orange, as defined in section two hundred and ninety-one of chapter three hundred and fifty-one of the acts of nineteen hundred and eighty-one, on veterans of the Vietnam War including a study of birth defects found in the children of such veterans, and other related matters 350,000

Soldiers' Home in Massachusetts.

4180-0100 For the maintenance of the home, including not more than six hundred and fifty-nine permanent positions 12,022,222

Soldiers' Home in Holyoke.

4190-0100 For the maintenance of the home, including not more than three hundred and forty-five permanent positions ..... $ 6,945,428

DEPARTMENT OF YOUTH SERVICES.

4200-0010 For the administration of the department, including not more than sixty-two permanent positions and twenty-seven temporary positions 2,560,161

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 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 14,922,890

4202-0025 For the establishment and operation of a secure facilities program for youths, including not more than one temporary position 3,821,220

4202-0749 For the purposes of a federally funded grant entitled, Standards Implementation.. 32,900

General Federal Grants Fund 100.0%

4202-7551 For the purposes of a federally funded grant entitled, Rehabilitation of Violent Offenders 466,000

General Federal Grants Fund 100.0%

Bureau of Clinical Services.

For the administration and maintenance of and for certain improvements at the institutions within the bureau:

4231-1010 Stephen L. French Youth Forestry Camp, including not more than twenty-eight permanent positions and seven temporary positions 696,765

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 one hundred and fifty-two permanent positions and thirty-one temporary positions 4,342,157

4238-1000 For the operation of the secure facilities administered and operated by the department; and for a short-term secure treatment program similar to the one presently operated at the Ledgewood Short Term Secure facility, including not more than two hundred and thirty-five permanent positions and seventy-five temporary positions ..... $ 6,514,060

DEPARTMENT OF CORRECTION.

4311-0001 For administration; provided, that the persons employed under the division of classification of prisoners shall not be subject to the civil service law and rules; and provided, further, that notwithstanding any provision of law to the contrary, the director of civil service shall certify to the commissioner of correction, on receipt of permanent requisitions, names of correction officers to fill permanent vacancies, and the salaries of such officers for the official training period shall be paid from this item, including not more than seventy-two permanent positions and one hundred and sixty-four temporary positions 6,610,512

4311-0003 For a half-way house program, including a half-way house program for women, including not more than six permanent positions and nineteen temporary positions 2,196,638

4311-0004 For a health service program, including not more than fifty-seven permanent positions and seventy-one temporary positions 7,441,775

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-six permanent positions and twenty temporary positions 3,896,530

4311-0009 For a program of education services, including not more than twenty-six permanent positions and twenty-eight temporary positions 2,479,682

4311-0010 For a farm services program; provided that the commissioner of correction shall determine the amounts to be charged for the products and services of said program, said amounts to be credited to the Farm Services Revolving Fund, including not more than twenty-one permanent positions and twenty temporary positions 1,526,207

4347-0001 For a county initiative program, including payments to county correctional institutions for the care of certain inmates of state correctional institutions; provided, that not less than sixty thousand dollars shall be used to provide reimbursement for urinalysis tests to detect drug use among inmates in county facilities and probationers of said counties 1,000,000

4349-0001 For the administration and operation of the commonwealth's correctional facilities; provided that not more than three million dollars shall be used for the expansion of programs subject to the condition that the commissioner is hereby authorized to transfer from this amount to other appropriation items where the amounts otherwise available for said programs are insufficient, such amounts as are necessary; and provided further that allocation of such expansion monies among the institutions and programs shall be reported quarterly to the house and senate committees on ways and means, including not more than one thousand seven hundred permanent positions and one thousand two hundred and seventy-one temporary positions ..... $ 76,432,132

Parole Board.

4380-0001 For the office of the board; provided, that the position of employment officer, parole board, shall not be subject to the provisions of chapter thirty-one of the General Laws, including not more than ninety-five permanent positions and sixty-six temporary positions 4,050,393

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) caseload in the programs of aid to families with dependent children, general relief, supplemental security income, medical assistance, and food stamps; (2) the error rate in the programs of aid to families with dependent children, general relief, medical assistance, and food stamps, including an analysis of most frequently occurring errors; (3) payments made under the emergency assistance program, the number of clients receiving benefits, and the amount in each category of assistance; (4) expenditures made in the work and training 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; (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) agreements entered into and the amount of collections actually received from activities of the child support enforcement unit; (7) expenditures made, cases reduced or terminated, and savings generated by the wage reporting and bank match systems established in the department of revenue.

Notwithstanding any provision of law to the contrary, the department of public welfare shall submit in writing, by appropriation item, to the house and senate committees on ways and means, a schedule of all personnel in the "01" and "02" subsidiaries no later than July thirty-first, nineteen hundred and eighty-three.

Notwithstanding any provision of law to the contrary the department of public welfare shall prepare and promulgate rules and regulations to prevent abuse in the emergency assistance program. Said rules and regulations shall include but not be limited to a year to year cross check of recipients to determine if a person has received similar benefits in the previous year or years. The department shall submit a copy of the rules and regulations to the house and senate committees on ways and means no later than October first, nineteen hundred and eighty-three.

4400-1000 For the office of the commissioner; provided, that the commissioner shall report in writing to the governor the total expenditures of his department for each month within thirty days after the end of each month, and said report shall be available to the public; provided further, that the consolidation of welfare offices shall be subject to prior approval of the house and senate committees on ways and means; provided further, that the department of public welfare shall maintain a welfare office in the town of Norwood; provided further, that not less than three million four hundred thousand dollars shall be spent for a Massachusetts Public Assistance Control System, including not more than two thousand six hundred and seventy-one permanent positions and seven hundred and ninety-one temporary positions ..... $ 82,239,631

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 thirty-nine permanent positions and forty-one temporary positions 20,797,565

4400-1004 For the administration of the child support enforcement unit; provided, that five hundred forty-seven thousand dollars shall be used by the department of public welfare to contract with district attorneys for child support enforcement activities; provided further, that any federal funds received for this purpose shall be credited to the General Fund, including not more than one hundred and twenty-nine permanent positions and one hundred and eighty temporary positions 7,212,773

4400-1009 For a voucher day care program, so-called, for any applicant or recipient of aid to families with dependent children who are participating in a training activity or program; provided, that said voucher day care program shall be managed by the department of social services; provided further, that services shall be maintained and expenditures allocated in such a manner that will not cause said services to be terminated prior to the end of the fiscal year; provided further, that said expenditures will not exceed appropriation; and provided further, that any funds received from the federal government for the purpose of this item shall be credited to the General Fund 3,926,273

4400-1010 For the administration of programming and development of public welfare data processing systems at the bureau of systems operation, including not more than twenty-three permanent positions and twenty- two temporary positions ..... $ 1,711,177

4400-1035 For a program of training for assistance payments, medical assistance, and food stamp workers; provided, that the federal reimbursements for any expenditures for this item shall not be less than fifty per cent of such expenditure, including not more than nineteen temporary positions 821,900

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; provided further, that banking institutions within the commonwealth, the United States postal service, and other agencies, shall process the food stamps; and provided further, that the department of public welfare shall submit quarterly to the house and senate committees on ways and means a status report on the implementation of a food stamp program for persons receiving benefits under section one hundred and thirty-one of chapter six and section one of chapter one hundred and eighteen A of the General Laws, including not more than one hundred and seven permanent positions and three hundred and thirty-seven temporary positions 11,256,511

4400-1211 For the purposes of a federally funded grant entitled, Food Stamp Verification .. 50,000

General Federal Grants Fund 100.0%

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 and thirty-six temporary positions 1,326,579

4402-1041 For the purposes of a federally funded grant entitled, Conversion to Social Security Administration 87,638

General Federal Grants Fund 100.0%

4402-5000 For a medical assistance program including 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; 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, as amended, for the purpose of complying with the provisions of Public Law 89-97, Title XIX, shall be incurred in excess of available funds which have been appropriated therefor; provided further, that 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; provided further, that an amount not exceeding one hundred seventy-three million five hundred three thousand dollars may be expended from this item for expenses incurred in the prior fiscal 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 $1,039,755,000

4402-5101 For utilization review of the medical assistance program; provided, that any federal funds received for the purpose of this item shall be credited to the General Fund, including not more than fifty-six temporary positions 7,929,554

4402-5300 For the provision of 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; provided further, that a waiver pursuant to section 2176 of the federal Omnibus Reconciliation Act of 1981 shall be applied for on a statewide basis to provide federal reimbursements for early intervention services to infants and children; provided further, that from the funds appropriated herein not less than five hundred thousand dollars shall be expended for said early intervention services; and provided further, that the department shall submit quarterly, in writing, to the house and senate committees on ways and means, a status report on all expenditures, actual and projected, from this item 29,337,000

4403-2000 For a program of aid to families with dependent children; provided, that the standard of need shall be increased by five per cent as of January first, nineteen hundred and eighty-four; provided, further, that the payment level shall be ratably reduced to ninety point seven per cent of said standard of need so that the amount of assistance shall be computed by subtracting the income of the family, after the application of any federally required exemptions and deductions, from the standard of need; provided further, that no family shall receive a monthly payment greater than said payment level; provided further, that a non-recurring clothing allowance in the amount of one hundred and twenty-five dollars be provided to each child eligible under this program on September first, nineteen hundred and eighty-three; provided further, that such allowance is federally reimbursable; provided further, that such clothing allowance shall not be counted as income for determination of eligibility or amount of benefits under the food stamp program; provided further, that such clothing allowance shall be included in the standard of need for the month of September, nineteen hundred and eighty-three; provided, further, that child support payments collected pursuant to title IV-D of the Social Security Act, not to exceed an amount of sixty million dollars, shall be credited to this account and may be expended without further appropriation for the purposes of this program; and provided further, that all federal funds received for the purpose of this item shall be credited to the General Fund 388,250,585

4405-2000 For the state supplement to the supplemental security income program for the aged and disabled; including a program for emergency needs for supplemental security income recipients; 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 ..... $ 113,058,000

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 further, that not more than nine million two hundred and twenty-five thousand dollars may be expended for said medical services; provided further, that a nonrecurring clothing allowance in the amount of ninety dollars be provided to each recipient of the program eligible on September first, nineteen hundred and eighty-three; provided further, that such clothing allowance shall not be counted as income for the determination of eligibility or amount of benefits under the food stamp program; and provided further, that no changes in the eligibility criteria for benefits under this program shall be implemented without the prior written approval of the house and senate committees on ways and means 81,462,000

4407-1000 For a program of work and training; provided, that not less than six million dollars shall be expended to contract with providers of supported work programs for certain long-term recipients of aid to families with dependent children; provided, that for the purpose of this item the term "recipients" shall include persons whose benefits have been recently terminated, including not more than ninety-three permanent positions and sixteen temporary positions 9,770,683

4407-9001 For the purposes of a federally funded grant entitled, Work Incentive Demonstration Program; provided, that not less than three million dollars shall be expended by the department of public welfare to contract with training programs 8,350,000

General Federal Grants Fund 100.0%

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; provided further, that the department file on a quarterly basis a report of the caseload and expenditures of this program; and provided further, that the Refugee Unaccompanied Minor Program expenses incurred by the department of social services may be allowed and paid from this item, prior appropriation continued.

4410-0000 For the purposes of a federally funded grant entitled, Job Training-Cuban Haitian ..... $ 15,000

General Federal Grants Fund 100.0%

DEPARTMENT OF PUBLIC HEALTH.

Notwithstanding any provisions 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.

Notwithstanding any provision of law to the contrary the department of public health shall submit quarterly to the house and senate committees on ways and means a status report on all public health hospitals, by individual hospital, including, but not limited to, inpatient and outpatient utilization and capacity by service and the use of such facilities by other state agencies and vendor programs.

4500-1000 For the purposes of a federally funded grant entitled, Preventive Health Block Grant 2,476,572

General Federal Grants Fund 100.0%

4500-2000 For the purposes of a federally funded grant entitled, Maternal and Child Health Block Grant 7,230,354

General Federal Grants Fund 100.0%

4500-3000 For the purposes of a federally funded grant entitled, Emergency Federal Jobs Bill - Maternal and Child Health 2,371,050

General Federal Grants Fund 100.0%

4502-1012 For the purposes of a federally funded grant entitled, Massachusetts Cooperative Health Statistics 119,475

General Federal Grants Fund 100.0%

4510-0100 For the administration of the department including a long term care information system for the state medicaid program; provided that not less than one hundred thousand dollars shall be expended for a cancer control unit to coordinate state cancer control activities; provided that said unit shall report directly to the commissioner of the department; and provided further, that the position of assistant commissioner shall not

be subject to chapter thirty-one of the General Laws; including not more than forty-two permanent positions and forty-eight temporary positions ..... $ 3,763,470

4510-0104 For a reserve for the department of public health's moving expenses 75,000

4510-0110 For a community health center operational grants program; provided, that the department of public health shall solicit grant proposals for said operational grants from community health centers which are operating under the requirements of section three hundred and thirty of Public Law 95-626, as most recently amended by Public Law 97-35 and shall establish appropriate standards and criteria for the awarding of not less than seven hundred and twenty thousand dollars in grant funds; and provided further, that in order to receive said operational grants, a center need not be eligible for funding under said section three hundred and thirty as a categorical program during fiscal year nineteen hundred and eighty-four; and provided further, that notwithstanding the above provisions, the department of public health shall expend not less than two hundred and eighty thousand dollars for an operational grants program, which program shall include appropriate standards and criteria, for independently licensed community health centers who are not eligible to receive an allotment of funds under provisions of section 1926 of the Public Health Services Act as most recently amended by Public Law 97-35; provided however, that of this two hundred and eighty thousand dollars not more than eighty thousand dollars shall be expended for hospital-affiliated community health centers which, in conformance with the provisions of section three hundred and thirty of Public Law 95-626, have a community board of directors; and provided further, that in addition to the said amounts that not more than one hundred thousand dollars shall be expended for the administration, monitoring and evaluation of said operational grants programs; and provided further, that in the event Massachusetts participates in the primary care block grant, funds appropriated herein shall be expended in conformance with the requirements of section 1926(a)(4)(A) of the Public Health Services Act, as most recently amended by Public Law 97-35, unless otherwise provided herein; and provided further, that not less than seventy thousand dollars shall be expended for the South Boston Neighborhood Health Center; and provided further, that funds appropriated herein, shall not be allocated for the provision of mental health services; and provided further, that all allocations of funds from this item shall be subject to the approval of the secretary of human services, including not more than two temporary positions 1,100,000

4510-0400 For the purposes of a federally funded grant entitled, Health Insurance - Medicare 778,846

General Federal Grants Fund 100.0%

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; provided, however, that not less than thirty thousand dollars shall be expended for a generic drug publication; and provided further, that not less than eighty-five thousand dollars shall be expended for a radiation control program, including not more than thirty-five permanent positions and thirty-three temporary positions ..... $ 1,610,756

4510-0710 For the administration of the division of health care quality; provided, that said division shall be responsible for assuring the quality of patient care provided by the commonwealth's health care facilities and services and protecting the health and safety of patients who receive care and services in nursing homes, rest homes, clinical laboratories, clinics, institutions for the mentally retarded and ill, hospitals and infirmaries, including the inspection of ambulance services, including not more than fourteen permanent positions and one hundred and fifteen temporary positions 3,572,385

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 seventeen temporary positions 451,833

4510-0790 For an office of emergency medical services, including not more than eight temporary positions 279,211

4510-9019 For the purposes of a federally funded grant entitled, Environmental Monitoring 32,000

General Federal Grants Fund 100.0%

4510-9020 For the purposes of a federally funded grant entitled, Genetic Testing and Counseling Program 270,435

General Federal Grants Fund 100.0%

4510-9023 For the purposes of a federally funded grant entitled, State Training Support Program 28,300

General Federal Grants Fund 100.0%

4512-0100 For the administration of the division of communicable and venereal diseases and a vaccine program; provided, that not less than two hundred thousand dollars shall be used for the purpose of providing vaccine for childhood diseases and not less than four hundred thousand dollars

shall be expended for the purpose of providing influenza vaccines for the elderly and the chronically ill, including not more than seventeen permanent positions and two temporary positions ..... $ 3,679,268

4512-0102 For the purpose of a federally funded grant entitled, Control of Syphilis 289,378

General Federal Grants Fund 100.0%

4512-0179 For the purposes of a federally funded grant entitled, Vaccination Assistance Project 488,234

General Federal Grants Fund 100.0%

4512-0200 For the administration of the division of alcoholism, provided that not less than two hundred thousand dollars shall be expended for a program to reduce the incidence of alcohol use and abuse among pregnant women, including not more than eleven permanent positions and eighteen temporary positions 19,801,600

4512-0500 For a dental health program, including dental services at the state schools for the retarded; provided, however, that not less than two hundred thousand dollars shall be expended for a community-based statewide dental program for the mentally retarded; and provided further, that dollars may be expended as the fiscal year nineteen hundred and eighty-four twelve month cost of providing dental services at the state schools, including not more than two permanent positions and four temporary positions 2,214,650

4512-0900 For the administration of a preventive medicine program; provided, however, that not less than forty thousand dollars shall be expended for a diethylstilbestrol information program; and provided further, that not less than one hundred thousand dollars shall be expended for the rape prevention and victim services program, including not more than four permanent positions and nine temporary positions 745,631

4513-0200 For the division of drug rehabilitation; provided, that said 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, and provided further, that not less than one hundred and fifty thousand dollars be expended for drug rehabilitation services for pregnant women, including not more than eight permanent positions 4,652,466

4513-1000 For the administration of a family health program, and for the provision of services to ventilator-dependent children under eighteen years of age who reside at home; provided, that not less than fifty thousand dollars shall be expended for a diethylstilbestrol program to identify women who took diethylstilbestrol during their pregnancy and their offspring

who were exposed prenatally; and to educate the public and medical professionals; and to establish screening clinics concerning the symptoms and prevention of associated malignancy and other changes; provided, that five million four hundred thousand dollars be expended as the annualized cost of early intervention services; and provided further, that the division of family health services shall notify the house and senate committees on ways and means by November first, nineteen hundred and eighty-three of the actual or intended uses of the five hundred thousand dollars of expansion funds for early intervention services included in said five million four hundred thousand dollars; provided further, that not more than fifty thousand dollars shall be expended as the annualized cost of an environmental information service for pregnant women; and provided further, that not more than one hundred and fifty thousand dollars shall be expended as the annualized cost of a poison control hot line, including not more than eighteen permanent positions and fourteen temporary positions ..... $ 10,307,419

4513-1001 For a program of maternal and child health to be in addition to any federal funds received for this program 500,000

4513-1010 For a study of the feasibility and usefulness of testing newborn children for the disease of tuberous sclerosis, prior appropriation continued 50,000

4513-1500 For the administration of local health services, including not more than eleven permanent positions and ten temporary positions 573,575

4513-3051 For the purposes of a federally funded grant entitled, Galactosemia/Metabolic Disorders 181,993

General Federal Grants Fund 100.0%

4513-9007 For the purposes of a federally funded grant entitled, Nutritional Status of Women and Infants and Children, provided that the division of family health services shall submit a report to the house and senate committees on ways and means by November first, nineteen hundred and eighty-three detailing the proposed uses of these funds and provided further, that a final report be submitted by April first, nineteen hundred and eighty-four expenditures detailing the actual from this item 22,295,708

General Federal Grants Fund 100.0%

4513-9010 For the purposes of a federally funded grant entitled, Preventive and Emergency Child Health Care 305,370

General Federal Grants Fund 100.0%

4513-9013 For the purposes of a federally funded grant entitled, WIC High Risk Screening ..... $ 240,790

General Federal Grants Fund 100.0%

4513-9014 For the purposes of a federally funded grant entitled, Emergency Federal Jobs Bill - Nutritional Status of Women and Infants and Children 1,704,292

General Federal Grants Fund 100.0%

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 commission, and for the commonwealth's share of the operation of certain tuberculosis clinics; including not more than twenty-eight permanent positions and three temporary positions 2,644,670

4515-0113 For the purposes of a federally funded grant entitled, Health Program for refugees 142,556

General Federal Grants Fund 100.0%

4516-0100 For the administration of the state laboratory; provided, that notwithstanding any provisions of law to the contrary, an amount not to exceed three hundred thousand dollars accrued through the program at the institute of laboratories of selling biological products and performing various laboratory tests may be expended without further appropriation subject to schedules approved by the commissioner of the department of public health and the house and senate committees on ways and means; and provided further, that such approval schedules shall be placed on file with the state comptroller for the purpose of authorizing such expenditure for said program, including cost of materials, supplies and equipment; maintenance of laboratory facilities and compensation of laboratory employees; and provided further, that not less than two hundred and thirty thousand dollars shall be expended for Varicella-Zoster Immune Globulin, Cytemogalovirus, and Whooping cough vaccine programs, including not more than one hundred and thirty-seven permanent positions and twenty-two temporary positions 5,040,921

4516-0201 For a program of prevention of lead poisoning; provided, however, that not less than one hundred fifty thousand dollars shall be expended to screen children for lead paint poisoning; and provided further, that the department shall initiate a case management program for children hospitalized for lead paint poisoning; and provided further, that the department shall report quarterly to the house and senate committees on ways and means concerning the status of said program including the number and percentage of children screened and the number of children hospitalized; and provided further, that the sum appropriated herein shall not be expended for the purposes of maintaining a state staffed deleading team,

but the department of public health shall implement a purchase of service system for deleading purposes utilizing available funds; and provided further, that notwithstanding any law to the contrary revenues in an amount not to exceed one hundred thousand dollars accrued from fees obtained from crisis deleading services, may be expended without further appropriation, subject to the approval of the commissioner of public health for the expenses of the crisis deleading services, including materials, supplies, and equipment, including not more than three permanent positions and twenty-one temporary positions ..... $ 791,699

4517-0201 For the operation of a Family Practice Residency program by the New England Memorial Hospital in Stoneham under conditions approved by the Department of Public Health; provided, that a report shall be filed with the house and senate committees on ways and means by April thirteenth, nineteen hundred and eighty-four, which includes the activities of said program, the number of participants and the places of employment after completion of residency; provided, further, that all new contracts established under said program shall include a provision for payback service to the commonwealth for a period equal to one-half of the time in which students have fulfilled all residency requirements; provided, further, that any monetary payback provisions within said contract shall be equal to the percentage of the costs of each student funded by the commonwealth 270,000

4518-0100 For the administration of the office of health statistics and analysis and for the operation of a cancer registry, including not more than twenty-eight permanent positions and eighteen temporary positions 1,086,161

4518-1000 For the purposes of a federally funded grant entitled, National Health Index 18,829

General Federal Grants Fund 100.0%

For the maintenance of and for certain improvements at the following institutions under the control of the department of public health:

4531-0001 Lakeville Hospital Rehabilitation center, including not more than two hundred and eighty-seven permanent positions and fifty temporary positions 7,155,873

4532-0001 Lemuel Shattuck hospital, including not more than six hundred and seventy-five permanent positions and thirty-one temporary positions 16,594,276

4533-0001 Massachusetts hospital school, including not more than two hundred and seventy-two permanent positions and fifty-nine temporary positions 6,694,555

4535-0001 Rutland Heights hospital, including not more than three hundred and thirteen permanent positions and forty temporary positions 6,581,899

4536-0001 Tewksbury hospital, including not more than eight hundred and sixty-four permanent positions and two hundred and thirty-nine temporary positions ... 19,075,303

4537-0001 Western Massachusetts hospital, including not more than two hundred and thirty-three permanent positions and thirteen temporary positions ..... $ 5,334,291

DEPARTMENT OF SOCIAL SERVICES.

4800-0010 For the administration and maintenance of a program of social services; 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 social services shall be maintained and expenditures allocated in such a manner that will not cause said social services to be terminated prior to the end of the fiscal year and provided further that said expenditures will not 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; provided further, that all contracts for day care services funded in this department shall be amended to reflect negotiated rates not to exceed maximums established by the rate setting commission; provided further, that the department of social services shall report quarterly to the house and senate committees on ways and means, the amount expended on programs for battered women and the amount expended in item 4800-1040 for day care. The reports on battered women's services shall be by region and shall include the type of program, number of available slots and occupancy rate. The reports for day care services shall be by region and shall include the total number of slots available by category, occupancy rates by category and the cost by category; provided further, that during the fiscal year ending on June thirtieth, nineteen hundred and eighty-four, the department of social services shall expend not less than two million five hundred thirty-one thousand one hundred and twelve dollars on emergency services for battered women including not less than two hundred and nineteen thousand three hundred and ninety-one dollars in Region I, not less than two hundred and six thousand forty-five dollars in Region II, not less than two hundred and twenty-five thousand fifty-two dollars in Region III, not less than two hundred and twenty-six thousand seven hundred and nine dollars in Region IV, not less than four hundred and thirty-four thousand twenty-one dollars in Region V, and not less than two hundred and seventy-three thousand eighty-four dollars in Region VI; and not less than nine hundred and forty-six thousand eight hundred and ten dollars in item 4800-1040, provided that sufficient donations are received in the Public Private Partnership Program; and provided further, that the department shall report monthly to the house and senate committees on ways and means on current social worker caseloads by type of case and level of social worker assigned to cases, including not more than forty permanent positions and one hundred and forty-seven temporary positions 6,996,546

4800-0020 For administration and services to facilitate the adoption of and for adoption assistance to certain children in the care of the department, to include the project impact program; provided, that the department shall make assessment of all the children in its care longer than twelve months for the appropriateness of adoption, and provided, further, that the department shall establish a central registry and tracking system to monitor the progress of such children in the adoption process, including not more than twenty-seven temporary positions ..... $ 6,766,245

4800-0023 For a reserve to fund new programs for nine calendar months during fiscal year nineteen hundred and eighty-four; provided, that not less than one hundred and fifty thousand dollars shall be expended for mediation programs which shall be with the participation of the court of competent jurisdiction; provided further, that not less than two hundred and fifty thousand dollars shall be expended for flexible day care programs; provided further that funds may be allocated from this reserve to other items of appropriation or may be expended directly from this reserve 400,000

4800-0024 For a foster care program for special needs children; provided however, that the sum appropriated herein shall fund said program for nine calendar months during fiscal year nineteen hundred and eighty-four 100,000

4800-0050 For the expenses and operation of the New Chardon Street Home for Women located in the city of Boston; provided, that all revenue accrued through the collection of fees, may be expended without further appropriation, up to one hundred thousand dollars, for the purchase of furniture and equipment, subject to the approval of the commissioner of the department and the state comptroller for said program; and provided further, that this program will be subject to a full audit; and provided further, that any unexpended balance in the revolving fund at the close of the fiscal year, shall be transferred to the General Fund, including not more than twenty-three temporary positions 459,670

4800-0060 For a program to provide day care and babysitting services, provided, however that the department shall adhere to the following priorities in administering said program: priority one shall be for those families and children with special and protective needs as determined by the department with the provision that said department shall take all reasonable steps to maintain a policy of no waiting lists for said families and children with special and protective needs; priority two shall be for any applicant or recipient of aid to families with dependent children who is employed, or who has accepted a job offer, or who is participating in a training activity or program; priority three shall be any income eligible person who has been a recipient of aid to families with dependent children within thirty days prior to application for day care or babysitting services; priority four shall be to all other income eligible families and children; provided that no services shall be authorized which will cause expenditures to exceed the appropriation by the end

of the fiscal year; and provided further, that no services shall be authorized resulting in any recipient continuing to remain eligible being denied said services under the existing appropriation before the end of the fiscal year; provided further, that not less than thirty-six million six hundred and eighty-five thousand eighty-eight dollars shall be expended on contracted slots, including not less than four million nine hundred and fifty-three thousand six hundred and eighty-nine dollars in Region I, not less than three million eight hundred and twenty thousand three hundred and fifty-one dollars in Region II, not less than seven million four hundred and forty-nine thousand two hundred and eighty-three dollars in Region III, not less than five million six hundred and thirty-three thousand five hundred and forty-two dollars in Region IV, not less than four million five hundred and eight thousand one hundred and ninety-eight dollars in Region V, and not less than nine million five hundred and seventy thousand twenty-five dollars in Region VI; provided further that not less than one million eight hundred and twenty-one thousand ninety-two dollars shall be spent through a voucher payment system, so-called, the department may utilize a blanket contract for the area office model of voucher day care services; provided further, that not less than one million three hundred and ninety-seven thousand six hundred and sixty-two dollars shall be expended on babysitting services, and the department shall purchase babysitting services at a fixed hourly rate determined by it; provided however, that no less than two hundred and twenty-five thousand dollars shall be expended on a program for certain developmentally disabled children for specialized day care in Region VI; provided further, that all contracts for day care services funded in this item shall reflect negotiated rates not to exceed the maximums established by the rate setting commission; and provided, further, that the department shall report monthly, beginning September 1983, to the commissioner of administration and finance and the house and senate committees on ways and means, on the utilization of all day care and babysitting services by type of client and priority category, by category of day care services provided; said reports shall be by region and shall include the total number of slots available for each breakdown described above, the cost for the slots and include like information for services utilizing a voucher payment system, so-called and for the babysitting services; and provided further that any federal reimbursement for this purpose shall be credited to the General Fund ..... $ 43,430,642

4800-0070 For a program of respite care for the developmentally disabled; provided that, services shall be maintained and expenditures allocated in such a manner that will not cause said services to be terminated prior to the end of the fiscal year; and provided further, that said expenditures will not exceed appropriation, prior appropriation continued 2,016,716

4800-0080 For a program for adolescent parents; provided that, services shall be maintained and expenditures allocated in such a manner that will not cause said services to be terminated prior to the end of the fiscal

year; and provided further, that said expenditures will not exceed appropriation ..... $ 1,000,000

4800-1040 For certain public/private partnership programs; provided that not less than nine hundred and forty-six thousand eight hundred and ten dollars be expended on emergency services for battered women, provided that sufficient donated funds are received; provided that, any expenditure from this item shall be contingent upon receipt by the department of assurances from a program provider that such provider has obtained a commitment from a private or public source other than the commonwealth to provide funds equal to twenty-five percent of the cost of any proposed public/private partnership program; provided further, that the department, subject to the provisions of chapter thirty A of the General Laws and with the approval of the executive office of human services, shall promulgate any rules and regulations as are deemed necessary to administer said programs; provided further, that such rules and regulations along with any amendments or repeals shall be submitted to the house and senate committees on ways and means prior to implementation; provided further, that purchased social services shall not be authorized at a level that will cause expenditures to exceed appropriations; and provided, further, that social services shall be maintained and expenditures allocated in such a manner that will not cause said social services to be terminated prior to the end of the fiscal year; and provided further, that said expenditures will not exceed appropriations; provided further, that any federal reimbursements received for this purpose shall be credited to the General Fund 13,880,000

Region I.

4801-0100 For the administration of Region one; provided that, any federal reimbursements received for this purpose shall be credited to the General Fund, including not more than thirteen permanent positions and ninety-seven temporary positions 3,623,857

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 social services shall be maintained and expenditures allocated in such a manner that will not cause said social services to be terminated prior to the end of the fiscal year and provided further that said expenditures will not exceed appropriation, including not more than two hundred and ten temporary positions 14,235,360

Region II.

4802-0100 For the administration of Region two; provided, that any federal reimbursements received for this purpose shall be credited to the General Fund, including not more than nine permanent positions and ninety temporary positions ..... $ 3,161,163

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 social services shall be maintained and expenditures allocated in such a manner that will not cause said social services to be terminated prior to the end of the fiscal year and provided further that said expenditures will not exceed appropriations, including not more than one hundred and eighty temporary positions 12,137,231

Region III.

4803-0100 For the administration of Region three; provided that, any federal reimbursements received for this purpose shall be credited to the General Fund, including not more than eleven permanent positions and one hundred and forty-one temporary positions 4,535,386

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 social services shall be maintained and expenditures allocated in such a manner that will not cause said social services to be terminated prior to the end of the fiscal year and provided further that said expenditures will not exceed appropriations, including not more than three hundred and twenty-six temporary positions 20,432,091

Region IV.

4804-0100 For the administration of Region four; provided that, any federal reimbursements received for this purpose shall be credited to the General Fund, including not more than thirteen permanent positions and one hundred and twenty-four temporary positions 4,230,834

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 social services shall be maintained and expenditures allocated in such a manner that will not cause said social services to be terminated prior to the end of the fiscal year and provided further that said expenditures will not exceed appropriation, including not more than two hundred and fifty-four temporary positions ..... $ 20,231,276

Region V.

4805-0100 For the administration of Region five; provided that, any federal reimbursements received for this purpose shall be credited to the General Fund, including not more than ten permanent positions and one hundred and twenty-three temporary positions 4,566,519

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 social services shall be maintained and expenditures allocated in such a manner that will not cause said social services to be terminated prior to the end of the fiscal year and provided further that said expenditures will not exceed appropriation, including not more than three hundred and thirty-seven temporary positions 19,369,309

Region VI.

4806-0100 For the administration of Region six; provided that, any federal reimbursements received for this purpose shall be credited to the General Fund, including not more than eight permanent positions and one hundred and seventeen temporary positions 3,939,412

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 attending public schools; and provided further, that social services shall be maintained and expenditures allocated in such a manner that will not cause said social services to be terminated prior to the end of the fiscal year and provided further that said expenditures will not exceed appropriation, including not more than three hundred and twenty-six temporary positions ..... $ 25,107,463

4899-0001 For the purposes of a federally funded grant entitled, Child Welfare Services - Title IVB; provided, that not less than three hundred thousand dollars shall be expended for the purpose of training day care providers; provided, that not less than three million one hundred thousand dollars shall be expended for direct services for protective needs children; and provided further, that the department shall report quarterly to the house and senate committees on ways and means all new initiatives and programs begun with Title IVB funds, and the status and funding of all programs operated under this grant 6,810,870

General Federal Grants Fund 100.0%

4899-8011 For the purposes of a federally funded grant entitled, Child Abuse and Neglect .. 361,119

General Federal Grants Fund 100.0%

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.

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, numbers of clients served per program, the cost for the start-up month and the cost for the full fiscal year.

Notwithstanding any provisions 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 community placements including 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.

Notwithstanding any provision of law to the contrary, 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-three through June thirtieth, nineteen hundred and eighty-four.

Notwithstanding any provision of law to the contrary, the department of mental health shall submit in writing, by appropriation item, to the house and senate committees on ways and means, a schedule of all personnel in the 01 and 02 subsidiaries no later than July thirty-first, nineteen hundred and eighty-three.

Notwithstanding any provision of law to the contrary, the commissioner of the department of mental health shall submit in writing to the house and senate committees on ways *and means, a detailed* plan for the deunitization of the state hospitals including, but not limited to, the effects of said deunitization on the certification, staffing levels, cost of operation and census of said hospitals.

Notwithstanding any provisions of law to the contrary, the department of mental health shall provide temporary residential respite care facilities for clients with behavioral and developmental disabilities. Said programs shall have as their main objective, the reduction of stress in families attempting to maintain disabled clients in the community in order to avoid long term or emergency admissions to institutional settings. Said services *shall not be limited to clients* of a specific district. In instances where clients must leave their region, to obtain such services, the region providing services shall be reimbursed by the region in which the client has permanent residence.

Notwithstanding the provision of any law to the contrary, the department of mental health shall submit in writing to the house and senate committees on ways and means no later than December thirty-first, nineteen hundred and eighty-four, a schedule of all personnel to be transferred to the regional community mental health service line items and the regional community mental retardation service line items, provided *that said schedule specify* by position the number of direct care workers and the number of administrative staff, and provided that the criteria for determining administrative and direct care staff to be transferred shall be specified.

Notwithstanding the provision of any law to the contrary the department of mental health shall submit quarterly to the house and senate committees on ways and means a status report on all state schools and state hospitals including total cost of the operations of each institution, its client capacity, the number of clients being served and the use of such facilities by other state agencies.

Notwithstanding any provision of law to the contrary the department of mental health shall submit in writing to house and senate committees on ways and

means a schedule of all personnel who are involved in the approval of process of Individual Service Plans "ISPs" with a detailed analysis of the role each of these individuals contributes to this process.

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 parent or guardians; 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; provided further, that from the funds appropriated herein not more than two hundred thousand dollars shall be expended for the development of individual service plans; provided further, that not more than two hundred thousand dollars shall be expended for the monitoring and evaluation of the implementation of said plans; and provided further, that not less than one million one hundred and thirty thousand dollars shall be obligated for data processing services and equipment for such services, and provided further that the department shall submit a detailed plan to the house and senate committees on ways and means for a medium secure treatment facility at Westboro state hospital by September thirtieth, nineteen hundred and eighty-four, including not more than one hundred and fifty-one permanent positions and not more than one hundred and sixteen temporary positions ..... $ 10,269,072

5011-0004 For a reserve to meet the costs of providing a cost of living increase to direct care staff in community based programs for the mentally ill and mentally retarded in the department of mental health and for emergencies which would cause any such programs to cease operation or to lose or be denied a license to operate; provided, however, that no funds transferred shall be used to (a) increase the number of clients in a Programs eligible for transfer of funds from this reserve shall be limited to those programs fully operational on January first, nineteen hundred and eighty-three. The method of allocation of funds appropriated herein shall address the problem of salary inequities among direct care staff positions within community based programs. Funds appropriated herein shall be authorized for transfer to the appropriation items where amounts otherwise available are insufficient pursuant to schedules submitted by the department of mental health and approved by the house and senate committees on ways and means.

Such schedules shall be submitted by the department of mental health on or before October first, nineteen hundred and eighty-three.

If within thirty days of receipt of said schedule, no action has been taken by either the house or senate committees on ways and means, expenditures from this item may proceed, pursuant to any amendments to said schedules as approved by either the house and senate committees on ways and means.

Said schedules shall include, the contract number, the vendor's name, whether the contract is for a consent or a non-consent decree program, the positions receiving salary increases, the starting salary, proposed increase in salary in dollars and by percentage and new salary for each position, and the total increase in the contracted amount for the program .. $ 5,000,000

5011-0007 For an office of fiscal control, contracts management and monitoring, revenue and audit; provided that not less than two hundred and fifteen thousand dollars shall be expended for fiscal staff, and provided further that the department initiate contracts for the purpose of collecting accounts receivables at state institutions owed to the department, including not more than seven permanent positions and fifteen temporary positions 782,559

5011-0008 For a system of program evaluation and client tracking; provided, that an appropriate acknowledgement of the support of the commonwealth should be made in publications based on work performed, data collected, or observations made with the support of funding from this line item; and provided further, that the commonwealth shall have royalty fees and an exclusive and irrevocable license to reproduce, translate, publish, use and dispose of and to authorize others to do so, any copyright materials developed with the support of funding from this line item 60,000

5011-0010 For educational services for adult clients of the bureau of institutional schools 1,464,000

5011-0011 For a consolidated laundry program; provided, that no part of the sums appropriated in this item shall be available for the payment of contracts to be paid from any subsidiary account entitled 03 or 07 as established in accordance with the provisions of section twenty-seven of chapter twenty-nine of the General Laws if there are permanent or temporary personnel in said institutions to perform said services, including not more than one hundred and twenty-one permanent positions and not more than seventeen temporary positions 3,332,967

5011-0015 For new mental retardation programs, provided, that the department shall report quarterly to the house and senate committees on ways and means on all expenditures from this item 1,343,444

5011-0017 For new community systems, provided that not more than one million one hundred forty-eight thousand dollars shall be expended for programs required by the Brewster consent decree, provided that not less than two hundred and fifty thousand shall be expended for social rehabilitation programs for the chronically disabled, and provided further that not less than one hundred and ninety-six thousand one hundred and ten dollars shall be expended for a residential program for individuals currently residing at Metropolitan state hospital, and provided further that no funds shall be expended from this item for the medium secure treatment facility to be located at Westboro state hospital 1,594,110

5011-0018 For the operation of certain HUD 202 programs ..... $ 410,635

5011-0020 For the cost of providing laboratory services to residents of Belchertown state school, Monson developmental center, the Walter E. Fernald state school, the Paul A. Dever state school, and the Wrentham state school, prior appropriation continued 346,500

5016-0104 For the expansion of services to retarded people in the community who are not eligible for service through chapter seventy-one B of the General Laws or consent decrees; provided, however, that not less than seventy-five thousand dollars shall be expended for a day program in Charlestown for mentally retarded community clients; provided further that the Fall River area allocation be increased by an additional one hundred thousand dollars. This one hundred thousand dollars will be over and above any additional projected increase in this account for the Fall River area for fiscal year nineteen hundred and eighty-four; provided further, that the department shall submit to the house and senate committees on ways and means no later than November thirtieth, nineteen hundred and eighty-three, a plan for the expenditure of two million five hundred thousand dollars for a six month period during fiscal year nineteen hundred and eighty-four, such expenditure shall not have an annualized base cost which exceeds five million dollars in the following fiscal year; and provided further that said committees shall approve or disapprove of said plan within thirty days of receipt of the plan, and provided further that the remaining three million five hundred thousand dollars appropriated herein represent the twelve month annualized cost of programs funded from this item, and provided further, that the department of mental health shall submit quarterly, in writing, by region and by program, status reports, including all expenditures from this item, to the house and senate committees on ways and means 6,000,000

5017-0100 For the office of the court monitor 124,000

5021-0000 For a program of children's service, for the purpose of providing mental health or mental retardation services to children; provided, that not less than four hundred thousand dollars shall be expended for a statewide emergency services fund for children and adolescents; provided further, that not less than three hundred and sixty thousand dollars shall be expended to provide services to certain children and adolescents for which funds were transferred to the department of mental health from item 4000-0760 of chapter one hundred and ninety-one of the acts of nineteen hundred and eighty-two; provided further, that a sum of not more than one hundred and twenty-five thousand dollars shall be expended for an inpatient program for deaf adolescents; and provided further that five hundred and ninety-two thousand dollars appropriated herein for new programs represents the six month cost in fiscal year nineteen hundred and eighty-four; and provided further, that not less than seventy thousand dollars shall be expended for the development and initial operations of a psychiatric inpatient unit

for children and adolescents at Cambridge Hospital and provided further, that the department of mental health shall submit quarterly, *in writing*, by region and by program, status reports, including all expenditures from this item, to the house and senate committees on ways and means .... $ 1,547,000

5021-9101 For the purposes of a federally funded grant entitled, Community Support Systems Program 250,000

General Federal Grants Fund 100.0%

5025-0100 For the training of psychiatric residents and multidisciplinary trainees of the department of mental health through intensive statewide settings provided by the department; provided, that not less than nine hundred and thirty-five thousand dollars shall be expended for a psychiatric residency program at the Cambridge/Somerville mental health center; provided, however, that not less than two hundred and ninety thousand dollars shall be expended for a psychiatric residency program at the Tufts Bay Cove mental health center; and provided further, that the audit unit of the executive office of human services is authorized and directed to perform an audit of all programs funded from this item of appropriation, including quality assurance, full financial disclosure of all sources of income for any recipient of said stipend, the level and discipline of each trainee, and any indirect program costs, including space rental costs, salary and fringe benefits, and any contracted *services*. Said audit shall be submitted to the house and senate committees on ways and means by March *fifteenth*, nineteen hundred and eighty-four 2,370,000

Region One.

5145-0000 For the administration of region one, including not more than two hundred and thirty permanent positions and not more than eighty-seven temporary positions 6,517,592

5146-0000 For mental health community services 15,864,374

5147-0000 For child and adolescent mental health services 3,887,894

5148-0000 For mental retardation community services 16,113,171

5183-0100 For the maintenance of the Belchertown state school, including not more than seven hundred and twenty-seven permanent positions and not more than six hundred and sixty-one temporary positions 24,462,114

5195-0100 For the maintenance of the Northampton state hospital; provided however, that no funds from this item may be expended for a contracted secure treatment facility; provided further, that no funds from this item may be expended for persons delivering services or performing administrative functions in community-based programs, including not more than

	five hundred and twenty-three permanent positions and not more than twenty-two temporary positions	$ 11,374,632
	Region Two.	
5245-0000	For the administration of region two, including not more than three hundred and fifteen permanent positions and not more than fifty-seven temporary positions	6,491,263
5246-0000	For mental health community services	4,263,891
5247-0000	For child and adolescent mental health services	1,467,084
5248-0000	For mental retardation community services	9,497,694
5271-0100	For the maintenance of the Irving A. Glavin regional center at Shrewsbury, including not more than one hundred and sixty-four permanent positions and not more than seventeen temporary positions	3,486,883
5283-0100	For the maintenance of the Monson developmental center, including not more than eight hundred and thirty-five permanent positions and not more than seven hundred and thirty-two temporary positions	27,882,635
5295-0100	For the maintenance of the Worcester state hospital; provided, however, that no funds may be expended from this item for salaries for persons delivering services or performing administrative functions in community-based programs, including not more than six hundred and seventy-one permanent positions and not more than six temporary positions	14,521,482
	Region Three.	
5345-0000	For the administration of region three, including not more than two hundred and thirteen permanent positions and not more than twenty-seven temporary positions	5,304,821
5346-0000	For mental health community services; provided that no less than seventy thousand dollars shall be expended for a day treatment and vocational rehabilitation program for non-medicaid eligible individuals at the North Shore Community Mental Health Center	8,020,921
5347-0000	For child and adolescent mental health services	3,035,091
5348-0000	For mental retardation community services	11,153,574
5351-0100	For the maintenance of the Dr. Harry C. Solomon mental health center, including not more than one hundred and thirteen permanent positions and not more than thirteen temporary positions	3,200,307

5377-0100	For the maintenance of the Charles V. Hogan regional center and the John T. Berry rehabilitation center, including not more than four hundred and forty-six permanent positions and not more than three hundred and seventy-three temporary positions	$ 15,443,492
5395-0100	For the maintenance of Danvers state hospital, provided that, no funds may be expended from this item forsalaries of persons delivering services or performing administrative functions in community-based programs, including not more than four hundred and twenty-five permanent positions and twenty-five temporary positions	10,076,825
	Region Four A.	
5445-0000	For the administration of region four A, including not more than one hundred and twenty-seven permanent positions and not more than fourteen temporary positions	3,240,560
5446-0000	For mental health community services; provided however, that not less than seven hundred and forty-one thousand dollars shall be obligated for providing community mental health services in the Cambridge/Somerville area ..	3,917,141
5447-0000	For child and adolescent mental health services	876,391
5448-0000	For mental retardation community services	7,518,618
5451-0100	For the maintenance of the Cambridge/Somerville mental health and retardation center; including not more than one hundred and forty-two permanent positions	2,646,282
5483-0100	For the maintenance of the Walter E. Fernald state school, including not more than one thousand one hundred permanent positions and not more than one thousand two hundred and ninety-six temporary positions	44,747,797
5495-0100	For the maintenance of the Metropolitan state hospital; provided that no funds may be expended from this item for salaries for persons delivering services or performing administrative functions in community-based programs, including not more than six hundred and forty-five permanent positions and not more than thirty-four temporary positions	14,500,000
5496-0100	For the maintenance of the William C. Gaebler Children's Center, including not more than one hundred and twenty-two permanent positions and not more than sixty temporary positions	3,084,213
	Region Five.	
5540-0100	For the maintenance of the Brockton multi-service center, including not more than two hundred permanent positions and not more than forty-seven temporary positions	6,459,668

5541-0000	For the maintenance of the John C. Corrigan mental health center, including not more than sixty-nine permanent positions and five temporary positions ..	$ 1,691,518
5542-0000	For the maintenance of the Pocasset mental health center, provided, that should funds become available from the trust fund during the fiscal year, such monies shall be applied to reduce the appropriation in this item by an amount equal to at least forty thousand dollars, including not more than thirty-nine permanent positions and not more than five temporary positions	1,150,490
5545-0000	For the administration of region five, including not more than three hundred and ninety-five permanent positions and not more than fifty temporary positions; notwithstanding the provisions of this item there shall be four permanent positions within the Dukes county mental health center	8,321,246
5546-0000	For mental health community services	2,726,006
5547-0000	For child and adolescent mental health services	1,575,757
5548-0000	For mental retardation community services	9,721,654
5551-0100	For the maintenance of the treatment center at the Massachusetts correctional institute at Bridgewater, including not more than twenty-nine permanent positions and not more than forty-eight temporary positions	1,847,085
5583-0100	For the maintenance of the Paul A. Dever state school, including not more than eight hundred and sixty-five permanent positions and not more than one thousand and ninety-six temporary positions	37,161,882
5592-0100	For the maintenance of the Taunton state hospital; provided, however, that no funds may be expended from this item for salaries for persons delivering services or performing administrative functions in community-based programs, including not more than three hundred and forty permanent positions and not more than two hundred and sixty-one temporary positions	7,514,374

Region Six.

5645-0000	For the administration of region six; provided that not more than the sum of two hundred and fifty thousand dollars shall be expended as the twelve month fiscal year nineteen hundred and eighty-four cost for a rehabilitative day treatment program for chronically mentally ill homeless persons; provided, however, that not more than one hundred and twenty-five thousand dollars shall be expended for the twelve month fiscal year nineteen hundred and eighty-four share for a residential program for chronically mentally ill homeless persons, including not more than twenty-four permanent positions and not more than thirteen temporary positions ...	1,268,362

5646-0000	For mental health community services; and provided, that none of the amounts appropriated in this item shall be available for the payment of contracts from subsidiary accounts "03" and "07" for the operation of the Parker Street shelter so-called	$ 2,558,353
5647-0000	For child and adolescent mental health services; provided that not less than four hundred and ten thousand dollars shall be expended for contractual services rendered by a teaching hospital currently providing child and adult psychiatric services to the bay cove catchment area for a range of clinical and psychiatric services to emotionally disturbed children and their families, with priority to the bay cove catchment area but also serving children throughout the commonwealth, provided that not less than one hundred and fifty thousand dollars shall be expended for children's mental health services provided through the D Street child mental health and the school mental health teams formerly funded through a federal Part F step five grant	2,571,839
5648-0000	For mental retardation community services	10,919,326
5651-0100	For the maintenance of the Massachusetts mental health center; provided that the amount shall fund three temporary positions at the Allston-Brighton community mental health center, including not more than three hundred and eight permanent positions and not more than four temporary positions	7,081,522
5652-0100	For the maintenance of the Dr. Solomon Carter Fuller mental health center, including not more than one hundred and thirty-seven permanent positions and not more than seventy-two temporary positions	5,650,499
5653-0100	For the maintenance of the Erich Lindemann mental health center, including not more than two hundred and five permanent positions	4,201,105
5654-0100	For the maintenance of the Tufts mental health center, including not more than one hundred and forty permanent positions and not more than seventeen temporary positions	3,258,256
5655-0100	For the maintenance of the Dorchester mental health center, including not more than three hundred and six permanent positions and not more than two temporary positions	6,299,492
5656-0100	For the maintenance of the Wes-Ros-Park mental health center, provided that not less than two hundred and fifty thousand dollars shall be expended on a day treatment program for adolescents and young adults from the Wes-Ros-Park catchment area, including not more than two hundred and thirty permanent positions and not more than two temporary positions	4,184,008

Region Four B.

5845-0000	For the administration of region four B, including not more than two hundred and seventy-five permanent positions and not more than fifty-two temporary positions	$ 7,502,670
5846-0000	For mental health community services	4,511,773
5847-0000	For child and adolescent mental health services	1,429,328
5848-0000	For mental retardation community services	9,861,426
5851-0100	For the maintenance of the Quincy mental health center, including not more than seventy permanent positions	1,771,074
5883-0100	For the maintenance of the Wrentham state school, including not more than six hundred and sixty-three permanent positions and one thousand five hundred and eighty-six temporary positions	40,125,600
5895-0100	For the maintenance of the Medfield state hospital; provided, that no funds may be expended from this item for salaries for persons delivering services or performing administrative functions in community-based programs, including not more than five hundred and fourteen permanent positions and one temporary position	8,960,191
5895-0200	For the purchase of a pumping engine for the Medfield fire department for the protection of Medfield State Hospital	120,000
5896-0100	For the maintenance of the Westborough state hospital; provided, that no funds may be expended from this item for salaries for persons delivering services or performing administrative functions in community-based programs, including not more than three hundred and ninety-seven permanent positions and not more than five temporary positions	8,147,425
5897-0100	For the maintenance of Cushing Hospital; provided, however, that notwithstanding any provision of the law to the contrary, seventy thousand dollars of Title XVIII of the Social Security Act revenues received by the hospital in excess of thirty thousand dollars may be expended for an Adult Day Care and/or Respite Care Program; provided further, that Title XIX reimbursements not to exceed one million two hundred thousand dollars may be expended without further appropriation for inpatient services, including not more than five hundred and ninety-one permanent positions and thirty-five temporary positions	10,192,180

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 two permanent positions and five temporary positions		$ 303,409
	Highway Fund	100.0%	
6000-0180	For the purposes of a federally funded grant entitled, Statewide Assistance Rural Public Transportation		1,119,999
	General Federal Grants Fund	100.0%	
6000-1935	For the purposes of a federally funded grant entitled, Transit Performance Management Study		115,086
	General Federal Grants Fund	100.0%	
6000-1948	For the purposes of a federally funded grant entitled, Purchase of Vehicles for Elderly and Handicapped		163,648
	General Federal Grants Fund	100.0%	
6000-1950	For the purposes of a federally funded grant entitled, Rail Service Continuation..		85,354
	General Federal Grants Fund	100.0%	
6000-1951	For the purposes of a federally funded grant entitled, Rail Service Continuation Assistance		25,612
	General Federal Grants Fund	100.0%	
6000-1952	For the purposes of a federally funded grant entitled, Local Rail Service Continuation Assistance-Planning		10,802
	General Federal Grants Fund	100.0%	
6000-9923	For the purposes of a federally funded grant entitled, UMTA Technical Studies - FY 83		142,000
	General Federal Grants Fund	100.0%	
6000-9936	For the purposes of a federally funded grant entitled, Transportation Systems Management - Lowell		486,415
	General Federal Grants Fund	100.0%	

6000-9937 For the purposes of a federally funded grant entitled, Transportation Systems Management - BRA ..... $ 497,190

General Federal Grants Fund 100.0%

6000-9938 For the purposes of a federally funded grant entitled, South Shore Private Bus Service-Improvements 60,000

General Federal Grants Fund 100.0%

6000-9939 For the purposes of a federally funded grant entitled, Management Information Systems 40,000

General Federal Grants Fund 100.0%

6000-9949 For the purposes of a federally funded grant entitled, Elderly and Handicapped Transportation 871,352

General Federal Grants Fund 100.0%

6000-9954 For the purposes of a federally funded grant entitled, Local Rail Service Assistance 100,000

General Federal Grants Fund 100.0%

Massachusetts Bay Transportation Authority.

6005-0011 For additional assistance to the Massachusetts Bay Transportation Authority in accordance with the provisions of sections six and nine of chapter eight hundred and twenty-five of the acts of nineteen hundred and seventy-four, as amended by section four of chapter two hundred and ninety-one of the acts of nineteen hundred and seventy-five 92,614,128

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 .. 56,688,694

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 523,044

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 ..... $ 315,000

General Fund 80.0%
Highway Fund 20.0%

6005-0015 For certain assistance to regional transit authorities, provided that notwithstanding the provisions of section twenty-three of chapter one hundred and sixty-one B of the General Laws, the commonwealth's share of the net cost of service incurred in fiscal year nineteen hundred and eighty-three to be paid in fiscal year nineteen hundred and eighty-four, for each authority may exceed fifty per cent; provided however, the combined total allocated for contract assistance to said authorities shall not exceed the sum of twelve million ninety-five thousand and five hundred dollars; and provided, further, the commonwealth, acting by and through the executive office for administration and finance, for the period beginning July first, nineteen hundred and eighty-three and ending June thirtieth, nineteen hundred and eighty-four, may enter into contract or contracts with the authorities created pursuant to this chapter providing that at least fifty per cent and up to sixty-six and two-thirds percent, of the net cost of service of each authority shall be paid by the commonwealth, and shall not be assessed upon the cities and towns constituting the authorities 12,095,500

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 23,470,121

Highway Fund 100.0%

6005-0018 For additional contract assistance to be allocated by the Massachusetts Bay Transportation Authority for the net additional expense of commuter rail service provided to and on behalf of the regional transit authorities and cities and towns outside the Massachusetts Bay Transit Authority in amounts determined to be appropriate by the executive office of administration and finance, acting on behalf of the commonwealth, on the recommendation of the secretary of the executive office of transportation and construction, for the fiscal year nineteen hundred and eighty-four, in accordance with the provisions of section twenty-eight A of chapter one hundred and sixty-one A of the Massachusetts General Laws as amended; provided, that the total of such assistance allotted under this

item shall not exceed eight million seven hundred and forty-four thousand seven hundred and sixty dollars ..... $ 8,744,760

General Fund 80.0%
Highway Fund 20.0%

6005-0023 For the reimbursement of certain cities and towns for assessment charges authorized under sections eight, eight A and nine of chapter one hundred and sixty-one A of the General Laws, and as reduced by state contract assistance authorized under sections six and seven of chapter eight hundred and twenty-five of the acts of nineteen hundred and seventy-four, and as appearing on the notice to assessors, as authorized by section twenty-one of chapter fifty-nine of the General Laws, for the fiscal year nineteen hundred and eighty-three; provided that such reimbursements shall be made on the basis of a schedule approved by the house and senate committees on ways and means 4,106,801

Local Aid Fund 100.0%

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 20,706,521

Highway Fund 100.0%

6005-0100 For contracts to provide for the operation of commuter boat services 124,800

Massachusetts Aeronautics Commission.

6006-0003 For the administration of the commission, including personnel services and expenses of the commissioners, and expenses of air navigational facilities, including not more than ten permanent positions 303,481

DEPARTMENT OF PUBLIC WORKS.

Highway Activities.
Personal Services.

6010-0001 For personal services of the department, except for services provided for in item 6020-1900; 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; provided further that the reconstruction of highway Route 140 from the Sterling-West Boylston town line to the Sterling-Princeton town line

as provided for in section six C of chapter eight hundred and fifty-nine of the acts of nineteen hundred and seventy-five be completed by June thirtieth, nineteen hundred and eighty-four, including not more than two thousand eight hundred and sixty permanent positions and two hundred and sixty-three temporary positions ..... $ 60,087,706

Highway Fund 100.0%

6010-0010 For the maintenance and protection of the Angle Tree Stone historical marker in the towns of North Attleborough and Plainville 25,000

Administrative and Engineering Expenses.

6020-1900 For the operation and maintenance of the building located at 100 Nashua Street in the city of Boston, including not more than twenty-five permanent positions 1,129,795

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, highway engineering, highway maintenance, highway construction and the district and other highway activity offices; provided, the department of public works shall implement a system of inventory control and shall file a complete inventory report for fiscal year nineteen hundred and eighty-four on or before the fifteenth of January, nineteen hundred and eighty-four, with the house and senate committees on ways and means 3,466,698

Highway Fund 100.0%

Maintenance and Operation of State Highways and Bridges.

Appropriation under this heading may be expended for traffic safety and control on certain city or town ways:

6030-7201 For the expenses of snow and ice control, including the removal of sand, and including the cost of sand, salt and chemicals 10,000,000

Highway Fund 100.0%

6030-7301 For expenses in connection with traffic line painting, including the cost of materials 691,925

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 2,380,000

Highway Fund 100.0%

6030-7403 For the expenses of fleet management and maintenance equipment, prior appropriation continued ..... $ 3,416,745

Highway Fund 100.0%

6030-7601 For 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; provided, however, that an engineering plan and study for "Highland Avenue and Needham Street Concept Plan" in the town of Needham and in the city of Newton be completed, prior appropriation continued 4,726,660

Highway Fund 100.0%

6031-0131 For a property management program, prior appropriation continued.

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 seventy-four to be used solely for the provision of or payment for mass transportation services, including assessments for said services; provided that such amount reimbursed shall be based upon the amount which is expended for said services on or before June thirtieth, nineteen hundred and eighty-four and shall not exceed the amount specified for each city or town in said section four of said chapter eight hundred and twenty-five; and provided further that the town of Nahant be reimbursed nine thousand dollars 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%

EDUCATION.

George Fingold Library.

7000-0601 For the administration of the library; provided that seven hundred dollars shall be expended from this item for the purposes of the Art Commission, including not more than twenty-six permanent positions 740,000

Compact for Education.

7000-0751 For the commonwealth's share of the cost of the compact for education ..... $ 39,800

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; provided further, that all contracts relative thereto are approved by the chancellor of the board of regents; and provided further, that no payment may be made from this item except in accordance with a schedule established by the chancellor of the board of regents and approved by the commissioner of administration and the house and senate committees on ways and means 1,448,721

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 regents; 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 provided, that not less than three million dollars shall be expended solely for supportive veterinary science services provided to the commonwealth pursuant to contracts entered into by the commissioner of administration and said school and approved by the house and senate committees on ways and means 3,325,290

7000-9101 For the administration and expenses of the board of library commissioners, including not more than ten permanent positions and four temporary positions 419,544

7000-9401 For state aid to regional public libraries 5,817,341

Local Aid Fund 100.0%

7000-9501 For state aid to public libraries 2,890,260

Local Aid Fund 100.0%

7000-9502 For additional state aid to public libraries, provided that the amount distributed to each city or town shall be in the same proportion as their population is to the total population of all cities and towns within

the commonwealth, excluding that which is provided for in subsection (4) of section nineteen C of chapter seventy-eight of the General Laws .... $ 1,500,000

Local Aid Fund 100.0%

7000-9703 For the purposes of a federally funded grant entitled, Interlibrary Cooperation - LSCA - Title III 313,518

General Federal Grants Fund 100.0%

7000-9705 For the purposes of a federally funded grant entitled, LSCA Program - Title I .. 1,189,242

General Federal Grants Fund 100.0%

7000-9707 For the purposes of a federal grant entitled, Emergency Federal Jobs Bill - LSCA Title II 929,960

General Federal Grants Fund 100.0%

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 sixty-four permanent positions and thirty-eight temporary positions 4,100,552

7010-0006 For certain payments for the use of the facilities of the Boston Symphony Orchestra; provided, that groups sponsored by elementary and secondary schools of the commonwealth shall be admitted without charge 275,000

Local Aid Fund 100.0%

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

Local Aid Fund 100.0%

7010-0008 For certain payments for the use of the facilities of the children's museum; provided, that group's sponsored by elementary and secondary schools of the commonwealth shall be admitted without charge; provided, further, that not less than one hundred thousand dollars shall be for payments

to museums in the commonwealth which offer educational services to school-aged children ..... $ 520,000

Local Aid Fund 100.0%

7010-0009 For certain payments for the use of the facilities of the museum of science 500,000

Local Aid Fund 100.0%

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

Local Aid Fund 100.0%

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

Local Aid Fund 100.0%

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 amount of the 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 costs determination to the house and senate committees on ways and means before September first, nineteen hundred and eighty-three; 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 twelve and one-half per cent of the non-transportation costs of the program; provided, further, that there shall be no discrimination on the basis of race, sex, color or creed; provided further, that no payments or approvals shall be given or made, on or after the effective date of this act,

which would cause the commonwealth's obligation for the purpose of this item to exceed the amount of this appropriation ..... $ 9,114,102

Local Aid Fund 100.0%

7010-0013 For the purposes of a federally funded grant entitled, Desegregation Plans for Massachusetts Public Schools 310,000

General Federal Grants Fund 100.0%

7010-0016 For certain payments to subsidize admission to performances of the Boston Ballet Company and to support community service and educational programs provided by said company for children under sixteen years of age 100,000

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; 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 3,500,000

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, that notwithstanding the provisions of said section one I or section thirty-seven D of chapter seventy-one of the General Laws, pupils qualifying for funding under the Equal Education Improvement Fund shall also include those of Hispanic origin; 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 ap-

propriation; provided, that not more than one hundred thousand dollars shall be expended for a pilot program established by the commissioner of education and approved by the house and senate committees on ways and means for the promotion of racial balance and the correction of existing racial imbalance which shall not be subject to the provisions of said sections one I of chapter fifteen and thirty-seven D of chapter seventy-one of the General Laws ..... $ 7,308,900

Local Aid Fund 100.0%

7010-0051 For the purposes of establishing a science collaborative at the Museum of Science 103,282

7010-9711 For the purposes of a federally funded grant entitled, Desegregation - Technical Assistance 275,000

General Federal Grants Fund 100.0%

7010-9728 For the purposes of a federally funded grant entitled, Elimination of Sex Discrimination 291,300

General Federal Grants Fund 100.0%

7010-9732 For the purposes of a federally funded grant entitled, Elementary and Secondary Education Block Grant Chapter II - Administration 2,238,238

General Federal Grants 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, including Public Law 90-576; provided, that such courses may be furnished free of charge to veterans, including not more than fourteen permanent positions and forty temporary positions 1,348,626

7027-0014 For the reimbursement of certain towns for the transportation of pupils 333,756

Local Aid 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 three permanent positions and eleven temporary positions ... 600,000

7027-1101 For the operation of a maritime oriented fire fighting training program at Massachusetts Maritime Academy, provided, that said program shall be conducted annually by said academy, utilizing the services and facilities

of the Barnstable county police and fire fighting academy and the Massachusetts fire fighting academy; and provided further, that said funds shall be administered by said Massachusetts maritime academy for the benefit of providing maritime oriented fire fighting training to the cadets of the regiment ..... $ 25,000

7027-9001 For the purposes of a federally funded grant entitled, Smith-Hughes and Barden Acts 27,000,000

General Federal Grants Fund 100.0%

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 sixty-four permanent positions 1,673,560

7028-0031 For the expenses of school age children in institutional school departments as required under section twelve of chapter seventy-one B of the General Laws, provided that the department shall provide services to eligible inmates in county houses of correction in accordance with and during the preliminary injunction issued by the United States District Court, District of Massachusetts, including not more than one hundred and fourteen permanent positions and forty-five temporary positions 9,621,796

7028-0101 For "incentive grants" to be paid to cities, towns and 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 2,273,436

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; 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 ..... $ 14,743,400

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 funds available in this appropriation 257,805

7028-0601 For the purposes of a federally funded grant entitled, Education of the Handicapped, Administration 1,794,701

General Federal Grants Fund 100.0%

7028-0801 For the purposes of a federally funded grant entitled, Services - Handicapped Children in Institutions 10,950,000

General Federal Grants Fund 100.0%

7028-1001 For the purposes of a federally funded grant entitled, Training Teachers of Handicapped Children 202,000

General Federal Grants Fund 100.0%

7028-9001 For the purposes of a federally funded grant entitled, Equal Access to Special Education 88,905

General Federal Grants Fund 100.0%

Division of Curriculum and Instruction.

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-five thousand dollars shall be expended for programming during the period of July first, nineteen hundred and eighty-three and September twelfth, nineteen hundred and eighty-three, including not more than fifty-one permanent positions and two temporary positions 2,329,176

7030-0191 For the purposes of a federally funded grant entitled, Coordination of Technical Assistance for Bilingual Education Programs - S.E.A.S. 156,166

General Federal Grants Fund 100.0%

7030-9726 For the purposes of a federally funded grant entitled, Elementary and Secondary Education Block Grant Chapter II - Distribution ..... $ 8,250,000

General Federal Grants Fund 100.0%

7032-0210 For the administration of a program for gifted and talented school aged children, to be in addition to any federal funds available for the purpose 50,000

7032-0301 For grants to cities, towns and regional school districts through the Commonwealth Inservice Institute to provide school based educational training, provided, that, notwithstanding any law to the contrary, any funds distributed under this item shall be deposited with the treasurer of such city, town or regional school district, and held in a separate account and shall be expended by the school committee of such city, town or regional school district 250,000

Local Aid Fund 100.0%

7032-0402 For the purposes of a federally funded grant entitled, Education of Children - Low Income Families 830,000

General Federal Grants Fund 100.0%

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 twenty-nine permanent positions, prior appropriation continued 603,314

7035-0002 For the expenses of providing basic educational attainment and work-related programs in reading, writing and mathematics at adult learning centers 1,000,000

7035-0004 For the reimbursement of certain towns for the transportation of pupils 43,000,000

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 400,000

Local Aid Fund 100.0%

7035-0006 For the reimbursement of regional school districts for the transportation of pupils; provided, that monies not expended from this appropriation item by the first of June, nineteen hundred and eighty-four, shall

be transferred by the comptroller to item 7061-0003 of section two of this act; provided, further, that no more than two hundred thousand dollars shall be transferred by the comptroller from this item ..... $ 22,000,000

Local Aid Fund 100.0%

7035-0010 For the purposes of a federally funded grant entitled, Education of Children - Low Income Family Assistance 64,000,000

General Federal Grants Fund 100.0%

7035-0012 For the purposes of a federally funded grant entitled, Program for Neglected and Delinquent Children 450,000

General Federal Grants Fund 100.0%

7035-0013 For the purposes of a federally funded grant entitled, Education of the Handicapped 485,300

General Federal Grants Fund 100.0%

7035-0014 For the purposes of a federally funded grant entitled, E.S.E.A. Title I - Children in State Adult Correctional Institutions 400,000

General Federal Grants Fund 100.0%

7035-0015 For the purposes of a federally funded grant entitled, Educational Program - Children of Migratory Agricultural Workers 8,500,000

General Federal Grants Fund 100.0%

7035-0313 For the purposes of a federally funded grant entitled, Regional Technical Assistance 26,847,230

General Federal Grants Fund 100.0%

7035-0713 For the purposes of a federally funded grant entitled, Early Childhood Incentive 985,000

General Federal Grants Fund 100.0%

7038-0002 For the purposes of a federally funded grant entitled, Adult Basic Education - Title III 2,100,000

General Federal Grants Fund 100.0%

7038-9721 For the purposes of a federally funded grant entitled, Indo-China Refugee Children Assistance - Administration 18,000

General Federal Grants Fund 100.0%

7038-9722 For the purposes of a federally funded grant entitled, Indo-China Refugee Children Assistance - Distribution ..... $ 800,000

General Federal Grants 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 twenty-seven permanent positions and eight temporary positions 904,437

7052-0004 For grants and reimbursements to cities, towns, regional school districts and counties under the provisions of chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, 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-four shall not exceed seven million four hundred thousand dollars of which amount not more than three 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 2,768,295

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, for annual payments on account of school projects approved prior to July first, nineteen hundred and seventy-five, and all other school projects approved on or after said date on which the first annual payment has been made 94,540,750

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, 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 for vocational programs and originally equipping and furnishing said buildings as set forth in section nine of said act ..... $ 597,758

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 the provision of any general or special law to the contrary, payments so authorized in the aggregate for partial assistance in the furnishing of lunches to school children shall not exceed the required state revenue match contained in Public Law 79-396, as amended, cited as the National School Lunch Act, and in the regulations implementing said act, prior appropriation continued 83,331

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 any general or special law to the contrary, payments so authorized in the aggregate for partial assistance in the furnishing of lunches to school children shall not exceed the required state revenue match contained in Public Law 79-396, as amended, cited as the *National School Lunch Act, and in the regulations implementing said* act, prior appropriation continued 3,184,260

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 500,000

Local Aid Fund 100.0%

7053-2105 For the purpose of a federally funded grant entitled, Special Food Distribution Cash 360,570

General Federal Grants Fund 100.0%

7053-2111 For the purpose of a federally funded grant entitled, Special Milk Program 605,200

General Federal Grants Fund 100.0%

7053-2112 For the purposes of a federally funded grant entitled, Special Assistance Funds.. 34,393,643

General Federal Grants Fund 100.0%

7053-2113 For the purposes of a federally funded grant entitled, Community School Lunch Program ..... $ 9,566,300

General Federal Grants Fund 100.0%

7053-2114 For the purposes of a federally funded grant entitled, School Breakfast Program 4,468,500

General Federal Grants Fund 100.0%

7053-2117 For the purposes of a federally funded grant entitled, Child Care Program - Food Service 11,659,800

General Federal Grants Fund 100.0%

7053-2118 For the purposes of a federally funded grant entitled, Nutrition Education 109,100

General Federal Grants Fund 100.0%

7053-2202 For the purposes of a federally funded grant entitled, Special Summer Food Service Program for Children 1,627,500

General Federal Grants Fund 100.0%

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 provisions 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; provided, further, that notwithstanding any general or special law to the contrary, one million five hundred thousand dollars of this appropriation and any amount transferred by the comptroller from item 7035-0006 of section two of this act shall be distributed among those regional school districts receiving a lesser amount of school aid pursuant to chapter seventy of the General Laws in fiscal year nineteen hundred and eighty-four than the amount received in fiscal year nineteen hundred and eighty-three; provided, further, that the distribution to each eligible regional school district shall be in the same proportion as their reduction is to the total reduction of all regional school districts, as certified by the commissioner of education; provided, further, that such distribution shall not exceed the difference between the fiscal year nineteen hundred and eighty-three and fiscal year nineteen hundred and eighty-four chapter seventy distribution to eligible regional school districts 47,450,000

Local Aid Fund 100.0%

7061-0004 For additional assistance to be distributed to Colrain, Hawley, New Marlborough, New Salem, Peru, Ripton, Washington, West Stockbridge,

Windsor and other municipalities in which the total regional school assessment for the fiscal year nineteen hundred and eighty-four exceeds eighty per cent of the fiscal year nineteen hundred and eighty-four tax levy as determined by the commissioner of revenue. The amount to be distributed to each city or town shall be equal to the greater of one-half of the amount by which such total assessment is in excess of eighty per cent of said levy, or one-half of the amount received from item 7061-0003 of section two of chapter one hundred and ninety-one of the acts of nineteen hundred and eighty-two ..... $ 150,000

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 and pursuant to section three of this act; provided, that the total amount of school aid received under said chapter shall not be less than ninety-six and three-tenths per cent of the amount of school aid paid under said chapter during the fiscal year ending June thirtieth, nineteen hundred and seventy-nine and the chapter seventy percentage shall not be less than fifteen per cent; provided, that not more than four hundred thousand dollars may be expended for grants to cities, towns and regional school districts for direct costs of programs of instruction approved in accordance with chapter seventy-four, section seven B for apprentices as defined in chapter twenty-three, sections eleven E to eleven L; and, provided, further, that the calculation of aid to be received under this item shall be made on the basis of a total to be distributed of eight hundred and sixty-eight million and five hundred thousand dollars; and, provided further, that any amount paid to regional school districts from this item for fiscal year nineteen hundred and eighty-four, under the provisions of said section three of this act, in excess of an amount equivalent to seven hundred eighteen million and five hundred thousand dollars distributed under the provisions of item 7061-0008 as contained in chapter one hundred and ninety-one of the acts of nineteen hundred and eighty-two to regional school district in fiscal year nineteen hundred and eighty-three, hereinafter be referred to as "increased chapter seventy assistance", shall be used in its entirety to reduce the amounts necessary to be raised from the several municipalities in fiscal year nineteen hundred and eighty-four, provided, that the commissioner of revenue shall notify each regional school district of the amount of said increased chapter seventy assistance and such reductions in the amounts to be raised for each of the member municipalities in accordance with each community's share of the nineteen hundred and eighty-one through nineteen hundred and eighty-two regional school districts' operating assessments; and provided, further, the amounts to be raised by assessment, as apportioned and certified to the several municipalities on or before April thirtieth, shall be reduced by the amount of said increased chapter seventy assistance; provided, that such assessments may be reduced by less than said

increased chapter seventy assistance if approved within ninety days of the effective date of this act, by a regional school district committee and by two-thirds of the member municipalities upon a majority vote of the board of selectmen, if a town; town council, if a town with such form of government; or city council, if a city; provided, however, that notwithstanding the provisions of section sixteen B and sixteen B and one-half of chapter seventy-one, the city or town shall either exclude said increased chapter seventy assistance when making the annual assessment of taxes under the provisions of section twenty-three of chapter fifty-nine or include said increased chapter seventy assistance as a local receipt ..... $ 860,800,000

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* other than in his own home town by, or there under 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 500,000

Local Aid Fund 100.0%

7061-0011 For reimbursement to cities, towns, regional school districts and independent vocational schools for 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, and (b) pupils enrolled in special needs programs, under section fourteen of chapter seventy-one B of the General Laws 10,000,000

Local Aid Fund 100.0%

7061-0012 For *non-educational costs of residential school programs for students placed* by a local school district or ordered by the bureau of special education on appeals, as provided under chapter seventy-one B of the General Laws; provided, that subject to rules and regulations promulgated by the commissioner of education, each city and town shall verify to the commonwealth the cost thereof and upon approval of the commissioner the treasurer shall be authorized to make such payments; and provided,

further, that the commonwealth shall not pay more than sixty per cent of the cost of any such residential placement ..... $ 7,200,000

Local Aid Fund 100.0%

7061-0015 For the costs of transportation of certain mentally retarded residents to day programs, pursuant to sections twenty-seven and twenty-eight *of chapter nineteen* of the General Laws 7,500,000

7061-0016 For the expenses of developing and maintaining a statewide transportation system for children attending a clinical nursery school, day care center or other institution and for retarded persons on educational, habitational, or day care programs or facility of the department of mental health, prior appropriation continued 100,000

7062-0008 For the purpose of a federally funded grant entitled, Child Care Program - Food Services Administration 1,324,900

General Federal Grants Fund 100.0%

BOARD OF REGENTS.

7066-0000 For the office of the board of regents; including not less than two hundred and eighty-six thousand and two hundred dollars for the expenses of *the New England Board of Higher Education* and for the expenses of the members of said board; subject to the condition that notwithstanding any provision of law to the contrary, as of the effective date of this act, the board of regents shall make no further assessment of funds of the divisions of continuing education of the various institutions of public higher education for expenses of maintenance and operation of said board; and subject further to the condition that the board of regents shall initiate and maintain an enrollment auditing system; and provided, further, that the board shall submit quarterly reports to the commissioner of administration and the house and senate committees on ways and means including but not limited to the following: the number of state employees enrolled per institution, their respective state agencies, departments and authorities, collective bargaining units, particular program or course in which they are enrolled, and a detailed cost analysis; and provided further, that the board of regents shall provide for each institution of public higher education, a detailed inventory of all federal funds, by federal program, received by said institution during fiscal years nineteen hundred and *eighty-three and nineteen hundred and* eighty-four and projected for fiscal year nineteen hundred and eighty-five, to the committees on ways and means, and the budget director of the commonwealth, by no later than December thirty-first, nineteen hundred and eighty-three; provided, further, that not less than two hundred ten thousand seven hundred and fifty dollars shall be for the operation of the scholarship office; including not more than sixty-five temporary positions 2,500,000

7066-0001 For the administration of the intern program, including not more than two temporary positions ..... $ 48,790

7066-0002 For intern program stipends and payments 75,000

7070-0004 For a collaborative engineering program to be administered by the board of regents 300,000

7070-0006 For 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 including expenses for the last two prior fiscal years, as well as for senatorial honor scholarships and a statewide program in consortium scholarships to provide an opportunity for pursuing programs in the private sector that are not presently available in the public sector; provided, that all applications for such consortium scholarships must be approved by the board of regents and be subject to the rules and regulations with respect to eligibility as established by said board; and provided, further, that not more than two hundred and thirty-five thousand dollars shall be expended from this item for the purpose of administering scholarship programs 15,000,000

7070-0060 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, with funds to be apportioned according to amounts appropriated for each fiscal year; provided, that the chancellor of the board of regents 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 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 4,000,000

7070-0065 For a reserve for the administration of scholarship programs; provided that the board of regents shall submit a plan to the house and senate committees on ways and means for the distribution of monies under said programs no later than July fourteenth, nineteen hundred and eighty-three; provided further, that no monies shall be expended for said purposes until thirty days after the submission of said plan to the house and senate committees on ways and means, subject however, to the condition that if neither the house nor senate committees on ways and means notifies said board of its disapproval of said plan within

said thirty day period, implementation of said plan may proceed and monies may be expended in accordance with said plan; provided, further, that the limitations on the total amount of scholarships awarded to students of institutions of higher education supported by the commonwealth as set forth in section seven of chapter fifteen A of the General Laws shall not apply to scholarships awarded hereunder ..... $ 15,000,000

7100-0100 For a reserve for the administration and maintenance of the system of institutions of higher education including the office of the president of the University of Massachusetts; provided, that notwithstanding any provision of law to the contrary, the board of regents shall allocate such appropriation in accordance with an allocation plan approved by the house and senate committees on ways and means; and provided further, that 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; and provided, further, that all sums so approved shall be allocated and expended in accordance with the provisions of section twenty-seven and twenty-seven A of chapter twenty-nine of the General Laws and section thirty-one of chapter one thousand two hundred and thirty of the acts of nineteen hundred and seventy-three; including not more than thirteen thousand five hundred and thirty-seven permanent positions and four hundred and two temporary positions 400,791,990

7100-0101 For a pilot program in county cooperative extension work as authorized by sections forty through forty-five, inclusive, of chapter one hundred and twenty-eight of the General Laws, to be conducted by the University of Massachusetts at Amherst for the Berkshire, Franklin, Hampden and Hampshire County Cooperative Extension Services; provided, that on the first day of January, nineteen hundred and eighty-four, all persons employed by the Berkshire, Franklin, Hampden, and Hampshire County Cooperative Extension Services immediately prior to May thirty-first, nineteen hundred and eighty-three shall be transferred to the employ of the Commonwealth and nothing herein shall be construed to alter, impair, or modify the term or tenure of any such person in such employment and the retirement rights of any such person currently in service or retired shall not be affected hereby; provided further, that the chancellor of the University of Massachusetts at Amherst, the commissioner of the Department of Food and Agriculture, and the director of the County Cooperative Extension Service shall undertake a review of the services and programs of the County Cooperative Extension Services and make recommendations to eliminate duplication of services and make further recommendations as to which services should be retained and what additional programs if any, should be added, and make recommendations as to the rental of space and proper disposition of equipment and materials in use by the County Cooperative Extension Services

to the house and senate committees on ways and means by the first day of December, nineteen hundred and eighty-three; provided, further, that amounts provided to any such County Cooperative Extension Services under this item shall not exceed one-half of the amount included in an expenditure resolution for the purposes of County Cooperative Extension Services, prior to July first, nineteen hundred and eighty-three by the Advisory Board on County Expenditures for such county, including not more than forty-five temporary positions ..... $ 504,356

7100-0200 For a reserve for data processing and information systems for the system of higher education; provided, that three hundred and thirty-five thousand dollars shall be used for software and consultant services; provided further, that the chancellor of the board of regents shall allocate such funds; and provided further, that the board of regents shall submit quarterly reports to the commissioner of administration and the house and senate committees on ways and means including but not limited to the following: the allocation of funds, the expenditure of such funds and a detailed inventory of such expenditures 335,000

7100-9504 For a purchase of scientific, technological and other educational reference material for the libraries; provided, that notwithstanding any provision of law to the contrary, the board of regents shall allocate such appropriation in accordance with an allocation plan approved by the house and senate committees on ways and means 4,000,000

7100-9604 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 culture enrichment; and provided, further, that the board of regents shall allocate not less than thirty-five thousand dollars for scholarships for native Americans who are residents of the commonwealth, provided that such program be administered by the board of regents 2,828,284

7100-9704 For the commonwealth's contribution toward federal student loans programs and federal work study programs at the state colleges and the community colleges; for not more than one hundred scholarships, as authorized by section seven C of chapter sixty-nine of the General Laws; for scholarships as authorized by section sixteen of chapter seventy-five A of the General Laws; for scholarships in accordance with section eighteen of chapter seventy-five B of the General Laws, for scholarships authorized by sections thirty-one and thirty-three of chapter seventy-five of the General Laws; provided, that a portion 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 at the University of Massachusetts; and for a work scholarship program with the approval of the board of trustees of the University of Lowell 3,849,152

7105-0001 For the operation of a data processing system; provided, that notwithstanding any provisions 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 service shall be allocated to the agencies and institutions utilizing the system .... $ 1,960,983

7105-0002 For the purpose of a moral obligation as set forth in section thirty-eight of this act 2,900

University of Lowell.

7220-0005 For the Northeast Consortium of Colleges and Universities in Massachusetts, subject to the condition that the funds appropriated herein will be for the express purpose of support of the Lawrence Project, so called, in conjunction with other state and private institutions which are members of the Northeast Consortium of Colleges and Universities 50,000

7416-2005 For the expenses of a Public Policy Center at the University of Massachusetts at Boston 250,000

EXECUTIVE OFFICE OF PUBLIC SAFETY.

Office of the Secretary.

8000-0100 For the office of the secretary, including not more than three permanent positions and five temporary positions 269,914

Highway Fund 85.0%
General Fund 15.0%

8000-0105 For the administration of the office of chief medical examiner and payment for services to medical examiners as authorized by chapter seven hundred and seventy-three of the acts of nineteen hundred and eighty-one, including not more than forty-two temporary positions 3,024,089

8000-0110 For the administration and operation of the criminal justice information system, including not more than thirty-nine permanent positions and nine temporary positions 2,165,032

Highway Fund 50.0%
General Fund 50.0%

8000-0150 For the LEAPS/CJIS Terminal Network 937,381

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; provided, however, that fifty thousand dollars be expended on services to be provided by the New England Institute of Law Enforcement Management; provided, further, that not more than fifteen thousand dollars shall be expended on a pilot in-service training program for the northeast regional police institute for instructor services, including not more than seven permanent positions and nineteen temporary positions ..... $ 936,319

8200-0205 For the administration and operation of a regional criminal justice training center in Agawam which will service the four western counties of Hampden, Hampshire, Berkshire and Franklin, to be conducted by the Massachusetts criminal justice training council, including a drug education and training program, including not more than five temporary positions 207,796

8200-0225 For the operation of the Massachusetts police institute 125,000

Department of Public Safety.

8311-1000 For the administration of the department; provided that, ninety thousand dollars of the amount appropriated herein shall be distributed to local police departments for the purpose of providing materials to assist various Neighborhood Crime Watch programs; including not more than eighty-four permanent positions and eight temporary positions 1,637,722

8311-1500 For the expense of funding certain improvements in the bureau of identification; provided, that the house and senate committees on ways and means shall be notified of any expenditure from this item no less than thirty calendar days prior to such expenditure; provided, further, that the bureau shall submit to the house and senate ways and means committees a plan no later than October first, nineteen hundred and eighty-three to automate the operation of the bureau; provided, further, that the development of said plan shall be done in coordination with the executive director of the criminal history systems board 75,000

8311-2053 For the purposes of a federally funded grant entitled, NESPAC - Regional Investigations 1,475,748

General Federal Grants Fund 100.0%

8311-2058 For the purposes of a federally funded grant entitled, Hazardous Waste Enforcement 63,000

General Federal Grants Fund 100.0%

8311-2060 For the administration and operation of the crime laboratory, *including* not more than eight permanent positions and twenty-three temporary positions .. $ 1,184,414

8311-2061 For a study to determine the facility needs and location of a crime laboratory; provided, that said study shall be performed in coordination with the division of capital planning and operations; provided, further, that a copy of said study shall be filed with the house and senate committees on ways and means no later than October thirty-first, nineteen hundred and eighty-three 50,000

Division of State Police.

8312-0100 For the administration of the division, provided, however, that not less than one hundred fifty thousand dollars be expended on investigations concerning prescription drug abuse to be conducted by the Drug Investigation Unit, so-called; provided, further, that not less than one hundred twenty-five thousand dollars shall be used for mounted units which shall patrol Walden Pond, Salisbury Beach and other state facilities as appropriate, including not more than one thousand eighty-seven permanent positions and seven temporary positions 35,245,430

General Fund 15.0%
Highway Fund 85.0%

8312-0200 For the administration of the narcotics unit in the bureau of investigative services within the division of the state police provided; that there shall be a minimum of one hundred state police officers assigned to full time duty with said unit and under the command of a commissioned officer of the state police; all such officers shall be exclusively assigned on a full time basis to undercover operations, smuggling operations, the investigation of the diversion of legally manufactured drugs, and the investigation of illegal distributions of controlled substances among minors; officers assigned to said unit shall not be discharged to details other than those described above unless they are replaced by another officer, including not more than one hundred temporary positions, prior appropriation continued 2,836,690

General Fund 15.0%
Highway Fund 85.0%

Division of Fire Prevention.

8314-1000 For the administration of the division, provided that one hundred thousand dollars of the amount appropriated herein shall be expended for a *Suffolk county based arson prevention program*; provided, further, that said one hundred thousand dollars amount shall be assessed against insurance companies licensed to sell fire insurance in the commonwealth by the commissioner of insurance, and transferred to the General Fund, and such assessments shall be charged to the

normal operating costs of each company and, provided further, that not more than ten per cent of the amount designated for said arson program shall be expended for the administrative cost of the program, including not more than six permanent positions and four temporary positions ..... $ 234,385

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 thirty-seven permanent positions and two temporary positions 1,007,886

State Boxing Commission.

8317-1000 For the administration of the commission, including not more than four permanent positions 38,440

Architectural Barriers Board.

8321-1000 For the expense of the board, including not more than five permanent positions and two temporary positions 44,057

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, registry of motor vehicles and the director of employee relations shall not be subject to civil service law and rules; provided further that ninety-eight thousand and seventy-seven dollars of the amount appropriated herein shall be expended for the establishment and operation of the Roslindale office of the registry of motor vehicles; including not more than nine hundred and thirty permanent positions and eighty-five temporary positions 22,503,566

Highway Fund 100.0%

8400-0002 For the administration of the certificate of title law, provided, however, that all employees of the title division perform only those duties that are directly related to the administration of the certificate of title law, including not more than one hundred and forty-eight permanent positions .. 2,867,374

Highway Fund 100.0%

8400-0004 For the expenses of making certain improvements to the electronic data processing system at the registry of motor vehicles; provided, that the registry shall submit to the house and senate committees on ways

and means for their approval no later than September thirtieth, nineteen hundred and eighty-three a plan for updating the data processing capabilities of the registry ..... $ 250,000

Highway Fund 100.0%

8400-0040 For expenses of the Motor Vehicle Safety and Emissions Inspections Program authorized by chapter ninety of the General Laws, including not more than forty-two temporary positions 1,592,134

Highway Fund 100.0%

8400-0100 For expenses of the merit rating board authorized by chapter six of the General Laws, including not more than fifty-seven temporary positions 1,643,767

EXECUTIVE OFFICE OF MANPOWER AFFAIRS.

Office of the Secretary.

9000-0100 For the office of the secretary, including not more than four permanent positions and four temporary positions 287,908

9000-0102 For the expenses of the Massachusetts Technology Park Corporation 200,000

9000-0105 For the expenses of the Comprehensive Offender Employment Resource System, provided that this appropriation shall expire June thirtieth, nineteen hundred and eighty-four 100,000

9000-0300 For the employment training, counseling and placement to displaced homemakers, provided that said programs shall be administered by the Bay State Skills Corporation, and provided further that for purposes of administration of said programs, the displaced homemaker participants of said programs shall be considered as targeted individuals within the meaning of section four of chapter forty-I of the General Laws, including not more than one permanent position 550,000

9000-0400 For the expenses of the Bay State Skills Corporation 1,500,000

9000-0505 For programs of supported work for the retarded, provided that said programs shall be administered by the Bay State Skills Corporation, and provided further that for the purposes of administration of said programs, the retarded participants of said programs, shall be considered as targeted individuals within the meaning of section four of chapter forty-I of the General Laws 1,136,892

9000-1601 For the purposes of a federally funded grant entitled, CETA 25,945,950

General Federal Grants Fund 100.0%

9000-1605 For purposes of a federally funded grant entitled, JTPA ..... $ 59,191,075

General Federal Grants Fund 100.0%

9000-9523 For the purposes of a federally funded grant entitled, Economic Development 302 Planning Assistance 115,000

General Federal Grants Fund 100.0%

Division of Employment Security.

9081-0100 For the purposes of a federally funded grant entitled, Administration 45,000,000

General Federal Grants Fund 100.0%

Department of Commerce and Development.

9091-0100 For the administration of the department, including not more than sixty-six permanent positions and one temporary position 1,588,353

Division of Tourism.

9091-0200 For the operation of tourist information booths; provided, that no position in this item shall be subject to chapter thirty-one of the General Laws, including not more than eight permanent positions 122,539

9091-0211 For financial assistance for local tourist councils; provided that the division develop a formula for the distribution of said funds which shall be filed with the house and senate committees on ways and means 1,200,000

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; provided, further, that, through the secretary of Manpower Affairs and the commissioner of the Department of Commerce, the director of Tourism shall develop and initiate planning and marketing strategies with both the Council on Arts and Humanities and the Department of Environmental Management for a comprehensive campaign for the promotion of travel and tourism within the commonwealth which incorporates the commonwealth's cultural and artistic attractions as well as its scenic and recreational resources; and provided, further, that the director of Tourism shall file a report of their findings and recommendations with the house and senate committees on ways and means on or before the thirty-first of December, nineteen hundred and eighty-three; provided, further, that no funds appropriated herein shall be used for the maintenance and administration of the department 1,526,033

Division of Economic Development.

9091-0400 For expenses and operational support of industrial advertising, promotion, public relations and economic development expenses such as telephone, telegraph, freight costs, postage, printing, duplication expenses, photographic services, preparation of industrial development literature, preparation of industrial exhibits for conventions and trade shows, in-state and out-of-state travel to promote industrial development, attendance at major industrial convention and trade shows, and related costs; not including vacation travel and not including salaries or wages of employees; provided, that all industrial advertising, promotion, public relations and economic development activities carried on pursuant to this item shall wherever possible stress the substantial skills, training and educational resources of *the commonwealth and the purpose and* resources of the commonwealth's Bay State Skills Corporation; and provided, further, that the department of commerce shall work in close cooperation with the Bay State Skills Corporation in this regard; and subject to the condition that no funds appropriated herein shall be used for the so called "Make It In Massachusetts" campaign, and subject further to the condition that the commissioner shall file with the house and senate committees on ways and means a quarterly report of itemized expenditures in the eleven subsidiary (advertising and printing) provided, further, that no funds appropriated herein *shall* be used for *the maintenance* and administration of the department ..... $ 1,100,000

9091-0404 For the expenses of the foreign business council 100,000

9091-0405 For the purpose of financing the required state share of the cost of operating a small business development center; provided, that no funds shall be expended from this account until such time as the small business ad*ministration has* executed a grant or contract with the university of Massachusetts for the operation of said center; provided further, that the funds expended from this account shall not exceed twenty-five per cent of the gross operation cost of said center; and provided further, the quarterly report of expenditures shall be filed with the house and senate committees on ways and means 394,125

9091-0516 For the expenses of the state office of minority business assistance, including not more than six permanent positions and one temporary position 171,546

9091-0517 For the purposes of a federally funded grant entitled, Minority Business - Technical Assistance Program, SOMBA; provided that the state in-kind or cash match will appear as a twenty-five per cent nonfederal contribution for calendar year nineteen hundred and eighty-four as stated in state administrative regulations; provided further, that the cost of state personnel who would otherwise be classified as indirect will not in calendar year nineteen hundred and eighty-four, be used to satisfy a requirement for an in-kind match; and fringe benefit costs will

continue to be charged to future federal funds according to rates determined by the commissioner of administration and finance ..... $ 161,267

General Federal Grants Fund 100.0%

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 the expenditures shall be filed quarterly with the house and senate committees on ways and means 175,000

9091-2003 For the purpose of assisting the formation and expansion of technology based small businesses in the commonwealth, through the corporations for innovative development fund 800,000

9091-3001 For the administration of the Massachusetts film bureau provided, that quarterly reports documenting the economic activity of the film industry in the commonwealth be filed with the house and senate committees on ways and means 325,074

EXECUTIVE OFFICE OF ELDER AFFAIRS.

Office of the Secretary.

9100-0100 For the planning and administration of the executive office of elder affairs, provided that the function of the office of the secretary, planning and policy, and program planning and management are maintained, including a program for a silver haired legislature, including not more than twenty-eight permanent positions and thirty-two temporary positions 1,788,103

9100-1510 For the purposes of a federally funded grant entitled, Nursing Home Ombudsman Program 50,000

General Federal Grants Fund 100.0%

9110-1074 For the purposes of a federally funded grant entitled, Older Americans Act, Title III-B, Social Services 7,147,855

General Federal Grants Fund 100.0%

9110-1173 For the purposes of a federally funded grant entitled, Older Americans Act, Title III-C, Nutrition 10,136,041

General Federal Grants Fund 100.0%

9110-1175 For the purposes of a federally funded grant entitled, Title IV - A Training Project ..... $ 94,481

General Federal Grants Fund 100.0%

9110-1178 For the purposes of a federally funded grant entitled, Community Service Employment Program 1,648,800

General Federal Grants Fund 100.0%

9110-1180 For the purposes of a federally funded grant entitled, Emergency Federal Jobs Bill - Community Service Employment Program 193,980

General Federal Grants Fund 100.0%

9110-1181 For the purposes of a federally *funded* grant entitled, Cash in lieu of Commodities Program 2,110,431

General Federal Grants Fund 100.0%

9110-1182 For the purposes of a federally funded grant entitled, Elder Abuse Project 142,500

General Federal Grants Fund 100.0%

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 twenty dollars per month 791,540

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 program, in which all qualified elders shall participate; provided that, with the exceptions of adult day care and personal care attendant services, no new programs shall be established without prior approval of the legislature; provided further, that the department shall maximize all third party revenues for such new services, including reimbursements under Title XIX of the Social Security Act; provided further, that the department shall provide the house and senate committees on ways and means with an inventory of state-owned equipment located in the home care corporations within ninety days of the effective date of this act; provided further, that to the extent practicable, the department shall maximize available federal *reimbursement* for program expenses; provided further, that no more than two per cent of the funds *appropriated* hereunder may be used to meet matching requirements of Title III, the Older

Americans Act; provided further, that the department of elder affairs shall submit a detailed monthly report of all caseload trends and expenditures for its home care program, including the purposes made therefor, to the house and senate committees on ways and means, no later than the fifteenth day of the following month; and provided further, that any funds received from the federal government for the purpose of this item shall be credited to the General Fund ..... $ 85,439,075

9110-1640 For a reserve to fund demonstration projects, provided, that not less than four hundred and seven thousand dollars shall be expended for a program of services to protect the elderly from abuse and neglect, provided, that the department of elder affairs shall submit a comprehensive plan for an elder abuse program to the house and senate committees on ways and means no later than October first, nineteen hundred and eighty-three; provided further, that not less than three hundred thousand dollars shall be expended for contracts for demand responsive transportation services for elders in certain rural regional transit authority districts; provided further, that not less than one hundred and fifty thousand dollars shall be expended for the establishment and expansion of adult foster care programs; provided further, that fifty per cent of sliding fee revenues from the home care program, not to exceed an amount of two million dollars, shall be credited to this account and may be expended without further appropriation for the purposes of this reserve account; and provided, further, that a schedule of such projects and amounts allocated and expended shall be filed with the house and senate committees on ways and means for each quarter of fiscal year nineteen hundred and eighty-four 1,073,684

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 2,140,000

9110-1713 For the purposes of a federally funded grant entitled, National Long Term Care Channeling Demonstration 520,819

General Federal Grants Fund 100.0%

9110-9002 For grants to councils on aging provided, that not less than twenty thousand dollars shall be expended for completion of the Hope Center, Inc., of Springfield, and provided further, that not less than eighty thousand dollars shall be expended for the completion of the Senior Activity Center of Methuen 1,500,000

9110-9176 For the purposes of a federally funded grant entitled, Congregate Housing Research Grant 180,000

General Federal Grants Fund 100.0%

EXECUTIVE OFFICE OF CONSUMER AFFAIRS.

Office of the Secretary.

9200-0100 For the office of the secretary, including not more than two permanent positions and eight temporary positions ..... $ 362,235

9210-0001 For the administration of the commission, including not more than thirty-three permanent positions; provided that a sum not exceeding one hundred thousand dollars shall be expended by the commission to contract with an accredited school of veterinary medicine in the commonwealth, to establish a drug testing and research program to insure the legitimacy and integrity of the racing industry 1,900,490

Alcoholic Beverage Control Commission.

9212-0001 For the administration of the commission, including not more than forty permanent positions 1,043,696

Community Antenna Television Commission.

9215-0001 For the administration of the community antenna television commission, including not more than eight permanent positions 234,587

Division of Standards.

9218-0100 For the personal services and expenses of the division of standards, including not more than twenty-six permanent positions and three temporary positions 635,930

DEPARTMENT OF BANKING AND INSURANCE.

Division of Banks.

9221-1000 For the office of the commissioner, including not more than one hundred and eighty-three permanent positions 4,640,534

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 fraudulent claims board; provided, that the positions of counsel I and counsel II shall not be subject to the provisions of chapter thirty-one of the General Laws; provided further, that contracts or orders for the purchase of statement blanks for the making of annual reports to the commissioner of insurance shall not be subject to the restrictions prescribed by section one of chapter five of the General Laws; 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; and, provided further, that a sum not to exceed ninety-eight thousand and fifty dollars shall be used for the purposes of the auto damage appraisers licensing board in accordance with the provisions of section eight G of chapter twenty-six of the General Laws; and provided further that the division shall continue to maintain an office at its present location in the city of Springfield until such time as its new facility is available in the former federal building in the city of Springfield at which time the division shall move its office to such facility, including not more than one hundred and forty-one permanent positions ..... $ 3,506,849

General Fund 65.0%
Highway Fund 35.0%

9222-0199 For the expenses and administration of the board of appeal on motor vehicle liability policies and bonds, including not more than ten permanent positions and one temporary position 350,179

Highway Fund 100.0%

Division of Registration.

9230-0001 For the administration of the division; provided, that the position of investigator of radio-television technicians shall not be subject to chapter thirty-one of the General Laws, including not more than two hundred and ninety-five permanent positions and two temporary positions 2,810,227

For the services of the following agencies in the division:

9230-0150 Board of registration and discipline in medicine, including not more than eight permanent positions and ten temporary positions 391,042

Department of Public Utilities.

9270-0001 For the general administration, including not more than sixty-four permanent positions and twenty-nine temporary positions 2,257,761

Commercial Motor Vehicle Division.

9272-0001 For the administration of the division, including not more than nineteen permanent positions 420,059

Highway Fund 100.0%

EXECUTIVE OFFICE OF ENERGY RESOURCES.

Notwithstanding any provision of law to the contrary, the executive office of energy resources shall administer the programs described herein. These programs shall be limited to: (1) the energy conservation and alternative energy bond program pursuant to section eleven of chapter twenty-five A of the General Laws, (2) the energy data and collection program, (3) the solar action program, and (4) the passive solar program; provided that these programs follow the guidelines listed herein.

The energy conservation and alternative bond program shall administer the twenty million dollar bond program of chapter seven hundred and ninety-six of the acts of nineteen hundred and seventy-nine and additions thereto, shall establish an energy audit program to determine the energy consumption levels of and appropriate energy conservation measures for buildings owned by the commonwealth and its political subdivisions, shall administer an energy conservation improvement program to carry out and assist energy conservation projects for such buildings and facilities, shall establish an alternative energy property program to provide alternative energy sources for buildings owned by the commonwealth and its political subdivisions and shall monitor the use and effectiveness of alternative energy sources.

The solar action program shall provide activities including public information, technological innovation, solar demonstration, and consumer assistance, which improve opportunities for the commercialization of solar energy; shall disseminate information to the general public on the use of solar energy and shall provide support to Massachusetts solar industries.

The passive multi-family housing program shall encourage the utilization of passive solar within the commonwealth by contracting with architects to design passive solar components for new multi-family housing and shall focus on reducing energy costs for low income people.

The energy data collection program shall generate a data base for the purpose of analyzing the demand and availability of energy; shall evaluate potential conversions to coal, alternative fuels, and cogeneration of electric generating facilities and major fuel burning installations; shall monitor and analyze price, supply, production and distribution planning and storage capacity for potential energy interruptions, and to ensure an adequate energy supply for the commonwealth at the least cost and with minimal environmental impact.

Notwithstanding any provision of law to the contrary, the secretary of the executive office of energy resources shall provide the commissioner of administration and the house and senate committees on ways and means notification of any alterations in programmatic undertakings from those

listed and described herein; whereupon the commissioner of administration and the house and senate committees on ways and means shall have thirty days to reject alterations.

Provided, further that the executive office of energy resources shall report quarterly to the commissioner of administration and the house and senate committees on ways and means the status of all programs listed herein, including the total cost of each program, the number of energy audits conducted, the amount awarded as a result of audits and the number of passive solar components designed for multi-family housing construction projects; provided further, that these reports include detailed descriptions of expenditures made by program, and such other information as may be requested by said committees from time to time.

9300-0003 For the administration of the executive office of energy resources, including not more than one permanent position and twenty temporary positions ..... $ 721,500

9300-0005 For a reserve to fund programs of energy conservation and weatherization to be expended by the executive office of energy resources, provided that expenditures from this item shall be pursuant to schedules approved by the house and senate committees on ways and means 740,325

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 that the amount collected from the utilities in the following year shall not be less than the amount appropriated for that year; 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, including not more than one permanent position and ten temporary positions 408,326

9300-0600 For the administration of the residential conservation service program pursuant to chapter four hundred and sixty-five of the acts of nineteen hundred and eighty, including not more than one temporary position 80,000

9300-9642	For the purposes of a federally funded grant entitled, Energy Audits - Schools and Hospitals		$ 136,823
	General Federal Grants Fund	100.0%	
9300-9654	For the purposes of a federally funded grant entitled, Passive Solar Program		3,275
	General Federal Grants Fund	100.0%	
9300-9720	For the purposes of a federally funded grant entitled, No. 2 Heating Oil		13,095
	General Federal Grants Fund	100.0%	
9300-9741	For the purposes of a federally funded grant entitled, Energy Extension		212,400
	General Federal Grants Fund	100.0%	
9300-9742	For the purposes of a federally funded grant entitled, State Energy Conservation Plan		505,800
	General Federal Grants Fund	100.0%	
9300-9745	For the purposes of a federally funded grant entitled, Acceptable Peat Resources		13,485
	General Federal Grants Fund	100.0%	
9300-9754	For the purposes of a federally funded grant entitled, Alternative Energy/Appropriate Technology News-letter		9,000
	General Federal Grants Fund	100.0%	
9300-9755	For the purposes of a federally funded grant entitled, Solar Bank		1,840,000
	General Federal Grants Fund	100.0%	
9300-9756	For the purposes of a federally funded grant entitled, Oil Overcharge, Section 155		6,645,800
	General Federal Grants Fund	100.0%	

EXECUTIVE OFFICE OF LABOR.

9400-0100	For the office of the secretary, including not more than one permanent position and five temporary positions	249,000

Department of Labor and Industries.

9410-0100	For general administration of the department, including not more than seven permanent positions and two temporary positions	258,367

For the personal services and expenses of the following agencies of the department:

9411-0100	Division of industrial safety, including not more than sixty-two permanent positions and nine temporary positions	$ 1,662,337
9411-2013	For the purposes of a federally funded grant entitled, Mine Safety and Health Training	75,585
	General Federal Grants Fund 100.0%	
9411-4203	For the purposes of a federally funded grant entitled, O.S.H.A. Statistical Survey	68,483
	General Federal Grants Fund 100.0%	
9412-0100	Division of occupational hygiene, including not more than fourteen permanent positions	353,001
9412-0200	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, including not more than nine temporary positions	177,939
9413-0100	For the expenses of the department in enforcing the minimum wage laws, including not more than thirteen permanent positions	298,559
9414-0100	Division of employment agencies, including not more than three permanent positions	70,923

Division of Apprentice Training.

9415-0100	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 twenty-three permanent positions	397,854

Board of Conciliation and Arbitration.

9420-0100	Board of conciliation and arbitration, including not more than seventeen permanent positions	539,134
9421-0100	For a Joint Labor-Management Committee	361,523

Labor Relations Commission.

9430-0100	For the administration of the commission, including not more than eighteen permanent positions and seven temporary positions	744,600

Division of Industrial Accidents.

9440-0100 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 thirteen permanent positions and twelve temporary positions ..... $ 2,623,281

Office of Self-Insurance.

9440-0300 For the service of the office, including not more than three permanent positions 76,713

Industrial Accident Rehabilitation Board.

9440-0400 For the service of the board, including not more than six permanent positions 32,036

SECTION 3. Notwithstanding the provisions of any general or special law to the contrary, during the nineteen hundred and eighty-four fiscal year, the amount paid to each city and town under the provisions of item 7061-0008, including the city or town's apportioned share of regional school district aid, shall be distributed as is necessary, but in no event greater than the total for each city or town as indicated herein below, under the provisions of chapter seventy of the General Laws; provided, however, that the remaining balance, if any, after such distribution shall be further distributed and paid to such cities and towns under item 0611-5500. The total amount to be distributed and paid to each city and town pursuant to this section shall not exceed the following:

ABINGTON	$ 3,032,511
ACTON	2,114,889
ACUSHNET	1,873,752
ADAMS	2,067,439
AGAWAM	4,236,282
ALFORD	32,989
AMESBURY	3,895,141
AMHERST	6,435,684
ANDOVER	2,975,382
ARLINGTON	8,705,551
ASHBURNHAM	634,992
ASHBY	535,820
ASHFIELD	157,514
ASHLAND	1,443,730
ATHOL	3,333,069
ATTLEBORO	7,059,183
AUBURN	2,632,415
AVON	827,974
AYER	2,216,651
BARNSTABLE	2,490,296
BARRE	998,564
BECKET	177,408
BEDFORD	1,675,002

BELCHERTOWN	$ 1,606,032
BELLINGHAM	3,970,577
BELMONT	2,592,149
BERKLEY	571,882
BERLIN	447,137
BERNARDSTON	255,384
BEVERLY	5,801,137
BILLERICA	7,705,695
BLACKSTONE	2,042,178
BLANDFORD	153,383
BOLTON	269,397
BOSTON	219,305,670
BOURNE	1,293,894
BOXBOROUGH	344,956
BOXFORD	752,024
BOYLSTON	427,746
BRAINTREE	6,291,370
BREWSTER	418,350
BRIDGEWATER	3,790,639
BRIMFIELD	343,275
BROCKTON	33,669,094
BROOKFIELD	573,812
BROOKLINE	6,620,764
BUCKLAND	315,786
BURLINGTON	4,730,406
CAMBRIDGE	23,450,826
CANTON	2,961,198
CARLISLE	393,239
CARVER	1,095,808
CHARLEMONT	127,678
CHARLTON	1,613,213
CHATHAM	459,977
CHELMSFORD	6,010,467
CHELSEA	11,198,568
CHESHIRE	711,106
CHESTER	149,395
CHESTERFIELD	123,524
CHICOPEE	14,117,880
CHILMARK	17,581
CLARKSBURG	564,215
CLINTON	3,540,630
COHASSET	967,196
COLRAIN	229,816
CONCORD	2,098,014
CONWAY	146,444
CUMMINGTON	95,687
DALTON	1,086,075
DANVERS	2,754,746
DARTMOUTH	3,436,908

DEDHAM	$ 3,677,738
DEERFIELD	436,325
DENNIS	950,515
DIGHTON	789,342
DOUGLAS	622,144
DOVER	440,278
DRACUT	5,260,048
DUDLEY	1,810,567
DUNSTABLE	348,521
DUXBURY	1,454,481
EAST BRIDGEWATER	2,242,076
EAST BROOKFIELD	442,465
EAST LONGMEADOW	1,758,296
EASTHAM	290,042
EASTHAMPTON	3,594,019
EASTON	2,973,406
EDGARTOWN	152,602
EGREMONT	120,773
ERVING	191,939
ESSEX	335,238
EVERETT	5,465,315
FAIRHAVEN	3,305,022
FALL RIVER	36,789,256
FALMOUTH	2,136,776
FITCHBURG	10,968,953
FLORIDA	119,772
FOXBOROUGH	2,526,325
FRAMINGHAM	8,886,919
FRANKLIN	4,206,805
FREETOWN	887,668
GARDNER	4,500,872
GAY HEAD	9,468
GEORGETOWN	1,304,262
GILL	197,750
GLOUCESTER	3,915,104
GOSHEN	67,244
GOSNOLD	2,645
GRAFTON	2,091,356
GRANBY	1,308,819
GRANVILLE	120,911
GREAT BARRINGTON	967,850
GREENFIELD	4,480,523
GROTON	895,753
GROVELAND	1,102,656
HADLEY	386,028
HALIFAX	1,032,532
HAMILTON	880,162
HAMPDEN	945,304
HANCOCK	58,805

HANOVER	$ 2,636,461
HANSON	2,311,811
HARDWICK	565,568
HARVARD	1,741,277
HARWICH	857,599
HATFIELD	355,108
HAVERHILL	13,082,865
HAWLEY	30,547
HEATH	48,702
HINGHAM	2,686,324
HINSDALE	272,747
HOLBROOK	3,099,005
HOLDEN	1,921,458
HOLLAND	204,568
HOLLISTON	2,863,314
HOLYOKE	16,044,771
HOPEDALE	717,885
HOPKINTON	1,016,774
HUBBARDSTON	385,441
HUDSON	4,268,698
HULL	3,281,809
HUNTINGTON	285,841
IPSWICH	1,799,135
KINGSTON	1,023,709
LAKEVILLE	811,847
LANCASTER	1,089,110
LANESBOROUGH	520,369
LAWRENCE	21,947,157
LEE	1,031,390
LEICESTER	2,508,724
LENOX	860,167
LEOMINSTER	7,162,354
LEVERETT	259,243
LEXINGTON	3,461,058
LEYDEN	43,030
LINCOLN	654,624
LITTLETON	985,559
LONGMEADOW	2,317,292
LOWELL	31,587,501
LUDLOW	3,118,165
LUNENBURG	1,784,161
LYNN	29,560,020
LYNNFIELD	1,501,957
MALDEN	15,126,347
MANCHESTER	537,116
MANSFIELD	2,075,804
MARBLEHEAD	1,796,343
MARION	381,247
MARLBOROUGH	5,382,964

MARSHFIELD	$ 3,358,174
MASHPEE	283,801
MATTAPOISETT	616,037
MAYNARD	1,935,767
MEDFIELD	1,816,951
MEDFORD	12,196,641
MEDWAY	1,963,308
MELROSE	6,412,178
MENDON	469,100
MERRIMAC	1,154,383
METHUEN	6,460,826
MIDDLEBOROUGH	3,787,539
MIDDLEFIELD	43,489
MIDDLETON	580,559
MILFORD	5,263,306
MILLBURY	3,232,225
MILLIS	1,253,057
MILLVILLE	553,883
MILTON	2,739,752
MONROE	19,334
MONSON	1,723,286
MONTAGUE	1,298,276
MONTEREY	68,959
MONTGOMERY	99,089
MOUNT WASHINGTON	3,505
NAHANT	380,675
NANTUCKET	294,636
NATICK	4,726,759
NEEDHAM	2,998,574
NEW ASHFORD	8,311
NEW BEDFORD	36,430,840
NEW BRAINTREE	112,832
NEW MARLBOROUGH	110,505
NEW SALEM	118,469
NEWBURY	633,759
NEWBURYPORT	2,837,655
NEWTON	9,069,367
NORFOLK	1,077,032
NORTH ADAMS	5,672,460
NORTH ANDOVER	2,021,853
NORTH ATTLEBOROUGH	4,102,644
NORTH BROOKFIELD	1,290,989
NORTH READING	2,110,663
NORTHAMPTON	5,326,039
NORTHBOROUGH	1,708,597
NORTHBRIDGE	3,157,972
NORTHFIELD	260,871
NORTON	3,409,096
NORWELL	1,921,837

NORWOOD	$ 4,710,128
OAK BLUFFS	181,307
OAKHAM	153,213
ORANGE	2,087,610
ORLEANS	372,947
OTIS	57,651
OXFORD	3,797,583
PALMER	2,339,496
PAXTON	535,400
PEABODY	9,227,635
PELHAM	206,763
PEMBROKE	2,814,280
PEPPERELL	1,575,296
PERU	103,748
PETERSHAM	195,540
PHILLIPSTON	301,344
PITTSFIELD	13,711,261
PLAINFIELD	54,692
PLAINVILLE	938,814
PLYMOUTH	2,883,223
PLYMPTON	248,076
PRINCETON	362,433
PROVINCETOWN	319,881
QUINCY	22,890,672
RANDOLPH	7,249,827
RAYNHAM	1,828,930
READING	3,462,182
REHOBOTH	1,245,174
REVERE	13,402,248
RICHMOND	165,872
ROCHESTER	439,076
ROCKLAND	4,673,317
ROCKPORT	520,347
ROWE	46,698
ROWLEY	601,208
ROYALSTON	280,773
RUSSELL	219,311
RUTLAND	974,904
SALEM	7,030,238
SALISBURY	934,377
SANDISFIELD	43,000
SANDWICH	556,991
SAUGUS	4,030,025
SAVOY	71,936
SCITUATE	2,920,193
SEEKONK	1,554,292
SHARON	2,711,733
SHEFFIELD	305,409
SHELBURNE	326,570

SHERBORN	$ 488,062
SHIRLEY	1,612,904
SHREWSBURY	2,955,233
SHUTESBURY	161,247
SOMERSET	1,877,462
SOMERVILLE	25,641,538
SOUTH HADLEY	3,124,140
SOUTHAMPTON	633,882
SOUTHBOROUGH	899,355
SOUTHBRIDGE	4,659,186
SOUTHWICK	1,316,371
SPENCER	3,342,622
SPRINGFIELD	58,223,222
STERLING	994,372
STOCKBRIDGE	229,560
STONEHAM	3,408,612
STOUGHTON	4,627,673
STOW	710,551
STURBRIDGE	1,006,601
SUDBURY	2,617,936
SUNDERLAND	296,101
SUTTON	953,937
SWAMPSCOTT	1,602,255
SWANSEA	2,548,365
TAUNTON	12,815,015
TEMPLETON	1,703,374
TEWKSBURY	5,125,172
TISBURY	229,219
TOLLAND	8,694
TOPSFIELD	874,388
TOWNSEND	1,431,202
TRURO	133,625
TYNGSBOROUGH	1,185,353
TYRINGHAM	17,331
UPTON	629,382
UXBRIDGE	1,526,336
WAKEFIELD	3,751,825
WALES	241,564
WALPOLE	3,490,704
WALTHAM	8,237,809
WARE	2,228,587
WAREHAM	2,197,671
WARREN	964,830
WARWICK	65,638
WASHINGTON	84,747
WATERTOWN	6,576,410
WAYLAND	1,689,844
WEBSTER	3,545,749
WELLESLEY	2,909,500

WELLFLEET	$ 184,778
WENDELL	112,195
WENHAM	443,433
WEST BOYLSTON	898,322
WEST BRIDGEWATER	1,242,777
WEST BROOKFIELD	536,827
WEST NEWBURY	548,800
WEST SPRINGFIELD	3,134,395
WEST STOCKBRIDGE	133,875
WEST TISBURY	66,610
WESTBOROUGH	1,704,284
WESTFIELD	7,993,585
WESTFORD	2,760,849
WESTHAMPTON	125,442
WESTMINSTER	600,630
WESTON	1,123,528
WESTPORT	1,820,963
WESTWOOD	1,719,815
WEYMOUTH	12,643,952
WHATELY	130,160
WHITMAN	3,505,975
WILBRAHAM	2,169,850
WILLIAMSBURG	343,148
WILLIAMSTOWN	1,096,724
WILMINGTON	3,573,943
WINCHENDON	2,504,481
WINCHESTER	2,911,681
WINDSOR	79,707
WINTHROP	4,630,446
WOBURN	6,227,105
WORCESTER	55,927,403
WORTHINGTON	124,703
WRENTHAM	1,163,139
YARMOUTH	1,531,710

SECTION 4. The commissioner of administration shall expend the funds appropriated in item 1599-3388 of section two solely to provide for the lease or purchase of data processing equipment for those activities funded by the following appropriation items:

0320-0030
0321-1001
1101-2300
1101-2304
1101-2380
1102-3210
1103-5010
1104-1000
1107-1000
2100-0100

3000-0100
4237-1010
4311-0001
4311-0009
4380-0001
4400-1000
4510-0100
4518-0100
5011-0000
6020-2501
7000-0601
7100-0200
9100-0100
9221-1000
9230-0001
9420-0100
9430-0100
9440-0100

Said commissioner may expend said funds to purchase data processing equipment leased by the commonwealth prior to July first, nineteen hundred and eighty-three and to purchase new equipment for use by the commonwealth. The commissioner may also expend said funds to provide for the lease of data processing equipment; provided, however, said commissioner shall not expend said funds for the payment of a lease obligation related to the first three months of usage in fiscal year nineteen hundred and eighty-four by the commonwealth of any data processing equipment, except for data processing equipment leases originally executed on or after July first, nineteen hundred and eighty-three for activities funded by appropriation items 1101-2300.

SECTION 5. Notwithstanding the provisions of section fifty-one of chapter thirty of the General Laws or any other general or special law to the contrary, the state purchasing agent is hereby authorized during the fiscal year nineteen hundred and eighty-four 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 6. Section 7A of chapter 90 of the General Laws is hereby amended by striking out the sixth paragraph, as appearing in section 2 of chapter 761 of the acts of 1979, and inserting in place thereof the following paragraph:-

Each applicant to become a licensee shall remit a fee established by the registrar before any license is issued pursuant to section seven W. Said fee shall be deposited in the Highway Fund.

SECTION 7. Notwithstanding the provisions of any general or special 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 seventeen, 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 a licensed nursing home, any licensed rest home, a licensed chronic hospital or in an approved public medical institution,

shall retain the first forty-five dollars of their monthly income for clothing, personal needs and leisure time activities.

If there is no such income, or if it is less than forty-five dollars, the recipient shall be paid monthly in advance the difference between such income and forty-five dollars.

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 8. 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 an interest-bearing account of 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 meaning found in section one of chapter one hundred and twenty-three of the General Laws. The interest earned on any interest-bearing account shall be distributed in one of the following ways, at the election of the facility: (a) pro-rated to each patient on an actual interest earned basis for individual accounts, or (b) pro-rated to each patient on the basis of his or her end of quarter or nearest end of month balance for collective accounts. The department of public health shall promulgate rules and regulations to implement this section.

SECTION 9. Notwithstanding the provisions 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 10. Notwithstanding the provisions of any general or special law to the contrary, revenues in an amount not to exceed five million dollars accrued through the program of selling of correctional industries products and services, excluding monies received from the sale of farm products and services under programs maintained by the division of farm 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; provided, however, that any remaining balance of the amount available to the department as provided in this section shall not revert to the General Fund at the end of fiscal year nineteen hundred and eighty-three and shall be available to the department for use on the purposes provided herein during fiscal year nineteen hundred and eighty-four. The sale of correctional industries products and services, as provided in this section, shall be subject to a full audit and annual report by the state auditor.

SECTION 11. 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 12. Notwithstanding the provisions of any general or special law to the contrary, payments made by the department of public welfare under Title XIX of the United States Social Security Act for administrative days, so-called, in acute care hospitals shall be at rates established by the rate setting commission. Said rates shall reflect payment for appropriate levels of care as determined by the department.

SECTION 13. Notwithstanding the provisions of any general or special law to the contrary, any department, board, commission or institution expending federal funds appropriated in section two of this act shall submit a spending plan of such federal funds, by subsidiary breakdown, with the house and senate committees on ways and means and the joint standing committee on federal financial assistance no later than sixty days after the effective date of this act.

SECTION 14. *For the fiscal year beginning July first, nineteen hundred and eighty-three,* the secretary of each executive office, the commissioner of education, and the president of each public institution of higher education in the commonwealth, shall designate a finance officer as custodian of all monies, funds or accounts, if any, including federal funds under the direct control of said secretary, commissioner, or president or under the control of any agency, commission, or department under each executive office, department or institution who shall have fiduciary responsibility for investing all monies, funds, or accounts, including nonappropriated funds held by a public institution of higher education, in a bank account or other investment permitted pursuant to sections thirty-eight and thirty-eight A of chapter twenty-nine of the General Laws, so as to maximize the income from the investment of such monies, funds, or accounts during the period that such monies, funds, or accounts are under the control of the office, *department or institution.*

The secretary of each executive office, the commissioner of education, and the president of each public institution of higher education shall file a preliminary report with the house and senate committees on ways and means by December thirty-first, nineteen hundred and eighty-three, and a final report by June thirtieth, nineteen hundred and eighty-four, listing the names of said finance officers named custodians, and the income attributable to investments made under this section. Nothing in this section shall be deemed to affect the state treasurer or any funds under his control.

SECTION 15. 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 Sewerage District Fund	860,000
Metropolitan Water District Fund	1,330,000

provided, however, that notwithstanding the provisions of item 0612-1000 of section two, the aforesaid amounts shall not be available for expenditure.

SECTION 16. Appropriations made in section two from the General Federal Grants Fund shall be recorded on the books of the commonwealth only in the amount of the actual receipts of federal funds and only the recorded amount shall be available for expenditure. Federal funds received in excess of the amount appropriated in said section two shall be expended only in accordance with the provisions of section six B of chapter twenty-nine of the General Laws.

SECTION 17. 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 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 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. Such affirmative action program 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 18. A board of trustees, established under the provisions of section ten of chapter fifteen A of the General Laws, of a state college or university, shall establish the fee for application for admission of residents of the commonwealth at no less than eighteen dollars and all other fees for application for admission shall not be less than twenty-five dollars. A board of trustees of a community college shall establish the fee for application for admission of residents of the commonwealth at no less than fourteen dollars and all other fees for application for admission shall not be less than twenty-five dollars. All such fees from applications for admission shall be transferred to the General Fund. A board of trustees shall also establish procedures for the waiver of such fees for indigent applicants.

SECTION 19. No positions authorized and funded by federal funds on or after June thirtieth, nineteen hundred and eighty-three shall be funded with appropriations authorized in section two of this act during fiscal year nineteen hundred and eighty-four without prior approval of the house and senate committees on ways and means, except appropriations out of the General Federal Grants Fund. Nothing in this section shall be deemed to prohibit the employment of persons in positions funded by federal reimbursements to the commonwealth.

SECTION 20. Notwithstanding the provisions of any general or special law to the contrary, the department of mental health, or any other state agency or department, shall not authorize or approve the construction of new facilities or the renovation or rehabilitation of existing facilities, to house either mental health or mental retardation community-based programs, including, but not limited to, intermediate care facilities, limited group residences, community residences and apartments, until such time as a schedule of start-up and full operating costs of the program to be housed at said location has been submitted to and approved by the house and senate committees on ways and means.

SECTION 21. Notwithstanding the provisions of any general or special law to the contrary, and except as otherwise provided in section two, the department of mental health shall provide contracted services to their clients at an annualized level equal to the amount of monies appropriated for such services in said section two. No expenditures or commitment of monies for such services, either by contract or other agreement, shall be made in excess of such appropriated monies. Any contract for such services shall be for a term of not less than one fiscal year.

SECTION 22. Notwithstanding the provisions of any general or special law to the contrary, applications for federal grants by a state agency submitted in accordance with the provisions of section six B of chapter twenty-nine of the General Laws, shall, in addition to the requirement and exceptions set forth in said section six B, and whether or not funds have been appropriated therefor, submit such applications

for *prior* approval with the house and senate committees on ways and means and the joint committee on federal financial assistance.

SECTION 23. The department of public works is hereby authorized and directed to make an investigation and study of the feasibility of relocating the administrative offices of district seven of said department within Plymouth county. Said department shall report to the house and senate committees on ways and means its recommendations and findings on December thirty-first, nineteen hundred and eighty-three.

SECTION 24. The commissioner of administration and finance shall prepare annually an inventory of all property owned by the commonwealth. All officers and employees of the commonwealth, other than those in the judicial and legislative branches, shall assist in this inventory in the manner directed by the commissioner in such rules and regulations as he may adopt from time to time. The report shall be filed with the state auditor on or before October first of each year and shall be a public record when filed. The state auditor shall audit each such report.

SECTION 25. Notwithstanding the provisions of any general or special law to the contrary, revenues in an amount not to exceed one million dollars accrued from the sale of farm products and services under programs maintained by the division of farm services of the department of correction may be expended without further appropriation, subject to the approval of the commissioner of correction and the state comptroller, for said programs including costs of materials, supplies and equipment, maintenance and construction of agricultural facilities, and compensation to farm employees; provided, however, that any remaining balance of the amount available to the department as provided in this section shall not revert to the General Fund at the end of fiscal year nineteen hundred and eighty-three and shall be available to the department for use on the purposes provided herein during fiscal year nineteen hundred and eighty-four. The sale of farm *products and* services, as provided in this section, shall be subject to a full audit and annual report by the state auditor.

SECTION 26. Notwithstanding the provisions of section one of this act to the contrary, items 0320-0001 to 0340-1100, inclusive, in section two of this act are hereby charged as follows:-

General Fund	20.0%
Local Aid Fund	80.0%

SECTION 27. Notwithstanding the provisions of any general or special law to the contrary, revenues in excess of two million dollars but not exceeding three million dollars from the collection of admission fees, parking fees, and concessions at pools, rinks, parks, forests, beaches, ski areas and golf courses maintained by the metropolitan district commission may be expended by the commission without further appropriation, subject to the approval of the secretary of environmental affairs and the state comptroller, for improvements to recreational programs at pools, rinks, parks, forests, beaches, ski areas and golf courses maintained by said commission, including materials, supplies, equipment, promotional activities and interpretive materials; provided, however, that said revenues shall not be expended for the compensation of employees; and provided, further, that any remaining balance of the amount available to the commission for expenditure without further appropriation, as provided in this section, at the end of fiscal year nineteen hundred and eighty-three shall not revert to the metropolitan district commission parks fund and shall be available to the commission for use on the purposes as provided herein during fiscal year nineteen hundred and eighty-four. The commission shall report the amounts of revenue generated from the collection of admission fees, parking fees, and concessions, by category from each such pool, rink, park, forest, beach, ski area and golf course maintained by it, including a detailed summary of the expenditures

made by it for each allowable purpose as provided herein at each such facility or area from the maximum two million dollars authorized for expenditure pursuant to this section, and shall file said report for fiscal year nineteen hundred and eighty-three with the house and senate committees on ways and means on or before October first, nineteen hundred and eighty-three, and for fiscal year nineteen hundred and eighty-four a similar report shall be filed with said committees on or before December thirtieth, nineteen hundred and eighty-three, and a final report shall be filed with said committees on or before August first, nineteen hundred and eighty-four.

SECTION 28. Notwithstanding the provisions of any general or special law to the contrary, revenues in excess of five million dollars but not exceeding seven million dollars from the collection of admission fees, parking fees, and concessions at pools, rinks, parks, forests and beaches maintained by the department of environmental management may be expended by the department without further appropriation, subject to the approval of the secretary of environmental affairs and the state comptroller, for improvements to recreational programs at pools, rinks, parks, forests and beaches maintained by said department, including materials, supplies, equipment, promotional activities and interpretive materials; provided, however, that said revenues shall not be expended for the compensation of employees; and provided, further, that any remaining balance of the amount available to the department for expenditure without further appropriation, as provided in this section, at the end of fiscal year nineteen hundred and eighty-three shall not revert to the state recreation areas fund and shall be available to the department for use on the purposes as provided herein during the fiscal year nineteen hundred and eighty-four. The department shall report the amounts of revenue generated from the collection of admission fees, parking fees, and concessions, by category from each such pool, rink, park, forest and beach maintained by it, including a detailed summary of the expenditures made by it for each allowable purpose as provided herein at each such facility or area from the maximum two million dollars authorized for expenditure pursuant to this section, and shall file said report for fiscal year nineteen hundred and eighty-three with the house and senate committees on ways and means on or before October first, nineteen hundred and eighty-three, and for fiscal year nineteen hundred and eighty-four, a similar report shall be filed with said committees on or before December thirtieth, nineteen hundred and eighty-three, and a final report shall be filed with said committees on or before August first, nineteen hundred and eighty-four.

SECTION 29. The amount of any unexpended balance of federal grant funds received prior to June thirtieth, nineteen hundred and eighty-three, and not included as part of an appropriation item in section two, is hereby made available for expenditure during fiscal year nineteen hundred and eighty-four, in addition to any amount appropriated in said section two; provided that the state comptroller shall report to the senate and house committees on ways and means, no later than October first, nineteen hundred and eighty-three, the amounts of any such unexpended balances for each item of appropriation including such unexpended balances as are appropriated in said section two.

SECTION 30. The department of public health is hereby designated as the lead agency under the administrative and financial supervision of the executive office of human services for the provision of state funded childhood early intervention services. Said department is hereby authorized and directed to establish consistent state-wide standards for such services and to promote the development of such services. The departments of mental health, public welfare, and education are hereby authorized and directed to enter into interagency agreements with the department of public health to ensure stability for present programs, uniformity of standards, and reasonable growth of such programs. The department of mental health is further authorized and directed to enter into an interagency agreement with the department of public health to ensure that all employees providing early intervention services in positions currently funded by the department of mental health through the "01" and "02" subsidiary accounts shall continue to be funded in the department of mental health accounts while providing said services in the

department of public health funded programs without interruption of employment or loss of status or benefits. This interagency agreement shall continue for as long as the commonwealth provides such services. As of January first, nineteen hundred and eighty-three, all purchase of service contracts that are funded with state appropriations shall be administered by the department of public health; provided, that reimbursement for such services may be allowed under the medical assistance program administered by the department of public welfare. The commissioner of the department of public health is hereby authorized to establish an advisory committee on childhood early intervention programs to consist of representatives from appropriate state agencies, providers, employee unions, existing citizen advisory boards, and consumers, for the purposes of developing program standards, ensuring a smooth transition period, and resolving administrative and collective bargaining issues.

SECTION 31. 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 32. Notwithstanding the provisions of any general or special law to the contrary no state agency or office of the judiciary may make any expenditure from amounts appropriated for the repair and maintenance of equipment, the purchase of equipment, for the purchase of motor vehicles, and for the lease or purchase of data or word processing equipment unless prescribed in schedules submitted by the secretary of administration and finance and approved by the house and senate committees on ways and means. If within thirty days of receipt of said schedules for approval, no action has been taken by either the house or senate committees on ways and means expenditures pursuant to said schedules may proceed.

Notwithstanding the provisions of any general or special law to the contrary, no state agency or office of the judiciary shall deviate from the said schedules unless certified by the secretary of administration and finance and approved by the house and senate committees on ways and means.

This section and the provisions of section twenty-seven A of chapter twenty-nine and section thirty-six A of chapter thirty of the General Laws shall not apply to the general court, the office of the governor, the office of the state secretary, the office of the state treasurer, the office of the state auditor, and the office of the attorney general, and the office of the lieutenant governor.

SECTION 33. Notwithstanding the provisions of any general or special law to the contrary, the comptroller shall not authorize the payment of regular compensation, including paid leave, vacations, salary in lieu of vacations, payments in lieu of maintenance, holiday pay, overtime pay, and salary differentials from any account funded by an appropriation in section two unless the following requirements are met: Each state agency receiving an appropriation in section two shall not fill a total number of permanent and temporary positions which exceeds the number of permanent and temporary positions specifically provided for each account in said section two. For the purposes of this section, a "position" shall mean a full-time equivalent office or position in which one or more persons are currently employed. "Position" shall not mean any office or position in which no one is currently employed, provided, that for the purposes of this section such unfilled office or positions shall be referred to as "vacant titles". "Permanent position" shall mean an authorized position created by statute or under the civil service law whether the incumbent holding the position is on a permanent, provisional, or temporary appointment. "Temporary position" shall mean all authorized positions other than permanent positions, seasonal positions as defined in section one of chapter thirty-one of the General Laws, excess quota positions, and positions for a period of ninety days or less. The provisions of this paragraph shall take effect on October first, nineteen hundred and eighty-three.

The secretary of administration and finance shall file a recommended schedule of all permanent and temporary positions and vacant titles no later than September fifteenth, nineteen hundred and eighty-three with the house and senate committees on ways and means. Such recommended schedules shall include all

reallocation of permanent and temporary positions and vacant titles and changes in compensation rates.

No person shall be hired by a state agency and assigned a permanent or temporary position or a previously vacant title unless such position or vacant title shall have been authorized by a schedule approved by the house and senate committees on ways and means.

Until such time as a new schedule is so approved, the previous personnel schedules shall remain in effect.

The secretary of administration and finance shall file, when appropriate, a recommended schedule of all seasonal positions and titles as defined in section one of chapter thirty-one of the General Laws, excess quota positions, and positions and titles to be appointed for a period of ninety days or less with the house and senate committees on ways and means. No seasonal position, excess quota position or position to be appointed for less than ninety days shall not be hired by a state agency until it has been authorized by a schedule approved by the house and senate committees on ways and means. Until such time as a new schedule is so approved, the previous schedule shall remain in effect. Seasonal positions, excess quota positions and positions for a period of ninety days or less, so approved, shall be allowed in addition to permanent and temporary positions. The provisions of this paragraph, in so far as it relates to schedules of titles for seasonal positions and positions for a period of less than ninety days shall not take effect until October first, nineteen hundred and eighty-three.

The provisions of this section, and of clause (d) of section forty-five of chapter thirty of the General Laws, shall not apply to any office or position in the general court, the office of the governor, the office of the lieutenant governor, the office of the state secretary, the office of the state auditor, the office of the attorney general and the office of the state treasurer.

SECTION 34. Notwithstanding the provisions of section twenty-nine of chapter twenty-nine of the General Laws to the contrary, all departments, offices, commissions, and institutions may transfer monies designated to subsidiary accounts within appropriations made in section two of this act without the prior approval of the house and senate committees on ways and means. The budget director of the fiscal affairs division shall report quarterly to the house and senate committees on ways and means any transfer of monies between subsidiary accounts for each item of appropriation contained in said section two.

SECTION 35. The rate setting commission is hereby authorized and directed to assume the costs incurred in the transfer of the responsibilities previously contracted for by said commission pursuant to section five of chapter one hundred and seventy-six A of the General Laws, subject to the reimbursement pursuant to section sixty-five of chapter six A of the General Laws, as amended, in an amount not to exceed the sum appropriated for this purpose in item 4100-0010 in section two of this act. Said reimbursement shall include, but not be limited to, the costs of personnel salary, fringe benefits, and support costs, which may include the costs of data processing, such costs of data processing to include, but not limited to, hardware, software, storage, programming, maintenance and technical assistance.

SECTION 36. Notwithstanding the provisions of any general or special law to the contrary, the commissioner of revenue is hereby authorized and directed to design, develop, implement and operate a wage reporting and bank match system, (hereinafter referred to as the reporting system) for the purpose of verifying financial eligibility of participants in those state or federally funded programs listed in sections three and four of chapter sixty-two E of the General Laws, in the rental assistance, fuel assistance, bulk oil purchase and weatherization programs of the executive office of communities and development, and in the day care services of the department of social services. The commissioner is hereby further authorized and directed to enter into such interagency agreements with other agencies of the commonwealth as the commissioner deems are necessary to facilitate the implementation and utilization of the reporting system. Such written agreements shall include provisions requiring the administering agencies, their subgrantees, or local administering agencies, including local housing authorities, to provide

at a date specified by the commissioner a list of persons receiving benefits from such programs. Information in such lists shall include the recipient's name, social security number and other data required to assure positive identification. Such information shall be utilized in the reporting system as a post audit mechanism for the purpose of verifying eligibility and detecting and preventing fraud, error and abuse in said programs, or additional programs included by the commissioner, pursuant to provisions below. Said administering agencies, their subgrantees, or local administering agencies, including local housing authorities are hereby authorized and directed to obtain and provide to the commissioner the information requested for the purposes of this reporting system.

The commissioner is also authorized and directed to investigate and identify other programs administered by state agencies which consider income, financial resources or both in determining eligibility therefor. The commissioner shall, with the approval of the commissioner of administration and finance, propose such other programs for inclusion in the reporting system by submitting a proposal to the house and senate committees on ways and means. If within fourteen days of receipt of any such proposal no action has been taken by the house or senate committee on ways and means, the commissioner may incorporate into the reporting system the program covered by the proposal. The commissioner is authorized and directed to enter into such interagency agreements as he deems necessary to incorporate such additional programs into said reporting system. For the purposes of the bank match portion of this reporting system, the commissioner is further authorized and directed to request in writing from a treasurer if a savings bank, national bank, trust company, cooperative bank, benefit association, insurance company or safe deposit company authorized to do business in the commonwealth, the amount deposited in the corporation or association to the credit of a persons named or listed in such request as a charge upon the commonwealth, or as an applicant to the commonwealth for financial assistance. In order to comply with this request, a treasurer, as aforesaid is authorized and directed to furnish said information within thirty days of receipt of the commissioner's request.

If after written request signed by the commissioner, said treasurer unreasonably refuses to inform him of the amount deposited in the corporation or association to the credit of a person named or listed in such request as a charge upon the commonwealth, or as an applicant to the commonwealth for financial assistance, or who willfully renders false information in reply to such request, shall forfeit fifty dollars to the use of the commonwealth. Upon such request, a treasurer, as aforesaid, shall furnish to the commissioner the records on deposits and withdrawals during the past five years concerning any person named or listed in the request, mitigating circumstances shall be considered in determining unreasonableness of a refusal to so provide information.

The commissioner shall examine the data available to him, so as to indentify any cases in which recipients of programs included in this reporting system also are receiving wages or have financial resources such as to render them ineligible for participation in the programs. The commissioner shall thereupon furnish the administering agencies the cases of any recipients in their respective programs who are identified as receiving wages or having financial resources. The information furnished to such agencies shall include the name of the recipient, social security number and other data to assure positive identification, the name and identification number of the employer or the name and location of the savings bank, national bank, trust company, cooperative bank, benefit association, insurance company or safe deposit company, and the amount of wages received or amount of financial resources. Upon the receipt of such information, such administering agencies, and where appropriate, through local administering agencies or local housing authorities shall seek to verify the accuracy of the information presented, in consultation with the recipients whose status is in question. If after such informal inquiry an administering agency, or where appropriate, local administering agencies or local housing authorities, determines that a recipient has incorrectly received benefits under such a program, such agency shall take appropriate formal action in accordance with state and federal law to correct the situation, including, but not limited to, termination of benefits. No adverse action shall be taken against any recipient in the unemployment insurance benefits

program or the public assistance programs of the department of public welfare, except after affording such recipient full opportunity to contest such action in accordance with law, including prior notice and hearing. No adverse action shall be taken against recipients in the other programs included in the reporting system except after meeting with such recipients, providing them with an explanation for the proposed action, detailing the evidence upon which the action is based, and allowing for any other procedures which an administering agency uses to take an adverse action against a recipient in its programs.

When any administering agency has probable cause to believe that the receipt of incorrect benefits under any such program was a result of a fraudulent action by the recipient, such agency shall refer the case to the bureau of special investigations for further action; provided, however, that such agency shall consider the willingness of such recipient to make restitution or to submit to voluntary recoupment before making such a referral. If such an agency determines the financial solvency of its programs can better be served through restitution or recoupment, referrals to said bureau may be waived by such an agency.

No employee or agent of the commonwealth shall divulge any information referred to in this section, except in the manner herein prescribed, to any public or private agency or individual; provided, however, that information may be disclosed and shared by and between any employee of an administering agency and any subgrantee, local administering agency, or any local housing authority for the purpose of verifying eligibility and or detecting and preventing fraud, error and abuse in the programs included in the reporting system. Unauthorized disclosure of any such information shall be a violation punishable by a fine of one hundred dollars per offense; provided that the unauthorized release of such information about any individual shall be a separate offense from information released about any other individual. Such unauthorized release of information shall also be cause for administrative discipline of any employee who engages in such unauthorized release.

The commissioner is hereby directed to make the reporting system fully operational by June thirtieth, nineteen hundred and eighty-four. The commissioner shall submit quarterly reports to the house and senate committees on ways and means describing the status of said system and his plans to implement it. Where the provisions of the wage reporting system established pursuant to chapter sixty-two E of the General Laws, as amended, conflict with the provisions set forth in this section, the provisions set forth in this section shall govern.

SECTION 37. Section 7 of chapter 70 of the General Laws, as appearing in section 70B of chapter 367 of the acts of 1978, is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph:-

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 of 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 the third consecutive fiscal year in which said percentage has equaled at least thirty-five per cent, and in every fiscal year thereafter.

SECTION 38. That for the purpose of discharging a moral obligation of the commonwealth, there shall be allowed and paid out of the state treasury, subject to appropriation, to Captain Allan McNaughton the sum of two thousand dollars and to Captain Walter Eno the sum of nine hundred dollars in payment for services rendered by them as employees of the Massachusetts Maritime Academy, payment for which is legally unenforceable.

SECTION 39. Notwithstanding the provisions of any general or special law to the contrary, all persons employed or assigned on a full-time basis in the office of the Suffolk county medical examiner from other agencies in said county, who have been acting in fact as employees of said county, immediately prior to the effective date of section forty-one of this act who held positions classified under chapter thirty-one of the General Laws or had tenure *in their positions by reason of section nine* A of chapter thirty of the General Laws shall continue in said employment by the commonwealth without impairment of civil service status, seniority, retirement and other rights of the employees, without interruption of their service within the meaning of section nine A of said chapter thirty and chapter thirty-one, and without reduction in their compensation and salary grades. All such employees who, immediately prior to the effective date of section forty-one of this act, are not classified under the provisions of said chapter thirty-one or are not subject to said section nine A of said chapter thirty shall continue to serve in their respective offices or positions without impairment of their retirement, seniority or other rights and they shall not be lowered in rank or compensation.

Nothing in this section shall be construed to confer upon any employee any rights not held immediately prior to the effective date of this act or to prohibit any reduction in salary or grade, transfer reassignment, suspension, discharge, lay-off, or abolition of position not prohibited prior to said effective date.

SECTION 40. There is hereby created a body, politic and corporate, to be known as the partnership for management *improvement in government, hereafter in this* section referred to as the partnership. Said partnership is hereby constituted as a quasi-public instrumentality of the commonwealth and the exercise by the partnership of the powers conferred in this section shall be deemed and held to be the performance of an essential public function. For administrative purposes, said partnership is hereby established within the executive office of administration and finance. Said partnership shall be governed and its corporate powers exercised by a board of directors which shall consist of five directors, who shall be the secretary of administration and finance or his designee, and four persons appointed by the governor who shall have extensive experience and knowledge in the design, development and implementation of systems and programs to improve management effectiveness and productivity *in private and public sector organizations*. Each member appointed by the governor shall serve for a term coterminus with the governor. The chairperson of the board shall be appointed by the governor. Three members of the board shall constitute a quorum and the affirmative vote of three members shall be necessary for any action to be taken by the board. The members of the board shall serve without compensation, but each member shall be entitled to reimbursement for his actual and necessary expenses incurred in the performance of his duties.

Said partnership is hereby authorized to expend such sums as shall be appropriated for the purposes of *this section; provided, however, that* no such funds shall be expended without a one hundred per cent match of funds or new equipment contributions from non-governmental sources. The partnership is authorized to accept any donations, grants, bequests, and devices, conditional or otherwise, of money, property, service or other things of value a person, firm or corporation, public or private to be held, used or applied to any or all the purposes specified in this section, in accordance with the terms and conditions of any such grant. The partnership is authorized to hire professional staff or consultants as necessary, and establish the appropriate salary levels, subject to appropriation; provided, however, that neither the partnership nor any of its officers, agents, employees, consultants, or advisors shall be subject to the provisions of sections *nine A, forty-five, forty-six, and fifty-two* of chapter thirty, or of chapter thirty-one.

The board shall work with the secretary of administration and finance to develop performance measures and standards for major services provided by state government and, on a periodic basis, disseminate information on the performance of these major services. The partnership shall submit an annual report to the governor and the general court which describes its activities and, from time to time, shall provide assessments about progress within state government to improve management and productivity. Said reports

shall include recommendations, and drafts of legislation necessary to implement the same, on steps that should be taken by the governor and general court to improve the management of state government.

SECTION 41. Notwithstanding the provisions of any general or special law to the contrary, in Suffolk county the medical examiner and each associate medical examiner shall receive a salary in an amount to be determined by the commission on medico-legal investigation upon the recommendation of the chief medical examiner but such salary shall not be less than forty thousand dollars for said medical examiner and not less than twenty thousand dollars for such associate medical examiners.

Medical examiners and associate medical examiners in other counties shall receive fees set by the commission upon recommendation of the chief medical examiner, but not less than as follows: for a view without an autopsy, fifty dollars; for a view and attendance at an autopsy, one hundred dollars; for attendance as a witness at an inquest or as a witness in a criminal case in district court, the grand jury or in the superior court, one hundred dollars for each day of such attendance, and for travel related to investigations, attendance at autopsies or being a witness at an inquest or a criminal trial, the current rate per mile traveled as paid other employees of the commonwealth.

SECTION 42. Notwithstanding any special or general law to the contrary, no agency of the executive branch shall expend funds that exceed three hundred dollars for costs of printing, photocopying or for related graphic art or design work without the prior approval of the print review board within the purchasing agent's division of the executive office of administration and finance. The commissioner of administration may charge other such agencies or may charge against expenditures made directly from reserve account 1599-3351 for the cost of printing, photocopying and related graphic art or design work produced by the bureau of central services, but such charges shall not exceed two hundred thousand dollars in the aggregate. The proceeds received from such charges shall be credited to the central supply fund established by section four, and the purchasing agent is hereby authorized to incur liabilities and incidental expenses for fiscal year nineteen hundred and eighty-four for the purchase of printing and graphic art supplies and equipment. The comptroller may certify for payment such incidental expenses and liabilities so incurred to an amount not exceeding two hundred thousand dollars, in addition to any amount provided in this act.

SECTION 43. The commissioner of administration is hereby authorized and directed to prepare recommendations for a plan designed to centralize the management of the entire motor vehicle fleet of the commonwealth under the direct control and operation of the motor vehicle management bureau within the executive office of administration and finance. Said plan shall include a proposal for the assessment and evaluation of agency vehicle needs, vehicle acquisition and maintenance and fuel needs, a cost-effective motor vehicle rental system to state agencies, and regulations governing the management of the motor vehicle fleet. Said commissioner shall include in said recommendations proposals for the motor vehicle management bureau to monitor closely and control the reimbursements to state employees who use privately-owned vehicles for official state business travel. Said commissioner shall investigate the possibilities for the sale to the highest bidder of surplus motor vehicles owned by the commonwealth, and to develop and implement, where feasible, a plan for the sale of such vehicles; provided, that such plan shall be included in any recommendations made pursuant to this section. Said recommendations, together with proposals for legislation that may be needed to implement the same, shall be filed with the governor and the house and senate committees on ways and means no later than July first, nineteen hundred and eighty-four.

SECTION 44. Notwithstanding the provisions of section forty-four A of chapter one hundred and forty-nine of the General Laws, the deputy commissioner of the division of capital planning and operations is hereby authorized to solicit proposals for and award contracts to the lowest bidder demonstrably

possessing the skill, ability and integrity necessary to faithfully perform energy management services at buildings constructed before nineteen hundred and eighty owned by state agencies or building authorities; provided, however, that such awards shall be made pursuant to the provisions of section twenty A of chapter nine, section eight A of chapter twenty-nine, and section forty-four D of chapter one hundred and forty-nine; and provided, further, that any invitations to bid on such energy conservation contracts, as authorized in this section, shall be filed with the house and senate committees on ways and means at least sixty days prior to the publication of any notice of such invitations to bid.

Such contracts shall be subject to appropriation and may include terms of ten years or less, provisions allocating between the parties any cost savings attributable to a reduction in energy consumption due to the contractor's performance, and authorization for the contractor, subject to the approval of said deputy commissioner, to undertake various repairs and modifications to the mechanical systems of said buildings.

For the purposes of this section, the term "energy management services" shall include, but not be limited to, energy audits, energy conservation measures, and energy conservation projects as defined by section three of chapter twenty-five A of the General Laws, as well as building maintenance and financing services designed to decrease the cost of energy in operating said buildings.

SECTION 45. The Massachusetts Industrial Finance Agency, established pursuant to chapter four hundred and ninety-six of the acts of nineteen hundred and seventy-eight, is hereby authorized in fiscal year nineteen hundred and eighty-four to transfer an amount not in excess of three million dollars from the retained earnings of the agency into the insurance fund established by section thirty-three of chapter twenty-three A of the General Laws.

SECTION 46. The Massachusetts Industrial Finance Agency, established pursuant to chapter four hundred and ninety-six of the acts of nineteen hundred and seventy-eight and the Massachusetts Technology Development Corporation, established pursuant to chapter four hundred and ninety-seven of the acts of nineteen hundred and seventy-eight, are hereby authorized in fiscal year nineteen hundred and eighty-four to enter into agreements to promote the formation and expansion of technology-based small business in the commonwealth. Such agreement may provide for the participation by the Massachusetts Industrial Finance Agency in investments made by the Massachusetts Technology Development Corporation. The agreement between the two agencies shall include but not be limited to the following:

(1) procedures for selecting investments;
(2) procedures for selling investments;
(3) distribution of dividends, gains, and losses;
(4) provision for additional funding to protect investments;
(5) reporting requirements;
(6) timing of contribution;
(7) length of agreement.

SECTION 47. Notwithstanding the provisions of section twenty-three of chapter thirty-two of the General Laws to the contrary, the state treasurer is hereby authorized to invest up to two million dollars of the funds of the state employees' and teachers' retirement systems in qualified and other securities, as defined in section four of chapter forty G of the General Laws, sold by the Massachusetts Technology Development Corporation, established pursuant to chapter four hundred and ninety-seven of the acts of nineteen hundred and seventy-eight. In making such an investment, the state treasurer shall act with a fundamental duty to the interests of the members of such systems and shall exercise skill, prudence, and diligence under circumstances that a prudent person acting in like capacity and familiar with such matters would use in the conduct of an enterprise of like character and with like aims. Any monies from such sale received by the Massachusetts Technology Development Corporation shall be credited to the investment

fund of said corporation and shall be used for investment purposes pursuant to said section four of said chapter forty G. Except as otherwise provided in this section, such investments by the state treasurer shall be made in accordance with said section twenty-three of said chapter thirty-two.

SECTION 48. Notwithstanding the provisions of any general or special law to the contrary, the board of trustees of each of the public universities in the commonwealth may exempt five per cent of its (01) permanent faculty positions from the provisions and requirements of job classification established and maintained by the personnel administrator pursuant to chapter thirty of the General Laws. Said exemptions shall be for the purpose of recruiting and retaining highly skilled faculty members who will have a beneficial impact upon the quality of the university's academic programs.

The board of regents of higher education, the board of trustees of each such university, and the appropriate collective bargaining unit shall establish the criteria and guidelines to be used in making such exemptions; provided, however, that such criteria and guidelines shall be subject to the approval of the house and senate committees on ways and means. The board of trustees shall fix the compensation for such (01) permanent faculty who have received exemptions.

SECTION 49. Notwithstanding the provisions of any general or special law to the contrary, during fiscal year nineteen hundred and eighty-four, the board of trustees of each public college and university in the commonwealth is hereby authorized to increase the level of tuition at such college or university by no more than fifteen per cent in excess of the present levels of tuition as established pursuant to section five of chapter fifteen A of the General Laws; provided, however, that such increases in tuition shall be implemented only after a majority vote to do so by the board of trustees of said college or university and a majority vote to do so by the board of regents of higher education; and provided, further, that no such increase shall become effective prior to January first, nineteen hundred and eighty-four. Any expenditure resulting from said tuition increase shall continue at no expense to the commonwealth; and provided, further, that the board of trustees of each public college or university implementing such increase shall file a detailed expenditure analysis on a quarterly basis with the board of regents of higher education and the house and senate committees on ways and means. The revenues generated by the tuition increases authorized herein shall be placed into the tuition retention fund authorized by section fifty.

SECTION 50. Notwithstanding the provisions of any general or special law to the contrary, the board of trustees at each public college and university in the commonwealth is hereby authorized to establish a tuition retention fund, hereinafter in this section referred to as the fund, for the collection and deposit of any tuition revenue that is generated by increasing the present level of tuition consistent with the provisions of section forty-two of this act. Each such fund shall be subject to the control and authority of the board of trustees at the college or university at which it is established; provided, however, that such college or university shall prepare a spending plan for the uses of the fund, subject to the approval of the board of trustees. Each such spending plan shall provide for expenditures of the fund only upon educational programs or purchases designed specifically to enhance and improve the quality of education at such college or university. Upon approval of a spending plan, the board of trustees shall file a copy of said plan with the house and senate committees on ways and means.

SECTION 51. Notwithstanding the provisions of any general or special law to the contrary, a housing authority, as defined by section one of chapter one hundred and twenty-one B of the General Laws, is hereby authorized to purchase materials, supplies, or services pursuant to the consolidated supply program of the United States Department of Housing and Urban Development; provided, however, that the provisions of section thirty-nine M of chapter thirty, and sections forty-four A through forty-four H, inclusive, of chapter one hundred and forty-nine of the General Laws shall not apply to such purchases; and provided, further, that no such purchase shall be undertaken if the amount involved therein is one

thousand dollars or over, unless a notice thereof shall have been posted, not less than one week prior to the time of said purchase in a conspicuous place on or near the premises of the officer having charge of any such housing authority making such purchase, and, if the amount therein is in excess of five thousand dollars, unless such a notice shall also have been posted at least once not less than two weeks prior to the time so specified; and published at such other times prior thereto, if any, as the commissioner of administration shall direct, in the central register published by the state secretary pursuant to section twenty of chapter nine.

SECTION 52. The departments of elder affairs and public welfare are hereby authorized and directed to operate one pilot program under the provisions of this section, of managed health care for elderly persons who are at risk of being institutionalized. For purposes of this section, "long term care institution" shall mean a nursing home, a rest home, a chronic hospital, or an acute hospital when the patient remains in such a facility on administratively necessary day status. The pilot program shall operate in the city of Springfield, subject to the agreement of both departments. If the Springfield location is not acceptable to both departments, the departments shall establish a pilot program at an alternative location, outside of the city of Boston, subject to the approval of the house and senate committees on ways and means. The pilot program shall include visiting nurse associations, community health centers, and home care corporations. The departments shall compare the health and related care costs of the enrolled population with the costs of a unenrolled population.

Said departments shall maximize all third party revenues including reimbursements under Titles XVIII and XIX of the Social Security Act available for services provided by the program. Organizations contracting with the departments under this section shall be required to meet an annual savings target, as determined by the departments. Contract renewal shall be contingent on the sites' ability to meet this requirement.

Said departments shall develop an interdepartmental written agreement which shall specify the provisions of the pilot program. Said departments shall jointly submit a report on the specifics of the plan to the house and senate committees on ways and means no later than October thirty-first, nineteen hundred and eighty-three.

SECTION 53. Notwithstanding the provisions of any general or special law to the contrary, the department of public welfare is hereby authorized to establish a state-wide system of long-term care prescreening teams. Such teams shall review for each person who anticipates applying for or who is presently receiving benefits under Title XIX of the Social Security Act the placement into any long-term care facilties, skilled nursing facilities, and intermediate care facilities. Such teams shall encourage the utilization of non-institutional, alternative care whenever possible, including but not limited to home health, visiting nurses, home care, adult foster care, and adult day care. Such teams shall evaluate the level of care required by each eligible person and shall make a finding as to the most appropriate level of care for each individual. No reimbursements for such long-term care services shall be authorized under Title XIX of the Social Security Act until prior approval of such services is granted; provided, that all services provided to persons in long-term care facilities as of July first, nineteen hundred and eighty-three shall continue to be reimbursed; provided that, a person residing in a long-term care facility on July first, nineteen hundred and eighty-three or pursuant to the recommendation of the team, shall not thereafter be terminated from such services without the consent of said person; and provided further that such services furnished to persons who have resided in a long-term care facility for at least nine months before making an application for benefits under Title XIX of the Social Security Act shall not require prior approval. Such teams shall participate in the program of managed health care for elderly persons as provided for in an agreement developed by the departments of public welfare and elder affairs.

SECTION 54. Notwithstanding the provisions of any general or special law to the contrary, the department of public welfare and elder affairs are hereby authorized and directed to submit a waiver request in order to obtain federal reimbursement for homemaker, chore, respite care services and other appropriate services provided by home care corporations contracting with the department of elder affairs. Said departments shall enter into contracts with home care corporations for the provision of services authorized by this section. The departments shall report monthly on the progress of application of federal funds, as authorized in this section, to the house and senate committees on ways and means.

SECTION 55. Subject to the availability of federal financial participation, the department of public welfare shall promulgate regulations for determining Medicaid eligibility under a one month spend-down policy for the populations described below.

The department shall only implement the one month spend-down policy in the area selected for the managed health care pilot program.

(a) severely physically disabled people who are Independent Living Program participants and are able to avoid institutional care through the use of personal care attendants.

(b) individuals classified by the department of public welfare as being in long-term care.

(c) other classifications of individuals as determined by the department of public welfare, who have difficulty becoming eligible for Medicaid under a six month spend-down, and who each month incur predictable and consistently high medical expenses through use of one particular program or service, such as participants of Adult Foster Care, and private duty nursing patients.

(d) other individuals who have been determined by DPW to be at risk of institutionalization, but capable of maintaining themselves in the community with the use of in-home health services or other health support services and who each month incur predictable and consistently high medical expenses.

The department of public welfare shall apply for any waivers from the federal government necessary to implement the provisions of this section.

SECTION 56. The department of elder affairs is hereby authorized and directed to revise the sliding fee system for home care services. Such system shall consist of a graduated fee structure, provided that such system shall be developed to be compatible with the spend-down provisions of the medical assistance program administered by the department of public welfare. Such system shall allow persons whose income exceeds the maximum otherwise allowed to receive home care services at full cost.

The revised plan shall require that the fees be paid as a condition of participation in the home care program; provided, however, that the secretary of elder affairs shall establish a procedure for waiver of such fee in cases of extreme hardship. Said secretary shall also establish procedures to monitor and enforce the provisions of the sliding fee system.

Fifty per cent of all fees collected from the sliding fee system pursuant to this section, in an amount not to exceed two million dollars, shall be credited to the service demonstration account (line item 9110-1640) and may be expended without further appropriation for diversified home care services. The remaining portion of the fees collected from the sliding fee system shall be credited to the General Fund. All fees collected from persons whose income exceeds the maximum otherwise allowed for receipt of home care services shall be retained by the home care corporations.

Said secretary shall submit a plan to implement this section to the house and senate committees on ways and means no later than September first, nineteen hundred and eighty-three.

SECTION 57. The department of public welfare, in consulation with the department of mental health, is hereby authorized and directed to apply to the federal department of health and human services to establish two demonstration projects under Title XIX of the Social Security Act to provide for coverage of psychiatric institutional services for children under the age of twenty-one years of age. Such demonstration shall be established at the William C. Gaebler's Children Center and at one other site

selected jointly by said departments. Said departments shall report on the status of such demonstration project quarterly to the house and senate committees on ways and means.

SECTION 58. Any reduction in work force within the mental health centers and hospitals within the department of mental health shall consist of nondirect care positions and nonpatient positions.

SECTION 59. The commissioner of the department of public health is hereby authorized to establish an inspection crew to be known as the poisoning prevention inspections team to inspect for lead-based paint in day care facilities licensed or registered by the commonwealth and residential properties owned by public housing authorities, and to impose a fixed fee for such inspections, provided that the department shall establish standards for the waiver of such fees upon the showing of need. Notwithstanding any provisions of any special or general law to the contrary, all funds required to implement this section, in an amount not to exceed ten thousand dollars, shall be paid from item 4516-0201 of section two, and all fees charged for such inspections may be expended without further appropriation, subject to the approval of the commissioner of the department of public health and the state comptroller, for the expenses of the poisoning prevention inspections team.

SECTION 60. Notwithstanding the provisions of any general or special law to the contrary, the duties and responsibilities of the water resources commission are hereby transferred into the executive office of environmental affairs, and the secretary of said executive office shall be the chairperson of said commission.

SECTION 61. Notwithstanding the provisions of any general or special law to the contrary, all the duties and responsibilities of the division of waterways except for those functions relating to the licensing and permitting of structures or activities within the tidelands of the commonwealth are hereby transferred to the department of environmental management. The duties and responsibilities so transferred shall include the authority to construct projects and facilities, the authority to dredge the waters of the commonwealth, the ownership and management of the state piers, the ownership and management of certain land, and the dam maintenance and safety program. The functions of the division of waterways relating to licensing and permitting structures or activities within the tidelands of the commonwealth shall remain in the department of environmental quality engineering.

SECTION 62. Notwithstanding the provisions of any general or special law to the contrary, the secretary of the executive office of environmental affairs is hereby authorized to appoint and remove a professional geologist, and the commissioner of environmental management is hereby authorized to appoint and remove a director of the division of waterways; provided, however, that neither position shall be subject to chapter thirty-one or to section nine A of chapter thirty.

SECTION 63. Notwithstanding the provisions of any general or special law to the contrary, the department of environmental quality engineering shall protect the interests of the commonwealth in areas described in section two of chapter ninety-one of the General Laws in issuing any license or permit authorized pursuant to said chapter. The activities of the department of environmental management pursuant to chapter ninety-one shall be subject to the licensing and permitting authority of the department of environmental quality engineering. The department of environmental quality engineering shall protect the interests of the commonwealth in areas described in section ten of chapter ninety-one of the General Laws in issuing any license and permit authorized pursuant to said chapter.

SECTION 64. Each department, office, institution or agency assigned a single subsidiary account entitled "00 Subsidiary Expenditures" shall file a quarterly report to the commissioner of administration,

the budget bureau, the comptroller, the appropriate executive office, if any, and the house and senate committees on ways and means which shall contain a listing of actual expenditures by each subsidiary account for the prior quarter and the year to date and a revised spending plan for the balance of the fiscal year. Each such report shall be filed within thirty days of the close of each quarter. The provisions of this section shall not apply to the office of the governor, the general court and the supreme judicial court. Except as otherwise provided in section thirty-three, each department, office, institution or agency listed in this section shall be subject to the authorization by the house and senate committees on ways and means of personnel schedules as provided in this act. Single subsidiary accounts for "00 Subsidiary Expenditures" will apply to the legislature, the office of the governor, the supreme judicial court, the appeals court, the Lawrence Experimental Station, and the following line-items:

0330-0300
0610-0000
0612-0100
0640-0000
0640-0100
0710-0000
0710-0100
1100-1100
1101-2100
1103-1000
1201-0100
4000-0100
6000-0100
8000-0100
9000-0100
9091-3001
9200-0100
9270-0001
9300-0003

SECTION 65. Notwithstanding the provisions of paragraph (d) of section two D of chapter twenty-nine of the General Laws, any amount in excess of ninety-six million, eight hundred thousand dollars transferred from the State Lottery Fund into the Local Aid Fund in fiscal year nineteen hundred and eighty-four shall not be distributed to the cities and towns in accordance with the provision of clause (c) of section thirty-five of chapter ten of the General Laws.

SECTION 66. In order that the general tax rate and the school tax rate shall be determined on a uniform basis for all cities and towns, each municipality shall furnish information to the commissioner of education on forms developed by said commissioner; provided, however, that such forms shall include such information for the fiscal years nineteen hundred and eighty, nineteen hundred and eighty-one, nineteen hundred and eighty-two and nineteen hundred and eighty-three as in the judgment of said commissioner will add to public understanding of the cost of public education, including but not limited to an accounting of the various revenue sources for funding public education and such other information as is necessary to determine whether specific legislative direction may be needed to assure appropriate local school financing practices; and, provided further, that each municipality shall furnish the information under this section to said commissioner who shall, before June first, nineteen hundred and eighty-four, publish the information for all cities and towns in such form and with such additional data as he shall deem advisable; a copy of such publication shall be placed on file with the clerks of the senate and the house of representatives.

SECTION 67. The comptroller is hereby authorized and directed to make payments, pursuant to section two, on behalf of the office of the secretary of environmental affairs through the consolidated appropriation item numbered 2000-0100; provided that said consolidated appropriation item shall include funds for expenditures formerly provided through individual appropriation items numbered 2000-0100, 2000-0140, 2000-0200, 2030-0100, 2130-0010.

SECTION 68. The comptroller is hereby authorized and directed to make payments, pursuant to section two, on behalf of the department of environmental management through the consolidated appropriation item numbered 2100-0100; provided, however, that said consolidated appropriation item shall include funds for expenditures formerly provided through individual appropriation items numbered 2100-0100, 2120-0100, 2120-1400, 2120-1600, 2130-0100, 2130-0400, 2140-0100, 2270-0100, 2270-0300, 2270-0700, 2270-0900, 2270-0910.

SECTION 69. The comptroller is hereby authorized and directed to make payments, pursuant to section two, on behalf of the department of environmental quality engineering through the consolidated appropriation item numbered 2200-0100; provided, however, that said consolidated appropriation item shall include funds for expenditures formerly provided through individual appropriation items numbered 2130-0600, 2200-0100, 2240-0200, 2240-0400, 2240-0900, 2250-0100, 2250-0150, 2250-0200, 2250-0250, 2250-0350, 2260-0100, 2260-0200, 2270-0200.

SECTION 70. Chapter 10 of the General Laws is hereby amended by striking out section 35B, as appearing in section 294 of chapter 351 of the acts of 1981, and inserting in place thereof the following section:-

Section 35B. There shall be established and set up on the books of the commonwealth a separate fund, to be known as the State Arts Lottery Fund. Said fund shall consist of all revenues received from the sale of arts lottery tickets or shares and all other monies credited or transferred thereto from any other fund or source pursuant to law. As of July first and January first of each year, the comptroller shall determine the net balance in the State Arts Lottery Fund derived from arts lottery revenues for the preceding six months after deductions are made for (1) the amounts paid or incurred for prizes to holders of the winning lottery tickets or shares during such six month period, (2) the expenses of the state lottery commission in administering and operating the lottery for the arts for such six month period, subject to appropriation, as certified by the commissioner of administration, which amount the treasurer shall, as of such July first or January first, transfer to the General Fund, (3) the expenses of administration of the Massachusetts arts lottery council for such six month period, including expenses of members, subject to appropriation, as certified by the commissioner of administration, and which amount the treasurer shall, as of such July first or January first, transfer to the General Fund. Such net balance of any arts lottery revenues for such preceding six month period not already deducted in clauses (1), (2), or (3), if any, shall be allocated and expended as follows: (a) one and one-half million dollars shall be retained in the State Arts Lottery Fund and available for distribution by the Arts Lottery council as hereinafter provided; (b) the amount determined by the comptroller as of July first, of each year not already allocated in clause (a), shall be transferred to the Local Aid Fund. The amounts remaining in the State Arts Lottery Fund, including (i) the amount determined under clause (a) above, (ii) any amounts credited or transferred to the State Arts Lottery Fund and not yet distributed derived from sources other than the sale of arts lottery tickets and (iii) any amount in the State Arts Lottery Fund derived from revenues of the arts lottery conducted earlier than such preceding six month period, shall be distributed to the several cities and towns as provided under the provisions of section thirty-five A and guidelines, rules, rulings or regulations issued by the Massachusetts arts lottery council, and the council may determine the time and amount of the distribution of such funds as the council may deem necessary or desirable to carry out the purposes of section thirty-five A, thirty-five B or thirty-five C of chapter ten;

provided, however, that each eligible city or town shall receive a minimum of five hundred dollars at each distribution.

SECTION 71. Notwithstanding the provisions of any general or special law to the contrary, the commissioner of administration is hereby authorized and directed to establish a system for charging against the appropriation accounts of individual agencies the amount of unemployment insurance benefits paid pursuant to chapter one hundred and fifty-one A to former employees of each agency. Said commissioner shall develop a plan to implement such a system and submit such plan to the house and senate committees on ways and means for approval no later than October first, nineteen hundred and eighty-three.

SECTION 72. All guidelines, rules, rulings or regulations issued by the Massachusetts arts lottery council prior to the effective date of this act interpreting or carrying out the purposes of sections thirty-five A, thirty-five B or thirty-five C of chapter ten shall remain in full force and effect until they are altered, amended, modified or revoked by the Massachusetts arts lottery council, and the arts lottery council may establish, and from time to time issue or revise as necessary, such guidelines, rules, rulings or regulations as the council may deem necessary or desirable to interpret or carry out the purposes of section thirty-five A, thirty-five B or thirty-five C of chapter ten.

SECTION 73. The second paragraph of section 49B of chapter 29 of the General Laws, as appearing in section 2 of chapter 695 of the acts of 1981, is hereby amended by striking out, in line 4, the words "one hundred and fifty" and inserting in place thereof the words:- two hundred.

SECTION 74. Section 19C of chapter 78 of the General Laws is hereby amended by striking out clause (4), as most recently amended by section 278 of chapter 351 of the acts of 1981, and inserting in place thereof the following clause:-

(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 thirty-six and one-tenth cents for each resident in the commonwealth.

SECTION 75. Notwithstanding the provisions of any general or special law to the contrary, certain authorized hospitals within the department of mental health may expend certain revenues without further appropriation, subject to the approval of the commissioner of mental health and the state comptroller, and further subject to the following schedule, for inpatient care. Each hospital shall report the amounts of revenue generated from the collection of charges for services from third party reimbursements and from individuals, by category of payor, and a detailed summary of the expenditures made by each hospital for inpatient care. Such reports shall be filed quarterly with the commissioner of administration and the house and senate committees on ways and means. The authorized hospitals and the authorized amounts to be so expended are as follows: for Danvers State Hospital, revenues in excess of eight hundred thirty-four thousand dollars but not exceeding one million, thirty-four thousand dollars; for Medfield State Hospital, revenues in excess of eight hundred fifty-two thousand dollars but not exceeding one million, fifty-six thousand dollars; for Metropolitan State Hospital, revenues in excess of one million, one hundred and thirty-three thousand dollars but not exceeding one million, four hundred five thousand dollars; for Taunton State Hospital, revenues in excess of three million, forty-eight thousand dollars but not exceeding three million, seven hundred eighty thousand dollars; for Westborough State Hospital, revenues in excess of four million, forty-five thousand dollars but not exceeding five million, sixteen thousand dollars; and for Worcester State Hospital, revenues in excess of one million, two hundred sixty-seven thousand dollars but not exceeding one million, five hundred seventy thousand dollars.

SECTION 76. Notwithstanding the provisions of any general or special law to the contrary, certain authorized hospitals within the department of public health may expend certain revenues without further appropriation, subject to the approval of the commissioner of public health and the state comptroller, and further subject to the following schedule, for inpatient care. Each hospital shall report the amounts of revenue generated from the collection of charges for services from third party reimbursements and from individuals, by category of payor, and a detailed summary of the expenditures made by each hospital for inpatient care. Such reports shall be filed quarterly with the commissioner of administration and the house and senate committees on ways and means. The authorized hospitals and the authorized amounts of revenues to be so expended are as follows: for Lakeville Hospital, revenues in excess of four million, eight hundred forty thousand dollars but not exceeding six million dollars; for Lemuel Shattuck Hospital, revenues in excess of six million, eight hundred ninety-eight thousand dollars but not exceeding eight million, five hundred fifty thousand dollars; for Rutland Hospital, revenues exceeding three million, five hundred twenty-seven thousand dollars but not exceeding four million, three hundred seventy-two thousand dollars; for Tewksbury Hospital, revenues in excess of thirteen million, three hundred ninety-four thousand dollars but not exceeding sixteen million, six hundred thousand dollars; and for Western Massachusetts Hospital, revenues in excess of three million, seven hundred forty-four thousand dollars but not exceeding four million, six hundred forty thousand dollars.

SECTION 77. Chapter 32 of the General Laws is hereby amended by inserting after section 22 the following section:-

Section 22A. Notwithstanding the provisions of section twenty-two to the contrary, the term "regular interest", for the purposes of crediting earnings of the state employees' and teachers' retirement systems, shall mean the rate of the investment earnings of each of such systems. The rate of investment earnings shall be calculated to the nearest tenth of one per cent and shall be obtained from the ratio which the total income of each system during any calendar year bears to the mean of the total ledger assets of each system at the beginning and the end of such year. Notwithstanding the provisions of section twenty-two to the contrary, any balance remaining after the transfers required by paragraph (a) of subdivision (6) of section twenty-two, except for transfers required by clause (iii) of said paragraph (a), have taken place, shall be transferred to the pension reserve fund for said retirement systems. This provision shall apply to said retirement systems for calendar years beginning after December thirty-first, nineteen hundred and eighty-three, provided, however, that no amount greater than thirty-five million dollars in excess earnings in the state employees' retirement system and no amount greater than twenty-six million dollars in excess earnings in the teachers' retirement system may be used to defray the pension costs for said system during the state fiscal year ending June thirtieth, nineteen hundred and eighty-four. For purposes of this section, "excess earnings" shall mean any monies transferred from the investment income account to the pension fund of said system pursuant to said clause (iii) either in the state fiscal year ending on June thirtieth, nineteen hundred and eighty-four or in any previous fiscal year. The treasurer is hereby authorized and directed to transfer any excess earnings in addition to said amounts to the Pension Reserve Fund for said retirement systems.

SECTION 78. Notwithstanding the provisions of any general or special laws to the contrary, the commissioner of administration is hereby authorized during fiscal year nineteen hundred and eighty-four to incur liabilities and incidental expenses for the purchase of telecommunications services in an amount not to exceed three million, five hundred thousand dollars and is further authorized during said fiscal year to charge to other items of appropriation such costs as necessary to fairly allocate the costs of certain telecommunications services that are centrally billed to the commonwealth. Amounts received from charges made against other items of appropriation shall be credited to a telecommunications account to be established by the comptroller. Said comptroller, with the approval of the commissioner of administration, may certify for payment such incidental expenses and liabilities incurred by the commissioner on behalf of state agencies for certain telecommunications services.

SECTION 79. On or before November first of nineteen hundred and eighty-three, February first of nineteen hundred and eighty-four and May first of nineteen hundred and eighty-four, the governor shall file with the clerks of the house of representatives and senate a report detailing the preceding quarter and fiscal year to date tax and departmental revenue collections by source, relative to the fiscal year nineteen hundred and eighty-four tax estimates revised by the governor on May eighteenth, nineteen hundred and eighty-three, and as modified by chapter two hundred and thirty-three of the acts of nineteen hundred and eighty-three, and the fiscal year nineteen hundred and eighty-four departmental revenue estimate of five hundred and fifty-nine million dollars. The report shall also contain the fiscal year to date collection of federal reimbursements relative to the federal reimbursement estimate of August fifteenth, nineteen hundred and eighty-three made in accordance with section five B of chapter twenty-nine of the General Laws and hereinafter referred to as the August fifteenth estimate.

Tax revenue shall be the net taxes collected for budgetary purposes as reported by the commissioner of revenue in the "monthly report of collections and refunds", so-called.

Departmental revenues shall include all budgetary revenues classified as fees, fines, penalties, gifts, contributions, interest income, reimbursements for services, license and permit charges, rents, sales, special assessments, unclaimed funds and miscellaneous revenues as reported by the comptroller for all non-restricted revenues from the General Fund, Highway Fund, Local Aid Fund and Inland Fisheries and Game Fund, hereinafter referred to as the state operating funds.

If the report due on November first, nineteen hundred and eighty-three, contains total revenues of less than the sum of one billion two hundred and eighty-five million dollars and eighteen and seven-tenths per cent of said August fifteenth estimate, or if the report due on February first, nineteen hundred and eighty-four, contains total revenues of less the sum of two billion seven hundred and thirty-four million dollars and forty-four per cent of said August fifteenth estimate, or if the report due on May first, nineteen hundred and eighty-four, contains total revenues of less than the sum of four billion two hundred and thirty million dollars and seventy and seven-tenths per cent of said August fifteenth estimate, the governor shall file a notification within five calendar days with the clerks of the house of representatives and the senate.

If any two consecutive reports contain a notification of a revenue shortfall, as required by this section, the governor shall, within ten calendar days after filing such second notification, file with the clerks of the house of representatives and senate a message recommending reductions in expenditures, revisions in the state tax laws or alternative revenue proposals in order to increase the amount of revenue in fiscal year nineteen hundred and eighty-four. The reduction in expenditures, revisions of tax laws or alternative revenue proposals recommended in the message shall compensate for the difference on an annualized basis between actual revenues reported for the state operating funds and the sum of five billion nine hundred and eighty-seven million dollars and one hundred per cent of said August fifteenth estimate. If no tax program is enacted or alternative revenue proposal implemented within thirty days following the submission of a message recommending such actions, the governor shall file with the clerks of the house of representatives and the senate a message recommending reductions in the operating budget for fiscal year nineteen hundred and eighty-four.

SECTION 80. Notwithstanding the provisions of any general or special law to the contrary, the metropolitan water district is hereby authorized and directed, on or before November first, nineteen hundred and eighty-three, to make payments in lieu of taxes to the towns of Belchertown, Hardwick, New Salem, Pelham, Petersham, and Ware for watershed lands of the Quabbin Reservation which were included in the former towns of Dana, Greenwich, Enfield, and Prescott. Said payments in lieu of taxes by the metropolitan water district shall be made only on lands which are above the high water mark of the Quabbin Reservoir, and shall be prorated according to the percentage of the total acreage in question that is held by each community; provided, however, that the sum of said payments shall not exceed fifty thousand dollars.

SECTION 81. The fourth paragraph of section 291 of chapter 351 of the acts of 1981 is hereby amended by striking out the second sentence, as amended by section 4 of chapter 191 of the acts of 1982, and inserting in place thereof the following sentence:- Said commission shall file with the clerk of the senate no later than the first Wednesday of December, nineteen hundred and eighty-two, an interim report containing the recommendations and results of its investigation and study and by filing a final report containing the results of its investigation and study and recommendations, if any, of proposed legislation deemed necessary to carry its recommendations into effect by December thirty-first, nineteen hundred and eighty-three.

SECTION 82. The department of public health shall not discontinue any inpatient program or service in place as of July first, nineteen hundred and eighty-two at the Rutland Hospital.

SECTION 82A. There is hereby established a special commission, to consist of three members of the senate, five members of the house of representatives, and seven persons to be appointed by the governor, for the purpose of making an investigation and study relative to all state, local, special district and county taxation within the commonwealth in order to develop a tax reform program for 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 such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of January, nineteen hundred and eighty-five.

SECTION 83. Section six of this act shall take effect as of June thirtieth, nineteen hundred and eighty-three. All other sections of this act shall take effect as of July first, nineteen hundred and eighty-three.

This Bill was returned July 15, 1983 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 22 & 53.

The remainder of this bill was approved by the Governor July 15, 1983.

Chap. 290. AN ACT AUTHORIZING RUSSELL P. MIKE TO TAKE A CIVIL SERVICE EXAMINATION FOR POLICE OFFICER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize Russell P. Mike to take a civil service examination for police officer, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any law or rule to the contrary regulating the maximum age of applicants for appointment as a police officer, Russell P. Mike of the town of Norwood shall be eligible to take the next open competitive examination for police officer and provided he meets all other requirements, shall be eligible for certification and appointment as a police officer.

Approved July 18, 1983.

Chap. 291. AN ACT REQUIRING LIFE INSURANCE COMPANIES TO PAY INTEREST ON CERTAIN PROCEEDS OF LIFE INSURANCE POLICIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 175 of the General Laws is hereby amended by inserting after section 119B the following section:-

Section 119C. Upon the death of an insured, the proceeds payable under any policy of individual life insurance which is in force on the date of death shall include the payment of interest at the rate for proceeds left on deposit with the insurer beginning thirty days after receipt by the insurer of proof of the insured's death. In the event the insurer does not pay interest on proceeds left on deposit with the insurer, the rate of interest shall be six per cent. If the beneficiary brings an action to enforce such payments and prevails, the court shall award interest in accordance with the provisions of section six C of chapter two hundred and thirty-one, in lieu of any interest payment contained in this section.

SECTION 2. The provisions of section one hundred and nineteen C of chapter one hundred and seventy-five of the General Laws, inserted by section one of this act, shall apply to policies delivered or issued for delivery on or after the effective date of this act.

Approved July 18, 1983.

Chap. 292. AN ACT FURTHER REGULATING INJUNCTIVE RELIEF FOR MISAPPROPRIATION OF CERTAIN TRADE SECRETS.

Be it enacted, etc., as follows:

Section 42A of chapter 93 of the General Laws is hereby amended by adding the following paragraph:-

In an action by an employer against a former employee under the provisions of this section for the conversion of a trade secret and where such conversion is in violation of the terms of a written employment agreement between said employer and employee, said employer shall, upon petition, be granted a preliminary injunction if it is shown that said employee is working in a directly competitive capacity with his former employer in violation of the terms of such agreement and that in violation of the terms of such agreement said employee has used such trade secret in such competition.

Approved July 18, 1983.

Chap. 293. AN ACT RELATIVE TO THE VACCINATIONS OF CERTAIN FARM ANIMALS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 129 of the General Laws is hereby amended by inserting after section 14D the following section:-

Section 14E. All breeding swine imported into the commonwealth shall enter directly from a qualified-free herd, as indicated by a health certificate, and shall be negative to a serum neutralization test for pseudorabies conducted within thirty days prior to entry. Said entering swine shall be kept in isolation upon entry and be retested for pseudorabies between thirty and sixty days post entry. Feeder or slaughter swine entering the commonwealth shall originate from such qualified-free herd and shall be held at first destination until consigned to slaughter. If first destination is the premise of a licensed swine dealer, said feeder swine may be resold for feeding and slaughter only upon individual identification and permit from the division of animal health. No swine shall be transported into the commonwealth if such swine had previously been pseudorabies vaccinated.

SECTION 2. Section 36B of said chapter 129 is hereby amended by striking out the first sentence, as amended by section 1 of chapter 485 of the acts of 1978, and inserting in place thereof

the following sentence:- The director shall cause all female calves to be vaccinated against brucellosis, commonly known as bangs disease, when they are from the ages of four to eight months, inclusive.

SECTION 3. Section 36D of said chapter 129, as most recently amended by section 2 of said chapter 485, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:- Vaccinated animals eighteen months of age and under may be imported into the commonwealth without such blood test if accompanied by a certificate stating the animals have been vaccinated between the ages of four to eight months, inclusive, by a veterinarian duly licensed by the state of origin of said animals.

SECTION 4. Said chapter 129 is hereby further amended by striking out section 36E, as most recently amended by chapter 59 of the acts of 1981, and inserting in place thereof the following section:-

Section 36E. Subject to rules promulgated by the commissioner of food and agriculture, the director may prohibit the importation of female cattle, for breeding purposes, over five months of age without an official certificate of vaccination stating such female cattle have been vaccinated for brucellosis from the ages of four to eight months, inclusive.

Approved July 18, 1983.

Chap. 294. AN ACT AUTHORIZING THE NAUSET REGIONAL SCHOOL DISTRICT TO MAKE APPROPRIATIONS FOR THE PAYMENT OF ADMINISTRATIVE COSTS OF THE UNION 54 SCHOOL DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the Nauset Regional School District committee may include in its annual operating budget such administration costs for which expenditures would otherwise be prorated and paid by the member towns in the Union 54 School District.

SECTION 2. The treasurer of the Nauset Regional School District is hereby authorized to pay the liabilities incurred under the provisions of section one. After such payment, said treasurer shall bill each member town of the Union 54 School District for its pro-rata share. Such reimbursements received by said

treasurer from such member towns shall be credited to the estimated receipts account.

SECTION 3. Any action taken pursuant to the provisions of this act is hereby ratified, validated and confirmed as if this act were in effect on January first, nineteen hundred and seventy-four.

Approved July 18, 1983.

Chap. 295. AN ACT RELATIVE TO THE BILLING PROCEDURE OF HEALTH CARE FACILITIES.

Be it enacted, etc., as follows:

The fifth paragraph of section 70E of chapter 111 of the General Laws, as appearing in chapter 214 of the acts of 1979, is hereby amended by striking out clause (m) and inserting in place thereof the following clause:-

(m) upon request to receive a copy of an itemized bill or other statement of charges submitted to any third party by the facility for care of the patient or resident and to have a copy of said itemized bill or statement sent to the attending physician of the patient or resident.

Approved July 18, 1983.

Chap. 296. AN ACT RELATIVE TO THE TRANSPORTATION DEVELOPMENT AND IMPROVEMENT PROGRAM FOR THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Clause (a) of section 16 of chapter 732 of the acts of 1981 is hereby amended by striking out, in line 1, the word "ninety-eight" and inserting in place thereof the word:- eighty-three.

SECTION 2. Clause (b) of said section 16 of said chapter 732 is hereby amended by striking out, in line 1, the word "twenty-five" and inserting in place thereof the word:- forty.

Approved July 19, 1983.

EMERGENCY LETTER - July 19, 1983. @ 3:05 P.M.

Chap. 297. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THE THIRTIETH, NINETEEN HUNDRED AND EIGHTY-THREE TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS AND FOR CERTAIN NEW ACTIVITIES AND PROJECTS.

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. 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 one hundred and ninety-one of the acts of nineteen hundred and eighty-two, for the fiscal year ending June thirtieth, nineteen hundred and eighty-three 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		
0185-7825	For an investigation and study by a special committee relative to improving present voter registration methods, participation in the political process, and mail registration methods in Massachusetts established by section eighteen of this act, appropriation to expire on June thirtieth, nineteen hundred and eighty-four	$ 100,000
0185-7826	For a special committee of the senate to oversee the administration of efforts to advance foreign trade with the various underdeveloped countries, established by section twenty-one of this act, appropriation to expire on June thirtieth, nineteen hundred and eighty-four	75,000
0185-7827	To provide for an investigation and study relative to the needs of the hispanic population in the commonwealth by a special commission established by section twenty of this act, appropriation to expire on June thirtieth, nineteen hundred and eighty-four	100,000
	Executive.	
	Civil Defense.	
0432-0002	For the service of the Civil Defense Agency non-matching fund agency	875
	Secretary of the Commonwealth.	
0518-0000	For the purchase and distribution of certain Journals of the House of Representatives	1,500
0521-0000	For preparing, printing and distribution of ballots and other miscellaneous expenses for primary and other elections	3,009
	Treasurer and Receiver General.	
0611-0000	Indigent Court Costs	50,000

0611-5000 Compensation to victims of violent crime ..... $ 100,000

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 40,876

State Recreation Areas 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 119,117

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 119,117

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 39,615

MDC Parks District Fund 100.0%

0699-6800 For the payment of interest on certain bonded debt of the commonwealth; provided, that any deficit existing in this item at the close of this fiscal year shall be charged to the Highway Fund debt service reserve 1,497,936

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 6,127

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 6,773,721

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 244,322

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.
DEPARTMENT OF REVENUE.

Bureau of Local Taxation.

1233-3100 For reimbursing certain cities and towns for fifty percent of career incentive salary increases for police officers ..... $ 774,375

Local Aid Fund 100.0%

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 10,353

1599-2038 For the payment of deficiencies in certain appropriations for previous years based upon schedules approved by the house and senate 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 thereof, provided, however, that this appropriation shall expire on June thirtieth, nineteen hundred and eighty-four 2,500,000

1599-3348 For a donation to the United States of America, acting by and through the administrator of the general services administration, to finance improvements on the site for the John Fitzgerald Kennedy Library and approaches thereto, in accordance with section six of chapter two hundred and ninety-eight of the acts of nineteen hundred and seventy-six 2,000,000

John Fitzgerald Kennedy Library and Park Fund 100.0%

1599-3360 For the reimbursement by the State Treasurer to the Westinghouse Electric Corporation, Sturtevant Division, pursuant to the provisions of section seven of chapter one hundred and fifty-two of the General Laws as amended..... 2,392

1599-3361 For the reimbursement by the State Treasurer to the Eastern Casualty Insurance Company pursuant to the provisions of section seven of chapter one hundred and fifty-two of the General Laws as amended 11,493

1599-3362 For the reimbursement by the State Treasurer to the Underwriters Insurance Company pursuant to the provisions of section seven of chapter one hundred and fifty-two of the General Laws as amended 10,908

1599-3363 For the payment of a certain court judgement entered in Worcester Superior Court docket number 11553 17,500

1599-3364	For the payment of a certain court judgement entered in the United States District Court docket number 74.2463.MA	$ 10,583
1599-3365	For the payment of a certain court judgement entered in the Supreme Judicial Court docket number 78-32	2,600
1599-3366	For the payment of a certain court judgement entered in Suffolk Superior Court docket number 24271	50,000
1599-3367	For the payment of a certain court judgement entered in Suffolk Superior Court docket number 58160	2,500
1599-3368	For the payment of the balance of a certain court judgement entered in the United States District Court docket number 72-3060-F	6,399
1599-3369	For the payment of a certain court judgement entered in the First Circuit Court of Appeals docket number 81-1636	1,755
1599-3370	For the payment of a certain court judgement entered in Suffolk Superior Court docket number 86849	38,097
1599-3371	For the payment of a certain court judgement entered in Suffolk Superior Court docket number 55953	1,760
1599-3372	For the payment of a certain court judgement entered in Suffolk Superior Court docket number 55854	1,249
1599-3373	For the payment of a certain court judgement entered in the First Circuit Court of Appeals case number 81-CET-305	2,677
1599-3374	For the reimbursement by the State Treasurer to the American Insurance Company pursuant to the provisions of section seven of chapter one hundred and fifty-two of the General Laws as amended	13,130
1599-3375	For reimbursement by the State Treasurer to the New York Mutual Insurance Company pursuant to the provisions of section seven of chapter one hundred and fifty-two of the General Laws as amended	1,245
1599-3376	For the payment under General Laws chapter twelve section three by the State Treasurer to indemnify a Civil Servant against whom a judgement has been rendered in Superior Court document number 55583	9,441
1599-3377	For the payment under General Laws chapter twelve, section three by the State Treasurer to indemnify a civil servant against whom a judgement has been rendered in Superior Court document number 4043	10,446
1599-3378	For the payment of a certain court judgement entered in the United States District Court document number 81-1662-T	16,973

1599-3381	For the payment of a certain judgement entered in Suffolk Superior Court docket number 40506	$ 5,366
1599-3385	For the payment of a certain court judgement entered in U.S. District Court, docket number 77-1295-MA	7,055
1599-3386	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 appropriations, for the fiscal year nineteen hundred and eighty-two, such amounts as are necessary to meet the costs of such appeal decisions for the fiscal year nineteen hundred and eighty-two 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 appropriation to expire June thirtieth, nineteen hundred and eighty-four	875,000
1599-3391	For the payment of a certain court judgement entered in Bristol Superior Court civil action number 9322-9322A	750,000
1599-3392	For a reserve for salary adjustments, including prior years, pursuant to chapter one hundred and fifty-one of the acts of nineteen hundred and eighty-three; provided further however, that the commissioner of administration is hereby authorized to transfer from the sum appropriated to other items of appropriation such amounts as are necessary to meet the cost of said salary adjustments where the amounts otherwise available are insufficient for the purpose; provided further that this appropriation shall expire June thirtieth, nineteen hundred and eighty-four	565,000
1599-3393	For the payment of a certain court judgement entered in Bristol Superior Court docket number 4687	3,370
1599-3394	For the payment of a certain court judgement entered in Suffolk Superior Court docket number 624014	894,450
1599-3395	For the payment of a certain court judgement entered in Suffolk Superior Court docket number 629331	145,885

Executive Office of Environmental Affairs.

2120-0300	For the administration of the bureau of recreation, and for the operation of facilities under the management of the bureau of recreation including forests	

and parks, certain reservations, salt water beaches, and skating rinks and swimming pools; provided, however, that any positions assigned to skating rinks and swimming pools, including the positions 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; provided, further, that not less than four positions shall be assigned to the Blackstone river state park; provided further, that a sum not exceeding ten thousand dollars shall be used for snow fencing and plant material at Salisbury beach; provided further, that an amount not exceeding sixty thousand dollars shall be used to purchase materials for construction of a boathouse for the Lawrence community boating program, including not more than one hundred and sixty permanent positions. Appropriation to expire June thirtieth, nineteen hundred and eighty-four .. $ 50,000

State Recreation Areas Fund 100.0%

Bureau of Environmental Sanitation.

2250-0100 For the administration of the bureau, including not more than forty-seven permanent position 13,000

2250-0903 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 purposes, provided that an amount not to exceed eighteen thousand dollars shall be used for weed control and cleanup at Hoosac Lake in the town of Cheshire. Appropriation to expire on June thirtieth, nineteen hundred and eighty-four 18,000

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, provided that no water shall be diverted from the Connecticut and Sudbury Rivers by the metropolitan district commission except if there is a water emergency as declared by the department of environmental quality engineering pursuant to section forty of chapter forty of the General Laws 82,299

MDC Water District Fund 100.0%

Metropolitan Parks District.

2440-0010 For the administration of the metropolitan district commission parks and recreation division, division of central services and division of highways; for maintenance of parks, reservations and the Charles river basin, for the maintenance of boulevards, parkways, locks, bridges and dams, and for the maintenance of vehicles and metropolitan district commission parks district garages and the purchase of supplies and equipment; including

not more than six hundred and fifteen permanent positions; provided that the metropolitan district commission shall annually pay a reasonable fee to the town of Hull for the use of its sewerage treatment plant; 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 a structure does not adversely effect the use or enjoyment of such premises by the public. Appropriation to expire June thirtieth, nineteen hundred and eighty-four ..... $ 150,000

Highway Fund 67.0%
MDC Parks District Fund 33.0%

Metropolitan Parks District.

2440-0024 Item 2440-0024 of section two of chapter one hundred and ninety-one of the acts of nineteen hundred and eighty-two is hereby amended by adding at the end thereof the following:-;

MDC Parks District Fund 100.0%

Lower Mystic Lakes.

2440-8838 For removal, treatment and disposal of salt water and toxic hydrogen sulfide to restore the Lower Mystic Lake to a fresh water lake, to be in addition to item 2440-8797 in chapter five hundred and thirteen in the acts of nineteen hundred and seventy-eight 350,000

MDC Parks District Fund 100.0%

EXECUTIVE OFFICE OF HUMAN SERVICES.

Department of Youth Services.

4202-0025 For payment of certain contracted services rendered the Department of Youth Services by the YMCA Service Corporation during the period September first, nineteen hundred and seventy-nine to August thirty-first, nineteen hundred and eighty; provided that such payment shall be made only for such services as have been documented by the YMCA Service Corporation to the Comptroller; provided further, that this appropriation shall expire on June thirtieth, nineteen hundred and eighty-four 116,595

Department of Correction.

4311-0004 Item 4311-0004 of section two of chapter one hundred and ninety-one of the acts of nineteen hundred and eighty-two is hereby amended by adding at the end thereof the following:- ; and provided, that notwithstanding

the provisions of section twenty-nine A of chapter twenty-nine of the General Laws or other provisions of the law to the contrary certain contracted medical services rendered during fiscal year nineteen hundred and eighty-three in an amount not to exceed sixty-nine thousand two hundred and forty-seven dollars for which approval had not been given shall be allowed and paid from this item.

4311-8811 Item 4311-8811 of section two of chapter five hundred and seventy-eight of the acts of nineteen hundred and eighty is hereby amended by inserting, after the word "department" in line three, the words:- and for any studies purchase, and installation of radio communications equipment in and for the various vehicles and institutions throughout the department, including repeater base stations strategically located throughout the state.

Department of Public Welfare.

4400-1000 Item 4400-1000 of section two of chapter one hundred and ninety-one of the acts of nineteen hundred and eighty-two is hereby amended by adding at the end thereof the following:- ; and provided further, that notwithstanding the provisions of section twenty-nine A of chapter twenty-nine of the General Laws or other provisions of law to the contrary certain contractual services rendered during the period July first, nineteen hundred and eighty-two through June sixteenth, nineteen hundred and eighty-three in an amount not to exceed two hundred five thousand five hundred forty-five dollars and fifty-one cents for which prior approval had not been given shall be allowed and paid from this item.

4400-1004 Item 4400-1004 of section two of chapter one hundred and ninety-one of the acts of nineteen hundred and eighty-two is hereby amended by adding at the end thereof the following:- ; and provided further, that notwithstanding the provisions of section twenty-nine A of chapter twenty-nine of the General Laws or other provisions of law to the contrary certain contractual services rendered during the period October first, nineteen hundred and eighty-two through June thirtieth, nineteen hundred and eighty-three in an amount not to exceed sixteen thousand nine hundred eighty-nine dollars for which prior approval had not been given shall be allowed and paid from this item.

Department of Public Health.

4512-0100 Item 4512-0100 of section two of chapter one hundred and ninety-one of the acts of nineteen hundred and eighty-two is hereby amended by striking out the wording "five hundred thousand dollars" and inserting in place thereof the following, "three hundred thousand dollars".

4532-0001 Item 4532-0001 of section two of chapter one hundred and ninety-one of the acts of nineteen hundred and eighty-two 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, an amount

not to exceed seventy-two thousand three hundred and ninety-seven dollars shall be allowed and paid from this item for consultant services rendered during the period March twelfth, nineteen hundred and eighty-three to June thirtieth, nineteen hundred and eighty-three.

4536-0002 For the purchase of one autoclave for use at Tewksbury Hospital, provided that this appropriation shall expire June thirtieth, nineteen hundred and eighty-four ..... $ 54,000

Department of Social Services.
Region I.

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 72,419

Region II.

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 14,965

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 66,933

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 ..... $ 132,281

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 57,217

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 credit 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 160,475

Region V.

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 268,797

Region VI.

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 ..... $ 16,606

Department of Mental Health.
Region Two.

5245-0000 For the administration of region two, including not more than three hundred and fifty-seven permanent positions 25,460

5283-0100 Item 5283-0100 of section two of chapter one hundred and ninety-one of the acts of nineteen hundred and eighty-two is hereby amended by adding at the end thereof the following:- ; provided, that notwithstanding the provision of section twenty-nine A of chapter twenty-nine of the General Laws certain contractual services rendered during the fiscal year nineteen hundred and eighty-three an amount not to exceed three thousand six hundred and seventy-five dollars for which prior approval had not been given shall be allowed and paid from this item.

Region Three.

5346-0000 Item 5346-0000 of section two of chapter one hundred and ninety-one of the acts of nineteen hundred and eighty-two is hereby amended by adding at the end thereof the following:- ; provided that, notwithstanding the provisions of said section twenty-nine A of said chapter twenty-nine or any other provision of the law to the contrary, a payment in the amount of ten thousand dollars to MHO Associates, contract ID# 39018, account # 5346-0000 for services rendered from July 1, 1982 to Oct. 13, 1982; and also a payment in the amount of four thousand eight hundred thirty-three dollars to J & S Exterminating Company Contract ID #39005 Account Number 5346-0100 for services rendered from July first, nineteen hundred eighty-two to October twenty-fifth, nineteen hundred eighty-two, shall be allowed and paid from the aforementioned account number's current year appropriation.

Region Six.

5654-0100 For the maintenance of the Tufts mental health center including not more than one hundred and eighty-two permanent positions 32,712

DEPARTMENT OF PUBLIC WORKS.

Highway Activities.
Personal Services.

6010-0001 For personal services of the department, except for services provided for in item 6020-1900; 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 one hundred and seventy-four permanent positions. Appropriation to expire June thirtieth, nineteen hundred and eighty-four ..... $ 50,000

Highway Fund 100.0%

EDUCATION.

Compact for Education.

7000-0751 For the commonwealth's share of the cost of the compact for education 3,000

Division of School Facilities.

7061-0015 For the reimbursement of cities and towns for the transportation of certain mentally retarded residents to day programs, pursuant to sections twenty-seven and twenty-eight of chapter nineteen of the General Laws; provided, however, that the department shall conduct an audit of all claims and monies received by each city and town participating in said program; provided, further, that a status report of such audit shall be submitted on a quarterly basis to the house and senate committees on ways and means 2,200,000

Local Aid Fund 100.0%

BOARD OF REGENTS.

University of Lowell.

7220-0007 For the repair and renovation of the Tully Forum at the University of Lowell, appropriation to expire June thirtieth, nineteen hundred and eighty-four .. 500,000

University of Massachusetts.

7410-0305 For the expenses of the Goessman laboratory project located at the University of Massachusetts at Amherst, including storage and relocation costs; provided that this appropriation shall not expire until June thirtieth, nineteen hundred and eighty-four 350,000

EXECUTIVE OFFICE OF MANPOWER AFFAIRS.

Department of Commerce and Development.

9091-0303 For the promotion of tourism including grants and other costs for the development of tall masted ships and festivals featuring such ships;

provided, that no funds shall be used for the maintenance and administration of the department; provided further, that this appropriation shall expire on June thirtieth, nineteen hundred and eight-four..... $ 200,000

SECTION 2A. For the purpose of making available for expenditure in the fiscal year nineteen hundred and eighty-four certain balances of appropriations which otherwise would revert on June thirtieth, nineteen hundred and eighty-three; the unexpended balances of the items shown below are hereby reappropriated for the fiscal year nineteen hundred and eighty-four.

0121-9000
0185-7820
0330-0300
0330-1000
0330-2100
0330-2200
0330-2300
0330-2600
0331-0600
0331-3310
0612-0100
0640-0000
1100-8754
1100-8757
1100-8758
1100-8759
1102-3901
1102-3915
1102-8751
1599-2025
1599-2036
1599-2037
1599-2043
1599-2095
1599-2105
1599-3192
1599-3218
1599-3223
1599-3266
1599-3269
1599-3270
1599-3275
1599-3276
1599-3277
1599-3279
1599-3303
1599-3311
1599-3313

1599-3346
1599-3350
1599-3387
1599-3500
2120-0800
2120-0902
2120-1700
2120-8798
2121-8791
2140-0150
2200-0300
2250-0900
2270-0150
2270-0521
2270-0522
2270-0523
2270-0524
2270-0525
2270-0526
2270-0991
2270-0992
2270-8771
2270-8772
2270-8773
2270-8774
2270-8775
2270-8791
2270-9002
2310-0310
2320-8812
2330-0510
2410-9061
2410-9670
2420-0200
2420-0215
2420-8805
2429-7090
2429-7091
2429-7140
2429-7150
2429-8751
2439-7250
2439-7270
2439-7296
2439-7340
2439-8751
2439-8760
2440-0015
2440-0021

2440-0215
2440-8772
2440-8773
2440-8776
2440-8778
2440-8782
2440-8784
2440-8786
2440-8787
2440-8791
2440-8796
2440-8797
2440-8812
2448-8751
2449-7260
2449-7350
2449-7395
2449-8754
2449-8755
2450-1401
2685-9011
3722-9010
3722-9103
4110-3015
4180-8785
4314-9003
4316-8791
4316-8792
4316-8795
4531-8791
5011-8771
5011-8772
5011-8781
5011-8791
5294-8772
5381-8781
5491-8721
6000-3100
6000-3500
6000-3510
6000-3520
6000-3530
6000-3540
6004-8726
6004-8752
6004-8756
6005-0018
6005-0027
6020-2503

6020-2504
6020-2914
6032-2021
6032-4030
6032-4037
6032-4038
6032-7000
6032-8611
6032-8671
6034-0001
6034-0012
6034-0015
6034-0016
7220-0007
7410-8772
7416-2002
7452-0200
7503-8751
8312-8791
9000-0101

SECTION 2B. For the purposes of making available for expenditure in the fiscal year nineteen hundred and eighty-four certain balances of appropriations which otherwise would revert on June thirtieth, nineteen hundred and eighty-three, the unexpended balances of the items shown below are hereby reappropriated for the fiscal year nineteen hundred and eighty-four, provided that the unexpended balances in any other items of appropriation included by reference in the accounts listed below are not reappropriated.

1100-9510
1102-8771
1102-8774
1102-8777
1102-8791
1102-8792
1102-8797
2120-8774
2120-8775
2120-8777
2120-8781
2120-8782
2120-8791
2120-8794
2120-8797
2121-8791
2121-8792
2130-8771
2250-1001
2250-1010
2260-0200
2429-8752

2430-8791
2440-8792
2440-8793
2440-8794
2440-8795
2440-8798
2511-8801
2611-8751
2630-9060
2681-8751
2681-9029
4224-8781
4224-8791
4313-8751
4313-9002
4314-8771
4315-8791
4315-8792
4316-8794
4532-8791
4532-8792
4533-8772
4533-8791
4535-8791
4537-8791
4537-8792
5163-8741
5164-8741
5181-8741
5181-8781
5191-8741
5293-8791
5293-8792
5294-8781
5361-8791
5391-8771
5561-8721
5593-8781
5766-8741
6059-0000
7108-8692
7108-8781
7109-8791
7110-8723
7113-7791
7113-8712
7114-8693
7114-8721
7114-8754

7114-8791
7114-8802
7116-8751
7117-8771
7117-8781
7117-8791
7310-8783
7310-8785
7310-8791
7410-8774
7410-8781
7410-8782
7410-8783
7410-8784
7410-8791
7410-8801
7416-8772
7490-8702
7490-8706
7490-8721
7490-8722
7490-8751
7490-8753
7503-8791
7504-8701
7506-8711
7506-8721
7506-8722
7506-8771
7507-8771
7507-8791
7509-8721
7510-8791
7512-8751
7514-8751
7515-8711

SECTION 3. The unexpended balance of item 1102-9792 except the amount allocated to account 1102-9796, is hereby reappropriated for the fiscal year nineteen hundred and eighty-four.

SECTION 4. The unexpended balances of item 1599-2028 and 1599-2050 and any sums transferred from said items are hereby reappropriated for the fiscal year nineteen hundred and eighty-four.

SECTION 5. Notwithstanding the provisions of section seventeen B of chapter ten of the General Laws or any general or special law to the contrary, the Department of Youth Services is hereby authorized to expend during *fiscal year nineteen* hundred and eighty-four for the purpose of providing bonds in the amount of one hundred dollars to deserving youths such sums in item 4202-0605, which are credited as *interest on* the Mary Dorothea Devereaux Character Award Bond Trust, the principle of which is credited to item 4202-0604.

SECTION 6. Section twelve of chapter one hundred and ninety-one of the acts of nineteen hundred and eighty-two is hereby amended by inserting at the end thereof the following wording: appropriation expires June thirtieth, nineteen hundred and eighty-four.

SECTION 7. Section thirty of chapter one hundred and ninety-one of the acts of nineteen hundred and eighty-two is hereby amended by inserting at the end thereof the following wording: appropriation expires June thirtieth, nineteen hundred and eighty-four.

SECTION 8. As of June thirtieth, nineteen hundred and eighty-three the comptroller shall transfer from the General Fund to the Local Aid Fund the amount of the Local Aid deficit for the fiscal year nineteen hundred and eighty-three.

SECTION 8A. Notwithstanding the provisions of section twenty-nine A of chapter twenty-nine of the General Laws or of any other special or general law to the contrary, the comptroller is hereby authorized to make payments for certain contracted services rendered in fiscal year nineteen hundred and eighty-three for which certain regulations and procedures adopted under the authority of said section twenty-nine A or any other such special or general law were not properly followed; provided, further, that the secretary of the executive office overseeing the agency which was a party to such a contract shall certify in writing that such services were actually performed; provided, further, that such payments shall be based on schedules approved by the house and senate committees on ways and means; provided, that sufficient funds for such payments existed within the appropriate line-item accounts as of June thirtieth, nineteen hundred and eighty-three and that such amounts were encumbered for the purpose of making said payments by such agencies; and provided, however, that this section shall not apply to payments authorized pursuant to section two of this act for such purposes.

SECTION 9. Section two of chapter forty of the acts of nineteen hundred and eighty-three is hereby amended by striking out items 7070-0006, 7070-0060, and 7070-0065.

SECTION 10. Item 5191-8741 (8074-82) of section two of chapter eight hundred and sixty of the acts of nineteen hundred and seventy-five is hereby amended by striking out the wording after "8074-82" in line six and inserting in place thereof the words:- For certain renovations and improvements to meet Life Safety Code requirements in the Haskell Building.

SECTION 11. Item 2440-8811 of section five of chapter five hundred and seventy-eight of the acts of nineteen hundred and eighty is hereby amended by inserting after the word "improvements" in line nine the words:- and for the construction of flood control improvements and developments to provide local flood protection to the Town Brook Basin.

SECTION 12. Item 7503-8751 of section two of chapter five hundred and nineteen of the acts of nineteen hundred and seventy-four is hereby amended by adding at the end, after the word equipment, the following: "and for updating the design of the Business Technology Building".

SECTION 13. Section six of chapter two hundred and four of the acts of nineteen hundred and eighty-three is hereby amended by striking out in the last sentence 1101-2371 and inserting in place thereof 1101-2372.

SECTION 14. Notwithstanding the provisions of section twenty-nine A of chapter twenty-nine or any other provisions of law to the contrary, a payment in the amount of three hundred and thirty-five thousand dollars as compensation for contractual services rendered to the Department of Public Welfare

during the period of January sixteenth, nineteen hundred and eighty-two and January fifteenth, nineteen hundred and eighty-three shall be allowed and paid from federal grant numbered 4402-5125.

SECTION 15. Notwithstanding the provisions of any special or general law to the contrary, the remaining balance of amounts accrued through the program administered by the state laboratory at the institute of laboratories of selling biological products and performing various laboratory tests which were available to the state laboratory for expenditure without further appropriation, as provided for in item 4516-0100 of section two of chapter one hundred and ninety-one of the acts of nineteen hundred and eighty-two, at the end of fiscal year nineteen hundred and eighty-three, shall not revert to the General Fund and shall be available to the state laboratory during fiscal year nineteen hundred and eighty-four for the purposes provided for in said item.

SECTION 16. The Comptroller is hereby authorized and directed to transfer all balances remaining in item 2270-0500 into item 2150-0500, item 2270-0501 into item 2150-0501, item 2270-0502 into item 2150-0502, item 2270-0503 into item 2150-0503, 2270-0504 into item 2150-0504, 2270-0505 into 2150-0505, 2270-0507 into item 2150-0507, 2270-0508 item into item 2150-0508, item 2270-0509 into 2150-0509, item 2270-0520 into item 2150-0520, item 2270-0527 into item 2150-0527, item 2270-0528 into item 2150-0528, item 2270-0529 into 2150-0529, and item 2270-0530 into item 2150-0530. This section shall remain in effect through June thirtieth, nineteen hundred and eighty-four.

SECTION 17. Item 2120-8813 of section 3 of chapter 578 of the acts of 1980 is hereby amended in line one, by inserting after the word "construction," the following words:- reconstruction or renovation.

SECTION 18. There is hereby established a special committee to consist of three members of the senate and five members of the house of representatives to investigate and study the improvement of present voter registration methods, the establishment of voter registration by mail in Massachusetts, and the participation by citizens in the political process. Said committee shall file a report with the clerk of the senate and the clerk of the house of representatives of the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect on or before the first Wednesday of April, nineteen hundred and eighty-four.

SECTION 19. Notwithstanding the provisions of any special or general law to the contrary, in addition to the assessments authorized in sections seventeen and eighteen of chapter twenty-five of the General Laws, the public utility commission is hereby authorized to make an assessment for the fiscal year ending June thirtieth, nineteen hundred and eighty-four, against each telephone and telegraph company under the jurisdictional control of the department, based upon the intrastate operating revenues of each of said companies derived from sales within the commonwealth of telephone and telegraph service as shown in the most recent annual report of each of said companies to the department. Said assessments shall be determined and certified for the fiscal year by the commission as sufficient to produce two hundred and fifty thousand dollars in revenue to the commonwealth and shall be allocated among such companies in the proportion that each company's share of such operating revenues bears to the total operating revenues of all such companies in the commonwealth during the previous calendar year. Such assessments shall be collected in the manner provided in section seventeen A of said chapter twenty-five. Assessments under this section may be credited to the normal operating cost of each company. The funds produced by such assessments shall be used to defray the costs to the commonwealth for the general operating expenses of the telecommunications section of the department and other expenses of the department relating to telecommunications, including but not limited to the provision of informational and educational services to telecommunications consumers in the commonwealth and costs involved in telecommunications rate setting procedures.

SECTION 20. There is hereby established a special commission, to consist of three members of the senate, to be selected by the senate president, three members of the house of representatives, to be selected by the speaker of the house, and six members to be appointed by the governor, at least three of whom shall be community representatives from the most significant hispanic communities in the commonwealth, for the purpose of making an investigation and study relative to the needs of the hispanic population in the commonwealth, including, but not limited to, needs in the following areas: housing, employment, training, education, economic development, integration, language barriers, access to state programs.

Said commission may call upon officials of the commonwealth or its various agencies and subdivisions and may also call upon officials of the federal government and its various agencies and departments for information and assistance as it may require in the course of its investigation and study.

Said commission may travel within the commonwealth.

Said commission may, subject to appropriation, hire staff and consultants to assist in its investigation and study and in making its recommendations.

Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, by filing the same with the clerk of the senate on or before the last Wednesday of December, nineteen hundred and eighty-four.

SECTION 21. There is hereby established a special committee of the legislature consisting of five members of the senate and ten members of the house of representatives to be appointed by the senate president, and the speaker of the house one of whom shall be a member of the minority party in the senate, and two of whom shall be of the minority party in the house, to oversee the administration of efforts to advance foreign trade with the various underdeveloped countries, in particular, with those nations in the Caribbean area of the western hemisphere and with the nations of the African and Asian continent. Said committee shall work in conjunction and cooperation with the secretariat of economic affairs. Said committee shall be provided with quarters within the commonwealth and be allowed to travel within the commonwealth.

SECTION 22. This act shall take effect as of June thirty, nineteen hundred and eighty-three.

This Bill was returned July 19, 1983 by the Governor to the House of Representatives, the branch in which said Bill originated, with his objections in writing to the following items:

Item 1599-0044 of Section 2
Item 1599-3275 of Section 2A
Item 1599-3346 of Section 2A

The following item is reduced:
Item 1599-3391 of Section 2 to $750.00

The remainder of the Bill was approved by the Governor July 19, 1983.

Chap. 298. AN ACT AUTHORIZING THE TOWN OF BELMONT TO REIMBURSE A CERTAIN TAX PAYMENT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the town of Belmont is hereby authorized to appropriate and to pay four hundred twenty-one dollars and twenty cents to the Christ Lutheran Church of Belmont, such sum being for reimbursement of taxes assessed on the property of the church in fiscal year nineteen hundred and eighty-two.

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

Approved July 21, 1983.

Chap. 299. AN ACT RELATIVE TO THE APPOINTMENT OF ASSESSORS IN THE CITY OF NEWTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section twenty-four of chapter forty-one of the General Laws or any other general or special law to the contrary, the mayor of the city of Newton may appoint a three member board of assessors in accordance with the provisions of its charter and shall designate one member as chairman who shall also be the director of the department of assessment administration within said city.

Whenever a member of the board of assessors serves as a professional appraiser within said department of assessment administration, he shall be subject to the direction of and report to said director of said department.

SECTION 2. This act shall take effect upon its passage and shall cease to be operative on June thirtieth, nineteen hundred and eighty-four.

Approved July 21, 1983.

Chap. 300. AN ACT PROVIDING TENURE OF OFFICE FOR JOHN J. ZIMINI AS CIVIL DEFENSE DIRECTOR OF THE CITY OF CHELSEA.

Be it enacted, etc., as follows:

Notwithstanding any provision of the revised ordinances of the city of Chelsea or any other ordinance, general or special law to the contrary, the tenure of office of John J. Zimini as civil defense director of the city of Chelsea shall be unlimited but he may be removed for just cause in accordance with the provisions of chapter thirty-one of the General Laws.

Approved July 21, 1983.

Chap. 301. AN ACT AUTHORIZING THE TOWN OF WEYMOUTH TO REORGANIZE ITS DEPARTMENT OF PUBLIC WORKS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 56 of the acts of 1957 is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- No person shall serve on the board who holds an elective or appointive office in the town other than that of town meeting member, unless otherwise voted at the town meeting.

SECTION 2. Said chapter 56 is hereby further amended by striking out section 3 and inserting in place thereof the following section:-

Section 3. The board of public works shall establish and supervise a department of public works which shall consist of a sewer division, a water division, a highway division, a sanitation division, an engineering division, and a park division, maintenance and construction only, or any combination of such divisions, as the board may deem appropriate.

Approved July 21, 1983.

Chap. 302. AN ACT AUTHORIZING THE TOWN OF OXFORD TO GRANT AN EASEMENT TO WORCESTER COUNTY.

Be it enacted, etc., as follows:

The town of Oxford is hereby authorized to grant to Worcester county for highway purposes, an easement over certain land of said town, now dedicated for use as a dump, located in said town and bounded and described as follows:

BEGINNING at the northwesterly corner of the parcel at a point on the easterly sideline of Rochdale Street (Route 56) in said Oxford at land now or formerly of the Oxford Village Trust;

THENCE southerly by said easterly sideline a distance of 382 feet to an angle point;

THENCE still southerly by said sideline a distance of 50 feet to another angle point;

THENCE still southerly by said sideline a distance of 60 feet to another angle point;

THENCE still southerly by said sideline a distance of 17 feet to a point at land now or formerly of said Oxford Village Trust;

THENCE northeasterly by land now or formerly of said Oxford Village Trust a distance of 66 feet to a point;

THENCE by remaining land of the Town of Oxford by a curve to the right with a radius of 1570 feet a distance of 476.27 feet to a point at land now or formerly of said Oxford Village Trust;

THENCE westerly by said land now or formerly of the Oxford Village Trust a distance of 7 feet to the point of beginning.

Containing 44/100ths of an acre. Said easement is delineated on a plan entitled, "plan of Rochdale Street in the Town of Oxford, proposed highway easement from Town of Oxford to County of Worcester" dated May 12, 1983 and recorded in the Worcester district registry of deeds, Plan Book No. 506, Plan No. 46.

Said town is hereby further authorized to grant to the county of Worcester an easement for the purpose of extending the slope beyond the limits of the above described area and an easement to install such drainage structures as may be required.

Approved July 21, 1983.

Chap. 303. AN ACT RELATIVE TO THE GOVERNMENT LAND BANK.

Be it enacted, etc., as follows:

Notwithstanding any general or special law to the contrary, the proceeds of bonds and notes issued for the government land bank on or before October first, nineteen hundred and eighty-

three, including such proceeds deposited in the state treasury, shall not be applied to the deficit, if any, in the government land bank fund and such proceeds shall be paid to the government land bank to carry out the purposes of chapter two hundred and twelve of the acts of nineteen hundred and seventy-five, as amended.

Principal and interest received by the land bank under a mortgage relating to the disposition of lands or any interest therein, the acquisition of which was financed by the proceeds of an Industrial Development Bond, as such term is defined by the United States Internal Revenue Code of 1954, as amended from time to time, issued after September first, nineteen hundred and eighty-two, shall be paid to the government land bank fund, after deducting the administrative expenses of the bank; provided, however, that said deduction not exceed one-eighth of one per cent of the yield of said Bonds, as such term is defined by said internal revenue code.

Approved July 21, 1983.

EMERGENCY LETTER - July 21, 1983. @ 4:40 P.M.

Chap. 304. AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO PURCHASE CERTAIN LAND FOR SEWER PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Section 9 of chapter 803 of the acts of 1972 is hereby amended by striking out, in line 1, the word "section" and inserting in place thereof the words:- sections five and.

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

Approved July 22, 1983.

Chap. 305. AN ACT ESTABLISHING THE EAST BEDFORD INDUSTRIAL SEWER DISTRICT IN THE TOWN OF BEDFORD.

Be it enacted, etc., as follows:

SECTION 1. Those inhabitants of the town of Bedford within the territory bounded and described as follows: Beginning: At a point on the Bedford-Billerica townline known as town corner

B-B-7; Thence: running along the Bedford-Billerica townline from town corner B-B-7, to B-B-6, to B-B-5, to B-B-4, to B-B-3, to B-B-2, to B-B-1C, to B-B-1B, to B-B-1A, to B-B-B, being the town corner at Bedford, Billerica and Burlington; Thence: running along the Bedford-Burlington townline to the easterly sideline of Route 3; Thence: running along the easterly sideline of Route 3 to the property corner of land of V.C.P. Trust and Woodford, now or formerly; Thence: running by land of Woodford, Hoeflich, Barbargallo, Larson, Redding, Wanamaker, Kolker, Berg and O'Connor, now or formerly, to the point of beginning; shall constitute a sewer district and are hereby made a body corporate entitled the East Bedford Industrial Sewer District hereinafter referred to as the district.

SECTION 2. The purpose of the district shall be to lay out, construct, maintain, improve and operate a system or systems of sanitary sewers within or without the district which services a part or whole of the territory within the district, contracting with the town of Bedford for such purposes, and for assessing and raising revenues as provided herein to pay for such services.

SECTION 3. The powers conferred by this act shall be exercised by a board of sewer commissioners, consisting of seven members. Said board shall not be subject to the supervision of the department of public works of the town or of any other department, commission, board, bureau or agency of the town except to the extent and in the manner provided in this act. The members of said board shall be appointed by the selectmen of the town of Bedford. Four members shall be operators of businesses or landowners located within the district. One member shall be the director of public works of the town of Bedford. Members shall serve three-year terms, except that two members of the initial board shall serve one-year terms, two members shall serve two-year terms, and three members shall serve three-year terms, the term of each initial board member to be designated by the selectmen on appointment. Any member of the board may be eligible for reappointment. Four members of the board shall constitute a quorum and the affirmative vote of four members shall be necessary for any action taken by vote of the board; provided, however, that an affirmative vote of five members shall be necessary to exercise any of the powers enumerated in clause (i) of section four. No vacancy in the membership of the board shall impair the right of a quorum to exercise the powers of the board. Any action by the board shall take effect immediately unless otherwise provided and need not be published or posted.

SECTION 4. The board, acting for and on behalf of said district, shall have all the rights and powers necessary or convenient to carry out and effectuate this act, including, but without limiting the generality of the foregoing, the following rights and powers:

(a) to adopt by-laws for the regulation of its affairs and the conduct of its business, to promulgate rules, regulations and procedures in connection with the performance of its functions and duties, and to fix, enforce and collect penalties for the violation thereof; provided, however, that any by-laws with respect to the removal of members of the board shall be consistent with the by-laws of the town of Bedford;

(b) to adopt an official seal and alter the same at pleasure;

(c) to maintain an office at such place or places as it may determine;

(d) to apply for, receive, accept, administer, expend and comply with the conditions, obligations and requirements respecting any grant, gift, loan, including without limitation any grant, gift or loan from agencies of local, state or federal governments, donation or appropriation of any property or money in aid of the purposes of the district and to accept contributions of money, property, labor or other things of value;

(e) to acquire by purchase, lease, lease-purchase, sale and lease-back, gift or devise, or to obtain options for the acquisition of, any property, real or personal, tangible or intangible, or any interest therein, in the exercise of its powers and the performance of its duties; provided, however, that the board may not acquire property by eminent domain, except as provided for in clause (g);

(f) to sell, lease, mortgage, exchange, transfer or otherwise dispose of, or to grant options for any such purposes with respect to, any property, real or personal, tangible or intangible, or any interest therein;

(g) to construct, improve, extend, enlarge, maintain and repair the sewer works system for the benefit of the district; to construct such sewers under or over any bridge, railroad, railway, boulevard or other public way, or within the location of any railroad, and to 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; provided, however, 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; and to make and maintain, in any way therein where main drains and 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. With respect to any work under this clause, the district shall be deemed to be a public agency for purposes of sections forty-four A to forty-four H, inclusive, of chapter one hundred and forty-nine of the General Laws and a commission of the town of Bedford for purposes of sections thirty B to thirty P, inclusive, of chapter seven of the General Laws and a public agency of the town for purposes of sections thirty-nine A to forty M, inclusive, of said chapter seven. All applicable provisions of the General Laws protecting public health, welfare and safety shall be applicable;

(h) to pledge or assign any money, fees, charges, or other revenues of the district and any proceeds derived by the district;

(i) to borrow money and incur indebtedness and issue bonds or notes as hereinafter provided;

(j) to enter into contracts and agreements with the town of Bedford in all matters necessary, convenient or desirable for carrying out the purposes of this act including, without limiting the generality of the foregoing, construction (including sewers outside the district but benefiting the district), improvements, collection of revenue, data processing, and other matters of management, administration and operation; to make other contracts of every name and nature; and to execute and deliver all instruments necessary or convenient for carrying out any of its purposes provided that all contracts made pursuant to clause (g) shall be approved by the selectmen of the town of Bedford;

(k) to exercise the powers and privileges of, and to be subject to limitations upon, towns and cities provided by the provisions of sections thirty-eight to forty-two I, inclusive, of chapter forty of the General Laws and sections one to twenty-four, inclusive, and twenty-seven to twenty-nine, inclusive, of chapter eighty-three of the General Laws, insofar as such provisions may be applicable and are consistent with the provisions of this act; provided, however, that any requirement in said sections or chapters for a vote by the board of selectmen or other governing body of a town or for a vote by the voters of a town shall be satisfied by a vote or resolution duly adopted by the board in accordance herewith; and, provided further, that the powers of the board to make rules and regulations and establish penalties regarding the use of sewers shall not be limited by section ten of said chapter eighty-three;

(l) to sue and be sued and to prosecute and defend actions relating to its properties and affairs; provided, however, that property of the district other than revenues pledged to the payment of notes or bonds shall not be subject to attachment nor levied upon by execution or otherwise;

(m) to do all things necessary, convenient or desirable for carrying out the purposes of this act or the powers expressly granted or necessarily implied in this act; and

(n) consistent with the constitution and laws of the commonwealth, the board shall have such other powers, including all powers pertaining to the sewer works system within its boundaries held by the town of Bedford not inconsistent herewith, as may be necessary for or incident to carrying out the foregoing powers and the accomplishment of the purposes of this act.

SECTION 5. The board is authorized and empowered to fix, revise, charge, collect and abate reasonable fees, rates, rents and assessments, and other charges for sewer and other services, improvements, facilities, and commodities furnished or supplied to real property in the district. In providing for the payment of the cost of said system or systems or the improvements thereof, or for the use of said system or systems, the board may avail itself of the provisions of the General Laws relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer charges, including betterments, or the establishment of liens therefore and interest thereon. In order to provide for the collection and enforcement of its fees, rates, rents, assessments and other charges, the board is hereby granted all the powers and privileges with respect thereto held by the town of Bedford on the effective date of this act or as otherwise provided in this act, to be exercised concurrently with the town.

The fees, rates, rents, assessments and other charges of the board of general application shall be adopted and revised by the board at least annually in accordance with procedures to be established by the board for assuring that interested persons are afforded notice and an opportunity to present data, views and arguments. The board shall hold at least one public hearing on its schedule of fees, rates and charges or any revision thereof prior to adoption, notice of which shall be delivered to the selectmen and be published in a newspaper of substantial circulation in the town at least one month in advance of the hearing. No later than the date of such publication, the board shall make available to the public and deliver to the selectmen the proposed schedule of fees, rates and charges.

The fees, rates, rents, assessments, abatements and other charges established by the board shall not be subject to supervision or regulation by any department, division, commission, board, bureau, or agency of the commonwealth or any of its political subdivisions, including, without limitation, the town, nor shall the district be subject to the provisions of section twenty A of chapter fifty-nine of the General Laws. Notwith-

standing the foregoing, except to the extent of betterments assessed by the board, the board shall have no power of taxation. The board's operating budget shall be limited to the sum of five thousand dollars for current administrative expenses approved by the board in the year nineteen hundred and eighty-three. Each year thereafter said sum may be increased two and one-half per cent per year.

The fees, rates, rents, assessments and other charges established by the board in accordance with this section shall be so fixed and adjusted in respect of the aggregate thereof so as to provide revenues at least sufficient (i) to pay the current expenses of the board, (ii) to pay the principal of, premium, if any, and interest on bonds or other evidences of indebtedness issued by the board under this act as the same become due and payable, (iii) to create and maintain such reasonable reserves as may be reasonably required by any trust agreement or resolution securing bonds, (iv) to provide funds for paying the cost of all necessary repairs, replacements and renewals of the sewer works system and (v) to pay or provide for any amounts which the board may be obligated to pay or provide for by law or contract including any resolution or contract with or for the benefit of the holders of its bonds.

SECTION 6. The board is hereby authorized and empowered to provide by resolution for the issuance, at one time or from time to time of notes of the district in the aggregate principal amount of two million dollars outstanding at any one time, excluding notes refunded by other notes issued under this paragraph, for the purpose of providing funds for paying the cost of constructing or acquiring such improvements, extensions, enlargements, alterations, reconstruction or remodeling for the sewer works system as may be authorized by such resolution, including the funding of interest on any notes of the district has issued pursuant to section seven hereof in anticipation of federal, state or local grants for such work.

Except as otherwise provided herein, notes issued by the district in accordance with this section shall be issued in anticipation of bonds to be issued by the district pursuant to section seven of this act and shall be authorized, issued and sold in the same manner as, and shall otherwise be subject to section eight and other provisions of this act relating to, such bonds. Such notes shall mature at such time or times as provided by resolution of the board and may be renewed from time to time; provided, however, that all such notes and renewals thereof shall mature on or prior to twenty years after their date of issuance.

The proceeds of the notes authorized by this section shall be used solely for paying or providing for the cost of extensions,

improvements or enlargements of the sewer works system, including repayment of interest on notes of the district as provided in the second paragraph and shall be disbursed in such manner and under such restrictions as may be provided in the resolution of the board.

SECTION 7. In addition to the notes issued under the provisions of section six, the board may provide by resolution for the issuance from time to time of bonds of the district for any of its corporate purposes. Bonds may be issued hereunder as general obligations of the district or as special obligations payable solely from particular funds. Without limiting the generality of the foregoing, such bonds may be issued to pay or refund notes issued by the pursuant to section six, to pay the cost of any extension, enlargement, or improvement of the sewer works system, to provide such reserves for debt service, repairs and replacements or other costs as may be required by a trust agreement or resolution securing bonds of the district, or for any combination of the foregoing purposes. The board may also provide by resolution for the issuance from time to time of temporary notes in anticipation of the revenues to be collected for received by the board in any year, or in anticipation of the receipt of federal, commonwealth or local grants or other aid. The issuance of such notes shall be governed by the provisions of this act relating to the issuance of bonds other than such temporary notes as the same may be applicable; provided, however, that notes issued in anticipation of revenues shall mature no later than one year from their respective dates and notes issued in anticipation of federal, commonwealth or local grants or other aid and renewals thereof shall mature no later than the expected date of receipt of such grants or aid. Notes in anticipation of revenues issued to mature less than one year from their dates may be renewed by the board from time to time by the issue of other temporary notes hereunder; provided, however, that the period from the date of an original note to the maturity of any note issued to renew or pay the same or the interest thereon shall not exceed one year.

SECTION 8. The principal of, premium, if any, and interest on all bonds or notes issued under the provisions of this act, unless otherwise provided herein, shall be payable solely from the funds provided therefor from revenues as herein provided. Bonds or notes of each issue shall be dated, shall bear interest at such rate or rates, including rates variable from time to time as determined by such index, bankers loan rate or other method determined by the board and shall mature at such time or times, as may be determined by the board, and may be made redeemable

before maturity at the option of the board at such price or prices and under such terms and conditions as may be fixed by the board prior to the issue of bonds or notes. The board shall determine the form of bonds or notes, including interest coupons, if any, to be attached thereto, and the manner of execution of bonds or notes and shall fix the denomination or denominations of bonds or notes and the place or places of payment of principal and interest, which may be at any bank or trust company within or without the commonwealth. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or notes or coupons shall cease to be such officer before the delivery thereof, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes as if he had remained in office until after such delivery. The board may also provide for authentication of bonds by a trustee or fiscal agent. Bonds or notes may be issued in bearer, if not in conflict with federal law, or in registered form, or both, and, if notes, may be made payable to bearer or to order, as the board may determine, and provision may be made for the registration of any coupon bonds as to principal alone and also as to both principal and interest, for the reconversion into coupon bonds or bonds registered as to both principal and interest and for the interchange of bonds registered as to both principal and interest and for the interchange of registered and coupon bonds. The board may by resolution delegate to any member of the board or any combination of them the power to determine any of the matters set forth in this section including the power to award such bonds or notes to a purchaser or purchasers at public sale. The board may sell its bonds or notes in such manner, either at public or private sale, for such price, at such rate or rates of interest, or at such discount in lieu of interest, as it may determine will best effect the purposes of this act.

The board may issue interim receipts or temporary bonds, with or without coupons, exchangeable for definitive bonds when such bonds shall have been executed and are available for delivery. The board may also provide for the replacement of any bonds which shall have become mutilated or shall have been destroyed or lost.

In the discretion of the board, any bonds issued hereunder may be secured by a resolution of the board or by a trust agreement between the board and a corporate trustee, which may be any trust company or bank having the powers of a trust company within or without the commonwealth, and such trust agreement shall be in such form and executed in such manner as may be determined by the board. Such trust agreement or resolution may pledge or assign, in whole or in part, the revenues and other moneys held or to be received by the board,

including the revenues from any improvements already existing when the pledge or assignment is made, and any contract or other rights to receive the same, whether then existing or thereafter coming into existence and whether then held or thereafter acquired by the board, and the proceeds thereof. Such trust agreement or resolution may contain such provisions for protecting and enforcing the rights, security and remedies of the bondholders as may, in the discretion of the board, be reasonable and proper and not in violation of law, including, without limiting the generality of the foregoing, provisions defining defaults and providing for remedies in the event thereof which may include the acceleration of maturities and covenants setting forth the duties of, and limitations on, the board in relation to the acquisition, construction, improvement, enlargement, alteration, equipping, furnishing, maintenance, use, operation, repair, insurance and disposition of property of the district, the custody, safeguarding, investment and application of moneys, the issue of additional or refunding bonds, the fixing, revision and collection of fees, rates, rents, assessments or other charges, the use of any surplus bond proceeds, the establishment of reserves, and the making an amending of contracts.

In addition to other security provided herein or otherwise by law, bonds or notes issued by the district under any provision of this act, including section six hereof, may be secured, in whole or in part, by letters of credit issued to the district by any bank, trust company or other financial institution, within or without the commonwealth, and the board may pledge or assign any of its revenues as security for the reimbursement by the district to the issuers of such letters of credit of any payments made under the letters of credit.

It shall be lawful for any bank or trust company to act as a depository or trustee of the proceeds of bonds, revenues or other moneys under any such trust agreement or resolution and to furnish such indemnification or to pledge such securities and issue such letters of credit as may be required by the board. Any such trust agreement or resolution may set forth the rights and remedies of bondholders and of the trustee and may restrict the individual right of action by bondholders. In addition to the foregoing, any such trust agreement or resolution may contain such other provisions as the board may deem reasonable and proper for the security of bondholders. Any pledge of revenues or other property made by the board under this action shall be valid and binding and shall be deemed continuously perfected for the purposes of chapter one hundred and six of the General Laws from the time when the pledge is made; the revenues, moneys, rights and proceeds so pledged and then held or there-

after acquired or received by the board shall immediately be subject to the lien of such pledge without any physical delivery or segregation thereof or further act; and the lien of any such pledge shall be valid and binding against all parties having claims of any kind in tort, contract or otherwise against the board, irrespective of whether such parties have notice thereof. Neither the resolution, any trust agreement nor any other agreement by which a pledge is created need be filed or recorded except in the records of the board, and no filing need be made under the provisions of said chapter one hundred and six.

Any holder of a bond or note issued by the district under the provisions of this act or of any of the coupons appertaining thereto and any trustee under a trust agreement or resolution securing the same, except to the extent the rights herein given may be restricted by such trust agreement or resolution, may bring suit upon the bonds, notes, or coupons and may, either at law or in equity, by suit, action, mandamus, or other proceedings for legal or equitable relief, including proceedings for the appointment of a receiver to take possession and control of the business and properties of the board, to operate and maintain the same, to make any necessary repairs, renewals and replacements in respect thereof and to fix, revise and collect fees and charges, protect and enforce any and all rights under the laws of the commonwealth or granted hereunder or under such trust agreement, resolution or other agreement, and may enforce and compel the performance of all duties required by this act or by such trust agreement or resolution to be performed by the board or by any officer thereof.

SECTION 9. The board may issue refunding bonds for the purpose of paying any of its bonds at maturity or upon acceleration or redemption. Refunding bonds may be issued at such time or times prior to the maturity or redemption of the refunded bonds as the board deems to be in the public interest. Refunding bonds may be issued in sufficient amounts to pay or provide the principal of the bonds being refunded, together with any redemption premium thereon, any interest accrued or to accrue to the date of payment of such bonds, the expenses of issue of refunding bonds, the expenses of redeeming bonds being refunded and such reserves for debt service or other capital or current expenses from the proceeds of such refunding bonds as may be required by a trust agreement or resolution securing bonds. The issue of refunding bonds, the maturities and other details thereof, the security therefore, the rights of the holders thereof, and the right, duties and obligations of the board in respect of the same shall be governed by the provisions of this act relating to the issue of bonds other than refunding bonds insofar as the same may be applicable.

SECTION 10. Bonds, notes, and other evidences of indebtedness issued or entered into under the provisions of this act shall not be deemed to be a debt or a pledge of the faith and credit of the commonwealth or the town of Bedford but shall be payable solely from the revenues of the district. All bonds, notes and other evidences of indebtedness shall contain on the face thereof a statement to the effect that neither the commonwealth nor the town of Bedford shall be obligated to pay the same and that neither the faith and credit nor the taxing power of the commonwealth or of the town of Bedford is pledged to the payment of the principal of or interest on such bonds or notes. Each bond shall also recite whether it is a general obligation of the district or a special obligation thereof payable solely from particular funds pledged to its payment. Each bond or note shall bear on its face the words, East Bedford Industrial Sewer District Loan, Act of 1983. The outstanding debt of the district shall not exceed in the aggregate, two million dollars. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than twenty years from their dates. Any indebtedness issued under this act with the exception of renewal notes issued pursuant to section six or refunding bonds issued pursuant to section nine shall be issued within two years of the effective date of this act. Indebtedness incurred under this act shall be limited to the issuance of bonds or notes as herein provided, and any other provision of the General Laws permitting the district to incur additional debt shall not be applicable.

SECTION 11. All moneys received pursuant to the provisions of this act, whether as proceeds from the issue of bonds or as revenues or otherwise, shall be deemed to be trust funds to be held and applied solely as provided in this act.

SECTION 12. Bonds or notes issued under the provisions of this act are hereby made securities in which all public officers and public bodies of the commonwealth and its political subdivisions, all insurance companies, commercial departments of trust companies, savings banks, co-operative banks, banking associations, investment companies, executors, administrators, trustees and other fiduciaries may properly and legally invest funds, including capital in their control or belonging to them. Such bonds or notes are hereby made securities which may properly and legally be deposited with and received by any state or municipal officer or any agency or political subdivision of the commonwealth for any purpose for which the deposit of bonds or obligations of the commonwealth is now or may hereafter be authorized by law.

SECTION 13. Notwithstanding any of the provisions of this act or any recitals in any bonds issued under this act, all such bonds shall be deemed to be investment securities under the provisions of chapter one hundred and six of the General Laws.

SECTION 14. Bonds or notes may be issued under this act without obtaining the consent of the emergency finance board established under the provisions of chapter forty-nine of the acts of nineteen hundred and thirty-three or of any department, division, commission, board, bureau or agency of the commonwealth or the town, and without any other proceedings or the happening of any other conditions or things than those proceedings, conditions or things which are specifically required therefor by this act, and the validity of and security for any bonds or notes issued by the district shall not be affected by the existence or nonexistence of any such consent or other proceedings, conditions or things.

SECTION 15. The district and all its revenues, income and real and personal property shall be exempt from taxation and from betterments and special assessments and the district shall not be required to pay any tax, excise or assessment to or for the commonwealth or any of its political subdivisions. Bonds or notes issued by the district and 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 16. The board shall at all times keep full and accurate accounts of its receipts, expenditures, disbursements, assets and liabilities, which shall be open to inspection by any officer or duly appointed agent of the commonwealth or the town. The district shall operate on a fiscal year commencing July first unless otherwise provided by the board. Before the issuance of any bonds under the provisions of this act any member or officer of the board charged with responsibility for the issuance thereof, shall each execute a surety bond in the sum of one hundred thousand dollars payable to the district, or in lieu thereof the board shall obtain a blanket position bond covering any member or officer of the board charged with responsibility for the issuance of any bonds in the sum of one hundred thousand dollars, such surety bonds to be conditioned upon the faithful performance of the duties of their offices, to be executed by a surety company authorized to transact business in the commonwealth as surety and approved by the board.

SECTION 17. Upon termination or dissolution of the district, the title to all funds and other properties owned by it which

remain after payment or the making of provision for payment of all bonds and other obligations of the board shall vest in the town. If upon any such termination or dissolution any bonds or notes of the board shall be outstanding, such bonds or notes, shall continue to be payable solely from the revenues and other property pledged therefor and shall not be or become a debt or obligation of the town except to the extent of such pledge.

No law affecting the powers, rights, duties, or obligations of the board shall be effective unless it shall apply to sewer districts generally or shall have been approved under the provisions of Article 2 of the Amendments to the Constitution of the Commonwealth.

SECTION 18. The provisions of this act shall be deemed to provide an exclusive, additional, alternative and complete method for the doing of the things authorized hereby and shall be deemed and construed to be supplemental and additional to, and not in derogation of, powers conferred upon the board by law; provided, however, that insofar as the provisions of this act are inconsistent with the provisions of any general or special law, administrative order or regulation, or the by-laws of the town of Bedford, the provisions of this act shall be controlling. Without limiting the generality of the foregoing, no provision of the by-laws of the town of Bedford requiring the ratification by the voters of certain bond issues shall apply to the issuance of bonds of the district pursuant to this act, nor shall the provisions of chapter forty-four of the General Laws be applicable to the manner of voting or the limitations as to amount and time of payment of debts incurred by the district.

SECTION 19. The district shall be dissolved by vote of the board one year from the date all debt issued by the district has been retired and all liabilities of the district have been satisfied fully. No further action of the town of Bedford or the commonwealth shall be required to dissolve the district.

SECTION 20. This act, being necessary for the welfare of the town and its inhabitants, shall be liberally construed to effect the purposes hereof.

SECTION 21. This act shall take effect upon its passage.

Approved July 22, 1983.

Chap. 306. AN ACT TRANSFERRING CERTAIN PARK LAND FROM THE PARKS AND RECREATION COMMISSION TO THE CONSERVATION COMMISSION IN THE TOWN OF HARWICH.

Be it enacted, etc., as follows:

The town of Harwich is hereby authorized to transfer a certain parcel of park land at Skinequit pond in said town from the parks and recreation commission of said town to the conservation commission of said town. Said land is eight acres, more or less, and is described on land court certificate of title number 37441.

Approved July 22, 1983.

Chap. 307. AN ACT AUTHORIZING GEORGE ALIX TO TAKE A CIVIL SERVICE EXAMINATION FOR CORRECTIONAL OFFICER IN THE DEPARTMENT OF CORRECTIONS NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law or rule to the contrary regulating the maximum age of applicants for appointment as a correctional officer in the department of corrections, George Alix of the town of Middleborough, shall be eligible to take the next open competitive examination for said correctional officer and provided he meets all other requirements, shall be eligible for certification and appointment to such position.

Approved July 22, 1983.

Chap. 308. AN ACT NAMING THE PLEASURE BAY SAILING PROGRAM THE HARRY MCDONOUGH SAILING CENTER.

Be it enacted, etc., as follows:

Nothwithstanding any general or special law to the contrary, the metropolitan district commission sailing program at Pleasure Bay in the South Boston district of the city of Boston is hereby designated the Harry McDonough Sailing Program. There shall be erected a marker at a suitable place at Pleasure Bay in the South Boston district of the city of Boston.

Approved July 22, 1983.

Chap. 309. AN ACT PROVIDING FOR CERTAIN CREDITABLE SERVICE FOR EUGENE J. HURLEY, A SERGEANT OF THE CAPITOL POLICE.

Be it enacted, etc., as follows:

Nothwithstanding any contrary provision of general or special law, Eugene J. Hurley, a sergeant in the capitol police, is hereby authorized to continue in such position until and including July thirtieth, nineteen hundred and eighty-four, provided that said Eugene J. Hurley continues to pay into the annuity savings fund of the contributory retirement system at the rate established under such system and said Eugene J. Hurley shall retain all rights under the contributory retirement system, including creditable service resulting from his employment after July twenty-ninth, nineteen hundred and eighty-three.

Approved July 22, 1983.

Chap. 310. AN ACT DESIGNATING DEBORAH SAMSON AS THE OFFICIAL HEROINE OF THE COMMONWEALTH AND PROVIDING FOR AN ANNUAL PROCLAMATION OF A DAY IN HER HONOR.

Be it enacted, etc., as follows:

SECTION 1. Chapter 2 of the General Laws is hereby amended by adding after section 25, added by chapter 115 of the acts of 1983, the following section:-

Section 26. Deborah Samson, who fought in the War of Independence, shall be the official heroine of the commonwealth.

SECTION 2. Chapter 6 of the General Laws is hereby amended by inserting after section 12EE the following section:-

Section 12FF. The governor shall annually issue a proclamation setting apart May twenty-third as the anniversary of the enlistment of Deborah Samson, official heroine of the commonwealth, under the name of Robert Shurtliff, in the Continental Army, in recognition of her courage, determination, outstanding service and unique contribution as a woman to American independence and recommending that said day be observed in an appropriate manner by the people.

Approved July 22, 1983.

Chap. 311. AN ACT RELATIVE TO FAMILY DAY CARE HOMES ADVERTISING.

Be it enacted, etc., as follows:

Chapter 28A of the General Laws is hereby amended by striking out section 14, as appearing in section 1 of chapter 785 of the acts of 1972, and inserting in place thereof the following section:-

Section 14. No person shall cause to be published in a newspaper distributed anywhere in the commonwealth or to be broadcast on a radio or television station in the commonwealth an advertisement or notice for the placement or reception of a child under sixteen years of age for family foster care, group residential care, family day care or for adoption unless such advertisement is placed by a licensed or approved placement agency, by a licensed group residence, or by a registered family day care provider, or with the written approval of the office. Such advertisement or notice shall include the license or registration number issued to the provider or agency pursuant to section ten.

Approved July 22, 1983.

Chap. 312. AN ACT FURTHER REGULATING THE SEALING OF CERTAIN CRIMINAL COURT RECORDS.

Be it enacted, etc., as follows:

Section 100C of chapter 276 of the General Laws, inserted by section 1 of chapter 322 of the acts of 1973, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

In any criminal case wherein the defendant has been found not guilty by the court or jury, or a no bill has been returned by the grand jury, or a finding of no probable cause has been made by the court, the commissioner of probation shall seal said court appearance and disposition recorded in his files. The commissioner shall notify forthwith the clerk and the probation officers of the courts in which the proceedings occurred or were initiated who shall likewise seal the records of the proceedings in their files. The provisions of this paragraph shall not apply if the defendant makes a written request to the commissioner not to seal the records of the proceedings.

Approved July 22, 1983.

Chap. 313. AN ACT DESIGNATING THE MENTAL HEALTH CENTER IN THE CITY OF NORTHAMPTON AS THE BARBARA LONGLEY BUILDING.

Be it enacted, etc.,as follows:

The mental health center, located at Pomeroy Terrace in the city of Northampton, shall be designated and named the Barbara Longley Building, in honor of Barbara Longley for her many years of service to the people of the commonwealth. A suitable marker bearing such designation shall be attached thereto by the department of mental health.

Approved July 22, 1983.

Chap. 314. AN ACT RELATIVE TO THE APPEAL PROCEDURE IN CERTAIN JUVENILE COURT CASES.

Be it enacted, etc., as follows:

Chapter 119 of the General Laws is hereby amended by striking out section 27, as most recently amended by section 1 of chapter 715 of the acts of 1981, and inserting in place thereof the following section:-

Section 27. A child, parent, guardian or person appearing in behalf of such child, or the department, may appeal from the adjudication of the court and from any order of commitment made as a result of the adjudication under the provisions of section twenty-six to the appeals court. The trial justice entering the adjudication or order of commitment shall, prior to said adjudication, or within ten days thereafter, file detailed findings of fact and conclusions of law. Any appeal under this section shall be made by filing a draft report in accordance with the prevailing rules of procedure of the juvenile court department. Pending the appeal, the child may be committed to the custody of the department or placed in the care of some suitable person or licensed children's foster care agency. The division of the district court department or the division of the juvenile court department where the order of adjudication was entered shall retain jurisdiction to and may enter any order for the needs of the child. The court shall notify the child, parent, guardian or person appearing in behalf of such child of the right of appeal at the time of adjudication and also at the time of commitment.

The claim of appeal under this section shall be filed in the office of the clerk of the said division of the district court department or the division of the juvenile court department

within ten days of the entry of the adjudication or order of commitment by the court. The completion of said appeal shall be governed by the Massachusetts rules of appellate procedure.

Approved July 22, 1983.

Chap. 315. AN ACT MAKING AN APPROPRIATION TO FUND A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE COMMONWEALTH AND THE ALLIANCE, AFSCME-SEIU, AFL-CIO - UNITS 2, 4, 8 AND 10.

Be it enacted, etc., as follows:

SECTION 1. To provide for the cost of salary adjustments and other employee benefits authorized by the collective bargaining agreement between the commonwealth and the Alliance, AFSCME-SEIU, AFL-CIO - Units 2, 4, 8 and 10, the sum set forth in section two of this act is hereby appropriated, subject to the provisions of law regulating disbursements of public funds and the conditions pertaining to appropriations made for fiscal year nineteen hundred and eighty-four.

SECTION 2.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

Collective Bargaining.

1599-3350 For a reserve to meet the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the commonwealth of Massachusetts and the Alliance, AFSCME-SEIU, AFL-CIO - Units 2, 4, 8 and 10, and to meet the cost of salary adjustments and other economic benefits necessary to provide equal salary adjustments or benefits to employees employed in "confidential" positions which would otherwise be covered by this collective bargaining agreement; provided that the personnel administrator, with the approval of the commissioner of administration, shall determine such salary adjustments and other economic benefits for "confidential" employees in accordance with the provisions of the collective bargaining agreement then in effect which would otherwise cover said positions;

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-four such amounts as are necessary to meet the cost of said adjustments and benefits for the fiscal year nineteen hundred and eighty-four 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 and allocation of any amounts necessary to meet the cost of said adjustments and benefits; and provided, further that no transfers shall be made without the prior approval of the house and senate committees on ways and means

$29,670,000

SECTION 3. This act shall take effect as of July first, nineteen hundred and eighty-three and shall be for collective bargaining costs of the fiscal year nineteen hundred and eighty-four payroll period commencing June twenty-six, nineteen hundred and eighty-three.

Approved July 22, 1983.

Chap. 316. AN ACT MAKING AN APPROPRIATION TO FUND A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE COMMONWEALTH AND THE MASSACHUSETTS ORGANIZATION OF STATE ENGINEERS AND SCIENTISTS - UNIT 9.

Be it enacted, etc., as follows:

SECTION 1. To provide for the cost of salary adjustments

and other employees benefits authorized by the collective bargaining agreement between the commonwealth and the Massachusetts Organization of State Engineers and Scientists - Unit 9, the sum set forth in section two of this act is hereby appropriated, subject to the provisions of law regulating disbursements of public funds and the conditions pertaining to appropriations made for fiscal year nineteen hundred and eighty-four.

SECTION 2.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

Collective Bargaining.

1599-3387 For a reserve to meet the current year expenses incurred due to the salary adjustments and other employee economic benefits authorized by chapter sixty-eight of the acts of nineteen hundred and eighty-three; provided, that the commissioner of administration is 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 no transfers or allocations of any amounts necessary to meet the cost of said adjustments and benefits shall be made without the prior approval of the house and senate committees on ways and means $10,000,000

SECTION 3. This act shall take effect as of July first, nineteen hundred and eighty-three and shall be for the collective bargaining costs of the fiscal year nineteen hundred and eighty-four payroll period commencing June twenty-six, nineteen hundred and eighty-three.

Approved July 22, 1983.

Chap. 317. AN ACT PROVIDING FOR THE TRANSFER OF CERTAIN PARCELS OF LAND IN THE CITY OF WORCESTER TO THE WORCESTER BUSINESS DEVELOPMENT CORPORATION AND THE DEPARTMENT OF FOOD AND AGRICULTURE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or

special law to the contrary, the deputy commissioner of the division of capital planning and operations is hereby authorized to transfer to the Worcester Business Development Corporation, established by chapter six hundred of the acts of nineteen hundred and sixty-five, by a deed approved as to form by the attorney general, title to a parcel of land, with the buildings thereon, located in the city of Worcester, hereinafter referred to as "Parcel A", for the purpose of establishing thereon a medical and high-technology or bio-technology related research and development park, hereinafter referred to as the "park", said land being bounded and described as follows:

Parcel A.

BEGINNING at the southeasterly corner of the parcel herein described, said point of beginning being the intersection of the northerly line of Belmont Street with the northwesterly line of Plantation Street;

THENCE westerly by the northerly line of Belmont Street, 1325 feet more or less to a point at other land of the Commonwealth of Massachusetts (Department of Mental Health);

THENCE northwesterly, 350 feet more or less to a point;

THENCE northerly and northeasterly by a curve to the right, 175 feet more or less to the end of said curve;

THENCE northerly, 250 feet more or less to a point;

THENCE southeasterly, 175 feet more or less to a point;

THENCE more southeasterly, 390 feet more or less to a point;

THENCE northeasterly, 315 feet more or less to a point;

THENCE easterly, 50 feet more or less to a point;

THENCE northerly and northwesterly by a curve to the left, 340 feet more or less to a point;

THENCE northerly and northeasterly by a curve to the right, 550 feet more or less to the end of said curve;

THENCE southeasterly, 180 feet more or less to a point;

THENCE northeasterly, 165 feet more or less to a point;

THENCE northeasterly, 218 feet more or less to a point;

THENCE northeasterly, 325 feet more or less to a point;

THENCE northeasterly by a curve to the right, 95 feet more or less to the end of said curve;

THENCE northeasterly, northerly and northwesterly by a curve to the left, 265 feet more or less to the end of said curve;

THENCE northeasterly, 390 feet more or less to a point;

THENCE northwesterly by a stone wall, 150 feet more or less to a point and an angle in the wall;

THENCE northwesterly by a stone wall, 580 feet more or less to a point at Parcel B on a plan to be referred to;
The last 18 described courses being by other land of the Commonwealth of Massachusetts

THENCE southeasterly by Parcel B on a plan to be referred to, 930 feet more or less to a point in the northwesterly line of Plantation Street;

THENCE southwesterly, 250 feet more or less to a point;

THENCE southwesterly, 322 feet more or less to a point;

THENCE southwesterly, 272 feet more or less to a point;

THENCE southwesterly, 609 feet more or less to a point;

THENCE southwesterly, 561 feet more or less to a point;

THENCE southwesterly by a curve to the right, 399 feet more or less to the end of said curve;

THENCE southwesterly, 649 feet more or less to the point of beginning;
The last 7 described courses being by the northwesterly line of Plantation Street.
Said Parcel A contains 75 acres of land more or less and is shown on a plan (the "Plan") entitled, "Plan of Property in Worcester, Massachusetts for Worcester Business Development Corporation, Scale 1"=100', June 8, 1983, Revised June 17, 1983", and drawn by Thompson-Liston Associates, Inc.

SECTION 2. Notwithstanding the provisions of any general or special law to the contrary, the deputy commissioner of capital planning and operations is hereby authorized to transfer to the department of food and agriculture, subject to the provisions of a written agreement to be executed between said division and said department, for agricultural purposes including those described in sections thirteen to nineteen, inclusive, of chapter twenty of the General Laws, and for the development of a farmers' market to enhance commercial agriculture in the central Massachusetts region, the control of thirty-five acres of land, more or less, of the land described on the plan referred to in section one of this act, hereinafter referred to as "Parcel B". Said department, with the prior approval of said deputy commissioner, may enter into leases for terms of thirty-five years or less, for the agricultural use of all, or portions of, said Parcel B, said land be bounded and described as follows:

Parcel B.

BEGINNING at the southeasterly corner of the parcel herein described in the northwesterly line of Plantation Street, said point of beginning being also the northeasterly corner of Parcel A on a plan to be referred to;

THENCE northwesterly by Parcel A on a plan to be referred to, 930 feet more or less to a stone wall at other land of Commonwealth of Massachusetts (Department of Mental Health)

THENCE northwesterly by a stone wall, 478 feet more or less to a point;

THENCE more northwesterly, 461 feet more or less to a point in a stone wall at land of City of Worcester (Parks Department);
The last 2 described courses being by other land of Commonwealth of Massachusetts (Department of Mental Health);

THENCE northwesterly by a stone wall, 287 feet more or less to a point;

THENCE more northwesterly by a stone wall, 247 feet more or less to a point;

THENCE northeasterly by a stone wall, 22 feet more or less to a point;

THENCE northeasterly by a stone wall, 834 feet more or less to a point at land of City of Worcester (Tax Title Custodian);

The last 4 described courses being by land of the City of Worcester (Parks Department);

THENCE southeasterly by a stone wall, 740 feet more or less to a point;

THENCE southeasterly by a stone wall, 730 feet more or less to a point in the northwesterly line of Plantation Street;
The last 2 described courses being by land of the City of Worcester (Tax Title Custodian);

THENCE southwesterly, 87 feet more or less to a point;

THENCE southwesterly, 238 feet more or less to a point;

THENCE southwesterly, 272 feet more or less to a point;

THENCE southwesterly, 182 feet more or less to the point of beginning;
The last 4 described courses being by the northwesterly line of Plantation Street.

Said Parcel B contains thirty-five acres of land more or less and is shown on the plan referred to in section one of this act and entitled "Plan of Property in Worcester, Massachusetts for Worcester Business Development Corporation, Scale 1" = 100', June 8, 1983, Revised June 17, 1983", and drawn by Thompson-Liston Associates, Inc.

SECTION 3. The Worcester Business Development Corporation is authorized to sell or lease all or portions of Parcel A, subject to the provisions of chapter six hundred of the acts of nineteen hundred and sixty-five, provided that such sale or lease shall restrict future use of said land to medical or technological related purposes such as, but not limited to, medical optics, pharmaceutical research and production, bio-technology or bio-engineering, and support services related thereto or needed to enhance the economic development of said research and development park. The deed to said corporation referred to in section one of this act shall also grant to said corporation rights of way over certain roadways to be retained by the commonwealth on adjoining land and also provide the commonwealth with similar rights of way over roadways to be constructed by said corporation within the subject property.

SECTION 4. The conveyance authorized in section one of this act shall be further subject to any and all conditions or restrictions which may be deemed necessary by the deputy commissioner

of the division of capital planning and operations to carry out the purposes of this act. Prior to the conveyance authorized in section one of this act, a disposition agreement shall be entered into between said division and said corporation which agreement shall, at least fifteen days prior to its execution, be submitted to the office of the inspector general for review and comment and be filed with the clerks of the house of representatives and the senate. The agreement shall include, but not be limited to, the following conditions:

(a) Said corporation, working with the public and private higher educational institutions of Worcester and existing or future federal, state, and local job training programs, shall endeavor to establish an education and training component to assist Worcester residents in developing skills necessary for future employment.

(b) Said corporation shall endeavor to seek out public and private funding sources to construct an innovation center to support and provide the resources for the many purposes necessary for the development of the bio-medical and high-technology industry in the commonwealth.

(c) Said corporation shall establish a fair and equitable procedure to provide employment opportunities in the herein created park for qualified residents of the city of Worcester on a first priority basis.

(d) All conveyances with respect to said park shall contain appropriate restrictions prohibiting employment discrimination by said corporation and its contractors, employees, grantees, lessees, or other persons dealing with said corporation on the basis of race, creed, color, sex, age, national origin, religion or handicap, and appropriate affirmative action provisions.

(e) Said corporation shall annually from the effective date of this act report to the deputy commissioner of capital planning and operations and to the respective clerks of the house of representatives and the senate on the status of development of Parcel A and Parcel B, which report shall include an accounting of development costs and revenues generated, including proceeds from grants, by an independent, certified public accountant. The obligation to report shall terminate upon the completion of the development of said Park as determined pursuant to the disposition agreement, or ten years from the date of approval of the final environmental impact report pursuant to sections sixty-two to sixty-two H, inclusive, of chapter thirty of the General Laws whichever shall occur first.

(f) For the purposes of this act, said corporation's development costs shall mean expenditures made or incurred by the corporation on or with respect to the park or which benefit the park, which shall include, but not be limited to, the following:

(1) land acquisition;
(2) property maintenance and insurance;
(3) financing;
(4) marketing and promotion;
(5) project administration;
(6) physical development, including road construction, storm and sanitary sewer construction, other public facilities or utility construction, building rehabilitation and demolition, landscaping, grading and other site or public improvements;
(7) planning, design and engineering services; and
(8) costs related to the development and operation of an innovation center if it is publicly owned or established as a non-profit institute, foundation or corporation.

(g) With respect to said Parcel A, if at any time from the date of transfer of title by the commonwealth, the corporation shall lease or sell or enter into agreements to lease or sell all or any portion of said Parcel A, all revenues received or to be received from such disposition or from state or federal grants or other sources in excess of the said corporation's development costs shall be payable to the General Fund of the commonwealth at the completion of the development of said park, as determined pursuant to the disposition agreement, or ten years from the date of the approval of the final environmental impact report pursuant to the Massachusetts Environmental Policy Act, whichever shall occur first.

(h) The land disposition agreement shall provide terms under which the corporation will reconvey said Parcel A or portions thereof in the event of a substantial default by the corporation of its obligations as set forth in said Agreement.

(i) The land disposition agreement shall provide for the assumption by said corporation of the reasonable costs associated with improving said Parcel B for agricultural purposes in accordance with standards set by the Soil Conservation Service of the United States Department of Agriculture and the department of food and agriculture. Said improvements may include, but not be limited to, drainage, transporting, spreading and grading of excess topsoil from Parcel A to Parcel B, and preparation of portions of the parcel for a community garden and a farmers' market.

(j) Said corporation shall establish a local advisory committee to provide advice and assistance during the development and construction of said Park.

SECTION 5. The amount of consideration for the transfer of said Parcel A to the corporation shall be the fair market value of said property, as determined by the deputy commissioner of capital planning and operations in accordance with procedures

customarily accepted by the appraising profession, provided, however, that if the deputy commissioner determines that the consideration should be less than at fair market value, he shall provide a written disclosure in the central register, published in accordance with section twenty of chapter nine of the General Laws, detailing the reasons for such determination, and the amount of consideration may be approved at the lesser value. The consideration for said Parcel A as determined by the deputy commissioner shall be reduced by said corporation's reasonable costs determined in accordance with the disposition agreement with respect to the corporation's obligation under paragraph (i) of section four to prepare and drain Parcel B for agricultural purposes, including transporting, spreading and grading any excess topsoil. Such consideration shall be due and payable to the commonwealth within two years after the approval of the final environmental impact report pursuant to sections sixty-two to sixty-two H of chapter thirty of the General Laws together with interest from the date of conveyance at the discount rate charged by the Federal Reserve Bank of Boston in effect at the beginning of each calendar quarter.

SECTION 6. Said property described in section one of this act shall be exempt from taxation by the city of Worcester until it is sold or leased; provided, however, that such exemption shall continue if said property is sold or leased to a non-profit organization exempt from taxes under the United States Internal Revenue Code.

Approved July 25, 1983.

EMERGENCY LETTER - July 25, 1983. @ 1:21 P.M.

Chap. 318. AN ACT AUTHORIZING THE TOWN OF REHOBOTH TO HOLD ITS TOWN MEETING AT THE DIGHTON-REHOBOTH REGIONAL HIGH SCHOOL.

Be it enacted, etc., as follows:

SECTION 1. The town of Rehoboth may, with the approval of the Dighton-Rehoboth Regional School District, hold its annual town meetings and special town meetings, or any adjournments thereof, at the Dighton-Rehoboth high school building in the town of Dighton; provided, however, that meetings for the election by official ballot of federal, state or other officials shall be held within the limits of the town of Rehoboth.

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

Approved July 26, 1983.

Chap. 319. AN ACT AUTHORIZING THE CITY OF GLOUCESTER AN ADDITIONAL TIME PERIOD TO ACT ON CERTAIN TAX ABATEMENTS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section sixty-three of chapter fifty-nine of the General Laws or any other general or special law to the contrary, if the board of assessors of the city of Gloucester fails to take action on an application for abatement for taxes levied for fiscal year nineteen hundred and eighty-two for a period of five months following the effective date of this act, such board shall, within ten days after such period, notify the applicant of such inaction in writing.

SECTION 2. Notwithstanding the provisions of section sixty-four of said chapter fifty-nine or any other general or special law to the contrary, for taxes levied for fiscal year nineteen hundred and eighty-two, whenever the board of assessors for the city of Gloucester, before which an application in writing for the abatement of a tax is or shall be pending, fails to act upon said application, except with the written consent of the applicant, upon the expiration of five months from the effective date of this act, it shall then be deemed to be denied and said assessors shall have no further authority to act thereon; provided, that during the period allowed for the taking of an appeal, said assessors may by agreement with the applicant abate the tax in whole or in part in final settlement of said application, and shall also have the authority granted to them by section seven of chapter fifty-eight A of the General Laws to abate in whole or in part, any tax as to which an appeal has been seasonably taken.

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

Approved July 26, 1983.

Chap. 320. AN ACT AUTHORIZING THE TOWN OF WAYLAND TO TRANSFER AND CONVEY CERTAIN CONSERVATION LAND HELD BY SAID TOWN AND TO RELEASE AND CANCEL A CONSERVATION RESTRICTION HELD BY THE TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of Wayland is hereby authorized to undertake the following action with respect to certain conservation land or interests in land now held by it and located within the Planned Development District known as "Mainstone" which Planned Development District is more particularly shown and described on the Zoning Plan of the Town of Wayland, Massachusetts, Everett M. Brooks Co., Civil Engineers - Newtonville and Wayland, Massachusetts, January 1, 1971, as amended October 30, 1974, a copy of which Zoning Plan as so amended is on file with the town clerk:

1. to sell, convey or otherwise dispose of to the developer of the aforesaid Mainstone Planned Development District or to any affiliate thereof, or to any condominium association or other appropriate entity, for private use, certain parcels of land designated as "public land" in said Planned Development District, which parcels are more fully described as follows:

Lot 11A

Beginning at a concrete bound located N79-08-35W, three hundred eighty-one and 90/100 (381.90) feet from a concrete bound at the Southwesterly corner of Lot 3 as shown on Land Court Plan No. 16568I-1 entitled "Phase II Building and Residential Location Site Plan Turkey Hill Village Condominiums L.C.C. No. 16568F Wayland, Mass." dated Nov. 16, 1978, Revised Dec. 23, 1978 by Harry R. Feldman Inc. on file at the Mass. Land Court, thence

S42-32-10W, two hundred eighteen and 00/100 (218.00) feet, thence

S79-08-35W, one hundred and 00/100 (100.00) feet, thence

N10-51-25W, one hundred thirty and 00/100 (130.00) feet, thence

N79-08-35E, two hundred seventy-five and 00/100 (275.00) feet, to the point of beginning.

Lot 11B

Beginning at a concrete bound at the most southerly point of Lot 20 as shown on Land Court Plan No. 16568Q-1 entitled "Plan of Land in Wayland, Mass. Building and Residence Location Site Plan - Phase IV Stoneridge Village Condominium" dated September 23, 1980 by Schofield Brothers Inc. on file at the Mass. Land Court, thence

N55-26-05E, ninety-five and 94/100 (95.94) feet to a concrete bound, thence

N17-12-10E, one hundred fifty and 00/100 (150.00) feet to a concrete bound, thence
S03-36-14E, fifty-three and 49/100 (53.49) feet, thence
S18-55-16W, one hundred seventeen and 00/100 (117.00) feet, thence
S69-14-19W, ninety-four and 96/100 (94.96) feet to the point of beginning.

Lot 11C

Beginning at a point on the easterly sideline of Mainstone Road, 276.61 feet northerly of the Natick/Wayland town line along a curve having a radius of 785.00 feet, as shown on Land Court Plan No. 16568F entitled "Mainstone Farm Wayland, Mass. Building Envelope Plan" on record at the Mass. Land Court, thence
N17-12-10E, seven hundred ninety-one and 31/100 (791.31) feet, thence
S81-27-15W, one hundred seventy-four and 90/100 (174.90) feet, to a concrete bound, thence
S17-12-10W, eighty-nine and 81/100 (89.81) feet, to a concrete bound, thence
S10-17-51E, one hundred eighty-five and 00/100 (185.00) feet, to a concrete bound, thence
S03-36-14E, fifty-three and 49/100 (53.49) feet, thence
S18-55-16W, one hundred seventeen and 00/100 (117.00) feet, thence
S69-14-19W, ninety-four and 96/100 (94.96) feet, thence
S55-26-05W, one hundred four and 06/100 (104.06) feet, thence
S34-33-54E, two hundred forty-nine and 36/100 (249.36) feet to the point of beginning,
and also being shown on plans entitled "Revised Building Envelope Plan" prepared by Schofield Brothers Inc. dated April 5, 1982, which plan is subtitled as follows:

(3)	Lots 3 & 11A	L.C.C. #16568 F
(5)	Lots 19, 20, 21 & 11B	L.C.C. #16568 M
(6)	Lots 6, 6A, 11B & 11C	L.C.C. #16569 F

copies of which are on file with the Town Clerk, which parcels were conveyed to the town by deed of Devens H. Hamlen, et al., dated June 24, 1977, recorded in the southern district registry of deeds in the county of Middlesex in Book 13357, Page 620, and registered as Document No. 565248, in consideration for the grant to the town and upon its acceptance of a deed conveying all or certain portions of another area of land located within

said Mainstone Planned Development District, which area of land is more particularly described as follows:

Lot 6A

Beginning at a town line bound at the corner of Wayland, Weston, and Natick, as shown on Land Court Plan No. 16568F entitled "Mainstone Farm Wayland, Mass. Building Envelope Plan" on file at the Mass. Land Court as a portion of Lot 6, thence
N78-48-40W, five hundred twenty-three and 27/100 (523.27) feet, to the easterly sideline of Mainstone Road, thence
Northerly, ten and 00/100 (10.00) feet along a curve to the left having a radius of 785.00 feet, thence
N62-24-36E, two hundred sixty-five and 00/100 (265.00) feet, thence
N15-07-05E, five hundred fifty-five and 00/100 (555.00) feet, thence
N07-12-40W, one hundred eighty and 00/100 (180.00) feet, thence
N04-55-37E, one hundred fifty-eight and 96/100 (158.96) feet, thence
S89-42-56E, thirty-three and 72/100 (33.72) feet, thence
S01-48-37E, one hundred seventy-nine and 11/100 (179.11) feet, thence
S07-12-40E, six hundred eleven and 04/100 (611.04) feet, thence
S05-10-41E, three hundred twenty-two and 61/100 (322.61) feet, to the point of beginning.
and also being shown on a plan entitled "Plan of Land in Wayland and Weston, Mass. Revised Building Envelope Plan and Proposed Public Land", Lot No. 6, 6A, 11B, 11C, L.C.C. No. 16568F dated April 5, 1982 by Schofield Brothers, Inc., a copy of which is on file with the town clerk, and subject to such further conditions as are set forth in the vote of the town taken on May sixth, nineteen hundred and eighty-two pursuant to Article 24 of the warrant for the nineteen hundred and eighty-two annual town meeting.

2. to sell, convey or otherwise dispose of to the developer of the aforesaid Mainstone Planned Development District or any affiliate thereof, or to any condominium association or other appropriate entity, for private use, a certain parcel of land designated as "public land" within the Mainstone Planned Development District and more fully described as follows:

Lot 19A

Beginning at a point at the northwest corner of the parcel to

be described, said point is located S66-20-46E a distance of 1,024.76 feet from the northwest corner of Lot 13 as shown on Plan entitled Mainstone Farm Wayland, Mass. Building Envelope Plan dated 12-30-76 and revised on 10-21-77 and 10-24-77, by H.W. Moore Associates, Inc., and recorded in the Middlesex South Registry of Deeds as plan 1399 of 1977 in Book 13357, page 629, thence

N66-20-46E, three hundred fifty-five and 00/100 (355.00) feet to a point, thence

S23-39-14E, two hundred eighty and 00/100 (280.00) feet to a point, thence

S01-16-39W, two hundred fifty-one and 86/100 (251.86) feet to a point, thence

N88-02-55W, three hundred ninety-seven and 00/100 (397.00) feet to a point, thence

N05-41-38W, three hundred fifty-four and 07/100 (354.07) feet to the point of beginning,

which parcel was previously conveyed to the town by deed of Devens H. Hamlen, et al., dated June 24, 1977, recorded in the southern district registry of deeds in the county of Middlesex in Book 13357, Page 620, and registered as Document No. 565248, in consideration for the granting to the town and upon its acceptance of a deed conveying another parcel of land located within said Mainstone Planned Development District and more particularly described as follows:

Lot 13B

Beginning at a point at the northwest corner of the parcel to be described, said point being located along the following two courses and distances,

S22-33-00E, two hundred eighty-five and 43/100 (285.43) feet, thence

S05-34-54W, two hundred sixty and 00/100 (260.00) feet,

from the northwest corner of Lot 13 as shown on a Plan entitled Mainstone Farm Wayland, Mass. Building Envelope Plan dated 12-30-76 and revised on 10-21-77 and 10-24-77, by H.W. Moore Associates, Inc., and recorded in the Middlesex South Registry of Deeds as plan 1399 of 1977 in Book 13357, Page 629, thence

S05-34-54W, three hundred thirty and 00/100 (330.00) feet, thence

S84-25-06E, three hundred thirty and 00/100 (330.00) feet, thence

N05-34-54E, three hundred thirty and 00/100 (330.00) feet, thence

N84-25-06W, three hundred thirty and 00/100 (330.00) feet to the point of beginning,

and subject to such further conditions as are set forth in the vote of the Town taken on November seventeenth, nineteen hundred and eighty-two pursuant to Article 7 of the warrant for the November seventeenth, nineteen hundred and eighty-two special town meeting;

3. to release and cancel with the approval of the secretary of environmental affairs a certain conservation restriction granted to the Town by deed of Devens H. Hamlen, et al., dated June 24, 1977, recorded with southern district registry of deeds in the county of Middlesex in Book 13357, Page 620, and registered as Document Number 565251, on 128 acres of land, more or less, in Wayland, lying within the aforesaid Mainstone Planned Development District and more particularly described in said deed and shown and designated as "private open space" on plans referenced in said deed, a copy of which, together with accompanying plans, is on file with the town clerk, in consideration for the granting to the town of a new conservation restriction, which shall contain terms and conditions deemed satisfactory to the conservation commission and the board of selectmen, to be imposed upon such substituted areas of land and water within the Mainstone Planned Development District as are ultimately determined by the conservation commission and the board of selectmen to be satisfactory for designation as "private open space" in lieu of the areas so designated under the existing conservation restriction, and subject to such further conditions as are set forth in the vote of the town taken on November seventeenth, nineteen hundred and eighty-two pursuant to Article 6 of the warrant for the November seventeenth, nineteen hundred and eighty-two special town meeting.

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

Approved July 26, 1983.

Chap. 321. AN ACT AUTHORIZING THE TOWN OF SOUTHBOROUGH TO CONVEY CERTAIN CONSERVATION LAND IN SAID TOWN TO RAY B. DAVIS AND ELEANOR M. DAVIS.

Be it enacted, etc., as follows:

SECTION 1. In return for the conveyance of certain land by Ray B. Davis and Eleanor M. Davis to the town of Southborough, said town, acting through its board of selectmen, is hereby authorized to convey to said Ray B. Davis and said Eleanor M. Davis, both of said town upon such terms as said board of

selectmen may determine, a certain parcel of conservation land in said town presently under the custody and control of the conservation commission of said town and being a parcel of land lying on the westerly side of Woodland road, and bounded and described as follows:

BEGINNING at a point on the westerly line of Woodland Road at the corner of land now or formerly of H.M.D. Realty Trust;

THENCE N. 61° 42' 45" W. 176.22 ft. to a drill hole in a stone wall;

THENCE N. 49° 12' 05" W. 82.34 ft. to a drill hole in a stone wall;

THENCE N. 79° 46' 10" W. 23.36 ft. to a point.

The last three courses being by land now or formerly of H.M.D. Realty Trust.

THENCE N. 34° 05' 03" E. 574.71 ft. by land of the Town of Southborough to a point;

THENCE S. 56° 10' 42" E. 288.45 ft. by land of Ray B. and Eleanor M. Davis to a point in the westerly line of Woodland Road;

THENCE S. 33° 49' 18" W. 513.14 ft. by the line of Woodland Road to a point;

THENCE S. 49° 19' 46" W. 46.93 ft. to the point of beginning.

Containing 3.770 acres as shown on plan entitled "Plan of Land in Village of Fayville, Southborough, owned by Town of Southborough", dated 17 March 1982, by Berry Engineering Inc.

SECTION 2. The board of selectmen of said town, in the name of and on behalf of said town, shall execute and deliver any instrument necessary to transfer the land described under authority of section one.

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

Approved July 26, 1983.

Chap. 322. AN ACT AUTHORIZING THE TOWN OF CHATHAM TO ESTABLISH A REVOLVING FUND FOR THE PROPAGATION, CULTIVATION, PROTECTION AND STUDY OF SHELLFISH.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section fifty-three of chapter forty-four of the General Laws, the town of Chatham may establish in the town treasury a revolving fund which shall be kept separate and apart from all other monies by

the treasurer and in which shall be deposited seventy-five per cent of the receipts received from the issuance of commercial shellfish permits by said town. The principal and interest thereon shall be expended without further appropriation under the direction of the shellfish constable with the advice of the Chatham shellfish advisory board subject to final approval of the board of selectmen of said town and only for the propagation, cultivation, protection and study of shellfish.

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

Approved July 26, 1983.

Chap. 323. AN ACT AUTHORIZING THE CITY OF BOSTON TO ISSUE AN ADDITIONAL ALL ALCOHOLIC CLUB LICENSE TO THE KNIGHTS OF COLUMBUS BUILDING ASSOCIATION OF ROSLINDALE, INC.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any limitations of 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 one hundred and thirty-eight, the licensing authority in the city of Boston is hereby authorized to issue to the Knights of Columbus Building Association of Roslindale, Inc. an annual seven day all alcoholic beverage club license; provided, however, that said licensing authority shall not approve the transfer of said license to any other person, organization, corporation or location.

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

Approved July 26, 1983.

Chap. 324. AN ACT FURTHER REGULATING THE RIGHTS OF CERTAIN FIREFIGHTERS OR POLICE OFFICERS WHO WERE LAID OFF IN THE YEARS NINETEEN HUNDRED AND EIGHTY-ONE AND NINETEEN HUNDRED AND EIGHTY-TWO.

Be it enacted, etc., as follows:

SECTION 1. In any city or town which accepts this act, any firefighter or police officer, whose employment was terminated in

nineteen hundred and eighty-one or nineteen hundred and eighty-two due to a reduction in force and subsequently was reinstated to his former position on or before July first, nineteen hundred and eighty-three, shall be credited with active service for such period of unemployment. Such credited service shall be included as part of his length of service, and shall be applied to his seniority, promotional examinations and retirement; provided, however, that said firefighter or police officer shall be required to pay into the annuity savings fund of the retirement system in one sum, or in installments upon conditions as the retirement board shall prescribe, an amount equal to the accumulated regular deductions withdrawn by him, if any, with the regular interest to his date of reinstatement.

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

Approved July 26, 1983.

Chap. 325. AN ACT PROVIDING FOR A SPECIAL CAPITAL OUTLAY PROGRAM RELATIVE TO RENOVATIONS AND EQUIPMENT FOR THE PURPOSE OF TELEVISING SESSIONS OF THE HOUSE OF REPRESENTATIVES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize renovations and equipment for state house television coverage, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. To provide for a program of studies, preparation of plans, construction, reconstruction, alteration and improvement of various state institutions and properties, and for the purchase of certain property, including the purchase of equipment the sum set forth in section two of this act for the purposes and subject to the conditions specified under the provisions of this act in sections two and three of this act is hereby made available, subject to the provisions of law regulating the disbursement of public funds and approval thereof.

SECTION 2.

Item	
0129-8831	For the study, preparation of plans, renovations and

improvements, including the cost of equipment to provide state house television coverage
$1,536,479

SECTION 3. To meet expenditures necessary in carrying out section two of this act, the state treasurer shall, upon request of the governor, issue and sell 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, the sum of one million three hundred seventy thousand five hundred and nine dollars.

All bonds or notes issued by the commonwealth, as aforesaid, shall be designated on their face State House Television Coverage, Act of 1983 and shall be issued for a maximum term 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; provided however, that all such bonds or notes shall be payable not later than June thirtieth, nineteen hundred and eighty-nine.

All interest and payments on account of principal of such obligations shall be payable from the General Fund. Bonds or notes and the interest thereon issued under the authority of this section shall be general obligations of the commonwealth.

Approved July 26, 1983.

Chap. 326. AN ACT AUTHORIZING THE CITY OF LYNN TO SELL AND CONVEY A CERTAIN PARCEL OF PARK LAND IN SAID CITY.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, the city of Lynn is hereby authorized to sell and convey for valid consideration at a private sale certain park land in the city of Lynn containing seventeen thousand five hundred and thirty-eight square feet, more or less, bounded by Beach Road and Lynn Shore Drive in said city as shown on a plan, entitled "Plan of Land in Lynn, Massachusetts", dated October 25, 1981, as prepared by Ralph W. Reid, C.E. and recorded with Plan Book 170, Plan 2, at the Essex South Registry of Deeds.

Approved July 26, 1983.

Chap. 327. AN ACT PROVIDING FOR A CAPITAL OUTLAY PROGRAM RELATIVE TO THE MASSACHUSETTS TECHNOLOGY PARK CORPORATION.

Be it enacted, etc., as follows:

SECTION 1. The secretary of the executive office for administration and finance is hereby authorized to expend an amount not in excess of twenty million dollars to meet the commonwealth's share of the expenses of the Massachusetts Microelectronics Center. Such funds shall be credited to the Center Fund in accordance with the provisions of sections five and six of chapter forty J of the General Laws; provided, however, that the amount so credited shall not exceed the amount proposed by the plan as required by said section six.

SECTION 2. To meet the expenditures necessary to carry out the provisions of section one of this act, the state treasurer shall, upon the 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 dollars.

All bonds issued by the commonwealth, as aforesaid, shall be designated on their face the words, Massachusetts Technology Park Corporation Loan, Act of 1983, and shall, in accordance with the recommendations which the governor shall submit pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, be issued for maximum terms not exceeding twenty years and be payable not later than June thirtieth, two thousand and eight. All interest and payments on account of principal of such obligations shall be payable from the General Fund. Bonds issued under the authority of this section and the interest thereon shall, notwithstanding any other provisions of this act, be general obligations of the commonwealth.

SECTION 3. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary for the purpose of meeting payments authorized by section one of this act and may issue and renew from time to time notes of the commonwealth therefor, bearing interest payable at such times and at such rates as shall be fixed by the state treasurer. In accordance with the recommendations which the governor shall submit pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year and the final maturities of such notes, whether original or renewal, shall not be later than

June thirtieth, nineteen hundred and ninety-four.

Notes and interest thereon issued under the authority of this section, notwithstanding any other provisions of this act, shall be general obligations of the Commonwealth. All payments on account of principal and interest on the said notes shall be repaid from the General Fund.

Approved July 26, 1983.

Chap. 328. AN ACT RELATIVE TO THE OFFSETTING OF UNPAID PREMIUMS FROM AMOUNTS OWED ON CLAIMS.

Be it enacted, etc., as follows:

Chapter 175 of the General Laws is hereby amended by striking out section 221, inserted by chapter 776 of the acts of 1979, and inserting in place thereof the following section:-

Section 221. Any insurance company, broker or agent may retain an amount equal to any unpaid premium due on the policy under which a claim is being presented, when settling any such claim for an insured; provided, however, that the unpaid premium remains unpaid sixty days after the effective day of such policy or the date of the original billing thereof, whichever later occurs; provided further, that such unpaid premium shall be retained as against any loss payee or mortgagee named in said policy up to the amount of the unpaid balance owed to such loss payee or mortgagee on the date the loss occurred which gave rise to said claim until the premium payment is made to said insurance company, broker, or agent by the insured, loss payee or mortgagee; and provided, further, that this section shall not be applicable to a health insurance policy.

Approved July 26, 1983.

Chap. 329. AN ACT AUTHORIZING THE TOWN OF KINGSTON TO ISSUE AN ADDITIONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES TO PAUL M. NELSON.

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 Kingston is hereby authorized to issue to Paul M. Nelson, d/b/a Pot Luck Liquors, 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 said section seventeen; provided, however, that the number of seasonal licenses for the sale of all alcoholic beverages not to be drunk on the premises authorized for said town to issue under the provisions of said section seventeen of said chapter one hundred and thirty-eight shall be reduced by one license.

Approved July 26, 1983.

Chap. 330. AN ACT RELATIVE TO FUNDING FOR NONGAME WILDLIFE PROGRAMS IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Chapter 10 of the General Laws is hereby amended by inserting after section 35C the following section:-

Section 35D. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Nongame Wildlife Fund, for nongame wildlife programs in the commonwealth. Said fund shall consist of all revenues received by the commonwealth: (1) under the provisions of section six D of chapter sixty-two; (2) from public and private sources as gifts, grants, and donations to further nongame wildlife programs; or (3) from the federal government as reimbursements, grants-in-aid or other receipts on account of the division of fisheries and wildlife nongame activities.

All revenues credited under this section shall remain in said Nongame Wildlife Fund, subject to appropriation: to acquire land critical to nongame wildlife and endangered species for the multiple purposes of protecting and enhancing nongame wildlife and encouraging compatible wildlife uses; to manage, inventory, preserve, protect, perpetuate, and enhance nongame wildlife in the commonwealth; and to supplement funds provided to the natural heritage program for the inventory of nongame wildlife and endangered species. The state treasurer shall not deposit said revenues in or transfer said revenues to the General Fund or any other fund other than the Nongame Wildlife Fund.

SECTION 2. Section 6C of chapter 62 of the General Laws, inserted by section 4 of chapter 774 of the acts of 1975, is hereby amended by striking out, in line 15, the word "twenty-

two" and inserting in place thereof the words:- five of chapter sixty-two C.

SECTION 3. Said chapter 62 is hereby further amended by inserting after section 6C the following section:-

Section 6D. Every individual who files a separate return and every husband and wife filing a single return jointly may voluntarily contribute all or part of any refund to which they are entitled to the Massachusetts Nongame Wildlife Fund.

A contribution made under this section may be made with respect to any taxable year at the time of filing the return of the tax imposed by this chapter for such taxable year; provided, however, that the commissioner shall prescribe the manner in which such contribution shall be made on the face of the return required by section five of chapter sixty-two C.

The commissioner shall annually report the total amount designated under this section to the state treasurer who shall credit such amount to the Nongame Wildlife Fund.

SECTION 4. Section 1 of chapter 131 of the General Laws is hereby amended by striking out the definition of "Nongame wildlife", inserted by section 29 of chapter 808 of the acts of 1981, and inserting in place thereof the following definition:-

"Nongame wildlife", any nondomesticated animal not regulated by the division as a game species and any plant, native to the commonwealth, which is not classified as domesticated.

SECTION 5. Section 2 of said chapter 131, as appearing in section 1 of chapter 802 of the acts of 1967, is hereby amended by inserting after the word "Fund", in line 7, the words:- except that sums received for nongame programs shall be credited to the Nongame Wildlife Fund, established by section thirty-five D of chapter ten.

SECTION 6. Said chapter 131 is hereby further amended by inserting after section 5A the following section:-

Section 5B. The director shall administer the nongame wildlife program in accordance with clauses (3) and (13A) of section four, and shall promulgate rules and regulations, subject to the procedures established in chapter thirty A, for said nongame program, including criteria for the purchase of lands critical to nongame wildlife and endangered species, and for the use of said land for the protection and enhancement of nongame wildlife and for the encouragement of compatible wildlife uses. The commissioner shall appoint, subject to the approval of the fisheries and wildlife board, a nongame advisory committee of seven members to advise the director on matters pertaining to nongame wildlife and wild plants. One of the members shall be a board member

interested in endangered species appointed pursuant to section seven of chapter twenty-one. Of the remaining six members, three shall have technical training and experience and be drawn in the commissioner's discretion from the fields of ornithology, mammalogy, herpetology, icthyology, and botany, and three shall be persons knowledgeable in the field of natural history. The committee shall select a chairperson annually by majority vote of the members of said committee at a meeting scheduled for such purpose. The members shall serve terms of three years, except for the initial term, three members shall be appointed to serve for one year, two for two years, and two for three years. The committee shall meet at least quarterly and shall also meet at the request of the director or committee chairperson. Committee members shall not receive compensation for their services but shall receive reimbursement from the Nongame Wildlife Fund for reasonable expenses necessary to the performance of their duties.

SECTION 7. Subject to appropriation, ten per cent of the annual proceeds from contributions made pursuant to section six D of chapter sixty-two of the General Laws, inserted by section three of this act shall be deposited to the department of revenue for the cost of collection and accounting of receipts of such contributions.

SECTION 8. Section six D of chapter sixty-two of the General Laws, inserted by section three of this act, shall apply to taxable years commencing on and after January first, nineteen hundred and eighty-three.

Approved July 26, 1983.

Chap. 331. AN ACT EXPANDING THE SOURCES OF GRANTS OR GIFTS FOR MUNICIPAL PURPOSES.

Be it enacted, etc., as follows:

Section 53A of chapter 44 of the General Laws, as most recently amended by section 1 of chapter 388 of the acts of 1967, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- An officer or department of any city or town, or of any regional school or other district, may accept grants or gifts of funds from the federal government and from a charitable foundation, a private corporation, or an individual, or from the commonwealth, a county or municipality or an agency thereof, and in the case of any grant or gift given for educational purposes may expend

said funds for the purposes of such grant or gift with the approval of the school committee, and in the case of any other grant or gift may expend such funds for the purposes of such grant or gift in cities having a Plan D or Plan E form of government with the approval of the city manager and city council, in all other cities with the approval of the mayor and city council, in towns with the approval of the board of selectmen, and in districts with the approval of the prudential committee, if any, otherwise the commissioners.

Approved July 26, 1983.

Chap. 332. AN ACT FURTHER REGULATING THE PREPARATION 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 first sentence, as amended by section 2 of chapter 145 of the acts of 1981, and inserting in place thereof the following sentence:- The collector of taxes for any city, or for any town having more than five thousand inhabitants, as determined by the last preceding national or state census, shall, on written application by any person, and within ten days thereafter, excluding Saturdays, Sundays and holidays, furnish to such applicant a certificate of all taxes and other assessments, including water rates and charges, and charges due to municipal lighting plants, under the provisions of sections fifty-eight B to fifty-eight F, inclusive, of chapter one hundred and sixty-four which at the time constitute liens on the parcel of real estate specified in such application and are payable on account of such real estate.

Approved July 26, 1983.

Chap. 333. AN ACT AUTHORIZING THE BOARD OF TRUSTEES OF THE UNIVERSITY OF LOWELL TO LEASE CERTAIN PROPERTY FOR HYDROELECTRIC PURPOSES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize the board of trustees of the University of Lowell to lease certain property for hydroelectric purposes, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any special or general law to the contrary, the board of trustees of the University of Lowell is hereby authorized and directed to lease a certain parcel of land described in section two, under the control and supervision of the University of Lowell, to Boott Mills of Lowell, Massachusetts for a period of ninety-nine years, for a rental price equal to fifty-seven one-hundredths of one per cent of the revenues generated by the use of such property, but not less than thirty thousand dollars per year. Said lease shall be approved as to form by the Attorney General. The lessee shall have an option to purchase said property at the end of the leasehold period at fair market value.

SECTION 2. A parcel of land in Lowell, Massachusetts generally bounded and described as follows, to the extent fee title thereto is in the Commonwealth of Massachusetts:

ON THE WEST by land of Proprietors of the Locks and Canals on Merrimack River from the shoreline of the Merrimack River Twelve and 17/100ths (12.17) feet to a point of intersection with the Northern Canal approximately Two Hundred Two and 85/100ths (202.85) feet upstream of Pawtucket Street, more or less;

ON THE SOUTHWEST by the Northern Canal, Two Hundred Two and 85/100ths (202.85) feet, more or less;

ON THE SOUTH by Pawtucket Street, Three Hundred Sixty-Seven and 60/100ths (367.60) feet, more or less;

ON THE NORTHEAST by other land of the Lessor, One Hundred Twenty-Three and 46/100ths (123.46) feet; more or less;

ON THE SOUTHEAST by other land of the Lessor, Two Hundred Twenty-Five (225) feet, more or less, to the point of intersection with the shoreline to the Merrimack River;

ON THE SOUTH by land of the Lessor along the shoreline of the Merrimack River, to a point Five Hundred (500) feet, more or less, downstream of the aforesaid point of intersection;

ON THE EAST by land of the Lessor along a line from the aforesaid point to the centerline of the Merrimack River at a right angle to said centerline;

ON THE NORTH by land of the Lessor along the centerline of

the Merrimack River to the point of intersection with land of Proprietors of the Locks and Canals on Merrimack River;

ON THE WEST by land of Proprietors of the Locks and Canals on Merrimack River along a line from the aforesaid point to the point of intersection of the shoreline of the Merrimack River perpendicular to said centerline; and

ON THE NORTHWEST by land of the Proprietors of the Locks and Canals on Merrimack River along the shoreline of the Merrimack River from said point of intersection to a point Three Hundred Eighty-Five (385) feet, more or less, upstream of said point of intersection.

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 of the remaining provisions.

Approved July 27, 1983.

Chap. 334. AN ACT RELATIVE TO THE LICENSING AND KEEPING OF DOGS IN THE TOWN OF MARSHFIELD.

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 general or special law to the contrary, the annual fees to be charged by the town of Marshfield for the issuance of dog licenses shall be as follows:- unspayed and unneutered dogs, seven dollars, spayed and neutered dogs, four dollars.

SECTION 2. Notwithstanding the provisions of section one hundred and forty-seven of said chapter one hundred and forty or any other general or special law to the contrary, all money received for licenses or from the sale of dog licenses by the town of Marshfield, or recovered as fines or penalties by said town under the provisions of said chapter one hundred and forty relating to dogs, shall be paid into the treasury of said town, and shall not thereafter be paid by the town treasurer to Plymouth county. Such monies shall be used solely for animal care and control.

SECTION 3. Notwithstanding the provisions of any general or special 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 such town, is hereby exempt from the provisions of section three of said chapter forty-nine A, and no such animal pound located in said town 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.

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

Approved July 29, 1983.

Chap. 335. AN ACT AUTHORIZING THE TREASURER OF ESSEX COUNTY TO PAY A CERTAIN UNPAID BILL.

Be it enacted, etc., as follows:

SECTION 1. The treasurer of Essex county is hereby authorized, with the approval of the county commissioners, to pay three thousand eight hundred fifty-three dollars and eighty-four cents to Edward J. Brennan, from any available funds, including federal revenue sharing funds for work done for Essex county during the fiscal year nineteen hundred and eighty-one.

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

Approved July 29, 1983.

Chap. 336. AN ACT AUTHORIZING THE CITY OF LYNN TO BORROW MONEY FOR A MARINA AND WATERFRONT IMPROVEMENT PROJECT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law, rule or regulation to the contrary, the city of Lynn may borrow from time to time such sums of money as may be necessary, not exceeding in the aggregate one million, seven hundred sixteen thousand dollars and may issue bonds or notes therefor, for construction of a marina at the Heritage Harbor site including equipment and related facilities, and site prepara-

tion for the parcel being made available for private development, and also for paying interest on any such bonds or notes for a period not exceeding two years from the date of issue of the bonds or notes. The proceeds of such bonds or notes shall be expended together with any state or federal funds made available in connection with improvements at the Heritage Harbor site. Such bonds or notes shall be issued in accordance with the provisions of 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 City of Lynn, Waterfront Improvement Loan, Act of 1983. Each authorized issue shall constitute a separate loan and each such loan shall be payable in not more than thirty-five years from its date. Payments of principal on account of each loan may be made at least annually and the first such payment of principal shall be made not later than six years from the date of the bonds or notes issued for such loan. The maturities of the bonds or notes issued for any loan hereunder shall be arranged so that for each issue the amounts payable in the several years for principal and interest combined shall be as nearly equal as practicable in the opinion of the officers authorized to issue said loan, or, in the alternative, in accordance with a schedule providing a more rapid amortization of principal. The bonds may be secured by a first lien on and pledge of new revenues derived from the marina and related facilities. Said pledge shall be binding from the time it is made and shall be effective as against all other creditors of the city whether or not they have notice thereof, and without the necessity of segregation of pledged funds or any further act. No filing with respect to such pledge shall be required under chapter one hundred and six of the General Laws. Indebtedness incurred under this act shall be in excess of the limit prescribed by section ten of chapter forty-four of the General Laws but, except as provided herein, shall be subject to the applicable provisions of said chapter forty-four. The officers authorized to issue bonds or notes hereunder may enter into such agreements as may be required or permitted under the federal law and regulations governing said Coastal Energy Impact Program.

SECTION 2. Receipts from the operation of the project financed hereunder may be retained in a separate account or accounts to be applied to the payment of charges and expenses incident to the maintenance and operation of the city's marina and related waterfront facilities, or to the extension, improvement or replacement thereof, to the payment of interest on bonds or notes issued hereunder, to the payment or redemption of such bonds or notes, or to fund any debt service, depreciation, or other

reserve funds required under any loan agreement entered into under this act, provided that any sums remaining unexpended for such purposes after the close of any fiscal year may be used to reduce the city's tax levy to the extent permitted under the loan agreements.

SECTION 3. The order adopted by the city council of the city of Lynn on April twelfth, nineteen hundred and eighty-three and approved by the mayor on April fifteenth, nineteen hundred and eighty-three, authorizing the borrowing of one million seven hundred and sixteen thousand dollars for the purposes stated in section one of this act, is hereby validated and confirmed and the city treasurer, with the approval of the mayor, of said city is authorized to issue bonds or notes pursuant to said order and this act.

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

Approved July 29, 1983.

Chap. 337. AN ACT AUTHORIZING THE CITY OF WALTHAM TO EXPEND MONEY FOR THE PURPOSE OF INDEMNIFYING ITS EMPLOYEES AND OFFICIALS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of sections nine and nine A of chapter two hundred and fifty-eight of the General Laws or any other general or special law to the contrary, the city of Waltham may indemnify public employees or officials, whether elected or appointed, from any personal financial loss and expenses, including damages, fines, penalties, legal and professional fees and costs, if any, arising out of any claim, action, criminal complaint or application therefor, indictment, award, compromise, settlement, judgment or arbitration by reason of a tort, act, alleged act, failure to act or alleged failure to act under state or federal law, if such employee or official, at the time of the tort or act, was acting within the scope of his official duties or employment. No such employee or official shall be indemnified hereunder, if at the time of the tort or act, he was acting in a grossly negligent, willful or malicious manner.

Nothing in this act shall be construed as requiring the city to so indemnify any such employees or officials. Payments made under the provisions of this section shall be authorized only when the same has been requested by the mayor and approved by two-thirds of all members of the council.

SECTION 2. Section one of this act shall take effect as of January first, nineteen hundred and seventy-eight upon its acceptance by the city of Waltham.

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

Approved July 29, 1983.

Chap. 338. AN ACT RELATIVE TO THE FILING OF A WITHDRAWAL FROM NOMINATION AT A PRELIMINARY ELECTION IN THE TOWN OF FRAMINGHAM.

Be it enacted, etc., as follows:

Section 6 of chapter 34 of the acts of 1979 is hereby amended by inserting after the first paragraph the following paragraph:- A person nominated at a preliminary election may withdraw his name from nomination for such office by filing with the town clerk a withdrawal, made and signed in writing, not later than five o'clock post-meridian on the third day next following the date of said preliminary election. Such signed withdrawal shall be acknowledged by a notary public.

Approved July 29, 1983.

Chap. 339. AN ACT EXEMPTING THE OFFICE OF TOWN ACCOUNTANT OF THE TOWN OF FRAMINGHAM FROM THE CIVIL SERVICE LAW AND PROVIDING FOR THE APPOINTMENT OF THE TOWN ACCOUNTANT BY THE SELECTMEN OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of chapter three hundred and twenty-one of the acts of nineteen hundred and thirty-five, the office of town accountant of the town of Framingham shall not be subject to the provisions of chapter thirty-one of the General Laws.

SECTION 2. The present acting or temporary incumbent of the office of town accountant of said town shall continue to serve until such time as a successor is duly appointed and qualified pursuant to this act.

SECTION 3. Notwithstanding the provisions of any general or

special law to the contrary, in the town of Framingham the town accountant shall be appointed for a three year term by the selectmen of said town. The provisions of law relative to town accountants shall apply to such office and the person so appointed shall have all of the powers and duties now or from time to time hereafter vested by general or special law or by the charter or by by-laws of the said town in the office of town accountant. The provisions of any such charter or by-law shall not be inconsistent with the provisions of any general law but may be in addition thereto.

SECTION 4. The person appointed to the position of town accountant shall possess ability and experience in the field of accounting and municipal financial administration. Such person shall devote full time during regular business hours to the duties of the office. The term of office shall be three years from the first day of July next following the acceptance of this act by said town as hereinafter provided, but the initial term of the first person appointed under this act shall commence upon the date of the appointment. The person initially appointed need not be a resident of said town during the initial term, but said town may by by-law impose that requirement upon said person or any successor thereto in office with respect to subsequent terms of office. The person appointed shall hold no other town office or position unless permitted by law, but may serve as an appointed member of any committee of said town.

SECTION 5. The position of town accountant shall be subject to the terms and conditions of the personnel by-law of said town, as amended from time to time, including without limitation section fourteen thereof.

SECTION 6. Any vacancy in said office shall be filled in like manner for the unexpired portion of the term. The town accountant may be removed for cause by the selectmen after an opportunity for a hearing before said selectmen.

SECTION 7. This act shall take effect in said town upon its acceptance by a majority vote of the town meeting members present and voting upon the question of its acceptance pursuant to an article duly appearing in the warrant for an annual town meeting or a special town meeting.

Approved July 29, 1983.

Chap. 340. AN ACT ESTABLISHING SEPARATE ACCOUNTS FOR NONRESIDENT AND OTHER CERTAIN STUDENTS TUITION IN REGIONAL SCHOOLS.

Be it enacted, etc., as follows:

Chapter 71 of the General Laws is hereby amended by inserting after section 16D the following section:-

Section 16D½. All monies received by a regional district school committee as tuition payments for nonresident students and as reimbursements from the commonwealth for students who are foster care children shall be deposited with the district treasurer and held in a separate account in the district treasury. The receipts held in such a separate account may be expended by said regional district school committee without further appropriation for expenses incurred in providing education for such nonresident students or for such students who are foster care children.

Approved July 29, 1983.

Chap. 341. AN ACT REQUIRING BANKS TO HONOR AND CASH CERTAIN CHECKS OF PENSIONERS AND RETIREES.

Be it enacted, etc., as follows:

Chapter 167 of the General Laws is hereby amended by adding the following section:-

Section 46. Every bank doing business in the commonwealth, which for the purposes of this section shall include any bank as defined in section one and any national bank, national banking association, federal savings bank, federal savings and loan association and federal credit union, shall honor and cash a check presented by a pensioner or retiree, whether or not such person has an account in such bank, if the following conditions are met: (a) the said pensioner or retiree is a resident of the commonwealth; (b) the said pensioner or retiree provides adequate information for identification purposes and is registered with such bank; and (c) any such check has been issued to the pensioner or retiree presenting the same as a social security, supplemental security income, supplemental security income for aged, blind, and disabled or retirement benefit by the federal government or any agency thereof, or by the commonwealth or any agency or political subdivision thereof.

The commissioner, by regulation, shall establish a procedure to be employed by any bank, as defined in section one, whereby pensioners or retirees may be registered therewith for the purpose of having such checks cashed. The regulations shall require, but need not be limited to, the following: (1) every

such bank shall provide for the registration in its main office and any branch thereof of any pensioner or retiree requesting the same by means of an application card containing the application date and the name, address, date of birth, social security number and handwritten signature of the applicant as well as any other information which the commissioner may deem necessary, or by any other method and under such conditions as the commissioner may approve; (2) every such bank shall have the authority to verify all information required to be submitted to effect such registration; (3) upon verification, which shall be completed within thirty days of the receipt of such application, the applicant pensioner or retiree shall be so registered and shall be forthwith provided by the bank with an identification card, in such form as the commissioner may approve, entitling him to such check cashing privileges; (4) the presentation of any such check for cashing shall be restricted to the office or branch of any such bank in which the registration of the said pensioner or retiree was effected; and (5) every such bank may assess a charge for processing the said application and issuing the said identification card in an amount equal to the actual cost incurred therefor as determined by the commissioner to be fair and equitable, and no other charge shall be assessed for such check cashing purposes.

Any bank which fails to cash any such check of a pensioner or retiree registered therewith in accordance with this section or which otherwise violates the provisions of this section or any regulations promulgated thereunder shall be punished by a fine of not more than five hundred dollars for each such violation.

Approved July 29, 1983.

Chap. 342. AN ACT RELATIVE TO ELECTIONS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter 452 of the acts of 1948 is hereby amended by striking out section 11A, as appearing in section 1 of chapter 376 of the acts of 1951, and inserting in place thereof the following section:-

Section 11A. Every person elected mayor and every person elected or chosen city councillor or school committeemember shall, before entering upon the duties of his office, take, and subscribe in a book to be kept by the city clerk for the purpose, the oath of allegiance and oath of office prescribed in the constitution of this commonwealth and an oath to support the constitution of the

United States. Such oaths shall be administered, to a person elected mayor, by a justice of the supreme judicial court, a judge of a court of record commissioned to hold such court within the city or a justice of the peace, and to a person elected or chosen city councillor or school committeemember, by the mayor or any of the persons authorized to administer said oaths to a person elected mayor.

SECTION 2. Said chapter 452 is hereby further amended by striking out section 19, as so appearing, and inserting in place thereof the following section:-

Section 19. If at any time a vacancy occurs in the school committee from any cause, the mayor, the president of the city council and the remaining school committeemembers, meeting in joint convention, shall, by a majority vote, choose, as school committeemember for the unexpired term, any registered voter of the city duly qualified to vote for a candidate for the office of school committeemember. If there is a failure to elect a school committeemember or a person elected school committeemember resigns or dies before taking office, the remaining school committeemembers elect upon taking office and the then mayor and the then president of the city council shall meet in joint convention and by a majority vote choose such a registered voter as school committeemember for the unexpired term.

SECTION 3. Said chapter 452 is hereby further amended by striking out section 55, as appearing in section 2 of said chapter 376, and inserting in place thereof the following section:-

Section 55. A nomination petition shall be issued only to a person subscribing after the thirteenth Tuesday, and before the eighth Tuesday, preceding the preliminary election, in a book kept for that purpose by the election commission, a statement of candidacy in substantially the following form:-

THE COMMONWEALTH OF MASSACHUSETTS
CITY OF BOSTON
STATEMENT OF CANDIDACY.

I, (name with first or middle name in full), under the pains and penalties of perjury declare that I reside at (street and number, if any) in District (number) of the City of Boston; that I am a registered voter of said City duly qualified to vote for a candidate for the office hereinafter mentioned; that I am a candidate for nomination for the office of (Mayor or City Councillor-at-Large or City Councillor representing District (number) or School Committeemember-at-Large or School Committeemember representing District (number); that I request that my name be

printed as such candidate on the official ballot to be used at the preliminary municipal election to be held on Tuesday, , 19 , for the purpose of nominating candidates for election to such office; and that I also request that my nomination petition contain the following statement (not exceeding eight words) concerning the elective public offices now or formerly held by me:-

.....
.....
.....

.....
Signature of Candidate.

SECTION 4. Said chapter 452 is hereby further amended by striking out section 55A, as so appearing, and inserting in place thereof the following section:-

Section 55A. A nomination petition shall be issued by the election commission not later than twelve o'clock noon on the second day (Saturdays, Sundays and legal holidays excluded) after the subscription of a statement of candidacy, except that no such petition shall be issued before the eleventh Tuesday preceding the preliminary election. A nomination petition shall not relate to more than one candidate nor to more than one office. A nomination petition may state the elective public offices which the candidate holds or has held under the government of the commonwealth, the county of Suffolk or the city of Boston or in the congress as a representative or senator from the commonwealth; provided, that such statement shall not exceed eight words and shall, with respect to each such office, consist solely of the title, as hereinafter given, of such office, preceded, if the candidate is the then incumbent thereof, by the word "Present", otherwise, by the word "Former".

For the purposes of such statement, the titles of the elective public offices which may be stated shall be deemed to be as follows:- city councillor-at-large, district city councillor, school committeemember-at-large, district school committeemember, mayor, district attorney, sheriff, register of deeds, register of probate, county clerk of superior (criminal) court, county clerk of superior (civil) court, county clerk of supreme judicial court, state representative, state senator, governor's councillor, attorney general, state auditor, state treasurer, state secretary, lieutenant governor, governor, congressman, and United States senator.

If the candidate is a veteran as defined in section twenty-one of chapter thirty-one of the General Laws, his nomination petition may contain the word "Veteran", which, in the case of a candidate holding or having held elective public office as aforesaid,

shall, for the purposes of this section and sections fifty-five, fifty-eight and sixty-two, be counted as a part of the statement concerning the elective public offices held by him, and, in the case of a candidate who does not hold and has never held elective public office as aforesaid, shall, for the purposes of said sections, be deemed to be a statement concerning the elective public offices held by him.

A nomination petition may consist of one or more sheets; but each sheet shall be in substantially the following form:-

THE COMMONWEALTH OF MASSACHUSETTS
CITY OF BOSTON
NOMINATION PETITION.

Whereas (name of candidate) residing at (street and number, if any) in District (number) of the City of Boston, (here insert any lawfully requested statement concerning the elective public offices held by candidate) is a candidate for nomination for the office of (Mayor or City Councillor-at-Large or District City Councillor or School Committeemember-at-Large or District School Committeemember), the undersigned, registered voters of the City of Boston, duly qualified to vote for a candidate for said office, do hereby request that the name of said (name of candidate) as a candidate for nomination for said office be printed on the official ballot to be used at the preliminary municipal election to be held on Tuesday, , 19

Each of the undersigned does hereby certify that he or she has not subscribed (if the petition relates to the office of mayor or district city councillor or district school committeemember, here insert: - any other nomination petition for said office: if the petition relates to the office of city councillor-at-large or school committeemember-at-large, here insert: - more than three other nomination petitions for said office).

In case the above-named candidate withdraws his name from nomination or is found to be ineligible or dies, we authorize (names and residences of a committee of not less than five persons) or a majority thereof as our representatives to fill the vacancy in the manner prescribed by law.

Signatures of Nominators. (To be signed in person with name as registered.)	Residence. January 1, 19 . (If registered After above date, residence when registered.)	Ward.	Pre-cinct	Present Residence

THE COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss. Boston, , 19 .

The undersigned, being the circulator or circulators of this sheet, severally certify, under the pains and penalties of perjury, that the persons whose names are written upon the lines the numbers of which appear opposite our signatures below, signed the same in person.

NAMES AND ADDRESSES OF PERSONS CIRCULATING THIS SHEET.		Numbers of Lines Upon Which Appear Signatures As to Which Certification is Made Hereby.
Name	Address.	

(Add here or at some other convenient place on the nomination petition sheet the following.)

I hereby accept the nomination.

.....
Signature of Candidate.

This nomination petition sheet filed by

.....
Signature of Filer.

.....
Number, Street, City.

Every nomination petition sheet shall, before issuance, be prepared by the election commission by printing or inserting thereon the matter required by the first two paragraphs of the foregoing form. Not more than three hundred nomination petition sheets shall be issued to any candidate for nomination to the office of mayor under Plan A and not more than one hundred and fifty such sheets shall be issued to any candidate for nomination to the office of city councillor-at-large or any candidate for nomination to the office of school committeemember-at-large. Not more than twenty nomination sheets shall be issued to any candidate for nomination to the office of district city councillor or district school committeemember. No nomination petition sheet shall be received or be valid unless prepared and issued by the election commission; nor shall any such sheet be received or be valid unless the written acceptance of the candidate thereby nominated is endorsed thereon, anything in section three A of chapter fifty of the General Laws to the contrary notwithstanding.

SECTION 5. Said chapter 452 is hereby further amended by striking out section 56, as so appearing, and inserting in place thereof the following section:-

Section 56. The nomination petition shall be signed, in the case of a candidate for mayor, by at least three thousand registered voters of the city qualified to vote for such candidate; in the case of a candidate for city councillor-at-large or school committeemember-at-large by at least fifteen hundred registered voters; and in the case of a candidate for district city councillor or district school committeemember, by at least the number of voters residing in the district as shall be set in ordinance by the city council and mayor, in accordance with the last paragraph of section three of chapter six hundred and five of the acts of nineteen hundred and eighty-two.

Every voter signing a nomination petition shall sign in person, with his name as registered, and shall state his residence on January first preceding, or his residence when registered if subsequent thereto, and the place where he is then living, with the street and number, if any; but any voter who is prevented by physical disability from writing may authorize some person to write his name and residence in his presence. No voter may sign as a petitioner more than one nomination petition for the office of mayor or district city councillor or district school committeemember, nor more than four nomination petitions for the office of city councillor-at-large or school committeemember-at-large. If the name of any voter appears as petitioner on more nomination petitions for an office than prescribed in this section, his name shall, in determining the number of petitioners, be

counted, in the case of the office of mayor, district city councillor or district school committeemember, only on the nomination petition sheet bearing his name first filed with the election commission, and in the case of the office of city councillor-at-large or school committeemember-at-large, only on the four nomination petition sheets bearing his name first filed with the commission. If the name of any voter appears as petitioner on the same nomination petition more than once, it shall be deemed to appear but once. The signature of any petitioner which is not certified by the circulator of the sheet as provided in the form set forth in section fifty-five A shall not be counted in determining the number of petitioners.

The separate sheets of a nomination petition may be filed all at one time or in lots of one or more from time to time, but shall all be filed with the election commission at or before five o'clock in the afternoon on the eighth Tuesday preceding the preliminary election. Every nomination petition sheet shall be filed by a responsible person, who shall sign such sheet and, if he is other than the candidate, add to his signature his place of residence, giving street and number, if any; and the election commission shall require satisfactory identification of such person.

The names of candidates appearing on nomination petitions shall, when filed, be a matter of public record; but no nomination petition shall be open to public inspection until the signatures on all nomination petitions for the same office have been certified.

SECTION 6. Said chapter 452 is hereby further amended by striking out section 57, as so appearing, and inserting in place thereof the following section:-

Section 57. Upon the filing of each nomination petition sheet the election commission shall check each name to be certified by it on such sheet and shall certify thereon the number of signatures so checked which are the names of registered voters of the city qualified to sign the same; provided, however, that said commission shall not certify, in connection with a single nomination petition, a greater number of names than required by section fifty-six with twenty per cent of such number added thereto. Names not certified in the first instance shall not thereafter be certified on the same nomination petition. All nomination petitions not containing names certified pursuant to this section, to the number required by said section fifty-six, shall be invalid. The election commission shall complete the certification required by this section at or before five o'clock in the afternoon on the thirty-fourth day preceding the preliminary election.

SECTION 7. Said chapter 452 is hereby further amended by striking out section 57C, as so appearing, and inserting in place

thereof the following section:-

Section 57C. On the first day, other than a legal holiday or Saturday or Sunday, following the expiration of the time for filing withdrawals and the final disposition of any objections filed, the election commission shall post in a conspicuous place in city hall the names, residences and districts of the candidates for nomination for mayor and for city councillor-at-large and school committeemember-at-large who have duly qualified as such candidates, as they are to appear on the official ballots to be used in the preliminary election or special preliminary election for filling an unexpired term of mayor, except to the order of the names. The election commission shall also post in city hall the names, addresses and districts of all candidates for nomination as district city councillors and school committeemembers, the lists grouped by numerical identifying district and showing names of candidates duly qualified to appear on the official ballots to be used at the preliminary election to fill a district vacancy. In at least one place in a public building in each of the districts the election commission shall cause to be posted the names and addresses of all candidates for district office in the respective district office in the respective district and the names, addresses and districts of at-large candidates. If there are so posted the names of not more than two candidates for the office of mayor or district city councillor or district school committeemember, the candidates whose names are so posted shall be deemed to have been nominated for said office and the preliminary election for the purpose of nominating candidates thereof shall be dispensed with; if there are posted the names of not more than eight candidates for the office of city councillor-at-large or school committeemembers-at-large, the candidates whose names are so posted shall be deemed to have been nominated for said office, and the preliminary election to nominate candidates therefor shall be dispensed with.

SECTION 8. Section 58 of said chapter 452, as so appearing, is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence:- Said ballots shall, in addition to the directions and numbers provided for by section fifty-nine, contain, in the order drawn by the election commission, the names posted as aforesaid (except those of candidates deemed under section fifty-seven C to have been nominated), and no others, with a designation of residence and district and the title and term of the office for which the person named is a candidate, and the statement, if any, contained in his nomination petition concerning the elective public offices held by him.

SECTION 9. Said chapter 452 is hereby further amended by striking out section 59, as so appearing, and inserting in place thereof the following section:-

Section 59. At every preliminary election, and every regular election under Plan A, each voter shall be entitled to vote for not more than one candidate for the office of mayor, district city councillor or district school committeemember and not more than four candidates for the office of city councillor-at-large or school committeemember-at-large. On the ballots and voting machine ballot labels for use at each of said elections, there shall, as a direction to the voter, be printed in capital letters, near the title of each office to be voted for, the words "VOTE FOR (here insert in words the number of candidates specified in this section with respect to such office)". The election commission, when drawing under section fifty-eight the position on the ballot of the candidates for nomination at every preliminary election, shall draw the positions of all candidates for mayor, if any are to be drawn, before drawing the position of any candidate for city councillor or school committeemember and shall draw the positions of all candidates for city councillor, if any are to be drawn, before drawing the position of any candidate for school committeemember. The election commission immediately prior to drawing positions for mayor, if such office is to be contested, shall announce and deposit in alphabetical order in the receptacle from which names are to be drawn cards bearing the names and addresses of candidates for nomination or for election for the office. Names then drawn shall determine the order of appearance on the ballot. After the drawing for mayor has been completed, the election commission shall announce and deposit in alphabetical order in the receptacle from which names are to be drawn, cards bearing the names and addresses of all candidates for election to the city council, whether for at-large or district seats. Cards for candidates for city councillor-at-large shall have no other marking; provided, however, that each card for a candidate for district city councillor shall bear the number of the district in which the candidate is running. After all cards have been deposited, the election commission shall proceed to draw names, the order of drawing to determine the sequence each name will have on its respective at-large or district ballot. After all names have been drawn for city council, the election commission shall proceed in the same fashion to announce, deposit, draw and assign ballot positions to candidates for school committeemember-at-large and from districts.

SECTION 10. Section 61 of said chapter 452, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The two persons

receiving at a preliminary election under Plan A the highest number of votes for nomination for the office of mayor, district city councillor or district school committeemember, shall be deemed to have been nominated for said office; and the eight persons receiving at such election under Plan A the highest number of votes for nomination for the office of city councillor-at-large or school committeemember-at-large shall be deemed to have been nominated for such office.

SECTION 11. Said chapter 452 is hereby further amended by striking out section 62, as so appearing, and inserting in place thereof the following section:-

Section 62. The name of every person deemed under section fifty-seven C or section sixty-one to have been nominated, together with his residence and district and the title and term of the office for which he is a candidate, and the statement, if any, contained in his nomination petition concerning the elective public offices held by him, shall, in addition to the directions provided for by section fifty-nine, be printed on the official ballots to be used at the regular election; and said persons shall be the sole candidates whose names may be printed on such ballots. As soon as conveniently may be after the sixth Tuesday preceding every regular election, the election commission shall draw by lot the position of said names on said ballots; and said names shall be printed on such ballots in the order so drawn. Each candidate shall have an opportunity to be present at such drawing in person or by one representative.

SECTION 12. This act shall take effect upon its passage.

Approved August 5, 1983.

Chap. 343. AN ACT REQUIRING THAT CERTAIN SERVICE CHARGES BE PAID TO EMPLOYEES.

Be it enacted, etc., as follows:

Section 152A of chapter 149 of the General Laws, as most recently amended by chapter 301 of the acts of 1980, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:- If an employer or other person submits a bill or invoice indicating a service charge, the total proceeds of such charge shall be remitted to the employees in proportion to the service provided by them.

Approved August 5, 1983.

Chap. 344. AN ACT RELATIVE TO THE ADMISSION OF CERTAIN LEARNING DISABLED STUDENTS TO CERTAIN PUBLIC INSTITUTIONS OF HIGHER EDUCATION.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 15A of the General Laws, as amended by chapter 123 of the acts of 1983, is hereby further amended by striking out clause (f) and inserting in place thereof the following clause:-

(f) require boards of trustees to submit admission standards and program standards, which shall be subject to the approval of the board of regents; provided, however, that said admission standards so approved by the board of regents shall comply with the provisions of section nineteen.

SECTION 2. Section 10 of said chapter 15A, as appearing in section 112 of chapter 329 of the acts of 1980, is hereby amended by striking out clause (h) and inserting in place thereof the following clause:-

(h) recommend to the board of regents admission standards and instructional programs for said institution, including all major and degree programs; provided, however, that said admission standards shall comply with the provisions of section nineteen.

SECTION 3. Said chapter 15A is hereby further amended by adding the following section:-

Section 19. No resident of the commonwealth who has been diagnosed as being developmentally disabled, including but not limited to, having dyslexia or other specific language disabilities, by any evaluation procedure prescribed by chapter seventy-one B, or equivalent testing, shall be required to take any standardized college entrance aptitude test to gain admittance to any public institution of higher education in the commonwealth. Admission shall be determined by all other relevant factors excluding standardized achievement testing.

Approved August 8, 1983.

EMERGENCY LETTER - August 12, 1983. @ 11:10 A.M.

Chap. 345. AN ACT AUTHORIZING THE TOWN OF WAREHAM TO ISSUE AN ADDITIONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES TO ERNEST J. ROGERS AND MARIE H. ROGERS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section seventeen of chapter one hundred and thirty-eight of the General Laws, the licensing authority of the town of Wareham is hereby authorized to issue to Ernest J. Rogers and Marie H. Rogers d/b/a E.J.'s Package Store 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 said section seventeen; provided, that the number of seasonal licenses for the sale of all alcoholic beverages not to be drunk on the premises authorized for said town to grant under the provisions of said section seventeen of said chapter one hundred and thirty-eight is reduced by one such license.

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

Approved August 9, 1983.

Chap. 346. AN ACT AUTHORIZING ROGER TRAHAN TO TAKE A CIVIL SERVICE EXAMINATION FOR FIREFIGHTER IN THE TOWN OF FRANKLIN, NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Be it enacted, etc., as follows:

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

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

Approved August 9, 1983.

Chap. 347. AN ACT RELATIVE TO THE LICENSING AND KEEPING OF DOGS IN THE TOWN OF BREWSTER.

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 general or special law to the contrary, the annual fees to be charged by the town of Brewster for the issuance of licenses for dogs shall be as follows: unspayed females and males, six dollars; spayed females and neutered males, three dollars.

SECTION 2. Notwithstanding the provisions of section one hundred and forty-seven of said chapter one hundred and forty or any other general or special law to the contrary, all money received from the issuance of dog licenses by the town of Brewster, or recovered as fines or penalties by said town under the provisions of said chapter one hundred and forty relating to dogs, shall be paid into the treasury of said town and shall not thereafter be paid over to the treasury of Barnstable county.

SECTION 3. Notwithstanding the provisions of section one hundred and thirty-seven of said chapter one hundred and forty or any other general or special law to the contrary, the registration, numeral listing, description and licensing of dogs, if kept in said town, shall be conducted in the office of the town clerk of said town.

Approved August 9, 1983.

Chap. 348. AN ACT RELATIVE TO THE LICENSING AND KEEPING OF DOGS IN THE TOWN OF AGAWAM.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section one hundred and forty-seven of chapter one hundred and forty of the General Laws or any other general or special law to the contrary, all money received for the issuance of dog licenses by the town of Agawam, or received as fines or penalties by said town under the provisions of said chapter one hundred and forty relating to dogs, shall be paid into the treasury of said town and shall not thereafter be paid over by the town treasurer to the treasury of Hampden county.

SECTION 2. Notwithstanding the provisions of section one hundred and thirty-seven of said chapter one hundred and forty or any other general or special law to the contrary, the registering, numbering, describing and licensing of dogs, if kept in said town, shall be conducted in the office of the town clerk of said town.

Approved August 9, 1983.

Chap. 349. AN ACT FURTHER REGULATING THE SOUTH-EASTERN REGIONAL PLANNING AND ECONOMIC DEVELOPMENT DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Section 12 of chapter 40B of the General Laws, as most recently amended by section 3 of chapter 430 of the acts of 1973, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:- Each member shall be appointed for a term of one year commencing June first of the year appointed to May thirty-first of the succeeding year, and the appointment or reappointment of each member shall be certified annually to the commission by the appointing authority in the month of May.

SECTION 2. The first paragraph of section 15 of said chapter 40B, as appearing in section 4 of chapter 755 of the acts of 1972, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The commission shall elect annually at its meeting held in the month of June by and from its members a chairman, a vice-chairman, a secretary and a treasurer, each of whom shall hold office until his successor is elected and qualified.

SECTION 3. Said section 15 of said chapter 40B is hereby amended by striking out the fourth paragraph, as so appearing, and inserting in place thereof the following paragraph:-
The commission shall meet during the months of February, April, June and October and at such other times as the commission shall determine.

SECTION 4. The third paragraph of section 18 of said chapter 40B, as appearing in chapter 663 of the acts of 1968, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- The commission shall, annually in the month of October, estimate the amount of money required to be assessed upon the cities and towns in the district necessary to pay the cost and expenses of the district for the following fiscal year.

Approved August 9, 1983.

Chap. 350. AN ACT RELATIVE TO THE GRANTING OF LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES BY CERTAIN CLUBS AND VETERANS ORGANIZATIONS IN THE TOWN OF NEEDHAM.

Be it enacted, etc., as follows:

SECTION 1. The following question shall be placed upon the official ballot to be used for the election of town officers at the annual town election in the town of Needham to be held in the year nineteen hundred and eighty-four or any special town election whichever first occurs: "Shall licenses be granted in the town of Needham for the sale therein of all alcoholic beverages by clubs and veterans organizations?"

YES	
NO	

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

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

Approved August 17, 1983.

Chap. 351. AN ACT AUTHORIZING THE CERTIFICATION AND APPOINTMENT OF ROBERT G. FINN AS A FIREFIGHTER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize the certification and appointment of Robert G. Finn as a firefighter, therefore

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 administrator of the division of personnel administration shall certify Robert G. Finn for appointment as a firefighter according to the grade he received in the examination for firefighter held on June twenty-fifth, nineteen hundred and eighty-three, notwithstanding the fact that he had attained the maximum age for said position; provided, however, that he fulfills all other requirements for certification as such firefighter.

Approved August 17, 1983.

Chap. 352. AN ACT RELATIVE TO THE LICENSING AND KEEPING OF DOGS IN THE TOWN OF HULL.

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 general or special law to the contrary, the annual fees to be charged by the town of Hull for the issuance of dog licenses shall be for unspayed and unneutered dogs, seven dollars and spayed and neutered dogs, four dollars.

SECTION 2. Notwithstanding the provisions of section one hundred and forty-seven of said chapter one hundred and forty or any other general or special law to the contrary, all money received for licenses or from the sale of dog licenses by the town of Hull, or recovered as fines or penalties by said town under the provisions of said chapter one hundred and forty relating to dogs, shall be paid into the treasury of said town and shall not thereafter be paid over by the town treasurer to Plymouth county. Such money shall be appropriated solely for animal care and control of animals.

SECTION 3. Notwithstanding any provision of section three of chapter forty-nine A of the General Laws or any other law to the contrary, the town of Hull shall not permit any animal pound, as defined in section one of said chapter forty-nine A, 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 dogs or medicine.

Approved August 17, 1983.

Chap. 353. AN ACT FURTHER REGULATING NOTICE REQUIREMENTS FOR EXCAVATIONS IN PUBLIC WAYS.

Be it enacted, etc., as follows:

Chapter 82 of the General Laws is hereby amended by striking out section 40, as most recently amended by section 1 of chapter 502 of the acts of 1980, 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, natural gas pipeline company, or cable television 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 thirty 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, cable television companies and municipal utility departments as supply gas, electricity, telephone or cable television 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. In addition, such initial notice shall indicate whether any such excavation will involve blasting and, if so, the date on which the specific location at which such blasting is to occur; provided, however, that in no event shall any excavation by blasting take place unless written notice thereof, either in the initial notice or a subsequent notice, accurately specifying the date and location of such blasting shall have been given and received at least twenty-four hours in advance, except in the case of an unanticipated obstruction requiring blasting when such notice should not be less than four hours in advance to such natural gas pipeline companies, public utility companies, cable television companies and municipal utility departments as supply gas, electricity, telephone or cable television services in or to the city or town where such excavation by blasting is to be made. If any 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 cable television companies and public utility companies as required by this section shall be filed with the officer or board having charge of any such public way before a permit to excavate or to blast 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 such notices as required by this section 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 initial 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 easement or privately owned land in which the excavation is to be made; provided, however, that in the event that the excavator has given notice of proposed excavation as aforesaid at a locus at which because of its length or size the company cannot reasonably designate the location of all such pipes, mains, wires or conduits within such seventy-two hour period, then the excavator shall notify the company of the portion of the locus in which excavation is to be first made and the company shall designate the location of such pipes, mains, wires or conduits in such portion within seventy-two hours and shall designate the location of the pipes, mains, wires or conduits in the remaining portion of the locus within a reasonable time thereafter; 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. After a company has designated the location of such pipes, mains, wires and conduits at the locus of the excavation in accordance with the provisions of this section, the excavator shall be responsible for maintaining the designation markings at such locus, unless the said excavator requests re-marking at the locus due to the obliteration, destruction or other removal of such markings and the company shall then have twenty-four hours following the receipt of such request to re-mark such locus.

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 the protective coating thereof, or the severance of any pipe, main or conduit.

When any damage of any such pipe, main, wire or conduit or its protective coating occurs, the public utility company, natural gas pipeline company, cable television 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 any or all 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 is given during normal business hours each day of the year exclusive of Saturdays, Sundays and legal holidays, and which notice is given with the time periods established in this section, shall constitute compliance with the written 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 excavation 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 any emergency, until such time as copies of such notices to public utility companies and cable television 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 nor more than one thousand dollars for any subsequent offense.

Approved August 17, 1983.

Chap. 354. AN ACT ESTABLISHING A CEMETERY, PARK AND TREE COMMISSION IN THE TOWN OF ASHLAND.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, there is hereby established in the town of Ashland a cemetery, park and tree department commission, consisting of five members to be elected at-large by official ballot. Said town shall at the annual town election to be held in the year nineteen hundred and eighty-four elect one commissioner for a term of one year, two for terms of two years and two for terms of three years. At each annual town election thereafter the voters of said town shall elect in place of those commissioners whose terms are to expire a like number of commissioners to serve for terms of three years. There shall be a superintendent of said department, who shall be appointed by said commission, who shall be charged with the management of the said department.

SECTION 2. Upon the initial election of the members of the cemetery, park and tree commission established by the provisions of section one, all powers and duties of the cemetery department, park department and tree department shall be transferred to, exercised by and performed by said cemetery, park and tree commission.

Approved August 17, 1983.

Chap. 355. AN ACT DIRECTING THE DIVISION OF PERSONNEL ADMINISTRATION TO CERTIFY JAMES LaPLANTE FOR APPOINTMENT AS A FIREFIGHTER IN THE CITY OF WESTFIELD.

Be it enacted, etc., as follows:

Nothwithstanding the provisions of chapter thirty-one of the General Laws or any other general or special law or any rule or regulation to the contrary, the personnel administrator of the division of personnel administration is hereby authorized and directed to certify James LaPlante, a former firefighter in the city of Westfield, for appointment as firefighter and, after such certification, said city is authorized to appoint said James LaPlante as a permanent firefighter in said city.

Approved August 17, 1983.

Chap. 356. AN ACT PROVIDING FOR THE RECALL OF ELECTED OFFICIALS IN THE TOWN OF PEMBROKE.

Be it enacted, etc., as follows:

SECTION 1. Any holder of an elected office in the town of Pembroke may be recalled therefrom by the qualified voters of the town as herein provided.

SECTION 2. Any one hundred and fifty qualified voters of the town may initiate a recall petition by filing with the town clerk an affidavit containing the name of the officer sought to be recalled and a statement of the grounds for recall. The town clerk shall thereupon deliver to said voters making the affidavit copies of petition blanks demanding such recall, copies of such printed forms of which he shall keep available. Such blanks shall be issued by the town clerk, with his signature and official seal attached thereto. Such blanks shall be dated, shall be addressed to the board of selectmen of said town and shall contain the names of all the 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 in the said office. A copy of the petition shall be entered in a record book to be kept in the office of town clerk. The recall petition shall be returned and filed with the town clerk within fourteen days after the filing of the affidavit and shall have been signed by at least twenty per cent of the qualified voters of the town, who shall add to their signatures the street and number, if any, of their residences.

The town clerk shall within twenty-four hours of receipt submit the petition to the registrars of voters in the town, and the registrars shall forthwith certify thereon the number of signatures with the names of qualified 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 board of selectmen without delay, and said board shall forthwith give written notice of the receipt of the certificate to the officer sought to be recalled and shall, if the officer does not resign within five days thereafter, order an election to be held on a date fixed by them not less than twenty-five days nor more than thirty-five days after the date of the town clerk's certificate that a sufficient petition has been filed; provided, however, that if any other town election is to occur within ninety days after the date of the certificate, said board shall postpone the holding of the 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. 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 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 by this act.

SECTION 5. The incumbent shall continue to perform the duties of his office until the recall election. If then reelected he shall continue in the office for the remainder of his unexpired term, subject to recall as before, except as provided in this act. 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 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 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 the said propositions. Under the proposition shall appear the word "Candidates", the directions to voters required by section forty-two of chapter fifty-four of the General Laws, beneath this the names of candidates nominated as hereinbefore provided. If a majority of the votes cast upon the question of recall is in the affirmative, the candidate receiving the highest number of votes shall be declared elected; provided that at least forty per cent of those entitled to vote shall have voted. If a majority of votes on the question is in the negative the ballot for candidates need not be counted.

SECTION 7. No recall petition shall be filed against an officer within six months after he takes office, nor, in the case of an officer subject to a recall election and not recalled thereby, until at least six months after the election at which his recall was

submitted to the voters.

SECTION 8. This act shall be submitted for acceptance to the voters of the town of Pembroke 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-three, entitled 'An Act providing for the recall of elected officials in the town of Pembroke', 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 August 17, 1983.

Chap. 357. AN ACT PROVIDING AN EMERGENCY ELECTION PROCEDURE FOR THE CITY OF BOSTON TO BE UTILIZED IN THE MUNICIPAL YEAR 1983 ONLY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, there shall be a municipal election in the city of Boston for the office of mayor, a city council consisting of nine persons elected from districts and four at-large, a school committee consisting of nine members elected from districts and four at-large, which shall be held on November fifteenth, nineteen hundred and eighty-three.

SECTION 2. The city council shall adopt an ordinance after public hearing providing for the division of the city into districts. Each such district shall be compact and shall contain, as nearly as may be, an equal number of inhabitants as determined by the most recent census, shall be composed of contiguous existing precincts, and shall be drawn with a view toward preserving the integrity of existing neighborhoods. If, within thirty days of the effective date of this act the city council shall fail to make a division of the city into districts as required herein, the mayor shall propose a plan of districts in the required number to the local election district review commission, which shall approve the same with or without amendments as it deems necessary to meet constitutional requirements, after a public hearing.

SECTION 3. A preliminary election shall be held on October eleventh, nineteen hundred and eighty-three. Every person

seeking to be a candidate for the office of city councillor or member of the school committee from a district, shall be deemed qualified and may be a candidate, if a voter in such district, and if such person shall submit valid nomination papers, as hereinafter provided.

SECTION 4. Only persons who have filed nomination petitions for the office of mayor with the election commission before five o'clock in the afternoon of July twelfth, nineteen hundred and eighty-three and certified by the election commission and not successfully objected to by August ninth, nineteen hundred and eighty-three shall be deemed a candidate for said office. All persons who have filed nomination petitions for the office of city council at-large and school committee at-large with the election commission before five o'clock in the afternoon of July twelfth, nineteen hundred and eighty-three and certified by the election commission and not successfully objected to by August ninth, nineteen hundred and eighty-three shall be deemed a candidate for said office. All persons who have filed nomination petitions for the offices of district city council or district school committee member may resubmit nomination petitions previously filed for certification in the district in which they reside or submit new nomination papers as provided herein and in accordance with law. In the case of resubmitted nomination petitions, only the valid signatures of the persons residing in the district constituted hereunder and for which the candidate seeks election shall be deemed valid for the purposes hereof. Further, any person seeking the office of city council or school committee, regardless of at-large or district office, may become a candidate for said office by complying with the provisions herein. Any person certified as a candidate for city councillor or school committee member at-large, or by district, who shall submit or resubmit nomination petitions for a different at-large or district office shall be deemed to have withdrawn his candidacy for the office previously certified, no person being eligible to be a candidate for more than one office.

Notwithstanding the provisions of section fifty-seven B of chapter four hundred and fifty-two of the acts of nineteen hundred and forty-eight, no candidate or authorized committee named in the nomination petition of a candidate for mayor, city council at-large, school committee at-large, district city council or district school committee shall be allowed to file a certificate of substitution for the preliminary election of nineteen hundred and eighty-three or the regular municipal election of nineteen hundred and eighty-three.

SECTION 5. On the first business day after the effective date

hereof, the election commission shall distribute nomination petitions in such form as it shall provide, which shall not have preprinted candidate information as specified in section fifty-five A of chapter four hundred and fifty-two of the acts of nineteen hundred and forty-eight and which shall not provide for a committee for substitution, no such substitutions being permitted in this municipal year. No person shall be required to sign any affidavit or certificate of candidacy prior to filing such petitions. Every paper filed pursuant to this section shall be filed with the election commission not later than the tenth day following the first day of distribution of papers hereunder, and each such shall be certified by the said commission within five days of filing, Sundays being excluded. Each paper certified shall immediately be open to inspection of the public and challenges to the same shall be entertained for three business days following certification and no longer. All challenges or objections relating to papers or candidates shall be settled after a hearing, with notice of not less than twenty-four hours to the candidate involved and shall be settled by vote of the city ballot law commission occurring not later than twenty-four hours following such hearing.

SECTION 6. Except as herein provided, the supreme judicial court shall have original jurisdiction with regard to any litigation arising hereunder.

SECTION 7. In the event of any conflict between the provisions of this act and the provisions of any other general or special law, the provisions of this act shall govern.

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

Approved August 18, 1983.

Chap. 358. AN ACT AUTHORIZING JOHN J. MONTEIRO TO TAKE A CIVIL SERVICE EXAMINATION FOR POLICE OFFICER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize John J. Monteiro to take a civil service examination for police officer, 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:

Notwithstanding the provisions of any general or special law or rule to the contrary regulating the maximum age of applicants for appointment as a police officer, John J. Monteiro shall be eligible to take the next open competitive examination for appointment to the position of police officer and, provided he meets all other requirements, shall be eligible for certification and appointment.

Approved August 19, 1983.

Chap. 359. AN ACT EXEMPTING CLERICAL POSITIONS IN THE SCHOOL DEPARTMENT OF THE TOWN OF SWAMPSCOTT FROM THE PROVISIONS OF CIVIL SERVICE.

Be it enacted, etc., as follows:

SECTION 1. All junior clerk, senior clerk, and bookkeeper positions in the school department of the town of Swampscott 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 of the incumbents of said positions on the effective date of this act.

Approved August 19, 1983.

Chap. 360. AN ACT AUTHORIZING MARIA G. GUSAN TO TAKE A CIVIL SERVICE EXAMINATION FOR POLICE OFFICER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize Maria G. Gusan to take a civil service examination for police officer, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law or rule to the contrary regulating the maximum age of applicants for appointment as a police officer, Marie G. Gusan of the town

of Greenfield shall be eligible to take the next open competitive examination for police officer, and provided she meets all other requirements, shall be eligible for certification and appointment to such position.

Approved August 30, 1983.

Chap. 361. AN ACT ALLOWING THE NORWICH AND WORCESTER RAILROAD COMPANY TO MERGE.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to allow the Norwich and Worcester Railroad Company to merge with another corporation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, the Norwich and Worcester Railroad Company, incorporated pursuant to the provisions of chapter two hundred and four of the acts of eighteen hundred and thirty-six as a railroad corporation, and being subject to chapter one hundred and sixty of the General Laws, is hereby authorized to merge with or into any other corporation organized under the laws of the commonwealth, or of any other state of the United States, said merger to be effected pursuant to the provisions of chapter one hundred and fifty-six B of the General Laws.

Approved August 30, 1983.

Chap. 362. AN ACT AUTHORIZING THE TOWN OF READING TO RESCIND ITS ACCEPTANCE OF A CERTAIN LAW RELATIVE TO THE APPOINTMENT AND POWERS OF THE CHIEF OF THE FIRE DEPARTMENT.

Be it enacted, etc., as follows:

SECTION 1. The town of Reading is hereby authorized to rescind the vote of the town taken in nineteen hundred and twenty-nine whereby the town voted to accept section forty-two of chapter forty-eight of the General Laws, and to accept the provisions of section forty-two A of said chapter forty-eight.

SECTION 2. For the purpose of this act, the acceptance of

said section forty-two A shall be deemed to rescind said acceptance of said section forty-two.

Approved August 30, 1983.

Chap. 363. AN ACT AUTHORIZING THE COUNTY TREASURER OF BERKSHIRE COUNTY TO PAY A CERTAIN UNPAID BILL.

Be it enacted, etc., as follows:

The county treasurer of Berkshire county, with the approval of the county commissioners, is hereby authorized to pay, from any available funds of said county, to The Studley Press Inc. in the town of Dalton, the sum of four thousand seven hundred and seventy-seven dollars together with interest at the rate of one and one-half per cent for each month or part thereof from the date of April sixth, nineteen hundred and eighty-three, for the printing of a county development commission brochure in the calendar year nineteen hundred and eighty-three.

Approved September 2, 1983.

EMERGENCY LETTER - September 2, 1983 @ 11:51 A.M.

Chap. 364. AN ACT ESTABLISHING THE MINUTEMAN REGIONAL VOCATIONAL TECHNICAL SCHOOL DISTRICT 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 2 of chapter 701 of the acts of 1981, is hereby further amended by adding at the end thereof the following sentence:- "Employee", as applied to persons whose regular compensation is paid by the Minuteman Regional Vocational Technical School 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 section 1 of said chapter 32 is hereby further amended by striking out the paragraph defining "Member", as most recently amended by section 3 of chapter 556 of

the acts of 1980, 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, the Minuteman Regional Vocational Technical School District Employees' 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 3. Said section 1 of said chapter 32 is hereby further amended by striking out the paragraph defining "Political subdivision", as most recently amended by section 4 of said chapter 556, 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, the Minuteman Regional Vocational Technical School District, or any other public unit in the commonwealth.

SECTION 4. Said section 1 of said chapter 32 is hereby further amended by striking out the paragraph defining "System", as most recently amended by section 5 of said chapter 556, 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, the

Minuteman Regional Vocational Technical School District retirement system, or any county, city, or town contributory retirement system, as the case may be, established under the provisions of sections one to twenty-eight, inclusive, or under corresponding provisions of earlier laws and subject thereto, in which any member is included, and if the context so requires, any contributory retirement system established for the employees of any governmental unit under the provisions of any special law.

SECTION 5. The first paragraph of section 2 of said chapter 32 is hereby amended by striking out the fourth sentence, as most recently amended by section 6 of said chapter 556, and inserting in place thereof the following sentence:- Subject to said sections, an employee of the commonwealth or the metropolitan district commission, the Massachusetts State College Building Authority, the University of Lowell Building Authority, the Massachusetts Parking Authority, the Old Colony Planning Council or 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 system, and an employee of the Minuteman Regional Vocational Technical School District shall be included in the Minuteman Regional Vocational Technical School District employees' retirement system, 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 6. Paragraph (b) of subdivision (4) of section 7 of said chapter 32 is hereby amended by striking out the last sentence, as appearing in section 18 of chapter 630 of the acts of 1982, and inserting in place thereof the following sentence:- This subdivision shall not be applicable to the Massachusetts Turnpike Authority or its employees' retirement system, the Massachusetts Housing Finance Agency or its employees' retirement system, the Massachusetts Port Authority or its employees' retirement system, the Blue Hills Regional Vocational School retirement system, the Greater Lawrence Sanitary District, or to the Minuteman Regional Vocational Technical School District employees' retirement system.

SECTION 7. Subdivision (3) of section 11 of said chapter 32 is hereby amended by striking out the second paragraph, as most recently amended by section 8 of said chapter 556, 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, the treasurer of the Massachusetts Housing Finance Agency, the secretary-treasurer of the Massachusetts Port Authority, the Greater Lawrence Sanitary District, the Blue Hills Regional Vocational School system, or by the Minuteman Regional Vocational Technical School District 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, the Blue Hills Regional Vocational School system or the Minuteman Regional Vocational Technical School District, 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 transferred to the pension fund of the retirement system under whose authority the check was originally issued.

SECTION 8. 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 9 of said chapter 556, 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 sections 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, the Blue Hills Regional Vocational School system, or the Minuteman Regional Vocational Technical School District, 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 9. Section 15 of said chapter 32 is hereby amended by striking out subdivision (2), as most recently amended by section 10 of said chapter 556, 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, 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, in the Blue Hills Regional School System by the system or in the Minuteman Regional Vocational Technical School District by the district. The procedure set forth in subdivision (1) of section sixteen relative to delivery of copies, statement of service there-

of, notice, hearing, if requested and the filing of a certificate of findings and decision, so far as applicable, shall apply to any proceedings under this section.

SECTION 10. Section 20 of said chapter 32 is hereby amended by inserting after subdivision (4 7/8B), the following subdivision:-

(4 7/8C) (a) The contributory retirement system established for the Minuteman Regional Vocational Technical School 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 "Minuteman Regional Vocational Technical School 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 district from among their number in such manner and for such term, not exceeding three years, as the superintendent-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 school committee 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 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, however, 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, however, 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 11. Paragraph (i) of subdivision (5) of section 20 of said chapter 32 is hereby amended by inserting after the sentence inserted by section 13 of said chapter 556 the following sentence:- The retirement board of the Minuteman Regional Vocational Technical School District shall file a copy of its report with the district for publication in the district's annual report.

SECTION 12. Paragraph (c) of subdivision (1) of section 21 of chapter 32 is hereby amended by striking out the last sentence, as appearing in section 25 of chapter 630 of the acts of 1982, 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, the Greater Lawrence Sanitary District or the Minuteman Regional Vocational Technical School District as the case may be.

SECTION 13. Subdivision (2) of said section 21 of said chapter 32, as appearing in section 25 of said chapter 630 of the acts of 1982, is hereby further amended by adding the following sentence:- The Minuteman Regional Vocational Technical School District 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, which sum shall be paid to the state treasurer upon notice from the commissioner.

SECTION 14. Subdivision (7) of section 22 of said chapter 32 is hereby amended by adding after paragraph (j), added by section 16 of said chapter 556, the following paragraph:-

(k) The retirement board of the Minuteman Regional Vocational Technical School 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 school district 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 school 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 school district's budgets for such fiscal year and shall be paid by the school 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 school district.

SECTION 15. 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 17 of said chapter 556, 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, the treasurer of the Greater Lawrence Sanitary District, and the treasurer of the Minuteman Regional Vocational Technical School District shall be the treasurer-custodian of the system established under the provisions of sections one to twenty-eight, inclusive, or under corresponding provisions of earlier laws, in any county, city or town, the Massachusetts Turnpike Authority, the Massachusetts Bay Transportation Authority, the Massachusetts Housing Finance Agency, the Massachusetts Port Authority, the Blue Hills Regional Vocational School system, the Greater Lawrence Sanitary District, or the Minuteman Regional Vocational Technical School District, as

the case may be, and shall have the custody of the funds of any such system.

SECTION 16. Subdivision (1) of section 24 of said chapter 32 is hereby amended by striking out the first sentence, as appearing in section 30 of chapter 630 of the acts of 1982, and inserting in place thereof the following sentence:- If the commissioner 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, the Greater Lawrence Sanitary District, or the Minuteman Regional Vocational Technical School 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 17. Section 25 of said chapter 32 is hereby amended by striking out subdivision (4), as most recently amended by section 19 of said chapter 556, 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, the Greater Lawrence Sanitary District or the Minuteman Regional Vocational Technical School District.

SECTION 18. 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 20 of said chapter 556, 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, the Massachusetts Turnpike Authority, the Massachusetts Port Authority, the Blue Hills Regional Vocational School system, the Greater Lawrence Sanitary District, the Minuteman Regional Vocational Technical School 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, of the Massachusetts Turnpike Authority, the Massachusetts Port Authority, the Blue Hills Regional Vocational School system, the Greater Lawrence Sanitary District, or the Minuteman Regional Vocational Technical School 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 19. Section 73 of chapter 152 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 21 of said chapter 556, 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, the Minuteman Regional Vocational Technical School District, or 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 20. Each employee of the the Minuteman Regional

Vocational Technical School District as of January first, nineteen hundred and eighty-three and each employee of the school district thereafter shall become a member of the Minuteman Regional Vocational Technical School District employees' retirement system. All others who are members of the Minuteman Regional Vocational Technical School District employees' retirement system on account of employment by the school district shall continue to be members thereof and subject to the law applicable thereto. The Minuteman Regional Vocational Technical School District employees' retirement system shall reimburse the Arlington contributory retirement system for the school district's proportionate share of any amounts expended by the town of Arlington retirement system 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 said Arlington retirement system on account of employment by the Minuteman Regional Vocational Technical School District shall become a member of the Minuteman Regional Vocational Technical School 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 Arlington retirement system. Within ninety days of such transfer by a member of the said Arlington retirement system, the amount of the accumulated total deductions credited to his account in the annuity savings fund of the said Arlington retirement system shall be transferred and credited to the annuity savings fund of the Minuteman Regional Vocational Technical School District employees' retirement system.

SECTION 21. 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 Minuteman Regional Vocational Technical School District employees' retirement system pursuant to this act would have been entitled had he remained a member of the Arlington retirement system.

Approved September 10, 1983.

EMERGENCY LETTER - September 12, 1983 @ 9:43 A.M.

Chap. 365. AN ACT RELATIVE TO THE INCORPORATION OF THE UNITARIAN CHURCH OF BARNSTABLE.

Be it enacted, etc., as follows:

Notwithstanding any general or special law to the contrary, the Unitarian church of Barnstable also known as the Unitarian Congregational Society (Barnstable) and also known as the Unitarian Congregational Society of Barnstable, Massachusetts shall be deemed to be a religious corporation under the provisions of chapter sixty-seven and chapter one hundred and eighty of the General Laws. Said church shall be deemed to have been so incorporated as of June third, nineteen hundred and thirty-six and at all times thereafter.

Approved September 13, 1983.

EMERGENCY LETTER - September 13, 1983 @ 4:45 P.M.

Chap. 366. AN ACT AUTHORIZING THE TREASURER OF NORFOLK COUNTY TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The 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, such of the unpaid bills incurred by said county and totalling forty-nine thousand four hundred forty-seven dollars and forty-four cents as set forth in a list on file in the office of the director of accounts in the department of revenue for goods supplied and services rendered to said county during the years nineteen hundred and seventy-seven through nineteen hundred and eighty-one, which bills are legally unenforceable against said county by reason of their being incurred in excess of available appropriations, 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 the penalties of perjury, that the goods or services for which such bill had 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 and that such services were actually rendered to said county.

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

Approved September 14, 1983.

Chap. 367. AN ACT EXPANDING THE RAPE SHIELD LAW.

Be it enacted, etc., as follows:

Section 21B of chapter 233 of the General Laws, inserted by chapter 110 of the acts of 1977, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Evidence of the reputation of a victim's sexual conduct shall not be admissible in any investigation or proceeding before a grand jury or any court of the commonwealth for a violation of sections thirteen B, thirteen F, thirteen H, twenty-two, twenty-two A, twenty-three, twenty-four and twenty-four B of chapter two hundred and sixty-five or section five of chapter two hundred and seventy-two.

Approved September 21, 1983.

Chap. 368. AN ACT AUTHORIZING THE APPOINTMENT OF A MEMBER OF THE SPRINGFIELD PRESERVATION TRUST, INCORPORATED TO THE MEMBERSHIP OF THE HISTORIC DISTRICT COMMISSION IN THE CITY OF SPRINGFIELD.

Be it enacted, etc., as follows:

SECTION 1. Chapter 297 of the acts of 1975 is hereby amended by inserting after section 1 the following section:-

Section 1A. Notwithstanding the provisions of section four of chapter forty C of the General Laws, the city of Springfield may, by ordinance, provide for the appointment by its mayor, subject to confirmation by the city council of said city, of a member of its historic district commission from two nominees submitted by the Springfield Preservation Trust, Incorporated.

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

Approved September 22, 1983.

Chap. 369. AN ACT AUTHORIZING THE ALCOHOLIC BEVERAGES CONTROL COMMISSION TO ISSUE LICENSES FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO SHIP CHANDLERS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 138 of the General Laws is hereby amended by inserting after the definition of "Restaurant" the following definition:-

"Ship chandler", one whose primary business is providing supplies and equipment to ships.

SECTION 2. Section 13 of said chapter 138 is hereby amended by inserting after the fifth sentence, as appearing in section 10 of chapter 440 of the acts of 1935, the following sentence:- Retail sales by ship chandlers of all alcoholic beverages not to be drunk on the premises, may be authorized by the commission, provided, however, that such sales shall not be for purposes other than provisioning a vessel or shipping company using any port of the commonwealth. The fee for a license to ship chandler for such sales shall be not less than one hundred dollars nor more than five hundred dollars.

SECTION 3. The first sentence of section 18 of said chapter 138, as amended by section 7 of chapter 542 of the acts of 1943, is hereby further amended by inserting after the word "commonwealth", in lines 2 and 3, the words:- and to any ship chandler licensed under the provisions of section thirteen.

Approved September 22, 1983.

Chap. 370. AN ACT AUTHORIZING THE CITY OF ATTLEBORO TO GRANT AN ADDITIONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES TO K. & S. INC. OF ATTLEBORO, D/B/A BRIGGS CORNER PACKAGE STORE.

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 city of Attleboro is hereby authorized to grant to K. & S. Inc. of Attleboro, d/b/a Briggs Corner Package Store, a license for 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 said section seventeen, and shall be further subject to the following provisions: provided that said licensing authority shall not approve the transfer of said license within one year after the date of issuance; and provided further if the

holder of said license is a corporation, said licensing authority shall not approve the transfer, pledging or issuance of shares of stock of such corporation within one year after the date of issuance; and, provided further, that the number of licenses for the sale of wine and malt beverages not to be drunk on the premises authorized for said city to grant under the provisions of said section seventeen of said chapter one hundred and thirty-eight shall be reduced by one such license.

Approved September 22, 1983.

Chap. 371. MAKING CERTAIN CHANGES IN THE BANKING LAWS OF THE COMMONWEALTH.

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

Be it enacted, etc., as follows:

SECTION 1. Chapter 29 of the General Laws is hereby amended by striking out section 34A, as most recently amended by chapter 784 of the acts of 1975, and inserting in place thereof the following section:-

Section 34A. The state treasurer may deposit any portion of the public monies in his possession and funds over which the commonwealth has exclusive control in savings banks as defined in chapter one hundred and sixty-eight or in co-operative banks as defined in chapter one hundred and seventy for one year or more, subject, however, to the limitations set forth in chapter one hundred and sixty-seven D and in federal savings and loan associations lawfully doing business in the commonwealth for one year or more which shares and accounts are insured by the Federal Savings and Loan Insurance Corporation, but the amount so invested in any one association shall not exceed the amount covered by such insurance.

SECTION 2. Clause (i) of 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 striking out subclause (D) and inserting in place thereof the following subclause:-

(D) Not more than fifteen per cent of the assets of any such system shall be invested in obligations made eligible for invest-

ment under the provisions of section fifteen B of chapter one hundred and sixty-seven and section forty-nine of chapter one hundred and sixty-eight, in effect on June thirtieth, nineteen hundred and eighty-three and included on the list of investments pursuant to section fifteen A of chapter one hundred and sixty-seven, nor shall more than one per cent of such assets be invested in the obligations of any one obligor so made eligible for investment.

SECTION 3. Clause (i) of paragraph (b) of subdivision (2) of said section 23 of said chapter 32, as most recently amended by chapter 300 of the acts of 1973, is hereby further amended by striking out subclause (D) and inserting in place thereof the following subclause:-

(D) Not more than fifteen per cent of the assets of any such system shall be invested in obligations made eligible for investments under the provisions of section fifteen B of chapter one hundred and sixty-seven and section forty-nine of chapter one hundred and sixty-eight, in effect on June thirtieth, nineteen hundred and eighty-three and included on the list of investments pursuant to section fifteen A of chapter one hundred and sixty-seven, nor shall more than one per cent of such assets be invested in the obligations of any one obligor so made eligible for investment.

SECTION 4. Section 9A of chapter 32A of the General Laws is hereby amended by striking out the eighth sentence, as appearing in section 2 of chapter 572 of the acts of 1961, and inserting in place thereof the following sentence:- The treasurer may deposit any portion of the monies to be invested, in savings banks, co-operative banks or in savings deposits in trust companies, lawfully doing business in the commonwealth for one year or more, subject, however, to the limitations set forth in section three of chapter one hundred and sixty-seven D, and may invest such funds in shares of federal savings and loan associations lawfully doing business in the commonwealth for one year or more, but the amount so invested in any one federal savings and loan association shall not at any time exceed the sum of ten thousand dollars.

SECTION 5. The first paragraph of section 34 of chapter 93 of the General Laws is hereby amended by striking out the last sentence, added by section 2 of chapter 202 of the acts of 1959, and inserting in place thereof the following sentence:- The provisions of section twenty-eight of chapter one hundred and seventy shall govern such associations where applicable.

SECTION 6. The third paragraph of section 18A of chapter

121A of the General Laws, as appearing in section 13 of chapter 827 of the acts of 1975, is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence:- Any loan authorized under this section shall otherwise be subject to the applicable provisions of chapter one hundred and sixty-seven E, except that in the case of a loan secured by a leasehold interest, any provisions of said chapter inconsistent with the nature of such loan shall not apply.

SECTION 7. Section 19 of chapter 161B of the General Laws, as appearing in section 1 of chapter 1141 of the acts of 1973, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Bonds issued under this chapter are hereby made securities in which all public officers and public bodies of the commonwealth and its political subdivisions, all insurance companies, and savings banks, co-operative banks and trust companies in their banking departments, banking associations, investment companies, executors, trustees and other fiduciaries, and all other persons whatsoever who are now or may hereafter be authorized to invest in bonds or other obligations of a similar nature may properly and legally invest funds, including capital in their control or belonging to them, and such bonds are hereby made obligations which may properly and legally be made eligible for the investment of savings deposits and the income thereof in the manner provided by section fifteen B of chapter one hundred and sixty-seven.

SECTION 8. Section 6 of chapter 167 of the General Laws, as appearing in section 5 of chapter 155 of the acts of 1982, is hereby amended by striking out, in line 5, the word "trust" and inserting in place thereof the words:- savings banks, co-operative banks, trust.

SECTION 9. Said chapter 167 is hereby further amended by inserting after section 14 the following section:-

Section 14A. Cities and towns shall encourage the formation of a dispute mechanism, hereinafter called a mortgage review board, to review denied residential mortgage loans of participating mortgagees.

Such board shall be voluntary and consist of an equal number of mortgagees and community representatives.

The mortgage review board shall meet at least twice each month to review each residential mortgage denial that an applicant believes was denied on the basis of the location of the property. Any applicant whose residential mortgage loan is denied by a participating mortgagee shall be instructed, in writing, by said mortgagee of his right to appeal the denial to the mortgage

review board.

Said board shall review such submitted mortgage applications, make recommendations and advise the applicants, in writing, within seventy-five days of such appeal, and if such board fails to complete said action within said seventy-five days, the applicant will be considered to have exhausted his administrative remedies; provided, however, that in order to be applicable to section sixty-four of chapter one hundred and eighty-three said board must be approved by the commissioner of banks; and provided, further, that the decision of the board shall not be binding on the participating mortgagee or the applicant.

SECTION 10. Section 15A of said chapter 167, as appearing in section 5 of chapter 155 of the acts of 1982, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Annually, not later than July first, the commissioner shall prepare a list of all stocks, bonds, notes and other interest bearing obligations which are then legal investments under any provision of sections forty-two to forty-eight, inclusive, and paragraph six of section forty-nine of chapter one hundred and sixty-eight in effect on June thirtieth, nineteen hundred and eighty-three and section fifteen B of this chapter provided that all privately-placed or held issues may, in the discretion of the commissioner, be omitted.

SECTION 11. The second paragraph of said section 15A of said chapter 167, as so appearing, is hereby amended by striking out, in line 1, the word "Offices" and inserting in place thereof the word:- Officers.

SECTION 12. Said chapter 167 is hereby further amended by inserting after section 15A the following section:-

Section 15B. The list of legal investments prepared pursuant to section fifteen A may include securities not otherwise eligible for investment under the provisions of that section; provided, however, that such securities are approved for investment in accordance with the following conditions, limitations and requirements of this section:

1. Classes of Securities.- The securities eligible for approval for investment under this section may include (a) interest bearing obligations of any state, county, city, town or district or any subdivision or instrumentality thereof, and of any toll bridge, toll road, turnpike or other authority established under the laws of the United States or any state, county, town or district, including obligations of any of the foregoing payable from specified revenues, (b) interest bearing obligations of any corporation organized under the laws of the United States or any

state and of any association, the business of which is conducted or transacted by trustees under a written instrument or declaration of trust, having its principal place of business in the commonwealth, and (c) preferred and common stock of any corporation described in the foregoing clause (b). Obligations to be eligible pursuant to clauses (a) and (b) shall have an initial offering of at least fifty million dollars and be rated at least a single A.

2. Application.- Upon application by ten credit unions, each with assets of more than ten million dollars to the Massachusetts Credit Union Share Insurance Corporation, hereinafter in this section referred to as said corporation, submitted in such form and under such conditions as the board of directors thereof may require, requesting authority to invest their deposits and the income derived therefrom in any of the interest bearing obligations or stocks referred to in paragraph 1 of this section, said board may request the commissioner, in such form and under such conditions as in his discretion he may require, to authorize, notwithstanding any other provisions of law, the investment of deposits and income derived therefrom in any such interest bearing obligations or stocks. Any expense incurred by said corporation in connection with the consideration of such application shall be a proper expense to be incurred and paid by it.

3. Commissioner's Approval.- If the commissioner grants such authority he shall forthwith send written notice thereof to said board of directors and to each credit union, and shall add the name of such investment to the list provided for in section fifteen B. At any time thereafter the commissioner may, on his own initiative or at the written request of said directors, revoke such authority, in which event he shall forthwith send written notice of such revocation to said directors and to each credit union.

4. Refunding Bonds.- If the commissioner shall have authorized investment in an issue of bonds in accordance with any of the provisions of this section, and if thereafter but before such authorization shall have been revoked the issuer shall issue bonds the proceeds of which are to be used solely to refund the issue previously authorized for investment or another issue of equal or shorter maturity and of equal or prior security, and if such new bonds shall be of equal security with the previously authorized issue and of equal or shorter maturity, the commissioner may authorize investment in such refunding bonds, and thereafter may revoke such authority on his own initiative or at the written request of said corporation. If the commissioner shall have authorized investment in an issue of bonds in accordance with any of the provisions of this section, and if thereafter but before such authorization shall have been revoked the issuer

shall issue bonds of which at least ninety per cent of the proceeds are to be used to refund the issue previously authorized for investment or another issue of equal or prior security, and if, in the judgment of the board of directors of said corporation, the security for the new bonds is not less than that for the previously authorized issue then said board of directors may, on its own initiative, request the commissioner to authorize investment in such new bonds and the commissioner may authorize such investment and thereafter may revoke such authority on his own initiative or at the request of said corporation.

5. Expert Assistance.- In determining that any investments authorized under the provisions of this section should be included in the list of legal investments or deleted from said list, the commissioner may employ such expert assistance as he deems proper or may rely upon information contained in publications which he deems authoritative in reference to such matters.

6. Liability of Corporation.- Said corporation, its officers, directors and agents, shall be in no way held responsible or liable for failure to take action upon any such application or to make any such request of the commissioner.

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

SECTION 13. Paragraph 7 of section 4A of chapter 167A of the General Laws, as appearing in chapter 899 of the acts of 1969, is hereby amended by inserting after the word "paper", in line 5, the words:- and acquiring, managing or controlling corporations organized under or subject to the provisions of chapter one hundred and sixty-eight, one hundred and seventy or one hundred and seventy-two.

SECTION 14. Section 1 of chapter 167D of the General Laws, as appearing in section 9 of chapter 155 of the acts of 1982, is hereby amended by striking out the definition of "Federally-chartered bank" and inserting in place thereof the following definition:-

"Federally-chartered bank", a national banking association, federal savings and loan association, federal savings bank or a federal credit union authorized to do business in the commonwealth.

SECTION 15. The second paragraph of section 3 of said chapter 167D, as so appearing, is hereby amended by striking out, in lines 26 to 28, inclusive, the words "paragraph 11 of section thirty-five and in section fifty-one of chapter one hundred and sixty-seven" and inserting in place thereof the words:- paragraph 14 of subsection B of section two and in section seven of chapter one hundred and sixty-seven E; deposits of the funds of the Co-operative Banks Employees Retirement Association.

SECTION 16. Said second paragraph of said section 3 of said chapter 167D, as so appearing, is hereby amended by striking out, in lines 32 to 38, inclusive, the words "private retirement or pension system or association; provided, however, 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 banks, whichever is greater" and inserting in place thereof the words:- retirement or pension system or association.

SECTION 17. Section 27 of said chapter 167D, as so appearing, is hereby amended by inserting after the word "and", the second time it appears, in line 5, the word:- if.

SECTION 18. Subsection A of section 2 of chapter 167E of the General Laws, as so appearing, is hereby amended by striking out clause (5).

SECTION 19. The second paragraph of paragraph 13 of subsection B of said section 2 of said chapter 167E, as so appearing, is hereby amended by striking out, in line 2, the word "to" and inserting in place thereof the word:- by.

SECTION 20. Clause (d) of paragraph 5 of section 6 of said chapter 167E, as so appearing, is hereby amended by striking out, in line 3, the number "5" and inserting in place thereof the number:- 7.

SECTION 21. Paragraph 7 of said section 6 of said chapter 167E, as so appearing, is hereby amended by striking out, in line 20, the word "two," and inserting in place thereof the words:- two and.

SECTION 22. Paragraph 9 of said section 6 of said chapter 167E, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

Any loan may be repaid at any time in full or in part subject to such anticipatory charges as may be provided, subject to applicable law, by the mortgage note.

SECTION 23. Paragraph 12 of said section 6 of said chapter 167E, as so appearing, is hereby amended by striking out the second paragraph.

SECTION 24. Paragraph 1 of subsection A of section 14 of said chapter 167E, as so appearing, is hereby amended by striking out clause (a) and inserting in place thereof the following clause:-

(a) 20% of the total of the capital stock and surplus account, if the capital stock of such corporation is $500,000. or more;.

SECTION 25. Clause (e) of said paragraph 1 of said subsection A of said section 14 of said chapter 167E, as so appearing, is hereby amended by striking out, in lines 13 to 15, inclusive, the words "in section thirty-eight of chapter one hundred and sixty-eight" and inserting in place thereof the words:- by the commissioner.

SECTION 26. Subsection B of said section 14 of said chapter 167E, as so appearing, is hereby amended by striking out paragraphs 1 to 5, inclusive, and inserting in place thereof the following five paragraphs:-

1. Obligations of one person, including in the liabilities of a firm the liabilities of its members.

(a) 20% of its surplus account;
(b) 25% of the total of the surplus account, if the amount of such

obligations in excess of the limitations set forth in (a) is fully secured by obligations of the United States of like value;

(c) 100% of the total of the surplus account, if the amount of such obligations in excess of the limitations set forth in (a) is fully secured by obligations of the United States of like value, due within three years of the date of the note of the borrower;

(d) In addition to the limitations prescribed in (a), (b), or (c), 2% of the total amount of savings deposits, if the amount of such obligations in excess of such prescribed limitations is secured by collateral of the classes specified by the commissioner.

2.	Obligations of a state or a political subdivision of a state other than a New England state or a state contiguous thereto.	10% of its surplus account.
3.	Obligations of a political subdivision of a New England state other than this commonwealth.	20% of its surplus account.
4.	Obligations of a political subdivision of a state contiguous to any of the New England states.	20% of its surplus account.
5.	Obligations of a foreign government or a political subdivision thereof.	10% of its surplus account.

SECTION 27. Paragraph 5 of subsection C of said section 14 of said chapter 167E, as so appearing, is hereby amended by striking out, in line 5, the words "it; and" and inserting in

place thereof the word:- it.

SECTION 28. Said subsection C of said section 14 of said chapter 167E, as so appearing, is hereby further amended by adding the following paragraph:-

7. The capital stock of any corporation as provided for in paragraph 4 of section two of chapter one hundred and sixty-seven F and which corporation is located in the commonwealth or in one of the states of Connecticut, Maine, New Hampshire, Rhode Island or Vermont or of any corporation the stock of which such bank may purchase or acquire under applicable provisions of chapters one hundred and sixty-eight, one hundred and seventy or one hundred and seventy-two.

SECTION 29. Subsection D of said section 14 of said chapter 167E, as so appearing, is hereby amended by striking out, in lines 2 and 3, the word "paragraphs" and inserting in place thereof the word:- subsections.

SECTION 30. Said section 14 of said chapter 167E, as so appearing, is hereby amended by striking out subsection E and inserting in place thereof the following subsection:-

E. Notwithstanding the provisions of subsections A and B, liabilities for federal funds and other short-term obligations of any national bank or other bank to a bank may exceed one hundred per cent of the capital stock and surplus account of a stock corporation or may exceed one hundred per cent of the surplus account of a thrift institution, and no collateral shall be required for such obligations except insofar as the commissioner of banks may by regulation set limits on such obligations and require collateral of any kind.

SECTION 31. Section 1 of chapter 167F of the General Laws, as so appearing, is hereby amended by striking out the definition of "Federally-chartered bank" and inserting in place thereof the following definition:-

"Federally-chartered bank", a national banking association, federal savings and loan association, federal savings bank or a federal credit union authorized to do business in the commonwealth.

SECTION 32. Paragraph 4 of section 2 of said chapter 167F, as so appearing, is hereby amended by inserting after the word "federal" the second time it appears, in line 2, the words:- or state.

SECTION 33. Paragraph 8 of section 2 of said chapter 167F,

as so appearing, is hereby amended by striking out, in lines 11, 17, 19, 24, 25, 29, 30 and 34, the word "section" and inserting in place thereof, in each instance, the word:- paragraph.

SECTION 34. Paragraph 15 of said section 2 of said chapter 167F, as so appearing, is hereby amended by inserting after the word "investment", in line 9, the words:- or applicable committee.

SECTION 35. Paragraph 17 of said section 2 of said chapter 167F, as so appearing, is hereby amended by striking out, in line 12, the number "15" and inserting in place thereof the number:- 16.

SECTION 36. Paragraph 20 of said section 2 of said chapter 167F, as so appearing, is hereby amended by striking out, in lines 11 and 12, the words ", officer or employee of such paragraph 15" and inserting in place thereof the following words:- in the manner provided in paragraph 16.

SECTION 37. Clause (vii) of paragraph 1 of section 3 of said chapter 167F, as so appearing, is hereby amended by striking out subclause (b) and inserting in place thereof the following subclause:-

(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 capital stock and surplus account for a stock corporation or the surplus account for a thrift institution 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 capital stock and surplus accounts for a stock corporation or such surplus account for a thrift institution.

SECTION 38. Said section 3 of said chapter 167F, as so appearing, is hereby further amended by striking out paragraph 2 and inserting in place thereof the following paragraph:-

2. Shares of Savings Investment Fund - In the 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 one capital stock and surplus account for a stock corporation or the surplus account for a thrift institution, 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 capital stock and surplus account for a stock corporation or surplus account for a thrift institution; 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.

SECTION 39. Paragraph 3 of said section 3 of said chapter 167F, as so appearing, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:- 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 capital stock and surplus account for a stock corporation or the surplus account for a thrift institution, 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 capital stock and surplus account of a stock corporation or surplus account of a thrift institution; and provided, further, 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 40. Section 6 of said chapter 167F, as so appearing, is hereby amended by inserting after the word "time", in line 5, the words:- ; provided, however, that such authority to terminate insurance shall not apply to a trust company chartered under the provisions of chapter one hundred and seventy-two.

SECTION 41. Chapter 168 of the General Laws is hereby amended by striking out section 3, as appearing in section 29 of said chapter 155, and inserting in place thereof the following section:-

Section 3. Any such corporation organized prior to January first, nineteen hundred and fifty-five, shall be subject to this chapter and chapters one hundred and sixty-seven C to one hundred and sixty-seven G, inclusive, so far as is consistent with the provisions of its charter, and may, by vote of its corporators at its annual meeting or at a meeting called for the purpose, accept any provision of this chapter which is inconsistent with its charter. Any such corporation organized after

January first, nineteen hundred and fifty-five, shall be subject to this chapter and chapters one hundred and sixty-seven C to one hundred and sixty-seven G, inclusive.

SECTION 42. The second paragraph of section 5 of said chapter 168, as so appearing, is hereby amended by striking out, in line 5, the words "this chapter" and inserting in place thereof the words:- chapter one hundred and sixty-seven F.

SECTION 43. Section 7 of said chapter 168, as so appearing, is hereby amended by striking out the first two paragraphs and inserting in place thereof the following two paragraphs:-

The president and a majority of the trustees who are elected at the first meeting shall make, sign and make oath to articles in duplicate, setting forth:-

(a) A true copy of the agreement of association, the names of the subscribers thereto, and the name, residence and post office address of each of the officers of the corporation.

(b) The date of the first meeting and the successive adjournments thereof, if any.

One duplicate original of the articles so signed and sworn to shall be submitted to the board of bank incorporation, and the other, together with the records of the proposed corporation, to the state secretary, who shall examine the same and may require such amendment thereof or such additional information as he considers necessary. If he finds that the articles conform to sections four, five and six, and that section five has been complied with, he shall so certify and endorse his approval and file the articles in his office and upon receipt of a fee, the amount of which shall be determined annually by the commissioner of administration under the provisions of section three B of chapter seven the state secretary shall issue a certificate of incorporation in the following form:-

COMMONWEALTH OF MASSACHUSETTS

Be it known that whereas (the names of the subscribers to the agreement of association) have associated themselves with the intention of forming a corporation under the name of (the name of the corporation), for the purpose (the purpose declared in the agreement of association) and have complied with the provisions of the statutes of this commonwealth in such case made and provided, as appears from the articles of organization of said corporation, duly approved by the state secretary and recorded in his office: Now, therefore, I (name of secretary), secretary of the commonwealth of Massachusetts, do hereby certify that said (the names of the subscribers to the agreement of associa-

tion), their associates and successors, are legally organized and established as, and are hereby made, an existing corporation under the name of (name of the corporation) with the powers, rights and privileges, and subject to the limitations, duties and restrictions, which by law appertain thereto.

SECTION 44. Paragraph 3 of section 10 of said chapter 168, as so appearing, is hereby amended by inserting after the word "a", in line 22, the word:- trust.

SECTION 45. The second paragraph of section 19 of said chapter 168, as so appearing, is hereby amended by striking out, in line 6, the word "mortgagee" and inserting in place thereof the word:- mortgage.

SECTION 46. Section 22 of said chapter 168, as so appearing, is hereby amended by striking out, in line 4, the words "to one hundred and sixty-eight, inclusive," and inserting in place thereof the words:- or one hundred and sixty-eight.

SECTION 47. The second paragraph of section 27 of said chapter 168, as so appearing, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- 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.

SECTION 48. Paragraph 2 of section 29 of said chapter 168, as so appearing, is hereby amended by striking out, in line 25, the word "and", the second time it appears, and inserting in place thereof the word:- any.

SECTION 49. Said section 29 of said chapter 168, as so appearing, is hereby further amended by striking out paragraph 4.

SECTION 50. Said chapter 168 is hereby further amended by striking out section 31, as so appearing, and inserting in place thereof the following section:-

Section 31. Dividends on time deposits shall be paid at such rates, at such times, and in such manner, as may be provided in the agreement pursuant to which such deposits were received.

SECTION 51. Paragraph 2 of section 34 of said chapter 168, as so appearing, is hereby amended by striking out, in lines 14 and 15, the words "of section three of chapter one hundred and

sixty-seven C".

SECTION 52. Section 34A of said chapter 168, as so appearing, is hereby amended by striking out, in line 31, the word "forty-seven" and inserting in place thereof the word:- twenty-four.

SECTION 53. The fifth paragraph of section 34C of said chapter 168, as so appearing, is hereby amended by striking out, in line 7, the word "thirty" and inserting in place thereof the word:- ninety.

SECTION 54. Section 38 of said chapter 168, as so appearing, is hereby amended by inserting after the word "convert", in lines 1 and 2, the word:- to.

SECTION 55. Section 1 of chapter 169 of the General Laws, as most recently amended by chapter 95 of the acts of 1950, is hereby further amended by striking out, in line 7, the words "thirty-seven to forty-four" and inserting in place thereof the words:- thirty-eight to forty-three.

SECTION 56. Paragraph (b) of section 20 of chapter 170 of the General Laws, as appearing in section 46 of chapter 155 of the acts of 1982, is hereby amended by striking out, in lines 3 and 4, the words "accounts to the surplus account referred to in section twenty-one to" and inserting in place thereof the following words:- accounts: to the surplus account referred to in section twenty-one, to.

SECTION 56A. Paragraph (2) of section 21 of said chapter 170, as so appearing, is hereby amended by striking out, in line 5, the word "subection" and inserting in place thereof the word:- subsection.

SECTION 57. Said section 21 of said chapter 170, as so appearing, is hereby further amended by adding the following subsection:-

(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 eighteen 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 58. Section 26A of said chapter 170, as so appearing, is hereby amended by striking out, in lines 28 and 29, the

words "present, qualified to vote, and".

SECTION 59. The second paragraph of said section 26A of said chapter 170, as so appearing, is hereby amended by striking out, in line 9, the word "or" and inserting in place thereof the word:- and.

SECTION 60. The fifth paragraph of section 26C of said chapter 170, as so appearing, is hereby amended by striking out, in line 7, the word "thirty" and inserting in place thereof the word:- ninety.

SECTION 61. The fifth paragraph of section 28 of said chapter 170, as so appearing, is hereby amended by striking out, in line 6, the word "certifcate" and inserting in place thereof the word:- certificate.

SECTION 62. The seventh paragraph of section 29 of said chapter 170, as so appearing, is hereby amended by inserting after the word "seventy-three", in line 5, the words:- of the acts of nineteen hundred and thirty-four.

SECTION 63. Section 30 of said chapter 170, as so appearing, is hereby amended by striking out, in line 10, the word "pleaded" and inserting in place thereof the word:- impleaded.

SECTION 64. The first sentence of section 3 of chapter 171 of the General Laws, as most recently amended by section 2 of chapter 258 of the acts of 1964, is hereby further amended by striking out, in line 2, the words "six to ten" and inserting in place thereof the words:- five to nine.

SECTION 65. Said chapter 171 is hereby further amended by inserting after section 15A the following two sections:-

Section 15B. In addition to the duties imposed by law upon the treasurer of a credit union, or the officer or employee thereof charged with the duties and functions usually performed by the treasurer, he shall also be responsible for the performance of all acts and duties required of such corporation by the provisions of chapters one hundred and sixty-seven or one hundred and seventy-one except in so far as such performance has been expressly imposed on some other officer or employee of such bank by its regulations or by-laws or by provision of law.

Section 15C. Any officer, director, agent or employee of any credit union, who knowingly and wilfully does any act forbidden to him or to such credit union by any provision of chapters one hundred and sixty-seven or one hundred and seventy, or who

knowingly and wilfully aids or abets the doing of any act so forbidden to such credit union or to any other officer, director, agent or employee thereof, or who knowingly and wilfully fails to do any act required of him by any such provision, or who knowingly and wilfully fails to do any act which is required of such credit union by any such provision the performance of which is imposed on him by the by-laws or regulations of the credit union or by-law or the responsibility for the nonperformance of which is placed upon him by section fifteen B shall, if no other penalty against him in his aforesaid capacity is specifically provided, be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both.

SECTION 66. The second paragraph of section 21 of said chapter 171 is hereby amended by striking out paragraph (i), as appearing in chapter 313 of the acts of 1977, and inserting in place thereof the following paragraph:-

(i) In a common trust unit plan organized for the purchase of bonds or notes of the United States or any subdivision thereof which are legal investments for savings banks and which plan has as its custodian a banking institution authorized to accept deposits from a credit union or from a savings bank.

SECTION 67. The third paragraph of said section 21 of said chapter 171 is hereby amended by striking out paragraph (g), as so appearing, and inserting in place thereof the following paragraph:-

(g) In a common trust unit plan organized for the purchase of bonds or notes of the United States or of any subdivision thereof which are legal investments for savings banks and which has as its custodian a banking institution authorized to accept deposits from a credit union or from a savings bank.

SECTION 68. Said chapter 171 is hereby further amended by striking out section 37, added by section 48 of chapter 155 of the acts of 1982, and inserting in place thereof the following section:-

Section 37. Section six of chapter one hundred and sixty-seven C; sections five, nine, ten, thirteen, fourteen, fifteen, eighteen, nineteen, twenty, twenty-three, twenty-six, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one and thirty-two of chapter one hundred and sixty-seven D; paragraph 10 of subsection B of section two, section three and paragraphs 10, 11 and 14 of section six, section seven, section nine and section ten of chapter one hundred and sixty-seven E; paragraphs 10, 16, 17, 18, 19 and 20 of section two of chapter one hundred and

sixty-seven F and section four of said chapter one hundred and sixty-seven F shall apply to credit unions; provided, however, that any references to deposits in such provisions shall mean shares and deposits in a credit union.

SECTION 69. Paragraph (b) of section 2 of chapter 172 of the General Laws, as appearing in section 60 of chapter 155 of the acts of 1982, is hereby amended by inserting after the word "chapter", in line 6, the words:- and chapters one hundred and sixty-seven C to one hundred and sixty-seven G, inclusive.

SECTION 70. Section 105 of chapter 175 of the General Laws, as most recently amended by section 215 of chapter 514 of the acts of 1978, is hereby further amended by striking out the third sentence and inserting in place thereof the following sentence:- A bond given by it under section twenty of chapter one hundred and fifty-eight, section eighteen of chapter one hundred and sixty-eight or section fifteen of chapter one hundred and seventy shall be in a form approved by the commissioner of corporations and taxation or the commissioner of banks, respectively, and an attested copy of such bond, with a certificate of the custodian that the original is in his possession, shall be filed with the commissioner concerned.

SECTION 71. Section 177 of said chapter 175 is hereby amended by striking out the fourth sentence, inserted by section 4 of chapter 236 of the acts of 1964, and inserting in place thereof the following sentence:- Nothing in this section shall prohibit the payment to any bank, or group of banks, of a service charge as provided in paragraph 17 of section two of chapter one hundred and sixty-seven F.

SECTION 72. The second sentence of section 184 of said chapter 175 is hereby amended by striking out clause (4), inserted by section 5 of chapter 236 of the acts of 1964, and inserting in place thereof the following clause:-

(4) the payment to any bank, or group of banks, of a service charge as provided in paragraph 17 of section two of chapter one hundred and sixty-seven F.

SECTION 73. Chapter 178 of the General Laws is hereby amended by striking out section 9, as most recently amended by chapter 64 of the acts of 1979, and inserting in place thereof the following section:-

Section 9. The funds of the insurance department, whether arising from premiums, annuity contracts, guaranty funds, or from the income thereof, and whether constituting insurance

reserve or surplus, shall be invested in the same classes of securities and, except to the extent otherwise provided in section fourteen of chapter one hundred and sixty-seven E with respect to the total obligation of any one person, in the same manner in which the deposits of the savings department are required by law to be invested, except that it may make loans upon any policy of insurance or annuity contract issued by it to the extent specified in section fifteen; provided, however, that such funds may be deposited in the savings department of its own or any other savings bank.

SECTION 74. The sixth paragraph of section 64 of chapter 183 of the General Laws, as appearing in section 2 of chapter 327 of the acts of 1982, is hereby amended by striking out, in line 6, the word "seventy-three" and inserting in place thereof the word:- fourteen A.

SECTION 75. Section 1A of chapter 203A of the General Laws, inserted by chapter 179 of the acts of 1976, is hereby amended by striking out, in lines 4 and 5, the word "forty-five A" and inserting in place thereof the word:- forty-three.

SECTION 76. Section 5 of chapter 44 of the acts of 1932 is hereby amended by striking out, in line 13, the word "five" and inserting in place thereof the word:- twelve.

SECTION 77. The first paragraph of section 7 of said chapter 44 is hereby amended by striking out clause (b), as amended by chapter 195 of the acts of 1975, and inserting in place thereof the following clause:-

(b) Obligations of the United States and federal agency obligations on the list of investments prepared pursuant to section fifteen A of chapter one hundred and sixty-seven.

SECTION 78. Section 2 of chapter 45 of the acts of 1932 is hereby amended by striking out the eighth sentence, as amended by section 1 of chapter 696 of the acts of 1950, and inserting in place thereof the following sentence:- The board of directors shall from time to time adopt such rules and regulations as they may deem necessary to effect the purposes of this act, and of sections twenty-eight and twenty-nine of said chapter one hundred and seventy.

SECTION 79. Section 6 of said chapter 45, as appearing in section 2 of chapter 696 of the acts of 1950, is hereby amended by striking out, in line 8, the word "forty" and inserting in place thereof the word:- twenty-two.

SECTION 80. The third paragraph of section 7 of said chapter 45, as most recently amended by section 1 of chapter 466 of the acts of 1974, is hereby further amended by striking out the first two sentences and inserting in place thereof the following two sentences:- The resources of the central bank shall be invested only in one or another of the following:- (a) obligations of the United States; (b) federal agency obligations, referred to in section forty-two of chapter one hundred and sixty-eight of the General Laws, in effect on June thirtieth, nineteen hundred and eighty-three and included on the list of investments pursuant to section fifteen A of chapter one hundred and sixty-seven of the General Laws maturing not more than five years from the date of acquisition thereof by the central bank; (c) obligations of the commonwealth; (d) loans to member banks under conditions herein provided; (e) federal funds and repurchase agreements secured by United States treasury obligations and federal agency obligations which have unexpired terms of five years or less with a banking corporation in the common stock of which a cooperative bank may invest pursuant to paragraph 1 of section forty-seven of chapter one hundred and sixty-eight of the General Laws in effect on June thirtieth, nineteen hundred and eighty-three and included on the list of investments pursuant to section fifteen A of chapter one hundred and sixty-seven of the General Laws; provided, that such banking corporation has a combined total of capital stock, surplus, undivided profits and reserves for contingencies equal to at least fifteen million dollars and total assets of one hundred and fifty million dollars and also equal to at least six per cent of its aggregate deposit liability at the end of the calendar year immediately preceding the date of investment. If, after such investment, such banking corporation issues debentures, convertible debentures or notes which, when added to the combined total of all of its already outstanding debentures, convertible debentures or notes, equal sixty-six and two-thirds per cent or more of the combined total of its capital stock, surplus, undivided profits and reserve for contingencies, any notes or other evidences of indebtedness owned by such corporation shall be disposed of within a reasonable time and in no event later than any date which may be specified by the commissioner, and the capital stock of such issuing bank shall be removed forthwith from the list provided for in section fifteen A of chapter one hundred and sixty-seven of the General Laws.

SECTION 81. Section 10 of said chapter 45, as most recently amended by section 3 of chapter 696 of the acts of 1950, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

The commissioner shall annually, on or before the fifteenth day

of December, furnish to the central bank a list showing the total assets of each member bank as last reported to the commissioner under section eighteen of said chapter one hundred and seventy of the General Laws. Upon receipt thereof, the treasurer of the central bank shall notify each member bank of the amount of any additional deposit required to be maintained in accordance with the provisions of section six. If any member bank shall fail to deposit any amount lawfully required under this section or under said section six the treasurer of the central bank 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 payment within fifteen days after such notice from the commissioner shall constitute a violation of law within the meaning of section twelve of chapter one hundred and sixty-seven of the General Laws.

SECTION 82. Section 12 of said chapter 45, added by chapter 191 of the acts of 1975, is hereby amended by striking out, in line 11, the word "five" and inserting in place thereof the word:- twelve.

SECTION 83. The fourth sentence of section 1A of chapter 43 of the acts of 1934, as appearing in section 5 of chapter 324 of the acts of 1956, is hereby amended by striking out, in line 5, the word "sixty-five" and inserting in place thereof the word:- twenty-five.

SECTION 84. The fourth sentence of section 3 of said chapter 43, as appearing in section 6 of said chapter 324, is hereby amended by striking out, in line 2, the word "seventy-one" and inserting in place thereof the word:- thirty-three.

SECTION 85. Clause (e) of the first paragraph of section 3A of said chapter 43, inserted by chapter 134 of the acts of 1958, is hereby amended by striking out, in line 3, the words "twenty-one of chapter one hundred and sixty-eight" and inserting in place thereof the words:- three of chapter one hundred and sixty-seven D.

SECTION 86. The last paragraph of said section 3A of said chapter 43, as amended by section 20 of chapter 432 of the acts of 1955, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- Notwithstanding the provisions of section thirty-three of chapter one hundred and sixty-eight of the General Laws relative to voluntary dissolution and liquidation of a savings bank, in order to give effect to the purpose of this section and subject to the

approval of the commissioner and of the corporation, such member bank may be dissolved and liquidate its affairs if authorized by vote of at least two-thirds of its trustees; provided, that another savings bank shall have assumed and agreed to pay the whole of the deposits of such member bank under section thirty-five of said chapter one hundred and sixty-eight.

SECTION 87. Said chapter 43 is hereby further amended by striking out section 7, as most recently amended by section 62 of chapter 155 of the acts of 1982, and inserting in place thereof the following section:-

Section 7. 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 the powers and rights of the corporators of such bank relative to a merger or consolidation conferred upon them by sections thirty-four, thirty-four A, thirty-four B, thirty-four D and thirty-five of chapter one hundred and sixty-eight.

SECTION 88. Said chapter 43 is hereby further amended by striking out section 12, as appearing in section 10 of chapter 324 of the acts of 1956, and inserting in place thereof the following section:-

Section 12. Any member bank which shall apply for membership in the Federal Deposit Insurance Corporation, referred to in section six of chapter one hundred and sixty-seven F of the General Laws, shall forthwith give written notice thereof to the Mutual Savings Central Fund, Inc., and to the commissioner. If such application is accepted and such member bank is notified that the said corporation is willing to insure its deposits, such member bank may become a member of the Federal Deposit Insurance Corporation subject to the terms and conditions set forth in this section and in sections thirteen, fourteen, fifteen and seventeen; provided, that such membership shall have been approved by vote of at least two-thirds of the trustees of such bank and by vote of at least two-thirds of its corporators passed at an annual or special meeting thereof, notice of which meeting shall be given by the clerk as provided in section nine A of said chapter one hundred and sixty-eight, which notice shall contain a statement that such membership is to be considered and acted upon at such meeting.

SECTION 89. Paragraph (d) of section 17 of said chapter 43, as so appearing, is hereby amended by striking out, in lines 13 and 14, the words "sixty-seven A of chapter one hundred and sixty-eight" and inserting in place thereof the words:- six of

chapter one hundred and sixty-seven F.

SECTION 90. Section 1 of chapter 73 of the acts of 1934 is hereby amended by striking out the seventh and eighth sentences, as amended by section 4 of chapter 696 of the acts of 1950, and inserting in place thereof the following two sentences:- The failure of such member bank to make such payment within fifteen days after such notice from the commissioner shall constitute a violation of law within the meaning of section twelve of chapter one hundred and sixty-seven of the General Laws. All assessments under this section and all payments under sections twenty-eight and twenty-nine of chapter one hundred and seventy of the General Laws shall be held as a fund to be known as the Share Insurance Fund and shall be in addition to all other payments to the corporation required under said chapter forty-five and under said section twenty-nine of chapter one hundred and seventy.

SECTION 91. Said chapter 73 is hereby further amended by striking out section 3, as most recently amended by section 2 of chapter 164 of the acts of 1977, and inserting in place thereof the following section:-

Section 3. The corporation may, with the approval of the commissioner, pay dividends to member banks upon the amounts paid in by them to the Share Insurance Fund or upon the unexpended portion thereof at such rate and at such times as the directors of the corporation may determine. Except as provided in this act, said fund may be invested by the corporation only in the cash, securities or other property referred to in clauses (a), (b), (c), and (d) of section twenty-two of chapter one hundred and seventy of the General Laws or in any of the federal agency obligations referred to in section forty-two of chapter one hundred and sixty-eight of the General Laws in effect on June thirtieth, nineteen hundred and eighty-three and included on the list of investments pursuant to section fifteen A of chapter one hundred and sixty-seven of the General Laws, or in stock of the Federal National Mortgage Association referred to in said section forty-two, or federal funds and repurchase agreements secured by United States treasury obligations and federal agency obligations which have unexpired terms of five years or less with a banking corporation in the common stock of which a co-operative bank may invest pursuant to paragraph 1 of section forty-seven of said chapter one hundred and sixty-eight in effect on June thirtieth, nineteen hundred and eighty-three and included on the list of investments pursuant to section fifteen A of chapter one hundred and sixty-seven of the General Laws; provided that such banking corporation has a combined

total of capital stock, surplus, undivided profits and reserves for contingencies equal to at least fifteen million dollars and total assets of one hundred and fifty million dollars and also equal to at least six per cent of its aggregate deposit liability at the end of the calendar year immediately preceding the date of investment. If, after such investment, such banking corporation issues debentures, convertible debentures or notes which, when added to the combined total of all of its already outstanding debentures, convertible debentures or notes, equal sixty-six and two-thirds per cent or more of the combined total of its capital stock, surplus, undivided profits and reserve for contingencies, any notes, or other evidences of indebtedness owned by such corporation shall be disposed of within a reasonable time and in no event later than any date which may be specified by the commissioner, and the capital stock of such issuing bank shall be removed forthwith from the list provided for in section fifteen A of said chapter one hundred and sixty-seven. Not more than four per cent of the assets of the Share Insurance Fund of The Co-operative Central Bank shall be invested by it in notes or other evidences of indebtedness of such banking corporations and not more than two per cent of the assets of the Share Insurance Fund shall be invested by such corporation in notes or other evidences of indebtedness of any one banking corporation. The corporation may loan securities in which such fund is invested to persons who deal in United States treasury obligations and federal agency obligations and such loans shall be secured by a security having a value at least equal to the value of the securities loaned and shall be of like quality and marketability. The corporation may by vote of its directors borrow money for the purposes of the Share Insurance Fund and pledge any assets in which such fund is invested as security for such loans. In case of the voluntary liquidation of any member bank under section twenty-two of chapter one hundred and sixty-seven of the General Laws, the corporation shall, if its directors are satisfied that such member bank has paid or will be able to pay its shareholders in full, return the unexpended portion, as determined by said directors, of all assessments paid by such member bank into said fund, after deducting as a charge for insurance of its shares while a member bank, an amount equal to the sum of the annual assessments paid and which shall have become due and payable by such member bank as provided in sections one and sixteen.

In case of the merger or consolidation of a co-operative bank with one or more other co-operative banks under section twenty-five of said chapter one hundred and seventy of the General Laws, as amended, or in case of a sale of assets of such bank to and the assumption of its liabilities by one or more other co-

operative banks under section seven of this chapter or under section twenty-four of said chapter one hundred and seventy, the continuing bank shall succeed to all of the rights of the discontinuing bank in the assessments theretofore paid by the discontinuing bank provided that (a) if the continuing bank is, and the discontinuing bank is not, a member of the Federal Savings and Loan Insurance Corporation the provisions of section fourteen shall apply to such assessments of the discontinuing bank as though such bank had become a member of the Federal Savings and Loan Insurance Corporation as provided in sections eleven to fourteen, inclusive, and (b) if the continuing bank is not, and the discontinuing bank is, a member of the Federal Savings and Loan Insurance Corporation the provisions of section fifteen shall apply to the discontinuing bank.

SECTION 92. Section 7 of said chapter 73 is hereby amended by striking out the first sentence, as most recently amended by section 63 of chapter 155 of the acts of 1982, 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 twenty-four, twenty-five, twenty-six, twenty-six A, twenty-six B, and twenty-six D of chapter one hundred and seventy of the General Laws.

SECTION 93. Section 10 of said chapter 73, as most recently amended by section 6 of chapter 696 of the acts of 1950, is hereby further amended by striking out, in line 10 and in line 13, the words "said chapter one hundred and seventy" and inserting in place thereof, in each instance, the words:- chapter one hundred and sixty-seven D.

SECTION 94. Section 11 of said chapter 73, as appearing in section 9 of chapter 323 of the acts of 1956, is hereby amended by striking out, in lines 3 and 4, the words "thirty-four A of chapter one hundred and seventy" and inserting in place thereof the words:- seven of chapter one hundred and sixty-seven F.

SECTION 95. Paragraph (d) of section 16 of said chapter 73, as so appearing, is hereby amended by striking out, in lines 13 and 14, the words "thirty-four A of chapter one hundred and seventy" and inserting in place thereof the words:- seven of chapter one hundred and sixty-seven F.

SECTION 96. The last sentence of section 1 of chapter 283 of the acts of 1945, added by section 1 of chapter 208 of the acts of 1962, is hereby amended by striking out, in line 4, the word "seventy-four" and inserting in place thereof the word:- thirty-nine.

SECTION 97. Section 4 of said chapter 283, as most recently amended by chapter 384 of the acts of 1977, is hereby further amended by striking out paragraph (b) and inserting in place thereof the following paragraph:-

(b) In public funds authorized in sections forty-two and forty-three of chapter one hundred and sixty-eight in effect on June thirtieth, nineteen hundred and eighty-three and included on the list of investments pursuant to section fifteen A of chapter one hundred and sixty-seven of the General Laws.

SECTION 98. Section 14 of chapter 354 of the acts of 1952, as amended by section 3 of chapter 688 of the acts of 1969, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- Bonds issued by the Authority under the provisions of this act are hereby made securities in which all public officers and public bodies of the commonwealth and its political subdivisions, all insurance companies, and savings banks, co-operative banks and trust companies in their banking departments and within the limits set by section fourteen of chapter one hundred and sixty-seven E of the General Laws.

SECTION 99. Chapter 465 of the acts of 1956 is hereby amended by striking out section 18 and inserting in place thereof the following section:-

Section 18. Bonds Eligible for Investment.- Bonds issued under the provisions of this act are hereby made securities in which all public officers and public bodies of the commonwealth and its political subdivisions, all insurance companies, trust companies in their commercial departments and within the limits set by section fourteen of chapter one hundred and sixty-seven E of the General Laws, banking associations, investment companies, executors, trustees and other fiduciaries, and all other persons whatsoever who are now or may hereafter be authorized to invest in bonds or other obligations of the commonwealth may properly and legally invest funds, including capital in their control or belonging to them, and such bonds are hereby made obligations which may properly and legally be made eligible for the investment of savings deposits and the income thereof in the manner provided by section fifteen B of chapter one hundred and sixty-seven of the General Laws. Such bonds are hereby

made securities which may properly and legally be deposited with and received by any state or municipal officer or any agency or political subdivision of the commonwealth for any purpose for which the deposit of bonds or other obligations of the commonwealth now or may hereafter be authorized by law.

SECTION 100. Chapter 606 of the acts of 1958 is hereby amended by striking out section 13 and inserting in place thereof the following section:-

Section 13. Bonds Eligible for Investment.- Bonds issued by the Authority under the provisions of this act are hereby made securities in which all public officers and public bodies of the commonwealth and its political subdivisions, all insurance companies, trust companies in their commercial departments and within the limits set by section fourteen of chapter one hundred and sixty-seven E of the General Laws, banking associations, investment companies, executors, trustees and other fiduciaries, and all other persons whatsoever who are now or may hereafter be authorized to invest in bonds or other obligations of a similar nature, may properly and legally invest funds, including capital in their control or belonging to them, and such bonds are hereby made obligations which may properly and legally be made eligible for the investment of savings deposits and the income thereof in the manner provided by section fifteen B of chapter one hundred and sixty-seven of the General Laws. Such bonds are hereby made securities which may properly and legally be deposited with and received by any state or municipal officer or any agency or political subdivision of the commonwealth for any purpose for which the deposit of bonds or other obligations of the commonwealth is now or may hereafter be authorized by law.

SECTION 101. Chapter 701 of the acts of 1960 is hereby amended by striking out section 11 and inserting in place thereof the following section:-

Section 11. Bonds Eligible for Investment.- Bonds and refunding bonds issued under the provisions of this act are hereby made securities in which all public officers and public bodies of the commonwealth and its political subdivisions, all insurance companies, trust companies in their commercial departments and within the limits set by section fourteen of chapter one hundred and sixty-seven E of the General Laws, banking associations, investment companies, executors, trustees and other fiduciaries, and all other persons whatsoever who are now or may hereafter be authorized to invest in bonds or other obligations of a similar nature may properly and legally invest funds, including capital in their control or belonging to them, and such bonds are hereby made obligations which may properly and legally be made eligible

for the investment of savings deposits and the income thereof in the manner provided by paragraph 2 of section fifteen B of chapter one hundred and sixty-seven of the General Laws. Such revenue bonds are hereby made securities which may properly and legally be deposited with and received by any state or municipal officer or any agency or political subdivision of the commonwealth for any purpose for which the deposit of bonds or other obligations of the commonwealth now or may hereafter be authorized by law.

SECTION 102. Chapter 294 of the acts of 1961 is hereby amended by adding the following section:-

Section 14. The directors of the corporation may provide group life insurance, group accident and health insurance or group medical, surgical or hospital insurance or benefits, or all or any combination thereof, for its employees, officers, and directors. The commissioner may, if he deems it necessary, establish regulations providing reasonable restrictions in connection therewith.

SECTION 103. The first sentence of section 13 of chapter 708 of the acts of 1966, as amended by chapter 521 of the acts of 1972, is hereby further amended by striking out, in lines 5 and 6, the words "forty of chapter one hundred and seventy-two" and inserting in place thereof the words:- fourteen of chapter one hundred and sixty-seven E.

SECTION 104. The first sentence of section 13 of chapter 846 of the acts of 1974 is hereby amended by striking out, in line 6, the words "forty of chapter one hundred and seventy-two" and inserting in place thereof the words:- fourteen of chapter one hundred and sixty-seven E.

SECTION 105. This act shall take effect as of July first, nineteen hundred and eighty-three.

Approved September 26, 1983.

Chap. 372. AN ACT AUTHORIZING THE SAVINGS BANK LIFE INSURANCE COUNCIL TO PROVIDE ADDITIONAL SERVICES.

Be it enacted, etc., as follows:

The third paragraph of section 32 of chapter 178 of the General Laws, as amended by chapter 585 of the acts of 1979, is hereby

further amended by inserting after the second sentence the following sentence:- The council may also furnish the savings departments of the savings and insurance banks or their agencies with such computer, technical and professional services as the trustees, with the advice of the incorporators may, from time to time, determine.

Approved September 26, 1983.

Chap. 373. AN ACT PROVIDING FOR THE ANNUAL OBSERVANCE OF LITHUANIAN INDEPENDENCE DAY.

Be it enacted, etc., as follows:

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

Section 12FF. The governor shall annually issue a proclamation setting apart February sixteenth as Lithuanian Independence Day, in commemoration of the promulgation of the nineteen hundred and eighteen Declaration of Independence which reestablished Lithuania as a sovereign nation and recommending that said day be observed in an appropriate manner by the people.

Approved September 26, 1983.

Chap. 374. AN ACT TRANSFERRING CERTAIN BIRTH, MARRIAGE AND DEATH RECORDS TO THE STATE SECRETARY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately transfer certain birth, marriage and death records to the state secretary, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The commissioner of public health shall transfer to the state secretary all record copies of birth, marriage and death from eighteen hundred and forty-one to eighteen hundred and ninety, inclusive, required to be maintained in said commissioner's office in accordance with section twenty-eight of chapter four hundred and eighty-six of the acts of nineteen hundred and seventy-six, along with all the corrections to said records filed no later than eighteen hundred and ninety, and all copies of the indexes thereto.

SECTION 2. The state secretary shall be the official custodian of such copies and shall be responsible for the preservation thereof. Notwithstanding any general or special law to the contrary, said copies and all original records of birth, marriage and death on file in the office of the city and town clerks throughout the commonwealth for eighteen hundred and forty-one to eighteen hundred and ninety, inclusive, shall be maintained as public records in accordance with chapter sixty-six of the General Laws.

SECTION 3. Until such time as the state secretary is able to secure said transfer, the commissioner of public health shall allow public access in accordance with the provisions of section two of this act as if said copies were still in his custody.

SECTION 4. Said commissioner shall, no later than December thirty-first, nineteen hundred and eighty-six, transfer to the state secretary all record copies of birth, marriage and death from eighteen hundred and ninety-one to eighteen hundred and ninety-five, inclusive, and all copies of the indexes thereto, and the corrections to said records filed no later than eighteen hundred and ninety-five pursuant to section thirteen of chapter forty-six of the General Laws, required to be maintained in the commissioner's office in accordance with chapter four hundred and eighty-six of the acts of nineteen hundred and seventy-six, and said commissioner shall, no later than December thirty-first of every fifth succeeding year, transfer to the said state secretary the earliest five years of all record copies of birth, marriage and death, and all copies of the indexes thereto, and the corrections to said records filed during the same five years remaining in the custody of the said commissioner in accordance with section twenty-eight of said chapter four hundred and eighty-six.

SECTION 5. Said commissioner, if he determines the records to be in such a state of disrepair and decay as to warrant special care, may transfer the records from the years eighteen hundred and ninety-one to nineteen hundred and ten, inclusive, to the state secretary. Said state secretary shall allow public access in accordance with all the provisions of any general or special law as if said copies were still in the custody of said commissioner.

Approved September 28, 1983.

Chap. 375. AN ACT AUTHORIZING THE ESTABLISHMENT OF BANKS BY CERTAIN STUDENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize the commissioner of banks to permit the establishment and operation of student banks, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter 167 of the General Laws is hereby amended by inserting after section 37A the following section:-

Section 37B. Notwithstanding the provisions of any general or special law to the contrary, the commissioner is hereby authorized to permit students in grades four through eight in educational institutions in the commonwealth to establish and operate a bank upon the recommendation of the superintendent of schools and the affirmative vote of the school committee in the city or town or the regional school committee in the district in which such bank is to be located in the case of public schools and upon the affirmative vote of the governing board in the case of private or parochial schools.

The commissioner shall prescribe the conditions and restrictions for the conduct of any such bank which shall include, but need not be limited to, the following: (1) that any such bank is conducted as an educational program; (2) that any such bank is managed by the students of such school; (3) that any such bank may sell shares to or accept deposits from personnel and students of such school; provided, however, that the assets of any such bank shall not, at any time, exceed five hundred dollars; and (4) that any such bank shall operate only during the academic year and shall be liquidated at the close thereof and the assets distributed on a pro rata basis among the shareholders or depositors.

Any such bank, upon such liquidation, shall file an accounting of its activities as the commissioner may require.

Approved September 28, 1983.

Chap. 376. AN ACT AUTHORIZING KENNETH E. HOLWAY TO TAKE A CIVIL SERVICE EXAMINATION FOR POLICE OFFICER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize Kenneth E. Holway to take a civil service examination for police officer,

therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law or rule to the contrary regulating the maximum age of an applicant for appointment as police officer, Kenneth E. Holway shall be eligible to take the next open competitive examination for appointment to the position of police officer and, provided he meets all other requirements, shall be eligible for certification and appointment.

Approved September 28, 1983.

Chap. 377. AN ACT AUTHORIZING LARRY E. WRIGHT TO TAKE A CIVIL SERVICE EXAMINATION FOR THE POSITION OF POLICE OFFICER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize Larry E. Wright to take an examination for police officer, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law or rule to the contrary regulating the maximum age of an applicant for appointment as a police officer, Larry E. Wright of the city known as the town of Agawam shall be eligible to take the next open competitive examination for the position of police officer and, provided he meets all other requirements, shall be eligible for certification and appointment.

Approved September 28, 1983.

Chap. 378. AN ACT AUTHORIZING THOMAS A. GIANNINO TO TAKE A CIVIL SERVICE EXAMINATION FOR MASSACHUSETTS BAY TRANSPORTATION AUTHORITY POLICE OFFICER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any law or rule regulating the maximum age of applicants for appointment as a police officer, Thomas A. Giannino shall be eligible to take the next open competitive examination for Massachusetts Bay Transportation Authority police officer, and provided he meets all other requirements, he shall be eligible for certification and appointment.

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

Approved September 28, 1983.

Chap. 379. AN ACT AUTHORIZING EDMUND JOSEPH SANSEVERINO TO TAKE A CIVIL SERVICE EXAMINATION FOR CORRECTIONAL OFFICER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize Edmund Joseph Sanseverino to take a civil service examination for correctional officer, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section four of chapter one hundred and twenty-five of the General Laws or any other law or rule regulating the maximum age of applicants for appointment as a correctional officer, Edmund Joseph Sanseverino of the town of Rockland shall be eligible to take the next open competitive examination for correctional officer and, provided he meets all other requirements, he shall be eligible for certification and appointment.

Approved September 28, 1983.

Chap. 380. AN ACT AUTHORIZING IRENE M. LANDRY TO TAKE A CIVIL SERVICE EXAMINATION FOR POLICE OFFICER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize Irene M. Landry to take a civil service examination for police officer,

therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law or rule to the contrary regulating the maximum age of applicants for appointment as a police officer, Irene M. Landry of the Dorchester district of the city of Boston shall be eligible to take the next open competitive examination for appointment to the position of police officer; and, provided she meets all other requirements, shall be eligible for certification and appointment.

Approved September 28, 1983.

Chap. 381. AN ACT AUTHORIZING THEODORE F. JOHNSON TO TAKE A CIVIL SERVICE EXAMINATION FOR FIREFIGHTER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary regulating the maximum age of applicants for appointment as a firefighter, Theodore F. Johnson of the city of Quincy shall be eligible to take the next open competitive examination for appointment to the position of firefighter and, provided he meets all other requirements, shall be eligible for certification and appointment.

Approved September 28, 1983.

Chap. 382. AN ACT RELATIVE TO THE LOCATION OF A CERTAIN OFFICE OF THE DIVISION OF EMPLOYMENT SECURITY IN THE CITY OF SPRINGFIELD.

Be it enacted, etc., as follows:

Chapter 659 of the acts of 1982 is hereby amended by striking out section 1 and inserting in place thereof the following section:-

Section 1. To provide for the acquisition by the commonwealth of, and the planning and specifications for the reconstruction and remodelling of the building formerly occupied by the United States government, located at 436 Dwight street in the city of Springfield, and known as the Federal Building and Courthouse,

the deputy commissioner of the division of capital planning, in accordance with the provisions of sections thirty-nine A to forty L, inclusive, of chapter seven of the General Laws, is hereby authorized to acquire by gift, purchase, devise, grant, eminent domain, rental, rental purchase or otherwise, said building to be used as a state office building or for such other uses as the general court shall determine; provided, however, that the Springfield offices of the department of public welfare, the Massachusetts rehabilitation commission, the Massachusetts commission for the blind, the department of social services and those offices of the division of employment security which are located in the city of Springfield except the office located at 1592 Main street in said city shall not be located or relocated in said building; and provided, further, that offices of state agencies located in the cities of Chicopee, Holyoke and Westfield and the towns of West Springfield and Ludlow shall not be located nor relocated in said building; and the sums set forth in sections two, three and four, for the several purposes and subject to the conditions in said sections two, three and four are hereby made available, subject to the provisions of law regulating the disbursement of public funds and the approval thereof, for said acquisition and renovation.

Approved September 28, 1983.

Chap. 383. AN ACT EXEMPTING CERTAIN POSITIONS IN THE CITY OF WORCESTER FROM THE PROVISIONS OF THE FIVE DAY AND FORTY HOUR WORK WEEK FOR EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the city manager of the city of Worcester is hereby authorized to designate certain positions within the data processing department of the city of Worcester to be classified as essential public services to be manned on a continual twenty-four hour basis. Those positions within said department so designated are hereby exempt from the provisions of section thirty-three B of chapter one hundred and forty-nine of the General Laws.

The services of all persons employed in positions so designated shall be restricted to three days and thirty-six hours in any one week, and twelve hours in any one day said twelve hours shall be arranged to fall within a period not exceeding thirteen consecutive hours; provided, however, that service in excess of the

days and hours aforesaid may be authorized by an officer of the city or by any other person whose duty it is to employ, direct, or control such employees, and such additional service shall be compensated for as overtime.

SECTION 2. This act shall not apply to police officers, firefighters or school teachers employed by the city of Worcester.

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

Approved September 29, 1983.

Chap. 384. AN ACT AUTHORIZING CHARLES M. CURLL TO TAKE A CIVIL SERVICE EXAMINATION FOR POLICE OFFICER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize Charles M. Curll to take a civil service examination for police officer, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law or rule to the contrary regulating the maximum age of applicants for appointment as a police officer, Charles M. Curll of the city of Cambridge shall be eligible to take the next open competitive examination for police officer and, provided he meets all other requirements, shall be eligible for certification and appointment as such police officer.

Approved September 29, 1983.

Chap. 385. AN ACT AUTHORIZING GERARD F. MOCCIA TO TAKE A CIVIL SERVICE EXAMINATION FOR POLICE OFFICER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize Gerard F. Moccia to take a civil service examination for police officer, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law or rule to the contrary regulating the maximum age of an applicant for appointment as police officer, Gerard F. Moccia shall be eligible to take the next open competitive examination for appointment to the position of police officer and, provided he meets all other requirments, shall be eligible for certification and appointment to such position.

Approved September 29, 1983.

Chap. 386. AN ACT AUTHORIZING LAURA HICKEY TO TAKE A CIVIL SERVICE EXAMINATION FOR POLICE OFFICER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize Laura Hickey to take a civil service examination for police officer, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any law or rule to the contrary regulating the maximum age for applicants for appointment as a police officer, Laura Hickey of the town of Rockport shall be eligible to take the next open competitive examination for police officer and, provided she meets all other requirements of law, shall be eligible for certification and appointment to such position.

Approved September 29, 1983.

Chap. 387. AN ACT AUTHORIZING CLIFFORD C. WILSON TO TAKE A CIVIL SERVICE EXAMINATION FOR POLICE OFFICER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize Clifford C. Wilson to take a civil service examination for police officer, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law or rule to the contrary regulating the maximum age of an applicant for appointment as police officer, Clifford C. Wilson shall be eligible to take the next open competitive examination for appointment to the position of police officer and, provided he meets all other requirements, shall be eligible for certification and appointment.

Approved September 29, 1983.

Chap. 388. AN ACT AUTHORIZING CHARLES T. WALSH TO TAKE A CIVIL SERVICE EXAMINATION FOR POLICE OFFICER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize Charles T. Walsh to take a civil service examination for police officer, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law or rule to the contrary regulating the maximum age of an applicant for appointment as police officer, Charles T. Walsh shall be eligible to take the next open competitive examination for appointment to the position of police officer and, provided he meets all other requirements, shall be eligible for certification and appointment.

Approved September 29, 1983.

Chap. 389. AN ACT FURTHER REGULATING THE ESTABLISHMENT OF HOSPITAL RATES OF PAYMENT AND CHARGES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 6A of the General Laws is hereby amended by striking out section 51A, as inserted by section 1B of chapter 372 of the acts of 1982, and inserting in place thereof the following section:-

Section 51A - For each acute hospital with a fiscal year be-

ginning October first, a factor for increased acute hospital productivity shall be imposed as follows:

(a) For the fiscal year beginning on October first, nineteen hundred and eighty-four, the basis of payment computed in accordance with the hospital agreement shall be reduced by applying a productivity factor of two per cent to said basis of payment exclusive of costs recognized as exceptions under the hospital agreement.

(b) For the fiscal year beginning on October first, nineteen hundred and eighty-five, the basis of payment under the hospital agreement shall be computed using the basis of payment for the preceding fiscal year, as reduced in accordance with clause (a), and shall then be further reduced by applying a productivity factor of two per cent to said basis of payment exclusive of costs recognized as exceptions under the hospital agreement.

(c) For the fiscal year beginning on October first, nineteen hundred and eighty-six, the basis of payment under the hospital agreement shall be computed using the basis of payment for the preceding fiscal year, as reduced in accordance with clause (b), and shall then be further reduced by applying a productivity factor of two per cent to said basis of payment exclusive of costs recognized as exceptions under the hospital agreement.

(d) For the fiscal year beginning October first, nineteen hundred and eighty-seven, the basis of payment under the hospital agreement shall be computed using the basis of payment for the preceding fiscal year, as reduced in accordance with clause (c), and shall then be further reduced by applying a productivity factor of one per cent to said basis of payment exclusive of costs recognized as exceptions under the hospital agreement.

SECTION 2. Said chapter 6A is hereby amended by striking out section 54, as inserted by section 1B of chapter 372 of the acts of 1982, and inserting in place thereof the following section:-

Section 54. For each acute hospital with a fiscal year beginning October first, nineteen hundred and eighty-two, approved gross patient service revenues shall be determined from the gross patient service revenues for the fiscal year ending September thirtieth, nineteen hundred and eighty-two approved by the commission under the provisions of chapter four hundred and nine of the acts of nineteen hundred and seventy-six as amended by chapter four hundred and thirty-two of the acts of nineteen hundred and eighty-one (hereafter referred to in this section as "1982 approved GPSR"), multiplied by the sum of one plus the prospectively calculated percentage change in the basis of payment calculated under hospital agreement 29 less one and four-tenths per cent; provided, however, that the commission shall,

prior to such multiplication, make a volume adjustment to the 1982 approved GPSR based on the following:

(a) For each acute hospital, actual volume statistics for the fiscal year ending September thirtieth, nineteen hundred and eighty-two shall be substituted for the projected volume statistics for such fiscal year and the commission shall recalculate gross patient service revenues for such fiscal year in accordance with applicable regulations issued pursuant to chapter four hundred and thirty-two of the acts of nineteen hundred and eighty-one to reflect such substitution. With respect to this clause (a), no acute hospital shall be required to file any additional data or information with the commission other than that which is necessary to effect such volume substitution.

(b) For each acute hospital, the amount of the increase in gross patient service revenues resulting from clause (a) shall be divided by such acute hospital's 1982 approved GPSR and the result converted to a percentage.

(c) For each acute hospital, the commission shall determine a percentage equal to the percentage of such hospital's 1982 approved GPSR attributable to purchasers and third party payors that pay on the basis of charges less the percentage of such hospital's 1982 approved GPSR attributable to bad debt and free care. The percentages used in this calculation shall be computed from the budget submission used to calculate such hospital's 1982 approved GPSR.

(d) For each acute hospital, the percentage determined under clause (b) shall be multiplied by the percentage determined by the commission under clause (c).

(e) For each acute hospital, the percentage determined under clause (d) shall be multiplied by such hospital's 1982 approved GPSR.

(f) The amounts for all acute hospitals determined under clause (e) shall be added together.

(g) If the amount determined under clause (f) exceeds four million four hundred thousand dollars, the commission shall compute a percentage, to be applied uniformly to each hospital, which, when subtracted from the percentage for each acute hospital determined under clause (d), shall cause the amount determined under clause (f), after application of clause (e), to equal four million four hundred thousand dollars. If the percentage for any acute hospital under clause (d) shall be reduced to zero or below by operation of this clause (g), such hospital shall not receive a volume adjustment.

(h) For each acute hospital, the percentage determined under clause (d), as reduced by clause (g) if clause (g) applies, shall be divided by the percentage determined by the commission under clause (c).

(h) For each acute hospital, the percentage determined under clause (g) plus one hundred per cent shall be multiplied by such hospital's 1982 approved GPSR. The resulting amount shall be used as the basis for determining such hospital's approved gross patient service revenues for the fiscal year beginning October first, nineteen hundred and eighty-two.

In no event shall approved gross patient service revenues for the fiscal year beginning October first, nineteen hundred and eighty-two, as otherwise determined in accordance with the provisions of this section for any acute hospital, be less than such hospital's basis of payment for such fiscal year as computed under hospital agreement 29 and the provisions of section fifty hereof.

SECTION 3. Section 55 of said chapter 6A, as inserted by section 1B of chapter 372 of the acts of 1982, is hereby amended by adding the following sentence:-

In no event shall approved gross patient service revenues for the fiscal year beginning October first, nineteen hundred and eighty-three, as otherwise determined in accordance with the provisions of this section for any acute hospital, be less than such hospital's basis of payment for such fiscal year as computed under hospital agreement 29 and the provisions of section fifty hereof.

SECTION 4. Said chapter 6A is hereby amended by striking out section 57, as inserted by section 1B of chapter 372 of the acts of 1982, and inserting in place thereof the following section:-

Section 57. (a) For each acute hospital with a fiscal year beginning July first nineteen hundred and eighty-three, approved gross patient service revenues shall be determined from the gross patient service revenues for the fiscal year ending June thirtieth, nineteen hundred and eighty-three approved by the commission under the provisions of chapter four hundred and nine of the acts of nineteen hundred and seventy-six, multiplied by the sum of one plus the prospectively calculated percentage change in the basis of payment calculated under hospital agreement 29 less one and four-tenths per cent.

(b) For each acute hospital with a fiscal year beginning on July first, nineteen hundred and eighty-four and for each fiscal year thereafter, approved gross patient service revenues shall be determined in the same manner and shall be subject to the same calculations as set forth in sections fifty-five and fifty-six; except that wherever fiscal years nineteen hundred and eighty-three and eighty-four are referenced in either of said sections, fiscal years nineteen hundred and eighty-four and eighty-five, respectively, shall be substituted.

(c) In no event shall approved gross patient service revenues, as otherwise determined in accordance with the provisions of this section for any acute hospital, for the fiscal year beginning on either July first, nineteen hundred and eighty-three, or July first, nineteen hundred and eighty-four, be less than such hospital's basis of payment for such fiscal year as computed under hospital agreement 29 and the provisions of section fifty-two hereof.

SECTION 5. Section 58 of said chapter 6A, as inserted by section 1B of chapter 372 of the acts of 1982, is hereby amended by striking out the first sentence of the fifth paragraph and inserting in place thereof the following sentence:-

There shall be an advisory committee to the study commission, consisting of nine members appointed by the study commission, one representing nonprofit hospital service corporations under chapter one hundred and seventy-six A, one representing companies authorized to sell accident and health insurance under chapter one hundred and seventy-five, one person from a list of recommendations submitted by the Associated Industries of Massachusetts, one representing the interests and concerns of labor from a list of recommendations submitted by the state labor council of the AFL-CIO, one representing the interests and concerns of the elderly from a list of recommendations submitted by the Massachusetts Association of Older Americans, one representing the interests and concerns of acute hospitals from a list of recommendations submitted by the Massachusetts Hospital Association, two representing the interests and concerns of business from a list of recommendations submitted by the Massachusetts Business Roundtable, one representing the interests and concerns of health maintenance organizations from a list of recommendations submitted by the Massachusetts Association of Health Maintenance Organizations, and one representing the interests and concerns of the nursing profession from a list of recommendations submitted by the Massachusetts Nurses Association.

SECTION 6. Section 68 of said chapter 6A, as inserted by section 1B of chapter 372 of the acts of 1982, is hereby amended by adding to subsection B the following paragraphs:-

If a hospital's fiscal year nineteen hundred and eighty-two Title XIX per diem rates were adjusted to reflect a deactivation of beds, the fiscal year nineteen hundred and eighty-three medicaid payment ratio shall be calculated using fiscal year nineteen hundred and eighty-two Title XIX rates adjusted to reflect said bed deactivation as if such deactivation were in effect for all of fiscal year nineteen hundred and eighty-two.

If, during fiscal year nineteen hundred and eighty-three, the hospital increases the number of beds in the service category to which such deactivation applies, the fiscal year nineteen hundred and eighty-three medicaid payment ratio shall be recalculated utilizing the fiscal year nineteen hundred and eighty-two per diem rates which would have been established if the additional beds had been in service throughout fiscal year nineteen hundred and eighty-two. Such recalculation shall reflect only the increase in beds up to the number which were deactivated in fiscal year nineteen hundred and eighty-two.

The calculation of the fiscal year nineteen hundred and eighty-three medicaid payment ratio shall be revised to incorporate the actual proportions of Title XIX patient days which are categorized as adult and children days, newborn days and administratively necessary days during the period beginning October first, nineteen hundred and eighty-two and ending on the last day of the hospital's fiscal year ending in nineteen hundred and eighty-three.

SECTION 7. Section 68 of said chapter 6A, as inserted by section 1B of chapter 372 of the acts of 1982, is hereby amended by striking out paragraphs (b) and (c) of subsection C and inserting in place thereof the following paragraphs:-

(b) For hospitals with fiscal years beginning on October first, the medicaid costs computed pursuant to the hospital agreement, exclusive of costs recognized as exceptions under the hospital agreement and as adjusted pursuant to section fifty-two A, for each of the following fiscal years shall be reduced by the productivity factor indicated: beginning with the fiscal year ending in nineteen hundred and eighty-three and continuing through the fiscal year ending in nineteen hundred and eighty-eight, the productivity factors shall be two per cent, four per cent, four per cent, three per cent, two per cent and one per cent, respectively.

(c) For hospitals with fiscal years beginning on July first, the medicaid costs computed pursuant to the hospital agreement, exclusive of costs recognized as exceptions under the hospital agreement and as adjusted pursuant to section fifty-two A, for each of the following fiscal years shall be reduced by the productivity factor indicated: beginning with the fiscal year ending in nineteen hundred and eighty-three and continuing through the fiscal year ending in nineteen hundred and eighty-nine, the productivity factors shall be two per cent, four per cent, six per cent, five per cent, four per cent, two per cent and one per cent, respectively.

SECTION 8. Section 68 of said chapter 6A, as inserted by

section 1B of chapter 372 of the acts of 1982, is hereby amended by striking out subsections E and F and inserting in place thereof the following subsections:-

E. For each acute hospital's fiscal year commencing in nineteen hundred and eighty-two, interim payments made by the medicaid program for inpatient care shall, for each acute hospital, be paid on a per diem basis computed as follows and shall become effective on October first of such year:

1. The initial medicaid costs for the hospital shall be computed pursuant to the hospital agreement, reviewed by the hospital service corporation, and approved by the commission effective October first, nineteen hundred and eighty-two. The initial medicaid costs for the hospital, as approved by the commission, shall be apportioned between inpatient and outpatient services.

2. The "inpatient medicaid payment ratio" for the hospital shall be computed as follows:

(a) The proportions computed in clauses (b), (c), and (d) below are computed relative to the total number of Title XIX days, including Title XIX newborn days and administratively necessary days provided by the hospital.

(b) The proportion of total fiscal year nineteen hundred and eighty-two Title XIX inpatient days of the hospital, excluding Title XIX newborn days and administratively necessary days, shall be multiplied by the fiscal year nineteen hundred and eighty-two Title XIX adult and children per diem rate.

(c) The proportion of total fiscal year nineteen hundred and eighty-two Title XIX newborn days shall be multiplied by the fiscal year nineteen hundred and eighty-two Title XIX newborn per diem rate.

(d) The proportion of total fiscal year nineteen hundred and eighty-two Title XIX administratively necessary days shall be multiplied by the fiscal year nineteen hundred and eighty-two Title XIX administratively necessary day rate.

(e) The sum of the amounts computed in clauses (b), (c), and (d) shall be multiplied by the total fiscal year nineteen hundred and eighty-two inpatient days of the hospital and the result divided by the total fiscal year nineteen hundred and eighty-two inpatient portion of the medicaid costs for the hospital computed pursuant to the hospital agreement.

The resulting ratio shall be termed the "inpatient medicaid payment ratio".

3. The calculation of the fiscal year nineteen hundred and eighty-three inpatient medicaid payment ratio shall be revised to reflect the actual proportions of Title XIX patient days which are categorized as adult and children days, newborn days and administratively necessary days during the period commencing October first, nineteen hundred and eighty-two and ending March thirty-

first, nineteen hundred and eighty-three.

4. The inpatient portion of the initial medicaid costs for the hospital, as approved by the commission and reduced by a productivity factor of two per cent, shall be multiplied by the inpatient medicaid payment ratio and the result shall be termed the "interim medicaid basis of payment".

5. The interim medicaid basis of payment shall, for each hospital, be apportioned to Title XIX by multiplying the amount of the interim medicaid basis of payment by the proportion of hospital inpatient days in fiscal year nineteen hundred and eighty-two provided to Title XIX beneficiaries multiplied by ninety-four and one-half per cent. The result of this computation shall be divided by the number of inpatient days provided to Title XIX beneficiaries by the hospital in fiscal year nineteen hundred and eighty-two. The resulting per diem shall be termed the "actual interim per diem".

6. The interim medicaid basis of payment may be revised from time to time to reflect changes in the medicaid costs computed pursuant to hospital agreement 29 or changes in the inpatient medicaid payment ratio computed pursuant to paragraph 2 and 3 of this subsection E.

7. The commission shall promulgate regulations establishing revisions to the interim medicaid basis of payment to ensure that interim medicaid payment rates reflect the projected payments of medicaid for the fiscal year.

The commission shall promulgate regulations establishing interim medicaid payment rates for outpatient services with respect to fiscal years nineteen hundred and eighty-three and for both inpatient and outpatient services with respect to fiscal years nineteen hundred and eighty-four and thereafter. Such interim medicaid payment rates for any fiscal year shall reflect the projected payments of medicaid for such fiscal year.

F. The interim medicaid basis of payment used when calculating the actual interim per diem in effect on the final day of the fiscal year ending in nineteen hundred and eighty-three, shall be termed the "actual interim Medicaid basis of payment". The actual interim medicaid basis of payment shall be apportioned to Title XIX by multiplying the amount of such actual interim medicaid basis of payment by the proportion of hospital inpatient days in the period commencing on October first, nineteen hundred and eighty-two and ending on the last day of the hospital's fiscal year ending in nineteen hundred and eighty-three provided to Title XIX beneficiaries, as determined in accordance with regulation promulgated by the commission, multiplied by ninety-four and one-half per cent. The result of this computation shall be divided by the number of inpatient days provided to Title XIX beneficiaries by the hospital in such period. The result of

this computation shall be multiplied by the number of days allocated to Title XIX, pursuant to regulations promulgated by the commission, during the period commencing on October first, nineteen hundred and eighty-two and ending on the last day of the hospital's fiscal year ending in nineteen hundred and eighty-three. The result of this computation shall be termed the "actual interim medicaid payments for inpatient services".

The actual interim medicaid payments for inpatient services shall be compared with the amount such payments would have been if the per diem for interim payments had been computed as follows: the actual interim medicaid basis of payment was apportioned to Title XIX utilizing the charges for the period commencing on October first, nineteen hundred and eighty-two and ending on the last day of the hospital's fiscal year ending in nineteen hundred and eighty-three, and the apportionment method specified in the hospital agreement and the result divided by the number of inpatient days provided to Title XIX beneficiaries, as determined pursuant to regulations promulgated by the commission, during such period by the hospital. The result of this computation shall be multiplied by the number of days allocated to Title XIX, pursuant to regulations promulgated by the commission, during the period commencing on October first, nineteen hundred and eighty-two and ending on the last day of the hospital's fiscal year ending in nineteen hundred and eighty-three. The result of this computation shall be termed the the "alternative interim medicaid payments for inpatient services". inpatient services. The resulting per cent (positive or negative) shall be multiplied by the proportion of Title XIX acute hospital payments made for inpatient services and the result shall be termed the "medicaid payment ratio adjustment".

For each hospital's fiscal year nineteen hundred and eighty-three, the medicaid payment ratio, as calculated and revised pursuant to subsection B of this section, shall be further revised by dividing it by one minus the percentum (positive or negative) of the medicaid payment ratio adjustment.

SECTION 9. Section 68 of said chapter 6A, as inserted by section 1B of chapter 372 of the acts of 1982 is hereby amended by adding the following new subsection G:-

G. For the fiscal year beginning in nineteen hundred and eighty-two, the commission may adjust pursuant to hospital request the Title XIX rate of payment for one or more services of an acute hospital if it determines that an adjustment is necessary to ensure provision of the service or services to Title XIX clients and if the Department of Public Welfare determines that provision of the service or services by the hospital is essential for the adequate provision of hospital services to Title XIX

clients. When determining what, if any, adjustment to make the commission shall at a minimum consider all of the following:

1. The opinion of the Department of Public Welfare.
2. The hospital's charge structure for that service.
3. The proportion of the service or services which is provided to Title XIX clients.
4. The cost of providing an additional unit of the service.

The adjustment granted, if any, shall not result in hospital net revenues attributable to the service which exceed the costs which must be incurred by an efficient and economically operated facility in order to maintain the service.

SECTION 10. In furtherance of the federal medicare waiver granted in September, nineteen hundred and eighty-two, by the Health Care Finance Administration of the United States Department of Health and Human Services, denominated as experimental project number 95-P-98199/1-01, it is affirmed that no provision of the general laws of the commonwealth precludes any health maintenance organization organized under chapter one hundred and seventy-six G from (i) negotiating directly with any hospital or hospitals with respect to such health maintenance organizations' rate of payment for hospital services and (ii) entering into an agreement with such hospital or hospitals reflecting such rate of payment without the approval of the rate setting commission established under section thirty-two of chapter six A.

SECTION 11. The volume adjustment referred to in section fifty-four of chapter six A, as amended by section two of this act, shall not be applied to any acute hospital, as defined in section thirty-one of chapter six A, which does not file with the rate setting commission established under section thirty-two of chapter six A a request for such adjustment within thirty days following the effective date of this act. No acute hospital shall be required to file such a request.

SECTION 12. If any section, or part thereof, of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof.

Approved September 30, 1983.

EMERGENCY LETTER - September 30, 1983 @ 3:25 P.M.

Chap. 390. AN ACT EXEMPTING THE POSITION OF ASSISTANT BUILDING INSPECTOR IN THE CITY OF MARLBOROUGH FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The position of assistant building inspector, also known as local building inspector, in the city of Marlborough shall be exempt from the provisions of chapter thirty-one of the General Laws.

SECTION 2. The provisions of section one shall not apply to any person holding permanent status as assistant building inspector, also known as local building inspector, in the city of Marlborough on the effective date of this act.

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

Approved October 3, 1983.

Chap. 391. AN ACT FURTHER REGULATING THE CONFIDENTIALITY OF CHILD ABUSE INFORMATION.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 51E of chapter 119 of the General Laws, inserted by section 1 of chapter 528 of the acts of 1975, is hereby amended by striking out, in line 3, the words "ninety days" and inserting in place thereof the words:- one year.

SECTION 2. The last sentence of the first paragraph of section 51F of said chapter 119, added by section 2 of said chapter 528, is hereby amended by striking out, in line 3, the words "ninety days" and inserting in place thereof the words:- one year.

Approved October 3, 1983.

Chap. 392. AN ACT CLARIFYING THE PROTECTION EXTENDED TO PUBLIC BODIES AGAINST SUITS FOR INJURIES RELATING TO DEFECTS IN BOULEVARDS UNDER THEIR JURISDICTION.

Be it enacted, etc., as follows:

Section 18 of chapter 512 of the acts of 1978, as amended by section 2 of chapter 1 of the acts of 1979, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- The provisions of this act shall be construed liberally for the accomplishment of the purposes thereof but shall not be construed to supersede or repeal section eighteen of chapter eighty-one, section thirty-six of chapter ninety-two and sections fifteen to twenty-five, inclusive, of chapter eighty-four of the General Laws.

Approved October 3, 1983.

Chap. 393. AN ACT RELATIVE TO OFFICIAL FEES IN A RETAIL INSTALLMENT SALES AGREEMENT SUBJECT TO THE SUPERVISION OF THE COMMISSIONER OF BANKS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 255D of the General Laws, as most recently amended by section 14 of chapter 733 of the acts of 1981, is hereby further amended by inserting after the definition "Merchandise certificate" the following definition:-

"Official fees", the fees and charges prescribed by law which are or will be paid to a public officer to perfect the security interest or lien, in or on goods or services retained or taken by a seller under a retail installment sale agreement or revolving credit agreement, and to file or record a release, satisfaction or discharge of security interest or lien.

SECTION 2. Section 11 of said chapter 255D is hereby amended by striking out subsection A, as appearing in section 1 of chapter 284 of the acts of 1966, and inserting in place thereof the following subsection:-

A. No fee, expense or other charge whatsoever shall be taken, received, reserved or contracted for, except as provided in this section and in sections sixteen to twenty-two, inclusive, and except for official fees, and for the items expressly provided for in the retail installment sale agreement as set forth in section nine.

Approved October 3, 1983.

Chap. 394. AN ACT INCREASING THE PENALTY FOR FAILURE TO PAY CERTAIN PREVAILING WAGES.

Be it enacted, etc., as follows:

Chapter 149 of the General Laws is hereby amended by striking out section 27, as most recently amended by section 2 of chapter 625 of the acts of 1973, and inserting in place thereof the following section:-

Section 27. The commissioner shall prepare, for the use of such public officials or public bodies whose duty it shall be to cause public works to be constructed, a list of the several jobs usually performed on various types of public works upon which mechanics and apprentices, teamsters, chauffeurs and laborers are employed, including the transportation of gravel or fill to the site of said public works or the removal of surplus gravel or fill from such site. The commissioner shall classify said jobs, and he may revise such classification from time to time, as he may deem advisable. Prior to awarding a contract for the construction of public works, said public official or public body shall submit to the commissioner a list of the jobs upon which mechanics and apprentices, teamsters, chauffeurs and laborers are to be employed, and shall request the commissioner to determine the rate of wages to be paid on each job. Said rates shall apply to all persons engaged in transporting gravel or fill to the site of said public works or removing gravel or fill from such site, regardless of whether such persons are employed by a contractor or subcontractor or are independent contractors or owner-operators. The commissioner, subject to the provisions of section twenty-six, shall proceed forthwith to determine the same, and shall furnish said official or public body with a schedule of such rate or rates of wages as soon as said determination shall have been made. In advertising or calling for bids for said works, the awarding official or public body shall incorporate said schedule in the advertisement or call for bids by an appropriate reference thereto, and shall furnish a copy of said schedule, without cost, to any person requesting the same. Said schedule shall be made a part of the contract for said works and shall continue to be the minimum rate or rates of wages for said employees during the life of the contract. Any person engaged in the construction of said works shall cause a legible copy of said schedule to be kept posted in a conspicuous place at the site of said works during the life of the contract. The aforesaid rates of wages in the schedule of wage rates shall include payments by employers to health and welfare plans, pension plans and supplementary unemployment benefit plans as provided in said section twenty-six, and such payments shall be considered as payments to persons under this section performing work as herein provided. Any employer engaged in the construction of such works who does not make payments to a health and welfare

plan, a pension plan and a supplementary unemployment benefit plan, where such payments are included in said rates of wages, shall pay the amount of said payments directly to each employee engaged in said construction. Whoever shall pay less than said rate or rates of wages, including payments to health and welfare funds and pension funds, or the equivalent payment in wages, on said works to any person performing work within classifications as determined by the commissioner, and whoever, for himself, or as representative, agent or officer of another, shall take or receive for his own use or the use of any other person, as a rebate, refund or gratuity, or in any other guise, any part or portion of the wages, including payments to health and welfare funds and pension funds, or the equivalent payment in wages, paid to any such person for work done or service rendered on said public works, shall be punished by a fine of not less than one thousand nor more than five thousand dollars.

Approved October 3, 1983.

Chap. 395. AN ACT FURTHER REGULATING THE SALE AND REPAIR OF CERTAIN NEW MOTOR VEHICLES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 90 of the General Laws is hereby amended by inserting after section 7N the following section:-

Section 7N½. (1) For purposes of this section the following terms shall have the following meanings:-

"Business day", any day during which the service departments of authorized dealers of the manufacturer of the motor vehicle are normally open for business.

"Consumer", a buyer, other than for purposes of resale, of a motor vehicle, any person to whom such motor vehicle is transferred during the duration of any express or implied warranty applicable to such motor vehicle, and any other person entitled by the terms of such warranty to enforce its obligations.

"Dealer", any class one seller of motor vehicles as defined in section fifty-eight of chapter one hundred and forty.

"Manufacturer", any person who is engaged in the business of manufacturing motor vehicles, or, in the case of motor vehicles not manufactured in the United States, any person who is engaged in the business of importing motor vehicles.

"Motor vehicle" or "vehicle", any motor vehicle as defined in section one sold or replaced by a dealer or manufacturer after the effective date of this section, except that it shall not include auto homes, vehicles built primarily for off-road use or any

vehicle used primarily for business purposes.

"Nonconformity", any specific or generic defect or malfunction, or any concurrent combination of such defects or malfunctions that substantially impairs the use, market value or safety of a motor vehicle.

"Term of protection", one year or fifteen thousand miles of use from the date of original delivery of a new motor vehicle, whichever comes first; or, in the case of a replacement vehicle provided by a manufacturer to a consumer under this section, one year or fifteen thousand miles from the date of delivery to the consumer of said replacement vehicle, whichever comes first.

(2) If a motor vehicle does not conform to any applicable express or implied warranty, and the consumer reports the nonconformity to the manufacturer of the vehicle, its agent or its authorized dealer during the term of protection, the manufacturer, its agent or its authorized dealer shall effect such repairs as are necessary to conform the vehicle to such warranty.

(3) If the manufacturer, its agent or authorized dealer does not conform the motor vehicle to any such applicable express or implied warranty by curing any nonconformity after a reasonable number of attempts, the manufacturer shall accept return of the vehicle from the consumer and, at the manufacturer's option, refund the full contract price of the vehicle including all credits and allowances for any trade-in vehicle, less a reasonable allowance for use, or replace it with a motor vehicle acceptable to the consumer. A manufacturer exercising its option to replace such motor vehicle shall have thirty days from the date of return of such motor vehicle under the provisions of this section to deliver to the consumer, a motor vehicle acceptable to said consumer. If, within said thirty days, no motor vehicle acceptable to the consumer has been delivered, the manufacturer shall refund the full contract price less a reasonable allowance for use. In instances in which a vehicle is replaced by a manufacturer under the provisions of this section, said manufacturer shall reimburse the consumer for any fees for the transfer of registration or any sales tax incurred by the consumer as a result of such replacement. In instances in which a vehicle which was financed by the manufacturer or its subsidiary, or agent is replaced under the provisions of this section, said manufacturer, subsidiary or agent shall not require the consumer to enter into any refinancing agreement which would create any financial obligations upon such consumer beyond those implied by the original financing agreement. In instances in which a refund is tendered under the provisions of this section, the manufacturer shall also reimburse the consumer for incidental costs including sales tax, registration fee, finance charges and any cost of options added by an authorized dealer. Whenever a vehicle is replaced or refunded under

the provisions of this section, in instances in which towing services and rental vehicles were not made available at no cost to the consumer, the manufacturer shall also reimburse the consumer for towing and reasonable rental costs that were a direct result of vehicle nonconformity. Refunds shall be made to the consumer and lienholder, if any, as their interests may appear. A reasonable allowance for use shall be obtained by multiplying the total contract price of the vehicle by a fraction having as its denominator one hundred thousand and having as its numerator the number of miles that the vehicle travelled prior to the manufacturer's acceptance of its return.

It shall be an affirmative defense to any claim under this section: (i) that an alleged nonconformity does not substantially impair the use, market value or safety of the vehicle; (ii) that a nonconformity is the result of owner negligence, damage caused by accident, vandalism, or attempt to repair the vehicle by a person other than the manufacturer, its agent or authorized dealer; (iii) that a nonconformity is the result of any attempt to substantially modify the vehicle which was not authorized by the manufacturer; or (iv) that a consumer has not first resorted to a qualified dispute settlement mechanism as defined in subsection (6); provided, however, that clear and conspicuous written notice of the requirement of first resort to such mechanism is provided to the consumer by the manufacturer upon original delivery of a new motor vehicle.

A consumer shall have the option of retaining the use of any vehicle returned under the provisions of this section until such time as said consumer has been tendered a full refund or replacement vehicle acceptable to the consumer. The use of any vehicle retained by a consumer after its return to a manufacturer under the provisions of this section, shall in instances in which a refund is tendered, be reflected in the above mentioned reasonable allowance for use.

(4) A reasonable number of attempts shall be deemed to have been undertaken to conform a motor vehicle to any applicable express or implied warranties if (a) the same nonconformity has been subject to repair three or more times by the manufacturer or its agents or authorized dealers within the term of protection, but such nonconformity continues to exist or such nonconformity has recurred within the term of protection, or (b) the vehicle is out of service by reason of repair of any nonconformity for a cumulative total of fifteen or more business days during the term of protection; provided, however, that the manufacturer shall be afforded one additional opportunity, not to exceed seven business days, to cure any nonconformity arising during the term of protection, notwithstanding the fact that such additional opportunity to cure commences after the term of protection. Such

additional opportunity to cure shall commence on the day the manufacturer first knows or should have known that the limits specified in clause (a) or (b) have been met or exceeded. The term of protection, said fifteen business day period and said additional opportunity to cure shall be extended by any period of time during which repair services are not available to the consumer as a direct result of a war, invasion, fire, flood or other natural disaster. The term of protection, said fifteen business day period and said additional opportunity to cure shall also be extended by that period of time during which repair services are not available as a direct result of a strike; provided, however, that the manufacturer, its agent, or authorized dealer provides or makes provision for the free use of a vehicle to any consumer whose vehicle is out of service by reason of repair during a strike. The burden shall be on the manufacturer to show that any event claimed as a reason for an extension under the provisions of this paragraph was the direct cause for the failure of the manufacturer, its agent or authorized dealer to cure any nonconformity during the time of said event. Extensions for concurrent events shall not be cumulative.

(5) Nothing in this section shall be construed as imposing any liability on an authorized dealer or creating any cause of action by a consumer against a dealer under the provisions of this section.

Nothing in this section shall be construed to limit the rights or remedies which are otherwise available to a consumer or manufacturer under any other applicable provision of law.

Nothing in this section shall be construed as imposing any liability on a dealer or creating a cause of action by a manufacturer against its authorized dealer under this section except with respect to (i) failure by an authorized dealer to properly effect preparation, installation of options or repairs when such preparation, installation of options or repairs would have prevented the occurrence of or cured a nonconformity; (ii) express warranties offered by an authorized dealer which exceed the provisions of the manufacturer's express warranties; and (iii) that portion of the cost of reimbursing a consumer for dealer-added options which represents the dealer profit from the addition of such options. The manufacturer shall reimburse its authorized dealer for all incidental and consequential damages, including attorney's fees, incurred by such dealer as a direct result of any legal action brought by a consumer under this section.

No consumer shall be required by any manufacturer, its agent or its authorized dealer to give notice directly to a manufacturer of the existence of any nonconformity before resorting to a qualified dispute settlement mechanism.

No motor vehicle that is returned to the manufacturer under

the provisions of this section shall be resold in the commonwealth without clear and conspicuous written disclosure of the fact that it was so returned prior to resale of the vehicle. The attorney general shall prescribe the exact form and content of any such disclosure statement.

(6) A qualified dispute settlement mechanism shall be one which complies in all respects with the provisions of 15 USC sections 2301 to 2312, inclusive, and any rule or regulation promulgated under said authority, in effect on April first, nineteen hundred and eighty-three; that renders decisions that are binding on the manufacturer if the buyer elects to accept the decision; that prescribes a reasonable time not to exceed thirty days within which the manufacturer must perform its obligations under the decision, if any, whose members are all persons having no direct involvement in the design, manufacture, distribution, sale or service of motor vehicles or their parts; that has at least one-half of its membership appointed by the secretary of consumer affairs; and that provides a copy of the annual audit required by 15 USC sections 2301 to 2312, inclusive, to the department of the attorney general.

(7) Failure to comply with any of the provisions of this section shall constitute an unfair or deceptive act under the provisions of chapter ninety-three A.

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

Approved October 3, 1983.

Chap. 396. AN ACT EXEMPTING THE POSITION OF CHIEF OF THE FIRE DEPARTMENT IN THE TOWN OF ABINGTON FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The position of chief of the fire department in the town of Abington 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 the incumbent acting chief of the fire department in the town of Abington on the effective date of this act.

SECTION 3. This act shall be submitted for acceptance to the voters of the town of Abington at its annual election in May,

nineteen hundred and eighty-four in the form of the following question which shall be placed on the official ballot to be used for election of town offices at said meeting:-

"Shall an act passed by the general court in the year nineteen hundred and eighty-three, entitled 'An Act exempting the position of chief of the fire department of the town of Abington from the provisions of the civil service law', be accepted?"

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

Approved October 3, 1983.

Chap. 397. AN ACT EXEMPTING THE POSITION OF THE CHIEF OF POLICE IN THE TOWN OF ABINGTON FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The position of the chief of police in the town of Abington 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 or probationary status of the present incumbent acting chief of police of said department holding such status on the effective date of this act.

Approved October 3, 1983.

Chap. 398. AN ACT RELATIVE TO THE USE OF PROCEEDS DERIVED FROM THE SALE OF CERTAIN MUNICIPALLY OWNED REAL ESTATE.

Be it enacted, etc., as follows:

Section 63 of chapter 44 of the General Laws, as most recently amended by chapter 111 of the acts of 1966, is hereby further amended by striking out, in line 9, the word "ten" and inserting in place thereof the word:- five.

Approved October 4, 1983.

Chap. 399. AN ACT FURTHER REGULATING THE PARTICIPATION OF CERTAIN INMATES IN PROGRAMS OUTSIDE CORRECTIONAL FACILITIES.

Be it enacted, etc., as follows:

SECTION 1. Section 49 of chapter 127 of the General Laws, as most recently amended by section 13 of chapter 777 of the acts of 1972, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

The commissioner of correction, or the administrator of a county correctional facility, subject to rules and regulations established in accordance with the provisions of this section, may permit an inmate who has served such a portion of his sentence or sentences that he would be eligible for parole within eighteen months to participate in education, training, or employment programs established under section forty-eight outside a correctional facility; provided that no committed offender who is serving a life sentence or a sentence in a state or county correctional facility for violation of section thirteen, thirteen B, fourteen, fifteen, fifteen A, fifteen B, sixteen, seventeen, eighteen, eighteen A, nineteen, twenty, twenty-one, twenty-two, twenty-two A, twenty-three, twenty-four, twenty-four B, twenty-five, or twenty-six of chapter two hundred and sixty-five, or section seventeen, thirty-four, thirty-five, or thirty-five A, of chapter two hundred and seventy-two, or for an attempt to commit any crime referred to in said sections shall be eligible to participate in education, training or employment programs outside a correctional facility, as established under section forty-eight, except on the recommendation of the superintendent of the correctional facility or superintendent of a county correctional facility on behalf of a particular committed offender and upon the approval of the commissioner or the administrator of a county correctional facility.

SECTION 2. The second paragraph of said section 49 of said chapter 127, as appearing in said section 13 of said chapter 777, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:- The commissioner or such administrator shall make and promulgate rules and regulations regarding programs established under section forty-eight outside correctional facilities.

SECTION 3. Said section 49 of said chapter 127, as most recently amended by said section 13 of said chapter 777, is hereby further amended by striking out the third paragraph and

inserting in place thereof the following paragraph:-

If any inmate who participates in any program outside a correctional facility established under the provisions of section forty-eight leaves his place of employment, or having been ordered by the commissioner or such administrator to return to the correctional facility, neglects or refuses to do so, said inmate shall be held to have escaped from said prison or institution and shall, upon conviction of such escape, be sentenced, if the escape was from a state correctional facility, to a state correctional facility for a term of not less than three nor more than five years, and all deductions from the sentence or sentences he was serving at the time of such escape, authorized by section one hundred and twenty-nine, shall be forfeited, but said inmate shall be entitled to a deduction of sentence on any sentence imposed for said escape and if the escape was from a county correctional facility, to a county correctional facility for a term not to exceed one year or the term for which he was originally sentenced, whichever is the lesser.

SECTION 4. Section 49A of said chapter 127, inserted by said section 13 of said chapter 777, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

The commissioner shall establish, in each state correctional facility, one or more committees made up of representatives from all segments of department of corrections staff, especially correction officers and the administrator of a county correctional facility shall establish, in each county correctional facility, one or more committees made up of representatives from all segments of the sheriff's department staff, especially correction officers. Said committees shall take the form of teams of five correctional staff members, appointed by the superintendent of the correctional facility or superintendent of a county correctional facility, at least two of whom shall be correction officers.

SECTION 5. The third paragraph of said section 49A of said chapter 127, as appearing in said section 13 of said chapter 777, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:- After evaluating the inmate's behavior and conduct within the prison, said committee shall make a recommendation to the superintendent of the correctional facility or superintendent of a county correctional facility as to whether or not the inmate shall be permitted to participate in any program outside a correctional facility, exclusive of parole.

Approved October 4, 1983.

Chap. 400. AN ACT PROVIDING FOR AN ACCELERATED STUDY OF THE FEASIBILITY OF A MULTI-PURPOSE ARENA.

Be it enacted, etc., as follows:

Chapter 190 of the acts of 1982 is hereby amended by striking out section 38E and inserting in place thereof the following section:-

Section 38E. The Authority is hereby authorized and directed to prepare and submit to the governor, the president of the senate, the speaker of the house of representatives, the chairman of the senate committee on ways and means, the chairman of the house committee on ways and means, the senate and house chairmen of the joint committee on state administration, and the commissioner of administration, a feasibility study relative to the development and operation by the Authority of a multi-purpose arena of sufficient size and with adequate facilities to accommodate major civic, athletic, recreational and entertainment events, which study shall include, but not necessarily be limited to, the following:

(a) a description of the location deemed suitable by the Authority for said multi-purpose arena;

(b) a description of the lands, structures, fixtures, and facilities deemed necessary or appropriate by the Authority for the construction or reconstruction of said multi-purpose arena;

(c) an estimate of the capital expenses estimated by the Authority as necessary for the construction or reconstruction of said multi-purpose arena;

(d) an estimate of the operational expenses estimated by the Authority as necessary for the operation and maintenance of said multi-purpose arena;

(e) a proposal by the Authority for the provision of funds sufficient to meet the capital and operating costs, including projected income, associated with said multi-purpose arena;

(f) such feasibility study shall be conducted by an independent firm and shall be independently verifiable; and

(g) a description of the environmental and economic affects on the immediate community, the housing and parking needs of the community and the arena's affect on residential and commercial displacement.

Approved October 6, 1983.

EMERGENCY LETTER - October 6, 1983 @ 12:28 P.M.

Chap. 401. AN ACT FURTHER REGULATING THE APPOINTMENT OF CERTAIN OFFICERS IN THE CITY OF PITTSFIELD.

Be it enacted, etc., as follows:

SECTION 1. Chapter 280 of the acts of 1932 is hereby amended by striking out section 26, as most recently amended by section 1 of chapter 416 of the acts of 1979, and inserting in place thereof the following section:-

Section 26. Subject to the confirmation of the city council the mayor shall appoint, as soon as convenient in the month of January after the beginning of his term of office, a collector of taxes, a city treasurer, a city physician, a city accountant, a commissioner of public works, a commissioner of public utilities, a commissioner of public health, a director of community affairs, an assistant to the mayor for administration and finance, a director of administrative services, a purchasing agent, a director of maintenance and a building commissioner. Each officer so appointed, other than the commissioners of public health and public utilities, shall serve for a term of two years from the third Monday in January in the year of the officer's appointment and until the officer's successor shall be duly appointed and qualified. The commissioners of public health and public utilities shall serve for a term of five years from the third Monday in January in the year of the officer's appointment and until the officer's successor shall be duly appointed and qualified.

Each such official shall have the powers and be subject to the liabilities prescribed by law and shall perform such other duties as may be prescribed by ordinance, as herein provided.

The commissioner of public works shall perform the duties and have the powers imposed and conferred upon the board of public works and such other similar duties as may be prescribed by ordinance.

The commissioner of public utilities shall perform the duties and have the powers imposed and conferred upon the sewer and water commissions, and such other duties as may be prescribed by ordinance.

The commissioner of public health shall perform the duties and have the powers imposed and conferred upon the board of health, and such other similar duties as may be prescribed by ordinance.

The city physician, and city accountant shall respectively perform the duties and have the powers imposed and conferred upon them by law and such other similar duties as may be prescribed by ordinance.

The appointment by the mayor of members of the board of registrars of voters, the planning board, and of park commis-

sioners, shall be subject to the approval of the city council. Such officers respectively shall be appointed in the manner, shall serve for the terms and shall perform the duties now prescribed by law.

The mayor shall appoint at such time and in such manner as may be established by ordinance a city attorney or solicitor, who shall be a member of the bar of the commonwealth. Such appointee shall, during the term of his appointment, reside within the city.

Subject to the confirmation of the city council, the mayor shall appoint all officers and members of boards, established by the city council. All positions and offices set forth in this section shall be exempt from the provisions of chapter thirty-one of the General Laws.

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

Approved October 7, 1983.

Chap. 402. AN ACT AUTHORIZING THE TOWN OF CHARLTON TO RELEASE CERTAIN LAND FROM CONSERVATION RESTRICTIONS AND TO CONVEY SAID LAND TO A PRIVATE LAND TRUST.

Be it enacted, etc., as follows:

SECTION 1. The town of Charlton, acting through its board of selectmen, is hereby authorized to release a certain parcel of land, together with the buildings thereon, from the conservation restrictions acquired by said town pursuant to the provisions of section eight C of chapter forty of the General Laws from Ruth Dyer Wells by an instrument dated May 1, 1975 and recorded in the Worcester district registry of deeds in Book 6763 at Page 149, said parcel of land having been conveyed to said town by said Ruth Dyer Wells by a deed dated June 6, 1978 and recorded in the Worcester district registry of deeds in Book 6603 at Page 89, and being bounded and described as follows:

Beginning at an iron pin at a corner of stone walls on the westerly side of Capen Road, at the southeasterly corner of land of Robert Kaszowski and Stephen Kaszowski, formerly of Brackett;

thence by land of said Robert Kaszowski and Stephen Kaszowski: N 86° 18' W along wall 299.88 feet to a drill hole at a junction of walls; N 84° 21' W 307.98 feet to an iron pin at stone wall; and S 9° 58" W along wall 496.04 feet to a junction of walls at land of John P. McKinstry et ux., formerly of Isaac E. Tyler;

thence by said McKinstry land: easterly along wall 45 feet more or less; S 10° W along fence and wall about 28 rods to pasture; and S 11 1/2° W 65 rods 15 links more or less to land formerly of Maurice Mahan, earlier of Otis Farnum;

thence by said Mahan land: easterly 5 rods 16 links to a stake and stones, and easterly about 78 rods to a stake and stones at land formerly of Luke Gillespie and land formerly of Ira Berry;

thence about N 32° 17' E partly along a stone wall by land now or formerly of Laurell Hill Nursery, Inc., earlier of Isaac C. Tyler, 17 rods 15 links to a junction of stone walls;

thence along wall by land of said Laurell Hill Nursery, Inc.: N 29° 31' E 40.54 feet to a drill hole; N 13° 28' E 172.97 feet to a drill hole in west base stone; N 36° 35' E crossing a barway 124.52 feet to a drill hole; and N 43° 43' E 112.15 feet to an iron pin at end of wall at land of Robert Kaszowski;

thence by land of said Robert Kaszowski: N 19° 58' E 171.37 feet to an iron pin; N 15° 33' W along fence 197.60 feet to an iron pin; N 22° 53' W along fence 303.11 feet to a drill hole in the southerly end of stone wall; and N 4° 53' E along stone wall 632.56 feet to a junction of stone walls at land of Robert Kaszowski and Stephen Kaszowski, formerly of Merritt D. Aldrich;

thence along wall of land of said Robert Kaszowski and Stephen Kaszowski: N 62° W 306 feet to a junction of walls; N 17° 33' E 250.25 feet to an iron pin; N 5° 51' E 352.27 feet to an iron pin; N 4° 29' E 80.55 feet to an iron pin; and N 5° 36' W 118.30 feet to an iron pin at end of wall;

thence N 83° 25' W by land of said Robert Kaszowski and Stephen Kaszowski 378.46 feet to an iron pin at stone wall on the easterly side of Capen Road;

thence S 6° 53' W along wall by the easterly side of Capen Road 825.76 feet to a corner of walls;

thence westerly across Capen Road 40 feet more or less to wall on the westerly side thereof;

thence southerly along wall by the westerly side of Capen Road 280.5 feet more or less to the point of beginning.

Containing 72 acres, more or less.

Subject to any rights of the public and others in Capen Road.

The northerly boundary and portions of the westerly and easterly boundaries of the premises are shown on a plan by Robert F. Para dated August 13, 1974 and filed with said Deeds Plan Book 405, Page 119.

SECTION 2. The town of Charlton, acting by and through its board of selectmen, is hereby authorized to convey a certain parcel of land, together with the buildings thereon, to a private land trust to be maintained for nature conservancy purposes

with primary emphasis on its use as a natural wildflower and wildlife preserve, said parcel of land having been conveyed to the town of Charlton by Ruth Dyer Wells by a deed dated June 6, 1978 and recorded in the Worcester district registry of deeds in Book 6603 at Page 89, and being bounded and described as follows:

Beginning at an iron pin at a corner of stone walls on the westerly side of Capen Road, at the southeasterly corner of land of Robert Kaszowski and Stephen Kaszowski, formerly of Brackett;

thence by land of said Robert Kaszowski and Stephen Kaszowski: N 86° 18' W along wall 299.88 feet to a drill hole at a junction of walls; N 84° 21' W 307.98 feet to an iron pin at stone wall; and S 9° 58' W along wall 496.04 feet to a junction of walls at land of John P. McKinstry et ux., formerly of Isaac E. Tyler;

thence by said McKinstry land: easterly along wall 45 feet more or less; S 10° W along fence and wall about 28 rods to pasture; and S 11 1/2° W 65 rods 15 links more or less to land formerly of Maurice Mahan, earlier of Otis Farnum;

thence by said Mahan land: easterly 5 rods 16 links to a stake and stones, and easterly about 78 rods to a stake and stones at land formerly of Luke Gillespie and land formerly of Ira Berry;

thence about N 32° 17' E partly along a stone wall by land now or formerly of Laurell Hill Nursery, Inc., earlier of Isaac C. Tyler, 17 rods 15 links to a junction of stone walls;

thence along wall by land of said Laurell Hill Nursery, Inc.: N 29° 31' E 40.54 feet to a drill hole; N 13° 28' E 172.97 feet to a drill hole in west base stone; N 36° 35' E crossing a barway 124.52 feet to a drill hole; and N 43° 43' E 112.15 feet to an iron pin at end of wall at land of Robert Kaszowski;

thence by land of said Robert Kaszowski: N 19° 58' E 171.37 feet to an iron pin; N 15° 33' W along fence 197.60 feet to an iron pin; N 22° 53' W along fence 303.11 feet to a drill hole in the southerly end of stone wall; and N 4° 53' E along stone wall 632.56 feet to a junction of stone walls at land of Robert Kaszowski and Stephen Kaszowski, formerly of Merritt D. Aldrich;

thence along wall of land of said Robert Kaszowski and Stephen Kaszowski: N 62° W 306 feet to a junction of walls; N 17° 33' E 250.25 feet to an iron pin; N 5° 51' E 352.27 feet to an iron pin; N 4° 29' E 80.55 feet to an iron pin; and N 5° 36' W 118.30 feet to an iron pin at end of wall;

thence N 83° 25' W by land of said Robert Kaszowski and Stephen Kaszowski 378.46 feet to an iron pin at stone wall on the easterly side of Capen Road;

thence S 6° 53' W along wall by the easterly side of Capen Road 825.76 feet to a corner of walls;

thence westerly across Capen Road 40 feet more or less to wall on the westerly side thereof;

thence southerly along wall by the westerly side of Capen Road 280.5 feet more or less to the point of beginning.

Containing 72 acres, more or less.

Subject to any rights of the public and others in Capen Road.

The northerly boundary and portions of the westerly and easterly boundaries of the premises are shown on a plan by Robert F. Para dated August 13, 1974 and filed with said Deeds Plan Book 405, Page 119.

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

Approved October 7, 1983.

Chap. 403. AN ACT AUTHORIZING THE TOWN OF BERKLEY TO ISSUE AN ADDITIONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES TO HUDSON L. BOWLEY, JR.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section seventeen of chapter one hundred and thirty-eight of the General Laws, the licensing authority of the town of Berkley is hereby authorized to issue a license to Hudson L. Bowley, Jr. d/b/a Berkley Common General Store of Berkley 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 said section seventeen; provided, however, that said licensing authority shall not approve the transfer of said license within one year after the date of issuance by said authority; and provided, further, that the number of licenses for the sale of wine and malt beverages not to be drunk on the premises authorized for said town to issue under the provisions of said section seventeen of said chapter one hundred and thirty-eight is reduced by one such license.

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

Approved October 7, 1983.

Chap. 404. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BERKSHIRE COUNTY TO ACQUIRE CERTAIN PARK LAND IN THE TOWN OF WINDSOR FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

Berkshire county, acting through its county commissioners, with the approval of the advisory board on county expenditures, for and in behalf of the town of Windsor, 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 land or interest in land hereinafter described, or such portions thereof as said county may determine, and to divert said land from their present public use to highway use, as hereinafter provided.

Said land to be so acquired and diverted is shown on a map entitled "Plan of Land Town of Windsor to be acquired by the County of Berkshire by eminent domain for highway purposes", which said county is directed to file with the chief surveyor of the county, and which lands are to be identified on a county layout alteration plan as follows:

A certain parcel of land in the Town of Windsor located both on the Westerly and on the Easterly sides of the present Savoy Road, Route 8-A, bounded and described as follows:

Beginning at a point in the center of the existing County Layout for Savoy Road, said point being approximately 2350 feet Northerly of Route 9 and at the Southerly line of the Eugene F. Moran Wildlife Management Area, thence running Northerly and Northwesterly along a gradual curve to the west a distance of 1750 feet, more or less, to a crossing of the existing layout of Savoy Road approximately at the Bosma Road intersection, thence running Northerly and Northeasterly following a curve to the East a distance of 2350 feet, more or less, to the Northerly line of the said Eugene F. Moran Wildlife Management Area, the first described line running to the West of the existing Savoy Road, the second described line running to the East of said road, both lines describing the centerline of the proposed highway layout location.

The parcel above described being 4100 feet long and a uniform 80.00 feet in width, containing approximately 7.53 Acres of land, which parcel contains approximately 2.5 Acres of the existing County Layout of Savoy Road, thus reducing the acquisition to approximately 5.0 Acres, be the same, more or less.

For the purpose of this act, Berkshire county is hereby authorized to divert the above described parcel of land from its present use as a wildlife management area of the division of fisheries and

wildlife and to divert said parcel to highway use, the reconstruction and relocation of state highway route 8A, the alteration of the public way of Savoy road.

Approved October 7, 1983.

Chap. 405. AN ACT ESTABLISHING THE TOWN OF ARLINGTON SCHOLARSHIP FUND.

Be it enacted, etc., as follows:

SECTION 1. The town of Arlington is hereby authorized, subject to the approval of the commissioner of revenue, to redesign and designate a place on its municipal tax bills, particularly the motor vehicle excise tax bill, whereby the taxpayers of said town can voluntarily check-off and increase the amount otherwise due on the tax by adding one dollar, two dollars, five dollars, ten dollars or other amount to benefit a certain charitable and civic purpose within the town, to be known as The Town of Arlington Scholarship Fund; the purpose of said fund being to provide financial aid to deserving residents of said town in accordance with certain established criteria.

SECTION 2. Said fund shall be under the jurisdiction of the board of commissioners of trust funds acting for and in behalf of the town; and all monies which are collected as a result of the voluntary check-off shall be transferred to the principal of said fund; and the town treasurer shall be the custodian of said fund and may deposit the proceeds in national banks or invest the proceeds by deposit in savings banks, cooperative banks or trust companies organized under the laws of the commonwealth, or invest the same in such securities as are legal for the investment of funds of savings banks under the laws of the commonwealth or in federal savings and loan associations situated in the commonwealth.

SECTION 3. A scholarship committee consisting of the principal of Arlington high school, the principal of Arlington Catholic high school, if he accepts such appointment, the superintendent-director of Minuteman Regional Vocational Technical School District, the town treasurer and a registered voter of said town, who shall, whenever practicable, be employed, affiliated or otherwise associated with a class of private secondary schools not otherwise represented on said committee, shall be appointed to a three year term by the town moderator. In the event that any of the named schools represented on the scholarship commit-

tee shall cease to operate as an accredited school without the establishment of a successor institution, or if any of the said schools shall no longer accommodate a minimum of twenty-five residents of said town in each of its yearly classes, then the town moderator shall appoint to a three year term a registered voter of said town to replace the member whose school has been discontinued.

SECTION 4. The board of commissioners of trust funds shall, at least as often as once each year, pay over the net income received from said fund to the town treasurer and the said income shall be applied under the direction and control of said scholarship committee to the purposes of said fund.

SECTION 5. The scholarship committee shall utilize, as much as practicable, the full net income received from the fund, and annually grant as much financial aid as the full income shall provide, and any excess income shall be reserved as income and applied and added to the net income of said fund the following year.

SECTION 6. In selecting the annual recipients of financial aid from The Town of Arlington Scholarship Fund, the scholarship committee shall be guided by the following criteria:

The recipients of financial aid must be residents of the town who have been accepted to pursue education beyond the secondary school level at an institution deemed accredited by said committee. Said committee shall also take into consideration each recipient's financial need, character, scholastic record and involvement in community work as well as extracurricular school activities. Each recipient shall be interviewed by said scholarship committee prior to the award of any financial aid.

Approved October 7, 1983.

Chap. 406. AN ACT PROVIDING THAT THE FIVE PER CENT CREDIT GRANTED TO A VETERAN APPLYING FOR AN ELECTRICIAN'S LICENSE BE GRANTED NOTWITHSTANDING THE TIME OF APPLICATION FOR SUCH LICENSE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 141 of the General Laws is hereby amended by striking out section 2A, as amended by section 29 of chapter 627 of the acts of 1954, and inserting in place thereof

the following section:-

Section 2A. In the conduct of examinations they shall make uniform requirements for all towns, which may be revised from time to time, as circumstances require. They shall grant a credit of five per cent to the examination standing of each applicant who is a veteran, as defined in clause Forty-third of section seven of chapter four. Said examinations shall be sufficently frequent to give ample opportunity for all applicants to be thoroughly and carefully examined, may be written or in practical work, and may be supervised by one or more of the examiners, but no license shall be granted without the sanction of the examiners.

SECTION 2. The provisions of section one shall apply to examinations given on or after October first, nineteen hundred and eighty-two.

Approved October 7, 1983.

Chap. 407. AN ACT ESTABLISHING THE MATTAPOISETT RIVER VALLEY WATER SUPPLY PROTECTION ADVISORY COMMITTEE.

Be it enacted, etc., as follows:

There is hereby established the Mattapoisett river valley water supply protection advisory committee, hereinafter referred to as the committee, whose member towns shall be composed of the towns of Fairhaven, Marion, Mattapoisett and Rochester. Said committee shall advise the planning boards of said member towns relative to the development within the Mattapoisett River Valley watershed which watershed area is bounded and described as follows:-

Beginning at Route #6 at the town line between Mattapoisett, Plymouth County and the town line of Fairhaven, Bristol County;
thence northerly by the Fairhaven-Mattapoisett town line to Rte. #195;
thence westerly by Rte. #195 to New Boston Road;
thence northerly by New Boston Road to Mortons Lane;
thence northerly by Mortons Lane to Hathaway Road;
thence northerly by Hathaway Road to Mandel Road;
thence northerly by Mandel Road to Perry Hill Road;
thence northwesterly by Perry Hill Road to Main Street;
thence northerly by Main Street to Braley Hill Road;
thence northerly by Braley Hill Road to North Avenue;
thence easterly by North Avenue to the town line between the

towns of Middleboro and Rochester;
thence easterly by the said town line to Walnut Plain Road;
thence southerly by Walnut Plain Road to Burgess Avenue;
thence westerly by Burgess Avenue to Neck Road;
thence southerly by Neck Road to Hartley Road;
thence westerly by Hartley Road to Vaughn Hill Road;
thence southerly by Vaughn Hill Road to New Bedford Road;
thence westerly by New Bedford Road to Mattapoisett Road;
thence southerly by Mattapoisett Road to Boat Rock Road;
thence southerly by Boat Rock Road to Rte. #195;
thence westerly by Rte. #195 to an extension of Knollwood Drive;
thence southerly by the extension of Knollwood Drive and Knollwood Drive to Acushnet Road;
thence southerly by Acushnet Road to Mendall Road;
thence southerly by Mendall Road to Rte. #6;
thence westerly by Rte. #6 to the point of beginning.

The above described premises being shown on a plan entitled "Plan Showing The Mattapoisett River Basin, Prepared For Mattapoisett River Valley Supply Protection Advisory Committee, June 2, 1983, Scale: 1" = 2000'."

All of the described premises being in the towns of Mattapoisett, Fairhaven, Acushnet and Rochester.

Any plan relative to the development of the above described land shall be submitted to said committee thirty days prior to being submitted to the planning board or any other town agency having similar jurisdiction in the towns of Acushnet, Fairhaven, Marion, Mattapoisett or Rochester. Said committee shall study such plans and shall report its findings and recommendations, if any, to the respective town planning board or other town agency having such jurisdiction prior to the decision of such board or agency. Failure to timely provide its findings and recommendations, if any, shall not be deemed to stay action of the respective town planning board, if said board is required by law to act within a certain time period.

Approved October 7, 1983.

Chap. 408. AN ACT RELATIVE TO THE COLLECTION OF CERTAIN MEDICAID OVERPAYMENTS BY THE DEPARTMENT OF PUBLIC WELFARE.

Be it enacted, etc., as follows:

The second paragraph of section 20 of chapter 118E of the General Laws, inserted by chapter 368 of the acts of 1982, is

hereby amended by striking out the sixth sentence and inserting in place thereof the following two sentences:- The decision of the commissioner shall be final and is enforceable under this section unless stayed pursuant to a court order; provided, however, that the department has given written notice of the entry and filing provisions of this section to the provider prior to any notification from the department that it has reason to believe that the provider has received a payment to which he is not entitled. Said written notice shall state that the entry and filing provisions of this section are applicable only to those claims for which the department notifies the provider, subsequent to the date of said written notice, that payments are in dispute.

Approved October 7, 1983.

Chap. 409. AN ACT PROVIDING THAT CERTAIN MUNICIPAL OFFICERS OR EMPLOYEES SHALL BE FURNISHED WITH A COPY OF THE LAW RELATIVE TO THE STANDARDS OF CONDUCT REQUIRED OF THEM.

Be it enacted, etc., as follows:

Section 23 of chapter 268A of the General Laws, as appearing in section 14 of chapter 612 of the acts of 1982, is hereby amended by adding the following paragraph:-

Upon qualification for office following an appointment or election to a municipal agency, such appointed or elected person shall be furnished by the city or town clerk with a copy of this section. Each such person shall sign a written acknowledgement that he has been provided with such a copy.

Approved October 7, 1983.

Chap. 410. AN ACT ESTABLISHING A PROCEDURE FOR INITIATIVE AND REFERENDUM PETITIONS IN THE CITY OF PITTSFIELD.

Be it enacted, etc., as follows:

SECTION 1. Chapter 280 of the acts of 1932 is hereby amended by inserting after section 44 the following section:-

Section 44A. A petition conforming to the requirements hereinafter provided and requesting the city council, or school committee to pass a measure, therein set forth or designated shall be termed an "initiative petition", and shall be acted upon as herein-

after provided. For the purposes of this section "measure" shall mean an ordinance, resolution, order or vote that could be passed by a city council, or a resolution order or vote that could be passed by a school committee, as the case may be:

(A) Signatures to initiative petitions need not be all on one paper. All such papers pertaining to any one measure shall be fastened together and shall be filed in the office of the city clerk as one instrument, with the endorsement thereon of the names and addresses of three persons designated as filing the same. With each signature to the petition shall be stated the place of residence of the signer, giving the street and number, if any.

Within five days after the filing of said petition the registrar of voters shall ascertain by what number of registered voters the petition is signed, and what percentage that number is of the total number of registered voters, and shall attach thereto their certificate showing the result of such examination.

The city clerk shall forthwith transmit the said certificate with the said petition to the city council or to the school committee, according as the petition is addressed, and at the same time shall send a copy of said certificate to one or more of the persons designated on the petition as filing the same.

When such certificate has been so transmitted, said petition shall be deemed to be valid unless written objections are made thereto by a registered voter of the city within forty-eight hours after such certification by filing such objections with the city council or the school committee, and a copy thereof with the registrars of voters or the board or commission having similar duties. A copy of the objections so filed shall forthwith be transmitted to the state ballot law commission which shall hold a public hearing on said objections, shall render a decision on the matter referred to it within fourteen days after the objections were filed and transmit a copy of its decision to the city council or the school committee.

(B) If any initiative petition is signed by registered voters equal in number to at least fifteen per cent of the whole number of registered voters, the city council or the school committee shall, within twenty days after the date of the certificate of the registrars to that effect: (i) pass said measure without alteration, subject to the referendum vote provided by this chapter, or

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

may, at its discretion, omit calling the special election and submit the proposed measure to the voters at such approaching election.

(C) If an initiative petition is signed by registered voters equal in number to at least eight per cent but less than fifteen per cent of the total number of registered voters, and said measure is not passed without alteration within twenty days by the city council or the school committee, as provided in subsection (B), such proposed measure, without alteration, shall be submitted by the city council to a vote of the registered voters of the city at the next regular municipal election.

(D) A proposed measure under this section shall become effective if it shall be approved by registered voters of the city equal in number to one-third of the whole number thereof and also by a majority of the voters voting on such measure, but not otherwise.

(E) The city council may, of its own motion, and shall, upon request of the school committee if a measure originates with that committee and pertains to the affairs under its administration, submit to a vote of the registered voters of the city for adoption or rejection at a general or special city election any proposed measure in the same manner and with the same force and effect as are hereby provided for submission on initiative petition.

(F) If two or more proposed measures passed at the same election contain conflicting provisions, only the one receiving the greater number of affirmative votes shall take effect.

If, within twenty days after the final passage of any measure, except a revenue loan order, by the city council or by the school committee, a petition signed by registered voters of the city, equal in number to at least twelve per cent of the total number of registered voters, and addressed to the city council or to the school committee, as the case may be, protesting against such measure or any part thereof taking effect, is filed with the city clerk, the same shall thereupon and thereby be suspended from taking effect.

Signatures to referendum petitions need not be all on one paper. All such papers pertaining to any one measure or part protested against shall be fastened together and shall be filed in the office of the city clerk as one instrument, with the endorsement thereon of the names and addresses of three persons designated as filing the same. With each signature to the petition shall be stated the place of residence of the signer, giving the street and number, if any.

Within five days after the filing of said petition the registrar of voters shall ascertain by what number of registered voters the petition is signed; and what percentage that number is of the total number of registered voters, and shall attach thereto

their certificate showing the result of such examination.

The city clerk shall forthwith transmit the said certificate with the said petition to the city council on to the school committee, according as the petition is addressed, and at the same time shall send a copy of said certificate to one or more of the persons designated on the petition as filing the same.

The city council or the school committee, as the case may be, shall immediately reconsider such measure or part thereof; and if such measure or part thereof is not entirely rescinded, the city council shall submit the same, by the method herein provided, to a vote of the registered voters of the city, either at the next regular city election, or at a special election which may, in its discretion, be called for the purpose, and such measure or part thereof shall forthwith become null and void unless a majority of the registered voters voting on the same at such election vote in favor thereof.

The city council may, of its own motion, and shall, upon request of the school committee if a measure originates with that committee and pertains to the affairs under its administration, submit to a vote of the registered voters of the city for adoption or rejection at a general or special city election any proposition for the repeal or amendment of any measure in the same manner and with the same force and effect as are hereby provided for submission on referendum petition.

If the mayor and the city council, with at least eight affirmative votes, approve, or the school committee, with at least five affirmative votes, approves an emergency preamble may be attached to any measure. The emergency preamble will allow any measure enacted to take effect immediately and to remain in effect notwithstanding any referendum action. If a referendum petition is submitted and approved pursuant to the requirement of sections governing procedures it shall have the effect of repealing the measure effective as of the date of the election.

SECTION 2. This act shall be submitted for acceptance to the voters of the city of Pittsfield at the city election in the year nineteen hundred and eighty-three in the form of the following question, which shall be placed upon the official ballot to be used for the election of city officers at said election:- "Shall an act passed by the general court in the year nineteen hundred and eighty-three, entitled 'An Act establishing a procedure for initiative and referendum petitions in the city of Pittsfield', be accepted?" If a majority of the votes cast in answer to said question is in the affirmative then this act shall take full effect on January first, nineteen hundred and eighty-four, but not otherwise.

Approved October 7, 1983.

Chap. 411. AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO USE CERTAIN PARK OR PLAYGROUND LAND FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

The city of Springfield is hereby authorized to transfer the use of a certain parcel of park or playground land, located in said city from park or playground use to be used for the purposes of constructing and maintaining a public highway thereon. Said parcel of land in said city being bounded and described as follows:

RIVERSIDE ROAD PARK LAND TAKING

BEGINNING at a point situated in the easterly line of Riverside Road, said point being 109 feet northerly of the northerly line of Abbe Avenue as measured along the easterly line of said Riverside Road, said point of beginning being the southwesterly corner of the parcel herein described and the northwesterly corner of land now or formerly of Roger R. and Margaret M. Pelletier; thence

NORTHERLY by a curve to the right having a radius of 2607.14 feet, a distance of 188.61 feet along the easterly line of Riverside Road to a point at land now or formerly of the Springfield Redevelopment Authority; thence

NORTHEASTERLY along land now or formerly of the Springfield Redevelopment Authority a distance of 31 feet more or less to a point; thence

SOUTHWESTERLY by a curve to the left having a radius of 774 feet a distance of 31 feet more or less along land now or formerly of the City of Springfield Park Department to a point; thence

SOUTHWESTERLY by a curve to the left having a radius of 1000 feet a distance of 163 feet more or less along land now or formerly of the City of Springfield Park Department to a point; thence

SOUTHWESTERLY along land now or formerly of Roger R. and Margaret M. Pelletier a distance of 11 feet more or less to the point of beginning.

The above described parcel of land contains an area of 3454 square feet, more or less, and is more particularly shown on a

plan entitled: "Springfield, Mass., Department of Public Works, Riverside Road Landtaking, Scale: 1 inch - 40 feet, December, 1982" Tony Masuck, Registered Land Surveyor, 1600 East Columbus Avenue, Springfield, Massachusetts.

Approved October 7, 1983.

Chap. 412. AN ACT AUTHORIZING COUNTIES TO ESTABLISH SPECIAL FUNDS FOR RETIREMENT PURPOSES.

Be it enacted, etc., as follows:

Section 22 of chapter 32 of the General Laws is hereby amended by adding the following subdivision:-

(8) In order to offset the anticipated costs for funding a county contributory retirement system, any governmental unit participating in the system may appropriate in any year an amount not exceeding five per cent of the amount raised in the preceding year by assessment under clause (i) of paragraph (c) of subdivision (7). Any interest shall be added to and become part of such special fund.

Such special fund shall be separate and distinct from any pension financing requirements of this chapter and all sums in such special fund shall be appropriated and used only for the purpose of offsetting the anticipated future cost of funding the contributory retirement system.

The treasurer of the county shall be the custodian of such special fund and may deposit the proceeds in national banks or invest the proceeds by deposit in savings banks, cooperative banks or trust companies organized under the laws of the commonwealth, or invest the same in such securities as are legal for the investment of funds of savings banks under the laws of the commonwealth or in federal savings and loan associations situated in the commonwealth.

Such special fund may be appropriated in accordance with the provisions of paragraph (c) of subdivision (7).

Approved October 7, 1983.

Chap. 413. AN ACT AUTHORIZING THE TOWN OF NORTON TO ISSUE A LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES TO PRODUCE BARN, INCORPORATED.

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 Norton is hereby authorized to issue to Produce Barn, Incorporated, 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 said section seventeen; provided, however, that said licensing authority shall not approve the transfer of said license within one year after the date of issuance of such license by said licensing authority; and provided, further, that said licensing authority shall not approve the transfer, pledging or issuance of shares of stock of such corporation within one year after the date of issuance.

(The foregoing was laid before the Governor on the twenty-sixth day of September, 1983 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. 414. AN ACT FURTHER REGULATING AND ENFORCING THE OPERATION OF MOTOR VEHICLES IN THE VICINITY OF SCHOOL BUSES.

Be it enacted, etc., as follows:

Section 14 of chapter 90 of the General Laws is hereby amended by striking out the fourth sentence, as most recently amended by chapter 127 of the acts of 1977, and inserting in place thereof the following two sentences:- When approaching a vehicle which displays a sign bearing the words "SCHOOL BUS" and which is equipped with front and rear alternating flashing red signal lamps which are flashing as provided in section seven B, and which has been stopped to allow pupils to alight from or board the same, a person operating a motor vehicle shall, except when approaching from the opposite direction on a divided highway, bring his vehicle to a full stop not less than fifteen feet from said school bus and shall not thereafter proceed until the warning signals are deactivated, unless directed to the contrary by a police officer duly authorized to control the movement of traffic. Any person who violates the provisions of the preceding sentence shall be punished by a fine of not more than one hundred dollars.

Approved October 11, 1983.

Chap. 415. AN ACT FURTHER REGULATING CERTAIN TRANSPORTATION OF FOOD.

Be it enacted, etc., as follows:

Chapter 149 of the General Laws is hereby amended by striking out section 49, as most recently amended by section 1 of chapter 70 of the acts of 1961, and inserting in place thereof the following section:-

Section 49. Sections forty-seven and forty-eight shall not apply to establishments used for the manufacture or distribution of gas, electricity, milk or water, to hotels, to the transportation of food, nor to the sale or delivery of food by or in establishments other than restaurants. This section shall not apply to railroads or railways as defined in section one of chapter one hundred and sixty.

Approved October 11, 1983.

Chap. 416. AN ACT RELATIVE TO THE ASSESSMENT OF PROPERTY TAXES IN THE TOWN OF SPENCER.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section twenty-one C of chapter fifty-nine of the General Laws or any other general or special law to the contrary, the town of Spencer is hereby authorized to assess for taxes in fiscal year nineteen hundred and eighty-four an amount equal to one hundred and two and one-half per cent of fiscal year nineteen hundred and eighty-two allowable tax levy limit, established by the commissioner of revenue for said town; provided, however, that the total taxes assessed within said town shall not exceed two and one-half per cent of the full and fair cash value of said town.

SECTION 2. The provisions of this act shall take effect as of July first, nineteen hundred and eighty-three.

Approved October 11, 1983.

Chap. 417. AN ACT RELATIVE TO THE ENFORCEMENT OF CERTAIN MOTORBOAT LAWS.

Whereas, The deferred operation of this act would tend to

defeat its purpose, which is to immediately provide for the enforcement of certain motorboat laws, 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. Chapter 90B of the General Laws is hereby amended by inserting after section 12 the following section:-

Section 12A. Any officer authorized to enforce the provisions of this chapter who observes a motorboat or vessel being used without personal flotation devices required under this chapter or which is in an overloaded or other unsafe condition and which, in his judgment, presents a substantial risk of injury or loss of life by the use of said motorboat or vessel, may terminate such use and direct the operator to take whatever immediate and corrective steps which are necessary for the safety of the persons aboard such motorboat or vessel, including, but not limited to, directing the operator to proceed to a mooring and to remain there until such motorboat or vessel is deemed to be safe.

As used in this section the term "other unsafe condition" shall mean: (a) the motorboat or vessel is not displaying the navigation lights between sunset and sunrise; (b) the motorboat or vessel has fuel leakage from either the fuel system or engine; (c) the motorboat or vessel has an accumulation of fuel in the bilges or in a compartment other than a fuel tank; (d) the motorboat or vessel does not meet the ventilation requirements for tanks and engine spaces; or (e) the motorboat or vessel does not meet the requirements for backfire flame control.

SECTION 2. Section 14 of said chapter 90B is hereby amended by striking out subsection (b), as most recently amended by section 2 of chapter 714 of the acts of 1974, and inserting in place thereof the following subsection:-

(b) whoever as a scuba diver, so-called, or boat operator violates any provision of section five, five A, seven, subsection (b) of section nine, section twelve, twelve A, or thirteen A or of any rule or regulation pertaining thereto shall be punished by a fine of not less than ten nor more than fifty dollars.

Approved October 13, 1983.

Chap. 418. AN ACT RELATIVE TO THE LICENSING AND KEEPING OF DOGS IN THE CITY OF NEWTON.

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 Newton for the issuance of dog licenses shall not be more than ten 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 moneys received for licenses or from the sale of dogs by the city of Newton 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 and shall not thereafter be paid over to Middlesex county.

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, numeral listing, description and licensing of dogs, if kept in said city, shall be conducted by the city clerk, or his designee.

SECTION 4. Notwithstanding the provisions of section one hundred and seventy-three or section one hundred and seventy-three A of said chapter one hundred and forty or any other provision of law to the contrary, the penalty for violation of an ordinance of the city of Newton relative to the licensing or restraining of dogs shall not be more than fifty dollars.

SECTION 5. Notwithstanding the provisions of any general or special 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 the city of Newton, 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 October 13, 1983.

Chap. 419. AN ACT FURTHER REGULATING THE CERTIFICATION OF EMERGENCY MEDICAL TECHNICIANS.

Be it enacted, etc., as follows:

SECTION 1. Clause (1) of section 2 of chapter 111C of the General Laws, as appearing in section 1 of chapter 948 of the acts of 1973, is hereby amended by striking out, in line 4, the words "ambulance personnel" and inserting in place thereof the words:- emergency medical technicians, including ambulance operators and attendants.

SECTION 2. Said section 2 of said chapter 111C is hereby further amended by striking out clause (6), as so appearing, and inserting in place thereof the following clause:-

(6) approve courses in emergency medical care for emergency medical technicians, including ambulance operators and attendants, under such conditions as it may establish with the advice of the board.

SECTION 3. The first paragraph of section 6 of said chapter 111C, as so appearing, is hereby amended by adding the following sentence:- The department shall certify each operator or attendant who has successfully completed such a full course or such substantial equivalent in emergency medical care as an emergency medical technician in the ambulance service category established under this section.

Approved October 13, 1983.

Chap. 420. AN ACT AUTHORIZING AND DIRECTING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO CONVEY A CERTAIN PARCEL OF LAND IN THE TOWN OF HOLDEN UNDER THE CONTROL OF THE METROPOLITAN DISTRICT COMMISSION TO DANIEL J. HARRINGTON, JR.

Be it enacted, etc., as follows:

The deputy commissioner of the division of capital planning and operations, acting for and on behalf of the commonwealth, is hereby authorized to convey, in accordance with the provisions of section forty F of chapter seven of the General Laws, by a deed approved as to form by the attorney general, to Daniel J. Harrington, Jr. a certain parcel of land in the town of Holden under the control of the metropolitan district commission, leased for private purposes, bounded and described as follows:-

Beginning at a point forty and 00/100 (40.00) feet from an M.D.C. bound, as shown on a plan hereinafter mentioned, thence South 59° 01' 13" East, two hundred forty-eight and 69/100 (248.69) feet along the southwesterly sideline of Main Street

(Route 122A), said sideline being marked "1933 State Highway Alteration" on said plan, to a point;

Thence South 16° 58' West, twenty-two and 65/100 (22.65) feet to a point marked "High Water Line" on said plan;

Thence generally southwesterly along said High Water Line for a distance of one hundred thirty and 00/100 (130.00) feet, more or less, to a point;

Thence North 59° 01' 13" West, two hundred twenty-four and 00/100 (224.00) feet, more or less, to a point on a line marked "High Water Line";

Thence along said High Water Line in a northeasterly direction for a distance of forty-eight and 00/100 (48.00) feet, more or less, to a point;

Thence North 59° 01' 13" West, forty-eight and 00/100 (48.00) feet, more or less, to a point;

Thence North 29° 17' 10" East, one hundred and 00/100 (100.00) feet, to the point of beginning.

Containing eighty-one hundredths (0.81) of an acre according to a plan of land entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Water Division, Land in Holden to be Leased to Daniel J. Harrington, Jr., * * * September 1, 1964, Harold J. Toole, Director of Water Division & Chief Water Supply Engineer".

Approved October 13, 1983.

EMERGENCY LETTER - October 19, 1983 @ 4:22 P.M.

Chap. 421. AN ACT AUTHORIZING THE CITY OF NEW BEDFORD TO ISSUE A LICENSE FOR THE SALE OF ALCOHOLIC BEVERAGES TO THE UNITED FISHERMEN CLUB, INC.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any limitations of 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 to all other provisions of said chapter one hundred and thirty-eight, the licensing authority of the city of New Bedford is hereby authorized to issue to the United Fishermen Club, Inc. of said city, an annual seven-day club all alcoholic beverage license; provided, however, that said licensing authority shall not approve the transfer of said license to any other person, organization, corporation or location.

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

Approved October 15, 1983.

Chap. 422. AN ACT AUTHORIZING DENNIS C. McNEELEY TO TAKE A CIVIL SERVICE EXAMINATION FOR POLICE OFFICER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize Dennis C. McNeeley to take a civil service examination for police officer, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law or rule to the contrary regulating the maximum age of an applicant for appointment as police officer, Dennis C. McNeeley shall be eligible to take the next open competitive examination for appointment to the position of police officer and, provided he meets all other requirements, shall be eligible for certification and appointment.

Approved October 15, 1983.

Chap. 423. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF HAMPSHIRE COUNTY TO ESTABLISH, OPERATE, MAINTAIN, AND CONTROL FACILITIES FOR THE COLLECTION, TRANSFER, PROCESSING, AND DISPOSAL OF SOLID WASTES.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Hampshire county, subject to the provisions of chapters thirty-four and thirty-five of the General Laws and chapter five hundred and eight of the acts of nineteen hundred and eighty, are hereby authorized to establish a comprehensive program for the disposal of solid waste within said county. Such program may include the establishment of transfer stations, and the processing, separation, recovery, recycling, energy recovery, baling and final disposal of non-utilized materials by sanitary landfill; or any other viable processing or disposal method. Such program may include all transfer and hauling of solid waste to serve any district which may include two or more municipalities within said county. Participation in said program shall be voluntary on the part of any city, town and municipality within the county.

SECTION 2. Said county commissioners are authorized to establish a management committee consisting of one county commissioner, one member selected by each participating municipality, and three members at large. Three members shall constitute an executive board of the management committee and it shall be chaired by the county commissioner and may have such powers and duties as the management committee may deem appropriate. Said management committee is further authorized to acquire sites for such transfer, processing or disposal facilities by lease, purchase, or by eminent domain, subject however to the approval of the selectmen or when applicable town council in the town; or by the mayor and city council of the city in which the site is to be located. The provisions of chapter twenty-one D of the General Laws shall apply to said committee.

Approved October 15, 1983.

Chap. 424. AN ACT RELATIVE TO THE CANCELLATION OF CERTAIN AUTOMOBILE INSURANCE POLICIES.

Be it enacted, etc., as follows:

The first paragraph of section 22C of chapter 175 of the General Laws, as most recently amended by section 8 of chapter 241 of the acts of 1983, is hereby further amended by inserting after the word "thirteen H", in line 30, the words:- , or in the event an insured fails to comply with a request for any inspection, provided for under the provisions of section thirty-four O of chapter ninety, of his vehicle by his insurer.

Approved October 15, 1983.

Chap. 425. AN ACT PROVIDING FOR A CHARTER AND AN ADMINISTRATIVE CODE FOR THE CITY OF LAWRENCE.

Be it enacted, etc., as follows:

SECTION 1. The following shall be the charter for the city of Lawrence.

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Section 1 INCORPORATION: FORM OF GOVERNMENT: POWERS OF THE CITY

1.1 The inhabitants of the city of Lawrence shall continue to

be a body politic and corporate, under the name of the City of Lawrence, and as such shall have, exercise and enjoy all the rights, immunities, powers and privileges, and shall be subject to all the duties and obligations, now incumbent upon and pertaining to the said city, as a municipal corporation.

Section 2. SEPARATION OF POWERS

2.1 The administration of the fiscal, prudential and municipal affairs of the city, with the government thereof, shall be vested in an executive branch, to consist of the mayor, and the legislative powers shall be vested in a legislative branch, to consist of the city council.

Section 3. LEGISLATIVE BRANCH

3.1 Composition, Eligibility, Election and Term

(a) Composition - There shall be a city council consisting of nine members which shall exercise the legislative powers of the city. Six of these members, to be known as district councillors, shall be nominated and elected by and from the voters of six council districts, one district councillor to be elected from each such district. Three of the members to be known as councillors at large, shall be nominated and elected by and from the voters of the city at large.

(b) Eligibility - Any voter shall be eligible to hold the office of councillor at large. A district councillor shall be a voter and a resident of the district from which he is elected, at the time of his election, provided, however, a district councillor who removes from the district from which he was elected to another district in the city, may continue to serve and to discharge his duties until the expiration of the term for which he was elected.

(c) Election and Term - The term of office of all members of the city council shall be for two years beginning at seven o'clock in the evening on the first secular day in January of each even numbered year following their election and shall continue until their successors have been chosen and qualified.

3.2 Organization, Officers

The city council shall meet at seven o'clock in the evening on the first secular day in January of each even numbered year. After a majority of the councillors elect have been sworn they shall be called to order by the city clerk, or in the absence of the city clerk by the member present senior in years of service, who shall preside. The city council shall then elect, from its membership, by separate roll call votes, a president and a

vice-president. Five votes shall be necessary for election. No other business shall be in order until the city council has thus been organized.

The president of the city council shall preside at all meetings of the city council, regulate the proceedings and decide all questions of order. He shall have the same right to vote on every question which comes before the city council as any other member of the city council. He may have such additional powers, duties and responsibilities as may be provided to him by the charter, by ordinance, or by other vote of the city council. In the event of the absence or the disability of the president of the city council, the vice-president shall act as president.

3.3 Compensation

The city council shall, by ordinance, establish an annual salary for its members. No ordinance increasing such salary shall be effective however, unless it shall have been adopted, by a two-thirds vote, during the first eighteen months of the term for which councillors are elected and the new salary schedule is not to be effective until the commencement of the term of office of the next city council to be elected.

3.4 Prohibitions

(a) Holding City Office or City Employment - No member of the city council shall during the term for which he was elected hold any other compensated city office or city employment.

3.5 Exercise of Powers, Quorum, Rules of Procedure

(a) Exercise of Powers - The legislative powers of the city shall be exercised by the city council as determined by its own rules, unless other provision is made by law or by the charter.

(b) Quorum - The presence of five members of the city council shall constitute a quorum for the transaction of business. The affirmative votes of six members shall be required to adopt any appropriation order. Any other motion or measure may be adopted by a majority of not less than five affirmative votes, except as otherwise provided by law or by the charter.

(c) Rules of Procedure - The city council shall from time to time adopt rules governing its proceedings, except as otherwise provided by law or by the charter.

i) Regular meetings of the city council shall be held at a time and place fixed by ordinance.

ii) Special meetings of the city council may be held at the call of the mayor, as provided in section 4.5, on the call of the city council president, or, on the call of any three or more members, by written notice delivered in hand or to the place of

residence or business of each member at least forty-eight hours in advance of the time set, and which includes notice of the subjects which are to be acted upon, and no other business shall be in order.

iii) All meetings of the city council and of every committee and subcommittee thereof shall be open to the public and to the media unless otherwise provided by law.

iv) Every matter which comes before the city council and of every committee and subcommittee thereof, shall, unless the vote is unanimous, be decided by a roll call vote, which shall be recorded as part of the public record.

v) A full, accurate, up-to-date record of the proceedings of the city council and of all committees and subcommittees thereof, shall be kept which shall be made available in a place convenient to the public and a certified copy of all such records shall be kept available in the office of the city clerk.

(d) Standing Committees - The City Council shall provide for the establishment of standing committees to which all business shall be referred for study and recommendation before action is taken by the City Council. The President of the City Council shall appoint all members of standing committees. Such committees shall include but need not be limited to the following standing committee:

i) A Committee on Budget and Finance to which shall be referred every measure which would involve an expenditure of city funds.

ii) A committee or Ordinances and Intergovernmental relations to which shall be referred every measure which in the form of adoption as categorized an "ordinance" or the effect of which is of more than temporary significance; and furthermore every measure which involves another unit of government and the city.

iii) A committee on Personnel and Administration to which shall be referred all personnel measures within the purview of the City Council, and all measures the effect of which would be to alter the administrative structure of the city government.

3.6 City Clerk; City Attorney; Board of Assessors; Council Staff

(a) Election - The City Council shall elect a City Clerk, City Attorney, and three persons who shall serve as the Board of Assessors, who shall serve until their successors are qualified. The City Council may remove any of said officials by a 2/3 majority vote of the full City Council. All removals from said office shall be accompanied by a statement of the reason or reasons therefore and filed in the office of the city clerk.

(b) City Clerk - The City Clerk shall have the care and

custody of all city records, documents, vital statistics, bonds of city offices, contracts, plans and papers and shall have such powers and duties with respect to the regulation and supervision of elections and the issuance of licenses as are provided by law. The City Clerk shall have such additional powers and duties as the City Council may from time to time prescribe.

(c) City Attorney - The City Attorney shall draft all contracts, leases, deeds, bonds, conveyances, obligations, agreements and other legal instruments which may be required of him by ordinance, or by order of the Mayor or of the City Council. It shall be the duty of the City Attorney to commence and prosecute all actions and suits for the City before any tribunal. He shall appear in defense and protect the interests of the City, or of any officer thereof in any suit of prosecution for any act or omission in the discharge of their official public duties. The City Attorney shall be an able and experienced person learned in the law and an attorney and counsellor at law in the Courts of the Commonwealth.

(d) Board of Assessors - Three persons shall be elected to serve as the Board of Assessors, and shall exercise the powers and duties subject to the liabilities under existing laws. All taxes shall be assessed and apportioned and abated in the manner prescribed by the laws of the Commonwealth. Notwithstanding the provision of Sect. 3.7 the Mayor shall designate one member of the Board as its Chairman who shall serve as Chairman at the will of the Mayor.

(e) Council Staff:

i) Clerk of the Council - The City Clerk shall serve as Clerk of the City Council. The Clerk of the Council shall give notice of all meeting of the City Council to its members and to the public, keep the journal of the proceedings and perform such other duties as may be assigned by the Charter, by ordinance, or by the vote of the City Council.

ii) Other personnel - The City Council may, by ordinance provide for other offices and employees to assist it in the performance of its duties.

3.7 Appointments to City Offices, Removal

(a) Appointments - The mayor shall submit to the City Council, unless otherwise provided, the names of all persons he desires to appoint as a department head or director of any city agency. The City Council shall refer all such candidates to the Standing Committee on Personnel and Administration which shall investigate all such candidates for confirmation and make a report with recommendations to the full City Council not less than seven nor more than twenty-one days following such referral. A nomination of the Mayor shall be confirmed by a

majority vote of the Council. The provision of Sect. 3.8 (c) shall not apply. If the City Council has taken no action, said appointments shall become effective on the thirtieth day following the date the name has been received by the City Council.

(b) Removal from office - The mayor may remove any person appointed under Sect. 3.7 by filing a written statement with the City Council, setting forth the reason or reasons therefor a copy of which shall be delivered to the person whose removal is sought who may make a written reply, which if (s)he desires may be filed with the City Council and be a public record. The City Council shall forthwith consider said removal. The removal of said person shall be sustained by a 2/3 majority vote of the council. The provision of Sect. 3.8 (e) shall not apply.

3.8 Legislative Procedures

(a) In General - No measure shall be adopted by the City Council on the date it is introduced, except in the case of a special emergency involving the peace, health, safety or convenience of the people or their property. Except as is otherwise provided by the charter, every measure approved by the city council shall be effective at the expiration of the thirtieth day following the date of council approval unless a later date is specified in such measure. No ordinance shall be amended or repealed except by another ordinance or by the provisions for citizen initiative and referendum as provided in article eight.

(b) Emergency Measures - An emergency measure shall be introduced in the form and manner provided generally except that it shall be plainly designated an emergency measure. A preamble, which describes the emergency which exists in clear and specific terms shall first be separately voted upon and shall require six affirmative votes. Following such vote the city council may, by majority vote, pass the measure with or without amendment at the meeting at which it is introduced. Emergency measures shall stand repealed on the sixty-first day following the date of council approval, unless an earlier date of expiration is otherwise provided, or unless a second emergency measure, adopted in conformity with this section is adopted extending it, or unless a measure adopted in conformity with the procedures for measures generally is adopted extending it.

(c) Charter Objection - On the first occasion that the question of adoption of any measure is put to the city council, except an emergency measure, in accordance with Sect. 3.7 (b) if a single member objects to the taking of the vote, the vote shall be postponed until the next meeting of the city council, regular or special. If, when the matter is next put to the council for a vote, four or more members object to the taking of

the vote, the matter shall be postponed for not less than an additional five days. This procedure shall not be used more than once for any measure notwithstanding any amendment to the original measure.

(d) Publication and Public Hearing Required - Every proposed ordinance or loan order, except any submitted in accordance with section 3.7 (b), shall be published once in full in a local newspaper and in any additional manner required by law or by ordinance. Such publication shall also state the time, not less than seven nor more than fourteen days following such publication, and the place at which the city council, or a standing committee of the city council, will hold a public hearing on the proposed ordinance or loan order.

(e) Publication of Adopted Measures - After final adoption, and approval by the mayor if required, all ordinances and loan orders and such other measures as the city council shall by ordinance direct, shall be published in full in a local newspaper.

(f) Publication, Exception - If any measure required to be published in full by section 3.8 (d) or (e) exceeds in length eight octavo pages of ordinary print then, in lieu of such publication, the same may be made available for distribution to any person who may request the same at the office of the City Clerk and provided that notice of such publication and a summary of the contents thereof shall be published as otherwise provided in the said sections.

3.9 Filling of Vacancies

(a) Councillor at Large - If a vacancy in the office of councillor at large shall occur in the first eighteen months of the term for which councillors are elected, the vacancy shall be filled, for the balance of the unexpired term, by the candidate for the office of councillor at large at the most recent city election who received the highest number of votes without being elected and provided that such person is willing to serve and remains qualified to do so. If the said person is not willing to serve, or is no longer eligible to serve, the candidates in descending order of votes received shall be offered the vacancy until one, who is qualified, accepts the office, provided, however, that if any such candidate failed to receive a vote total equal to thirty per cent, or more, of the vote total received by the candidate who received the lowest number of votes and was declared elected to the office of councillor at large, the city council shall, within thirty days following the date the vacancy was declared to exist, elect a suitable person from among the voters of the city at large to fill the vacancy for the balance of the unexpired term.

(b) District Councillor - If a vacancy in the office of

district councillor shall occur in the first eighteen months of the term for which councillors are elected, the vacancy shall be filled in the same manner as provided for councillors at large, provided that the candidate who is willing to serve shall have received not less than thirty per cent of the votes cast for the office of district councillor in the district in which the vacancy exists. If no such candidate is available the city council shall, within thirty days following the date the vacancy is declared to exist, elect a suitable person from among the voters residing in the district to serve for the balance of the unexpired term.

(c) In General - No vacancy which occurs after the first eighteen months of the term for which councillors are elected shall be filled unless failure to fill such vacancies would result in less than seven persons serving as members of the city council, in that event all such vacancies shall be filled in the manner provided above.

Whenever a vacancy exists on the city council which is not filled at the time of the city election the person elected at such election to fill the seat in which the vacancy exists shall forthwith be sworn and shall, in addition to the term for which he was elected, serve for the balance of the then unexpired term. If such vacancy is in the office of councillor at large, it shall be filled by the person receiving the highest number of votes for the office at the said election who is not then serving as a member of the city council.

3.10 General Powers

Except as otherwise provided by law or by the charter, all powers of the city shall be vested in the city council which shall provide for their exercise and for the performance of all duties and obligations imposed on the city by law.

Section 4. EXECUTIVE BRANCH

4.1 Mayor; Qualifications; Term of Office; Compensation

(a) Mayor, Qualifications - There shall be a mayor, elected by and from the voters, who shall be the chief executive officer of the city. Any voter shall be eligible to hold the office of mayor.

(b) Term of Office - The term of office of the Mayor shall be for four years beginning at 10:00 o'clock in the morning on the first secular day in January following his election and until his successor is chosen and qualified. No person shall be elected to the office of mayor more than two consecutive full terms.

(c) Compensation - The city council shall, by ordinance, establish an annual salary for the mayor. No ordinance changing such salary shall be effective however, unless is is adopted

during the first thirty-six months of the term for which the mayor is elected and it provides that the salary is to be effective at the commencement of the next term of office of the mayor.

4.2 Executive Powers, Enforcement of Laws

The executive powers of the city shall be vested in the mayor and may be exercised by him either personally or through the several city agencies under his general supervision and control. The mayor shall cause the laws, ordinances and orders for the government of the city to be enforced, and he shall cause a record of all his official acts to be kept.

4.3 Appointments by the Mayor

The Mayor shall appoint all city officers, department heads, directors and members of multiple member bodies for whom no other method of appointment or selection is provided by the charter, excepting only officers serving under the school committee, officers appointed by the Commonwealth, and persons serving under the City Council. Except appointments to multiple member bodies all such appointments made by the mayor, unless otherwise provided shall be subject to review and confirmation by the City Council as provided in Sect. 3.7.

4.4 Certificate of Appointment

Whenever a vacancy, either temporary or permanent occurs in a city office and the needs of the city require that such office be filled, the Mayor may designate the head of another city agency, or a city officer or city employee to perform the duties of the office on a temporary basis until such position can be filled as provided by the Charter, by law, or by ordinance. The Mayor shall sign and file with the City Clerk a certificate substantially in the following form:

I name (name of appointee) to perform the duties of the office of (office in which vacancy exists). I certify that (name of appointee) is a person especially fitted by education, training or experience to perform the duties of the office and to assume the responsibilities which will devolve upon him/her, and that I make this appointment solely in the interests of the City of Lawrence.

(signed)
Mayor

4.5 Removal of Officials

The Mayor may remove any person appointed under Sect. 4.3 subject to the provisions of Sect. 3.7 (b) of this Charter.

4.6 General Supervision of City Agencies

The mayor shall exercise a general supervision and direction over all city agencies. Each city agency shall furnish to him, forthwith upon his request, any information relative to such agency as the needs of his office and the interest of the city may require.

4.7 Communications to City Council

The mayor shall, yearly, by written communications, or by personal appearance, keep the city council informed as to the condition and needs of the city, and shall from time to time as, in his judgement the needs of the city require, recommend to the city council for action by it such measures as may be necessary or desirable.

4.8 Special Meetings of the City Council

The mayor may call a special meeting of the city council at any time, for any purpose, by causing a notice of the meeting to be delivered in hand or to the place of business or residence of each member of the city council, by a member of the police department. Such notice shall, except in the case of an emergency of which the mayor shall be the sole judge, be delivered at least forty-eight hours in advance of the time set and shall specify the purpose for which the meeting is to be held.

4.9 Approval of the Mayor; Power of Veto

Every measure relative to the affairs of the city adopted by the city council except (a) measures relating to the internal affairs of the city council, (b) memorial resolutions, and (c) emergency measures shall be presented to the mayor for his approval (d) petitions approved under the provisions of section eight of Article LXXXIX of the Constitution of the Commonwealth. If the mayor approves of it, he shall signify his approval by signing it; if he does not approve of it, he shall signify his disapproval by returning it with his objections, in writing, to the city council. The city council shall enter the objections of the mayor upon its records and shall, forthwith, reconsider said measure. If, on such reconsideration, six members shall agree to pass such measure notwithstanding the disapproval of the mayor, it shall be considered approved. If any measure is not returned by the mayor within ten days following the date it is presented to him, it shall be considered approved. A filing with the clerk of the council shall be considered a return by the mayor to the city council. All votes taken on measures returned by the mayor shall be by roll call.

4.10 Temporary Absence of the Mayor

(a) Acting Mayor - Whenever by reason of illness or absence from the city, the mayor shall be unable to perform the duties of his office for a period of three successive working days, or more, the president of the city council shall become the acting mayor.

(b) Powers of Acting Mayor - The acting mayor shall have all of the powers of the mayor except that he shall not make any permanent appointment nor removal to or from any office unless the disability of the mayor shall have continued for sixty days or more, nor shall he approve or disapprove of any measure passed by the city council unless the time within which the mayor must act would expire before the return of the mayor. During any period in which the council president is serving as acting mayor he shall not be eligible to vote on any measure as a member of the city council.

4.11 Vacancy in the Office of Mayor

(a) Special Election - If a vacancy in the office of the mayor occurs in the first forty-two months of the term for which the mayor is elected, the city council shall forthwith order a special election to be held not more than sixty days following the date the vacancy is created, to fill the vacancy for the balance of the unexpired term.

(b) Council Election - If a vacancy in the office of mayor occurs after the first forty-two months of the term for which the mayor is elected the clerk of the council shall forthwith call a special meeting of the city council, and, the city council shall then elect by majority vote, one of its members to serve as mayor. If the city council shall fail to elect one of its members within fourteen days following the date of the meeting called by the clerk of the council the president of the city council shall become the mayor. Upon the election and qualification of any member of the city council as acting mayor his office of councillor shall be deemed to be vacant.

(c) Powers, Term of Office - The mayor elected under either Sect. 4.10 (a) or (b) shall have all of the powers of the mayor. A mayor elected under section 4.10 (a) shall serve for the balance of the term which remained unexpired at the time of his election. A mayor elected under section 4.10 (b) shall serve until the date of the next regular city election and the person elected at said election to the office of mayor shall forthwith be sworn and shall, in addition to the term for which he was elected, serve for the balance of the then unexpired term of the mayor.

Section 5. SCHOOL COMMITTEE

5.1 Composition; Eligibility; Election and Term of Office

(a) Composition - There shall be a school committee consisting of seven members which shall exercise general management and control of the public schools of the City. Six of these members, who shall be known as School Committee Member, shall be nominated and elected by and from the voters at large. The Mayor shall serve as the seventh member of the School Committee and as its Chairman with full power to vote.

(b) Eligibility - Any voter shall be eligible to hold the office of School Committee member.

(c) Election and Term - The term of office of all members of the school committee shall be for four years beginning at 7:00 o'clock in the evening on the first secular day in January following their election and shall continue until their successors have been chosen and qualified. Three of the members shall be elected at each regular city election.

5.2 Organization, Officers

The school committee shall meet at seven o'clock in the evening on the first secular day in January in each even numbered year. After a majority of the school committee members elect have been sworn they shall be called to order by the mayor, or in his absence by the member present senior in service, who shall preside. The school committee shall then elect, from its membership, by roll call vote, a vice-chairman of the committee. Four votes shall be necessary for election. No other business shall be in order until the school committee has thus been organized.

The mayor, as chairman of the school committee, shall preside at all meetings of the school committee, regulate the proceedings and decide all questions of order. He shall have the same right to vote on every question which comes before the school committee as any other member. In the event of the absence or disability of the mayor, the vice-chairman shall preside.

5.3 Secretary of the School Committee

The school committee shall appoint a secretary of the school committee, who may be the superintendent of schools. The secretary of the school committee shall give notice of all meetings of the school committee to the members and to the public, keep the journal of its proceedings and peform such other duties as may be provided by the charter or by other vote of the school committee.

5.4 Powers and Duties

The school committee shall have all of the powers and duties

which are given to school committees in the commonwealth by general laws. They may have such additional powers and duties as are provided to them by charter or by ordinance.

The powers of the school committee shall include, but need not be limited to the following: (a) to appoint a superintendent of schools, who shall be charged with the day to day administration of the public schools subject to policy directives issued by the school committee; (b) to appoint all other officers and employees connected with the public schools, fix their salaries, define their duties, make rules concerning their tenure of office and to discharge them; and (c) make all reasonable rules and regulations for the management of the public schools of the city and for conducting the business of the school committee as may be necessary or desirable.

The school committee shall furnish all school buildings with fixtures, furnishings and equipment and shall provide ordinary custodial services for all school buildings and grounds.

5.5 Location and Erection of School Buildings

No site for a school building shall be acquired by the city unless the approval of the site by the school committee is first obtained. No plans for the construction of or alterations in a school building shall be accepted, and no work shall be begun on the construction or alteration of a school building, unless with the approval of the school committee.

5.6 Prohibitions

(a) Holding City Office or City Employment - No member of the school committee, other than the mayor, shall, during the term for which he was elected, hold any other compensated city office or city employment under the jurisdiction of the school committee.

5.7 Filling of Vacancies

If a vacancy shall occur in the office of school committee member it shall be filled in the same manner as is provided in section 4 - 11(A) for filling of a vacancy in the office of Mayor.

5.8 Exercise of Powers; Quorum; Rules of Procedure

(a) Exercise of Powers - Except as otherwise provided by general law, or by the charter, the powers of the school committee may be exercised in the manner determined by it.

(b) Quorum - The presence of four members of the school committee shall constitute a quorum. The affirmative votes of four members shall be necessary to adopt any measure.

(c) Rules of Procedure - The school committee shall from time to time adopt rules governing its proceedings, except as

otherwise provided by law or by the charter.

i) Regular meetings of the school committee may be held at a time and place fixed by its own rules.

ii) Special meetings of the school committee shall be held at the call of the mayor, as chairman, or in his absence by the vice-chairman acting as such, or by any three or more members, by written notice delivered in hand or to the place of residence or business of each member at least forty-eight hours in advance of the time set and which includes notice of the subjects which are to be acted upon, and not other business shall be in order.

iii) All meetings of the school committee and of every subcommittee thereof, shall at all times be open to the public and to the press, unless otherwise provided by law.

iv) Every matter which comes before the school committee, and of every subcommittee thereof, shall, unless the vote is unanimous, be decided by a roll call vote, which shall be recorded, as part of the public record.

v) A full, accurate, up-to-date record of the proceedings of the school committee and of every subcommittee thereof, shall be kept which shall be made available at a place convenient to the public and a certified copy shall be kept in the Office of the City Clerk.

5.9 Budget Hearing

At least thirty days before the meeting at which the school committee is to vote on the budget request which it will submit to the mayor, the school committee shall cause to be published in a local newspaper a general summary of their proposed budget. The summary shall indicate specifically areas of increase from the present budget, if any, and the reasons for such changes and a notice stating (1) the times and places where complete copies of their proposed budget will be available for public examination and (2) the date, not less than seven nor more than fourteen days following such publication, and the place at which a public hearing will be held by the school committee on their proposed budget.

5.10 Mayor to be Coordinator

The mayor shall be responsible for the coordination of all activities under the jurisdiction of the school committee with all activities under the jurisdiction of other city agencies.

Section 6. ADMINISTRATIVE ORGANIZATION

6.1 In General

The division of the city into operating agencies for the efficient

and convenient conduct of the business of the city and the provision of the city services shall be determined by the provisions of an administrative code adopted by the city council in accordance with the procedures established in this article.

6.2 Origination
A proposal for the organization or re-organization of city agencies may be submitted by any member of the city council, or by the mayor, or by the process of citizen initiative, at any time.

6.3 Scope of Proposed Plans
Except when an express provision is otherwise made by general law or by the charter an organization or re-organization plan may reorganize, consolidate, or abolish any existing city agency in whole or in part, establish new city agencies and prescribe the manner of appointment, the term of office, and, if a multiple member body, the number of members thereof, and define and describe the powers, duties, functions and responsibilities of any city agency. All city agencies under the direction and supervision of the mayor shall be headed and administered by officers appointed by the mayor as provided by the Charter, ordinance, or by law.

6.4 Procedure
(a) Referral to Committee - Every proposal which comes before the city council relating to the organization or re-organization of the city government shall be referred to a committee, special or standing, of the city council for study and a report.
(b) Public Hearing - The committee to which any such proposal is referred shall, not less than fourteen nor more than twenty-one days following such referral, hold a public hearing concerning such proposal, notice of which shall be given by publication in a local newspaper not less than seven nor more than fourteen days prior to the date of the hearing. Additional notice by posting in prominent places, or by mailings, may also be made as the committee deems advisable, or as the council may direct.
(c) Report and Recommendation - Within thirty days following the close of the public hearing the committee shall file a written report with the clerk of the council which sets forth in specific terms the action that it recommends be taken on the proposal and the reasons for such recommendation. Copies of the report shall be made available to any person who may request the same.
(d) Council Action - Within fourteen days following the date the report of the committee has been filed the city council

shall act upon the report by approving, with or without amendments, or by disapproving, the proposal which has been made. The affirmative votes of six members of the city council shall be necessary to adopt any such proposal.

6.5 Department Heads, Directors, and Administrative Officers appointed by the Mayor with confirmation by the City Council.

The Mayor shall appoint the following municipal officers in the manner prescribed in Sect. 4.3 and Sect. 4.4; A Director of the Department of Budget and Finance, a City Collector-Treasurer, a Comptroller, a Purchasing Agent, a City Engineer, a Labor Relations Counsel, a Chief of Police and a Fire Chief according to Civil Service provision, a Director of Personnel, a Director of Public Works, a Commissioner of Inspectional Services, a Director of Community Development, a City Physician, a Board of Health consisting of three (3) persons of whom one shall be the City Physician, a Board of Trustees of the Public Library consisting of five (5) members as provided in Sect. 6.6, a Board of Directors of the Bellevue Cemetery consisting of five (5) persons as provided in Sect. 6.7 and other municipal offices as may be determined according to this section and in accordance with section 4.3 and others that may be required by law.

6.6 Trustees of the Public Library

The Public Library of the City shall be under the management and control of a Board of Trustees to consist of the Mayor, three (3) trustees of the White Fund, these four to be members ex-officio and five citizens to be appointed by the Mayor.

6.7 Board of Cemetery Directors

The Board of Directors of the Bellevue Cemetery shall consist of five (5) persons appointed by the Mayor who shall have general supervision, control, and management of the cemetery, except as may otherwise be provided by law or statute.

Section 7. FINANCIAL PROCEDURES

7.1 Submission of Budget, Budget Message

Within the period prescribed by state law, the mayor shall submit to the city council a proposed budget for the ensuing fiscal year which shall provide a complete financial plan of all city funds and activities for the ensuing fiscal year, an accompanying budget message, and supporting documents.

The budget message of the mayor shall explain the proposed budget for all city agencies both in fiscal terms and in terms of work programs. It shall outline the proposed financial policies for the city for the ensuing fiscal year, describe the important

features of the budget, indicate any major differences from the current fiscal year in financial policies, expenditures and revenues, together with the reasons for such changes, summarize the city's debt position, and include such other material as the mayor deems desirable or the city council may reasonably require.

7.2 Action on the Budget.

(a) Public Hearing - The city council shall, within seven days following the date the proposed budget has been filed with the clerk of the council, cause to be published in a local newspaper the general summary of the proposed budget as submitted by the mayor and a notice stating (1) the date, not less than seven nor more than fourteen days following such publication, and the place at which the city council, or a standing committee of the city council, will hold a public hearing on the proposed budget and (2) the times and places where complete copies of the proposed budget will be available for examination by the public in advance of said hearing.

(b) Adoption - Within the period prescribed by state law the city council shall adopt the budget, with or without amending the proposed budget, the city council may delete or decrease items or amounts except expenditures required by law or for debt service. If within the period prescribed by state law the city council shall fail to take action with respect to any item in the proposed budget, as submitted by the mayor, such amounts shall, without any action by the city council become a part of the appropriations for the ensuing fiscal year and shall be available for the purposes specified.

7.3 Independent Audit

At least once in every four years an outside audit of the books and accounts shall be made. The city council shall provide for such an audit by an accountant or a firm of accountants, who have no personal interests, direct or indirect, in the fiscal affairs of the city government or of any of its officers or employees.

7.4 Capital Improvements Program Budget

(a) Submission to City Council - The mayor shall prepare and submit to the city council, a five year capital improvements program, annually, at least sixty days before the date he is required to submit an annual budget.

(b) Contents - The capital improvements program shall include: (1) a clear, concise summary of its contents; (2) a list of all proposed capital improvements which are intended to be undertaken over the next five fiscal years, with supporting data as to the need for each such improvement; (3) cost estimates,

method of financing and time schedules; (4) the estimated annual cost of maintaining and operating, if any, each item proposed; (5) a listing of all sources and amounts of revenue, if any, which will be generated by each item proposed. The information shall be revised and extended annually.

(c) Public Hearing - The city council shall, within seven days following the date the capital improvements program is filed with the clerk of the council, cause the general summary of the capital improvements program as submitted by the mayor to be published in a local newspaper and a notice stating (1) the date, not less than seven nor more than fourteen days following such publication, and (2) the place where a public hearing will be held on the proposed capital improvements program by the city council or a standing committee thereof.

(d) Adoption - After the public hearing, and on or before the last day within which the mayor may submit a proposed operating budget, the city council, by resolution, shall adopt the capital improvement program, with or without amendment, provided that each amendment must be voted upon separately and that any increase in the capital improvement program as submitted must clearly identify the manner in which any proposed addition is to be financed.

Section 8. NOMINATIONS AND ELECTIONS

8.1 City Elections: General and Preliminary

The regular city election shall be held on the first Tuesday following the first Monday in November in each odd-numbered year.

On the fourth Tuesday preceding every regular city election, there shall be held a preliminary election for the purpose of nominating candidates.

8.2 Nonpartisan Elections

All elections of city officers shall be nonpartisan, and election ballots for such offices shall be printed without any party mark, emblem, or designation whatsoever.

8.3 Preliminary Elections

(a) Signature Requirements - The number of signatures of voters required to place the name of a candidate on the official ballot to be used at a preliminary election shall be as follows: for the office of mayor not less than two hundred and fifty; for the office of councillor at large or school committee member not less than one hundred; and for the office of district councillor not less than fifty signatures of voters of the district from which the candidate seeks to be nominated. In no case

shall a person collect signatures to be a candidate for more than one city office.

(b) Ballot Position - The order in which names of candidates appear on the ballot, for each municipal office, shall be as follows: first, the names of candidates who are the elected incumbents of said offices arranged alphabetically by their surnames and second names of all other persons arranged alphabetically by their surnames.

(c) Determination of Candidates for Election - The two persons receiving at a preliminary election the highest number of votes for an office shall be the sole candidates for that office and whose names shall be printed on the official ballot to be used at the regular election at which said office is to be filled. No acceptance of a nomination at a preliminary election shall be necessary to its validity. If two or more persons are to be elected to the same office at such regular election, the several persons in number equal to twice the number so to be elected, receiving at such preliminary election the highest number of votes for nomination for that office, shall be the sole candidates for that office and whose names shall be printed on the official ballot.

8.4 Districts

The territory of the city shall be divided into six districts for the purpose of electing district councillors.

Such districts shall be established so as to contain as nearly an equal number of inhabitants as is possible to achieve based on compact and contiguous territory, bounded insofar as possible by the center line of known streets or ways, the Merrimac River, or by other well-defined limits. Each district shall be divided into precincts as may be required by state statutes. The city council shall from time to time review such districts to assure their uniformity in number of inhabitants.

8.5 Application of State Laws

Except as expressly provided in the charter, all city elections shall be governed by the laws of the commonwealth relating to the right to vote, the registration of voters, the nomination of candidates to offices, the conduct of regular, preliminary and special elections, the submission of charter amendments and other propositions to the voters, the counting of votes and the declaration of results and the provisions for recounts of votes.

Section 9. FREE PETITION AND INITIATIVE REFERENDUM AND RECALL

9.1 Free Petition

(a) Individual Petitions, Action Discretionary - The city council and the school committee shall receive all petitions which are addressed to them, which are signed by one or more voters, and may, in their discretion take such action in regard to such petitions as they deem to be necessary and advisable.

(b) Group Petitions, Action Required - The city council or the school committee shall hold a public hearing and act with respect to every petition which is addressed to it and which is signed by one hundred and fifty voters, or more. The hearing shall be held by the city council or by the school committee, as the case may be. Hearings on two or more petitions filed under this section may be scheduled for the same time and place. The clerk of the council or the secretary of the school committee shall mail notice of the hearing to the ten petitioners whose names first appear on the said petitions at least seven days before the date of the hearing. The said clerk or secretary shall also cause to be published in a local newspaper a general summary of the subject matter of each such petition, the order in which they will be taken up, and a notice stating: (1) the times and places where copies of the full text of the citizen petitions are available for public inspection and (2) the time, not less than seven nor more than fourteen days following such publication, and (3) the place where a public hearing will be held on the petition, or petitions, by the city council or the school committee.

9.2 Citizen Initiative Measures

(a) Commencement of Proceedings - Initiative procedures shall be started by the filing of an initiative petition with the clerk of the council or the secretary of the school committee as the case may be. The petition shall be addressed to the city council or to the school committee, shall contain a request for the passage of a particular measure which shall be set forth in the petition, and shall be signed by at least twelve per cent of the total number of persons registered to vote at the preceding city election. Signatures to initiative petitions need not all be on one paper. All such papers pertaining to any one measure shall however be fastened together and shall be filed in the office of the registrars of voters as one instrument, with the endorsement thereon of the name and residence address of the person designated as filing the same. With each signature to the petition there shall appear the street and number, if any, of each signer.

Within five days following the filing of the petition the registrars of voters shall ascertain by what number of voters the petition is signed, and what percentage that number is of the total number of persons who were registered to vote at the

preceding regular city election and shall attach thereto their certificate showing the results of such examination.

The registrars of voters shall forthwith transmit the petition and their certificate to the city council or to the school committee according as the petition is addressed and at the same time they shall send a copy of their certificate to the person designated on the petition as having filed the same.

(b) Action on Petition - Within thirty days following the date a petition has been filed with the clerk of the council or the secretary of the school committee, which has been certified by the board of registrars of voters to contain more than five per cent of the names of voters as aforesaid, and after a public hearing has been held in accordance with the procedure established in sect. 3.8 (d) for ordinances and loan orders, the city council or the school committee shall act with respect to each initiative petition by passing it without change or by rejecting it, or by passing a measure which is stated to be in lieu of such initiative proposal. The passage of a measure which is in lieu of an initiative measure shall be deemed to be a rejection of the initiative measure. If the city council or the school committee fails to act with respect to any initiative measure which is presented to it within thirty days following the date it is filed with the clerk of the council or the secretary of the school committee, the measure shall be deemed to have been rejected on the thirtieth such day. If an initiative measure is rejected, the clerk of the council or the secretary of the school committee shall promptly give notice of that fact to the person designated as having filed the same and to the first ten names on each such petition by mail. Initiative measures shall not be subject to the procedure of Charter Objection provided in Section 3.8 (c).

(c) Supplemental Petitions - Within forty-five days following the date notice of rejection of an initiative petition has been given by the clerk of the council or the secretary of the school committee, a supplemental initiative petition addressed to the city council or the school committee may be filed in the office of the registrars of voters. The supplemental initiative petition shall be signed by a number of additional voters which is at least equal to twelve per cent of the total number of persons registered to vote at the preceding city election. If the number of signatures to a supplemental initiative petition is deemed to be sufficient by the registrars of voters, the city council shall call a special election to be held on a Tuesday fixed by it not less than thirty nor more than forty-five days following the date of the certificate of the registrars that a sufficient number of voters had signed the initiative petition, and shall submit the proposed measure, without alteration, to the voters for determination; provided however, that if any city election is to be held

within one hundred and twenty days following the date of the certificate, the city council may omit calling the special election and cause said question to be submitted to the voters at such approaching election.

(d) Publication - The full text of any initiative measure which is to be submitted to the voters shall be published, in full, in a local newspaper not less than seven nor more than fourteen days preceding the date of the election at which the question is to appear on the ballot.

(e) Form of Ballot - The ballots used when voting on a measure proposed by voters under this section shall contain a question in substantially the following form:

Shall the following measure which was proposed by an initiative petition take effect?

(Text of the measure, or a fair, concise summary prepared by the petitioners)

Yes / / No / /

(f) Time of Taking Effect - If a majority of the votes cast on the question, as stated above, is in the affirmative, the measure shall be deemed to be effective forthwith, unless a later date is specified in the measure.

9.3 Citizen Referendum Procedures

(a) Referendum Petition, Effect on Final Approval - If, within twenty-one days following the final approval on any measure by the city council or by the school committee, a petition signed a number of voters equal to twelve per cent of the total number of persons registered to vote at the preceding city election, and addressed to the city council or to the school committee as the case may be, protesting against such measure or any part thereof taking effect, is filed in the office of the registrars of voters, the same shall thereupon and thereby be suspended from taking effect. The city council or the school committee shall, forthwith, reconsider such measure or part thereof, and if such measure or part thereof is not rescinded, the city council shall submit the same, by the method herein provided to the voters either at a special election, which it may in its discretion call, or at the next regular city election and such measure or part thereof shall be null and void unless a majority of the voters voting on the same at such election vote in favor thereof.

(b) Certain Initiative Procedures to Apply - The Petition described in this section shall be termed a referendum petition and insofar as applicable Sections 9.2 (a), (e) and (f) shall apply to the procedure in respect thereto, except that the words "measure or part thereof protested against" shall for this purpose be understood to replace the word "measure" in said sections

wherever it may occur and the word "referendum" shall be understood to replace the word "initiative" where it may occur.

9.4 Initiative and Referendum: Ineligible Measures

None of the following measures shall be subject to initiative or referendum procedures: (1) proceedings relating to the internal organization or operation of the city council or the school committee, (2) an emergency measure adopted in conformity with the charter, (3) the city budget or the school committee budget as a whole, (4) revenue loan orders, (5) any appropriation for the payment of the city's debts and obligations, (6) appropriations of funds necessary to implement a written agreement executed under collective bargaining, (7) proceedings, or parts thereof, relating to the election, appointment, employment, suspension, transfer, demotion, removal or discharge of any officer or employee, (8) any proceedings repealing or rescinding a measure or part thereof, which is protested by referendum proceedings, and any proceeding providing for the submission or referral of a matter to the voters at an election...

9.5 Submission of Proposed Measures to Voters

The city council may, of its own motion, and shall, upon the request of the school committee if a measure originates with that committee and pertains to affairs under its administration, submit to the voters for adoption or rejection at a general or special city election any proposed measure, or a proposition for the repeal or amendment of any measure, in the same manner and with the same force and effect as are hereby provided for submission on petition.

9.6 Measures with Conflicting Provisions

If two or more measures passed at the same election contain conflicting provisions, only the one receiving the greater number of affirmative votes shall take effect.

9.7 Recall of Elected Officials

(a) Application - Any person who holds an elected city office, whose term exceeds two years with more than twelve months remaining of the term of office, may be recalled from the office, by the voters, in the manner provided in this section.

(b) Recall Petitions - One hundred or more voters may file with the city clerk an affidavit containing the name of the officer whose recall is sought and a statement of the grounds upon which the petition is based not less then twelve months prior to the expiration of the term of office. The names on the affidavit shall be from the city at large.

The city clerk shall deliver to the said voters petition blanks

demanding said recall, printed forms of which he shall keep available. The blanks may be completed by writing or typewriting; they shall be addressed to the city council; they shall contain the names of the persons who have filed the affidavit and the grounds for recall as stated in the affidavit; they shall demand the election of a successor to the office; and they shall be dated and signed by the city clerk. A copy of the petition shall be kept on file in the office of the city clerk in a record book maintained for that purpose. The recall petitions shall be returned and filed in the office of the city clerk within thirty days following the date the petitions were issued, signed by at least fifteen per cent of the total number of persons registered to vote at the preceding city election.

The city clerk shall, within twenty-four hours following such filing, submit said petitions to the registrars of voters who shall forthwith certify thereon the number of signatures which are names of voters.

(c) Recall Election - If the petition shall be certified by the registrars of voters to be sufficient, the city clerk shall forthwith submit the same to the city council. Upon its receipt of the certified petition, the city council shall forthwith give written notice of said petition and certificate to the person whose recall is sought. If said officer does not resign his office within five days following delivery of the said notice, the city council shall order an election to be held not less than thirty-five nor more than sixty days after the date of the registrars certificate of the sufficiency of the petition. If, however, another city election is to occur within sixty days after the date of the said certificate, the city council shall hold the recall election on the date of such other election. If a vacancy occurs in the office after a recall election has been ordered, the election shall nevertheless proceed as provided in this section and only the ballots for candidates need be counted.

(d) Nomination of Candidates - An officer whose recall is sought may not be candidate to succeed himself at the recall election. The nomination of candidates, the publication of the warrant for the recall election, and the conduct of the same shall all be in accordance with the provisions of other laws relating to elections, unless otherwise provided in this section.

(e) Propositions on Ballot - Ballots used at a recall election shall state the following propositions in the order indicated:

For the recall of (name of officer) / /

Against the recall of (name of officer) / /

Adjacent to each proposition, there shall be a place to vote for either of the said propositions. After the propositions shall appear the word "candidates" and the names of candidates arranged alphabetically, by surname. If a majority of the votes

cast upon the question of recall is in the affirmative, the candidate receiving the highest number of votes shall be declared elected. If a majority of the votes on the question is in the negative, the ballots for candidates need not be counted, except as provided in (c) above.

(f) Officeholder - The incumbent shall continue to perform the duties of his office until the recall election. If he is not recalled in the election he shall continue in office for the remainder of his unexpired term, subject to recall as before, except as provided in this section.

If the officer is recalled in the 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.

(g) Repeat of Recall Petition - No recall petition shall be filed against an officer within six months after he takes office, or in the case of an officer subjected to a recall election and not recalled thereby, until at least six months after the election at which his recall was submitted to the voters.

Section 10. GENERAL PROVISIONS

10.1 Charter Changes

(a) In General - This charter may be replaced, revised or amended in accordance with the procedures made available by article LXXXIX (eighty-nine) of the amendments to the state constitution and any legislation enacted to implement said amendment.

(b) Periodic Review - The city council standing committee on Ordinances and Intergovernmental Relations shall, in every year ending in a zero review the charter and submit a report with recommendations to the full council concerning any proposed amendments or revisions to the charter which it believes are necessary or desirable.

10.2 Severability

The provisions of the charter are severable. If any provision of the charter is held invalid, the other provisions of the charter shall not be affected thereby. If the application of the charter and its provisions to other persons and circumstances shall not be affected thereby.

10.3 Specific Provisions to Prevail

To the extent that any specific provision of the charter shall conflict with any provision expressed in general terms, the

specific provision shall prevail.

10.4 Rules and Regulations

A copy of all rules and regulations adopted by city agencies shall be placed on file in the office of the city clerk and made available for review by any person who requests such information. No rule or regulation adopted by any city agency shall be effective until ten days following the date is has been published, in full, in a local newspaper and placed on file in the office of the city clerk, or the later of the two.

10.5 Reenactment and Publication of Ordinances

The city council shall, at ten year intervals, cause to be prepared a proposed revision and recodification of all city ordinances which shall be submitted to the city council for reenactment. The city council shall adopt the proposed revision or recodification, with or without amendments, prior to the expiration of the calendar year in which it is submitted to them. Such revisions or recodifications shall be prepared under the direction of the city attorney, or if the city council so directs, by special counsel retained for that purpose. Copies of the revised or recodified ordinances shall be made available for distribution, provided however, that a charge not to exceed the actual cost per copy of reproduction may be charged.

In each year between such reenactments an annual supplement shall be published which shall contain all ordinances and amendments to ordinances adopted in the preceding year.

10.6 Uniform Procedures Governing Multiple-Member Bodies

(a) Meetings - All multiple-member bodies of the city, whether elected, appointed, or otherwise constituted, shall meet regularly at such times and places within the city as they may prescribe. Special meetings of any multiple-member body shall be held on the call of the respective chairman or by one-third of the members thereof by written notice delivered in hand or to the place of business or residence of each member at least forty-eight hours before the time set and which contains notice of the subjects which are to be acted upon, and no other business shall be in order. A copy of the said notice shall be posted on the city bulletin board. Special meetings of any multiple member body shall also be held within one week following the date of the filing of a petition signed by twenty-five or more voters with the city clerk and which states the purpose, or purposes, for which the meeting is to be called. Except as may otherwise be authorized by law, all meetings of all multiple-member bodies shall at all times be open to the public and to the press.

(b) Rules and Journal - Each multiple member body shall

determine its own rules and order of business, unless otherwise provided by law or by the charter, and shall provide for keeping a journal of its proceedings. These rules and journal shall be a public record, kept available in a place convenient to the public and a certified copy shall be kept available in the office of the city clerk.

(c) Voting - If requested by any member, any vote of a multiple member body shall be taken by a roll call and the vote shall be recorded in the journal, provided however, that if a vote is unanimous, only that fact need be recorded.

10.7 Notice of Vacancies

Whenever a vacancy occurs, or is about to occur, in any city office or city employment, except for positions covered under the civil service law, the appointing authority shall forthwith cause public notice of such vacancy, or impending vacancy, to be posted on the city bulletin board for a period not less than ten days. Any person who desires to be considered for appointment to the said office or employment may, within ten days following the date the notice is posted, file with the appointing authority, a statement setting forth in clear and specific terms his qualifications for the position. No permanent appointment to fill a city office or employment shall be effective until at least fourteen days have elapsed following such a posting, and until all persons who have filed statements shall have been considered.

10.8 City Residence Required

Every person who is appointed to a city office, or who is employed by the city in any capacity, hereinafter, not a resident of the city at the time of such appointment or employment shall within two years following such appointment or employment, establish such residence as principal domicile; or such appointment or employment shall be forfeited, provided, however, that employees subject to tenure under the jurisdiction of the school committee shall not be required to establish a principal domicile until one year after they have attained tenure except as otherwise provided by the General Laws.

10.9 Limitation on Office Holding

No person shall simultaneously hold more than one elective city office, or if an employee of the city, hold any elective city office.

Section 11. TRANSITIONAL PROVISIONS

11.1 Continuation of Existing Laws

All ordinances, rules, regulations and resolutions of the city

which are in force at the time the charter is adopted, not inconsistent with the charter, shall remain in effect and shall continue in force until amended, revised or repealed in the manner provided by law or the charter.

11.2 Continuation of Government

All city agencies shall continue to perform their duties until reappointed, re-elected, or until the successors to their respective duties are duly appointed, elected or their duties have been transferred and assumed by another city agency.

11.3 Continuation of Administrative Personnel

Any person holding a city office, or a position in the administrative service of the city, or any person holding full time employment of the city, shall retain such office or position, or employment and shall continue to perform his duties until provisions shall have been made for the performance of those duties by another person or agency, provided however, that no person in the permanent full time service of the city shall forfeit his pay grade, or time in service. All such persons shall be retained in a capacity as similar to their former capacity as is practicable and any reductions in the personnel needs of the city shall be accomplished through attrition, unless specific provision is otherwise made in this article.

11.4 Transfer of Records and Property

All records, property and equipment whatsoever, of any city agency or part thereof, the powers and duties of which are transferred or assigned to another city agency shall be transferred forthwith to the city agency to which such powers and duties are transferred and assigned.

11.5 Effect on Obligations, Taxes, etc.

All official bonds, recognizances, obligations, contracts, and other Instruments entered into or executed by or to the city before the adoption of the charter, and all taxes, assessments, fines, penalties, forfeitures, incurred or imposed, due or owing to the city, shall be enforced and collected, and all writs, prosecutions, actions and causes of action, except as herein otherwise provided, shall continue without statement and remain unaffected by the charter; and no legal act done by or in favor of the city shall be rendered invalid by the adoption of the charter.

11.6 Disposition of Special Laws

(a) Certain Acts Repealed - The following special laws which established and amended the existing charter of the city

of Lawrence are hereby repealed:

Chapter 621	Acts of 1911
Chapter 363	Acts of 1914
Chapter 82	Acts of 1918
Chapter 138	Acts of 1945
Chapter 158	Acts of 1947
Chapter 72	Acts of 1948
Chapter 335	Acts of 1953
Chapter 170	Acts of 1954
Chapter 98	Acts of 1955
Chapter 82	Acts of 1956
Chapter 103	Acts of 1960
Chapter 431	Acts of 1971

(b) Certain Acts Specifically Recognized - The following special laws relating to the status under the state civil service law of certain officers and employees of the city are specifically recognized and retained:

Chapter 312	Acts of 1917
Chapter 244	Acts of 1950
Chapter 40	Acts of 1959
Chapter 134	Acts of 1964
Chapter 163	Acts of 1965
Chapter 351	Acts of 1967

(c) Certain Acts Recognized as Obsolete - The following special laws, which were enacted for special purposes and were limited in time by their own terms, are hereby recognized as being obsolete and no longer relevant to any portion of the existing charter of the city of Lawrence:

Chapter 130	Acts of 1918
Chapter 59	Acts of 1919
Chapter 338	Acts of 1920
Chapter 43	Acts of 1921
Chapter 274	Acts of 1934
Chapter 212	Acts of 1935
Chapter 373	Acts of 1936
Chapter 206	Acts of 1943
Chapter 283	Acts of 1943
Chapter 286	Acts of 1945
Chapter 380	Acts of 1945
Chapter 636	Acts of 1945
Chapter 72	Acts of 1946
Chapter 569	Acts of 1946 and

Chapter 117, Acts of 1954 but specifically recognizing and retaining the reversionary interest included therein

Chapter 325	Acts of 1948
Chapter 609	Acts of 1948
Chapter 44	Acts of 1949
Chapter 437	Acts of 1950
Chapter 644	Acts of 1950
Chapter 661	Acts of 1950
Chapter 689	Acts of 1950
Chapter 378	Acts of 1951
Chapter 711	Acts of 1951
Chapter 58	Acts of 1952
Chapter 231	Acts of 1952
Chapter 306	Acts of 1952
Chapter 374	Acts of 1952
Chapter 466	Acts of 1955
Chapter 64	Acts of 1956
Chapter 574	Acts of 1957
Chapter 603	Acts of 1957
Chapter 259	Acts of 1958
Chapter 260	Acts of 1958
Chapter 671	Acts of 1964
Chapter 693	Acts of 1965
Chapter 487	Acts of 1966
Chapter 297	Acts of 1969
Chapter 509	Acts of 1969
Chapter 649	Acts of 1971
Chapter 868	Acts of 1971
Chapter 981	Acts of 1971
Chapter 102	Acts of 1973
Chapter 103	Acts of 1973
Chapter 1080	Acts of 1973
Chapter 45	Acts of 1975
Chapter 594	Acts of 1975

(d) Certain Obsolete Borrowing Acts - The following special laws which authorized the city to borrow certain sums of money, for certain purposes, within specific time periods, are hereby recognized as no longer relevant to the city:

Chapter 56	Acts of 1912
Chapter 749	Acts of 1914
Chapter 231	Acts of 1915
Chapter 323	Acts of 1916
Chapter 187	Acts of 1917

Chapter 191	Acts of 1917
Chapter 457	Acts of 1921
Chapter 159	Acts of 1923
Chapter 175	Acts of 1923
Chapter 25	Acts of 1925
Chapter 127	Acts of 1931
Chapter 191	Acts of 1932

(e) Certain Acts Repealed in Part, Retained in Part - The following special laws, which were enacted for the purpose of authorizing the city to exercise certain powers or functions which, prior to the adoption of articles 89 of the amendments to the state constitution may not have otherwise been available to the city, are hereby recognized, provided that so much of such acts as are inconsistent with the powers available to cities under the said article 89 or inconsistent with the way in which powers are to be exercised under the charter are repealed, but, insofar as any provision of such acts may grant a power to the city which would not otherwise be available to it, so much of such acts are specifically retained:

Chapter 212	Acts of 1912
Chapter 362	Acts of 1917
Chapter 181	Acts of 1919
Chapter 110	Acts of 1926
Chapter 334	Acts of 1926
Chapter 33	Acts of 1936
Chapter 68	Acts of 1948
Chapter 101	Acts of 1949
Chapter 293	Acts of 1952
Chapter 233	Acts of 1954
Chapter 117	Acts of 1954
Chapter 236	Acts of 1971
Chapter 617	Acts of 1973
Chapter 923	Acts of 1973
Chapter 583	Acts of 1974
Chapter 389	Acts of 1975

(f) Certain Acts Relating to Parking Authority Retained - The following special laws relating to the establishment and financing authority of a parking authority for the city of Lawrence are hereby recognized and retained:

Chapter 34	Acts of 1955
Chapter 177	Acts of 1956
Chapter 482	Acts of 1958
Chapter 576	Acts of 1963

Chapter 823	Acts of 1963
Chapter 518	Acts of 1968
Chapter 699	Acts of 1969

(g) Certain Acts Passed Since 1977:

Chapter 703	Acts of 1977
Chapter 746	Acts of 1977
Chapter 760	Acts of 1978
Chapter 239	Acts of 1978
Chapter 334	Acts of 1979
Chapter 353	Acts of 1979
Chapter 652	Acts of 1979
Chapter 340	Acts of 1980
Chapter 356	Acts of 1980
Chapter 457	Acts of 1981

11.7 Time of Taking Effect

This charter shall become fully effective on the first secular day in January of 1986 except to the extent that another provision is made in the following schedule:

(a) Temporary Districts - For the purpose of electing the first city council and school committee the following districts are hereby established:

District A - District A shall consist of the following precincts, as they presently exist for the purpose of electing certain state officers: Ward 1, Precincts 1, 2, 3, 4, 5 and 6.

District B - District B shall consist of the following precincts, as they presently exist for the purpose of electing certain state officers: Ward 2, Precincts 1, 2, 3, 4, and 5; Ward 3, Precincts 1, 2, 3, and 4.

District C - District C shall consist of the following precincts, as they presently exist for the purpose of electing certain state officers: Ward 4, Precincts 1, 2, 3, and 4; Ward 5, Precincts 1 and 6.

District D - District D shall consist of the following precincts, as they presently exist for the purpose of electing certain state officers: Ward 5, Precincts 2, 3, 4, 5, 7, and 8.

District E - District E shall consist of the following precincts, as they presently exist for the purpose of electing certain state officers: Ward 6, Precincts 7, 8, 9, and 10.

District F - District F shall consist of the following precincts, as they presently exist for the purpose of electing certain state officers: Ward 6, Precincts 1, 2, 3, 4, 5, and 6.

The above districts may, from time to time, be changed by the city council in accordance with the authority contained in section 8.6 and by general law.

(b) A city election for the purpose of electing a Mayor, a City Council and a School Committee shall be held on the first Tuesday following the first Monday in November of the year 1985.

(i) The term of the first Mayor elected under this Charter at said election shall be from 10 o'clock in the morning on the first secular day in January in the year 1986 until 10 o'clock in the morning on the first secular day in January of 1990.

(ii) The terms of the first City Council elected under this Charter at said election shall be from 7 o'clock in the evening on the first secular day of January in the year 1986 until 7 o'clock in the evening on the first secular day in January of 1988.

(iii) For the purposes of providing an election of three members of the School Committee at each biennial municipal election, three members of the first School Committee elected under this Charter at said election shall serve a term of office from 7:00 o'clock in the evening on the first secular day of January 1986 until 7:00 o'clock in the evening of the first secular day in January 1988. Three members of the first School Committee elected under this Charter at said election shall serve a term of office from 7:00 o'clock in the evening on the first secular day of January 1986 until 7:00 o'clock in the evening of the first secular day in January 1990.

(c) A preliminary election, for the purpose of nominating candidates, shall be held on the fourth Tuesday preceding the November 1985 City election. These elections shall be held in accordance with the provisions of the Charter.

(d) Until such time as another provision is made for the salary to be paid to the mayor in accordance with the charter, the initial salary to be paid to the mayor shall be forty thousand dollars ($40,000) per year.

(e) Until such time as another provision is made for the salary to be paid to the members of the city council in accordance with the charter, the initial salary to be paid to each members of the city council shall be five thousand two hundred dollars ($5,200) per year. The President of the City Council, however, shall be paid a salary of six thousand ($6,000) per year.

(f) Forthwith following their qualification and organization in January of the year 1986, the City Council shall provide for a review of the city ordinances to be undertaken for the purpose of bringing them into conformity with the provisions of the charter. Such review shall be under the direction of the City Attorney, or if the City Council so directs, by special counsel retained for that purpose. A report, with recommendations, shall be submitted to the City Council for enactment within

twelve months following the date of the city council has so organized.

(g) Notwithstanding the provisions of section 10.4, all rules and regulations which are in force on the date the charter becomes fully effective shall remain in effect and be valid, provided copies of such rules and regulations are placed on file in the office of the city clerk within thirty days following the date the charter becomes fully effective.

(h) The provisions of Section 10.8 shall not apply to any person who is in the employ of the city on the date the Charter is adopted by the voters.

Section 2. The following shall be the administrative code for the city of Lawrence.

ADMINISTRATIVE CODE

Section 1 Management Audits
Section 2 Code of Ethics
Section 3 Department of Public Works
Section 4 Personnel Department
Section 5 Department of Budget and Finance

Section 1 Management Audits

(a) Required: A complete management audit of each city department shall be made at least once every eight years in order to accomplish the following:

i) To identify any areas which hinder or prevent the city department from performing its assigned responsibilities, goals, or objectives and to offer suggestions for the removal of such obstacles and suggest ways in which the responsibilities, goals or objectives might be met.

ii) To evaluate the adequacy of management practices being utilized in the department with respect to fiscal controls and use of available personnel and equipment.

iii) To suggest specific ways and means by which the function and services of the department might be improved.

(b) Elements to be considered: Each such management audit shall include, but need not be limited to, a consideration of the following:

i) Organization, staffing and manpower
ii) Adequacy of financial controls
iii) Facilities and equipment
iv) Goal setting, long range and short range
v) Procurement practices

vi) Overtime policies

vii) Cost comparisons with other municipalities and comparable private enterprise activities.

(c) Organization of Reports: Each such management audit shall consist of the following parts:

i) Introduction - A brief explanation of methods used.

ii) Scope - A statement of the extent of the examination made.

iii) Major contracts - A list of the names of all persons interviewed in the conduct of the audit and outline of the procedures used.

iv) Findings - Details of the practices found during the audit which in the opinion of the audit team, require modification or other changes in order to strengthen the department and its performance.

v) Recommendation - Specific suggestions for action either by the department through changes in its own internal policies or requiring action by the City Council, based upon specific findings made.

(d) Administration: The City Council shall be responsible for the conduct of all management audits under this section. It shall award all contracts for such audits and shall, through its Standing Committee on Personnel and Administration oversee the conduct of all such audits and the implementation of recommendations made therein.

Section 2 Code of Ethics

1. While municipal officers and officials and employees should not be denied those opportunities available to all other citizens to acquire and retain private economic and other interests, municipal officers, officials and employees should exercise prudence in any and all such endeavors and make every reasonable effort to avoid transactions, activities, or obligations which are in conflict with or will impair their independence or judgment.

2. No municipal officer, official, or employee shall solicit or accept any compensation or political contribution other than that provided for by law for the performance of official municipal duties.

3. No municipal officer, official, or employee shall receive any compensation or permit any compensation to accrue to his or her beneficial interest by virtue of influence improperly exerted from his or her official position with the city.

4. No municipal officer, official, or employee shall accept employment or engage in any business or professional activity which will require the disclosure of confidential information

gained in the course of, and by reason of, his or her official position.

5. No municipal officer, official, or employee shall willfully and knowingly disclose or use confidential information gained in the course of his or her official position to further his or her own economic interest or that of any other persons.

6. No municipal officer, official or employee shall knowingly accept any gifts with an aggregate value of $100.00 or more in a calendar year from any person, organization, or enterprise having a direct interest in matters before any agency, authority, board, or commission in the city. (For the purpose of this Paragraph ("gift" and "person" as defined in MGL Chapter 268B Sect. 1 (g) and 1 (m).)

Section 3 Department of Public Works: There shall be a department of public works, which shall be responsible for all public works related functions and activities of the city, including, but not limited to, refuse collection and disposal; water supply, treatment and distribution, sewerage collection, treatment and disposal; streets, roads, other public ways and sidewalks; maintenance of all municipal buildings and grounds, excepting ordinary custodial services in building under the jurisdiction of the school committee: engineering services; and such other public works related activities as may from time to time be assigned to a department of public works by a vote of the City Council.

The Department of Public Works shall be headed by a Director of Public Works who shall be appointed by the mayor according to the provisions of the city charter. The Director of Public Works shall be a person especially fitted by education, training and experience to perform the duties of the office. Desirable qualification to be considered in making such appointment although not mandatory, shall include: graduate of a recognized college or university with a degree in civil engineering, certification as a registered professional engineer, experience in a variety of public works construction and maintenance programs, considerable knowledge of the principles and practices of public works, demonstrated ability as an administrator, demonstrated ability in the planning, assignment and supervision of personnel and demonstrated ability to manage a public works budget.

The consolidation of the functions now being performed under the direction of the several departments of the city under the direction of the Director of Public Works shall be accomplished within one year following the date of the appointment of the first Director of Public Works. The Director of Public Works shall issue, and may from time to time amend and perfect, a table of organization and operation for the department of public works to implement the provisions of this section.

ESTABLISHMENT OF A PERSONNEL DEPARTMENT

Section 1

1.1 PURPOSE: It is the purpose of this section to establish a system of personnel administration, for the City of Lawrence, that is consistent with the following merit principles:

1. Recruitment from all segments of society, and selection and advancement on the basis of ability, knowledge and skills, under fair and open competition.
2. Compensation on an equitable basis.
3. Training and development as needed to assure high quality performance by all employees.
4. Retention of employees on the basis of their performance. A reasonable effort shall be made to assist employees in correcting inadequate performance; and if following such effort inadequate performance cannot be corrected, separation shall occur.
5. Fair treatment of applicants and employees in all aspects of personnel management without regard to race, color, religion, sex, national origin, political affiliation, age, handicapped condition or other non-merit factors, and with proper regard for their privacy and constitutional rights.
6. Protection of employees from arbitrary action of political coercion.

The words and phrases appearing in this section shall be construed in conformity with meanings established by Chapter 4, Chapter 31, and Chapter 152 of the General Laws.

To the extent that any apparent conflict exists, it shall be determined in favor of State statute or provisions of the Massachusetts Division of Personnel Administration.

Section 2

2.1 APPLICATION OF PROVISION: All City departments and all positions in the City service and positions under their respective supervision and control, shall be subject to the provisions of this SECTION with the following exceptions.

The provisions of this section shall not apply to professional positions in the School Department, popularly elected officials or members of boards and commissions who are not employees of the City. Civil Service positions in the School Department shall be subject to all provisions of this document.

Section 3

3.1 ESTABLISHMENT OF DEPARTMENT: There is hereby established a Personnel Department, which shall administer the provisions of this section. The Department shall consist of a Director of Personnel appointed by the Mayor and subject to the

confirmation of the City Council, who shall be the chief administrative officer of the Department, and such subordinate clerical and technical personnel as the Mayor and City Council may employ for the purpose of this measure. The Personnel Department shall be located within the Department of Finance and Public Affairs. Organizationally the Director of Personnel shall report directly to the Mayor.

The Mayor shall furnish the Department with such office space as it may require for the performance of its duties and the storage of its property and an adequate place for the holding of public hearings and other meetings.

The Department shall keep a record of official proceedings and actions, establish its own rules of procedure and may, subject to appropriations, make such expenditures as may be necessary to the performance of its duties.

3.2 QUALIFICATIONS OF THE PERSONNEL DIRECTOR: The Personnel Director shall be qualified for this appointment by reason of previous education, training and significant personnel experience. The Personnel Director shall have demonstrated ability in personnel administration, recruitment, personnel assessment, position classification, compensation and training.

The classification of the position of Personnel Director shall be determined by a job analysis conducted by an outside consultant. The Personnel Director shall receive such salary as is determined by the compensation plan. (Section 9). All other salaries in the department shall be based on contract, Ordinance, and/or classification.

Section 4

4.1 ADMINISTRATIVE AUTHORITY OF PERSONNEL DEPARTMENT: The Personnel Department is hereby authorized to administer the provisions set forth. The Personnel Department may, from time to time, issue, amend or revoke rules and regulations for the purpose of giving effect to the provisions of said sections, and any other Ordinances and votes of the City pertaining to Personnel administration which said Department may be responsible for administering and/or enforcing.

Except as otherwise provided by law, the Personnel Department shall have access to all facts, figures, records and other information relating to the personnel of City departments.

The same shall be furnished by any such departments whenever so requested to the Personnel Department, in such form as the Department may require.

It shall be the responsibility of the Personnel Department to:

1. Study, develop, establish and coordinate uniform personnel practices and procedures for City departments.

Provide advice and assistance to individual employees on all personnel matters.

2. Develop and administer a recruitment and placement program designed to fill vacant positions in the City with the best qualified persons. (Section 6).

3. Approve the issuance of any pay, salary or remuneration after insuring that the appointment or promotion of any City employee was in accordance with the personnel standards hereby established and any regulations adopted in conformance with the provisions of this section. Disapprove any pay, salary, or remunerations if the action was not in accordance with this or personnel standards.

4. Provide advice and assistance to the Mayor, department heads, supervisors and elected and appointed officials on all personnel matters, including position classifications, pay administration, recruitment and placement, employee relations, performance evaluation, disciplinary action, employee grievances, employee training.

5. Develop a position classification system, which shall include the assignment and utilization of personnel in all departments. Make recommendations to such departments for changes which may be necessary to effect the proper classification and assignment of personnel in such duties which will permit the City to receive maximum benefits from the skills and capabilities of such personnel. (Section 8).

6. Administer the position classification program providing for the classification of all positions, other than those filled by popular elections into groups and classes doing substantially similar work or having substantially equal responsibilities so as to insure the payment of equal compensation for equal work as set forth in Section 9.

7. Provide advice and assistance to supervisory personnel of all levels in planning, developing and conducting training programs.

8. Standardize forms and records to be used in the City's personnel administration program other than those forms and records whose format is regulated by statute or by State agency or agencies authorized oversight by law over specific elements of personnel management.

9. Provide guidance to appointing authorities on Civil Service Law, furnish information regarding Civil Service examinations, render assistance to all departments in Civil Service matters, perform liaison duties between City departments and the Division of Personnel Administration of the Commonwealth.

10. Assist and participate in the negotiation, implementation, and administration of the City's collective bargaining agreements. Provide advice and interpretation to department heads

on negotiated agreements.

11. Recommend to the Mayor and City Council the enactment of such Ordinances as are considered necessary to implement and administer the City's personnel administration program.

12. Maintain individual personnel records of all City employees. Said record shall contain all the vital statistics and other pertinent data for each and every person employed by the City. It shall be the duty of each City Officer and employee to furnish to the Personnel Director such records and reports as the Personnel Director may require.

13. Study, develop, establish and coordinate a safety program for the City as required by State and Federal Laws.

14. In conjunction with the City's Equal Employment Affirmative Action office coordinate an Affirmative Action and Equal Employment Program for the City.

Section 5

5.1 TIME AND ATTENDANCE REPORTS: The Personnel Director shall devise, implement and amend as necessary a uniform system of time and and attendance reports, subject to City Council approval, for all employees subject to (Section 2). The reports shall include the hours worked and hours absent from duty, for each employee, on no less than once a week basis. Daily attendance for the employee shall be accounted for, with all absences specified as to category of leave usage. Time and attendance reports shall be reviewed and signed by the appropriate department manager and retained in a place and for a length of time specified by the Personnel Director. The system of time and attendance reports shall be implemented within six months of the effective date of this ORDINANCE.

Section 6

6.1 RECRUITMENT, SELECTION AND APPOINTMENT OF EMPLOYEES: To assure a high quality of service to the public, selection shall be from among the most competent individuals available. Recruitment efforts and publicity shall be directed to all appropriate sources of applicants in a geographical area as wide as necessary to attract an adequate number of candidates and to assure open opportunity for the public to apply and be considered for employment on the basis of abilities and potential. Selection and appointment to all positions shall be based solely upon job-related requirements and the applicant's demonstration that he or she possesses the skills, knowledge, abilities and other characteristics necessary for successful job performance. Permanent employees who are laid off shall be given first consideration for subsequent vacancies in the class from which laid off for a period of one year.

The Personnel Director shall insure that Civil Service Law and the procedures established by the Division of Personnel Administration of the Commonwealth are followed in recruiting, selecting and appointing individuals to designated civil service positions in city service. All other positions subject to this (Section 2) shall be filled in accordance with this section.

6.2 RECRUITMENT PROCEDURES:

A. DEFINING THE JOB: When a vacancy occurs, the appointing authority where the job exists shall review the functions, duties, responsibilities, and minimum qualifications of the position to ascertain whether the job description is still accurate or the job is to be redefined. Any subsequent changes in the description or special qualification requirements for that position shall be reported to the Personnel Director in accordance with the procedures provided in Section 8. The Personnel Director shall determine the minimum qualification requirements necessary for successful performance of the job. These qualification requirements shall be those described in the job description for the appropriate class being filled.

B. ADVERTISING THE VACANCY: The Personnel Director shall be responsible for advising the public of the vacancy:

1. The Personnel Director shall publicize the vacancy in such manner as to assure that all interested and qualified individuals, including current employees, are informed of the position title, duties, responsibilities, and salary range; minimum and special qualifications for the job; the time, place and manner of making application; and any other information which may be useful to applicants.

2. The methods of advertising vacancies will vary depending upon the nature and requirements of the position being filled. The following methods are typical of those which may be used for recruitment, posing notices on public bulletin boards, advertising in professional journals and newspapers with local and state-wide circulation, and listing the the job with the State Employment Service. Additionally, recruitment efforts shall be directed to all segments of the community, including veterans and disadvantaged and minority individuals.

3. To allow sufficient time for candidates to apply for the position, recruitment efforts shall be conducted for at least 10 days.

6.3 APPLICATION FOR EMPLOYMENT: All candidates applying for employment must secure and file an official application form at the Personnel Office, prior to the close of business on the date specified in the vacancy announcement or advertisement. Each applicant shall sign the form certifying the truth of

all statements by his/her signature. Deliberate false or misleading statements and deception in attempting to secure employment shall be grounds for rejecting an applicant.

6.4 SELECTION PROCEDURES

A. DETERMINING EXAMINATION DEVICES: The Personnel Director shall determine which examining device or combination of devices will be used to evaluate the relative fitness of each candidate for the position.

1. The devices selected shall relate to the duties and responsibilities of the position for which candidates are being examined, and shall fairly appraise and determine the merit, fitness, ability and qualifications of competitors to perform the duties of the position.

2. A variety of devices may be employed, including but not limited to, assessment of training, education and work experience; written oral and performance tests; physical exams and reference checks. Each device utilized shall be administered and scored on a standardized basis to insure equity.

3. An examining plan shall be prepared describing the specific skills, knowledge or abilities to be measured by each examining procedure selected; the weighting of each part of the examination process; and the method to be used in evaluating each candidate against the others. This plan shall be retained for use in documenting the job-relatedness of the examining device.

B. THE EXAMINATION PROCESS: The examination process shall result in a ranking of candidates in order of their relative ability to perform the job.

1. The Personnel office shall review the applications of all candidates who have applied for the position to determine whether each candidate meets the minimum requirements established for the position. A candidate who does not meet these requirements shall be notified in writing of the reasons and may request a review of this decision within 5 working days of the notice date.

2. Qualified candidates shall be examined in accordance with the examining plan established for the position.

3. Scores or ratings obtained on the various selection devices used shall be combined based on the weights assigned to them in the examining plan to derive a final rating of each candidate.

C. CERTIFICATION PROCESS: Based on the final rankings, the Personnel Director shall certify the names of the top 5 candidates. All other candidates with the same score as the fifth candidate will also be certified.

D. INTERVIEW AND SELECTION: The appointing authority or designee shall interview all applicants certified who indi-

cate an interest in the position. The appointing authority shall document the reasons for selection and nonselection.

E. NOTIFICATION TO APPLICANTS: All candidates shall be informed in a timely manner of their selection or nonselection for the position, their final earned ranking for the position and their right of appeal if discrimination is alleged.

F. DOCUMENTING THE SELECTION PROCESS: A record of the recruiting, examining and appointing procedures used shall be retained after the vacancy is filled. This record shall include; the job description; vacancy announcement; examining plan; a listing of the sources and methods of recruitment; the applications of all those who applied or their names and addresses; each candidate's score on each aspect of the examining plan; the final earned rating; and the selecting official's reasons for selection and nonselection of candidates.

6.5 APPOINTMENT

A. METHOD OF APPOINTMENT: Vacancies shall be filled by original appointment, emergency appointment, temporary appointment, promotion, demotion or transfer. (See Section 12 for definition).

B. PART-TIME POSITION: Employees appointed in part-time positions may receive either permanent or temporary appointments. The salary shall be set on a pro rata basis within the pay range of the classification level of the position. Benefits such as sick and vacation leave shall be earned on a pro rata basis.

Section 7

7.1 MEDICAL EXAMINATIONS OF JOB APPLICANTS: All appointees prior to final approval for permanent and temporary jobs, shall undergo a medical examination to determine physical fitness to perform the duties of the particular position according to regulations established by the Personnel Department.

Section 8

8.1 CLASSIFICATION PLAN: The Personnel Director shall be responsible for the preparation, maintenance and revision of a position classification plan for all positions in the city service covered by this ORDINANCE, (Section 2) based upon similarity of duties performed and responsibilities assumed so that the same qualifications may reasonably be required for, and the same schedule of pay may be equitably applied to, all positions in the same class.

A. PREPARATION AND ADOPTION OF PLAN: After consultation with appointing authorities, the Personnel Director shall prepare and recommend to the Mayor a position classification

plan which shall set forth, for each class of positions, the official class title, a statement of duties, authority and responsibilities included in the class, the qualifications that are necessary or desirable for the satisfactory performance of duties of the class and the normal or usual line of promotion. The Mayor shall recommend the plan, with any modifications, to the City Council for adoption.

B. ALLOCATION OF POSITIONS: As soon as practicable after the adoption of classification plan, and after consultation with appointing authorities, the Personnel Director shall allocate each position in the city service covered by this ORDINANCE to the appropriate class on the basis of its relative duties, authority and responsibilities.

C. ADMINISTRATION OF THE PLAN: Revisions to class specifications reallocations within the approved classifications plan and amendments to the plan will be made in the following manner:

1. NEW POSITIONS: The Personnel Director shall study the duties and responsibilities of each new position as it is created and on the basis of this study allocate the position to an appropriate class.

2. REPORTING CHANGES: Each appointing authority shall report to the Personnel Director any changes in the organization of the department or in the assignment of duties and responsibilities to a particular employee which might result in changes in the classification plan or in any of the positions in that department.

3. RECLASSIFICATIONS: Positions, the duties of which have changed materially so as to necessitate reclassification shall be allocated by the Personnel Director to a more appropriate class, whether new or already created. Reclassifications shall not be used for the purpose of avoiding requirements concerning promotions or demotions.

4. AMENDMENTS: The classification plan may be amended as conditions require and in the same manner provided for in the initial adoption of said plan.

D. EFFECT OF ABOLITION OF POSITION: A position may be abolished or the number of personnel reduced for reasons of economy or of reorganization. Every effort shall be made by the City to reassign the affected employee to another open position for which the employee may be qualified. If no such position is available immediately, the name of the affected employee shall be kept on a special reemployment list and said employee shall given first preference in any position for which he or she is qualified.

Section 9

9.1 COMPENSATION PLAN

A. ESTABLISHMENT: The official compensation plan of the City shall consist of a schedule of pay grades, including minimum, maximum, and intermediate step rates for each grade. Each class of positions shall be assigned to a specific pay grade by the Personnel Director subject to any collective bargaining agreements negotiated pursuant to Chapter 150E of the General Laws. Any amendments to the official compensation plan shall be accomplished in the same manner.

B. INCREASES IN PAY: Except where provided otherwise in collective bargaining agreements, adjustments in the compensation plan or procedures for granting of merit increases will be submitted for approval to the City Council by the Mayor based upon the recommendations of the Personnel Director.

Section 10

10.1 COMMITTEE ON COLLECTIVE BARGAINING: There is hereby established a Committee on Collective Bargaining consisting of the Personnel Director, the head of the department whose employees are negotiating a union contract and a third individual appointed by the Mayor.

In case a union represents the employees of two or more departments, the Mayor shall designate an appropriate department head to be a member of the Collective Bargaining Committee when negotiating with such union. It shall be the duty of the Committee to handle the collective bargaining for the City and to rule on interpretation of existing contracts in all negotiations except those dealing with the School department.

The Committee may, subject to appropriation, hire any additional professional and/or technical aid it may deem necessary in performing its duties.

Section 11

11.1 COMMITTEE ON EDUCATIONAL ASSISTANCE: There is hereby established in the Personnel Department a Committee on Educational Assistance consisting of the Personnel Director, or a designated member of the Personnel Department and a member appointed by the Mayor for a term of three years or until his successor shall have been appointed. Such member shall be a person affiliated with an educational institution in the area and shall serve without remuneration.

It shall be the function of the Committee on Educational Assistance to review the recommendations of any department head for educational assistance for an employee of his or her department. The committee shall consider requests for payment by the City for registration, tuition, books, materials and laboratory fees

required by a school, seminar or short course and to certify in writing to the proper authorities approval or disapproval of such requests.

Section 12

12.1 DEFINITIONS:

ALLOCATION - The assignment of an individual position to an appropriate class on the basis of kind of work, duties and the responsibilities of the position.

APPOINTING AUTHORITY - Any person, board, committee or commission with the authority to appoint or employ persons in approved positions in City Service.

APPOINTMENT - The placement of a person in a position.

CERTIFICATION - The act of supplying an appointing authority with the names of applicants deemed eligible for appointment to a vacant position.

CLASS - A position or group of positions which are sufficiently similar with respect to duties, responsibilities, and authority that they may properly be designated by the same title, and equitably compensated from the same pay range under substantially the same employment conditions.

CLASS SPECIFICATIONS - The written description of a class, including the title, a statement of the nature of the work, examples of duties and responsibilities, and the minimum qualification requirements that are necessary for the satisfactory performance of the duties of the class.

CLASS TITLE - The title assigned to any particular class and used for reference to that class.

COMPENSATION - The salary or wages earned by any employee by reason of service in the position, but does not include allowances for expenses authorized and incurred as incidents to employment.

COMPENSATION PLAN - See Pay plan

DEMOTION - The movement of an employee from a position in one class to a position in another class with a lower maximum pay rate.

DEPARTMENT - Department shall be taken to mean any department, board, committee, commission or other agency of City government in which persons are employed.

DISCHARGE OR DISMISSAL - The permanent, involuntary termination of a person from City service.

DISCIPLINARY ACTION - An oral warning, written reprimand, suspension, demotion, or dismissal taken for cause by the appropriate authority.

EFFECTIVE DATE - The first work day of a pay period following the eligibility date for a change in pay to be implemented.

ELIGIBLE - A person who has met the minimum requirements

established for a position and whose name has been placed on an eligible list.

ELIGIBLE LIST - A list of persons who have met the requirements for a given class of positions in the City service and who are eligible for appointment.

EMERGENCY APPOINTMENT - A noncompetitive appointment made temporarily during an emergency for a period of up to 30 workdays to prevent stoppage of public business or hazard or serious inconvenience to the public when appointment from an eligible list is not possible.

EMPLOYEE - A person occupying an appointive position, or an appointive person who is on authorized leave of absence who are not exempt officials.

EMPLOYMENT DATE - The date on which an employee commences performance of duties and is placed on the payroll.

EXAMINATION - All of the test of fitness taken together that are applied to determine the fitness of applicants for positions of any class.

GRIEVANCE - A misunderstanding or disagreement between an employee and a supervisor that relates to working conditions and relationships, or to policies, rules, and regulations.

INCUMBENT - The current occupant of a position.

LAYOFF - The separation of an employee because of lack of work or funds or other reasons not related to fault, deliquency, or misconduct on the part of the employee.

LEAVE - An authorized absence from regularly scheduled work hours which has been approved by proper authority.

ORIGINAL APPOINTMENT - The competitive appointment of a person from outside City employment to a continuing position in City government.

OVERTIME - Time an employee is directed and authorized to work in excess of the normal work week.

PAY PLAN - A schedule of compensation for all classes in the classification plan, including any successive pay rate steps established for each class. All positions allocated to one class will be paid according to the salary range established for that class.

PERMANENT EMPLOYEE - An employee who has satisfactorily completed an individual probationary period, and who is in an approved position in City service.

PERSONNEL ACTION - Any and all activities affecting any aspect of an employee's status which includes appointments and changes in appointments, original hiring, reemployment, transfer, promotion, demotion, changes in hours, reallocation, resignation, suspension, discharge, placement on leave, step increases, etc.

POSITION - A group of current duties and responsibilities assigned or delegated by appropriate authority to one person.

PROVISIONAL APPOINTMENT - A noncompetitive appointment authorized by the appropriate official for a period not to exceed 12 months when, due to unforeseen circumstances, no appropriate eligible list is available. The person appointed provisionally must meet the minimum qualifications set forth in the class specifications.

REALLOCATION OR RECLASSIFICATION - The assignment of a position to a class different from the one to which it was previously assigned.

TEMPORARY APPOINTMENT - The appointment of an employee from an eligible list for a period not to exceed 12 months.

TEMPORARY EMPLOYEE - An employee appointed from an eligible list for a period not to exceed 12 months.

TEMPORARY POSITION - Specific position which is time-limited, not to exceed 6 months, and which is filled by the competitive appointment of a person outside the jurisdiction or the temporary transfer of an employee.

TRANSFER - The movement of an employee from one position to another position of the same class or of another class having the same maximum pay rate involving the performance of similar duties and requiring essentially the same basic qualifications.

Section 5 Department of Budget and Finance

There shall be a department of budget and finance which shall be responsible for the overall budgetary and financial administration of the city. The department of budget and finance shall include the following subdepartments: Treasury/Tax Collection, Auditing, Purchasing, and Assessing.

The department of budget and finance shall be headed by a director who shall be appointed by the mayor according to the provisions of the city charter. He shall be professionally qualified as a financial administrator by virtue of education, training, and previous experience.

The director of budget and finance shall assist the mayor in preparation of an annual operating budget for all city agencies, and shall, in cooperation with the city comptroller, administer the operating budget throughout the year. He shall assist the mayor and the heads of all city agencies in the development of a capital outlay program and the preparation of a capital improvement budget. The director of budget and finance shall be responsible for the development and administration of a comprehensive management information system.

Section 3. This act shall be submitted for acceptance to the voters of the city of Lawrence at the next annual city election in the form of the following question:-

"Shall an act passed by the General Court in the year nineteen hundred and eighty-three, entitled 'An act providing for a charter and an administrative code for the city of Lawrence', be accepted?"

If a majority of votes cast in answer to said question is in the affirmative, this act shall take effect, but not otherwise.

Section 4. The city clerk of the city of Lawrence shall prepare the summary required by section eleven of chapter forty-three B of the General Laws.

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

Approved October 17, 1983.

Chap. 426. AN ACT AUTHORIZING APPOINTMENT OF POLICE OFFICERS FOR INDEFINITE TERMS IN THE TOWN OF WESTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the town of Weston, acting through its board of selectmen, is hereby authorized to appoint permanent regular full-time police officers and permanent intermittent police officers for indefinite terms of service.

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

Approved October 18, 1983.

Chap. 427. AN ACT INCREASING THE MEMBERSHIP OF THE BOARD OF TRUSTEES OF THE LOWELL MEMORIAL AUDITORIUM.

Be it enacted, etc., as follows:

SECTION 1. Section 6 of chapter 148 of the Special Acts of 1919 is hereby amended by striking out the first sentence and inserting in place thereof the following two sentences:- The board of trustees shall consist of five members appointed by the city manager and approved by the city council, one of whom shall be a member of the Lowell Veterans Council organization from the city of Lowell, and they shall serve terms of one, two, three, four and five years, respectively, and upon the expiration of the term of office of each member, a successor shall be appointed by the city manager, with the approval of a majority of the city council, for a term of five years. Each member may receive expenses of not more than one hundred dollars per meeting subject to the approval of the city manager.

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

Approved October 18, 1983.

Chap. 428. AN ACT RELATIVE TO THE DOCKING OF CERTAIN COMMERCIAL VESSELS.

Be it enacted, etc., as follows:

Chapter 91 of the General Laws is hereby amended by inserting after section 10B the following section:-

Section 10C. Notwithstanding any contrary provision of law, the harbormaster of a city or town or whomsoever is so empowered by said city or town may authorize by written permit the stationing of commercial vessels to a public commercial dock, pier, wharf, float, raft or mooring, fixed or otherwise, within the territorial jurisdiction of such city or town upon such terms, conditions and restrictions as he shall deem necessary. He shall act on application for such permits within a period of seven days from his receipt thereof.

Such application may be left at the office of the city or town clerk by the master of such commercial vessel.

If the harbormaster or whomever is so empowered fails to act within such period, such permit shall then be deemed to have been granted. Any refusal to grant such permits within such period shall be in writing by the harbormaster or whomever is so empowered by said city or town and shall include the reasons for such refusal.

Any person aggrieved by the decision of the harbormaster of said city or town or whomever is so empowered by said city or town relative to such stationing may appeal to the division of waterways of the department within thirty days of such decision.

Said division shall review the circumstances resulting in such appeal and shall render a ruling either confirming the decision, setting such decision aside, or amending such decision and imposing conditions and restrictions deemed necessary by said division.

Actions by a harbormaster or said division of waterways under the provisions of this section shall be subject to applicable laws administered by the division of motor boats, the division of marine fisheries, the United States Coast Guard and the United States Corps of Engineers.

Approved October 18, 1983.

Chap. 429. AN ACT RELATIVE TO RIGHTS OF APPEAL BY CERTAIN PERSONS AGGRIEVED BY DECISIONS OF HISTORIC DISTRICT COMMISSIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 40C of the General Laws, as appearing in section 1 of chapter 359 of the acts of 1971, is hereby amended by inserting after the word "fixtures", in line 15, the words:- ; the words "person aggrieved" mean the applicant, an owner of adjoining property, an owner of property within the same historic district as property within one hundred feet of said property lines and any charitable corporation in which one of its purposes is the preservation of historic structures or districts.

SECTION 2. Section 12 of said chapter 40C, as amended by chapter 168 of the acts of 1974, is hereby further amended by striking out, in line 3, the word "applicant" and inserting in place thereof the word:- person.

SECTION 3. Said chapter 40C is hereby further amended by striking out section 12A, as amended by said chapter 168, and inserting in place thereof the following section:-

Section 12A. Any person aggrieved by a determination of the commission, or by the finding of a person or persons making a review, if the provisions of section twelve are included in a local ordinance or by-law, may, within twenty days after the filing of the notice of such determination or such finding with the city or town clerk, appeal to the superior court sitting in equity for the county in which the city or town is situated. The court shall hear all pertinent evidence and shall annul the determination of the commission if it finds the decision of the commission to be unsupported by the evidence or to exceed the authority of the commission, or may remand the case for further action by the commission or make such other decree as justice and equity may require. The remedy provided by this section shall be exclusive but the parties shall have all rights of appeal and exception as in other equity cases. Costs shall not be allowed against the commission unless it shall appear to the court that the commission acted with gross negligence, in bad faith or with malice in the matter from which the appeal was taken. Costs shall not be allowed against the party appealing from such determination of the commission unless it shall appear to the court that such party acted in bad faith or with malice in making the appeal to the court.

Approved October 18, 1983.

Chap. 430. AN ACT RELATIVE TO THE REPORTING OF STOLEN LEASED OR RENTAL MOTOR VEHICLES.

Be it enacted, etc., as follows:

Chapter 266 of the General Laws is hereby amended by inserting after section 87 the following section:-

Section 87A. The owner or lessee of a leased or rented motor vehicle which has been stolen or placed beyond his control shall report the loss of the same to the police department of the city or town wherein said vehicle was leased or rented.

Notwithstanding any provision of law to the contrary, a police department receiving a report of said stolen vehicle shall list the same as stolen and shall, by the use of radio, teletype, computer or other communication, disseminate the information concerning said stolen vehicle using the same standards as applicable to other stolen motor vehicles.

Approve October 18, 1983.

Chap. 431. AN ACT PROVIDING FOR A CERTAIN ALTERNATE APPEAL PROCEDURE UNDER THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

Chapter 31 of the General Laws is hereby amended by inserting after section 41 the following section:-

Section 41A. Upon the request of the appointing authority and a tenured employee, who is entitled to a hearing pursuant to the first paragraph of section forty-one, a hearing before a disinterested hearing officer, designated by the chairman of the commission, may be held in lieu of a hearing before the appointing authority. Such hearing officer shall make findings of facts and may make recommendations for decision to the commission. Following the decision of the commission, there shall be no appeal pursuant to the provisions of section forty-three; provided, however, that a petition to review may be filed pursuant to the provisions of section forty-four. All requirements relative to written notice and the holding of hearings pursuant to this section shall be governed by those set forth in section forty-one.

Approved October 18, 1983.

Chap. 432. AN ACT AMENDING THE CHARTER OF THE TOWN OF MARSHFIELD.

Be it enacted, etc., as follows:

SECTION 1. Article 3-2-1 of the charter of the town of Marsh-

field which is on file in the office of the archivist of the commonwealth, as provided in section twelve of chapter forty-three B of the General Laws, is hereby amended by adding the following section:-

(F) Board of Public Works - There shall be a Board of Public Works appointed by the Selectmen consisting of three (3) members appointed for three-year over-lapping terms so arranged that one term expires each year. They shall receive for their services such compensation as may annually be provided for that purpose by appropriation.

(F-1) Organization and Duties in General - The Board of Public Works shall be responsible for organizing and administering the following functions; construction and maintenance of highways, water and sewer systems, tree care and parks, including landscaping and ground maintenance of all town buildings and property, and such other public works and related functions as may from time to time be vested in it through the General Laws, this charter, by-law or vote of the town meeting; and to this end the Board of Public Works shall, at the beginning of each fiscal year elect from its membership a chairman, a vice-chairman, and clerk for the ensuing year.

Department of Public Works shall not be responsible for the administering of school building construction and maintenance, but shall be responsible for school grounds maintenance, including snow removal and grass mowing.

(F-2) Superintendent of Public Works - The Board of Public Works shall appoint a Superintendent of Public Works for an initial term of three years and annually thereafter, and shall fix his compensation within limits of an appropriation made for that purpose. The superintendent shall report to the Board of Public Works and shall: (a) be especially qualified by education, training and experience to perform the duties of the office and have such other qualifications as may be determined by bylaw; (b) exercise and perform, under the Board of Public Works, such assistants, agents, and other employees as the exercise and performance of his powers, rights, and duties may require.

The superintendent shall give the town a surety bond for the faithful performance of his duties in such sum and upon such conditions as the Board of Public Works may require; shall keep the Board of Public Works fully informed as to the public works needs of the Town; shall keep a full and complete record of his operations; shall render to the Board of Public Works as often as may be required, a full report thereon; and annually or more often shall prepare a synopsis of such reports for publication.

(F-3) Engineering Department - There shall be an engineering department administered by the Superintendent of Public Works which shall provide the town with engineering services by town

employees and by contracting with qualified architectural/engineering firms.

The Engineering Department shall certify that all subdivision, sewerage and other such plans and specifications required by town bylaws conform to such bylaws and shall be responsible for maintenance of assessors' and town maps and certification of plans and specifications for public works construction projects. The Engineering Department shall provide on site inspection to assure proper construction performance in accordance with subdivision plans and site plan approvals made by the Board of Appeals. The Engineering Department shall also provide engineering and other technical assistance to the Selectmen, Planning Board, Board of Health, or any other town board or commission reasonably requesting such service.

In addition, the Engineering Department shall have final approval, responsibility for all plans and specifications relating to new construction and/or alterations or modifications of any existing structure and shall supervise the maintenance and repair, other than normal custodial duties, of all town owned buildings. Buildings assigned to the school committee shall be specifically exempted from the provisions of this paragraph.

When reasonably requested, the department shall supply engineering information to the town meeting.

SECTION 2. Article 3-2-3 of said charter which is on file in said office of the archivist of the commonwealth is hereby repealed.

SECTION 3. This act shall be submitted to the voters of the town of Marshfield in the form of the following question which shall be placed on the ballot for the election of officers at an annual town meeting held in said town:-

"Shall an act passed by the general court in the year nineteen hundred and eighty-three, entitled 'An Act amending the charter of the town of Marshfield', 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 October 18, 1983.

Chap. 433. AN ACT AUTHORIZING THE TOWN OF CLINTON TO RECALL ELECTED OFFICIALS.

Be it enacted, etc., as follows:

SECTION 1. Any holder of an elective office in the town of

Clinton may be recalled 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. Said town clerk shall thereupon deliver to the voters making such affidavit a sufficient number of copies of petition blanks demanding such recall. Said blanks shall be issued by the town clerk with his signature and official seal attached thereto; they shall be dated and addressed to the selectmen of said town, shall contain the name of the person to whom issued, the number of blanks so issued, the name of the person sought to be recalled, the office from which recall is sought, the grounds of recall 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 fifteen per cent of the qualified voters, and to every 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 said 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 said selectmen without delay, and said 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 an election to be held on a Tuesday fixed by them not less than sixty nor more than seventy 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 ninety 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 recall election has been so ordered, the election shall nevertheless proceed as provided in this section.

SECTION 4. Any officer sought to be recalled 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 recall 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; provided, however, that at least thirty per cent of those persons qualified to vote, do so.

SECTION 5. The incumbent shall continue to perform the duties of his office until the recall 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 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 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 within three months of the end of his term nor in the case of an officer subjected to a recall election and not removed thereby, until at least three months after that election.

SECTION 8. No person who has been removed from an office 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 or such resignation.

Approved October 18, 1983.

Chap. 434. AN ACT DESIGNATING THE AUDITORIUM AT THE STATE LABORATORY INSTITUTE IN THE JAMAICA PLAIN SECTION OF THE CITY OF BOSTON AS THE ALFRED L. FRECHETTE CONFERENCE CENTER.

Be it enacted, etc., as follows:

The auditorium of the State Laboratory Institute, located in the Jamaica Plain section of the city of Boston, shall be designated and known as the Alfred L. Frechette Conference Center, in honor of Dr. Alfred L. Frechette, for his many years of service to the people of the commonwealth. A suitable marker bearing such designation shall be attached thereto by the department of public health.

Approved October 18, 1983.

Chap. 435. AN ACT EXTENDING THE TIME OF CERTAIN POWERS GRANTED TO THE DEPARTMENT OF PUBLIC UTILITIES IN RELATION TO CERTAIN ATTACHMENTS MADE BY UTILITIES AND CABLE TELEVISION SERVICES TO CERTAIN POLES AND CONDUITS.

Be it enacted, etc., as follows:

Chapter 292 of the acts of 1978 is hereby amended by striking out section 3 and inserting in place thereof the following section:-

Section 3. Section two of this act shall become inoperative on December thirty-first, nineteen hundred and eighty-six.

Approved October 18, 1983.

Chap. 436. AN ACT AUTHORIZING THE TOWN OF ANDOVER TO ESTABLISH A REVOLVING FUND IN THE TOWN TREASURY FOR MONIES RECEIVED FOR THE USE OF CERTAIN COMPUTER FACILITIES.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section fifty-three of chapter forty-four of the General Laws to the contrary, the town of Andover is hereby authorized to establish in its treasury a special account which shall be known as the Memorial Hall Library

Reserve Account. The port charge, so called, which shall be the one time installation charge received from any member, city or town for access to the automated computer library circulation system derived from the computer facilities housed in the Memorial Hall Library, shall be deposited in said account and such funds received shall be kept separate from other monies. Such funds and interest thereon shall be expended from said account at the direction of the board of directors of the Merrimack Valley Library Consortium without appropriation in such manner and at such times as shall best provide for the general maintenance, repair and upgrading of the computer facilities at said Library.

Approved October 18, 1983.

Chap. 437. AN ACT RELATIVE TO PETITIONS TO DISPENSE WITH PARENTAL CONSENT TO CERTAIN ADOPTIONS.

Be it enacted, etc., as follows:

Paragraph (b) of section 3 of chapter 210 of the General Laws is hereby amended by adding the following paragraph:-

A petition brought pursuant to this paragraph may be filed and a decree entered notwithstanding the pendency of a petition brought under chapter one hundred and nineteen or chapter two hundred and one regarding the same child. The chief administrative justice of the trial court may, pursuant to the provisions of section nine of chapter two hundred and eleven B, assign a justice from any department of the trial court to sit as a justice in any other department or departments of the trial court and hear simultaneously a petition filed under this paragraph and any other pending case or cases involving custody or adoption of the same child.

Approved October 19, 1983.

Chap. 438. AN ACT AUTHORIZING THE CERTIFICATION AND APPOINTMENT OF WILLIAM T. LYDON AS A POLICE OFFICER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize the certification and appointment of William T. Lydon as a police officer, therefore 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 personnel administrator of the division of personnel administration shall examine and certify William T. Lydon for appointment as a police officer according to the grade he received in the examination for police officer held on October first, nineteen hundred and eighty-three, notwithstanding the fact that he has surpassed the maximum age for said position; provided, however, that he fulfills all other requirements for certification and appointment as such police officer.

Approved October 24, 1983.

Chap. 439. AN ACT PROVIDING FOR THE DEFERRAL OF REPAYMENTS BY THE WHITMAN-HANSON REGIONAL SCHOOL DISTRICT TO THE COMMONWEALTH FOR OVERPAYMENTS MADE TO SAID SCHOOL DISTRICT FOR FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-THREE.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, the treasurer is hereby authorized and directed to advance from the Local Aid Fund to Whitman-Hanson Regional School District on or before December thirty-first, nineteen hundred and eighty-three, an amount equal to eighty per cent of the revision made in the fiscal year nineteen hundred and eighty-two entitlements for general or special education to said district under chapter seventy of the General Laws by the commissioner of education and certified to the state treasurer. The amount of any such advance shall not exceed the sum of two hundred one thousand and six hundred dollars. Said school district shall repay annually in fiscal years nineteen hundred and eighty-five to nineteen hundred and eighty-eight, inclusive, an amount equal to one-fourth of any advance made pursuant to this section. To facilitate such repayment, the commissioner of revenue is hereby authorized to deduct from the first distribution of school aid made pursuant to chapter seventy the amount of such annual repayment. Any amount so deducted shall be transferred to the Local Aid Fund.

Approved October 24, 1983.

EMERGENCY LETTER - October 24, 1983 @ 3:22 P.M.

Chap. 440. AN ACT RELATIVE TO THE TAXATION OF CERTAIN RESOURCE RECOVERY FACILITIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 551 of the acts of 1982 is hereby amended by adding the following section:-

Section 2. The provisions of section twenty-four A of chapter sixteen of the General Laws shall not apply to an owner or operator of a resource recovery facility who had, prior to October thirteenth, nineteen hundred and seventy-five, negotiated agreements containing arrangements relating to real estate taxes or assessments with a city or town in which the facility is located. Said section twenty-four A shall apply upon termination of said arrangements.

SECTION 2. This act shall take effect as of December twenty-first, nineteen hundred and eighty-two.

Approved October 25, 1983.

EMERGENCY LETTER - October 25, 1983 @ 3:57 P.M.

Chap. 441. AN ACT RELATIVE TO THE LICENSING AND KEEPING OF DOGS IN THE TOWN OF LONGMEADOW.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section one hundred and forty-seven of chapter one hundred and forty of the General Laws or any other provision of law to the contrary, all money received for licenses or from the sale of dog licenses by the town of Longmeadow or recovered as fines or penalties by said town under the provisions of said chapter one hundred and forty relating to dogs, shall be paid into the treasury of said town and shall not thereafter be paid over by the town treasurer to Hampden county.

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

Approved October 27, 1983.

Chap. 442. AN ACT DESIGNATING A CERTAIN BRIDGE IN THE TOWN OF WESTPORT AS THE NORMAND EDWARD FONTAINE BRIDGE.

Be it enacted, etc., as follows:

SECTION 1. The bridge over the east branch of the Westport River on state highway route 88 in the town of Westport shall be known and designated as the Normand Edward Fontaine bridge, in memory of Specialist Fourth Class, Normand Edward Fontaine, who was killed while a member of the armed forces of the United States during the Vietnam campaign. A suitable marker bearing said designation shall be attached thereto by the department of public works.

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

Approved October 27, 1983.

Chap. 443. AN ACT AUTHORIZING THE TOWN OF SANDWICH TO ISSUE THREE ADDITIONAL LICENSES FOR THE SALE OF ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section seventeen of chapter one hundred and thirty-eight of the General Laws, the licensing authority of the town of Sandwich is hereby authorized to issue to Sandwich Package Store, Inc., Meetinghouse Package and Variety Store, Inc., and to East Sandwich Package Store in said town, in each instance, 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 licenses shall be subject to all the provisions of said chapter one hundred and thirty-eight except said section seventeen; provided, however, that the number of seasonal licenses for the sale of all alcoholic beverages not to be drunk on the premises authorized for said town to issue under the provisions of said section seventeen is reduced by three such licenses; and provided, further, that said licensing authority shall not approve the transfer of the licenses issued herein within one year after the date of issuance of said licenses.

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

Approved October 27, 1983.

Chap. 444. AN ACT DESIGNATING THE METROPOLITAN DISTRICT COMMISSION SKATING RINK IN THE CHARLESTOWN DISTRICT OF THE CITY OF

BOSTON AS THE FREDERICK DOUGLAS EMMONS, JOHN GERALD HORRIGAN AND MATHEW J. O'NEIL RINK.

Be it enacted, etc., as follows:

SECTION 1. Chapter 544 of the acts of 1966 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The metropolitan district commission skating rink in the Charlestown district of the city of Boston shall be known and designated as the Frederick Douglas Emmons, John Gerald Horrigan and Mathew J. O'Neil Rink, in memory of Frederick Douglas Emmons, a veteran of World War I, Seaman First Class John Gerald Horrigan and Mathew J. O'Neil.

SECTION 2. A suitable and separate marker bearing the name of Mathew J. O'Neil shall be erected at said skating rink by said commission.

Approved October 27, 1983.

Chap. 445. AN ACT AUTHORIZING THE STATE SECRETARY TO PRESCRIBE CERTAIN ELECTION FORMS.

Be it enacted, etc., as follows:

SECTION 1. Section 42A of chapter 51 of the General Laws, as most recently amended by section 8A of chapter 1137 of the acts of 1973, is hereby further amended by striking out the first and second paragraphs and inserting in place thereof the following two paragraphs:-

Any person claiming to have the qualifications for voting in any city or town who, by reason of physical disability, is unable to appear in person to register may make application, in writing, to the registrars of voters of such city or town for registration in the manner hereinafter provided. Application for registration under this section shall be made on forms prescribed by the state secretary and provided by said registrars.

The form of application when complete shall, not later than the third day prior to the last day for registration of voters, be returned by mail to the registrars of voters of the city or town to which such request is made. Applications received after such third day shall not be acted upon.

SECTION 2. Section 87 of chapter 54 of the General Laws, as most recently amended by section 9 of chapter 386 of the acts of

1981, is hereby further amended by striking out subsections (b) to (f), inclusive, and inserting in place thereof the following three subsections:-

(b) Blank forms of application for such ballots. Any form of written communication evidencing a desire that an absent voting ballot be sent to him for use for voting at any election where absent voting is permitted shall be given the same effect as an application for an absent voting ballot made in the form prescribed by the state secretary.

(c) Envelopes of sufficient size to contain the ballots specified in subsection (a) bearing on their reverse the affidavits of the voter and of the official taking his oath that they have complied with the requirements of section ninety-two.

(d) Envelopes of size sufficient to contain the envelope identified in subsection (c), addressed to the clerks of the several cities and towns within the commonwealth, upon which shall be printed blank spaces for the name, address and voting place of the sender, which shall be filled in by the city or town clerk prior to the mailing of such envelopes.

The state secretary shall furnish such explanatory matter and instructions as he may deem appropriate to carry into effect the purposes of sections eighty-six to one hundred and three, inclusive.

SECTION 3. Section 94 of said chapter 54 is hereby amended by striking out the last sentence, added by chapter 379 of the acts of 1980, and inserting in place thereof the following sentence:- Said notice shall be on a form prescribed by the state secretary and provided by the clerk.

SECTION 4. The first paragraph of section 103A of said chapter 54, as most recently amended by chapter 157 of the acts of 1975, is hereby further amended by adding the following sentence:- The city or town clerk shall provide the papers required by said sections in a form prescribed by the state secretary.

SECTION 5. Said chapter 54 is hereby further amended by striking out section 103 O, as most recently amended by section 12 of chapter 386 of the acts of 1981, and inserting in place thereof the following section:-

Section 103 O. The state secretary or the clerk of each city or town shall prepare, in such quantities as he may deem necessary and in a form prescribed by the state secretary, the following papers for persons qualified to vote under sections one hundred and three B to one hundred and three N, inclusive:

(a) Blank forms of application for official absent voting ballots.

(b) Blank forms to be printed on the envelopes for enclosing the official absent ballots, for the affidavits of the voter and of the official taking his oath that they have complied with the requirements of law.

(c) Blank forms of application by kindred for qualification of federal service personnel for voting as provided in section one hundred and three J.

(d) Blank forms of report of police investigation.

Approved October 27, 1983.

Chap. 446. AN ACT AUTHORIZING THE CITY OF MARLBOROUGH TO ISSUE THREE ADDITIONAL LICENSES FOR THE SALE OF ALL ALCOHOLIC BEVERAGES.

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 city of Marlborough is hereby authorized to issue three additional licenses for the sale of all alcoholic beverages to be drunk on the premises under the provisions of section twelve of said chapter one hundred and thirty-eight, to the Metropolitan Life Insurance Company, Lacava Associates, and to the Gentry Company. Said licenses shall be subject to all the provisions of said chapter one hundred and thirty-eight except said section seventeen; provided, however, that said licensing authority shall not approve the transfer of said license within one year after the date of issuance by said authority.

Approved October 27, 1983.

Chap. 447. AN ACT RELATIVE TO A CERTAIN EMPLOYMENT EXCLUSION UNDER THE WORKMEN'S COMPENSATION LAW.

Be it enacted, etc., as follows:

Paragraph (4) of section 1 of chapter 152 of the General Laws, as most recently amended by section 1 of chapter 374 of the acts of 1972, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

"Employee", every person in the service of another under any contract of hire, express or implied, oral or written, excepting

masters of and seamen on vessels engaged in interstate or foreign commerce, persons employed to participate in organized professional athletics, while so employed, if their contracts of hire provide for the payment of wages during the period of any disability resulting from such employment, a salesperson affiliated with a real estate broker pursuant to an agreement which specifically provides for compensation only in the form of commissions earned from the sale or rental of real property, persons employed by an employer engaged in interstate or foreign commerce but only so far as the laws of the United States provide for compensation or liability for their injury or death, and a person whose employment is not in the usual course of the trade, business, profession or occupation of his employer, but not excepting a person conclusively presumed to be an employee under section twenty-six.

Approved October 27, 1983.

Chap. 448. AN ACT RELATIVE TO THE ISSUANCE OF A LEARNER'S PERMIT.

Be it enacted, etc., as follows:

Chapter 90 of the General Laws is hereby amended by striking out section 8B, as most recently amended by chapter 193 of the acts of 1983, and inserting in place thereof the following section:-

Section 8B. Any person who is at least sixteen years of age, excepting persons who have been licensed and whose licenses are not in force because of revocation or suspension, and persons whose right to operate is suspended by the registrar, may apply to the registrar for a learner's permit. Each applicant shall submit with his application a birth, baptismal or school certificate or such other satisfactory evidence of his age as the registrar may require. The registrar, in his discretion, after the applicant has successfully passed all parts of the examination other than the driving test, may issue to the applicant a learner's permit which shall entitle him, while having such permit in his immediate possession, to drive a motor vehicle upon any way when accompanied by an operator, licensed by the registrar, who is eighteen years of age or over, who has had at least one year of driving experience or who is the parent of the applicant and is on active duty in the armed forces of the United States on assignment in the commonwealth and has a valid operator's license issued by the state where he is domiciled, and who is occupying a seat beside the driver; provided, however, that in

the case of a motorized bicycle, no such accompanying operator shall be required; and provided, further, that if the applicant has been issued a learner's permit restricted to the operation of a motorcycle, said learner's permit shall not entitle him to carry any passenger while operating such motorcycle upon any way or to operate a motorcycle upon any way at any time after sunset or before sunrise. No such motorcycle learner's permit which has expired shall be renewed unless the applicant successfully passes such parts of the examination other than the driving test as the registrar may require; and unless said applicant has taken at least one driving test during the period when the learner's permit was valid. Such licensed operator shall be liable for the violation of any provision of this chapter, or of any regulation made in accordance herewith, committed by such persons with a learner's permit; provided, however, that an examiner in the employ of the registrar, when engaged in his official duty, shall not be liable for the acts of any person who is being examined by said examiner. Any such learner's permit shall be valid for one year from the date of issue or until the holder shall have received a license to operate, whichever first occurs.

If the applicant is under eighteen years of age, said learner's permit shall not entitle him to operate a motor vehicle between the hours of one o'clock ante meridian and five o'clock ante meridian, unless he is accompanied by his parent or legal guardian who is a licensed operator with at least one year of driving experience and whose license or right to operate is not revoked or suspended.

Each application for a learner's permit shall be made upon a form furnished by the registrar and the fee as prescribed in section thirty-three shall be paid at the time the appointment is made for the examination. 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. Each holder of a learner's permit, may take not more than six driving tests within the aforesaid period of twelve months, upon payment of the fee for examination of an applicant for an operator's license, as required in said section thirty-three, for each such driving test.

Approved October 27, 1983.

Chap. 449. AN ACT AUTHORIZING THE TOWN OF CHELMSFORD TO ESTABLISH A MOBILE HOME PARK RENT CONTROL BOARD.

Be it enacted, etc., as follows:

SECTION 1. The general court finds and declares that a public emergency exists in the town of Chelmsford with respect to the housing of a substantial number of the citizens of said town, which emergency has been created by excessive, abnormally high and unwarranted rental increases imposed by some owners of mobile home parks located therein; that unless mobile home park rents and eviction of tenants are regulated and controlled, such emergency and the further inflationary pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the citizens of Chelmsford particularly the elderly; that such emergency should be met by the commonwealth immediately and with due regard for the rights and responsibilities of the town of Chelmsford by enabling the town of Chelmsford to amend its code for the purpose of controlling rents and evictions in mobile home parks to enact a by-law to establish a mobile home park rent control board in said town, said by-law shall set forth the powers and duties of such board and which shall establish standards and procedures.

SECTION 2. The town of Chelmsford is hereby authorized to adopt the following nine sections as a town by-law which shall be known and may be cited as the "Mobile Home Park Rent Control Act".

SECTION 3. For the purposes of this by-law, the following terms, phrases, words and their derivations shall have the meaning given herein, unless the context in which they are used clearly requires a different meaning.

(1) "Rent Board" and "Board" mean the Mobile Home Park Rent Control Board as established herein.

(2) "Mobile Home" shall mean a dwelling unit built on a chassis and containing complete electrical, plumbing and sanitary facilities, and designed to be installed on a temporary or a permanent foundation for permanent living quarters.

(3) "Mobile Home Park" means a park licensed by the board of health pursuant to section thirty-two B of chapter one hundred and forty of the General Laws.

(4) "Rules and Regulations" means rules and regulations as promulgated by the Board.

(5) "Shall" is mandatory; "May" is permissive.

SECTION 4. There is hereby established a mobile home park rent control board consisting of five residents of the town of Chelmsford to be appointed by the board of selectmen of the town of Chelmsford.

SECTION 5. (1) The Board shall set maximum rents, set minimum standards for use or occupancy of mobile home parks and evictions of tenants therefrom; may require information of said owners relating to their parks under penalties of perjury.

(2) The Board may make rules and regulations, sue and be sued, compel attendance of persons and the production of papers and information, and issue appropriate orders which shall be binding on both the owner and tenants of such mobile home park accommodations.

SECTION 6. (1) The Board may make individual or general adjustments, either upward or downward, as may be necessary to assure that tenants for mobile home park accommodations are established on levels which yield to owners a fair net operating income for such units.

(2) Fair net operating income shall be that income which will yield a return, after all reasonable operating expenses, on the fair market value of the property, equal to the debt service rate generally available from institutional first mortgage lenders or such other rates of return as the Board, on the basis of evidence presented before it, deems more appropriate to the circumstances of the case.

(3) Fair market value shall be the assessed valuation of the property or such other valuation as the Board, on the basis of evidence presented before it, deems more appropriate to the circumstances of the case.

(4) The Board may establish further standards and rules consistent with the foregoing.

SECTION 7. The Board may regulate evictions of tenants at mobile home parks and may issue orders which shall be a defense to an action of summary process for possession.

SECTION 8. (1) The Board and its actions shall be subject to the provisions of chapter thirty A of the General Laws as if the Board were an agency of the commonwealth.

(2) The district court of Lowell shall have original jurisdiction, concurrently with the superior court, of all petitions for review brought pursuant to section fourteen of chapter thirty A of the General Laws.

(3) The superior court shall have jurisdiction to enforce the provisions of this by-law, and may restrain by injunction violations thereof.

SECTION 9. (1) The maximum rent of a mobile home lot or unit shall be the rent charged the occupant for the month six months prior to the acceptance of this by-law by town meeting.

If the rental unit was unoccupied at that time but was occupied at any time prior to acceptance of this act, the maximum rent shall be the rent charged therefor for the month closest to and prior to six months prior to the acceptance of this by-law by town meeting.

(2) If the maximum rent is not otherwise established, it shall be established by the Board. Any maximum rent may be subsequently adjusted under the provisions of sections five and six.

SECTION 10. Violations of this by-law or any order of the board shall be punishable by a fine of not more than one thousand dollars for any one offense.

SECTION 11. If any provisions of this by-law shall be held invalid, the validity of the remainder of this by-law shall not be affected thereby.

Approved October 27, 1983.

EMERGENCY LETTER - November 18, 1983 @ 1:09 P.M.

Chap. 450. AN ACT FURTHER REGULATING ASSISTANCE TO CERTAIN NEEDY PERSONS.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 18 of the General Laws is hereby amended by striking out subsection (D), as most recently amended by section 3 of chapter 765 of the acts of 1979, and inserting in place thereof the following subsection:-

(D) The department shall administer a program of emergency assistance to needy families with children and pregnant women with no other children, subject to and in accordance with the provisions of the Social Security Act of 1935, as defined in 42 USC 606(e), to provide benefits to avoid destitution or to provide living arrangements in a home. The commonwealth shall accept matching funds from the appropriate federal authorities for said program.

Said program of emergency assistance shall assist eligible families to prevent destitution or to provide living arrangements in the home.

The department shall promulgate rules and regulations to establish the levels of benefits available under the program and to ensure simplicity of administration in the best interest of needy recipients. Such benefits shall include, but not be limited to, the following:-

(a) for the prevention of the loss of housing, the actual liability up to four times the monthly rental or mortgage liability;

(b) for the prevention of utility shutoffs or for the resumption of utility services, up to four months of the actual service liabilities;

(c) for the provision of home heating assistance, up to four months of the actual fuel liabilities;

(d) for the prevention of homelessness, temporary shelter as necessary to alleviate homelessness when such family has no feasible alternative housing available, up to the maximum period subject to federal reimbursement; storage of furniture for up to thirty days; moving expenses of up to one hundred and fifty dollars; advance rent payments of one month's rent; and security deposit not to exceed one month's rent.

The department shall establish procedures, consistent with federal law, to require applicants for the program to also submit an application for federal energy assistance where appropriate. No benefits for a particular emergency shall be provided to an applicant family under the emergency assistance program when benefits are available within seven days of application under the federal assistance program to meet such particular emergency.

A needy family shall be eligible for assistance under the emergency assistance program if its income is within the income limits for the program of aid to families with dependent children established pursuant to chapter one hundred and eighteen.

Emergency assistance shall not be granted to a family who, at any time within one year immediately prior to the filing of an application for emergency assistance, has made an assignment or transfer of real or personal property for the purpose of becoming eligible for such assistance.

The department shall take all reasonable actions to minimize abuse and errors. Such activities shall include:-

(a) the collection and analysis of data regarding utilization patterns;

(b) the recording and tracking of use of this program by individual recipients, including, but not limited to, the utilization of a year to year cross check of recipients to determine if a person or persons has received similar benefits in the previous year or years;

(c) the utilization by the department of mechanisms, such as payment of all or part of a regular assistance grant directly to vendors, to prevent the misuse of this program, provided, however, that such mechanisms are authorized under federal or state law; and

(d) the utilization of wage reporting and bank matching systems, provided, however, that the provision of assistance shall not be delayed by such utilization.

SECTION 2. Said chapter 18 is hereby further amended by

striking out section 22, as most recently amended by section 11 of chapter 752 of the acts of 1974, and inserting in place thereof the following section:-

Section 22. For the purpose of considering the need for service or assistance of an applicant or recipient of programs provided in accordance with chapters one hundred and seventeen, one hundred and eighteen, and one hundred and eighteen E, the department shall require the verification of all elements of categorical and financial eligibility. Such verification requirements, including home visits by workers assigned to recipients, shall be reasonable and in accordance with federal law and regulations, where applicable.

The department shall determine which verification requirements can be reasonably met by third party affidavits and shall provide notification to recipients and applicants of the circumstances when third party affidavits may be used. The department shall establish reasonable procedures for the verification of continuing eligibility, including monthly reporting and retrospective budgeting where appropriate. Except for eligibility requirements which the department has determined to be subject to frequent variation, the department shall not terminate benefits to recipients for failure to provide reverification without a reasonable belief that the condition has changed for which reverification is requested. The department shall promulgate uniform rules and regulations designating which eligibility requirements are subject to frequent variation.

SECTION 3. Section 2 of chapter 18B of the General Laws, as appearing in section 10 of chapter 552 of the acts of 1978, is hereby amended by striking out, in line 31, the word "and",- and by adding the following clause:-

(16) provide social services for families and individuals in emergency and transitional housing.

SECTION 4. Section 7 of said chapter 18B is hereby amended by adding the following subsection:-

(k) The commissioner shall, subject to appropriation, enter into contracts with nonprofit organizations to provide social services for families and individuals in emergency and transitional housing; provided, that the department, in entering into such contracts, shall provide three dollars for each dollar of donated funds which have been committed to such nonprofit organizations from any nonstate source. For the purposes of this subsection, a nonstate source may include private donations or monies from city, town or county governments but shall not include funds from other state agencies.

SECTION 5. The third paragraph of section 24 of chapter 19 of the General Laws, as appearing in section 1 of chapter 735 of the acts of 1966, is hereby amended by inserting before the first sentence the following two sentences:- Mental health services shall include case management services, the primary purpose of which is to assure continuity of care for a patient's medical or psychiatric needs, but which may include a determination of eligibility for existing federal, state, and municipal programs to provide for social and economic needs as well. The department shall issue rules and regulations which shall govern the provision of such case management services, to be implemented and adhered to by each department catchment area; provided, however, that each patient shall have the right to confidentiality of all records and communications to the extent provided by section seventy E of chapter one hundred and eleven.

SECTION 6. The first paragraph of section 3 of chapter 23B of the General Laws, as appearing in section 1 of chapter 761 of the acts of 1968, is hereby amended by inserting after the word "areas", in line 5, the words:- review and coordinate the activities of agencies of the commonwealth as those activities relate to emergency and transitional housing;.

SECTION 7. Section 2 of chapter 117 of the General Laws, as most recently amended by chapter 36 of the acts of 1980, is hereby further amended by striking paragraph (b) and inserting in place thereof the following:-

(b) "resident", any person within the commonwealth, notwithstanding the lack of a present abode, with no present intention of definite and early removal, but not necessarily with the intention of remaining permanently; provided, however, that any such person who enters the commonwealth solely for the purposes of obtaining benefits under this chapter shall not be considered a resident; provided, however, that the department shall require proof of the person's last place of residence and proper identification from such person to determine if said person is eligible to receive benefits under this chapter.

SECTION 8. The secretary of human services shall prepare a comprehensive study and analysis to determine the financial impact of this act upon the commonwealth. Said study and analysis shall include a complete breakdown of the total cost, caseloads of the emergency assistance and general relief programs, the error rates in said program, types of services being provided, number of new employees and any other information which may be necessary to make an accurate assessment of the impact of this act upon the commonwealth. The secretary shall

file said report with house and senate clerks thirteen months after the effective date of this act.

Approved October 27, 1983.

EMERGENCY LETTER - October 27, 1983 @ 4:28 P.M.

Chap. 451. AN ACT RELATIVE TO THE EMPLOYMENT SECURITY LAW.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide for the conformance of the employment security law with federal regulations, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 6 of chapter 151A of the General Laws is hereby amended by striking out subsection (a), as amended by section 5 of chapter 720 of the acts of 1977, and inserting in place thereof the following subsection:-

(a) service in agricultural labor, except as otherwise provided in subsection (b) of section four A and section eight C; nor service performed before January first, nineteen hundred and eighty-four in agricultural labor by an individual who is an alien admitted to the United States to perform agricultural labor pursuant to section 214(c) and 101(a)(15)(H) of the Immigration and Nationality Act.

SECTION 2. Said section 6 of said chapter 151A is hereby further amended by striking out subsection (k), as amended by section 7 of chapter 940 of the acts of 1971, and inserting in place thereof the following subsection:-

(k) Service performed in the employ of a school, college, or university, if such service is performed by a student who is enrolled and is regularly attending classes at such school, college, or university, or by the spouse of such a student, if such spouse is advised, at the time such spouse commences to perform such service, that the employment of such spouse to perform such service is provided under a program to provide financial assistance to such student by such school, college, or university, and such employment will not be covered by any program of unemployment insurance; or service performed by an individual who is enrolled at a nonprofit or public educational

institution which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on as a student in a full-time program, taken for credit at such institution, which combines academic instruction with work experience, if such service is an integral part of such program, and such institution has so certified to the employer, except that this subsection shall not apply to service performed in a program established for or on behalf of an employer or group of employers.

SECTION 3. Paragraph (1) of subsection (n) of section 14 of said chapter 151A, as most recently amended by section 6 of chapter 473 of the acts of 1976, is hereby further amended by striking out the third sentence and inserting in place thereof the following sentence:- Failure on the part of any successor to give such notice within one hundred and twenty days of the date of transfer shall bar the taking over by such successor of the account of any transferring employer having a plus balance.

SECTION 4. Section 14C of said chapter 151A is hereby amended by striking out subsection (c), as appearing in section 24 of chapter 720 of the acts of 1977, and inserting in place thereof the following subsection:-

(c) Any rated governmental employer shall continue to be liable as a rated governmental employer, until such employer files with the director a written notice of election to terminate its status as a rated governmental employer, which notice shall be filed prior to January first of the calendar year for which such termination shall first be effected.

SECTION 5. Said chapter 151A is hereby further amended by striking out section 28A, as most recently amended by chapter 331 of the acts of 1982, and inserting in place thereof the following section:-

Section 28A. Benefits based on service in employment as defined in subsections (a) and (d) of section four A shall be payable in the same amount, on the same terms and subject to the same conditions as benefits payable on the basis of other service subject to this chapter, except that:

(a) with respect to service performed in an instructional, research, or principal administrative capacity for an educational institution, benefits shall not be paid on the basis of such services for any week commencing during the period between two successive academic years or terms, or when an agreement provides instead for a similar period between two regular but not successive terms, or during a period of paid sabbatical leave

provided for in the individual's contract, to any individual if such individual performs such services in the first of such academic years or terms and if there is a contract or a reasonable assurance that such individual will perform services in any such capacity for any educational institution in the second of such academic years or terms;

(b) with respect to services performed in any other capacity for an educational institution, benefits shall not be paid on the basis of such services to any individual for any week commencing during a period between two successive academic years or terms if such individual performs such services in the first of such academic years or terms and there is a reasonable assurance that such individual will perform such services in the second of such academic years or terms; provided that, if such individual was not offered an opportunity to perform such services for the educational institution for the second of such academic years or terms, such individual shall be entitled to a retroactive payment of benefits for each week for which the individual filed a timely claim for benefits and for which benefits were denied solely because of a finding that such individual had reasonable assurance of performing services in the second of such academic years or terms;

(c) with respect to services described in subsections (a) and (b), benefits shall not be paid to any individual on the basis of such services for any week commencing during an established and customary vacation period or holiday recess if such individual performs such services in the period immediately before such vacation period or holiday recess, and there is a reasonable assurance that such individual will perform such services in the period immediately following such vacation period or holiday recess;

(d) with respect to any services described in subsections (a) and (b) benefits shall not be paid as specified in subsections (a), (b), and (c) to any individual who performed such services in an educational institution while in the employ of an educational service agency, and for the purpose of this clause the term "educational service agency" means a governmental agency or governmental entity, including an educational collaborative board established by section four E of chapter forty, which is established and operated exclusively for the purpose of providing such services to one or more educational institutions.

SECTION 6. Section 29 of said chapter 151A, as most recently amended by section 1 of chapter 518 of the acts of 1980, is hereby further amended by striking out subsections (a), (b) and (c) and inserting in place thereof the following three subsections:-

(a) Any individual in total unemployment and otherwise eligible for benefits whose average weekly wage in his base period is sixty-six dollars or less shall be paid for each week of unemployment an amount based on the highest quarterly wage of his base period, as provided in the following table:

Total Wages Paid in Highest Quarter	Weekly Benefit Rate
$300.00-303.99	$14.00
304.00-325.99	15.00
326.00-346.99	16.00
347.00-368.99	17.00
369.00-390.99	18.00
391.00-411.99	19.00
412.00-433.99	20.00
434.00-455.99	21.00
456.00-476.99	22.00
477.00-498.99	23.00
499.00-520.99	24.00
521.00-541.99	25.00
542.00-573.99	26.00
574.00-615.99	27.00
616.00-657.99	28.00
658.00-699.99	29.00
700.00-741.99	30.00
742.00-783.99	31.00
784.00-825.99	32.00
826.00-858.00	33.00
858.01 and over	34.00

An individual in total unemployment and otherwise eligible for benefits whose average weekly wage in his base period exceeds sixty-six dollars shall be paid for each week of unemployment an amount equal to fifty per cent of his average weekly wage in the base period, rounded to the next lower full dollar amount, but not more than fifty-seven and one-half per cent of the average weekly wage of all employees covered by this chapter. On or before the first day of October of each year, the total wages reported on contribution reports for the twelve months ending March the thirty-first of such year shall be divided by the average monthly number of insured employees (determined by dividing the total insured employees reported on contribution reports for the twelve months ending March the thirty-first by twelve). The average annual wage thus obtained shall be divided by fifty-two and the average weekly wage thus determined, rounded to the nearest cent. Fifty-seven and one-half per cent of this amount, rounded to the next lower full dollar amount

shown shall establish the maximum weekly benefit rate paid any individual whose benefit year commences on or after the first Sunday of October of each year and prior to the first Sunday of October the following year.

(b) An individual in partial unemployment and otherwise eligible for benefits shall be paid the difference between his aggregate remuneration with respect to each week of partial unemployment and the weekly benefit rate to which he would have been entitled if totally unemployed; provided, however, that earnings up to forty per cent of his weekly benefit rate shall be disregarded. In no case shall the amount of earnings so disregarded exceed thirty dollars or be less than ten dollars. Such partial benefit amount shall be rounded to the next lower full dollar amount if it includes a fractional part of a dollar.

(c) An individual in total or partial unemployment and otherwise eligible for benefits shall be paid for each week of such unemployment, in addition to the amount payable under subsection (a), (b) or (d) as the case may be, the sum of six dollars for each unemancipated child of such individual who is in fact dependent upon and is being wholly or mainly supported by such individual, and who is under the age of eighteen, or who is eighteen years of age or over and incapable of earning wages because of mental or physical incapacity, or who is under the age of twenty-four and is a full-time student at an educational institution which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on, or who is in his custody pending the adjudication of a petition filed by such individual for the adoption of such child in a court of competent jurisdiction, and for each such child for whom he is under a decree or order from a court of competent jurisdiction to contribute to such child's support and for whom no other person is receiving allowances hereunder; provided, that such child is domiciled within the United States or the territories or possessions thereof. In no instance shall the dependency benefits as provided in this subsection be more than fifty per cent of the individual's weekly benefit rate except that if such amount of dependency benefits includes a fractional part of a dollar, it shall be rounded to the next lower full dollar amount. The amount of dependency benefits determined as of the beginning of an individual's benefit year shall not be reduced for the duration of such benefit year; provided, however, that this provision shall not prevent the transfer thereof from one spouse to another in accordance with this section. If both the husband and wife receive benefits with respect to a week of unemployment, only one of them shall be entitled to a dependency allowance with respect to any child. The director shall prescribe

standards as to who may receive a dependency allowance when both the husband and wife are eligible to receive unemployment compensation benefits.

SECTION 7. The first paragraph of section 30 of said chapter 151A, as amended by chapter 588 of the acts of 1959, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:- If such amount includes a fractional part of a dollar, it shall be rounded to the next lower full dollar amount.

SECTION 8. Subsection (3) of section 30A of said chapter 151A is hereby amended by striking out paragraph (e), as appearing in section 2 of chapter 498 of the acts of 1981, and inserting in place thereof the following paragraph:-

(e) Extended benefits shall not be denied under clause (1) of paragraph (c) to any individual for any week by reason of a failure to accept an offer of, or apply for, suitable work: (1) if the gross average weekly remuneration payable to such individual for the position does not exceed the sum of (i) the individual's average weekly benefit amount, as determined for purposes of clause (c) of subsection (5) for such individual's benefit year, plus (ii) the amount, if any, of supplemental unemployment compensation benefits, as defined in section 501(c)(17)(D) of the Internal Revenue Code of 1954, payable to such individual for such week; (2) if the position was not offered to such individual in writing or was not listed with the division of employment security; (3) if such failure would not result in a denial of compensation under the provisions of subsection (c) of section twenty-five to the extent that such provisions are not inconsistent with the provisions of this section; or (4) if the position pays less than the higher of the minimum wage provided by section 6(a)(1) of the Fair Labor Standards Act of 1938, or the minimum wage as provided in chapter one hundred and fifty-one. The employment office shall refer applicants for extended benefits to any suitable work which clauses (1), (2), (3), and (4) would not apply.

SECTION 9. Subsection (5) of said section 30A of said chapter 151A, as appearing in section 1 of chapter 866 of the acts of 1970, is hereby amended by striking out the introductory paragraph and inserting in place thereof the following paragraph:-

The total extended benefit amount payable to any eligible individual with respect to his applicable benefit year rounded to the next lower full dollar amount shall be the least of the following amounts:.

SECTION 10. Said chapter 151A is hereby further amended by striking out section 42, as most recently amended by section 79 of chapter 478 of the acts of 1978, and inserting in place thereof the following section:-

Section 42. The director or any interested person aggrieved by any decision in any proceeding before the board of review may obtain judicial review of such decision by filing, within thirty days of the date of mailing of such decision, a petition for review thereof in the district court within the judicial district in which he lives, or is or was last employed, or has his usual place of business, and in such proceeding every other party to the proceeding before the board shall be made a party respondent. If an appeal to the board of review is deemed denied because the board failed to act upon such appeal, judicial review may be obtained by filing a petition as prescribed in the preceding sentence, except that the time for filing such petition shall run from the date as of which such appeal is deemed denied. The director shall be deemed to have been a party to any such proceeding before the board. The petition for review need not be verified but shall state the grounds upon which such review is sought. It shall not be necessary as a condition precedent to the judicial review of any decision of the board to enter exceptions to the rulings of the board. Upon the filing of a petition for review by an aggrieved party or the director, the petitioner shall serve a copy of the petition upon each respondent by registered or certified mail, return receipt requested, within seven days of the date of the filing of the petition. The director shall file with the court a certified copy of the decision of the board of review, including all documents and papers and a transcript of all testimony taken at the hearing before said board or the director as the case may be. Each respondent shall file an answer within twenty-eight days after receipt of the petition. Except as otherwise provided in this section, or is inconsistent with the provisions of this section, such a proceeding shall be governed by the Rules of Civil Procedure for the district courts and the municipal court of the city of Boston. The findings and decisions of the board shall be reviewed in accordance with the standards for review provided in paragraph (7) of section fourteen of chapter thirty A. Any proceeding under this section shall be heard in a summary manner and shall be given precedence over all other civil cases. An appeal may be taken from the decision of the single justice of the district court directly to the supreme judicial court. Claim of appeal shall be filed in the office of the clerk of the district court within thirty days after entry of such decision by the clerk. If an appeal is claimed the appellant shall within five days of the filing of the claim of appeal file a draft report in conformity to the pertinent provisions

of the rules hereinafter referred to. The administrative justice for the Boston municipal court department and the administrative justice for the district court department, acting jointly, shall by rule provide for the form of such reports and shall make provision for the establishment of reports where the claim of report has been disallowed by the single justice or he has failed to make a report. The appeal shall not remove the proceeding, but only the question or questions to be determined. The completion of such appeal shall be in accordance with the Massachusetts Rules of Appellate Procedure. Benefits shall be paid or denied in accordance with the decision of such single justice during the pendency of such appeal. Upon the final determination of such judicial proceeding the director shall enter an order in accordance with the terms of the decision terminating such proceeding.

SECTION 11. Section 46 of said chapter 151A, as most recently amended by section 54D of chapter 367 of the acts of 1978, is hereby further amended by inserting after the third sentence the following sentence:- For purposes of the administration of federal employment taxes, information secured pursuant to this chapter may be made available to the Internal Revenue Service of the United States Department of Treasury.

SECTION 12. The first sentence of section 71 of said chapter 151A, as appearing in section 21 of chapter 763 of the acts of 1951, is hereby amended by inserting after the word "determination", in line 13, the words:- ; and provided, further, that the time limitations specified above shall not apply with respect to an award of back pay received by an individual for any week in which unemployment benefits were paid to such individual.

SECTION 13. Sections six, seven and nine of this act shall take effect on January first, nineteen hundred and eighty-four.

Approved October 31, 1983.

Chap. 452. AN ACT AUTHORIZING THE CERTIFICATION AND APPOINTMENT OF DOLORES PULLEN AS A POLICE OFFICER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize the certification and appointment of Dolores Pullen as a police officer notwithstanding the maximum age requirements, therefore it is hereby declared to be an emergency law, necessary for the

immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The personnel administrator of the division of personnel administration shall examine and certify Dolores Pullen of the city of Boston for appointment as a police officer according to the grade she received in the examination for police officer held on October first, nineteen hundred and eighty-three, notwithstanding the fact that she has surpassed the maximum age for said position; provided, however, that she fulfills all other requirements for certification and appointment.

Approved November 2, 1983.

Chap. 453. AN ACT AUTHORIZING THE CERTIFICATION AND APPOINTMENT OF ROBERT THOMAS BLANCHARD AS A POLICE OFFICER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize the certification and appointment of Robert Thomas Blanchard as a police officer notwithstanding the maximum age requirements, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The personnel administrator of the division of personnel administration shall examine and certify Robert Thomas Blanchard for appointment as a police officer according to the grade he received in the examination for police officer held on October first, nineteen hundred and eighty-three, notwithstanding the fact he has surpassed the maximum age for said position; provided, however, he fulfills all other requirements for certification and appointment.

Approved November 2, 1983.

Chap. 454. AN ACT FURTHER REGULATING THE USE OF CERTAIN SIGNAL LAMPS ON SCHOOL BUSES.

Be it enacted, etc., as follows:

Clause (7) of section 7B of chapter 90 of the General Laws, as most recently amended by chapter 62 of the acts of 1981, is hereby further amended by striking out the first two sentences and inserting in place thereof the following four sentences:- Each school bus shall be equipped with Type 1-Class A turn signal lamps which comply with Federal Motor Vehicle Safety Standard #108, which shall have a four-way hazard warning signal switch to cause simultaneous flashing of the turn signal lamps which may be activated when a bus is approaching a stop to load or discharge students and, when needed, as a vehicular traffic hazard warning. School buses manufactured on or after January first, nineteen hundred and eighty-four, shall be required to be equipped with the eight-light system, so-called, which shall include front and rear alternating flashing red signal lamps complying with said Safety Standard #108, and which shall remain flashing when school pupils are entering or leaving the bus. Said buses shall also be equipped with front and rear alternating amber signal lamps of the same size as, and placed adjacent to, the red signal lamps, and which shall be activated when said bus is approaching a stop to load or discharge students. On buses equipped with the eight-light system, so-called, the use of the four-way hazard warning lamps for the purpose of warning motorists of the vehicle's impending stop to load or discharge pupils shall be discontinued.

Approved November 2, 1983.

Chap. 455. AN ACT RELATIVE TO THE LICENSING AND KEEPING OF DOGS IN THE TOWN OF AMHERST.

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 town of Amherst for the issuance of licenses for dogs shall be as follows: unspayed females and unneutered males, twelve dollars, spayed females and neutered males, four 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 town of Amherst or recovered as fines or penalties by said town under the provisions of said chapter one hundred and forty relating to

dogs, shall be paid into the treasury of said town and shall not thereafter be paid over by the town treasurer to Hampshire county.

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 town, shall be conducted in the office of the town clerk of said town.

SECTION 4. Notwithstanding the provisions of any general or special 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 the town of Amherst is hereby exempt from the provision of section three of said chapter forty-nine A, and no such animal pound located in said town shall be permitted to deliver from its available impounded animals, any animal to a licensee as defined by said section one of said chapter forty-nine A for the purpose of scientific investigation, experimentation, instruction, or testing of drugs or medicine.

Approved November 2, 1983.

Chap. 456. AN ACT RELATIVE TO THE LICENSING AND KEEPING OF DOGS IN THE TOWN OF BELCHERTOWN.

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 town of Belchertown for the issuance of licenses for dogs shall be as follows: unspayed females and unneutered males, seven dollars, spayed females and neutered males, four dollars, kennel license, four dogs, twenty-eight 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 town of Belchertown or recovered as fines or penalties by said town under the provisions of said chapter one hundred and forty relating to dogs, shall be paid into the treasury of said town and shall not thereafter be paid over by the town treasurer to

Hampshire county.

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, numeral listing, description and licensing of dogs, if kept in said town, shall be conducted in the office of the town clerk of said town.

Approved November 2, 1983.

Chap. 457. AN ACT FURTHER REGULATING THE PARTY ENROLLMENT OF MEMBERS OF CERTAIN PUBLIC BODIES.

Be it enacted, etc., as follows:

Section 12 of chapter 4 of the General Laws, added by section 1 of chapter 295 of the acts of 1960, is hereby amended by adding the following sentence:- Any enrollment required for appointment to such a board, commission, or other body must have been maintained continuously during the two years immediately preceding appointment.

Approved November 2, 1983.

Chap. 458. AN ACT FURTHER REGULATING THE DUTIES OF DOG OFFICERS.

Be it enacted, etc., as follows:

Section 151A of chapter 140 of the General Laws is hereby amended by adding after the first paragraph the following paragraph:-

Every dog officer shall make, keep, and maintain systems of records or forms which fully and correctly disclose the following information concerning each dog in his custody:-

The date and location of each apprehension; a description of each animal; place of confinement; if tagged the name and address of owner of such animal; name and address of new owner including the date of sale or transfer of such animal. If animal is destroyed said dog officer must record the method and date of destruction and the name of the person who administered the death of such animal, copies of such records shall, for a period of two years, be kept in the offices of the county dog office and the city or town clerk where such dog officer is employed.

Approved November 2, 1983.

Chap. 459. AN ACT MAKING CERTAIN CHANGES IN THE LAW RELATIVE TO THE PARKING OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

SECTION 1. The third paragraph of section 20A of chapter 90 of the General Laws, as amended by section 1 of chapter 746 of the acts of 1981, is hereby further amended by striking out the first sentence and inserting in place thereof the following two sentences:- Said notice must be made in triplicate and one copy shall be affixed securely to the motor vehicle and shall contain, but shall not be limited to, the following information: the make, color, registration number and state of issuance of said registration number of the vehicle involved. The date, time and place of the violation, the specific violation charged and if a meter violation, the number of said meter, the name and badge number of the officer and his division, a schedule of established fines, instructions for the return of the notice, and a notice which reads as follows: This notice may be returned by mail, personally, or by an authorized person.

SECTION 2. The third paragraph of section 20A½ of said chapter 90, as amended by section 6A of said chapter 746, is hereby further amended by striking out the first sentence and inserting in place thereof the following two sentences:- Said tag shall be affixed securely to the motor vehicle and shall contain, but shall not be limited to the following information: the make, color and registration number of the vehicle involved and the state of issuance of the said registration number. The date, time and place of the violation, the specific violation charged and if a meter violation, the number of said meter, the name and badge number of the officer and his division, a schedule of established fines, instructions for the return of the tag and a notice which reads: This notice may be returned by mail, personally, or by an authorized person.

SECTION 3. This act shall take effect as of July thirty-first, nineteen hundred and eighty-three; provided, however, that any violation notices already in print, or on order, as of said July thirty-first may be issued and shall be valid notwithstanding failure to contain the information required by section one or section two of this act.

Approved November 2, 1983.

Chap. 460. AN ACT AUTHORIZING THE BOARD OF WATER AND SEWER COMMISSIONERS OF THE TOWN OF WARE TO REGULATE THE TOWN'S SEWER SYSTEM.

Be it enacted, etc., as follows:

SECTION 1. The second sentence of section 10 of chapter 75 of the acts of 1963, as appearing in section 1 of chapter 473 of the acts of 1982, is hereby amended by striking out, in line 2, the word "thirteen A" and inserting in place thereof the word:- twelve A.

SECTION 2. This act shall take effect as of December nineteenth, nineteen hundred and eighty-two.

Approved November 2, 1983.

Chap. 461. AN ACT FURTHER REGULATING THE LICENSURE OF HOSPITALS.

Be it enacted, etc., as follows:

Section 51 of chapter 111 of the General Laws is hereby amended by striking out the third paragraph, as amended by section 1 of chapter 868 of the acts of 1977, and inserting in place thereof the following paragraph:-

No original license shall be issued to establish a hospital, except a college and school infirmary, unless it complies with the construction standards of the state building code, is of at least type 1-B fireproof construction, and, except for a school building shall have been constructed for the purpose.

Approved November 2, 1983.

Chap. 462. AN ACT TO FURTHER REGULATE EXPENSES INCURRED BY HOSPITALS FOR LABOR DISPUTES.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 31 of chapter 6A of the General Laws, as appearing in section 1 of chapter 372 of the acts of 1982, is hereby amended by striking out, in line 1, the word "seventy-two" and inserting in place thereof the word:- seventy-three.

SECTION 2. Said chapter 6A is hereby further amended by adding the following section:-

Section 73. Rates of payment to be made by a third-party payor to acute hospitals as defined in section thirty-one under

the provisions of sections fifty to seventy-two, inclusive, and section five of chapter one hundred and seventy-six A shall not include costs for employees, consultants, or firms where the primary responsibility of said employees, consultants, or firms is, either directly or indirectly, to persuade employees of the hospital to support or oppose unionization. Attorney's fees for services rendered in dealing directly with a union, in advising hospital management of its responsibilities under the National Labor Relations Act, or for services before an administrative agency or court shall not be deemed to be support or opposition to unionization.

Approved November 2, 1983.

Chap. 463. AN ACT RELATIVE TO THE LICENSING AND KEEPING OF DOGS IN THE TOWN OF WILBRAHAM.

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 town of Wilbraham for the issuance of licenses for dogs shall be established by the board of selectmen of said town.

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 town of Wilbraham, or recovered as fines or penalties by said town under the provisions of said chapter one hundred and forty relating to dogs, shall be paid into the town treasury of said town and shall not thereafter be paid over to Hampden county.

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 registration, numeral listing, description and licensing of dogs, if kept in said town, shall be conducted by the town clerk of said town.

Approved November 2, 1983.

Chap. 464. AN ACT RELATIVE TO THE ASSESSMENT OF PROPERTY TAXES IN THE TOWN OF TISBURY.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section twenty-one C of chapter fifty-nine of the General Laws or any other general or special law to the contrary, the town of Tisbury is hereby authorized to assess for taxes in the fiscal year ending June thirtieth nineteen hundred and eighty-four an amount equal to one hundred and two and one-half per cent of the fiscal year ending June thirtieth nineteen hundred and eighty-three allowable tax levy limit, as established by the commissioner of revenue for said town; provided, however, that the total taxes assessed within said town shall not exceed two and one-half per cent of the full and fair cash valuation of said town.

Approved November 2, 1983.

Chap. 465. AN ACT INCREASING THE PENALTY FOR OPERATING AN UNINSURED OR UNREGISTERED MOTOR VEHICLE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately increase the penalty for operating an uninsured or unregistered motor vehicle, 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 9 of chapter 90 of the General Laws, as most recently amended by chapter 705 of the acts of 1977, is hereby further amended by adding the following sentence:- A person convicted of a violation of this section shall be punished by a fine of not more than one hundred dollars for the first offense and not more than one thousand dollars for any subsequent offense.

SECTION 2. Section 34J of said chapter 90, as amended by section 5 of chapter 282 of the acts of 1959, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- Whoever operates or permits to be operated a motor vehicle which is subject to the provisions of section one A during such time as the motor vehicle liability policy or bond or deposit required by the provisions of this chapter has not been provided and maintained in accordance therewith shall be punished by a fine of not less than one hundred nor more than one thousand five hundred dollars or by imprisonment for not more than one year in a house of correc-

tion, or both.

Approved November 3, 1983.

Chap. 466. AN ACT AUTHORIZING AN ADDITIONAL TIME PERIOD FOR THE CITY OF BOSTON TO ADD OMITTED PROPERTY TO THE TAX LIST FOR FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-THREE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section seventy-five of chapter fifty-nine of the General Laws or any other general or special law to the contrary, if any portion of the real or personal estate of a person, to an amount not less than one hundred dollars and liable to taxation, has been omitted from the annual assessment of taxes for fiscal year nineteen hundred and eighty-three by the city of Boston the assessors for said city shall, at such time as the commissioner may in writing approve, but not later than December twenty-eighth, nineteen hundred and eighty-three, assess such person for such estate. Valuations of all or a portion of any estate attributable to clerical or data processing errors shall be construed as omitted assessments and subject to the provisions of this section. The taxes so assessed shall be entered on the fiscal year nineteen hundred and eighty-three tax list of the collector for said city who shall collect and pay over the same. The assessors of said city shall also deliver to the collector their warrants for the collection of all taxes so entered on the tax list. Such additional assessment shall not render the tax of said city invalid although its amount, in consequence thereof, shall exceed the amount authorized by law to be raised.

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

Approved November 3, 1983.

Chap. 467. AN ACT EXTENDING THE MEDICAL MALPRACTICE INSURANCE JOINT UNDERWRITING ASSOCIATION.

Be it enacted, etc., as follows:

Section 13 of chapter 362 of the acts of 1975 is hereby amended by striking out the word "eighty-three", inserted by chapter 751 of the acts of 1981, and inserting in place thereof

the word:- eighty-five.

Approved November 3, 1983.

Chap. 468. AN ACT AUTHORIZING AN ADDITIONAL TIME PERIOD FOR THE CITY OF BOSTON TO ACT ON TAX ABATEMENTS FOR FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-THREE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section sixty-three of chapter fifty-nine of the General Laws or any other general or special law to the contrary, if the board of assessors of the city of Boston fail to take action on an application for abatement for taxes levied for fiscal year nineteen hundred and eighty-three for a period of six months following the filing thereof, such board shall, within ten days after such period, notify the applicant of such inaction in writing.

SECTION 2. Notwithstanding the provisions of section sixty-four of said chapter fifty-nine or any other general or special law to the contrary, for taxes levied for fiscal year nineteen hundred and eighty-three, whenever the board of assessors for the city of Boston, before which an application in writing for the abatement of a tax is or shall be pending, fails to act upon said application, except with the written consent of the applicant, prior to the expiration of six months from the date of filing of such application, it shall then be deemed to be denied and said assessors shall have no further authority to act thereon; provided, however, that during the period allowed for the taking of an appeal said assessors may by agreement with the applicant abate the tax in whole or in part in final settlement of said application, and shall also have the authority granted to them by section seven of chapter fifty-eight A of the General Laws to abate in whole or in part, any tax as to which an appeal has been seasonably taken.

SECTION 3. This act shall take effect as of June thirtieth, nineteen hundred and eighty-three.

Approved November 3, 1983.

Chap. 469. AN ACT AUTHORIZING THE TREASURER OF NORFOLK COUNTY TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

Section 1 of chapter 256 of the acts of 1983 is hereby amended by striking out, in lines 4 and 5, the words "such of the unpaid bills incurred by said county and totalling four thousand two hundred and eighty-three" and inserting in place thereof the words:- two unpaid bills incurred by said county, one totalling four thousand two hundred and eighty-three dollars and the other totalling one thousand eight hundred and ninety.

Approved November 3, 1983.

Chap. 470. AN ACT FURTHER REGULATING THE PROTECTION OF THE PUBLIC HEALTH.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by inserting after chapter 111E the following chapter:-

CHAPTER 111F.

Section 1. In this chapter, the following words shall have the following meanings:-

"Article", a finished product or manufactured item: (1) which is formed to a specific shape or design during manufacture, (2) which has end use function(s) dependent in whole or in part upon its shape or design during end use, and (3) which has either no change of chemical composition during its end use or only those changes of composition which have no commercial purpose separate from that of the article, except that fluids and particles are not considered articles regardless of shape or design unless inert or totally encapsulated.

"CAS number", the identification number assigned by the Chemical Abstracts Service to specific chemical substances.

"Chemical name", the scientific designation of a substance in accordance with the nomenclature system developed by the International Union of Pure and Applied Chemistry or the system developed by the Chemical Abstracts Service.

"Common name", any designation or identification such as code name, code number, trade name, or brand name used to identify a substance other than by its chemical name.

"Community resident", any resident of a municipality in which an employer manufactures, processes, uses or stores toxic or hazardous substances as defined in this section.

"Container", any receptacle or formed or flexible covering for

the storage or transport of toxic or hazardous substances including but not limited to a bag, barrel, bottle, box, can, carton, cylinder, drum, pipe, storage tank, both mobile and stationary, vessel or vat.

"DEQE", the department of environmental quality engineering.

"DLI", the department of labor and industries.

"DPH", the department of public health.

"Designated representative", an employee's treating physician upon written authorization by said employee, and the employee's collective bargaining agent who is certified, or is recognized by the employer of the employee without regard to written employee authorization. No other individual or organization shall be eligible to serve as a designated representative.

"Employee", any person employed on or after the effective date of this chapter who is, has been, or may be exposed under normal operating conditions or foreseeable emergencies to any toxic or hazardous substance in a workplace. In the case of a deceased or legally incapacitated employee, the employee's spouse, guardian or executor may exercise all the employee's rights under this chapter. For purposes of this chapter, any person whose employment is terminated for any reason after the effective date of this chapter is an employee.

"Employer", any person, firm, corporation, partnership, association or other entity engaged in a business or in providing services, including the commonwealth and any of its political subdivisions, that manufactures, processes, uses or stores toxic or hazardous substances, but not including the employment of domestic workers or casual laborers employed at the place of residence of the employer. Independent contractors shall be deemed the sole employer of their employees, even when said employees are performing work at the workplace of another employer as defined herein.

"Expose" or "exposure", any situation arising from or related to the work operation of an employer where an employee or a community resident may ingest, inhale, absorb through the skin or eyes or otherwise come into contact with a toxic or hazardous substance.

"Impurity", a toxic or hazardous substance which is unintentionally present with another substance or mixture.

"Label", the written, printed and graphic information displayed on or affixed to the container of a toxic or hazardous substance; or the placards, signs, or operating instructions which communicate the information required by section seven herein.

"Manufacturer", a person who produces, synthesizes, extracts, or otherwise makes a toxic or hazardous substance.

"Massachusetts substance list", a compilation of toxic or hazardous substances which are to be subject to the provisions

of this chapter.

"Material safety data sheet" or "MSDS", the written document which sets forth the following information for a toxic or hazardous substance:

(a) The chemical name, any common names, and the CAS number of the toxic or hazardous substance.

(b) The hazards or other risks in the use of the toxic or hazardous substance, including:

(1) the potential for fire, explosion, corrosivity, and reactivity;

(2) the acute and chronic health effects of risks from exposure; including the medical conditions that might be aggravated by exposure; and

(3) the potential routes of exposure and symptoms of overexposure.

(c) The proper precautions, handling practices, necessary personal protective equipment, and other safety precautions in the use of or exposure to the toxic or hazardous substances, including appropriate emergency treatment in case of overexposure at hazardous levels.

(d) The emergency procedures for spills, fire, disposal and first aid.

(e) A description in lay terms, of the specific potential health risks posed by the toxic or hazardous substance intended to alert any person reading this information, including but not limited to carcinogenic, mutagenic, teratogenic, or neurotoxic effects, for substances so designated on the Massachusetts substance list, pursuant to section four (c) of this chapter.

(f) The month and year that the information was compiled and the name, address, and emergency telephone number of the manufacturer responsible for preparing the information.

"Medical emergency", a serious medical condition which poses an imminent threat to a person's health, caused or suspected to have been caused, by accidental exposure to a toxic or hazardous substance, and which requires immediate treatment by a physician.

"Mixture", any solution or intimate admixture of two or more substances, at least one of which is present as a toxic or hazardous substance, as designated pursuant to section four, which do not react chemically with each other.

"Municipal coordinator", the fire chief or fire commissioner, or the public health commissioner or public health officer, of a city or town as designated by the chief municipal officer of said city or town; provided that in towns which lack all of the aforesaid officials, the board of selectmen shall designate one of its members to act as municipal coordinator. For purposes of this chapter, chief municipal official shall mean in a city, the mayor;

in a Plan D or Plan E government, the city or town manager; in a town, the board of selectmen.

"NFPA Code", the color and number system identifying the category and degree of fire hazard of a substance as adopted by the National Fire Protection Association in "Standard System For the Identification of Fire Hazards of Materials", NFPA 704 in effect on the effective date of this chapter, and as amended from time to time thereafter.

"Research laboratory", a workplace or a work area of a workplace used primarily for research, development, nonroutine testing or experimentation activity in which toxic or hazardous substances are used by or under the direct supervision of a technically qualified individual. Provided, however, that a research laboratory shall not be involved in the production or manufacture of goods for direct commercial sale.

"Technically qualified individual", a person who, because of education, training, or experience, understands the health risk associated with the toxic or hazardous substance or mixture handled by or under his or her supervision, and is familiar with the personal protective procedures to be followed in the use or handling of such substances.

"Trade secret", any formula, pattern, device, or compilation of information which is used in an employer's or manufacturer's business, and which gives said employer or manufacturer an opportunity to obtain an advantage over competitors who do not know or use it.

"Toxic or hazardous substance", any chemical substance or mixture of substances in a gaseous, liquid or solid state which is listed in the Massachusetts substance list compiled in compliance with the provisions of section four, and which is manufactured, processed, used or stored in the workplace, but which shall not include alcoholic beverages as defined in section one of chapter one hundred and thirty-eight of the General Laws, or articles intended for personal consumption by employees in the workplace, or consumer articles packaged for distribution to, and used by, the general public, or articles sold or used in retail food establishments and all other retail trade establishments, exclusive of articles used in processing and repair areas, or substances being transported in interstate commerce.

"Work area", a room or defined space in a workplace where toxic or hazardous substances are produced, used and where employees are present in the course of their employment.

"Workplace", an establishment or business of an employer at one geographic location at which work is performed and containing one or more work areas, but not including a police station or public armory in which ammunition is stored. In the case of the commonwealth or any of its political subdivisions acting as an

employer, the workplace shall be defined as all work areas wholly owned or controlled by the commonwealth or said subdivisions; in the case of an independent contractor, the workplace shall be defined as all work areas wholly owned or controlled by said independent contractor; provided however, that employees of the commonwealth, or any of its political subdivisions, or an independent contractor shall have certain rights to examine MSDS's as provided in section eleven (f).

Section 2. The responsibility for administering the provisions of this chapter, and for assuring an appropriate state response to alleged violations thereof, shall be assigned in the following manner:

(a) The commissioner of DPH shall be responsible for the administration of sections four through six, twelve and twenty, which relate to the establishment and amendment of the Massachusetts substance list, the dissemination of information pertaining to toxic or hazardous substances, the granting of certain waivers or alternative conditions to the disclosure requirements contained in this chapter, and trade secrets.

(b) The commissioner of DLI shall be responsible for the administration of sections seven through eleven, and thirteen through fifteen, which define the rights and duties of employees and employers under this chapter.

(c) The commissioner of DEQE, on behalf of the commonwealth, and the municipal coordinator of each city or town, on its behalf, shall be responsible for the administration of sections sixteen through nineteen, which relate to requests by state officials, municipal officials, and community residents for actions and information available under this chapter.

The commissioners of the DPH, DLI, and DEQE shall have the authority to promulgate rules and regulations necessary to carry out their respective responsibilities under this chapter. In order to avoid the promulgation of conflicting rules and regulations, the commissioners shall take such steps as are necessary to assure that proposed rules and regulations are consistent with the rules and regulations of the other departments with responsibilities under this chapter in conformance with the statutory responsibilities set forth herein. Said rules and regulations shall be promulgated in accordance with chapter thirty A, no later than one hundred and eighty days after the date of enactment of this chapter.

Section 3. (a) If any of the commissioners with responsibilities under this chapter have cause to believe that an employer or manufacturer has wrongfully failed to comply with any provision of this chapter for which that commissioner has been delegated responsibility, that commissioner may, within one hundred and twenty days of the alleged violation or within one hundred

and twenty days from the date on which the commissioner obtained knowledge of the violation, undertake an investigation.

The commissioner shall immediately notify the employer or manufacturer by certified mail, return receipt requested, that an investigation will be undertaken and shall also include in the notice a statement detailing the nature of the alleged violation and when it was alleged to have occurred. The employer or manufacturer may respond to the notice of the commissioner, but must do so within twenty days. The commissioner shall consider all matters in mitigation or extenuation of the alleged violation during the course of the investigation. If such commissioner shall determine after such investigation that good cause does not exist to believe that a wrongful violation of the provisions of this chapter has occurred, he or she shall within ten days notify the employer or manufacturer of such finding.

If such commissioner shall determine after such investigation that good cause does exist to believe that a wrongful violation of the provisions of this chapter has occurred, he shall immediately notify the employer or manufacturer of such finding, and shall immediately endeavor to eliminate the alleged violation by conference, conciliation, and persuasion. In case of failure so to eliminate the alleged wrongful violation by conference, conciliation, and persuasion, the commissioner may order such remedial action as may be appropriate including the issuance of a cease or desist order to any recurrence. The commissioner may also request the attorney general to enforce any order issued or any fine or penalty authorized by this section in the appropriate court of the commonwealth. In such enforcement action the court shall have jurisdiction to restrain violations and to levy penalties as provided herein.

Any employer or manufacturer aggrieved by an order of any commissioner pursuant to this section may obtain judicial review thereof in the Superior court for the county in which the alleged violation of this chapter which is the subject of the commissioner's order occurred. The order of the commissioner shall be reviewed in accordance with the standards for review provided in section fourteen of chapter thirty A.

Any employer or manufacturer who wrongfully fails to comply with or otherwise violates the provisions of this chapter shall be liable for a civil penalty not to exceed two hundred and fifty dollars for each day that each such violation continues.

(b) If any of the commissioners with responsibilities under this chapter have cause to believe that an employer or manufacturer has willfully and intentionally violated any provisions for which that commissioner has been delegated responsibility, that commissioner may report such alleged violation to the attorney general and may request that the attorney general bring an

action in the appropriate court of the commonwealth to restrain such violations and to seek such penalties as are provided herein.

Any person who willfully and intentionally violates the provisions of this chapter shall be guilty of a misdemeanor and shall be punished, for a first offense, by a fine of not more than five hundred dollars for each day that such violation continues, or by imprisonment for not more than thirty days or both; for a subsequent offense, by a fine of not more than one thousand dollars for each day that such violation continues, or by imprisonment for no more than ninety days, or by both such fine and imprisonment.

(c) This chapter shall not be construed to create any independent private right of action, and the responsibility for enforcement of this chapter shall lie exclusively with the attorney general.

(d) This chapter shall not be construed to enlarge or diminish any rights or privileges created by collective bargaining agreements or any other provisions of law.

Section 4. (a) For the purposes of this chapter, the commissioner of DPH shall establish the Massachusetts substance list and make said list available to manufacturers, employers, municipal coordinators, and the commissioners of DLI and DEQE. Substances on the list may be designated by their chemical name or common name(s), and CAS number. Only those substances specifically enumerated on the list shall be subject to the provisions of this chapter, and no articles as defined in section one shall be included on the list. The commissioner of DPH shall prepare and amend the list according to the following procedures, and shall promulgate said list pursuant to the rulemaking provisions of chapter thirty A on an annual basis. The annual list shall become effective ninety days after its promulgation. In the case of substances which are extraordinarily hazardous and a threat to public health, the commissioner of DPH may promulgate emergency amendments to the list according to the laws of the commonwealth, provided that appropriate procedures for amending the list, as specified in this section, are followed.

(b) The list shall consist initially of all chemical substances enumerated in any of the following designated source lists, exclusive of generic categories:

1. Environmental Protection Agency
   Restricted Use Pesticides - 40 CFR 162.30
2. International Agency for Research on Cancer
   (Sublist: "Substances found to have at least sufficient evidence of carcinogenicity in animals")
3. National Toxicology Program
   List of chemicals published in the Annual Report on Carcinogens

4. Occupational Safety and Health Administration
   Toxic and Hazardous Substances - 29 CFR 1910, Subpart Z
5. National Institute for Occupational Safety and Health/Occupational Safety and Health Administration
   Occupational Health Guidelines for Chemical Hazards
6. American Conference of Governmental Industrial Hygienists
   Threshold Limit Value for Chemical Substances and Physical Agents in the Workplace
7. National Fire Protection Association
   Hazardous Chemicals Data (NFPA 49)
8. National Fire Protection Association
   Fire Hazard Properties of Flammable Liquids, Gases, Volatile Solids (NFPA 325 M)
   (All items rated II through IV as health hazards or III through IV as flammability or reactivity hazards.)
9. Environmental Protection Agency
   Carcinogen Assessment Group's List of Carcinogens
10. National Cancer Institute
    (Substances that meet the NTP criteria for significant carcinogenic effect.)

(c) The commissioner, in promulgating the Massachusetts substance list and its amendments shall designate on said list any substance which is a carcinogen, mutagen, teratogen, or neurotoxin, based on a preponderance of substantial and valid scientific evidence.

(d) For the purposes of this chapter, a toxic or hazardous substance is present in any mixture if it is one per cent or more of the mixture or two per cent if the toxic or hazardous substance exists as an impurity in the mixture; provided, however, that the commissioner of DPH may, by regulation, raise the concentration requirement for a toxic or hazardous substance which he or she finds is not toxic or hazardous at the threshold levels; and may lower the concentration requirement for a toxic or hazardous substance including carcinogens, mutagens, teratogens, and neurotoxins for which there is valid and substantial scientific evidence that the substance is extraordinarily hazardous.

The manufacturer of a toxic or hazardous substance shall notify the commissioner of DPH of any valid evidence which indicates either: that the concentration requirement for a toxic or hazardous substance is higher than what is necessary to protect employees who work with, or may be exposed to, the substance; or that the concentration levels should be lowered because there is valid and substantial evidence that the substance is extraordinarily hazardous.

The provisions of this chapter shall not apply to impurities

which develop as intermediate materials during chemical processing but are not present in the final mixture, and to which employee or community resident exposure is unlikely.

(e) The commissioner of DPH shall amend the Massachusetts Substance List by adding, in place of the generic categories excluded pursuant to subsection (b) of this section, those specific toxic or hazardous substances which fall within said generic categories and which, in his judgment, should be subjected to the provisions of this act. Provided that such amendment shall be made only after opportunity has been provided for public comment and hearing pursuant to the rulemaking provisions of chapter thirty A and upon the commissioner's finding that according to the preponderance of the evidence, substantial and valid scientific evidence exists that any substances added pursuant to this subsection may result in an acute or chronic risk to human health or safety.

(f) Any substance added to or deleted from the source lists designated in subsection (b) of this section by the agency responsible for preparing and amending said list shall be added to, or deleted from, the Massachusetts substance list as part of its annual amendment by the commissioner of DPH.

(g) Further amendments to the Massachusetts substance list may be established by the commissioner of DPH, pursuant to the following process:

The commissioner shall publish a notice of intent to add a substance to the Massachusetts substance list. This notice shall identify the proposed substance and shall inform interested persons of their right to request a proceeding pursuant to this section. Any person showing that he may be substantially and specifically affected by the proposed addition to the substance list may file a request for such hearing provided that such request is filed in writing with the commissioner within thirty days of the date that the notice was published.

Upon receipt of a request for a hearing, the commissioner shall set a hearing date. Reasonable notice of the hearing shall be afforded all persons requesting a hearing and shall include statements of the time and place of the hearing. Parties shall have sufficient notice of the issues involved to afford them reasonable opportunity to prepare evidence and argument.

The commissioner shall allow any other interested person to participate by presentation of argument orally or in writing, or for any other limited purpose, as the agency may order.

Unless otherwise provided by law, the commissioner, or his hearing officer, need not observe the rules of evidence observed by courts, but shall observe the rules of privilege recognized by law. Evidence may be admitted and given probative effect only if it is the kind of evidence on which reasonable persons are

accustomed to rely in the conduct of serious affairs. The commissioner may exclude unduly repetitious evidence.

Every party shall have the right to call and examine witnesses, to introduce exhibits, and to submit rebuttal evidence. Cross-examination shall not be allowed.

All evidence, including any records, investigation reports, and documents in the possession of the agency of which it desires to avail itself as evidence in making a decision, shall be offered and made a part of the record in the proceeding, and no other factual information or evidence shall be considered. Documentary evidence may be received in evidence in the form of copies or excerpts, or by incoporation by reference.

The commissioner shall make available an official record, which shall include testimony and exhibits, and which may be in narrative form, but need not arrange to transcribe shorthand notes or sound recordings unless requested by a party. If so requested, the commissioner may, unless otherwise provided by any law, require the party to pay the reasonable costs of the transcript before the agency makes the transcript available to the party.

A decision to place a substance on the list pursuant to this subsection, must be based upon the commissioner's finding that according to the preponderance of the evidence, substantial and valid scientific evidence exists that the substance poses an acute or chronic risk to human health or safety. The commissioner's decision shall be in writing or stated in the record. The decision shall be accompanied by a statement of reasons for the decision, including determination of each issue of fact or law necessary to the decision. Parties to the proceeding shall be notified in person or by mail of the decision, of their right to appeal the decision to the Superior court and the time limits on their right to appeal. A copy of the decision and of the statement of reasons shall be delivered or mailed upon request to each party and to his attorney of record.

Any person aggrieved by the decision of the commissioner may appeal such decision to the Superior court for Suffolk county. The standards for review shall be in accordance with the standards provided in section fourteen of chapter thirty A.

(h) Substances not present on the Massachusetts substance list established pursuant to this section shall not be subject to the provisions of this chapter.

(i) The commissioner of DPH shall be responsible for the dissemination of all information available on the nature and hazards of toxic or hazardous substances, from the chemical substances information networks of the federal environmental protection agency, the health hazard evaluation program of the national institute of occupational safety and health and any and all other information sources. DPH shall promptly assist employ-

ers, employees, community residents, municipal coordinators and state personnel with inquiries concerning the toxic or hazardous nature of such substances. DPH shall assist DLI in its responsibilities with respect to preparing or obtaining MSDS information pursuant to section nine (b).

Section 5. The preparer of an MSDS may omit from the MSDS the chemical name, common name, or CAS number if the release of said information which would disclose a trade secret as defined by this chapter. The preparer shall provide all other information on the properties and effects of the hazardous substance required for the MSDS and shall indicate which category of information is being withheld on trade secret grounds. An employer may withhold from a label of a container as required by section seven the chemical name of a substance if said name is a trade secret as defined in section one.

(a) In order to make a trade secret claim pursuant to this section, a manufacturer or other preparer of an MSDS must submit to the commissioner of DPH a duplicate of the MSDS which excludes the information claimed as a trade secret, and shall also submit a complete justification and statement of the grounds on which the information is claimed to be a trade secret, at the same time he provides the MSDS to DEQE pursuant to section sixteen. Provided that said complete justification and statement of the grounds shall not be required to include the information claimed to be a trade secret.

(b) If the commissioner of DPH has cause to believe that the data withheld is not a trade secret and that good cause exists for requiring the withheld information, he or she shall notify the preparer of the MSDS by certified mail.

(c) The commissioner of DPH shall determine whether such withheld information is protected as a trade secret within fifteen days after receipt of the duplicate MSDS, justification and statement, and shall notify by certified mail the preparer of the MSDS and any party who has requested the withheld information of that determination. If the commissioner of DPH determines that the withheld information is not protected as a trade secret, the final notice shall also specify a date, not sooner than fifteen days after the date of mailing of the final notice, when the withheld information shall be made available to the commissioner of DEQE.

If the commissioner of DPH determines that the withheld information is a trade secret, he or she shall notify by certified mail the preparer of the MSDS and any party who has requested the withheld information, and immediately return to the preparer of the MSDS all information and documents submitted concerning the validity of the trade secret claim.

(d) Prior to the date specified in the final notice the preparer

of the MSDS may appeal all adverse determinations in the Superior court for the county in which the employer's workplace is located or in Suffolk county. The order of the commissioner shall be reviewed in accordance with the standards for review provided in section fourteen of chapter thirty A. Filing a timely appeal under this section shall act as an automatic stay of the preparer's obligation to supply the withheld information.

(e) Any information reported to or otherwise obtained by the commissioner of DEQE or any of his representatives or employees, which is exempt or protected from disclosure under any provisions of this chapter, may be disclosed to an officer or employee of the United States, in connection with the official duties of such officer or employee under any law for the protection of health.

(f) Information certified to by appropriate officials of the United States, as necessarily kept secret for national defense purposes, shall be accorded the full protections against disclosure as specified by such official or in accordance with the laws of the United States.

Section 6. A research laboratory, as defined in section one, shall be exempt from the provisions of this chapter. In order to qualify a work area of a workplace or a workplace as a research laboratory, an employer shall file a sworn statement with the commissioner of DPH which shall include sufficient information pertaining to the workplace or area and the personnel employed therein to enable the commissioner to determine whether the workplace or work area is qualified for the research laboratory exemption, and assurance that the employer has notified the employees of said workplace or work area that this exemption is being claimed.

If the commissioner fails to receive sufficient information to determine whether a workplace or work area qualifies as a research laboratory, or if the commissioner has reason to believe that the workplace or work area does not qualify as a research laboratory, or that the operation of the workplace or work area for which a research laboratory exemption has been claimed poses a threat to the health and safety of employees employed at that workplace or work area, he shall notify the employer in writing and offer the employer an opportunity for a hearing pursuant to chapter thirty A of the General Laws. If the employer fails to substantiate his claim that a workplace or work area is a research laboratory and that said laboratory is being operated in a manner which does not pose a threat to the health and safety of employees employed at that workplace or work area, the commissioner may issue an order revoking the research laboratory exemption in part, or in its entirety for that workplace or work area. The commissioner of DPH may establish by regula-

tion the conditions under which a research laboratory may retain its exemption. An employer may appeal an order of revocation pursuant to the procedures of chapter thirty A.

Section 7. (a) Except as otherwise provided by this section, an employer shall label with the chemical name each container in his or her workplace containing a toxic or hazardous substance. Said label shall also contain the proper NFPA Code applicable to any contents of the container for which an NFPA Code has been published in NFPA 49, Hazardous Chemical Data, but only in those instances where the container contains more than five gallons or thirty pounds of materials to which the NFPA Code is applicable.

(b) The employer is not required to label any container of a toxic or hazardous substance weighing five pounds or less or having a volume of one gallon or less; and is not required to label any container of a toxic or hazardous substance if said substance constitutes less than one per cent of the contents of the container, or two per cent if the toxic or hazardous substance exists as an impurity in a container, subject to the provisions for revised concentration requirements specified in section four (d) of this chapter.

(c) The employer is not required to label any container if the container is currently labeled pursuant to regulations promulgated by the United States Department of Transportation, or pursuant to the Federal Insecticide, Fungicide and Rodenticide Act (61 Stat. 163, 7 U.S.C. Sec. 121 et seq.); the Atomic Energy Act; or the Food, Drug and Cosmetics Act. The commissioner of DPH may by regulation certify containers labeled pursuant to any other federal act as labeled in compliance with this chapter.

(d) The employer is not required to label any container of ten gallons or less in volume into which a toxic or hazardous substance or mixture is transferred by an employee from labeled containers and which is intended only for the immediate use of the employee who performed the transfer.

(e) In cases where a pipe or piping system, a fixed storage tank, or a reaction vessel is used, on a regular basis, for different toxic or hazardous substances at different times, an employer may choose to convey the information required by this section by posting signs, placards, or operating instructions, rather than affixing labels. Provided that for any pipe or piping system, the information required by this section shall be provided at points where direct employee exposure to the toxic or hazardous substances contained in said pipe or piping system is likely to occur under normal operating conditions.

(f) The employer may elect to withhold from any label otherwise required by this section the names of chemicals which qualify as trade secrets pursuant to section five. In the event

such an election is made, the employer must instead place on the label a reference to the MSDS prepared for such substance and must otherwise comply with the labeling provisions of this section. When a substance has been designated a carcinogen, mutagen, teratogen, or neurotoxin pursuant to section four (c) of this chapter, and the name of said substance is withheld from the label as a trade secret pursuant to this subsection, the label shall display the letter "C", "M", "T", or "N", indicating the substance is, respectively, a carcinogen, mutagen, teratogen, or neurotoxin.

Section 8. The manufacturer of any toxic or hazardous substance shall prepare and provide direct purchasers of said toxic or hazardous substances with an MSDS which, to the best of the manufacturer's knowledge, is current, accurate, and complete, based on information then reasonably available to the manufacturer.

Any person other than a manufacturer who sells a mixture of toxic hazardous substance as defined in this chapter shall provide its direct purchasers of the mixture at the time of sale with a copy of the most recent MSDS or equivalent information.

Any person who produces a mixture may, for the purposes of this section, prepare and use a mixture MSDS, subject to the provisions of section ten.

A manufacturer who is responsible for preparing and transmitting an MSDS under the provisions of this section shall revise said MSDS, on a timely basis, as appropriate to the importance of any new information which would affect the contents of the existing MSDS, and in any event within one year of such information becoming available to the manufacturer.

Any employer who receives, compiles, or prepares new information which would serve to update the MSDS for any toxic or hazardous substance present in his workplace, and who has filed a copy of said MSDS with DEQE and the municipal coordinator pursuant to section sixteen of this chapter, shall file an updated MSDS containing said new information on a semi-annual basis, and shall concurrently update his own copy of said MSDS.

Section 9. (a) Any person subject to the provisions of section eight shall be relieved of the obligation to provide a specific purchaser of a toxic or hazardous substance with a MSDS if he has a record of having provided the specific purchaser with the most recent version of the MSDS; or if the substance is labeled pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act; the Atomic Energy Act; the Food, Drug and Cosmetics Act; or if the article is one sold at retail and is incidentally sold to an employer or the employer's employees, in the same form, approximate amount, concentration, and manner as it is sold to consumers, and, to the seller's knowledge,

employee exposure to the article is not significantly greater than the consumer exposure occurring during the principal consumer use of the article.

(b) If an employer is not supplied with an MSDS by a manufacturer or an intermediate seller for a toxic or hazardous substance pursuant to the mandates of section eight, said employer shall within a reasonable amount of time after discovering that an MSDS has not been supplied use diligent efforts to obtain said MSDS from the manufacturer or intermediate sellers. For purposes of this paragraph, "diligent efforts" shall mean a prompt inquiry by the employer to the manufacturer or intermediate seller of the toxic or hazardous substance requesting the MSDS with a copy of the request and any written response from the manufacturer or intermediate seller to be filed with the commissioners of DPH and DLI.

Provided, however, that for an independent contractor, or the commonwealth or any of its political subdivisions acting as an employer, "diligent efforts" shall mean a prompt inquiry to the workplace employer, rather than the manufacturer or intermediate seller, in cases where the relevant workplace is not wholly owned or controlled by the employing independent contractor, the commonwealth, or said political subdivisions.

If after having used diligent efforts an employer still fails to obtain an MSDS, he shall request the commissioner of DLI to obtain said MSDS on his or her behalf. The commissioner of DLI shall, in such cases, obtain any available assistance from the commissioner of DPH or DEQE in locating or compiling an up-to-date MSDS for the toxic or hazardous substance.

An employer who has used diligent efforts as defined herein and who has made a documented request to the commissioner of DLI pursuant to this section shall not be found in violation of sections eleven, fourteen or sixteen of this chapter with respect to the MSDS which was not supplied by the manufacturer or intermediate seller as required by section eight of this chapter.

Nothing contained in this chapter shall be construed to require an employer to conduct studies to develop new information.

Section 10. A manufacturer or employer may provide the information required by section eight of this chapter on an entire mixture, instead of on each toxic or hazardous substance in it, when all of the following conditions exist:

(a) Hazard test information exists on the mixture itself, or adequate information exists to form a valid judgment of the hazardous properties of the mixture itself and the MSDS indicates that the information presented and the conclusions drawn are from some source other than direct test data on the mixture itself, and that an MSDS on each constituent hazardous substance identified on the MSDS is available upon request.

(b) Provision of information on the mixture will be as effective in protecting employee health as information on the ingredients.

(c) The toxic or hazardous substances in the mixture are identified on the MSDS unless it is either unfeasible to describe all the ingredients in the mixture or the identity of the ingredients is itself a valid trade secret; provided, that in either case the reason why the hazardous substances in the mixture are not identified shall be stated on the MSDS.

A single mixture MSDS may be provided for more than one formulation of a product mixture if the information provided pursuant to section fourteen does not vary for the formulation.

Section 11. (a) Every employer who manufactures, processes, uses or stores toxic or hazardous substances in the workplace shall provide a MSDS for each product which is present in said workplace. All MSDS's shall be available at a central location in the workplace.

(b) A completed federal OSHA Form 20 material safety data sheet shall constitute prima facie evidence of compliance with the requirements of this chapter relative to material safety data sheets, provided that said form includes a description of the acute and chronic health risks associated with exposure to the substance described.

(c) Any employee or his designated representative, may request in writing and shall have the right to examine and obtain the MSDS's for the toxic or hazardous substances to which he is, has been or may be exposed. The employer shall provide the MSDS within four working days, subject to the provisions of section nine (b). The employer may adopt reasonable procedures for acting upon such requests to avoid interruption of normal work operations.

(d) If an employee who has requested an MSDS pursuant to this section has not received said MSDS within four working days subject to the provisions of section nine (b), that employee may refuse to work with the substance for which he has requested the MSDS, until said MSDS is provided. Provided, however, that nothing contained herein shall be construed to permit any employee of the commonwealth or any of its political subdivisions to refuse to perform essential services.

(e) Every employer who manufactures, processes, uses or stores toxic or hazardous substances in the workplace shall post a notice in a central location in the workplace informing employees of their rights under this section.

(f) For the purposes of this section and section fourteen, an independent contractor, or the commonwealth or any of its political subdivisions shall maintain MSDS's for their own workplaces only, as defined in section one; provided, however, that employees of such employers, insofar as they are exposed in the course

of their employment to toxic or hazardous substances in other workplaces, shall have the right to examine MSDS's for those substances to which they are exposed from the workplace employer through a written request to their own employer.

Section 12. An employer or the preparer of an MSDS shall provide said MSDS, including information withheld as a trade secret, immediately on a confidential basis to an employee's treating physician who states in writing that in his professional judgment said employee's medical condition may be the result of occupational exposure to a toxic or hazardous substance present in the employee's workplace; provided, however, that such treating physician shall be required to sign concurrently, or in the case of geographical separation within twenty-four hours a confidentiality agreement, the form of which shall be promulgated by the commissioner of DPH. This agreement shall restrict the use of information to health purposes, prohibit disclosure of the information to anyone other than the treating physician and necessary medical personnel, and may provide for compensation or other legally appropriate relief for any competitive harm which may result from a breach of the agreement.

Section 13. No person shall discharge or cause to be discharged or otherwise discipline or in any manner discriminate against any employee for the reason that such person has exercised any right, made any claim or filed any complaint or suit or has instituted, or caused to be instituted, any proceeding under this chapter, or has testified, or is about to testify in any proceeding in his own behalf or on behalf of others; nor shall any pay, seniority or other benefits be lost by or denied to any such employee who has exercised any right provided by this chapter.

An employee who believes that he has been discharged, disciplined or in any other manner discriminated against by his employer for reason or reasons of exercising rights under this chapter may, within one hundred and eighty days of such violation or within one hundred and eighty days after obtaining knowledge that a violation did occur, file a verified complaint with the commissioner of DLI. A copy of the verified complaint shall also be sent by certified mail, return receipt requested, by the employee or his attorney to the employer at the time of filing with the commissioner of DLI. The employer, if he so chooses, may file with the commissioner of DLI an answer to the verified complaint, but must do so within twenty days of the receipt of the verified complaint from the employee or his attorney.

Upon receipt of a verified complaint and an answer, if one is so filed within the time period set forth in this section, the commissioner of DLI shall undertake an investigation of the alleged violation. If after a preliminary investigation, the com-

missioner determines that there is insufficient cause to believe a violation occurred, he shall so notify the complainant and employer within ten days of such determination. The employee or his attorney may, within ten days of such notice, request in writing with a copy to the employer an adjudicatory hearing pursuant to the provisions of chapter thirty A of the General Laws.

If after a preliminary investigation, the commissioner of DLI determines that there is cause to believe a violation occurred, he or she shall so notify the complainant and employer within ten days, and shall conduct an adjudicatory hearing pursuant to chapter thirty A of the General Laws. If after such a hearing, the commissioner determines that the employer did violate the provisions of this chapter, he may take such remedial action as is appropriate, including the issuance of a cease or desist order or the ordering of any other affirmative steps to correct the violation and prevent its recurrence.

Any time an employee exercises the rights specified in subsection (d) of section eleven of this chapter, and files a complaint pursuant to this section and section three of this chapter, the commissioner of DLI shall hold an adjudicatory hearing to resolve said complaint within ten days.

Any person aggrieved by the determination of the commissioner may appeal such determination in the Superior court for the county in which the employer's workplace is located. Such determination shall be reviewed in accordance with the standards for review provided in section fourteen of chapter thirty A.

Section 14. Employers subject to the provisions of this chapter shall be required to maintain as records for a period of thirty years only the MSDS's required by section eleven. Such records shall be made available within a reasonable period of time to each former employee, or his designated representative for examination and copying.

Section 15. Employers shall furnish employees with instruction on the nature and effects of those hazardous substances present in the workplace either in written form or in training programs as may be appropriate. Such instruction shall be in nontechnical language but may be generic to the extent appropriate and related to the job. Such instruction shall include the chemical name and any common names, unless withheld from an MSDS as a trade secret, of the toxic or hazardous substance to which an employee may be exposed under normal operating conditions, the location of the substance in the workplace, appropriate first aid treatment and antidotes in the event of improper exposure or overexposure, the proper and safe handling of said substance, the health effects of said substance as described in the relevant MSDS, and the rights and duties of employees as set forth in this chapter. Employers shall provide their current employees

with instruction as described herein within ninety days of the effective date of this chapter and annually thereafter, and for employees hired thereafter, within the first month of employment, and annually thereafter.

Section 16. Every employer subject to the provisions of this chapter shall file with the regional office of DEQE for the region in which the workplace of the employer is located, and upon request with the municipal coordinator for the city or town in which the workplace of the employer is located, a copy of an MSDS for each toxic or hazardous substance listed on the Massachusetts substance list and present in the employer's workplace. The municipal coordinator shall retain said MSDS's for at least five years and the regional office of DEQE shall retain said MSDS's for forty years.

Section 17. The commissioner of DEQE shall make a copy of an MSDS available to DLI or DPH upon request, and may make a copy of an MSDS available to any other agency of the commonwealth, but only upon written request including a justification by the requesting agency that the information contained in the MSDS is essential to the performance of a duty to protect the public health and safety imposed by statute or regulation. Provided, however, that when such action is taken by the commissioner of DEQE upon such request, he shall notify the employer or employers who provided the MSDS. And provided, further, that in the event of an imminent threat to public health or safety, the commissioner of DEQE shall waive the requirement for written request and justification.

Section 18. (a) A community resident in a city or town in which an employer subject to the provisions of this chapter is located, who has reason to believe that the utilization of a toxic or hazardous substance in the workplace by the employer is or may be endangering public health or safety, may file a petition with the municipal coordinator requesting an investigation. The petition shall state the grounds upon which the resident bases his belief that a toxic or hazardous substance is or may be endangering the public health and safety and shall inform the municipal coordinator of any information or data of which the resident has knowledge and which would assist the municipal coordinator in an investigation.

(b) The municipal coordinator shall within fifteen days review the petition and information submitted by the community resident to determine whether an investigation is warranted, and he may within ten additional days conduct an investigation of the charges contained in the petition pursuant to the authority provided by existing statutes, ordinances, or by-laws. The municipal coordinator shall notify the employer by certified mail, return receipt requested, of the filing of a petition within five days of said

filing with the municipal coordinator and shall afford the employer an opportunity to comment on the petition and submit information or data which the employer deems pertinent to the petition.

(c) If upon review of the information and data submitted by the community resident and the employer, the information available under this chapter and the data obtained in the municipal coordinator's investigation, should he have determined to conduct one pursuant to the provisions of this section, the municipal coordinator determines that action is required to protect the public health and safety, he shall promptly notify the commissioner of DEQE of his findings and may take such action or request the commissioner to take such actions as are authorized by statute, ordinance or by-law to protect the public health and safety. If the commissioner is requested to take action by the municipal coordinator pursuant to this section, he may take such actions as are necessary to protect the public health and safety. The commissioner shall also, where appropriate, provide relevant MSDS's to the petitioning resident provided, however, that the commissioner of DEQE determines that said request is not frivolous or intended to harass the employer. The commissioner's decision on release of the MSDS to the petitioning community resident shall be made within fifteen working days. Simultaneously, the municipal coordinator shall notify the community resident of the determination and shall provide the resident with a summary of the information contained in the petition, the response of the employer, the reasons for the determination, and a statement of the specific actions proposed by local or state officials to alleviate the danger to the public health or safety.

(d) If upon review of the information and data submitted by the community resident and the employer, and the information available through this chapter and the data obtained in the municipal coordinator's investigation, should he have determined to conduct one pursuant to the provisions of this section, the municipal coordinator determines that no action is required in order to protect the public health and safety, he shall promptly forward to the commissioner of DEQE for review, a report of the investigation including a summary of the information or data obtained by the municipal coordinator and the basis for the conclusion that no further action is required in response to the petition. Simultaneously, the municipal coordinator shall notify the community resident of his determination and shall provide the resident with a summary of the information contained or supplied with the petition, the response of the employer, and the reasons for the determination.

(e) If upon review of a petition of a community resident, the municipal coordinator determines that no investigation is necessary, he shall promptly notify the commissioner of DEQE of his

decision and the reason for the determination. Simultaneously, the municipal coordinator shall notify the petitioning community resident that no investigation will be made and the reasons for this determination.

(f) Any petitioning community resident who believes that the response of the municipal coordinator to the petition does not adequately address the matters contained therein may request in writing within fifteen days of such response that the commissioner of DEQE review said response and take such action as the commissioner deems appropriate. The commissioner shall also, where appropriate, provide the relevant MSDS's to the petitioning resident, provided, however, that the commissioner of DEQE determines that said request is not frivolous or intended to harass the employer.

The commissioner shall review the request of the petitioning resident and make a determination thereon within fifteen days of its filing. The commissioner shall promptly notify the employer of the petitioning community resident's request within five days of its filing, and shall notify said employer of any release of an MSDS at the time of said release.

(g) A community resident or employer aggrieved by an action of the municipal coordinator or the commissioner of DEQE may appeal such determinations in the Superior court for the county in which the resident resides or in which the employer's workplace is located. The determinations shall be reviewed in accordance with the standards for review provided in section fourteen of chapter thirty A.

(h) Except as provided in section nineteen, any municipal official other than the municipal coordinator shall be deemed a community resident and shall have those rights and obligations provided to community residents herein.

(i) Nothing contained herein shall be construed to confer additional or reduce current powers of local public officials under existing laws, ordinances, or by-laws.

Section 19. A municipal coordinator who has obtained an MSDS from an employer pursuant to section sixteen may make available to another municipal official for the city or town in which the workplace of the employer is located, a copy of an MSDS, if he determines that an imminent threat to public health or safety exists for which immediate access to information contained in the MSDS is critical to that other municipal official's performance of a duty imposed by statute, regulation, ordinance, or by-law. The municipal coordinator shall so inform the employer of the release of the MSDS to another municipal official.

Section 20. (a) A preparer shall provide an MSDS without trade secret information immediately on a confidential basis to a community resident's treating physician who states in writing

that said resident's medical condition may be the result of exposure to a toxic or hazardous substance present in the said employer's workplace; provided, however that such treating physician shall be required to sign concurrently a confidentiality agreement, the form of which shall be established by the commissioner of DPH. This agreement shall restrict the use of information to health purposes, prohibit disclosure of information to anyone other than the treating physician and necessary medical personnel, and may provide for compensation or other legally appropriate relief for any competitive harm which may result from a breach of the agreement.

(b) A preparer shall provide the information withheld from an MSDS as a trade secret immediately on a confidential basis to a community resident's treating physician who states in writing that a medical emergency as defined in section one exists with respect to the resident; provided, however, that such treating physician shall be required to sign concurrently, or in the case of geographical separation, within twenty-four hours a confidentiality agreement, the form of which shall be established by the commissioner of DPH. This agreement shall restrict the use of information to health purposes, prohibit disclosure of the information to anyone other than the treating physician and necessary medical personnel, and may provide for compensation or other legally appropriate relief for any competitive harm which may result from a breach of this agreement.

Section 21. (a) Any information provided to state or local agencies or instrumentalities by manufacturers and employers pursuant to the provisions of this chapter, and any information provided to their public agencies or coordinator pursuant to this chapter shall not be a public record for the purposes of chapter sixty-six of the General Laws.

(b) Any person who has obtained possession of or has access to information pursuant to the provisions of this chapter shall not disclose said information to any person not specifically authorized to receive it hereunder. Violation of this provision shall be punishable by a fine of not more than five thousand dollars or imprisonment for not more than one year, or both. Provided, however, that disclosure by an employee to his or her spouse, or to a fellow employee exposed to the same toxic or hazardous substance as is involved in the disclosure, shall not constitute a violation of this chapter.

SECTION 2. If any section of this act shall be held unconstitutional either on its face or as applied, the unconstitutionality of that section shall not affect the remaining sections of this act.

SECTION 3. This chapter shall take effect on the one hundred

and eightieth day after it is approved by the governor, or ninety days after the commissioners of DPH, DLI, and DEQE certify to the secretary of the commonwealth that all rules and regulations to be adopted under this chapter have been promulgated whichever date occurs later.

Approved November 4, 1983.

Chap. 471. AN ACT MAKING AN APPROPRIATION TO FUND A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE COMMONWEALTH AND THE NATIONAL ASSOCIATION OF GOVERNMENT EMPLOYEES, UNIT 1, LOCAL RI-283.

Be it enacted, etc., as follows:

SECTION 1. To provide for the cost of salary adjustments and other employee benefits authorized by the collective bargaining agreement between the commonwealth and the National Association of Government Employees, Unit 1, Local RI-283, the sum set forth in section two of this act is hereby appropriated, subject to the provisions of law regulating disbursements of public funds and the conditions pertaining to appropriations in chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three.

SECTION 2.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

Collective Bargaining.

1599-3401 For a reserve to meet the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the Commonwealth and the National Association of Government Employees, Unit 1, Local RI-283, and to meet the cost of salary adjustments and other economic benefits necessary to provide equal salary adjustments or benefits to employees employed in "confidential" positions which would otherwise be covered by this collective bargaining agreement; provided, however, that the personnel administrator, with the approval of the commissioner of administration, shall determine such salary adjustments and other economic benefits for "confidential" employees in accordance with the provisions of the collective bargaining agreement

then in effect which would otherwise cover said positions; provided, further, 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-four such amounts as are necessary to meet the cost of said adjustments and benefits for the fiscal year nineteen hundred and eighty-four where the amounts otherwise available are insufficient for the purpose; 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; 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 and allocation of any amounts necessary to meet the cost of said adjustments and benefits; and provided, further, that no transfers shall be made without the prior approval of the house and senate committees on ways and means $5,299,000

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

Approved November 7, 1983.

Chap. 472. AN ACT RELATIVE TO THE JURISDICTION OF THE DISTRICT COURTS OF HAMPSHIRE COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 218 of the General Laws is hereby amended by striking out the first and second paragraphs under the caption "Hampshire", as amended by section 59 of chapter 451 of the acts of 1939, and inserting in place thereof the following two paragraphs:-

The district court of Hampshire, held at Northampton, Amherst, Cummington, South Hadley, Huntington and Easthampton; Hampshire county, except Belchertown and Ware.

The district court of eastern Hampshire, held at Ware; Ware

and Belchertown.

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

Approved November 7, 1983.

Chap. 473. AN ACT RELATIVE TO THE ISSUE OF NOTES BY TOWNS AND DISTRICTS.

Be it enacted, etc., as follows:

SECTION 1. Section 4 of chapter 44 of the General Laws is hereby amended by striking out the sentence, inserted by section 1 of chapter 782 of the acts of 1979, and inserting in place thereof the following sentence:- The aggregate amount of such notes shall not exceed an amount reasonably required, which amount, in the case of notes of a town or district, shall be approved by the director or by counsel and shown on an estimated cash flow statement prepared on a form approved by the director, by such other evidence as the director or counsel may require, and filed with the treasurer of the town or district and the director.

SECTION 2. Said chapter 44 is hereby further amended by inserting after section 27 the following section:-

Section 27A. The provisions of sections twenty-three to twenty-four A, inclusive, and sections twenty-six to twenty-seven, inclusive, shall apply to all towns and districts unless the selectmen of the town or the prudential committee or commissioners of the district, shall vote, as to any particular issue of notes, that said provisions shall not apply to the notes of such issue. The treasurer of the town or district shall solicit proposals from at least three financial institutions before issuing any notes pursuant to this section. Whenever a town or district issues notes pursuant to this section, the treasurer shall record the amount, date, maturity and numbers of such notes on the next unused serially numbered note furnished to the town or district pursuant to the provisions of section twenty-three.

Approved November 7, 1983.

Chap. 474. AN ACT ESTABLISHING THE COMPENSATION FOR REGISTERS OF THE PROBATE AND FAMILY COURT DEPARTMENT.

Be it enacted, etc., as follows:

Chapter 217 of the General Laws is hereby amended by striking out section 35A, as most recently amended by section 14 of chapter 632 of the acts of 1981, and inserting in place thereof the following section:-

Section 35A. The salaries of the registers of the probate and family court department shall be paid by the commonwealth and shall be as follows: Middlesex, Essex, Worcester, Norfolk, Hampden, Bristol, Plymouth, Berkshire, Barnstable, Suffolk, Franklin, Hampshire divisions shall be seventy-five and three-tenths per cent of the salary of an associate justice of the trial court. The salaries of the registers of the probate and family court department of the Dukes and Nantucket divisions shall be forty-one and five-tenths per cent of an associate justice of the trial court.

The registers of probate shall devote their entire time during business hours to their respective duties and shall not directly or indirectly engage in the practices of law.

Approved November 7, 1983.

Chap. 475. AN ACT DIRECTING THE NORFOLK COUNTY RETIREMENT BOARD TO GRANT CERTAIN CREDITS FOR CERTAIN CLERICAL PERSONNEL.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law or rule or regulation to the contrary, the Norfolk county retirement board is hereby authorized and directed to credit to those members employed as clerical personnel in the public schools a full year's creditable service for retirement purposes for each academic year during which they were so employed so long as such annual employment period consisted of not less than ten months.

Approved November 7, 1983.

Chap. 476. AN ACT RELATIVE TO THE PROCESSING OF DOG LAW VIOLATIONS IN THE TOWN OF MARBLEHEAD.

Be it enacted, etc., as follows:

The selectmen of the town of Marblehead shall designate or

appoint a canine control clerk. Said clerk shall report to the selectmen and shall supervise and coordinate the processing of all violations of the by-law of the town of Marblehead regarding the restraint of all canines on a leash. Said clerk shall have the authority subject to the approval of the selectmen of said town to hire or designate such personnel as may be necessary and to contract by competitive bid for such services, subject to appropriation, for the purpose of carrying out the provisions of this act; provided, however, that in no case shall the amount expended for the implementation of this section exceed eleven per cent of the total amount of receipts collected by said clerk.

It shall be the duty of every police officer who takes cognizance of a violation of the town's leash law by-law, forthwith to give the owner of the canine a notice to appear before the canine control clerk at any time during regular office hours not later than twenty-one days after the date of such violation. All notices shall be prepared in triplicate and shall be prenumbered.

Said notice shall contain but shall not be limited to the following information, the name of the owner of the dog or the person charged, the date, time and place of the by-law violation, the name and badge number of the officer, a schedule of fines and instructions for the return of the notice. Said instructions shall contain the information that the notice may be returned by mail, personally or by an authorized person, and that a hearing may be obtained by the person charged.

At or before the completion of each tour of duty, the officer shall give to his commanding officer those copies of each notice of such violation taken cognizance of during such tour. Said commanding officer shall retain and safely preserve one of such copies and shall at a time no later than the beginning of the next business day after receipt of such notice deliver another of such copies to the canine control clerk before whom the offender has been notified to appear, the said clerk shall maintain a docket of all such notices to appear.

Any person notified to appear before the said clerk, as provided herein, may appear before such said clerk, or his designee, and admit to the offense charged, either personally or through an agent duly authorized in writing or by mailing to such canine clerk the notice accompanied by the fine provided therein, such payment to be made only by postal note, money order or check made out to the said clerk. Payment of the fine established shall operate as a final disposition of the case.

A notice given as provided in this act shall be deemed a sufficient notice and a certificate of the officer giving such notice that it was given to the person charged in accordance with this act shall be deemed prima facie evidence thereof and shall be admissible in any judicial or administrative proceedings

as to the facts contained therein.

Should any person notified to appear hereunder fail to appear and, if a fine is provided hereunder, to pay the same, or having appeared desire not to avail himself of the benefits of the procedure established by this section, the officers concerned shall forthwith schedule the matter before a person hereafter referred to as a hearing officer, said hearing officer to be the canine control clerk or such other person or persons as the said clerk may designate. Written notice of the date, time and place of said hearing shall be sent by first class mail to the registered owner. Said hearing shall be informal, the rules of evidence shall not apply and the decision of hearing officer shall be the final subject to judicial review as provided by section fourteen of chapter thirty A of the General Laws.

Should any person fail to appear before the hearing officer, the canine control clerk may apply to the clerk of the district court of southern Essex of the district court department of the trial court to have the matter of these alleged violations treated criminally and said court shall take jurisdiction of the matter. Said proceedings shall comply with the procedure provided by section one hundred and seventy-three A of chapter one hundred and forty of the General Laws.

All fines received for violations of the town's leash law shall be retained by the town and deposited into said town's general fund.

Approved November 7, 1983.

Chap. 477. AN ACT RELATIVE TO THE FEE TO BE CHARGED FOR FILING A PETITION TO THE COUNTY COMMISSIONERS.

Be it enacted, etc., as follows:

Chapter 262 of the General Laws is hereby amended by striking out section 4A, as appearing in section 11 of chapter 539 of the acts of 1980, and inserting in place thereof the following section:-

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, fifty dollars.

For the filing of a petition to the county commissioners, ten 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.

Nothwithstanding 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 injuction or restraining order; but, if the commonwealth prevails in the action, the fees shall be taxed against the other party.

Approved November 7, 1983.

Chap. 478. AN ACT AUTHORIZING THE CITY OF FALL RIVER TO LEASE A CERTAIN PARKING FACILITY TO AETNA CASUALTY AND SURETY COMPANY FOR A TERM NOT TO EXCEED THIRTY YEARS.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section three of chapter forty of the General Laws or any other general or special law to the contrary, the city of Fall River is hereby authorized to lease, to the Aetna Casualty and Surety Company, a corporation duly organized under the laws of the state of Connecticut for a term not to exceed thirty years, upon such terms and conditions as the city shall determine, any or all of the parking spaces in the parking facility of said city located on a parcel of land bordered by Pearl street, Anawan street and Milliken Boulevard in said city.

Approved November 7, 1983.

Chap. 479. AN ACT AUTHORIZING THE TOWN OF WAYLAND TO TRANSFER AND CONVEY CERTAIN CONSERVATION LAND HELD BY SAID TOWN AND TO RELEASE AND CANCEL A CONSERVATION RESTRICTION HELD BY THE TOWN.

Be it enacted, etc., as follows:

SECTION 1. Chapter three hundred and twenty of the acts of nineteen hundred and eighty-three is hereby repealed.

SECTION 2. The town of Wayland is hereby authorized to undertake the following action with respect to certain conservation land or interests in land now held by it and located within the Planned Development District known as "Mainstone" which

Planned Development District is more particularly shown and described on the Zoning Plan of the Town of Wayland, Massachusetts, Everett M. Brooks Co., Civil Engineers - Newtonville and Wayland, Massachusetts, January 1, 1971, as amended thereafter, a copy of which Zoning Plan as so amended is on file with the town clerk:

1. to sell, convey or otherwise dispose of to the developer of the aforesaid Mainstone Planned Development District or to any affiliate thereof, or to any condominium association or other appropriate entity, for private use, certain parcels of land designated as "public land" in said Planned Development District, which parcels are more fully described as follows:

Lot 11A

Beginning at a concrete bound located N79-08-35E, three hundred eighty-one and 90/100 (381.90) feet from a concrete bound at the Southwesterly corner of Lot 3 as shown on Land Court Plan No. 16568F entitled "Subdivision Plan of Land in Wayland and Weston H. W. Moore Associates, Inc., Surveyors, April 20, 1976" on file at the Mass. Land Court, thence

S42-32-10W, two hundred eighteen and 00/100 (218.00) feet, thence

S79-08-35W, one hundred and 00/100 (100.00) feet, thence

N10-51-25W, one hundred thirty and 00/100 (130.00) feet, thence

N79-08-35E, two hundred seventy-five and 00/100 (275.00) feet, to the point of beginning, and also being shown as Lot 11A on a plan entitled "Plan of Land in Wayland, Mass. Revised Building Envelope Plan Turkey Hill Village Condominium Lot No. 3 and 11A L.C.C. No. 16568F," dated April 5, 1982 by Schofield Brothers, Inc., a copy of which plan is on file with the town clerk.

Lot 11B

Beginning at a concrete bound at the most southerly point of Lot 20 as shown on Land Court Plan No. 16568M entitled "Subdivision Plan of Land in Wayland Schofield Brothers Inc., Surveyors, October 18, 1979" on file at the Mass. Land Court, thence

N55-26-05E, ninety-five and 94/100 (95.94) feet to a concrete bound, thence

N17-12-10E, one hundred fifty and 00/100 (150.00) feet to a concrete bound, thence

S03-36-14E, fifty-three and 49/100 (53.49) feet, thence

S18-55-16W, one hundred seventeen and 00/100 (117.00) feet, thence

S69-14-19W, ninety-four and 96/100 (94.96) feet to the point of beginning, and also being shown as Lot 11B on plans entitled

"Plan of Land in Wayland, Mass. Revised Building Envelope Plan Stoneridge Village Condominium Lots 19, 20, 21, and 11B L.C.C. No. 16568M," dated April 5, 1982 by Schofield Brothers, Inc. and "Plan of Land in Wayland and Weston, Mass. Revised Building Envelope Plan and Proposed Public Land, Lot. No. 6, 6A, IIB, IIC L.C.C. No. 16568F," also dated April 5, 1982 by Schofield Brothers, Inc., copies of which plans are on file with the town clerk.

Lot 11C

Beginning at a point on the easterly sideline of Mainstone Road, 276.61 feet northerly of the Natick/Wayland town line along a curve having a radius of 785.00 feet, as shown on Land Court Plan No. 16568F entitled "Subdivision Plan of Land in Wayland and Weston H. W. Moore Associates, Inc., Surveyors, April 20, 1976" on record at the Mass. Land Court, thence

N17-12-10E, seven hundred ninety-one and 31/100 (791.31) feet, thence

S81-27-15W, one hundred seventy-four and 90/100 (174.90) feet, to a concrete bound, thence

S17-12-10W, eighty-nine and 81/100 (89.81) feet, to a concrete bound, thence

S10-17-51E, one hundred eighty-five and 00/100 (185.00) feet, to a concrete bound, thence

S03-36-14E, fifty-three and 49/100 (53.49) feet, thence

S18-55-16W, one hundred seventeen and 00/100 (117.00) feet, thence

S69-14-19W, ninety-four and 96/100 (94.96) feet, thence

S55-26-05W, one hundred four and 06/100 (104.06) feet, thence

S34-33-54E, two hundred forty-nine and 36/100 (249.36) feet to the point of beginning, and also being shown as Lot 11C on a plan entitled "Plan of Land in Wayland and Weston, Mass. Revised Building Envelope Plan and Proposed Public Land Lot No. 6, 6A, 11B, 11C L.C.C. No. 16568F," dated April 5, 1982 by Schofield Brothers, Inc., a copy of which plan is on file with the town clerk, all of which parcels were conveyed to the town by deed of Devens H. Hamlen, et al., dated June 24, 1977, recorded in the southern district registry of deeds in the county of Middlesex in Book 13357, Page 620, and registered as Document No. 565248, in consideration for the grant to the town and upon its acceptance of a deed conveying all or certain portions of another area of land located within said Mainstone Planned Development District, which area of land is more particularly described as follows:

Lot 6A

Beginning at a town line bound at the corner of Wayland,

Weston, and Natick, as shown on Land Court Plan No. 16568F entitled "Subdivision Plan of Land in Wayland and Weston H. W. Moore Associates, Inc., Surveyors, April 20, 1976" on file at the Land court department of the trial court of the commonwealth, thence

N78-48-40W, five hundred twenty-three and 27/100 (523.27) feet, to the easterly sideline of Mainstone Road, thence

Northerly, ten and 00/100 (10.00) feet along a curve to the left having a radius of 785.00 feet, being the sideline of Mainstone Road, thence

N62-24-36E, two hundred sixty-five and 00/100 (265.00) feet, thence

N15-07-05E, five hundred fifty-five and 00/100 (555.00) feet, thence

N07-12-40W, one hundred eighty and 00/100 (180.00) feet, thence

N04-55-37E, one hundred fifty-eight and 96/100 (158.96) feet, thence

S89-42-56E, thirty-three and 72/100 (33.72) feet, thence

S01-48-37E, one hundred seventy-nine and 11/100 (179.11) feet, thence

S07-12-40E, six hundred eleven and 04/100 (611.04) feet, thence

S07-12-40E, forty-seven and 04/100 (47.04) feet, thence

S04-49-53E, two hundred seventy-five and 61/100 (275.61) feet, to the point of beginning, and also being shown as Lot 6A on a plan entitled "Plan of Land in Wayland and Weston, Mass. Revised Building Envelope Plan and Proposed Public Land", Lot No. 6, 6A, 11B, 11C, L.C.C. No. 16568F dated April 5, 1982 by Schofield Brothers, Inc., a copy of which is on file with the town clerk, and subject to such further conditions as are set forth in the vote of the town taken on May sixth, nineteen hundred and eighty-two pursuant to Article 24 of the warrant for the nineteen hundred and eighty-two annual town meeting.

2. to sell, convey or otherwise dispose of to the developer of the aforesaid Mainstone Planned Development District or any affiliate thereof, or to any condominium association or other appropriate entity, for private use, a certain parcel of land designated as "public land" within the Mainstone Planned Development District and more fully described as follows:

Lot 19A

Beginning at a point at the northwest corner of the parcel to be described, which point is located N66-20-46E a distance of 1,024.76 feet from the northwest corner of Lot 13 as shown on Plan entitled "Mainstone Farm Wayland, Mass. Building Envelope Plan" dated 12-30-76 and revised on 10-21-77 and 10-24-77, by

H.W. Moore Associates, Inc., and recorded in the Middlesex South Registry of Deeds as plan 1399 of 1977 in Book 13357, page 629, thence

N66-20-46E, three hundred fifty-five and 00/100 (355.00) feet to a point, thence

S23-39-14E, two hundred eighty and 00/100 (280.00) feet to a point, thence

S01-16-39W, two hundred fifty-one and 86/100 (251.86) feet to a point, thence

N88-02-55W, three hundred ninety-seven and 00/100 (397.00) feet to a point, thence

N05-41-38W, three hundred fifty-four and 07/100 (354.07) feet to the point of beginning, and also being shown as Lot 19A on a plan entitled "Plan of Land in Wayland, Mass. Revised Building Envelope Plan Lots 10B, 12, 13, 14, 15, 19 & Curling Road as Shown on Plan by H.W. Moore Associates Inc. dated April 20, 1976," dated October 4, 1982 by Schofield Brothers, Inc., a copy of which plan is on file with the town clerk, which parcel was previously conveyed to the town by deed of Devens H. Hamlen, et al., dated June 24, 1977, recorded in the southern district registry of deeds in the county of Middlesex in Book 13357, Page 620, and registered as Document No. 565248, in consideration for the granting to the town and upon its acceptance of a deed conveying another parcel of land located within said Mainstone Planned Development District and more particularly described as follows:

Lot 13B

Beginning at a point at the northwest corner of the parcel to be described, said point being located

S22-33-00E, two hundred eighty-five and 43/100 (285.43) feet, thence

S05-34-54W, two hundred sixty and 00/100 (260.00) feet, from the northwest corner of Lot 13 as shown on a Plan entitled Mainstone Farm Wayland, Mass. Building Envelope Plan dated 12-30-76 and revised on 10-21-77 and 10-24-77, by H.W. Moore Associates, Inc., and recorded in the Middlesex South Registry of Deeds as plan 1399 of 1977 in Book 13357, Page 629, thence

S05-34-54W, three hundred thirty and 00/100 (330.00) feet, thence

S84-25-06E, three hundred thirty and 00/100 (330.00) feet, thence

N05-34-54E, three hundred thirty and 00/100 (330.00) feet, thence

N84-25-06W, three hundred thirty and 00/100 (330.00) feet to the point of beginning, and also being shown on a plan entitled "Plan of Land in Wayland, Mass. Revised Building Envelope Plan

Lots 10B, 12, 13, 14, 15, 19 & Curling Road as Shown on Plan by H.W. Moore Associates Inc. dated April 20, 1976," dated October 4, 1982 by Schofield Brothers, Inc., a copy of which plan is on file with the town clerk, and subject to such further conditions as are set forth in the vote of the town taken on November seventeenth, nineteen hundred and eighty-two pursuant to Article 7 of the warrant for the November seventeenth, nineteen hundred and eighty-two special town meeting;

3. to release and cancel with the approval of the secretary of environmental affairs a certain conservation restriction granted to the Town by deed of Devens H. Hamlen, et al., dated June 24, 1977, recorded with southern district registry of deeds in the county of Middlesex in Book 13357, Page 629, and registered as Document Number 565251, on 128 acres of land, more or less, in Wayland, lying within the aforesaid Mainstone Planned Development District and more particularly described in said deed and shown and designated as "private open space" on plans referenced in said deed, a copy of which, together with accompanying plans, is on file with the town clerk, in consideration for the granting to the town of a new conservation restriction, which shall contain terms and conditions deemed satisfactory to the conservation commission and the board of selectmen, to be imposed upon such substituted areas of land and water within the Mainstone Planned Development District as are ultimately determined by the conservation commission and the board of selectmen to be satisfactory for designation as "private open space" in lieu of the areas so designated under the existing conservation restriction, and subject to such further conditions as are set forth in the vote of the town taken on November seventeenth, nineteen hundred and eighty-two pursuant to Article 6 of the warrant for the November seventeenth, nineteen hundred and eighty-two special town meeting.

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

Approved November 10, 1983.

Chap. 480. AN ACT FURTHER REGULATING THE LETTING OF CERTAIN CONTRACTS BY CITIES, TOWNS AND COUNTIES.

Be it enacted, etc., as follows:

Section 17 of chapter 34 of the General Laws, as most recently amended by chapter 75 of the acts of 1977, is hereby further amended by striking out the first four sentences and inserting

in place thereof the following four sentences:- All contracts exceeding four thousand dollars in amount made by the board of county commissioners or by any other board or officer having control of activities, the expense of which is payable through the county treasury, for the purchase of supplies or equipment, or for services other than advertising, professional services and services of county employees, shall be in writing and shall be filed with said board or its clerk, if any, and a copy of each such contract shall be filed in the office of the county treasurer. All changes in or additions to, or agreements for extras under, such contracts shall also be in writing and be so filed. All such contracts shall, except as hereinafter provided, be made only after notice inviting bids therefor has been posted for at least one week in a conspicuous place in each county building where the county commissioners have an office. All such contracts exceeding five thousand dollars in amount shall be made only after such notice has been so posted and after such contracts have been advertised at least once in a newspaper, if any, published in the city or town wherein the public building, bridge, highway or public work or institution to be supplied in accordance with the contract is or is to be situated, and once in any newspaper of general circulation in the county.

Approved November 10, 1983.

Chap. 481. AN ACT FURTHER REGULATING THE CONDUCT OF CERTAIN MUNICIPAL EMPLOYEES.

Be it enacted, etc., as follows:

Section 20 of chapter 268A of the General Laws is hereby amended by striking out the third paragraph, as most recently amended by section 12 of chapter 612 of the acts of 1982, and inserting in place thereof the following paragraph:-

This section shall not apply (a) to a municipal employee who in good faith and within thirty days after he learns of an actual or prospective violation of this section makes full disclosure of his financial interest to the contracting agency and terminates or disposes of the interest, or (b) to a municipal employee who is not employed by the contracting agency or an agency which regulates the activities of the contracting agency and who does not participate in or have official responsibility for any of the activities of the contracting agency, if the contract is made after public notice or where applicable, through competitive bidding, and if the municipal employee files with the clerk of the city or town a statement making full disclosure of his interest and the

interest of his immediate family, and if in the case of a contract for personal services (1) the services will be provided outside the normal working hours of the municipal employee, (2) the services are not required as part of the municipal employee's regular duties, the employee is compensated for not more than five hundred hours during a calendar year, (3) the head of the contracting agency makes and files with the clerk of the city or town a written certification that no employee of that agency is available to perform those services as part of their regular duties, and (4) the city council, board of selectmen or board of aldermen approve the exemption of his interest from this section, or (c) to a special municipal employee who does not participate in or have official responsibility for any of the activities of the contracting agency and who files with the clerk of the city or town a statement making full disclosure of his interest and the interests of his immediate family in the contract, or (d) to a special municipal employee who files with the clerk of the city or town a statement making full disclosure of his interest and the interests of his immediate family in the contract, if the city council or board of aldermen if there is no city council or the board of selectmen approve the exemption of his interest from this section, or (e) to a municipal employee who receives benefits from programs funded by the United States or any other source in connection with the improvement or rehabilitation of his residence to the extent permitted by the funding agency, or (f) to a municipal employee if the contract is for personal services in a part time, call, or volunteer capacity with the police, fire, rescue, or ambulance department of a town or any city with a population of less than thirty-five thousand inhabitants; provided, however, that the head of the contracting agency makes and files with the clerk of the city or town a written certification that no employee of said agency is available to perform such services as part of his regular duties, and the city council, board of selectmen or board of aldermen approve the exemption of his interest from this section.

Approved November 10, 1983.

Chap. 482. AN ACT AUTHORIZING THE CITY OF BOSTON TO ISSUE A LICENSE FOR THE SALE OF ALCOHOLIC BEVERAGES TO THE EMERALD SOCIETY OF POLICE DEPT. OF CITY OF BOSTON, INC.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any limitations of 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 to all other provisions of said chapter one hundred and thirty-eight, the licensing authority of the city of Boston is hereby authorized to issue to the Emerald Society of Police Dept. of City of Boston, Inc., an annual seven-day all alcoholic beverage club license; provided, however, that said license shall not be transferred to any other person, organization, corporation or location.

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

Approved November 11, 1983.

Chap. 483. AN ACT AUTHORIZING THE TOWN OF FRANKLIN TO APPOINT GEORGE E. CODY AS A PERMANENT CALL FIREFIGHTER.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of chapter thirty-one of the General Laws or any other law or rule to the contrary, the town of Franklin is hereby authorized to appoint George E. Cody as a permanent call firefighter.

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

Approved November 11, 1983.

Chap. 484. AN ACT RELATIVE TO THE LICENSING AND KEEPING OF DOGS IN THE TOWN OF HARVARD.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of sections one hundred and thirty-seven and one hundred and thirty-nine of chapter one hundred and forty of the General Laws or any other general or special law to the contrary, the annual fees to be charged by the town of Harvard for the issuance of licenses for dogs shall be as follows: males and females, seven dollars, and altered males and spayed females, four dollars.

SECTION 2. Notwithstanding the provisions of section one hundred and thirty-seven A of said chapter one hundred and forty or any other general or special law to the contrary, the

annual fees to be charged by the town of Harvard for the issuance of licenses for kennels shall be as follows: Not more than four dogs, ten dollars, more than four but not more than ten dogs, twenty-five dollars, and more than ten dogs, fifty dollars.

SECTION 3. Notwithstanding the provisions of section one hundred and forty-seven of said chapter one hundred and forty or any other general or special law to the contrary, all money received for licenses for dogs or kennels or from the sale of dog licenses by the town of Harvard, or recovered as fines or penalties by said town under the provisions of said chapter one hundred and forty relating to dogs, shall be paid to the town treasury of said town and shall not thereafter be paid over to Worcester county.

SECTION 4. Notwithstanding the provisions of section one hundred and thirty-seven of said chapter one hundred and forty or any other general or special law to the contrary, the registration, numeral listing, description and licensing of dogs, if kept in said town, shall be conducted by the town clerk of said town.

SECTION 5. Notwithstanding the provisions of section one hundred and sixty-one of said chapter one hundred and forty or any other general or special law to the contrary, whoever suffers loss by the worrying, maiming or killing of his livestock or fowls by dogs, outside the premises of the owners or keepers of such dogs, shall be, after investigation as provided in said section one hundred and sixty-one, paid from the town treasury of said town, as provided by said section one hundred and sixty-one.

SECTION 6. This act shall take effect upon its passage.

Approved November 11, 1983.

Chap. 485. AN ACT RELATIVE TO THE LICENSING AND KEEPING OF DOGS IN THE TOWN OF LUNENBURG.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section one hundred and thirty-seven of chapter one hundred and forty of the General Laws or any other provision of law to the contrary, the registration, numeral listing, description and licensing of dogs, if kept in the town of Lunenburg, shall be conducted in the office of the town clerk of said town.

SECTION 2. Notwithstanding the provisions of section one hundred and thirty-nine of said chapter one hundred and forty or any other provision of law to the contrary, the annual fees to be charged by the town of Lunenburg for the issuance of dog licenses shall be as determined by the town of Lunenburg.

SECTION 3. 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 town of Lunenburg, or recovered as fines or penalties by said town under the provisions of said chapter one hundred and forty relating to dogs, shall be paid into the town treasury of said town and shall not thereafter be paid over by the town treasurer to Worcester county.

Approved November 11, 1983.

Chap. 486. AN ACT FURTHER REGULATING MASS MARKETED LIFE OR HEALTH INSURANCE.

Be it enacted, etc., as follows:

Chapter 175 of the General Laws is hereby amended by inserting after section 190 the following three sections:-

Section 190A. The following words and phrases for the purposes of this section and the following two sections, shall have the following meanings:- "Mass marketed life or health insurance", the insurance under any individual, franchise, group or blanket policy of life or health insurance which is offered by means of direct response solicitation through a sponsoring organization or through the mails or other mass communications media and under which the person insured pays all or substantially all of the cost of his insurance.

"Direct response solicitation", any offer by an insurer to persons in the commonwealth, either directly or through a third party, to effect life or health insurance coverage which enables the individual to apply or enroll for the insurance on the basis of the offer. It shall not include solicitations for insurance through an "employee benefit plan" as defined by an act of congress entitled the Employee Retirement Income Security Act of 1974, Public Law 93-406 nor shall it include such a solicitation through the individual's creditor with respect to credit life or credit health insurance.

Section 190B. No mass marketed life or health insurance may continue to be sold or offered to persons in the commonwealth if

the commissioner finds that the total charges for the insurance to the persons insured are unreasonable in relation to the benefits provided. Any such finding shall be made after hearing after not less than thirty days' written notice to the insurer. The commissioner shall make findings in writing, including the reasons therefore, and may issue an order directing the insurer to cease selling or offering to sell such insurance. Such order shall continue in effect until the total charges for the insurance are found to be reasonable in relation to the benefits. Any person or company aggrieved by any order of the commissioner under this paragraph may, within twenty days from the filing of a memorandum thereof in his office, file a petition in the supreme judicial court for Suffolk county for a review of such order. The order of the commissioner shall remain in full force and effect pending the final decision of the court unless the court or a justice thereof after notice to the commissioner shall by a special order otherwise direct. The court shall have jurisdiction to annul or affirm such order and shall review all questions in accordance with the standards for review provided in paragraph (7) of section fourteen of chapter thirty A and may make any appropriate order or decree.

Section 190C. Any insurer extending mass marketed life or health insurance under a group or blanket policy issued outside the commonwealth to residents of the commonwealth shall:

(1) comply with respect to such insurance with the requirements of the commonwealth relating to advertising and to claims settlement practices; and

(2) shall, upon request of the commissioner, make available for the purpose of determining compliance with the provisions of this section, copies of any such policy or certificates or both issued thereunder, and any advertising material used within the commonwealth in connection with such insurance.

Approved November 11, 1983.

Chap. 487. AN ACT RELATIVE TO THE LICENSING AND KEEPING OF DOGS IN THE TOWN OF MANCHESTER.

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 town of Manchester for the issuance of licenses for dogs shall be as follows: unspayed

females, seven dollars, spayed females and males, four 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 sale of dog licenses by the town of Manchester or recovered as fines or penalties by said town under the provisions of said chapter one hundred and forty relating to dogs, shall be paid into the town treasury of said town and shall not thereafter be paid over by the town treasurer to Essex county.

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 town, shall be conducted by the town clerk of said town.

SECTION 4. This act shall take effect on April first, nineteen hundred and eighty-four.

Approved November 11, 1983.

Chap. 488. AN ACT EXEMPTING THE POSITION OF DIRECTOR OF MUNICIPAL GROUNDS IN THE CITY OF GARDNER FROM THE PROVISIONS OF CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the position of director of municipal grounds in the city of Gardner 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 holding civil service status in the position of director of municipal grounds in the city of Gardner on the effective date of this act.

Approved November 11, 1983.

Chap. 489. AN ACT AUTHORIZING ESTIMATED TAX PAYMENTS FOR THE CITY OF MALDEN FOR THE FIRST HALF OF FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-FOUR.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the city of Malden is hereby authorized to issue a first half notice of estimated tax in lieu of the actual assessment and issuance of the tax bill for the fiscal year nineteen hundred and eighty-four and require the payment of such estimated tax, which shall in no event exceed fifty per cent of the tax payable during the preceding fiscal year. No later than April first, nineteen hundred and eighty-four, the assessors of the city of Malden shall establish the tax rate for fiscal year nineteen hundred and eighty-four. Payment of the balance of such tax bill, after credit is given for the estimated tax payment previously made, shall represent the second payment upon such bill that is payable on or before May first, nineteen hundred and eighty-four without payment of interest.

All provisions of law regarding the procedures for issuing, mailing and collecting tax assessments upon real and personal property and betterment assessments shall be applicable to the notice of estimated tax provided hereunder, including the payment of interest under section fifty-seven of chapter fifty-nine of the General Laws. To the extent that any rights or remedies under law accrue from the date that the tax bill is issued, only the tax bill issued upon the establishment of the tax rate for fiscal year nineteen hundred and eighty-four shall govern such rights or remedies. The provisions of section twenty-one C of said chapter fifty-nine shall apply to the tax rate for fiscal year nineteen hundred and eighty-four established by such city or town.

SECTION 2. Notwithstanding the provisions of section one, the city of Malden is hereby authorized to issue a notice of estimated tax in lieu of the tax bill for the fiscal year nineteen hundred and eighty-four may, with the prior written approval of the commissioner of revenue, require the payment of an estimated tax in excess of fifty per cent of the tax payable during fiscal year nineteen hundred and eighty-three to the extent that such excess represents one-half of the amount of tax accruing as a result of the loss of exemption from tax that had been granted in the preceding fiscal year.

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

Approved November 14, 1983.

Chap. 490. AN ACT AUTHORIZING PAROLE OFFICERS TO CARRY CERTAIN WEAPONS.

Be it enacted, etc., as follows:

Section 8A of chapter 147 of the General Laws, as appearing in chapter 174 of the acts of 1939, is hereby further amended by inserting after the word "commissioner", in line 7, the first time it appears, the following words:- , the chairman of the parole board and any other officer of the parole board if so authorized by said chairman.

Approved November 14, 1983.

Chap. 491. AN ACT AUTHORIZING THE TOWN OF ASHLAND TO APPOINT WALTER L. BREWER AS A PERMANENT INTERMITTENT POLICE OFFICER.

Be it enacted, etc., as follows:

Notwithstanding the provisions of chapter thirty-one of the General Laws or any other law or rule to the contrary, the town of Ashland is hereby authorized to appoint Walter L. Brewer as a permanent intermittent police officer provided he passes a medical examination determining he is of sufficient health to perform the duties of a police officer.

Approved November 14, 1983.

Chap. 492. AN ACT AUTHORIZING THE SOUTH ESSEX SEWERAGE DISTRICT TO ACQUIRE EASEMENTS FOR THE CONSTRUCTION OF CERTAIN SEWERAGE FACILITIES.

Be it enacted, etc., as follows:

The South Essex Sewerage District, by its board, for the purpose of the construction, laying, maintenance and operation of new and enlarged main sewers, pumping stations and other related sewerage works as shall be required to convey sewage from said city of Beverly to the sewerage treatment plant of the district in the city of Salem, is hereby authorized to take by eminent domain under the provisions of chapter seventy-nine of the General Laws or acquire by lease, purchase or otherwise, permanent easements and temporary construction easements

through, across, over and under certain park lands in Beverly, each parcel being more particularly bounded and described as follows:

PERMANENT EASEMENT

A CERTAIN PARCEL OF LAND SITUATED IN O'BEAR PARK; SHOWN AS "PROPOSED SEWER EASEMENT" ON A PLAN ENTITLED "PLAN OF SEWER EASEMENTS THRU CITY OF BEVERLY PARK LAND FOR PORTIONS OF CONTRACT NUMBER 81-12; BEVERLY, MASS.; FOR SOUTH ESSEX SEWERAGE DISTRICT; SCALE 1"=40'; DATED JUNE 13, 1983; ASEC CORPORATION; BOSTON, MASS." AND BOUNDED AS FOLLOWS;

BEGINNING AT A POINT ON THE NORTHWESTERLY CORNER OF THE PERMANENT EASEMENT PARCEL, SAID POINT ALSO BEING THE INTERSECTION OF THE WESTERLY EASEMENT LINE WITH THE DIVIDING LINE OF THE LAND OF THE CITY OF BEVERLY (O'BEAR PARK) AT THE SOUTHERLY END OF SYLVESTER AVENUE EXTENSION; THENCE

EASTERLY ALONG SAID DIVIDING LINE A DISTANCE OF SIXTY FEET MORE OR LESS (60'±) TO A POINT ON THE DIVIDING LINE WITH LAND NOW OR FORMERLY OF THE TRUSTEES OF THE GOMES FAMILY TRUST; THENCE

SOUTHEASTERLY A DISTANCE OF FOUR HUNDRED TWENTY-EIGHT FEET MORE OR LESS (428'±) ALONG SAID DIVIDING LINE TO A CORNER; THENCE

SOUTHWESTERLY FOR TWO COURSES A TOTAL DISTANCE OF ONE HUNDRED SEVENTY-FIVE FEET MORE OR LESS (175'±) TO A CORNER; THENCE

SOUTHERLY AND SOUTHEASTERLY FOR THREE COURSES A TOTAL DISTANCE OF THREE HUNDRED THIRTY-TWO FEET MORE OR LESS (332'±) TO A CORNER ON THE DIVIDING LINE WITH LAND NOW OR FORMERLY OF GEORGE AND LILLIAN R. PERNOKAS; THENCE

NORTHWESTERLY A DISTANCE OF ONE HUNDRED THIRTY-NINE AND FIFTY-FIVE HUNDREDTHS MORE OR LESS (139.55 ±) ALONG SAID DIVIDING LINE TO A CORNER ON THE CENTERLINE OF A TIDAL CREEK; THENCE

SOUTHWESTERLY A DISTANCE OF SIXTY-FIVE FEET MORE OR LESS (65'±) ALONG SAID CENTERLINE OF CREEK TO A CORNER; THENCE

NORTHERLY FOR FIVE COURSES HAVING DISTANCES OF TWO HUNDRED SEVENTEEN FEET MORE OR LESS (217'±), ONE HUNDRED EIGHT FEET MORE OR LESS (108'±), THREE HUNDRED FEET MORE OR LESS (300'±), ONE HUNDRED SIXTY-SEVEN FEET MORE OR LESS (167'±) AND THIRTY-SIX FEET MORE OR LESS (36'±), ALONG THE WESTERLY EASEMENT LINE OF THE PERMANENT SEWER EASEMENT TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS AN AREA OF ONE AND FIFTY-SEVEN HUNDREDTHS (1.57±) ACRES MORE OR LESS.

PERMANENT EASEMENT PARCEL NUMBER 1

A CERTAIN PARCEL OF LAND SITUATED ON THE WESTERLY SIDE OF PORTER STREET; SHOWN AS PARCEL NUMBER 1 ON A PLAN ENTITLED "PLAN OF SEWER EASEMENTS THRU CITY OF BEVERLY PARK LAND FOR PORTIONS OF CONTRACT NOS. 81-13A & 81-9; BEVERLY, MASS.; FOR SOUTH ESSEX SEWERAGE DISTRICT; SCALE 1"=40'; DATED JUNE 3, 1983; ASEC CORPORATION; BOSTON, MASS." AND BOUNDED AS FOLLOWS;

BEGINNING AT A POINT AT THE INTERSECTION OF THE NORTHERLY LINE OF SAID EASEMENT PARCEL AND THE WESTERLY LINE OF PORTER STREET; THENCE

S01°17'16"E; A DISTANCE OF EIGHTEEN AND NINETEEN HUNDREDTHS FEET (18.19') ALONG SAID WESTERLY LINE TO A CORNER; THENCE

N56°50'37"W; A DISTANCE OF TWO HUNDRED FIFTY-FIVE FEET MORE OR LESS (255'±) ALONG THE SOUTHERLY LINE OF SAID EASEMENT PARCEL TO THE WESTERLY EDGE OF A BITUMINOUS CONCRETE PAVED BOAT RAMP; THENCE

SOUTHWESTERLY FOR TWO COURSES A TOTAL DISTANCE OF FORTY-FOUR FEET MORE OR LESS (44'±) ALONG SAID WESTERLY EDGE OF THE BOAT RAMP TO A CORNER; THENCE

N56°50'37W A DISTANCE OF TWENTY-TWO FEET MORE OR LESS (22'±) TO A CORNER; THENCE

N33°09'23E A DISTANCE OF SIXTY-TWO FEET MORE OR LESS (62±) ALONG A LINE WHICH IS FIFTEEN FEET (15') WEST AND PARALLEL WITH THE WESTERLY END OF THE YET TO BE CONSTRUCTED INLET CHAMBER TO A CORNER; THENCE

S56°50'37E A DISTANCE OF FIFTY-EIGHT FEET MORE OR LESS (58'±) ALONG A LINE WHICH IS TEN FEET (10') NORTH OF AND PARALLEL WITH THE NORTHERLY FACE OF THE YET TO BE CONSTRUCTED INLET CHAMBER TO A CORNER ON THE

SAID WESTERLY EDGE OF THE BOAT RAMP; THENCE

SOUTHERLY A DISTANCE OF TWELVE FEET MORE OR LESS (12'±) ALONG SAID WESTERLY EDGE OF THE BOAT RAMP TO A CORNER; THENCE

S56°50'37E A DISTANCE OF TWO HUNDRED FORTY FEET MORE OR LESS (240±) ALONG THE NORTHERLY LINE OF THE EASEMENT PARCEL, SAID NORTHERLY LINE IS PARALLEL WITH AND FIFTEEN FEET (15') NORTH OF THE PREVIOUSLY MENTIONED SOUTHERLY LINE TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS AN AREA OF SIX THOUSAND TWO HUNDRED NINETEEN (6,219±) SQUARE FEET MORE.

PERMANENT EASEMENT PARCEL NUMBER 1A

A CERTAIN PARCEL OF LAND SITUATED ON THE EASTERLY SIDE OF THE BASS RIVER; SHOWN AS PARCEL NUMBER 1A ON SAID PLAN AND BOUNDED AS FOLLOWS;

BEGINNING AT A POINT AT THE INTERSECTION OF THE NORTHERLY LINE OF SAID EASEMENT PARCEL NUMBER 1A AND THE WESTERLY LINE OF PERMANENT EASEMENT PARCEL NUMBER 1; THENCE

S33°09'23"W; A DISTANCE OF TWENTY-FIVE AND THIRTY-FIVE HUNDREDTHS FEET (25.35') ALONG THE WESTERLY LINE OF PERMANENT EASEMENT PARCEL NUMBER 1 TO CORNER, SAID LINE BEING FIFTEEN FEET (15') WEST OF AND PARALLEL WITH THE YET TO BE CONSTRUCTED TUNNEL INLET CHAMBER; THENCE

N66°25'32"W; A DISTANCE OF TWO HUNDRED SEVENTY-TWO FEET MORE OR LESS (272'±) ALONG THE SOUTHERLY EASEMENT LINE TO A CORNER ON THE EASTERLY MEAN LOW WATER LINE OF THE BASS RIVER; THENCE

NORTHWESTERLY A DISTANCE OF TWENTY-SEVEN FEET MORE OR LESS (27'±) ALONG THE SAID MEAN LOW WATER LINE TO A CORNER; THENCE

S66°25'32E A DISTANCE OF TWO HUNDRED SIXTY-SIX FEET MORE OR LESS (266'±) ALONG THE NORTHERLY EASEMENT LINE TO THE POINT OF BEGINNING, SAID NORTHERLY LINE BEING TWENTY-FIVE FEET (25') NORTHERLY OF AND PARALLEL WITH THE SOUTHERLY EASEMENT LINE;

THE ABOVE DESCRIBED PARCEL CONTAINS AN AREA OF SIX THOUSAND SEVEN HUNDRED TWENTY (6,720±) SQUARE FEET

MORE OR LESS AND INCLUDES LAND BETWEEN THE MEAN HIGH WATER LINE AND MEAN LOW WATER LINE OF THE BASS RIVER.

TEMPORARY CONSTRUCTION EASEMENT PARCEL NUMBER TC-1

A CERTAIN PARCEL OF LAND SITUATED ON THE EASTERLY SIDE OF THE BASS RIVER MEAN HIGH WATER LINE; SHOWN AS PARCEL TC-1 ON SAID PLAN AND BOUNDED AS FOLLOWS;

BEGINNING AT A POINT AT THE INTERSECTION OF THE SOUTHERLY LINE OF PERMANENT EASEMENT PARCEL NUMBER 1 AND THE EASTERLY LINE OF THE BITUMINOUS CONCRETE BOAT RAMP, SAID RAMP LINE ALSO BEING THE WESTERLY FACE OF A GRANITE BLOCK RETAINING WALL; THENCE

SOUTHERLY ALONG SAID BOAT RAMP AND FACE OF RETAINING WALL LINE A DISTANCE OF TWENTY-FOUR FEET MORE OR LESS (24'±) TO A CORNER; THENCE

SOUTHEASTERLY A DISTANCE OF ELEVEN FEET MORE OR LESS (11'±) ALONG THE WESTERLY FACE OF THE GRANITE BLOCK RETAINING WALL TO A CORNER ON SAID FACE OF WALL; THENCE

SOUTHWESTERLY A DISTANCE OF FIFTY FEET MORE OR LESS (50'±) ALONG A LINE WHICH IS TEN FEET (10') EASTERLY AND PARALLEL WITH THE EASTERLY LINE OF THE BOAT RAMP TO A CORNER; THENCE

N66°25'32"W; A DISTANCE OF SEVENTY FEET MORE OR LESS (70'±) ALONG A LINE WHICH IS A DISTANCE OF EIGHTY FEET (80') SOUTHERLY AND PARALLEL WITH THE SOUTHERLY LINE OF PERMANENT EASEMENT PARCEL NUMBER 1A TO A CORNER AT THE MEAN HIGH WATER LINE OF THE EASTERLY SIDE OFF THE BASS RIVER; THENCE

NORTHERLY A DISTANCE OF EIGHTY-FIVE FEET MORE OR LESS (85'±) ALONG THE MEAN HIGH WATER LINE TO A CORNER BEING AT THE INTERSECTION OF THE MEAN HIGH WATER LINE AND THE SOUTHERLY LINE OF THE PERMANENT EASEMENT PARCEL NUMBER 1A; THENCE

S66°25'32"E; A DISTANCE OF FIFTY FEET MORE OR LESS (50'±) ALONG THE SOUTHERLY EASEMENT LINE OF PERMANENT EASEMENT PARCEL NUMBER 1A TO A CORNER ON THE WESTERLY LINE OF PERMANENT EASEMENT PARCEL NUMBER 1; THENCE

S33°09'23"W; A DISTANCE OF THIRTY FEET MORE OR LESS (30±) ALONG THE SAID WESTERLY LINE OF SAID EASEMENT PARCEL NUMBER 1 TO A CORNER; THENCE
S56°50'37"E; A DISTANCE OF TWENTY-TWO FEET MORE OR LESS (22'±) ALONG THE SOUTHERLY LINE OF EASEMENT PARCEL NUMBER 1 TO A CORNER; THENCE

NORTHEASTERLY A TOTAL DISTANCE OF FORTY-FOUR FEET MORE OR LESS (44'±) FOR TWO COURSES ALONG THE WESTERLY LINE OF THE PREVIOUSLY MENTIONED BOAT RAMP TO A CORNER; THENCE
S56°50'37"E; A DISTANCE OF SEVENTEEN FEET MORE OR LESS (17'±) TO THE POINT OF BEGINNING.

THE LAST THREE COURSES MENTIONED ALSO BEING A PORTION OF THE SOUTHERLY LINE OF PERMANENT EASEMENT PARCEL NUMBER 1.

THE ABOVE DESCRIBED PARCEL CONTAINS AN AREA OF SIX THOUSAND SIX HUNDRED THIRTY (6,630±) SQUARE FEET MORE OR LESS.

TEMPORARY CONSTRUCTION EASEMENT PARCEL NUMBER TC-2

A CERTAIN PARCEL OF LAND SITUATED ON THE WESTERLY SIDE OF PORTER STREET EXTENSION; SHOWN AS PARCEL TC-2 ON SAID PLAN AND BOUNDED AS FOLLOWS;

BEGINNING AT A POINT AT THE INTERSECTION OF THE NORTHERLY LINE OF PERMANENT EASEMENT PARCEL NUMBER 1 AND THE EASTERLY LINE OF THE BITUMINOUS CONCRETE BOAT RAMP, SAID RAMP LINE ALSO BEING THE WESTERLY FACE OF A GRANITE BLOCK RETAINING WALL; THENCE
N56°50'37"W; A DISTANCE OF SEVENTEEN FEET MORE OR LESS (17'±) TO A CORNER ON THE WESTERLY LINE OF SAID BOAT RAMP; THENCE

NORTHEASTERLY A DISTANCE OF TWELVE FEET MORE OR LESS (12'±) ALONG THE WESTERLY LINE OF SAID BOAT RAMP TO A CORNER; THENCE
N56°50'37"W; A DISTANCE OF FIFTY-EIGHT FEET MORE OR LESS (58'±) TO A CORNER; THE PREVIOUS THREE (3) COURSES ALSO BEING ALONG A PORTION OF THE NORTHERLY LINE OF PERMANENT EASEMENT PARCEL NUMBER 1; THENCE
S33°09'23"W; A DISTANCE OF SIX AND SIXTY-ONE HUNDREDTHS FEET (6.61') ALONG THE WESTERLY LINE OF THE

PERMANENT EASEMENT PARCEL NUMBER 1 TO A CORNER AT THE INTERSECTION OF THE NORTHERLY LINE OF PERMANENT EASEMENT PARCEL NUMBER 1A AND THE WESTERLY LINE OF PERMANENT EASEMENT PARCEL NUMBER 1; THENCE

N66°25'32"W; A DISTANCE OF THIRTY-SIX FEET MORE OR LESS (36'±) ALONG THE NORTHERLY LINE OF PERMANENT EASEMENT PARCEL NUMBER 1A TO A CORNER AT THE MEAN HIGH WATER LINE; THENCE

NORTHEASTERLY A DISTANCE OF ONE HUNDRED FIFTY-FIVE FEET MORE OR LESS (155'±) ALONG THE MEAN HIGH WATER LINE TO THE INTERSECTION WITH THE SOUTHERLY LINE OF PORTER STREET EXTENSION (A PRIVATE WAY); THENCE

SOUTHEASTERLY A DISTANCE OF ONE HUNDRED SIXTY-FOUR FEET MORE OR LESS (164'±) ALONG THE SOUTHERLY LINE OF PORTER STREET EXTENSION TO A CORNER; THENCE

WESTERLY AND SOUTHWESTERLY A DISTANCE OF ONE HUNDRED SEVEN FEET MORE OR LESS (107'±) ALONG A CURVED LINE WHICH IS THIRTEEN FEET (13') SOUTHERLY OF AND CONCENTRIC WITH THE SOUTHEASTERLY LINE OF THE BITUMINOUS CONCRETE BOAT RAMP TO A CORNER; THENCE

WESTERLY A DISTANCE OF SEVENTEEN FEET MORE OR LESS (17'±) TO THE NORTHWESTERLY CORNER OF THE PREVIOUSLY MENTIONED GRANITE BLOCK RETAINING WALL; THENCE

SOUTHWESTERLY A DISTANCE OF TWENTY-FOUR FEET MORE OR LESS (24'±) ALONG THE WESTERLY FACE OF SAID GRANITE WALL AND THE EASTERLY LINE OF THE BITUMINOUS CONCRETE BOAT RAMP TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS AN AREA OF THIRTEEN THOUSAND FIVE HUNDRED (13,500±) SQUARE FEET MORE OR LESS.

TEMPORARY CONSTRUCTION EASEMENT PARCEL NUMBER TC-3

A CERTAIN PARCEL OF LAND SITUATED BETWEEN THE MEAN LOW WATER AND MEAN HIGH WATER LINES OF THE EASTERLY SIDE OF THE BASS RIVER; SHOWN AS PARCEL TC-3 ON SAID PLAN AND BOUNDED AS FOLLOWS;

BEGINNING AT A POINT AT THE INTERSECTION OF THE SOUTHERLY LINE OF PERMANENT EASEMENT PARCEL NUMBER 1A AND THE MEAN HIGH WATER LINE OF THE BASS RIVER; THENCE

SOUTHERLY A DISTANCE OF EIGHTY-FIVE FEET MORE OR LESS (85'±) ALONG SAID MEAN HIGH WATER LINE TO A CORNER WHICH IS ALSO THE SOUTHWESTERLY CORNER OF TEMPORARY CONSTRUCTION EASEMENT NUMBER TC-1; THENCE

N66°25'32"W; A DISTANCE OF TWO HUNDRED THIRTY-SEVEN FEET MORE OR LESS (237'±) ALONG A LINE WHICH IS PARALLEL WITH AND EIGHTY FEET (80'±) SOUTHERLY OF THE SOUTHERLY LINE OF PERMANENT EASEMENT PARCEL NUMBER 1A TO A CORNER ON THE MEAN LOW WATER LINE OF THE EASTERLY SIDE OF BASS RIVER; THENCE

NORTHEASTERLY A DISTANCE OF EIGHTY-TWO FEET MORE OR LESS (82'±) ALONG THE MEAN LOW WATER LINE TO A CORNER AT ITS INTERSECTION WITH THE SOUTHERLY LINE OF PERMANENT EASEMENT PARCEL NUMBER 1A; THENCE

S66°25'32"E; A DISTANCE OF TWO HUNDRED TWENTY-TWO FEET (222'±) ALONG THE SOUTHERLY LINE OF THE PERMANENT EASEMENT PARCEL NUMBER 1A TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS AN AREA OF SEVENTEEN THOUSAND EIGHT HUNDRED TEN (17,810±) SQUARE FEET MORE OR LESS ALL OF WHICH LIES BETWEEN MEAN HIGH WATER AND MEAN LOW WATER OF THE BASS RIVER.

TEMPORARY CONSTRUCTION EASEMENT PARCEL NUMBER TC-4

A CERTAIN PARCEL OF LAND SITUATED BETWEEN THE EASTERLY AND THE WESTERLY SIDE LINES OF PORTER STREET EXTENSION (A PRIVATE WAY); SHOWN AS PARCEL TC-4 ON SAID PLAN AND BOUNDED AS FOLLOWS;

BEGINNING AT A POINT AT THE INTERSECTION OF THE NORTHERLY LINE OF PORTER STREET EXTENSION AND THE WESTERLY LINE OF WEBBER AVENUE; THENCE

SOUTHWESTERLY A DISTANCE OF FORTY-FIVE FEET MORE OR LESS (45'±) ALONG THE EXTENSION OF THE WESTERLY LINE OF WEBBER AVENUE TO THE INTERSECTION WITH THE SOUTHERLY LINE OF PORTER STREET EXTENSION; THENCE

NORTHWESTERLY A DISTANCE OF TWO HUNDRED NINE FEET MORE OR LESS (209'±) ALONG THE SOUTHERLY LINE OF PORTER STREET EXTENSION TO A CORNER AT THE MEAN HIGH WATER LINE OF THE BASS RIVER; THENCE

NORTHEASTERLY A DISTANCE OF FORTY-FIVE FEET MORE

OR LESS (45'±) ALONG THE MEAN HIGH WATER LINE TO ITS INTERSECTION WITH THE NORTHERLY LINE OF PORTER STREET EXTENSION; THENCE

SOUTHEASTERLY A DISTANCE OF TWO HUNDRED FIVE FEET (205'±) ALONG THE NORTHERLY LINE OF THE PORTER STREET EXTENSION AND BY LAND NOW OR FORMERLY OF GEORGE AND RUTH M. THIBODEAU AND BY LAND NOW OR FORMERLY OWNED BY JEREMIAH J. COONER TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS AN AREA OF NINE THOUSAND THREE HUNDRED FIFTEEN (9315'±) SQUARE FEET MORE OR LESS.

Approved November 14, 1983.

Chap. 493. AN ACT AUTHORIZING THE CITY OF BEVERLY TO ACQUIRE EASEMENTS FOR THE CONSTRUCTION OF CERTAIN SEWERAGE FACILITIES.

Be it enacted, etc., as follows:

The city of Beverly, by its board of aldermen for the purposes of the construction, laying, maintenance and operation of new and enlarged main sewers, pumping stations and other related facilities, is hereby authorized to take by eminent domain under the provisions of chapter seventy-nine of the General Laws or acquire by lease, purchase or otherwise, permanent easements through, across, over and under certain park lands in the city of Beverly, each parcel being more particularly bounded and described as follows:

LAND SHOWN AS PE-22 ON A PLAN BY CULLINAN ENGINEERING CO., INC., TITLED "Proposed Easement for City of Beverly", Sheet 5 of 6 and dated June 4, 1983, bounded and described as follows:

Beginning at a point on the southwesterly sideline of Porter Street Extension, at the most southeasterly corner of the easement to be described, said point being N 31° 31' 18" W and 183.25 feet from an angle point in Porter Street Extension opposite the northerly sideline of Webber Avenue;

THENCE through land now or formerly of The City of Beverly, the following three (3) courses;

S 53° 14' 49" W, a distance of 126.21 feet to a point;

N 07° 45' 11" W, a distance of 17.15 feet to a point;

and N 53° 14' 49" E, a distance of 119.26 feet to a point on the southwesterly sideline of Porter Street Extension;

THENCE S 31° 31' 18" E along said southwesterly sideline, a distance of 15.06 feet to the point of beginning;

The above described easement contains 1,841 square feet, more or less.

LAND SHOWN AS PE-35 ON SAID PLAN, SHEET 4 OF 6 AND DATED MAY, 16,1983, BOUNDED AND DESCRIBED AS FOLLOWS:

Beginning at a point on the southerly sideline of Elliott Street at the most northeasterly corner of the easement to be described; said point being N 66° 26' 05" W and 85.60 feet from the intersection of said southerly sideline of Elliott Street and the westerly sideline of Park Street;

THENCE S 22° 42' 18" W along lands of various owners as shown on said plan, a distance of 244.58 feet to a point;

THENCE S 15° 30' 42" W along lands of now or formerly of City of Beverly and Marianna Pasquarelli, a distance of 113.48 feet to a point on the northerly sideline of Roundy Street;

THENCE N 74° 27' 22" W along said northerly sideline of Roundy Street, a distance of 70.26 feet to a point;

THENCE N 23° 33' 55" E in part through land now or formerly of aforesaid City of Beverly and in part along land now or formerly of Kenneth T. Deschene, Trustee of The B & K Realty Trust, a distance of 366.71 feet to a point on the aforesaid southerly sideline of Elliott Street;

THENCE S 66° 26' 05" E along said southerly sideline of Elliott Street, a distance of 50.00 feet to the point of beginning;

The above described easement contains 19,941 square feet, more or less.

LAND SHOWN AS PE-36 ON SAID PLAN, SHEET 6 OF 6, AND DATED JUNE 6, 1983, BOUNDED AND DESCRIBED AS FOLLOWS:

Beginning at a point on the westerly sideline of McKay Street; said point being the intersection of said westerly sideline of McKay Street and the southerly sideline of Balch Street extended;

THENCE S 13° 41' 36" E along said westerly sideline of McKay Street, a distance of 358.35 feet to a point; said point being the most northeasterly corner of the easement to be described and the True Point of Beginning;

THENCE S 13° 41' 36" E along said westerly sideline of McKay Street, a distance of 27.36 feet to a point;

The following seventeen (17) courses running through land now or formerly of The City of Beverly:

S 52° 21' 21" W, a distance of 155.55 feet to a point;
S 83° 29' 44" W, a distance of 214.64 feet to a point;
S 77° 00' 19" W, a distance of 316.08 feet to a point;
N 26° 02' 54" W, a distance of 231.53 feet to a point;
N 40° 23' 25" W, a distance of 380.25 feet to a point;
N 48° 35' 27" W, a distance of 437.95 feet to a point;
N 11° 33' 13" W, a distance of 365.60 feet to a point;
N 19° 31' 50" W, a distance of 289.59 feet to a point;
N 41° 10' 42" E, a distance of 28.66 feet to a point;
S 19° 31' 50" E, a distance of 305.36 feet to a point;
S 11° 33' 13" E, a distance of 358.97 feet to a point;
S 48° 35' 27" E, a distance of 431.37 feet to a point;
S 40° 23' 25" E, a distance of 385.19 feet to a point;
S 26° 02' 54" E, a distance of 214.81 feet to a point;
N 77° 00' 19" E, a distance of 297.63 feet to a point;
N 83° 29' 44" E, a distance of 209.09 feet to a point;

and N 52° 21' 21" E, a distance of 159.69 feet to the True Point of Beginning;

The above described easement contains 59,400 square feet, more or less.

Approved November 14, 1983.

Chap. 494. AN ACT RELATIVE TO THE LICENSING AND KEEPING OF DOGS IN THE TOWN OF WEST SPRINGFIELD.

Be it enacted, etc., as follows:

Chapter 647 of the acts of 1982 is hereby amended by adding the following section:-

Section 3. Notwithstanding the provisions of section one hundred and thirty-nine of said chapter one hundred and forty or any other provision of law to the contrary, the annual fees to be charged by said town of West Springfield for the issuance of licenses for dogs shall be set by the board of selectmen.

Approved November 14, 1983.

Chap. 495. AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO MAKE CERTAIN TEMPORARY, PROVISIONAL

LABOR SERVICE EMPLOYEES PERMANENT AS OF JANUARY FIRST, NINETEEN HUNDRED AND EIGHTY-TWO.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, any employee of the city of Cambridge serving as a temporary or provisional employee in a labor service position and who was so employed prior to January first, nineteen hundred and eighty-two, and who has served continuously since that date, shall be permanent in that position held as of January first, nineteen hundred and eighty-two; provided, however, that such employee's name, title, department and date of employment appears on a list dated October eleventh, nineteen hundred and eighty-three which is on file with the director of technical services of the department of personnel administration.

Approved November 14, 1983.

EMERGENCY LETTER - November 18, 1983 @ 1:09 P.M.

Chap. 496. AN ACT AUTHORIZING CORNEA TRANSPLANTS IN CERTAIN CASES.

Be it enacted, etc., as follows:

SECTION 1. The introductory paragraph of section 7 of chapter 113 of the General Laws, as appearing in chapter 653 of the acts of 1971, is hereby amended by striking out, in line 1, the word "thirteen" and inserting in place thereof the word:- fourteen.

SECTION 2. Said chapter 113 is hereby further amended by adding the following section:-

Section 14. Upon request of the New England Eye Bank, an unincorporated nonprofit association registered with the attorney general, located at the Massachusetts Eye and Ear Infirmary, a medical examiner or a physician acting under his direction may provide the cornea of a decedent to said New England Eye Bank under the following conditions: (a) the body of the decedent is under the jurisdiction of the medical examiner authorizing the removal of the cornea and an autopsy is required in accordance with the provisions of chapter thirty-eight; (b) a period of one hour has elapsed after the medical examiner or physician acting under his direction has notified said eye bank and said eye bank

has received such notification that the cornea of the decedent is available for transplant, and during such period said eye bank has made a good faith effort to notify decedent's spouse or next of kin that such transplant is proposed; (c) no objections to the donation have been made known by the decedent prior to his death or by the decedent's spouse or next of kin to said medical examiner or physician; (d) the removal of the cornea for transplant will not interfere with a subsequent investigation or autopsy; and (e) the removal of the cornea will not alter the decedent's facial appearance. The time of such notification by said medical examiner or physician acting under his direction to said eye bank, shall be entered into a log kept specifically for such purpose and such log shall be available for inspection upon request during regular business hours, by a spouse or next of kin of a decedent whose cornea has been removed.

No medical examiner, physician or said eye bank, acting under the provisions of this section, shall be liable in any criminal or civil action brought as a result of a removal of a decedent's cornea if such good faith effort to notify decedent's spouse or next of kin of such transplant has been made.

Approved November 14, 1983.

Chap. 497. AN ACT AUTHORIZING ERNEST P. BUTLER TO TAKE A CIVIL SERVICE EXAMINATION FOR FIREFIGHTER, NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize Ernest P. Butler to take a civil service examination for firefighter, notwithstanding the maximum age requirements, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law or rule to the contrary regulating the maximum age of an applicant for appointment as a firefighter, Ernest P. Butler, shall be eligible to take the next open competitive examination for appointment to the position of firefighter and, provided he meets all other requirements, shall be eligible for certification and appointment.

Approved November 17, 1983.

Chap. 498. AN ACT AUTHORIZING USE OF THE TOWN CAUCUS SYSTEM IN THE TOWN OF RUSSELL.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the provisions of chapter fifty-three of the General Laws relating to town primaries shall not apply to the town of Russell.

SECTION 2. The town of Russell is hereby authorized to conduct town caucuses pursuant to section one hundred and twenty-one of chapter fifty-three of the General Laws.

SECTION 3. The action taken at the town caucuses held on March twenty-eighth, nineteen hundred and eighty-three, and the town election held on May second, nineteen hundred and eighty-three are hereby validated, ratified and confirmed as if said sections one and two were in effect at the time said caucuses were held.

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

Approved November 17, 1983.

Chap. 499. AN ACT AUTHORIZING THE SWANSEA WATER DISTRICT OF THE TOWN OF SWANSEA TO SUPPLY WATER TO CERTAIN INDIVIDUALS IN THE TOWN OF WARREN IN THE STATE OF RHODE ISLAND.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of chapter one hundred and thirty-seven of the acts of nineteen hundred and thirty-nine or any other general or special law to the contrary, the Swansea Water District of the town of Swansea is hereby authorized to furnish to Thomas Slowe and Helen Slowe both of the town of Warren in the state of Rhode Island, or to their successors in interest of said property, a supply of water for domestic and other purposes, and said district may contract with said individuals for such supply of water on such terms as may be determined and established by said district; provided, however, that said authorization and any contract therewith complies with the law of the state of Rhode Island. Such contract may provide, among other things, that said water district shall have

the right to charge the individuals so supplied under the authority of this act, the cost of extending such water supply to their land, which cost shall include the cost of the pipes and other material and of the labor in laying them, and other expenses incidental thereto.

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

Approved November 17, 1983.

Chap. 500. AN ACT AUTHORIZING THE TOWN OF BURLINGTON TO APPOINT STEVEN HOWARD TO THE POLICE DEPARTMENT OF SAID TOWN.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, Steven Howard of the town of Burlington, a state police officer, may be appointed to the police department of the town of Burlington, provided he is found qualified by the appointing authority. Upon such appointment, he shall be subject to the provisions of chapter thirty-one of the General Laws. Nothing in this act shall be construed to exempt said town from the provisions of any court ordered hiring practices currently mandated for said town.

Approved November 17, 1983.

Chap. 501. AN ACT AUTHORIZING THE ISSUANCE OF A BEANO LICENSE TO THE ARLINGTON SENIORS ASSOCIATION, INCORPORATED OF THE TOWN OF ARLINGTON.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section thirty-eight of chapter ten of the General Laws requiring that an organization must be in existence for at least five years immediately prior to the date of making application for such license, in order to qualify for a license to conduct a game commonly called beano, the director of the state lottery commission is hereby authorized to issue a beano license to the Arlington Seniors Association, Incorporated of the town of Arlington and said Arlington Seniors Association, Incorporated of the town of Arlington may conduct said beano games between the hours of one o'clock post meridian

and five o'clock post meridian any one day of each calendar week and shall be subject to all other provisions of said chapter ten.

Approved November 17, 1983.

Chap. 502. AN ACT FURTHER REGULATING THE ACTIVITIES OF MEMBERS OF THE PAROLE BOARD.

Be it enacted, etc., as follows:

The fourth paragraph of section 4 of chapter 27 of the General Laws, as appearing in section 1 of chapter 994 of the acts of 1971, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- Members shall devote full time to their duties, and no member shall hold any other salaried public office or engage in any activity which is in violation of any law or which interferes or conflicts with his full time service as a member during his incumbency.

Approved November 17, 1983.

Chap. 503. AN ACT EXTENDING THE TIME OF VOTING IN CERTAIN ELECTIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 53 of the General Laws is hereby amended by striking out section 43, as most recently amended by chapter 144 of the acts of 1973, and inserting in place thereof the following section:-

Section 43. The polls at every primary shall be open at least thirteen hours. Such hours shall be designated in cities by the aldermen or councillors, and in towns by by-laws or vote, or, in default of such by-laws or vote, by the selectmen. The polls shall in no case be kept open after eight o'clock in the evening. The polls shall not be closed before eight o'clock in the evening.

SECTION 2. Section 64 of chapter 54 of the General Laws is hereby amended by striking out the third paragraph, as amended by section 1 of chapter 395 of the acts of 1972, and inserting in place thereof the following paragraph:-

In cities and towns at the election of state officers, the polls may be open as early as fifteen minutes before six o'clock in the forenoon, and shall be open not later than seven o'clock in the forenoon and shall be kept open at least thirteen hours. In

cities at the election of city officers, the polls may be open as early as fifteen minutes before six o'clock in the forenoon, and shall be open not later than ten o'clock in the forenoon and shall be kept open at least ten hours.

SECTION 3. As hereinafter provided, the commonwealth shall pay to each city and town an amount sufficient to defray the additional costs imposed on the city or town under the provisions of this act. In every year not later than September fifteenth, the state auditor shall determine and deliver to the state secretary a statement of the incremental costs attributed to this act and estimated to be incurred by each city and town in the next fiscal year. The state secretary shall include in his budget recommendations for such fiscal year a request for an appropriation in an amount equal to such estimated costs, and shall distribute to each city or town its share of any such appropriated funds not more than thirty days prior to the date upon which said costs shall be incurred by the city or town. Funds so distributed to each city or town shall be deposited in the general fund of the city or town and shall be expended without further appropriation by the city or town to meet the costs incurred by it under the provisions of this act.

Approved November 17, 1983.

Chap. 504. AN ACT RELATING TO THE APPOINTMENT AND REMOVAL OF CERTAIN STATE DEPARTMENT HEADS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately regulate the appointment and removal of certain state department heads, therefore 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 the second paragraph of section twenty-two of chapter six of the General Laws, the supervisor of benefits shall be appointed and may be removed and her salary shall be determined by the commissioner of veterans' services with the approval of the secretary of human services.

SECTION 2. Notwithstanding the provisions of section twenty-four of said chapter six, the commissioner of veterans' services,

with the approval of the secretary of human services, shall appoint and may remove a deputy and a second deputy commissioner of veterans' services who shall devote their whole time to the duties of their office.

SECTION 3. Notwithstanding the provisions of section seventy-five of said chapter six, the Massachusetts rehabilitation commission shall be under the direction, supervision and control of a commissioner of rehabilitation, in sections seventy-five to eighty-four, inclusive, of said chapter six, called the commissioner, who shall be appointed by and shall serve at the pleasure of the secretary of human services and may be removed by the secretary at any time, with the approval of the governor.

SECTION 4. Notwithstanding the provisions of section seventy-six of said chapter six, there shall be an advisory council to the Massachusetts rehabilitation commission consisting of fourteen members to be appointed by the secretary of human services, with the approval of the governor; and provided, however, that said secretary shall, with the approval of the governor, appoint another member to fill the unexpired term of a member of said council.

SECTION 5. Notwithstanding the provisions of section eighty-four H of said chapter six, twelve members shall be appointed by the secretary of human services, with the approval of the governor, to the statewide advisory council to the office of deafness, nine of whom shall be deaf persons selected from a list submitted by one or more organizations serving the deaf, two of whom shall be parents selected from a list submitted by one or more organizations of parents of deaf persons and the other shall be a licensed physician specializing in otolaryngology.

SECTION 6. Notwithstanding the provisions of the second paragraph of section one hundred and twenty-nine of said chapter six, the commissioner for the blind shall be appointed and shall serve at the pleasure of the secretary of human services and may be removed by the secretary at any time, with the approval of the governor.

SECTION 7. Notwithstanding the provisions of the third paragraph of said section one hundred and twenty-nine of said chapter six, the advisory board to the Massachusetts commission for the blind shall consist of five persons, qualified by training, experience or demonstrated interest in the amelioration of the condition of the blind, to be appointed by the secretary of human services, with the approval of the governor; and pro-

vided, however, that the chairman of said board shall notify the secretary of human services that a vacancy exists.

SECTION 8. Notwithstanding the provisions of section two of chapter seventeen of the General Laws, the commissioner of public health shall be appointed by and shall serve at the pleasure of the secretary of human services and may be removed by the secretary at any time, with the approval of the governor.

SECTION 9. Notwithstanding the provisions of section three of chapter eighteen of the General Laws, the commissioner of public welfare shall be appointed by and shall serve at the pleasure of the secretary of human services and may be removed by the secretary at any time, with the approval of the governor.

SECTION 10. Notwithstanding the provisions of section six of said chapter eighteen, there shall be in the department of public welfare, a state advisory board consisting of the commissioner, who shall serve as ex officio, and twenty-five members to be appointed by the secretary of human services, with the approval of the governor, not more than eight of whom shall be providers of assistance, and not more than eight of whom shall be recipients of assistance; provided, further, the board shall meet at least ten times a year upon call of the chairman, who shall be designated by the secretary of human services, with the approval of the governor, and shall meet at any time upon call of the secretary or the commissioner; and provided, further, the chairman shall notify the secretary of human services that a vacancy exists on said board.

SECTION 11. Notwithstanding the provisions of section one of chapter eighteen A of the General Laws, the commissioner of youth services shall be appointed by and shall serve at the pleasure of the secretary of human services and may be removed by the secretary at any time, with the approval of the governor.

SECTION 12. Notwithstanding the provisions of section three of said chapter eighteen A, the commissioner's appointment and removal of the deputy commissioner of youth services shall be subject to the approval of the secretary of human services.

SECTION 13. Notwithstanding the provisions of section nine of said chapter eighteen A, there shall be in the department of youth services, an advisory committee consisting of the commissioner of youth services, the commissioner of welfare, the director of the office for children, the commissioner of mental health, the commissioner of education, the chairman of the parole board,

the commissioner of correction, the commissioner of probation, the commissioner of rehabilitation, the chairman of the Massachusetts commission against discrimination, the executive secretary of the Massachusetts Society for the Prevention of Cruelty to Children, and the executive secretary of the Massachusetts Committee on Children and Youth, all of whom shall serve as ex officiis and nine other persons to be appointed by the secretary of human services with the approval of the governor; provided, further, that any vacancy shall be filled by the secretary of human services, with the approval of the governor; and provided further, that the secretary with the approval of the governor, shall appoint from the members of said committee a chairman and a vice chairman.

SECTION 14. Notwithstanding the provisions of section six of chapter eighteen B of the General Laws, the department of social services shall be under the direction, supervision and control of a commissioner of social services, who shall be appointed by and shall serve at the pleasure of the secretary of human services and may be removed by the secretary at any time, with the approval of the governor.

SECTION 15. Notwithstanding the provisions of section two of chapter nineteen of the General Laws, the commissioner of mental health shall be appointed by and shall serve at the pleasure of the secretary of human services and may be removed by the secretary at any time, with the approval of the governor.

SECTION 16. Notwithstanding the provisions of section three of said chapter nineteen, the commissioner's appointment and removal of the deputy commissioner of mental health shall be subject to the approval of the secretary of human services.

SECTION 17. Notwithstanding the provisions of section eleven of said chapter nineteen, there shall be in the department of mental health, an advisory council for the planning, construction, operation or utilization of community mental health centers, consisting of the commissioners of mental health, public health, social services, and public welfare, ex officiis, and twelve persons to be appointed by the secretary of human services with the approval of the governor, who shall include representatives of nongovernmental organizations or groups, of agencies of the commonwealth concerned with planning, construction, operation or utilization of community mental health centers or other mental health facilities including representatives of consumers of the services provided by such centers and facilities who are familiar with the need for such services.

SECTION 18. Notwithstanding the provisions of section twelve of said chapter nineteen, there shall be in the department of mental health, an advisory council for the planning, construction, operation or utilization of facilities for the mentally retarded, consisting of the commissioners of mental health, public health, social services and public welfare, ex officiis, and twelve persons to be appointed by the secretary of human services with the approval of the governor, who shall include representatives of agencies of the commonwealth concerned with planning, construction, operation or utilization of facilities for the mentally retarded and of nongovernmental organizations or groups concerned with education, employment, rehabilitation, welfare and health and including representatives of consumers of the services provided by such facilities.

SECTION 19. Notwithstanding the provisions of section sixteen of said chapter nineteen, there shall be in the department of mental health, a mental health advisory council consisting of thirty persons to be appointed by the secretary of human services with the approval of the governor, of whom at least half shall be members of community mental health and retardation area boards, and of the remaining half at least seven shall be appointed to represent one of the following professions and groups:- state level medical, psychological, nursing, educational, social work, occupational therapy, or bar associations, state level associations for mental health and for mental retardation, industrial and labor groups and the clergy.

SECTION 20. Notwithstanding the provisions of section one of chapter twenty-seven of the General Laws, the commissioner of correction shall be appointed by and shall serve at the pleasure of the secretary of human services and may be removed by the secretary at any time, with the approval of the governor.

SECTION 21. Notwithstanding the provisions of section two of said chapter twenty-seven, the commissioner of correction shall, with the approval of the secretary of human services, appoint and may, with like approval, remove a deputy commissioner for institutional services, a deputy commissioner for classification and treatment, a deputy commissioner for personnel and training, and a deputy commissioner for community services, the positions of deputy commissioner shall be classified in accordance with section forty-five of chapter thirty of the General Laws and the salary shall be determined in accordance with section forty-six C of said chapter thirty and each shall devote his full time during business hours to the duties of his office.

SECTION 22. Notwithstanding the provisions of section three of said chapter twenty-seven, there shall be in the department of correction, an advisory committee on correction consisting of the commissioner of correction, the chairman of the parole board and the commissioner of probation, ex officiis, and nine members, at least one of whom shall be a representative of labor, to be appointed by the secretary of human services with the approval of the governor; and provided, further, that said committee shall meet at least twice a year upon the call of the chairman, who shall be designated by the secretary of human services, with the approval of the governor, and shall meet at any time upon call of the secretary of human services. Its function shall be to give advice and to make recommendations to the governor and the secretary on any matter affecting the department or the correction program, and it shall have no other power or duties.

SECTION 23. Notwithstanding the provisions of section three of chapter twenty-eight A of the General Laws, there shall be an office for children under the exclusive supervision and control of a director who shall be appointed by and shall serve at the pleasure of the secretary of human services and may be removed by the secretary at any time, with the approval of the governor.

SECTION 24. Notwithstanding the provisions of section eight of said chapter twenty-eight A, there shall be a state-wide advisory council to the office for children, to consist of the secretaries of the executive offices of human services, manpower affairs, communities and development or their designees, twelve members appointed by the secretary of human services with the approval of the governor, and sixteen members elected by the local councils for children established under section seven; and provided further, that the chairman of said council shall be appointed by the secretary of human services, with the approval of the governor, from the appointed or elected members and shall serve as chairman at the pleasure of the secretary of human services, provided that no member may serve as chairman for more than six years.

SECTION 25. This act shall take effect as of July first, nineteen hundred and eighty-three, and shall become inoperative on June thirtieth, nineteen hundred and eighty-four; provided that any person then serving in a position or on the board, commission, committee or council affected by this act shall continue to serve until the expiration of his term, or until he sooner, resigns, dies or is removed for cause, and his successor shall be appointed in the manner provided in this act.

Approved November 18, 1983.

Chap. 505. AN ACT AUTHORIZING THE CITY OF SOMERVILLE TO SELL AND CONVEY A CERTAIN PARCEL OF PARK LAND IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the city of Somerville is hereby authorized to sell at the fair market value and convey a certain parcel of park land in said city, to be used for private low income housing purposes, bounded and described as follows:

Beginning at a point at the Northeast corner of Perkins Street and Lincoln Street, Northeasterly along said Lincoln Street One Hundred Thirty-one and 7/10 feet; thence turning and running Easterly Sixty-one and 18/100 feet; thence turning and running Southwesterly One Hundred Thirty and 05/100 feet; thence turning and running Northwesterly along Perkins Street Sixty-five and 07/100 feet, to the point of beginning. The total area contains about 8,313 square feet, more or less.

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

Approved November 18, 1983.

Chap. 506. AN ACT RELATIVE TO RECALL ELECTIONS IN THE TOWN OF LUNENBURG.

Be it enacted, etc., as follows:

SECTION 1. Any holder of an elected office in the town of Lunenburg may be recalled therefrom by the registered voters of the town as herein provided, except, the maximum number of members of a board that may be recalled is a majority.

SECTION 2. Any one hundred registered voters of the town may initiate a recall petition by filing with the town clerk an affidavit containing the name of the officer sought to be recalled and a statement of the grounds for recall. The town clerk shall thereupon deliver to said voters making the affidavit copies of petition blanks demanding such recall, copies of which printed forms he shall keep available. Such blanks shall be issued by the town clerk, with his signature and official seal attached thereto. They shall be dated, shall be addressed to the selectmen and shall contain the names of all the 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 in the said 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 twenty days after the filing of the affidavit, and shall have been signed by at least twenty-five per cent of the registered voters of the town, who shall add to their signatures the street and number, if any, of their residences.

The town clerk shall within twenty-four hours of receipt submit the petition to the registrars of voters in the town, and the registrars shall within five working days certify thereon the number of signatures which are names of registered 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 within five working days, and the selectmen shall within five working days give written notice of the receipt of the certificate to the officer sought to be recalled and shall, if the officer does not resign within five days thereafter, order an election to be held on a date fixed by them not less than sixty and not more than ninety days after the date of the town clerk's certificate that a sufficient petition has been filed; provided however that if any other town election is to occur within ninety days after the date of the certificate the selectmen shall postpone the holding of the recall election to the date of such other election. No person shall be subject to recall if his term of office expires within ninety days of the certificate. If a vacancy occurs in said office after a recall election has been 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 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.

SECTION 5. 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, except as provided in this section. 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 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 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 the said propositions. Under the propositions shall appear the word "Candidates", the directions to the voters required by section forty-two of chapter fifty-four of the General Laws, and beneath this the names of candidates nominated in accordance with the provisions of law relating to elections. If two-thirds of the votes cast upon the question of recall is in the affirmative, the candidate receiving the highest number of votes shall be declared elected. If more than one-third of the votes on the question are in the negative, the ballots for candidates need not be counted.

SECTION 7. No recall petition shall be filed against an officer within ninety days after he takes office, nor, in the case of an officer subjected to a recall election and not recalled thereby, until at least ninety days after the election at which his recall was submitted to the voters of the town.

SECTION 8. 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 town office within one year after such recall or such resignation.

SECTION 9. Chapter sixty-seven of the acts of nineteen hundred and eighty-two is hereby repealed.

Approved November 18, 1983.

Chap. 507. AN ACT INCREASING THE LIMIT REQUIRING FIRE INSURANCE COMPANIES TO CONTRIBUTE TO CERTAIN COSTS FOR FIRE PROTECTION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide immediately for the effective and efficient operation of necessary fire training programs throughout the commonwealth, therefore it is hereby

declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter 175 of the General Laws is hereby amended by striking out section 195, as most recently amended by section 72 of chapter 233 of the acts of 1983, and inserting in place thereof the following section:-

Section 195. Sums for the estimated expenses of the operation of training facilities and curriculum for fire fighting personnel of the Massachusetts Fire Fighting Academy, not to exceed seven hundred and fifty thousand dollars per year, as may be appropriated therefor, shall be paid to the commonwealth by insurance companies writing fire, homeowners multiple peril or commercial multiple peril policies on property situated in the commonwealth within thirty days after notice from the commissioner of such estimated expenses. The commissioner shall apportion such estimated charges among all such companies and shall assess them for the same on a fair and reasonable basis, not to exceed one-fourth of one per cent of their estimated gross premiums on such insurance written on property situated in the commonwealth. The commissioner shall subsequently apportion actual costs among all such companies and shall make assessment adjustments for the same for any variation between estimated and actual costs on a fair and reasonable basis, not to exceed one-fourth of one per cent of their actual gross premium on such insurance written on property situated in the commonwealth. Such estimated and actual costs shall include an amount equal to the cost of fringe benefits as established by the commissioner of administration pursuant to section six B of chapter twenty-nine.

Approved November 22, 1983.

Chap. 508. AN ACT AUTHORIZING THE TOWN OF FRAMINGHAM TO APPOINT PETER M. GALVANI AS A POLICE OFFICER, NOTWITHSTANDING THE PHYSICAL CONDITION OF DIABETES MELLITUS.

Be it enacted, etc., as follows:

SECTION 1. The personnel administrator of the division of personnel administration shall examine and certify Peter M. Galvani for appointment as a police officer in the town of Framingham according to the grade he received on the examination for police officer held on November fourteenth, nineteen hundred

and eighty-one, notwithstanding the fact he has the condition of diabetes mellitus; provided, however, that he fulfills all other requirements for certification and appointment.

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

Approved November 22, 1983.

Chap. 509. AN ACT PROVIDING THAT CERTAIN EMPLOYEES BE SUBJECT TO THE PEACEFUL SETTLEMENT OF CERTAIN LABOR DISPUTES.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 150A of the General Laws is hereby amended by adding the following paragraph:-

It is further declared to be the policy of the commonwealth, in the interest of allowing certain employees full freedom of association and to eliminate strife and other obstructions: (a) to promote collective bargaining between vendors who contract with or receive funds from the commonwealth or its political subdivisions, or both, to provide social, protective, legal, medical, custodial, rehabilitative, respite, nutritional, employment, educational, training, and other similar services to the commonwealth or its political subdivisions and their employees; (b) to protect the right of employees of such vendors to organize and select collective bargaining representatives of their own choosing; (c) to prevent lockouts, strikes, slowdowns or withholding of goods or services.

SECTION 2. Section 2 of said chapter 150A, as most recently amended by section 1 of chapter 882 of the acts of 1970, is hereby further amended by striking out subsections (2) and (3) and inserting in place thereof the following two subsections:-

(2) The word "employer" shall include any person acting in the interest of an employer, directly or indirectly, and shall include any health care facility, any nonprofit institution, and any vendor who contracts with or receives funds from the commonwealth or its political subdivisions, or both, to provide social, protective, legal, medical, custodial, rehabilitative, respite, nutritional, employment, educational, training, and other similar services to the commonwealth or its political subdivisions, but shall not include the commonwealth or political subdivision thereof, except in the case of a health care facility, or any labor organization, other than when acting as an employer, or anyone acting in the capacity of officer or agent of such labor

organization.

(3) Except as otherwise provided in section three A, the word "employee" shall include any employee, and shall not be limited to the employees of a particular employer, unless the chapter explicitly states otherwise, and shall include any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice, and who has not obtained any other regular and substantially equivalent employment, and shall include any nurse or nonprofessional employee of a health care facility or of any nonprofit institution, except members of religious orders, or any employees of vendors who contract with or receive funds from the commonwealth or its political subdivisions to provide social, protective, legal, medical, custodial, rehabilitative, respite, nutritional, employment, educational, training, and other similar services to the commonwealth or its political subdivisions, but shall not include any individual employed as an agricultural worker, except as provided in section five A, or in the domestic service of any family or person at his home, or any individual employed by his parent or spouse.

Approved November 22, 1983.

Chap. 510. AN ACT INCREASING THE AMOUNT THE COUNTY COMMISSIONERS OF ESSEX COUNTY MAY BORROW TO ALTER, REPAIR, RENOVATE AND EQUIP THE LAWRENCE JAIL AND HOUSE OF CORRECTION, THE SALEM JAIL AND HOUSE OF CORRECTION AND THE CORRECTIONAL ALTERNATIVE CENTER AT LAWRENCE.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 10 of the acts of 1978 is hereby amended by inserting after the word "hundred", in line 3, the word:- sixty-five.

SECTION 2. Section 2 of said chapter 10 is hereby amended by inserting after the word "hundred", in line 5, the word:- sixty-five.

Approved November 22, 1983.

Chap. 511. AN ACT RELATIVE TO THE LICENSING AND KEEPING OF DOGS IN THE TOWN OF DUXBURY.

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 town of Duxbury for the issuance of licenses for dogs shall be as follows: unspayed females, seven dollars, spayed females and neutered males, four 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 town of Duxbury, or recovered as fines or penalties by said town under the provisions of said chapter one hundred and forty relating to dogs, shall be paid into the town treasury of said town and shall not thereafter be paid over by the town treasurer to Plymouth county.

SECTION 3. Notwithstanding the provisions of section one hundred and thirty-seven of said chapter one hundred and forty or any other provisions of law to the contrary, the registering, numbering, describing and licensing of dogs, if kept in said town, shall be conducted by the town clerk of said town.

Approved November 22, 1983.

Chap. 512. AN ACT AUTHORIZING THE DEPARTMENT OF MENTAL HEALTH TO LEASE CERTAIN PREMISES LOCATED AT MEDFIELD STATE HOSPITAL TO HAWTHORNE TREATMENT CENTER, INC.

Be it enacted, etc., as follows:

The division of capital planning and operations is hereby authorized to lease to Hawthorne Treatment Center, Inc. certain premises known as "R Building" located at Medfield state hospital, for use as an alcoholism treatment facility for not more than fifty minors and young adults, upon such terms and conditions, including rent, as shall be approved by the commissioner of the department of mental health or his designee after consultation with the appropriate officers of the town of Medfield.

Attendance at said facility shall not constitute residence in the town of Medfield, and nothing in this section should be so construed as to require the town of Medfield to reimburse the

department of mental health or any other office or agency of the commonwealth for any expense incurred in the care of individuals in said facility.

Approved November 22, 1983.

Chap. 513. AN ACT INCREASING THE PERIOD OF TIME FOR A STAY OF JUDGMENT AND EXECUTION FOR ELDERLY AND HANDICAPPED TENANTS IN SUMMARY PROCESS ACTIONS.

Be it enacted, etc., as follows:

Chapter 239 of the General Laws is hereby amended by striking out section 9, as most recently amended by section 1 of chapter 235 of the acts of 1972, and inserting in place thereof the following section:-

Section 9. In an action of summary process to recover possession of premises occupied for dwelling purposes, other than a room in a hotel, lodging house or rooming house, where a tenancy has been terminated without fault of the tenant, either by operation of law or by act of the landlord, except by a notice to quit for nonpayment of rent as provided in section twelve of chapter one hundred and eighty-six, a stay or stays of judgment and execution may be granted, as hereinafter provided, for a period not exceeding six months or for periods not exceeding six months in the aggregate, or, for a period not exceeding twelve months or for periods not exceeding twelve months in the aggregate in the case of premises occupied by a handicapped person or an individual sixty years of age or older, as the court may deem just and reasonable, upon application of the tenant or the surviving spouse, parent or child of a deceased tenant if such spouse, parent or child occupied said premises for dwelling purposes at the time when said tenancy was terminated and such occupancy was not in violation of the terms of the tenancy; provided, however, that a stay or stays of judgment and execution in the case of premises occupied by an employee of a farmer conditioned upon his employment by such farmer and which employment has been legally terminated shall not be granted for a period exceeding two months or for periods exceeding two months in the aggregate. For the purpose of this section, the words "handicapped person" shall mean a person who:

(a) has a physical or mental impairment which substantially limits such person's ability to care for himself, perform manual tasks, walk, see, hear, speak, breathe, learn or work; or

(b) has a physical or mental impairment which significantly

limits the housing appropriate for such person or which significantly limits such person's ability to seek new housing; or

(c) would be eligible for housing for handicapped persons under the provisions of chapter one hundred and twenty-one B.

Approved November 22, 1983.

EMERGENCY LETTER - February 9, 1984 @ 11:44 A.M.

Chap. 514. AN ACT ESTABLISHING A SPECIAL ACCOUNT FOR THE NORFOLK COUNTY HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any special or General Law to the contrary, the county of Norfolk is hereby authorized to establish a special account to be known as the "Norfolk County Hospital Operations Account". Into such account shall be deposited all receipts, revenues and funds from any source derived from any activity of the Norfolk County Hospital.

SECTION 2. The account authorized by section one shall be maintained by the County Treasurer in accordance with the provisions of section ten of chapter thirty-five of the General Laws and expenditures from such account shall be made by the administrator of the Norfolk County Hospital without appropriation and used solely for the operation and maintenance and for the provision of capital, equipment and plant for said hospital. Such account shall be maintained in accordance with generally accepted principles of accounting, and shall be audited annually by a certified public accountant. Such audits shall be submitted to the board of trustees of said hospital, the Norfolk county advisory board, the Norfolk county treasurer, and the bureau of accounts. The county treasurer shall invest the monies in said account as authorized by law and the interest accruing thereon shall inure to the benefit of said hospital. For the purpose of providing health care for the citizens of the county of Norfolk, said county may from time to time appropriate monies by assessment into said account and donations from private sources may be received into said account.

SECTION 3. The county treasurer, upon written request of the administrator of the Norfolk County Hospital, may borrow funds in any fiscal year in anticipation of the receipt of revenues of said Norfolk County Hospital for such fiscal year. Such loans outstanding at any one time in any fiscal year shall not exceed, in the aggregate, twenty-five per cent of the annual expenses of the current fiscal year as certified by said administrator, or

such larger amounts as may be approved by the commissioners and the Norfolk county advisory board. All sums so borrowed shall be deposited into said account established under section one.

SECTION 4. The administrator of Norfolk County Hospital shall file with the county commissioners, the Norfolk county advisory board, the county treasurer, and the bureau of accounts, a written report of the special account established under the provisions of section one within one hundred and twenty days after the end of the fiscal year. Such report shall include financial statements relating to the operation, maintenance, capital and real properties of said hospital. The administrator shall annually, not later than sixty days prior to the expiration of each fiscal year, submit to the county commissioners and the county advisory board a financial plan in such form as the board of trustees may approve.

Said financial plan must be approved by the Norfolk county commissioners and the Norfolk county advisory board prior to the beginning of the fiscal year. The board of trustees of Norfolk County Hospital may authorize expenditures up to ten per cent more than presented in the approved financial plan. If the board of trustees of Norfolk County Hospital wish to increase expenditures by more than ten per cent of the amount as presented in the approved financial plan, a revised financial plan shall be submitted to the Norfolk county commissioners and the Norfolk county advisory board for their approval.

SECTION 5. In order that the fiscal affairs of the hospital may be managed by the hospital board of trustees so as to reduce the cost to the taxpayers, an assessment need not be rendered at the close of any fiscal year in which a deficit occurs.

SECTION 6. This act shall take effect upon its passage.

Approved November 23, 1983.

Chap. 515. AN ACT RELATIVE TO SCHOOL BUILDING ASSISTANCE, AS IT PERTAINS TO ANNUAL GRANT PAYMENTS AND THE ELIMINATION OR REDUCTION OF RACIAL IMBALANCE.

Be it enacted, etc., as follows:

SECTION 1. The definition of "Approved school project" in section 5 of chapter 645 of the acts of 1948, as amended by

section 4 of chapter 613 of the acts of 1982, is hereby further amended by adding the following three sentences:- Said definition of approved school project shall include a capital project required, in the judgment of the commission, for the improvement of a schoolhouse or central kitchen when general reconstruction, remodeling, rehabilitation, or modernization of the schoolhouse is not required and the schoolhouse or central kitchen otherwise meets the standards of the commission; provided, however, that the contract or contracts for any such project is awarded on or after January first, nineteen hundred and eighty-two. In the case of projects, the construction of which has been undertaken before the effective date of this act, application shall be made within one hundred and twenty days after such effective date, and in the case of all other projects, before construction has been undertaken. Improvement of a schoolhouse shall include, but shall not be limited to, projects required to make a school accessible to the physically handicapped, projects required to rebuild, reconstruct, or replace the roof of a schoolhouse where such project is not due to a pattern of deferred maintenance, for such projects designed to make a school building more energy efficient, for projects required to eliminate a structural safety hazard, or for projects designed to improve the drainage or sewage systems on the site, or to provide site improvements related to physical education, outdoor education, or safety.

SECTION 2. Section 7 of said chapter 645 is hereby amended by striking out the second sentence, as amended by section 1 of said chapter 613, and inserting in place thereof the following two sentences:- Such cost shall include fifty per cent of the interest paid or payable by such city, town or county and the entire interest paid or payable by such regional school district on any bonds or notes issued to finance such project; provided, however, that in the case of school projects ordered or approved by a court as necessary for desegregation or such projects as may be required in the judgment of the board of education to reduce or eliminate racial imbalance or imbalance of minority students; such cost shall include one hundred per cent of the interest paid or payable by such city; provided, further, that in the case of a school project for a growth district as classified according to section nine of this act such cost shall include one hundred per cent of the interest paid or payable by such district. For purposes of this section the term "minority student" shall mean persons who are American Indians and Alaskan Natives, Asians and Pacific Islanders, blacks not of Hispanic origin, Hispanics, Franco-Americans, and Portuguese, and, as determined by the commissioner of education, persons who are from environments in which the dominant language is other than English and who, as a

result of language barriers and cultural differences, do not have an equal educational opportunity.

SECTION 3. Section 9 of said chapter 645, as most recently amended by section 2 of said chapter 613, is hereby further amended by adding the following paragraph:-

Notwithstanding the provisions of the preceding paragraphs, for any approved school project on which construction is commenced after June thirtieth, nineteen hundred and eighty-two and which is financed in whole or in part from the proceeds of any sale of bonds or notes, the construction grant shall be paid annually for the number of years equal to the number of years for which any indebtedness incurred for such project shall be outstanding; provided, however, that a city, town or regional school district may request that the total construction grant may be paid in unequal annual payments and such payments shall be set forth in a schedule approved by the board. Such annual payments, if unequal, shall be in an amount which bears the same ratio to the total estimated or final approved grant as the annual payment on account of principal and interest bears to the estimated or final aggregate amount determined to be paid and payable over the term of any such indebtedness and such payments shall begin in the fiscal year in which debt service on account of any bonds or notes issued to finance the project become payable or in the fiscal year in which construction of the project is commenced; provided, however, that, in no case, shall any such annual payment be made until construction of the project has commenced. In the event that the total construction grant or total amount of debt service cannot be determined at the time the first annual payment is due, the board of education shall estimate the amounts of the total construction grant and the total amount of debt service and use such estimates in determining the amount of payments.

SECTION 4. Chapter 613 of the acts of 1982 is hereby amended by striking out section 3 and inserting in place thereof the following section:-

Section 3. Notwithstanding any provision of section one I of chapter fifteen of the General Laws or any other general or special law to the contrary, the board of education may increase the amount of grants for school construction submitted or approved after December thirty-first, nineteen hundred and eighty-one and prior to July first, nineteen hundred and eighty-four to an amount not to exceed ninety per cent of the approved cost whenever the board is satisfied that the acquisition, construction, enlargement, renovation, reconstruction, rehabilitation or modernization of a schoolhouse is for the purpose of reducing

or eliminating racial imbalance or imbalance of minority students; provided, however, that any such grant for an amount greater than seventy-five per cent of the approved cost shall be approved by the board of education with the concurrence of the house and senate committees on ways and means. For the purposes of this section, the term "minority student" shall mean persons who are American Indians and Alaskan Natives, Asians and Pacific Islanders, blacks, not of Hispanic origin, Hispanics, Franco-Americans, and Portuguese, and as determined by the commissioner of education, persons who are from environments in which the dominant language is other than English and who, as a result of language barriers and cultural differences, do not have an equal educational opportunity.

Approved November 23, 1983.

Chap. 516. AN ACT FURTHER DEFINING A SAWED-OFF SHOTGUN AND REGULATING THE OWNERSHIP, POSSESSION OR CARRYING OF A SAWED-OFF SHOTGUN.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 121 of chapter 140 of the General Laws, as most recently amended by section 1 of chapter 892 of the acts of 1973, is hereby further amended by striking out the first sentence and inserting in place thereof the following two sentences:- In sections one hundred and twenty-two to one hundred and thirty-one F, inclusive, "firearm" shall mean a pistol, revolver or other weapon of any description loaded or unloaded, from which a shot or bullet can be discharged and of which the length of the barrel or barrels is less than sixteen inches or eighteen inches in the case of a shotgun as originally manufactured, and the term "length of barrel" shall mean that portion of a firearm, rifle, shotgun or machine gun through which a shot or bullet is driven, guided or stabilized, and shall include the chamber. A "Sawed-off shotgun" shall mean any weapon made from a shotgun, whether by alteration, modification or otherwise, if such weapon as modified has one or more barrels less than eighteen inches in length or as modified has an overall length of less than twenty-six inches.

SECTION 2. Section 10 of chapter 269 of the General Laws is hereby amended by striking out subsection (c), as amended by section 2 of chapter 175 of the acts of 1978, and inserting in place thereof the following subsection:-

(c) Whoever, except as provided by law, possesses a machine gun, as defined in section one hundred and twenty-one of chapter one hundred and forty, without permission under section one hundred and thirty-one of said chapter one hundred and forty; or whoever owns, possesses or carries on his person, or carries on his person or under his control in a vehicle, a sawed-off shotgun, as defined in said section one hundred and twenty-one of said chapter one hundred and forty, without being the holder of a valid license to carry firearms issued in accordance with the provisions of said section one hundred and thirty-one of said chapter one hundred and forty, shall be punished by imprisonment in the state prison for life, or for any term of years provided that any sentence imposed under the provisions of this subsection shall be subject to the minimum requirements of subsection (a).

SECTION 3. Said section 10 of said chapter 269 is hereby further amended by striking out subsection (k).

Approved November 23, 1983.

Chap. 517. AN ACT PROVIDING FOR THE GUARDIANSHIP OF CHILDREN.

Be it enacted, etc., as follows:

Section 29 of chapter 119 of the General Laws, as most recently amended by chapter 501 of the acts of 1978, is hereby further amended by striking out the second sentence and inserting in place thereof the following five sentences:- The parent, guardian or custodian of such child shall have and shall be informed of the right to counsel at all hearings under said sections and in any other proceeding regarding child custody where the department of social services or a licensed child placement agency is a party, including such proceedings under sections five and fourteen of chapter two hundred and one; and if said parent, guardian or custodian of such child is financially unable to retain counsel, the court shall appoint counsel for said parent, guardian or custodian. The probate and family court department of the trial court shall establish procedures for notifying said parent, guardian or custodian of such right, and for appointing counsel for an indigent parent, guardian or custodian within fourteen days of a licensed child placement agency filing or appearing as a party in any such action. In any such proceeding regarding child custody, where the department of social services or a licensed child placement agency is a party, the parent,

guardian or custodian of such child shall have and shall be informed of the right to a service or case plan for the child and his family which complies with applicable state and federal laws and regulations regarding such plans. The department or agency shall provide a copy of such plan to the parent, guardian or custodian of the child and to the attorneys for all parties appearing in the proceeding within forty-five days of the department or agency filing an appearance in such proceeding. Thereafter, any party may have the original or changed plan introduced as evidence, and with the consent of all parties such plan shall be filed with the court.

Approved November 23, 1983.

Chap. 518. AN ACT EXTENDING THE TIME AVAILABLE FOR CERTAIN RESIDENTIAL TAX CREDIT FOR RENEWABLE ENERGY SYSTEMS.

Be it enacted, etc., as follows:

SECTION 1. Section 35 of chapter 796 of the acts of 1979 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Sections nine and eleven of this act shall take effect as of January first, nineteen hundred and seventy-nine and shall become inoperative on December thirty-first, nineteen hundred and eighty-five.

SECTION 2. The first 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 "owner", in line 1, the words:- or tenant.

Approved November 23, 1983.

Chap. 519. AN ACT AUTHORIZING THE CERTIFICATION AND APPOINTMENT OF BRYAN C. RUOCCO AS A POLICE OFFICER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize the certification and appointment of Bryan C. Ruocco as a police officer notwithstanding the maximum age requirements, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The personnel administrator of the division of personnel administration shall examine and certify Bryan C. Ruocco of the city of Lynn for appointment as a police officer according to the grade he received in the examination for police officer held on October first, nineteen hundred and eighty-three, notwithstanding the fact that he has attained the maximum age for said position; provided, however, that he fulfills all other requirements for certification and appointment to such position.

Approved November 28, 1983.

Chap. 520. AN ACT AUTHORIZING THE CERTIFICATION AND APPOINTMENT OF JOSEPH CROWINSHIELD AS A POLICE OFFICER, NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize the certification and appointment of Joseph Crowinshield as a police officer, therefore 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 personnel administrator of the department of personnel administration shall examine and certify Joseph Crowinshield for appointment as a police officer according to the grade he received in the examination for police officer held on October first, nineteen hundred and eighty-three, notwithstanding the fact that he has attained the maximum age for said position; provided, however, that he fulfills all other requirements for certification and appointment.

Approved November 28, 1983.

Chap. 521. AN ACT ESTABLISHING A NONPROFIT HOUSING CORPORATION FOR THE TOWN OF LEXINGTON.

Be it enacted, etc., as follows:

SECTION 1. There is hereby established a nonprofit housing corporation to be known as the Lexington Housing Assistance Board, Inc. which shall be subject to the supervision of the

board of selectmen of the town of Lexington. Said board shall consist of not less than five members, who shall be appointed by the board of selectmen for staggered three-year terms as designated by said board of selectmen, such appointments to be made annually by said board of selectmen on or before May thirty-first. Members shall serve until their successors are appointed and qualified. Continuing members may act despite a vacancy or vacancies in said board and for this purpose be deemed to constitute a full board. Any vacancy in said board, however occurring, may be filled by the board of selectmen for the unexpired portion of the term.

Said board is hereby established and shall exercise its powers and perform its duties for the purpose of investigating and implementing alternatives for the provision of and providing affordable housing for persons of low, moderate and middle income, and others whose needs may be identified from time to time, in the town of Lexington. The powers and duties of said board as set forth herein are intended to be alternative and supplemental to, and not in limitation of, the powers and duties of the Lexington Housing Authority established pursuant to chapter one hundred and twenty-one B of the General Laws. The liability of said board and its members shall be limited to the same extent as the liability of a public employer and public employees as provided in section two of chapter two hundred and fifty-eight of the General Laws.

SECTION 2. Said board shall have the powers and privileges conferred by the provisions of paragraphs (a) to (i), inclusive, and paragraph (k) of section nine of chapter one hundred and fifty-six B of the General Laws, and the following powers, provided that no such power shall be exercised either in a manner inconsistent with this act or any general or special law, or to carry on any activity which is not in furtherance of the purposes set forth in this act:

(a) to adopt, amend and repeal by-laws for the regulation and conduct of its business including but not limited to the call and conduct of its meetings, the number of members which shall constitute a quorum and the mode of voting by proxy;

(b) to elect a chairman and vice-chairman, each of whom shall be members of said board, and a secretary and a treasurer, who need not be members of said board, and who may be the same person. The treasurer shall give bond for the faithful performance of his duties in form and amount approved and fixed by the board of selectmen, the cost of which bond shall be paid from funds of said board. The chairman and in his absence the vice-chairman shall chair meetings of said board. The secretary shall be the custodian of all books, documents and papers filed

with said board and of the minute book or journal of said board;

(c) with the approval of the board of selectmen, to make and execute all contracts and all other instruments necessary or convenient for the exercise of its power and functions, subject to approval of the town counsel of the town of Lexington as to form;

(d) with the approval of the board of selectmen, to acquire or lease, by purchase or otherwise, and to own, hold and use, on such terms and conditions and in such manner as it may deem proper, and to exchange, grant options on, sell, transfer, convey, assign, lease, pledge, mortgage, encumber, grant liens on and security interests in, or otherwise dispose of, on such terms and conditions as it may deem proper, real, personal or mixed real and personal property or any interest, easements or rights therein, and any assets or revenues of said board, as may be necessary or appropriate to carry out its purposes;

(e) with the approval of the board of selectmen, to enter into agreements or other transactions with the commonwealth or any political subdivision or public instrumentality thereof, the United States government or any federal, state or other governmental agency;

(f) with the approval of the board of selectmen, to borrow money and to execute notes therefor which shall not be deemed to be debts or obligations of the town of Lexington, to hold mortgages, and to invest any funds held in reserve funds, or any funds not required for immediate disbursement in such investments as may be lawful for fiduciaries in the commonwealth. Said board shall have no stock;

(g) with the approval of the board of selectmen, to enter into contracts or agreements with, and to employ from time to time contractors, architects, engineers, consultants, attorneys, accountants, construction, financial and other experts, superintendents, managers and such other agents and employees as may be necessary in its judgment and to fix their compensation;

(h) with the approval of the board of selectmen, to receive and hold funds appropriated by the town and other funds, property, labor and other things of value from any source, public or private, by gift, grant, bequest, loan or otherwise, either absolutely or in trust, and to expend or utilize the same on behalf of said board for any of its purposes or to act as an agent or conduit in administering or disbursing funds or financial or other aid from any source; provided, however, that all revenues collected or received by said board in connection with its activities, investments or transactions shall be expended only with the approval of the board of selectmen of the town of Lexington;

(i) to appear in its own behalf before boards, commissions,

departments or other agencies of government, municipal, state or federal;

(j) to procure insurance against any loss in connection with the property or activities of said board, in such amounts and from such insurers as it may deem necessary or desirable, and, with the approval of the board of selectmen, to indemnify its members or agents if and to the extent specified from time to time in the by-laws of said board and subject to and in the manner provided in section six of chapter one hundred and eighty of the General Laws;

(k) to formulate and, with the approval of the board of selectmen, carry out or monitor plans for projects involving the acquisition or operation of housing facilities of any kind or nature, and to construct, reconstruct, renovate, expand, extend, improve, repair, remodel, equip, furnish, maintain, manage and operate such facilities;

(l) with the approval of the board of selectmen, to fix and revise from time to time, and to charge and collect rates, fees, rentals and other charges and sales prices for or in connection with the use, occupancy or other disposition of any housing facility or other property or portion thereof under its ownership or control;

(m) with the approval of the board of selectmen, to establish, impose, grant or amend, by deed, lease or any other means or method, and to hold the benefit of, monitor, exercise and enforce lawful restrictions on the rental, sale, resale, use or occupancy of housing facilities or other property under its ownership or control, or other facilities or property designated by the selectmen of the town, or restrictions with respect to the income of owners, tenants or occupants of such housing facilities or other property, or options and rights of first refusal with respect to such facilities or property, and to waive, release or discharge any such rights or restrictions;

(n) with the approval of the board of selectmen, to enter into, perform or monitor agreements or other transactions with contractors, developers, brokers or other real estate professionals or any other person relating to the providing of affordable housing for persons of low and moderate income in the town;

(o) to do any and all things necessary or convenient to carry out its purposes and exercise the powers conferred by this act.

Said board may delegate to any committee or member of the board any action which said board is empowered to do or make. Said board may be a partner in any business enterprise which said board would have power to conduct by itself.

SECTION 3. Notwithstanding the provisions of any general or special law to the contrary, the income, assets and activities of

said board shall be exempt from all taxes and assessments and said board shall not be subject to any of the provisions of chapter sixty-three of the General Laws or to any taxes based upon or measured by property or income imposed by the commonwealth or by any political subdivision thereof. Said board is hereby authorized and empowered to enter into an agreement or agreements with the assessor of the town of Lexington, with the approval of the board of selectmen, wherein said board shall undertake to make to the town annual payments in lieu of taxes in connection with any real property acquired and owned by said board, the amounts of such payments to be reasonable sums stipulated in such agreement or agreements or determined in accordance with a reasonable formula so stipulated.

SECTION 4. Without limitation of the powers of said board set forth in section two, said board is authorized to receive and to expend and utilize for its purposes all proceeds of the sale by the town of Lexington of the land and improvements known as the Muzzey junior high school, which proceeds have been appropriated by the town for such purposes. In addition, the town may appropriate other funds for the carrying out by said board of its purposes as set forth herein. Any appropriation therefor may be raised by the town by taxation. At least annually, said board shall cause independent audits to be made of the books and records of said board, which annual audits shall be filed with the board of selectmen of the town.

SECTION 5. In the event that said board shall be dissolved in accordance with law at any time, all property and interests therein, assets and rights of said board existing at such time shall be transferred to the town of Lexington by authority of this act, and title to all such property and all such rights shall vest in the town of Lexington automatically without the need for further action or instrument, and the town of Lexington shall, to the maximum extent permitted by law, and acting by and through its board of selectmen, assume, hold and exercise the powers and duties of said board set forth herein with respect to such property and rights so transferred to said town.

SECTION 6. The provisions of this act are severable and if any of its provisions shall be held invalid in any circumstance, such invalidity shall not affect any other provisions or circumstances.

SECTION 7. This act shall take effect upon its passage.

Approved November 29, 1983.

Chap. 522. AN ACT FURTHER AMENDING THE UNIFORM COMMERCIAL CODE.

Be it enacted, etc., as follows:

SECTION 1. Section 1-201 of chapter 106 of the General Laws is hereby amended by striking out subsection (5), as appearing in section 1 of chapter 765 of the acts of 1957, and inserting in place thereof the following subsection:-

(5) "Bearer" means the person in possession of an instrument, document of title, or certificated security payable to bearer or indorsed in blank.

SECTION 2. Said section 1-201 of said chapter 106 is hereby further amended by striking out subsection (14), as so appearing, and inserting in place thereof the following subsection:-

(14) "Delivery" with respect to instruments, documents of title, chattel paper, or certificated securities means voluntary transfer of possession.

SECTION 3. Said section 1-201 of said chapter 106 is hereby further amended by striking out subsection (20), as so appearing, and inserting in place thereof the following subsection:-

(20) "Holder" means a person who is in possession of a document of title or an instrument or a certificated investment security drawn, issued, or indorsed to him or his order or to bearer or in blank.

SECTION 4. Section 5-114 of said chapter 106, as so appearing, is hereby amended by striking out subsection (2) and inserting in place thereof the following subsection:-

(2) Unless otherwise agreed when documents appear on their face to comply with the terms of a credit but a required document does not in fact conform to the warranties made on negotiation or transfer of a document of title (section 7-507) or of a certificated security (section 8-306) or is forged or fraudulent or there is fraud in the transaction:

(a) the issuer must honor the draft or demand for payment if honor is demanded by a negotiating bank or other holder of the draft or demand which has taken the draft or demand under the credit and under circumstances which would make it a holder in due course (section 3-302) and in an appropriate case would make it a person to whom a document of title has been duly negotiated (section 7-502) or a bona fide purchaser of a certificated security (section 8-302); and

(b) in all other cases as against its customer, an issuer acting in good faith may honor the draft or demand for payment

despite notification from the customer of fraud, forgery or other defect not apparent on the face of the documents but a court of appropriate jurisdiction may enjoin such honor.

SECTION 5. Said chapter 106 is hereby further amended by striking out Article 8 and inserting in place thereof the following article:

ARTICLE 8.
INVESTMENT SECURITIES.

PART 1. SHORT TITLE AND GENERAL MATTERS.

Section 8-101. Short Title.
This Article shall be known and may be cited as Uniform Commercial Code-Investment Securities.

Section 8-102. Definitions and Index of Definitions.
(1) In this Article, unless the context otherwise requires:
(a) A "certificated security" is a share, participation, or other interest in property of or an enterprise of the issuer or an obligation of the issuer which is
(i) represented by an instrument issued in bearer or registered form;
(ii) of a type commonly dealt in on securities exchanges or markets or commonly recognized in any area in which it is issued or dealt in as a medium for investment; and
(iii) either one of a class or series or by its terms divisible into a class or series of shares, participations, interests, or obligations.
(b) An "uncertificated security" is a share, participation, or other interest in property or an enterprise of the issuer or an obligation of the issuer which is
(i) not represented by an instrument and the transfer of which is registered upon books maintained for that purpose by or on behalf of the issuer;
(ii) of a type commonly dealt in on securities exchanges or markets; and
(iii) either one of a class or series or by its terms divisible into a class or series of shares, participations, interests, or obligations.
(c) A "security" is either a certificated or an uncertificated security. If a security is certificated, the terms "security" and "certificated security" may mean either the intangible interest, the instrument representing that interest, or both, as the context requires. A writing that is a certificated security is governed by this Article and not by Article 3, even though it also meets

the requirements of said Article 3. This Article does not apply to money. If a certificated security has been retained by or surrendered to the issuer or its transfer agent for reasons other than registration of transfer, other temporary purpose, payment, exchange, or acquisition by the issuer, that security shall be treated as an uncertificated security for purposes of this Article.

(d) A certificated security is in "registered form" if

(i) it specifies a person entitled to the security or the rights it represents; and

(ii) its transfer may be registered upon books maintained for that purpose by or on behalf of the issuer, or the security so states.

(e) A certificated security is in "bearer form" if it runs to bearer according to its terms and not by reason of any indorsement.

(2) A "subsequent purchaser" is a person who takes other than by original issue.

(3) A "clearing corporation" is a corporation registered as a "clearing agency" under the federal securities laws or a corporation:

(a) at least ninety per cent of whose capital stock is held by or for one or more organizations, none of which, other than a national securities exchange or association, holds in excess of twenty per cent of the capital stock of the corporation, and each of which is

(i) subject to supervision or regulation pursuant to the provisions of federal or state banking laws or state insurance laws,

(ii) a broker or dealer or investment company registered under the federal securities laws, or

(iii) a national securities exchange or association registered under the federal securities laws; and

(b) any remaining capital stock of which is held by individuals who have purchased it at or prior to the time of their taking office as directors of the corporation and who have purchased only so much of the capital stock as is necessary to permit them to qualify as directors.

(4) A "custodian bank" is a bank or trust company that is supervised and examined by state or federal authority having supervision over banks and is acting as custodian for a clearing corporation.

(5) Other definitions applying to this Article or to specified Parts thereof and the sections in which they appear are:

"Adverse claim".	Section 8-302.
"Bona fide purchaser".	Section 8-302.
"Broker".	Section 8-303.
"Debtor".	Section 9-105.

"Financial intermediary".	Section 8-313.
"Guarantee of the signature".	Section 8-402.
"Initial transaction statement".	Section 8-408.
"Instruction".	Section 8-308.
"Intermediary bank".	Section 4-105.
"Issuer".	Section 8-201.
"Overissue".	Section 8-104.
"Secured Party".	Section 9-105.
"Security Agreement".	Section 9-105.

(6) In addition, Article 1 contains general definitions and principles of construction and interpretation applicable throughout this Article.

Section 8-103. Issuer's Lien.

A lien upon a security in favor of an issuer thereof is valid against a purchaser only if:

(a) the security is certificated and the right of the issuer to the lien is noted conspicuously thereon; or

(b) the security is uncertificated and a notation of the right of the issuer to the lien is contained in the initial transaction statement sent to the purchaser or, if his interest is transferred to him other than by registration of transfer, pledge, or release, the initial transaction statement sent to the registered owner or the registered pledgee.

Section 8-104. Effect of Overissue; "Overissue".

(1) The provisions of this Article which validate a security or compel its issue or reissue do not apply to the extent that validation, issue, or reissue would result in overissue; but if:

(a) an identical security which does not constitute an overissue is reasonably available for purchase, the person entitled to issue or validation may compel the issuer to purchase the security for him and either to deliver a certificated security or to register the transfer of an uncertificated security to him, against surrender of any certificated security he holds; or

(b) a security is not so available for purchase, the person entitled to issue or validation may recover from the issuer the price he or the last purchaser for value paid for it with interest from the date of his demand.

(2) "Overissue" means the issue of securities in excess of the amount the issuer has corporate power to issue.

Section 8-105. Certificated Securities Negotiable; Statements and Instructions Not Negotiable; Presumptions.

(1) Certificated securities governed by this Article are negotiable instruments.

(2) Statements (section 8-408), notices, or the like, sent by

the issuer of uncertificated securities and instructions (section 8-308) are neither negotiable instruments nor certificated securities.

(3) In any action on a security:

(a) unless specifically denied in the pleadings, each signature on a certificated security, in a necessary indorsement, on an initial transaction statement, or on an instruction, is admitted;

(b) if the effectiveness of a signature is put in issue, the burden of establishing it is on the party claiming under the signature, but the signature is presumed to be genuine or authorized;

(c) if signatures on a certificated security are admitted or established, production of the security entitles a holder to recover on it unless the defendant establishes a defense or a defect going to the validity of the security;

(d) if signatures on an initial transaction statement are admitted or established, the facts stated in the statement are presumed to be true as of the time of its issuance; and

(e) after it is shown that a defense or defect exists, the plaintiff has the burden of establishing that he or some person under whom he claims is a person against whom the defense or defect is ineffective (section 8-202).

Section 8-106. Applicability.

The law, including the conflict of laws rules, of the jurisdiction of organization of the issuer governs the validity of a security, the effectiveness of registration by the issuer, and the rights and duties of the issuer with respect to:

(a) registration of transfer of a certificated security;

(b) registration of transfer, pledge, or release of an uncertificated security; and

(c) sending of statements of uncertificated securities.

Section 8-107. Securities Transferable; Action for Price.

(1) Unless otherwise agreed and subject to any applicable law or regulation respecting short sales, a person obligated to transfer securities may transfer any certificated security of the specified issue in bearer form or registered in the name of the transferee, or indorsed to him or in blank, or he may transfer an equivalent uncertificated security to the transferee or a person designated by the transferee.

(2) If the buyer fails to pay the price as it comes due under a contract of sale, the seller may recover the price of:

(a) certificated securities accepted by the buyer;

(b) uncertificated securities that have been transferred to the buyer or a person designated by the buyer; and

(c) other securities if efforts at their resale would be

unduly burdensome or if there is no readily available market for their resale.

Section 8-108. Registration of Pledge and Release of Uncertificated Securities.

A security interest in an uncertificated security may be evidenced by the registration of pledge to the secured party or a person designated by him. There can be no more than one registered pledge of an uncertificated security at any time. The registered owner of an uncertificated security is the person in whose name the security is registered, even if the security is subject to a registered pledge. The rights of a registered pledgee of an uncertificated security under this Article are terminated by the registration of release.

PART 2. ISSUE-ISSUER.

Section 8-201. "Issuer".

(1) With respect to obligations on or defenses to a security, "issuer" includes a person who:

(a) places or authorizes the placing of his name on a certificated security, otherwise than as authenticating trustee, registrar, transfer agent, or the like, to evidence that it represents a share, participation, or other interest in his property or in an enterprise, or to evidence his duty to perform an obligation represented by the certificated security;

(b) creates shares, participations, or other interests in his property or in an enterprise or undertakes obligations, which shares, participations, interests, or obligations are uncertificated securities;

(c) directly or indirectly creates fractional interests in his rights or property, which fractional interests are represented by certificated securities; or

(d) becomes responsible for or in place of any other person described as an issuer in this section.

(2) With respect to obligations on or defenses to a security, a guarantor is an issuer to the extent of his guaranty, whether or not his obligation is noted on a certificated security or on statements of uncertificated securities sent pursuant to section 8-408.

(3) With respect to registration of transfer, pledge, or release (Part 4 of this Article), "issuer" means a person on whose behalf transfer books are maintained.

Section 8-202. Issuer's Responsibility and Defenses; Notice of Defect or Defense.

(1) Even against a purchaser for value and without notice, the terms of a security include:

(a) if the security is certificated, those stated on the security;

(b) if the security is uncertificated, those contained in the initial transaction statement sent to such purchaser or, if his interest is transferred to him other than by registration of transfer, pledge, or release, the initial transaction statement sent to the registered owner or registered pledgee; and

(c) those made part of the security by reference, on the certificated security or in the initial transaction statement, to another instrument, indenture, or document or to a constitution, statute, ordinance, rule, regulation, order or the like, to the extent that the terms referred to do not conflict with the terms stated on the certificated security or contained in the statement. A reference under this paragraph does not of itself charge a purchaser for value with notice of a defect going to the validity of the security, even though the certificated security or statement expressly states that a person accepting it admits notice.

(2) A certificated security in the hands of a purchaser for value or an uncertificated security as to which an initial transaction statement has been sent to a purchaser for value, other than a security issued by a government or governmental agency or unit, even though issued with a defect going to its validity, is valid with respect to the purchaser if he is without notice of the particular defect unless the defect involves a violation of constitutional provisions, in which case the security is valid with respect to a subsequent purchaser for value and without notice of the defect. This subsection applies to an issuer that is a govenment or governmental agency or unit only if either there has been substantial compliance with the legal requirements governing the issue or the issuer has received a substantial consideration for the issue as a whole or for the particular security and a stated purpose of the issue is one for which the issuer has power to borrow money or issue the security.

(3) Except as provided in the case of certain unauthorized signatures (section 8-205), lack of genuineness of a certificated security or an initial transaction statement is a complete defense, even against a purchaser for value and without notice.

(4) All other defenses of the issuer of a certificated or uncertificated security, including nondelivery and conditional delivery of a certificated security, are ineffective against a purchaser for value who has taken without notice of the particular defense.

(5) Nothing in this section shall be construed to affect the right of a party to a "when, as and if issued" or a "when distributed" contract to cancel the contract in the event of a material change in the character of the security that is the subject of the contract or in the plan or arrangement pursuant to which the security is to be issued or distributed.

Section 8-203. Staleness as Notice of Defects or Defenses.
(1) After an act or event creating a right to immediate performance of the principal obligation represented by a certificated security or that sets a date on or after which the security is to be presented or surrendered for redemption or exchange, a purchaser is charged with notice of any defect in its issue or defense of the issuer if:

(a) the act or event is one requiring the payment of money, the delivery of certificated securities, the registration of transfer of uncertificated securities, or any of these on presentation or surrender of the certificated security, the funds or securities are available on the date set for payment or exchange, and he takes the security more than one year after that date; and

(b) the act or event is not covered by paragraph (a) and he takes the security more than two years after the date set for surrender or presentation or the date on which performance became due.

(2) A call that has been revoked is not within subsection (1).

Section 8-204. Effect of Issuer's Restrictions on Transfer.
A restriction on transfer of a security imposed by the issuer, even if otherwise lawful, is ineffective against any person without actual knowledge of it unless:

(a) the security is certificated and the restriction is noted conspicuously thereon; or

(b) the security is uncertificated and a notation of the restriction is contained in the initial transaction statement sent to the person or, if his interest is transferred to him other than by registration of transfer, pledge, or release, the initial transaction statement sent to the registered owner or the registered pledgee.

Section 8-205. Effect of Unauthorized Signature on Certificated Security or Initial Transaction Statement.
An unauthorized signature placed on a certificated security prior to or in the course of issue or placed on an initial transaction statement is ineffective, but the signature is effective in favor of a purchaser for value of the certificated security or a purchaser for value of an uncertificated security to whom the initial transaction statement has been sent, if the purchaser is without notice of the lack of authority and the signing has been done by:

(a) an authenticating trustee, registrar, transfer agent, or other person entrusted by the issuer with the signing of the security, of similar securities, or of initial transaction statements or the immediate preparation for signing of any of them; or

(b) an employee of the issuer, or of any of the foregoing,

entrusted with responsible handling of the security or initial transaction statement.

Section 8-206. Completion or Alteration of Certificated Security or Initial Transaction Statement.

(1) If a certificated security contains the signatures necessary to its issue or transfer but is incomplete in any other respect:

(a) any person may complete it by filling in the blanks as authorized; and

(b) even though the blanks are incorrectly filled in, the security as completed is enforceable by a purchaser who took it for value and without notice of the incorrectness.

(2) A complete certificated security that has been improperly altered, even though fraudulently, remains enforceable, but only according to its original terms.

(3) If an initial transaction statement contains the signatures necessary to its validity, but is incomplete in any other respect:

(a) any person may complete it by filling in the blanks as authorized; and

(b) even though the blanks are incorrectly filled in, the statement as completed is effective in favor of the person to whom it is sent if he purchased the security referred to therein for value and without notice of the incorrectness.

(4) A complete initial transaction statement that has been improperly altered, even though fraudulently, is effective in favor of a purchaser to whom it has been sent, but only according to its original terms.

Section 8-207. Rights and Duties of Issuer With Respect to Registered Owners and Registered Pledgees.

(1) Prior to due presentment for registration of transfer of a certificated security in registered form, the issuer or indenture trustee may treat the registered owner as the person exclusively entitled to vote, to receive notifications, and otherwise to exercise all the rights and powers of an owner.

(2) Subject to the provisions of subsections (3), (4), and (6), the issuer or indenture trustee may treat the registered owner of an uncertificated security as the person exclusively entitled to vote, to receive notifications, and otherwise to exercise all the rights and powers of an owner.

(3) The registered owner of an uncertificated security that is subject to a registered pledge is not entitled to registration of transfer prior to the due presentment to the issuer of a release instruction. The exercise of conversion rights with respect to a convertible uncertificated security is a transfer within the meaning of this section.

(4) Upon due presentment of a transfer instruction from the

registered pledgee of an uncertificated security, the issuer shall:

(a) register the transfer of the security to the new owner free of pledge, if the instruction specifies a new owner, who may be the registered pledgee, and does not specify a pledgee;

(b) register the transfer of the security to the new owner subject to the interest of the existing pledgee, if the instruction specifies a new owner and the existing pledgee; or

(c) register the release of the security from the existing pledge and register the pledge of the security to the other pledgee, if the instruction specifies the existing owner and another pledgee.

(5) Continuity of perfection of a security interest is not broken by registration of transfer under paragraph (b) of subsection (4) or by registration of release and pledge under paragraph (c) of subsection (4), if the security interest is assigned.

(6) If an uncertificated security is subject to a registered pledge:

(a) any uncertificated securities issued in exchange for or distributed with respect to the pledged security shall be registered subject to the pledge;

(b) any certificated securities issued in exchange for or distributed with respect to the pledged security shall be delivered to the registered pledgee; and

(c) any money paid in exchange for or in redemption of part or all of the security shall be paid to the registered pledgee.

(7) Nothing in this Article shall be construed to affect the liability of the registered owner of a security for calls, assessments, or the like.

Section 8-208. Effect of Signature of Authenticating Trustee, Registrar, or Transfer Agent.

(1) A person placing his signature upon a certificated security or an initial transaction statement as authenticating trustee, registrar, transfer agent, or the like, warrants to a purchaser for value of the certificated security or a purchaser for value of an uncertificated security to whom the initial transaction statement has been sent, if the purchaser is without notice of the particular defect, that:

(a) the certificated security or initial transaction statement is genuine;

(b) his own participation in the issue or registration of the transfer, pledge, or release of the security is within his capacity and within the scope of the authority received by him from the issuer; and

(c) he has reasonable grounds to believe the security is in the form and within the amount the issuer is authorized to issue.

(2) Unless otherwise agreed, a person by so placing his signature does not assume responsibility for the validity of the security in other respects.

PART 3. TRANSFER.

Section 8-301. Rights Acquired by Purchaser.

(1) Upon transfer of a security to a purchaser (section 8-313), the purchaser acquires the rights in the security which his transferor had or had actual authority to convey unless the purchaser's rights are limited by subsection (4) of section 8-302.

(2) A transferee of a limited interest acquires rights only to the extent of the interest transferred. The creation or release of a security interest in a security is the transfer of a limited interest in that security.

Section 8-302. "Bona Fide Purchaser"; "Adverse Claim"; Title Acquired by Bona Fide Purchaser.

(1) A "bona fide purchaser" is a purchaser for value in good faith and without notice of any adverse claim:

(a) who takes delivery of a certificated security in bearer form or in registered form, issued or indorsed to him or in blank;

(b) to whom the transfer, pledge, or release of an uncertificated security is registered on the books of the issuer; or

(c) to whom a security is transferred under the provisions of paragraph (c), (d)(i), or (g) of subsection (1) of section 8-313.

(2) "Adverse claim" includes a claim that a transfer was or would be unauthorized or wrongful or that a particular adverse person is the owner of or has an interest in the security.

(3) A bona fide purchaser in addition to acquiring the rights of a purchaser (section 8-301) also acquires his interest in the security free of any adverse claim.

(4) Notwithstanding subsection (1) of section 8-301, the transferee of a particular certificated security who has been a party to any fraud or illegality affecting the security, or who as a prior holder of that certificated security had notice of an adverse claim, cannot improve his position by taking from a bona fide purchaser.

Section 8-303. "Broker".

"Broker" means a person engaged for all or part of his time in the business of buying and selling securities, who in the transaction concerned acts for, buys a security from, or sells a

security to, a customer. Nothing in this Article determines the capacity in which a person acts for purposes of any other statute or rule to which the person is subject.

Section 8-304. Notice to Purchaser of Adverse Claims.

(1) A purchaser, including a broker for the seller or buyer, but excluding an intermediary bank, of a certificated security is charged with notice of adverse claims if:

(a) the security, whether in bearer or registered form, has been indorsed "for collection" or "for surrender" or for some other purpose not involving transfer; or

(b) the security is in bearer form and has on it an unambiguous statement that it is the property of a person other than the transferor. The mere writing of a name on a security is not such a statement.

(2) A purchaser, including a broker for the seller or buyer, but excluding an intermediary bank, to whom the transfer, pledge, or release of an uncertificated security is registered is charged with notice of adverse claims as to which the issuer has a duty under subsection (4) of section 8-403 at the time of registration and which are noted in the initial transaction statement sent to the purchaser or, if his interest is transferred to him other than by registration of transfer, pledge, or release, the initial transaction statement sent to the registered owner or the registered pledgee.

(3) The fact that the purchaser, including a broker for the seller or buyer, of a certificated or uncertificated security has notice that the security is held for a third person or is registered in the name of or indorsed by a fiduciary does not create a duty of inquiry into the rightfulness of the transfer or constitute constructive notice of adverse claims. However, if the purchaser, excluding an intermediary bank, has knowledge that the proceeds are being used or the transaction is for the individual benefit of the fiduciary or otherwise in breach of duty, the purchaser is charged with notice of adverse claims.

Section 8-305. Staleness as Notice of Adverse Claims.

An act or event that creates a right to immediate performance of the principal obligation represented by a certificated security or sets a date on or after which a certificated security is to be presented or surrendered for redemption or exchange does not itself constitute any notice of adverse claims except in the case of a transfer:

(a) after one year from any date set for presentment or surrender for redemption or exchange; or

(b) after six months from any date set for payment of money against presentation or surrender of the security if funds

are available for payment on that date.

Section 8-306. Warranties on Presentment and Transfer of Certificated Securities; Warranties of Originators of Instructions.

(1) A person who presents a certificated security for registration of transfer or for payment or exchange warrants to the issuer that he is entitled to the registration, payment, or exchange. But, a purchaser for value and without notice of adverse claims who receives a new, reissued, or reregistered certificated security on registration of transfer or receives an initial transaction statement confirming the registration of transfer of an equivalent uncertificated security to him warrants only that he has no knowledge of any unauthorized signature (section 8-311) in a necessary indorsement.

(2) A person by transferring a certificated security to a purchaser for value warrants only that:

(a) his transfer is effective and rightful;

(b) the security is genuine and has not been materially altered; and

(c) he knows of no fact which might impair the validity of the security.

(3) If a certificated security is delivered by an intermediary known to be entrusted with delivery of the security on behalf of another or with collection of a draft or other claim against delivery, the intermediary by delivery warrants only his own good faith and authority, even though he has purchased or made advances against the claim to be collected against the delivery.

(4) A pledgee or other holder for security who redelivers a certificated security received, or after payment and on order of the debtor delivers that security to a third person, makes only the warranties of an intermediary under subsection (3).

(5) A person who originates an instruction warrants to the issuer that:

(a) he is an appropriate person to originate the instruction; and

(b) at the time the instruction is presented to the issuer he will be entitled to the registration of transfer, pledge, or release.

(6) A person who originates an instruction warrants to any person specially guaranteeing his signature (subsection (3) of section 8-312) that:

(a) he is an appropriate person to originate the instruction; and

(b) at the time the instruction is presented to the issuer

(i) he will be entitled to the registration of transfer, pledge, or release; and

(ii) the transfer, pledge, or release requested in the instruction will be registered by the issuer free from all liens,

security interests, restrictions, and claims other than those specified in the instruction.

(7) A person who originates an instruction warrants to a purchaser for value and to any person guaranteeing the instruction (subsection (6) of section 8-312) that:

(a) he is an appropriate person to originate the instruction;

(b) the uncertificated security referred to therein is valid; and

(c) at the time the instruction is presented to the issuer

(i) the transferor will be entitled to the registration of transfer, pledge, or release;

(ii) the transfer, pledge, or release requested in the instruction will be registered by the issuer free from all liens, security interests, restrictions, and claims other than those specified in the instruction; and

(iii) the requested transfer, pledge, or release will be rightful.

(8) If a secured party is the registerd pledgee or the registered owner of an uncertificated security, a person who originates an instruction of release or transfer to the debtor or, after payment and on order of the debtor, a transfer instruction to a third person, warrants to the debtor or the third person only that he is an appropriate person to originate the instruction and, at the time the instruction is presented to the issuer, the transferor will be entitled to the registration of release or transfer. If a transfer instruction to a third person who is a purchaser for value is originated on order of the debtor, the debtor makes to the purchaser the warranties of subparagraph (ii) of paragraphs (b), (c) and subparagraph (iii) of said paragraph (c) of subsection (7).

(9) A person who transfers an uncertificated security to a purchaser for value and does not originate an instruction in connection with the transfer warrants only that:

(a) his transfer is effective and rightful; and

(b) the uncertificated security is valid.

(10) A broker gives to his customer and to the issuer and a purchaser the applicable warranties provided in this section and has the rights and privileges of a purchaser under this section. The warranties of and in favor of the broker, acting as an agent are in addition to applicable warranties given by and in favor of his customer.

Section 8-307. Effect of Delivery Without Indorsement; Right to Compel Indorsement.

If a certificated security in registered form has been delivered to a purchaser without a necessary indorsement he may become a bona fide purchaser only as of the time the indorsement is

supplied; but against the transferor, the transfer is complete upon delivery and the purchaser has a specifically enforceable right to have any necessary indorsement supplied.

Section 8-308. Indorsements; Instructions.

(1) An indorsement of a certificated security in registered form is made when an appropriate person signs on it or on a separate document an assignment or transfer of the security or a power to assign or transfer it or his signature is written without more upon the back of the security.

(2) An indorsement may be in blank or special. An indorsement in blank includes an indorsement to bearer. A special indorsement specifies to whom the security is to be transferred, or who has power to transfer it. A holder may convert a blank indorsement into a special indorsement.

(3) An indorsement purporting to be only of part of a certificated security representing units intended by the issuer to be separately transferable is effective to the extent of the indorsement.

(4) An "instruction" is an order to the issuer of an uncertificated security requesting that the transfer, pledge, or release from pledge of the uncertificated security specified therein be registered.

(5) An instruction originated by an appropriate person is:

(a) a writing signed by an appropriate person; or

(b) a communication to the issuer in any form agreed upon in a writing signed by the issuer and an appropriate person.

If an instruction has been originated by an appropriate person but is incomplete in any other respect, any person may complete it as authorized and the issuer may rely on it as completed even though it has been completed incorrectly.

(6) "An appropriate person" in subsection (1) means the person specified by the certificated security or by special indorsement to be entitled to the security.

(7) "An appropriate person" in subsection (5) means:

(a) for an instruction to transfer or pledge an uncertificated security which is then not subject to a registered pledge, the registered owner; or

(b) for an instruction to transfer or release an uncertificated security which is then subject to a registered pledge, the registered pledgee.

(8) In addition to the persons designated in subsections (6) and (7), "an appropriate person" in subsections (1) and (5) includes:

(a) if the person designated is described as a fiduciary but is no longer serving in the described capacity, either that person or his successor;

(b) if the persons designated are described as more than one person as fiduciaries and one or more are no longer serving in the described capacity, the remaining fiduciary or fiduciaries, whether or not a successor has been appointed or qualified;

(c) if the person designated is an individual and is without capacity to act by virtue of death, incompetence, infancy, or otherwise, his executor, administrator, guardian, or like fiduciary;

(d) if the persons designated are described as more than one person as tenants by the entirety or with right of survivorship and by reason of death all cannot sign, the survivor or survivors;

(e) a person having power to sign under applicable law or controlling instrument; and

(f) to the extent that the person designated or any of the foregoing persons may act through an agent, his authorized agent.

(9) Unless otherwise agreed, the indorser of a certificated security by his indorsement or the originator of an instruction by his origination assumes no obligation that the security will be honored by the issuer but only the obligations provided in section 8-306.

(10) Whether the person signing is appropriate is determined as of the date of signing and an indorsement made by or an instruction originated by him does not become unauthorized for the purposes of this Article by virtue of any subsequent change of circumstances.

(11) Failure of a fiduciary to comply with a controlling instrument or with the law of the state having jurisdiction of the fiduciary relationship, including any law requiring the fiduciary to obtain court approval of the transfer, pledge, or release, does not render his indorsement or an instruction originated by him unauthorized for the purposes of this Article.

Section 8-309. Effect of Indorsement Without Delivery.

An indorsement of a certificated security, whether special or in blank, does not constitute a transfer until delivery of the certificated security on which it appears or, if the indorsement is on a separate document, until delivery of both the document and the certificated security.

Section 8-310. Indorsement of Certificated Security in Bearer Form.

An indorsement of a certificated security in bearer form may give notice of adverse claims (section 8-304) but does not otherwise affect any right to registration the holder possesses.

Section 8-311. Effect of Unauthorized Indorsement or Instruction.

Unless the owner or pledgee has ratified an unauthorized indorsement or instruction or is otherwise precluded from asserting its ineffectiveness:

(a) he may assert its ineffectiveness against the issuer or any purchaser, other than a purchaser for value and without notice of adverse claims, who has in good faith received a new, reissued, or reregistered certificated security on registration of transfer or received an initial transaction statement confirming the registration of transfer, pledge, or release of an equivalent uncertificated security to him; and

(b) an issuer who registers the transfer of a certificated security upon the unauthorized indorsement or who registers the transfer, pledge, or release of an uncertificated security upon the unauthorized instruction is subject to liability for improper registration (section 8-404).

Section 8-312. Effect of Guaranteeing Signature, Indorsement or Instruction.

(1) Any person guaranteeing a signature of an indorser of a certificated security warrants that at the time of signing:

(a) the signature was genuine;

(b) the signer was an appropriate person to indorse (section 8-308); and

(c) the signer had legal capacity to sign.

(2) Any person guaranteeing a signature of the originator of an instruction warrants that at the time of signing:

(a) the signature was genuine;

(b) the signer was an appropriate person to originate the instruction (section 8-308) if the person specified in the instruction as the registered owner or registered pledgee of the uncertificated security was, in fact, the registered owner or registered pledgee of the security, as to which fact the signature guarantor makes no warranty;

(c) the signer had legal capacity to sign; and

(d) the taxpayer identification number, if any, appearing on the instruction as that of the registered owner or registered pledgee was the taxpayer identification number of the signer or of the owner or pledgee for whom the signer was acting.

(3) Any person specially guaranteeing the signature of the originator of an instruction makes not only the warranties of a signature guarantor (subsection (2)) but also warrants that at the time the instruction is presented to the issuer:

(a) the person specified in the instruction as the registered owner or registered pledgee of the uncertificated security will be the registered owner or registered pledgee; and

(b) the transfer, pledge, or release of the uncertificated security requested in the instruction will be registered by the issuer free from all liens, security interests, restrictions, and claims other than those specified in the instruction.

(4) The guarantor under subsections (1) and (2) or the special guarantor under subsection (3) does not otherwise warrant the rightfulness of the particular transfer, pledge, or release.

(5) Any person guaranteeing an indorsement of a certificated security makes not only the warranties of a signature guarantor under subsection (1) but also warrants the rightfulness of the particular transfer in all respects.

(6) Any person guaranteeing an instruction requesting the transfer, pledge, or release of an uncertificated security makes not only the warranties of a special signature guarantor under subsection (3) but also warrants the rightfulness of the particular transfer, pledge, or release in all respects.

(7) No issuer may require a special guarantee of signature (subsection (3)), a guarantee of indorsement (subsection (5)), or a guarantee of instruction (subsection (6)) as a condition to registration of transfer, pledge, or release.

(8) The foregoing warranties are made to any person taking or dealing with the security in reliance on the guarantee, and the guarantor is liable to the person for any loss resulting from breach of the warranties.

Section 8-313. When Transfer to Purchaser Occurs; Financial Intermediary as Bona Fide Purchaser; "Financial Intermediary".

(1) Transfer of a security or a limited interest, including a security interest therein to a purchaser occurs only:

(a) at the time he or a person designated by him acquires possession of a certificated security;

(b) at the time the transfer, pledge, or release of an uncertificated security is registered to him or a person designated by him;

(c) at the time his financial intermediary acquires possession of a certificated security specially indorsed to or issued in the name of the purchaser;

(d) at the time a financial intermediary, not a clearing corporation, sends him confirmation of the purchase and also by book entry or otherwise identifies as belonging to the purchaser

(i) a specific certificated security in the financial intermediary's possession;

(ii) a quantity of securities that constitute or are part of a fungible bulk of certificated securities in the financial intermediary's possession or of uncertificated securities registered in the name of the financial intermediary; or

(iii) a quantity of securities that constitute or are part of a fungible bulk of securities shown on the account of the financial intermediary on the books of another financial intermediary;

(e) with respect to an identified certificated security to be delivered while still in the possession of a third person, not a financial intermediary, at the time that person acknowledges that he holds for the purchaser;

(f) with respect to a specific uncertificated security the pledge or transfer of which has been registered to a third person, not a financial intermediary, at the time that person acknowledges that he holds for the purchaser;

(g) at the time appropriate entries to the account of the purchaser or a person designated by him on the books of a clearing corporation are made under section 8-320;

(h) with respect to the transfer of a security interest where the debtor has signed a security agreement containing a description of the security, at the time a written notification, which, in the case of the creation of the security interest, is signed by the debtor, which may be a copy of the security agreement, or which, in the case of the release or assignment of the security interest created pursuant to this paragraph, is signed by the secured party, is received by

(i) a financial intermediary on whose books the interest of the transferor in the security appears;

(ii) a third person, not a financial intermediary, in possession of the security, if it is certificated;

(iii) a third person, not a financial intermediary, who is the registered owner of the security, if it is uncertificated and not subject to a registered pledge; or

(iv) a third person, not a financial intermediary, who is the registered pledgee of the security, if it is uncertificated and subject to a registered pledge;

(i) with respect to the transfer of a security interest where the transferor has signed a security agreement containing a description of the security, at the time new value is given by the secured party; or

(j) with respect to the transfer of a security interest where the secured party is a financial intermediary and the security has already been transferred to the financial intermediary under paragraph (a), (b), (c), (d), or (g), at the time the transferor has signed a security agreement containing a description of the security and value is given by the secured party.

(2) The purchaser is the owner of a security held for him by a financial intermediary, but cannot be a bona fide purchaser of a security so held except in the circumstances specified in paragraphs (c), (d)(i), and (g) of subsection (1). If a security so held is part of a fungible bulk, as in the circumstances

specified in subparagraphs (ii) and (iii) of paragraph (d) of subsection (1), the purchaser is the owner of a proportionate property interest in the fungible bulk.

(3) Notice of an adverse claim received by the financial intermediary or by the purchaser after the financial intermediary takes delivery of a certificated security as a holder for value or after the transfer, pledge, or release of an uncertificated security has been registered free of the claim to a financial intermediary who has given value is not effective either as to the financial intermediary or as to the purchaser. However, as between the financial intermediary and the purchaser the purchaser may demand transfer of an equivalent security as to which no notice of adverse claim has been received.

(4) A "financial intermediary" is a bank, broker, clearing corporation, or other person, or the nominee of any of them, which in the ordinary course of its business manintains security accounts for its customers and is acting in that capacity. A financial intermediary may have a security interest in securities held in account for its customer.

Section 8-314. Duty to Transfer, When Completed.

(1) Unless otherwise agreed, if a sale of a security is made on an exchange or otherwise through brokers:

(a) the selling customer fulfills his duty to transfer at the time he:

(i) places a certificated security in the possession of the selling broker or a person designated by the broker;

(ii) causes an uncertificated security to be registered in the name of the selling broker or a person designated by the broker;

(iii) if requested, causes an acknowledgment to be made to the selling broker that a certificated or uncertificated security is held for the broker; or

(iv) places in the possession of the selling broker or of a person designated by the broker a transfer instruction for an uncertificated security, providing the issuer does not refuse to register the requested transfer if the instruction is presented to the issuer for registration within thirty days thereafter; and

(b) the selling broker, including a correspondent broker acting for a selling customer, fulfills his duty to transfer at the time he:

(i) places a certificated security in the possession of the buying broker or a person designated by the buying broker;

(ii) causes an uncertificated security to be registered in the name of the buying broker or a person designated by the buying broker;

(iii) places in the possession of the buying broker or of a

person designated by the buying broker a transfer instruction for an uncertificated security, providing the issuer does not refuse to register the requested transfer if the instruction is presented to the issuer for registration within thirty days thereafter; or

(iv) effects clearance of the sale in accordance with the rules of the exchange on which the transaction took place.

(2) Except as provided in this section or unless otherwise agreed, a transferor's duty to transfer a security under a contract of purchase is not fulfilled until he:

(a) places a certificated security in form to be negotiated by the purchaser in the possession of the purchaser or of a person designated by the purchaser;

(b) causes an uncertificated security to be registered in the name of the purchaser or a person designated by the purchaser; or

(c) if the purchaser requests, causes an acknowledgment to be made to the purchaser that a certificated or uncertificated security is held for the purchaser.

(3) Unless made on an exchange, a sale to a broker purchasing for his own account is within subsection (2) and not within subsection (1).

Section 8-315. Action Against Transferee Based Upon Wrongful Transfer.

(1) Any person against whom the transfer of a security is wrongful for any reason, including his incapacity, as against anyone except a bona fide purchaser, may:

(a) reclaim possession of the certificated security wrongfully transferred;

(b) obtain possession of any new certificated security representing all or part of the same rights;

(c) compel the origination of an instruction to transfer to him or a person designated by him an uncertificated security constituting all or part of the same rights; or

(d) have damages.

(2) If the transfer is wrongful because of an unauthorized indorsement of a certificated security, the owner may also reclaim or obtain possession of the security or a new certificated security, even from a bona fide purchaser, if the ineffectiveness of the purported indorsement can be asserted against him under the provisions of this Article on unauthorized indorsements (section 8-311).

(3) The right to obtain or reclaim possession of a certificated security or to compel the origination of a transfer instruction may be specifically enforced and the transfer of a certificated or uncertificated security enjoined and a certificated security im-

pounded pending the litigation.

Section 8-316. Purchaser's Right to Requisites for Registration of Transfer, Pledge, or Release on Books.

Unless otherwise agreed, the transferor of a certificated security or the transferor, pledgor, or pledgee of an uncertificated security on due demand must supply his purchaser with any proof of his authority to transfer, pledge, or release or with any other requisite necessary to obtain registration of the transfer, pledge, or release of the security; but if the transfer, pledge, or release is not for value, a transferor, pledgor, or pledgee need not do so unless the purchaser furnishes the necessary expenses. Failure within a reasonable time to comply with a demand made gives the purchaser the right to reject or rescind the transfer, pledge, or release.

Section 8-317. Creditors' Rights.

(1) Subject to the exceptions in subsections (3) and (4), no attachment or levy upon a certificated security or any share or other interest represented thereby which is outstanding is valid until the security is actually seized by the officer making the attachment or levy, but a certificated security which has been surrendered to the issuer may be reached by a creditor by legal process at the issuer's chief executive office in the United States.

(2) An uncertificated security registered in the name of the debtor may not be reached by a creditor except by legal process at the issuer's chief executive office in the United States.

(3) The interest of a debtor in a certificated security that is in the possession of a secured party not a financial intermediary or in an uncertificated security registered in the name of a secured party not a financial intermediary, or in the name of a nominee of the secured party, may be reached by a creditor by legal process upon the secured party.

(4) The interest of a debtor in a certificated security that is in the possession of or registered in the name of a financial intermediary or in an uncertificated security registered in the name of a financial intermediary may be reached by a creditor by legal process upon the financial intermediary on whose books the interest of the debtor appears.

(5) Unless otherwise provided by law, a creditor's lien upon the interest of a debtor in a security obtained pursuant to subsection (3) or (4) is not a restraint on the transfer of the security, free of the lien, to a third party for new value; but in the event of a transfer, the lien applies to the proceeds of the transfer in the hands of the secured party or financial intermediary, subject to any claims having priority.

(6) A creditor whose debtor is the owner of a security is entitled to aid from courts of appropriate jurisdiction, by injunction or otherwise, in reaching the security or in satisfying the claim by means allowed at law or in equity in regard to property that cannot readily be reached by ordinary legal process.

Section 8-318. No Conversion by Good Faith Conduct.
An agent or bailee who in good faith, including observance of reasonable commercial standards if he is in the business of buying, selling, or otherwise dealing with securities, has received certificated securities and sold, pledged, or delivered them or has sold or caused the transfer or pledge of uncertificated securities over which he had control according to the instructions of his principal, is not liable for conversion or for participation in breach of fiduciary duty although the principal had no right so to deal with the securities.

Section 8-319. Statute of Frauds.
A contract for the sale of securities is not enforceable by way of action or defense unless:

(a) there is some writing signed by the party against whom enforcement is sought or by his authorized agent or broker, sufficient to indicate that a contract has been made for sale of a stated quantity of described securities at a defined or stated price;

(b) delivery of a certificated security or transfer instruction has been accepted, or transfer of an uncertificated security has been registered and the transferee has failed to send written objection to the issuer within ten days after receipt of the initial transaction statement confirming the registration, or payment has been made, but the contract is enforceable under this provision only to the extent of the delivery, registration, or payment;

(c) within a reasonable time a writing in confirmation of the sale or purchase and sufficient against the sender under paragraph (a) has been received by the party against whom enforcement is sought and he has failed to send written objection to its contents within ten days after its receipt; or

(d) the party against whom enforcement is sought admits in his pleading, testimony, or otherwise in court that a contract was made for the sale of a stated quantity of described securities at a defined or stated price.

Section 8-320. Transfer or Pledge Within Central Depository System.
(1) In addition to other methods, a transfer, pledge, or release of a security or any interest therein may be effected by the making of appropriate entries on the books of a clearing

corporation reducing the account of the transferor, pledgor, or pledgee and increasing the account of the transferee, pledgee, or pledgor by the amount of the obligation or the number of shares or rights transferred, pledged, or released, if the security is shown on the account of a transferor, pledgor, or pledgee on the books of the clearing corporation; is subject to the control of the clearing corporation; and

(a) if certificated,

(i) is in the custody of the clearing corporation, another clearing corporation, a custodian bank, or a nominee of any of them; and

(ii) is in bearer form or indorsed in blank by an appropriate person or registered in the name of the clearing corporation, a custodian bank, or a nominee of any of them; or

(b) if uncertificated, is registered in the name of the clearing corporation, another clearing corporation, a custodian bank, or a nominee of any of them.

(2) Under this section entries may be made with respect to like securities or interests therein as a part of a fungible bulk and may refer merely to a quantity of a particular security without reference to the name of the registered owner, certificate or bond number, or the like, and, in appropriate cases, may be on a net basis taking into account other transfers, pledges, or releases of the same security.

(3) A transfer under this section is effective (section 8-313) and the purchaser acquires the rights of the transferor (section 8-301). A pledge or release under this section is the transfer of a limited interest. If a pledge or the creation of a security interest is intended, the security interest is perfected at the time when both value is given by the pledgee and the appropriate entries are made (section 8-321). A transferee or pledgee under this section may be a bona fide purchaser (section 8-302).

(4) A transfer or pledge under this section is not a registration of transfer under Part 4.

(5) That entries made on the books of the clearing corporation as provided in subsection (1) are not appropriate does not affect the validity or effect of the entries or the liabilities or obligations of the clearing corporation to any person adversely affected thereby.

Section 8-321. Enforceability, Attachment, Perfection and Termination of Security Interests.

(1) A security interest in a security is enforceable and can attach only if it is transferred to the secured party or a person designated by him pursuant to a provision of subsection (1) of section 8-313.

(2) A security interest so transferred pursuant to agreement

by a transferor who has rights in the security to a transferee who has given value is a perfected security interest, but a security interest that has been transferred solely under subparagraph (i) of paragraph (d) of subsection (1) of section 8-313 becomes unperfected after twenty-one days unless, within that time, the requirements for transfer under any other provision of subsection (1) of section 8-313 are satisfied.

(3) A security interest in a security is subject to the provisions of Article 9, but:

(a) no filing is required to perfect the security interest; and

(b) no written security agreement signed by the debtor is necessary to make the security interest enforceable, except as provided in paragraph (h), (i), or (j) of subsection (1) of section 8-313. The secured party has the rights and duties provided under section 9-207, to the extent they are applicable, whether or not the security is certificated, and, if certificated, whether or not it is in his possession.

(4) Unless otherwise agreed, a security interest in a security is terminated by transfer to the debtor or a person designated by him pursuant to a provision of subsection (1) of section 8-313. If a security is thus transferred, the security interest, if not terminated, becomes unperfected unless the security is certificated and is delivered to the debtor for the purpose of ultimate sale or exchange or presentation, collection, renewal, or registration of transfer. In that case, the security interest becomes unperfected after twenty-one days unless, within that time, the security, or securities for which it has been exchanged, is transferred to the secured party or a person designated by him pursuant to a provision of subsection (1) of section 8-313.

PART 4. REGISTRATION.

Section 8-401. Duty of Issuer to Register Transfer, Pledge, or Release.

(1) If a certificated security in registered form is presented to the issuer with a request to register transfer or an instruction is presented to the issuer with a request to register transfer, pledge, or release, the issuer shall register the transfer, pledge, or release as requested if:

(a) the security is indorsed or the instruction was originated by the appropriate person or persons (section 8-308);

(b) reasonable assurance is given that those indorsements or instructions are genuine and effective (section 8-402);

(c) the issuer has no duty as to adverse claims or has discharged the duty (section 8-403);

(d) any applicable law relating to the collection of taxes has

been complied with; and

(e) the transfer, pledge, or release is in fact rightful or is to a bona fide purchaser.

(2) If an issuer is under a duty to register a transfer, pledge, or release of a security, the issuer is also liable to the person presenting a certificated security or an instruction for registration or his principal for loss resulting from any unreasonable delay in registration or from failure or refusal to register the transfer, pledge, or release.

(3) Notwithstanding subsection (1), if the issuer of an uncertificated security not subject to a registered pledge is presented with an instruction from an appropriate person requesting the registration of pledge and the issuer regularly maintains a system for issuing certificated securities to the category of owners which included the registered owner, the issuer may elect to treat the instruction as a transfer instruction under the provisions of subsection (3) of section 8-407. If the issuer so elects, the issuer shall in lieu of registering the pledge:

(a) cancel the uncertificated security;

(b) issue, in the name of the registered owner, an equivalent certificated security on which must be noted conspicuously any liens and restrictions of the issuer and any adverse claims, as to which the issuer has a duty under the provisions of subsection (4) of section 8-403, to which the uncertificated security was subject;

(c) deliver the certificated security to the registered owner; and

(d) notify the intended registered pledgee that the issuer has so elected.

Section 8-402. Assurance that Indorsements and Instructions Are Effective.

(1) The issuer may require the following assurance that each necessary indorsement of a certificated security or each instruction (section 8-308) is genuine and effective:

(a) in all cases, a guarantee of the signature (subsection (1) or (2) of section 8-312) of the person indorsing a certificated security or originating an instruction including, in the case of an instruction, a warranty of the taxpayer indentification number or, in the absence thereof, other reasonable assurance of identity;

(b) if the indorsement is made or the instruction is originated by an agent, appropriate assurance of authority to sign;

(c) if the indorsement is made or the instruction is originated by a fiduciary, appropriate evidence of appointment or incumbency;

(d) if there is more than one fiduciary, reasonable assurance

that all who are required to sign have done so; and

(e) if the indorsement is made or the instruction is originated by a person not covered by any of the foregoing, assurance appropriate to the case corresponding as nearly as may be to the foregoing.

(2) A "guarantee of the signature" in subsection (1) means a guarantee signed by or on behalf of a person reasonably believed by the issuer to be responsible. The issuer may adopt standards with respect to responsibility if they are not manifestly unreasonable.

(3) "Appropriate evidence of appointment or incumbency" in subsection (1) means:

(a) in the case of a fiduciary appointed or qualified by a court, a certificate issued by or under the direction or supervision of that court or an officer thereof and dated within sixty days before the date of presentation for transfer, pledge, or release; or

(b) in any other case, a copy of a document showing the appointment or a certificate issued by or on behalf of a person reasonably believed by the issuer to be responsible or, in the absence of that document or certificate, other evidence reasonably deemed by the issuer to be appropriate. The issuer may adopt standards with respect to the evidence if they are not manifestly unreasonable. The issuer is not charged with notice of the contents of any document obtained pursuant to this paragraph (b) except to the extent that the contents relate directly to the appointment or incumbency.

(4) The issuer may elect to require reasonable assurance beyond that specified in this section, but if it does so and, for a purpose other than that specified in paragraph (b) of subsection (3), both requires and obtains a copy of a will, trust, indenture, articles of co-partnership, by-laws, or other controlling instrument, it is charged with notice of all matters contained therein affecting the transfer, pledge, or release.

Section 8-403. Issuer's Duty as to Adverse Claims.

(1) An issuer to whom a certificated security is presented for registration shall inquire into adverse claims if:

(a) a written notification of an adverse claim is received at a time and in a manner affording the issuer a reasonable opportunity to act on it prior to the issuance of a new, reissued, or reregistered certificated security, and the notification identifies the claimant, the registered owner, and the issue of which the security is a part, and provides an address for communications directed to the claimant; or

(b) the issuer is charged with notice of an adverse claim from a controlling instrument it has elected to require under the

provisions of subsection (4) of section 8-402.

(2) The issuer may discharge any duty of inquiry by any reasonable means, including notifying an adverse claimant by registered or certified mail at the address furnished by him or, if there be no such address, at his residence or regular place of business that the certificated security has been presented for registration of transfer by a named person, and that the transfer will be registered unless within thirty days from the date of mailing the notification, either:

(a) an appropriate restraining order, injunction, or other process issues from a court of competent jurisdiction; or

(b) there is filed with the issuer an indemnity bond, sufficient in the issuer's judgment to protect the issuer and any transfer agent, registrar, or other agent of the issuer involved from any loss it or they may suffer by complying with the adverse claim.

(3) Unless an issuer is charged with notice of an adverse claim from a controlling instrument which it has elected to require under the provisions of subsection (4) of section 8-402 or receives notification of an adverse claim under subsection (1), if a certificated security presented for registration is indorsed by the appropriate person or persons the issuer is under no duty to inquire into adverse claims. In particular:

(a) an issuer registering a certificated security in the name of a person who is a fiduciary or who is described as a fiduciary is not bound to inquire into the existence, extent, or correct description of the fiduciary relationship; and thereafter the issuer may assume without inquiry that the newly registered owner continues to be the fiduciary until the issuer receives written notice that the fiduciary is no longer acting as such with respect to the particular security;

(b) an issuer registering transfer on an indorsement by a fiduciary is not bound to inquire whether the transfer is made in compliance with a controlling instrument or with the law of the state having jurisdiction of the fiduciary relationship, including any law requiring the fiduciary to obtain court approval of the transfer; and

(c) the issuer is not charged with notice of the contents of any court record or file or other recorded or unrecorded document even though the document is in its possession and even though the transfer is made on the indorsement of a fiduciary to the fiduciary himself or to his nominee.

(4) An issuer is under no duty as to adverse claims with respect to an uncertificated security except:

(a) claims embodied in a restraining order, injunction, or other legal process served upon the issuer if the process was served at a time and in a manner affording the issuer a

reasonable opportunity to act on it in accordance with the requirements of subsection (5);

(b) claims of which the issuer has received a written notification from the registered owner or the registered pledgee if the notification was received at a time and in a manner affording the issuer a reasonable opportunity to act on it in accordance with the requirements of subsection (5);

(c) claims, including restrictions on transfer not imposed by the issuer, to which the registration of transfer to the present registered owner was subject and were so noted in the initial transaction statement sent to him; and

(d) claims as to which an issuer is charged with notice from a controlling instrument it has elected to require under the provisions of subsection (4) of section 8-402.

(5) If the issuer of an uncertificated security is under a duty as to an adverse claim, he discharges that duty by:

(a) including a notation of the claim in any statements sent with respect to the security under subsections (3), (6), and (7) of section 8-408; and

(b) refusing to register the transfer or pledge of the security unless the nature of the claim does not preclude transfer or pledge subject thereto.

(6) If the transfer or pledge of the security is registered subject to an adverse claim, a notation of the claim must be included in the initial transaction statement and all subsequent statements sent to the transferee and pledgee under section 8-408.

(7) Notwithstanding subsections (4) and (5), if an uncertificated security was subject to a registered pledge at the time the issuer first came under a duty as to a particular adverse claim, the issuer has no duty as to that claim if transfer of the security is requested by the registered pledgee or an appropriate person acting for the registered pledgee unless:

(a) the claim was embodied in legal process which expressly provides otherwise;

(b) the claim was asserted in a written notification from the registered pledgee;

(c) the claim was one as to which the issuer was charged with notice from a controlling instrument it required under the provisions of subsection (4) of section 8-402 in connection with the pledgee's request for transfer; or

(d) the transfer requested is to the registered owner.

Section 8-404. Liability and Non-Liability for Registration.

(1) Except as provided in any law relating to the collection of taxes, the issuer is not liable to the owner, pledgee, or any other person suffering loss as a result of the registration of a

transfer, pledge, or release of a security if:

(a) there were on or with a certificated security the necessary indorsements or the issuer had received an instruction originated by an appropriate person (section 8-308); and

(b) the issuer had no duty as to adverse claims or has discharged the duty (section 8-403).

(2) If an issuer has registered a transfer of a certificated security to a person not entitled to it, the issuer on demand shall deliver a like security to the true owner unless:

(a) the registration was pursuant to subsection (1);

(b) the owner is precluded from asserting any claim for registering the transfer under the provisions of subsection (1) of section 8-405; or

(c) the delivery would result in overissue, in which case the issuer's liability is governed by section 8-104.

(3) If an issuer has improperly registered a transfer, pledge, or release of an uncertificated security, the issuer on demand from the injured party shall restore the records as to the injured party to the condition that would have obtained if the improper registration had not been made unless:

(a) the registration was pursuant to subsection (1); or

(b) the registration would result in overissue, in which case the issuer's liability is governed by section 8-104.

Section 8-405. Lost, Destroyed, and Stolen Certificated Securities.

(1) If a certificated security has been lost, apparently destroyed, or wrongfully taken, and the owner fails to notify the issuer of that fact within a reasonable time after he has notice of it and the issuer registers a transfer of the security before receiving notification, the owner is precluded from asserting against the issuer any claim for registering the transfer under section 8-404 or any claim to a new security under this section.

(2) If the owner of a certificated security claims that the security has been lost, destroyed, or wrongfully taken, the issuer shall issue a new certificated security or, at the option of the issuer, an equivalent uncertificated security in place of the original security if the owner:

(a) so requests before the issuer has notice that the security has been acquired by a bona fide purchaser;

(b) files with the issuer a sufficient indemnity bond; and

(c) satisfies any other reasonable requirements imposed by the issuer.

(3) If, after the issue of a new certificated or uncertificated security, a bona fide purchaser of the original certificated security presents it for registration of transfer, the issuer shall

register the transfer unless registration would result in over-issue, in which event the issuer's liability is governed by section 8-104. In addition to any rights on the indemnity bond, the issuer may recover the new certificated security from the person to whom it was issued or any person taking under him except a bona fide purchaser or may cancel the uncertificated security unless a bona fide purchaser or any person taking under a bona fide purchaser is then the registered owner or registered pledgee thereof.

Section 8-406. Duty of Authenticating Trustee, Transfer Agent, or Registrar.

(1) If a person acts as authenticating trustee, transfer agent, registrar, or other agent for an issuer in the registration of transfers of its certificated securities or in the registration of transfers, pledges, and releases of its uncertificated securities, in the issue of new securities, or in the cancellation of surrendered securities:

(a) he is under a duty to the issuer to exercise good faith and due diligence in performing his functions; and

(b) with regard to the particular functions he performs, he has the same obligation to the holder or owner of a certificated security or to the owner or pledgee of an uncertificated security and has the same rights and privileges as the issuer has in regard to those functions.

(2) Notice to an authenticating trustee, transfer agent, registrar or other agent is notice to the issuer with respect to the functions performed by the agent.

Section 8-407. Exchangeability of Securities.

(1) No issuer is subject to the requirements of this section unless it regularly maintains a system for issuing the class of securities involved under which both certificated and uncertificated securities are regularly issued to the category of owners, which includes the person in whose name the new security is to be registered.

(2) Upon surrender of a certificated security with all necessary indorsements and presentation of a written request by the person surrendering the security, the issuer, if he has no duty as to adverse claims or has discharged the duty (section 8-403), shall issue to the person or a person designated by him an equivalent uncertificated security subject to all liens, restrictions, and claims that were noted on the certificated security.

(3) Upon receipt of a transfer instruction originated by an appropriate person who so requests, the issuer of an uncertificated security shall cancel the uncertificated security and issue an equivalent certificated security on which must be noted con-

spicuously any liens and restrictions of the issuer and any adverse claims, as to which the issuer has a duty under the provisions of subsection (4) of section 8-403, to which the uncertificated security was subject. The certificated security shall be registered in the name of and delivered to:

(a) the registered owner, if the uncertificated security was not subject to a registered pledge; or

(b) the registered pledgee, if the uncertificated security was subject to a registered pledge.

Section 8-408. Statements of Uncertificated Securities.

(1) Within two business days after the transfer of an uncertificated security has been registered, the issuer shall send to the new registered owner and, if the security has been transferred subject to a registered pledge, to the registered pledgee a written statement containing:

(a) a description of the issue of which the uncertificated security is a part;

(b) the number of shares or units transferred;

(c) the name and address and any taxpayer identification number of the new registered owner and, if the security has been transferred subject to a registered pledge, the name and address and any taxpayer identification number of the registered pledgee;

(d) a notation of any liens and restrictions of the issuer and any adverse claims, as to which the issuer has a duty under the provisions of subsection (4) of section 8-403, to which the uncertificated security is or may be subject at the time of registration or a statement that there are none of those liens, restrictions, or adverse claims; and

(e) the date the transfer was registered.

(2) Within two business days after the pledge of an uncertificated security has been registered, the issuer shall send to the registered owner and the registered pledgee a written statement containing:

(a) a description of the issue of which the uncertificated security is a part;

(b) the number of shares or units pledged;

(c) the name and address and any taxpayer identification number of the registered owner and the registered pledgee;

(d) a notation of any liens and restrictions of the issuer and any adverse claims, as to which the issuer has a duty under the provisions of subsection (4) of section 8-403, to which the uncertificated security is or may be subject at the time of registration or a statement that there are none of those liens, restrictions, or adverse claims; and

(e) the date the pledge was registered.

(3) Within two business days after the release from pledge of an uncertificated security has been registered, the issuer shall send to the registered owner and the pledgee whose interest was released a written statement containing:

(a) a description of the issue of which the uncertificated security is a part;

(b) the number of shares or units released from pledge;

(c) the name and address and any taxpayer identification number of the registered owner and the pledgee whose interest was released;

(d) a notation of any liens and restrictions of the issuer and any adverse claims, as to which the issuer has a duty under the provisions of subsection (4) of section 8-403, to which the uncertificated security is or may be subject at the time of registration or a statement that there are none of those liens, restrictions, or adverse claims; and

(e) the date the release was registered.

(4) An "initial transaction statement" is the statement sent to:

(a) the new registered owner and, if applicable, to the registered pledgee pursuant to subsection (1);

(b) the registered pledgee pursuant to subsection (2); or

(c) the registered owner pursuant to subsection (3).

Each initial transaction statement shall be signed by or on behalf of the issuer and must be identified as "Initial Transaction Statement".

(5) Within two business days after the transfer of an uncertificated security has been registered, the issuer shall send to the former registered owner and the former registered pledgee, if any, a written statement containing:

(a) a description of the issue of which the uncertificated security is a part;

(b) the number of shares or units transferred;

(c) the name and address and any taxpayer identification number of the former registered owner and of any former registered pledgee; and

(d) the date the transfer was registered.

(6) At periodic intervals no less frequent than annually and at any time upon the reasonable written request of the registered owner, the issuer shall send to the registered owner of each uncertificated security a dated written statement containing:

(a) a description of the issue of which the uncertificated security is a part;

(b) the name and address and any taxpayer identification number of the registered owner;

(c) the number of shares or units of the uncertificated security registered in the name of the registered owner on the date of the statement;

(d) the name and address and any taxpayer identification number of any registered pledgee and the number of shares or units subject to the pledge; and

(e) a notation of any liens and restrictions of the issuer and any adverse claims, as to which the issuer has a duty under the provisions of subsection (4) of section 8-403, to which the uncertificated security is or may be subject or a statement that there are none of those liens, restrictions, or adverse claims.

(7) At periodic intervals no less frequent than annually and at any time upon the reasonable written request of the registered pledgee, the issuer shall send to the registered pledgee of each uncertificated security a dated written statement containing:

(a) a description of the issue of which the uncertificated security is a part;

(b) the name and address and any taxpayer identification number of the registered owner;

(c) the name and address and any taxpayer identification number of the registered pledgee;

(d) the number of shares or units subject to the pledge; and

(e) a notation of any liens and restrictions of the issuer and any adverse claims, as to which the issuer has a duty under the provisions of subsection (4) of section 8-403, to which the uncertificated security is or may be subject or a statement that there are none of those liens, restrictions, or adverse claims.

(8) If the issuer sends the statements described in subsections (6) and (7) at periodic intervals no less frequent than quarterly, the issuer is not obliged to send additional statements upon request unless the owner or pledgee requesting them pays to the issuer the reasonable cost of furnishing them.

(9) Each statement sent pursuant to this section must bear a conspicuous legend reading substantially as follows: "This statement is merely a record of the rights of the addressee as of the time of its issuance. Delivery of this statement, of itself, confers no rights on the recipient. This statement is neither a negotiable instrument nor a security".

SECTION 6. Subsection (3) of section 9-103 of said chapter 106, as appearing in section 7 of chapter 512 of the acts of 1979, is hereby amended by striking out paragraph (a) and inserting in place thereof the following paragraph:-

(a) This subsection applies to accounts, other than an account described in subsection (5) on minerals, and general intangibles, other than uncertificated securities, and to goods which are mobile and which are of a type normally used in more than one jurisdiction, such as motor vehicles, trailers, rolling stock, airplanes, shipping containers, road building and con-

struction machinery and commercial harvesting machinery and the like, if the goods are equipment or are inventory leased or held for lease by the debtor to others, and are not covered by a certificate of title described in subsection (2).

SECTION 7. Said section 9-103 of said chapter 106, as so appearing, is hereby further amended by adding the following subsection:-

(6) Uncertificated securities.

The law, including the conflict of laws rules, of the jurisdiction of organization of the issuer governs the perfection and the effect of perfection or nonperfection of a security interest in uncertificated securities.

SECTION 8. Subsection (1) of section 9-105 of said chapter 106, as so appearing, is hereby amended by striking out paragraph (i) and inserting in place thereof the following paragraph:-

(i) "Instrument" means a negotiable instrument, as defined in section 3-104, or a certificated security, as defined in section 8-102, or any other writing which evidences a right to the payment of money and is not itself a security agreement or lease and is of a type which is in ordinary course of business transferred by delivery with any necessary indorsement or assignment;.

SECTION 9. Section 9-203 of said chapter 106, as so appearing, is hereby amended by striking out subsection (1) and inserting in place thereof the following subsection:-

(1) Subject to the provisions of section 4-208 on the security interest of a collecting bank, section 8-321 on security interests in securities and section 9-113 on a security interest arising under the Article on Sales, a security interest is not enforceable against the debtor or third parties with respect to the collateral and does not attach unless:

(a) the collateral is in the possession of the secured party pursuant to agreement, or the debtor has signed a security agreement which contains a description of the collateral and in addition, when the security interest covers crops growing or to be grown or timber to be cut, a description of the land concerned;

(b) value has been given; and

(c) the debtor has rights in the collateral.

SECTION 10. Subsection 1 of section 9-302 of said chapter 106, as so appearing, is hereby amended by striking out paragraph (f) and inserting in place thereof the following paragraph:-

(f) a security interest of a collecting bank (section 4-208)

or in securities (section 8-321) or arising under the Article on Sales (see section 9-113) or covered in subsection (3);.

SECTION 11. Section 9-304 of said chapter 106, as so appearing, is hereby amended by striking out subsection (1) and inserting in place thereof the following subsection:-

(1) A security interest in chattel paper or negotiable documents may be perfected by filing. A security interest in money or instruments, other than certificated securities or instruments which constitute part of chattel paper, can be perfected only by the secured party's taking possession, except as provided in subsections (4) and (5) of this section and subsections (2) and (3) of section 9-306 on proceeds.

SECTION 12. Said section 9-304 of said chapter 106, as so appearing, is hereby further amended by striking out subsection (4) and inserting in place thereof the following subsection:-

(4) A security interest in instruments, other than certificated securities, or negotiable documents is perfected without filing or the taking of possession for a period of twenty-one days from the time it attaches to the extent that it arises for new value given under a written security agreement.

SECTION 13. Said section 9-304 of said chapter 106, as so appearing, is hereby further amended by striking out subsection (5) and inserting in place thereof the following subsection:-

(5) A security interest remains perfected for a period of twenty-one days without filing where a secured party having a perfected security interest in an instrument, other than a certificated security, a negotiable document or goods in possession of a bailee other than one who has issued a negotiable document therefor

(a) makes available to the debtor the goods or documents representing the goods for the purpose of ultimate sale or exchange or for the purpose of loading, unloading, storing, shipping, transshipping, manufacturing, processing or otherwise dealing with them in a manner preliminary to their sale or exchange, but priority between conflicting security interests in the goods is subject to subsection (3) of section 9-312; or

(b) delivers the instrument to the debtor for the purpose of ultimate sale or exchange or of presentation, collection, renewal or registration of transfer.

SECTION 14. Said chapter 106 is hereby further amended by striking out section 9-305, as so appearing, and inserting in place thereof the following section:-

Section 9-305. When Possession by Secured Party Perfects Security Interest Without Filing.

A security interest in letters of credit and advices of credit (paragraph (a) of subsection (2) of section 5-116), goods, instruments, other than certificated securities, money, negotiable documents, or chattel paper may be perfected by the secured party's taking possession of the collateral. If such collateral other than goods covered by a negotiable document is held by a bailee, the secured party is deemed to have possession from the time the bailee receives notification of the secured party's interest. A security interest is perfected by possession from the time possession is taken without a relation back and continues only so long as possession is retained, unless otherwise specified in this Article. The security interest may be otherwise perfected as provided in this Article before or after the period of possession by the secured party.

SECTION 15. Said chapter 106 is hereby further amended by striking out section 9-309, as so appearing, and inserting in place thereof the following section:-

Section 9-309. Protection of Purchasers of Instruments, Documents and Securities.

Nothing in this Article limits the rights of a holder in due course of a negotiable instrument (section 3-302) or a holder to whom a negotiable document of title has been duly negotiated (section 7-501) or a bona fide purchaser of a security (section 8-302) and the holders or purchasers take priority over an earlier security interest even though perfected. Filing under this Article does not constitute notice of the security interest to such holders or purchasers.

SECTION 16. Section 9-312 of said chapter 106, as so appearing, is hereby amended by striking out subsection (7) and inserting in place thereof the following subsection:-

(7) If future advances are made while a security interest is perfected by filing, the taking of possession, or under section 8-321 on securities, the security interest has the same priority for the purposes of subsection (5) with respect to the future advances as it does with respect to the first advance. If a commitment is made before or while the security interest is so perfected, the security interest has the same priority with respect to advances made pursuant thereto. In other cases a perfected security interest has priority from the date the advance is made.

SECTION 17. Chapter 156B of the General Laws is hereby

amended by striking out section 19, as appearing in section 1 of chapter 723 of the acts of 1964, and inserting in place thereof the following section:-

Section 19. Stock issued for cash may be paid for in full before it is issued or by instalments. If it is paid for by instalments and the shares are certificated, the stock certificate shall be legibly stamped with the words "per cent paid up, balance payable, stating the manner and time of payment, and shares subject to forfeiture if unpaid," the facts being truly stated; and, as each instalment is paid, the certificate shall be stamped accordingly. If it is paid for by instalments, and the shares are uncertificated, the same words shall appear on the initial transaction statement issued with respect to the shares pursuant to Article 8 of chapter one hundred and six, the facts being duly stated; and, as each instalment is paid, a periodic statement shall be issued pursuant to said Article 8 reflecting the payment.

Except as provided in section twenty-five, stock shall not be transferred on the books of a corporation if any instalments thereon remain overdue and unpaid.

SECTION 18. Said chapter 156B is hereby further amended by striking out section 25, as amended by section 10 of chapter 392 of the acts of 1969, and inserting in place thereof the following section:-

Section 25. If capital stock is issued payable by instalments, and a stockholder refuses or neglects to pay an instalment for thirty days after the time limited for payment in the demand under section twenty-two, the treasurer of the corporation may sell such stockholder's shares by public auction, and, out of the proceeds of such sale, shall pay to the corporation all instalments then due from such stockholder with interest and incidental charges. A notice stating the time and place of such sale and the amount of the instalment due and payable and, if the shares are certificated, the number or numbers of the certificate or certificates and the number of shares of stock thus offered for sale shall be sent by the treasurer by mail not less than ten days prior to such sale to such stockholder and also the person who originally subscribed to the said delinquent stock. Upon the sale of such stock as aforesaid, the directors shall transfer the shares so sold to the purchaser. If the transfer is by delivery of a stock certificate therefor, such certificate shall be so stamped as to indicate the instalments paid. If the transfer is by registration of uncertificated shares on the books of the corporation, the initial transaction statement issued pursuant to Article 8 of chapter one hundred and six shall indicate the instalments paid. In either case the purchaser shall be liable under this section for all subsequent instalments. Upon such

transfer any certificate or certificates previously outstanding with respect to the shares shall be void except as provided in said Article 8. The balance, if any, of the proceeds of such sale shall be held by the corporation for such stockholder, his representatives or assigns, and be paid to him or them at any time upon surrender and delivery to the corporation of his certificate. If no person offers an amount sufficient to pay all instalments due upon such stock with interest and incidental charges, it may or may not be sold, and the delinquent stockholder shall be liable to the corporation in an action at law for such instalments, interest and incidental charges, if the stock is not sold, or for the deficiency, if it is sold, and if a judgment rendered in such action remains unsatisfied for thirty days, the original subscriber shall be so liable. Instead of offering such stock for sale, the directors, at the expiration of the time limited in the notice for payment of such instalments, may proceed by an action at law against the delinquent stockholder, and, if a judgment rendered against him in such action remains unsatisfied for thirty days, against the original subscriber, for the recovery of such instalments, interest and incidental charges. The delinquent stockholder or the original subscriber, as the case may be, upon the payment of such instalments, interest and incidental charges, or of the judgment therefor, shall, if the shares are certificated, be entitled to a certificate of stock, so stamped as to indicate the instruments paid, whereupon the certificate outstanding for such shares shall be void, except as provided in said Article 8 and, if the shares are uncertificated, shall, if the payment is made by the delinquent stockholder, be entitled to a periodic statement reflecting such payment or, if the payment is made by the original subscriber, be entitled to an initial transaction statement reflecting such payment. If a judgment rendered in an action against the original subscriber remains unsatisfied for thirty days, said stock shall be forfeited to the corporation, an entry or transfer to it shall be made on its books, and, thereupon, if the shares are certificated, the certificate outstanding shall be void as aforesaid. While the stock remains the property of the corporation, no dividends shall be declared nor instalments paid upon it; but it shall remain subject to the control of the corporation according to its by-laws.

SECTION 19. Said chapter 156B is hereby further amended by striking out sections 27 to 30, inclusive, and inserting in place thereof the following four sections:-

Section 27. (a) The shares of a corporation shall be represented by certificates or shall be uncertificated shares. Each such certificate shall be signed by the president or a vice president and by the treasurer or an assistant treasurer. Such

signatures may be facsimiles if the certificate is signed by a transfer agent, or by a registrar, other than a director, officer or employee of the corporation. In case any officer who has signed or whose facsimile signature has been placed on such certificate shall have ceased to be such officer before such certificate is issued, it may be issued by the corporation with the same effect as if he were such officer at the time of its issue.

(b) Every certificate issued after September thirtieth, nineteen hundred and sixty-five by a corporation for shares of stock at a time when such shares are subject to any restriction on transfer pursuant to the articles of organization, the by-laws or any agreement to which the corporation is a party shall have the restriction noted conspicuously on the certificate and shall also set forth on the face or back of the certificate either

(1) the full text of the restriction, or

(2) a statement of the existence of such restriction and a statement that the corporation will furnish a copy thereof to the holder of such certificate upon written request and without charge.

(c) Every stock certificate issued after September thirtieth, nineteen hundred and sixty-five by a corporation at a time when it is authorized to issue more than one class or series of stock shall set forth upon the face or back of the certificate either

(1) the full text of the preferences, voting powers, qualifications and special and relative rights of the shares of each class and series, if any, authorized to be issued, as set forth in the articles of organization, or

(2) a statement of the existence of such preferences, powers, qualifications and rights, and a statement that the corporation will furnish a copy thereof to the holder of such certificate upon written request and without charge.

(d) Unless otherwise provided by the articles of organization or by-laws, the board of directors of a corporation may provide by resolution that some or all of any or all classes and series of its shares shall be uncertificated shares. Such resolutions shall not apply to shares represented by a certificate until such certificate is surrendered to the corporation. If a corporation entitles any stockholders of a class or series to receive a certificate representing shares of such class or series, all other holders of shares of such class or series shall be so entitled. The initial transaction statement sent with respect to the issuance or transfer of uncertificated shares shall contain the information required to be set forth or stated on certificates pursuant to subsection (b) and (c). Except as otherwise expressly provided by law, the rights and obligations of the holders of uncertificated shares and the rights and obligations of the holders of the

certificates representing shares of the same class and series shall be identical.

Section 28. Except as otherwise provided in the articles of organization or by-laws, a corporation may issue fractional shares of stock, and may issue in lieu thereof scrip in registered or bearer form which, depending upon how the shares of the corporation are evidenced, shall entitle the holder to receive a certificate for a full share or have an uncertificated share registered in his name upon the surrender of such scrip aggregating a full share. A fractional share shall, but scrip shall not unless otherwise provided therein, entitle the holder to exercise voting rights, to receive dividends thereon, or to participate in any of the assets of the corporation in the event of liquidation. The directors shall fix the terms and conditions and manner of issue of such scrip, which may include a condition that it shall become void if not exchanged for full shares before a specified date, or a condition that the shares for which such scrip is exchangeable may be sold by the corporation and the proceeds thereof distributed to the holders of such scrip.

Section 29. The directors of a corporation may, subject to section 8-405 of chapter one hundred and six and to the by-laws of the corporation, determine the conditions upon which a new certificate of stock or uncertificated shares may be issued in place of any certificate alleged to have been lost, mutilated or destroyed. They may, in their discretion, require the owner of a lost, mutilated or destroyed certificate, or his legal representative, to give a bond, sufficient in their opinion, with or without surety, to indemnify the corporation against any loss or claim which may arise by reason of the issue of the shares in place of such lost, mutilated or destroyed stock certificate.

Section 30. A pledgee of certificated stock transferred as collateral security shall be entitled to a new certificate if the instrument of transfer substantially describes the debt or duty which is intended to be secured thereby. Such new certificate shall express on its face that it is held as collateral security, and the name of the pledgor shall be stated thereon, who alone shall be liable as a stockholder, and entitled to vote thereon.

SECTION 20. Section 32 of said chapter 156B, as amended by section 15 of chapter 685 of the acts of 1965, is hereby further amended by striking out the third sentence and inserting in place thereof the following two sentences:- The corporation or its transfer agent shall keep all original instructions and copies of all initial transaction statements received or issued with respect to any of its uncertificated shares. Said stock and transfer records, said attested copies and records, said instructions and said copies of initial transaction statements shall be competent

evidence in any court in the commonwealth.

SECTION 21. Said chapter 156B is hereby further amended by striking out section 81, as amended by section 36 of chapter 685 of the acts of 1965, and inserting in place thereof the following section:-

Section 81. When two or more corporations are consolidated or merged, the corporation resulting from or surviving such consolidation or merger (1) may issue bonds or other obligations, negotiable or otherwise, and with or without coupons or interest certificates thereto attached, to an amount sufficient with its capital stock to provide for all the payments it will be required to make, or obligations it will be required to assume, in order to effect such consolidation or merger, to secure the payment of which bonds and obligations it shall be lawful to mortgage its corporate franchise, rights, privileges and property, real, personal or mixed, and (2) may issue shares of its capital stock and other securities to the stockholders of such constituent corporations in exchange or payment for the original shares, in such amount as shall be necessary in accordance with the terms of the agreement of consolidation or merger in order to effect such consolidation or merger in the manner and on the terms specified in such agreement.

SECTION 22. Said chapter 156B is hereby further amended by striking out section 92, as appearing in section 1 of chapter 723 of the acts of 1964, and inserting in place thereof the following section:-

Section 92. After hearing the court shall enter a decree determining the fair value of the stock of those stockholders who have become entitled to the valuation of and payment for their shares, and shall order the corporation to make payment of such value, together with interest, if any, as hereinafter provided, to the stockholders entitled thereto upon the transfer by them to the corporation of the certificates representing such stock if certificated or, if uncertificated, upon receipt of an instruction transferring such stock to the corporation. For this purpose, the value of the shares shall be determined as of the day preceding the date of the vote approving the proposed corporate action and shall be exclusive of any element of value arising from the expectation or accomplishment of the proposed corporate action.

SECTION 23. Said chapter 156B is hereby further amended by striking out section 94, as appearing in section 1 of chapter 723 of the acts of 1964, and inserting in place thereof the following section:-

Section 94. On motion the court may order stockholder parties

to the bill to submit their certificates of stock to the corporation for the notation thereon of the pendancy of the bill and may order the corporation to note such pendancy in its records with respect to any uncertificated shares held by such stockholder parties, and may on motion dismiss the bill as to any stockholder who fails to comply with such order.

SECTION 24. This act shall take effect on March first, nineteen hundred and eighty-four.

Approved November 29, 1983.

Chap. 523. AN ACT FURTHER DEFINING THE WORD "PROJECT" TO INCLUDE CERTAIN EQUIPMENT AND MACHINERY FOR FINANCING PURPOSES UNDER THE HEALTH AND EDUCATIONAL FACILITIES AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (b) of section 3 of chapter 614 of the acts of 1968, as appearing in section 8 of chapter 777 of the acts of 1981, is hereby further amended by inserting after the word "intended", in line 16, the following words:- and shall further include any furnishings, equipment, machinery and other similar items necessary or convenient for the operation of an institution of higher education, whether or not such items are related to a particular facility or structure financed under this act.

SECTION 2. Said paragraph (b) of said chapter 614, as so appearing, is hereby further amended by inserting after the word "intended", in line 37, the following words:- and shall further include any furnishings, equipment, machinery and other similar items necessary or convenient for the operation of a hospital, whether or not such items are related to a particular facility or structure financed under this act,.

Approved November 29, 1983.

Chap. 524. AN ACT FURTHER REGULATING THE ALLOCATION OF CERTAIN COURT COSTS IN CIVIL CASES.

Be it enacted, etc., as follows:

SECTION 1. Section 68 of chapter 246 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 6, the word "twenty-seven" and inserting in place thereof the word:- twenty-six.

SECTION 2. Chapter 261 of the General Laws is hereby amended by striking out section 23, as amended by section 346 of chapter 1114 of the acts of 1973, and inserting in place thereof the following section:-

Section 23. There shall be allowed, in a civil action in the supreme judicial court, appeals court or in the superior court, in addition to other disbursements allowed by law, the following costs:

For the entry fee, an amount to be apportioned among all plaintiffs for whom entry fees have not been waived, which amount shall equal the aggregate of the entry fees paid by said plaintiffs.

For an attorney's fee, if an issue in law or fact is joined, two dollars and fifty cents; if not, one dollar and twenty-five cents.

For a term fee, five dollars for each sitting while the action is pending, not exceeding three sittings, except by an order of the court. If an action or question of law therein is carried to the full court, two additional term fees may be allowed. If the defendant is defaulted without having appeared, only one term fee shall be allowed.

For travel, such sum as the court may allow.

SECTION 3. Said chapter 261 is hereby further amended by striking out section 25A, as most recently amended by chapter 410 of the acts of 1965, and inserting in place thereof the following section:-

Section 25A. Unless the court shall otherwise determine, the prevailing party shall be allowed a sum not exceeding five hundred dollars for expenses actually incurred for plans, drawings, photographs and certified copies of public and court records, necessary and used at the trial. Except by order of the court, no such allowance shall be made unless an affidavit by the prevailing party or his attorney of record is filed with the clerk before final judgment, setting out fully such expenditures, and that said plans, drawings, photographs and copies were actually used at the trial.

SECTION 4. Section 26 of said chapter 261, as amended by section 162 of chapter 377 of the acts of 1975, is hereby further amended by striking out, in line 5, the words "one dollar" and inserting in place thereof the words:- an amount to be apportioned among all plaintiffs for whom entry fees have not been

waived, which amount shall be equal to the aggregate of all entry fees paid.

Approved November 29, 1983.

Chap. 525. AN ACT FURTHER REGULATING THE LICENSING OF DOGS.

Be it enacted, etc., as follows:

SECTION 1. Section 137 of chapter 140 of the General Laws, as most recently amended by section 1 of chapter 100 of the acts of 1980, is hereby further amended by inserting after the first paragraph the following two paragraphs:-

No town clerk or, in Boston, the police commissioner, shall grant such license for any dog unless the owner thereof provides such town clerk or, in Boston, the police commissioner, either a veterinarian's certification that such dog has been vaccinated in accordance with the provisions of section one hundred and forty-five B, or has been certified exempt from such provision as hereinafter provided, or a notarized letter from a veterinarian that a certification was issued or a metal rabies tag bearing an expiration date indicating that such certification is still in effect.

A dog licensing official may grant an exemption from the provisions of section one hundred and forty-five B for any dog which has not yet attained the age of six months, any dog which the local board of health, for a specified period of time, declared exempt upon presentation of a veterinarian's certificate stating that because of an infirmity, other physical condition or regimen of therapy, that inoculation is thereby deemed inadvisable, or any dog in transit, or dog brought into the commonwealth, temporarily, for the sole purpose of showing in dog shows or exhibition.

SECTION 2. The first paragraph of section 145B of said chapter 140, as most recently amended by section 2 of said chapter 100, is hereby further amended by adding the following sentence:- Such owner or keeper shall procure a veterinarian's certification that such dog has been so vaccinated and setting forth the date of such vaccination and the duration of immunity, or a notarized letter from a veterinarian that a certification was issued, or a metal rabies tag bearing an expiration date indicating that such certification is still in effect.

Approved November 29, 1983.

Chap. 526. AN ACT PROVIDING FOR THE DESIGNATION OF PUBLIC HEALTH OFFICERS IN THE DEPARTMENT OF PUBLIC HEALTH.

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

Be it enacted, etc., as follows:

SECTION 1. Chapter 17 of the General Laws is hereby amended by inserting after section 7 the following section:-

Section 7A. The commissioner, with the approval of the secretary of human services, may designate certain physicians and dentists employed by the department as public health officers; provided, however, that there shall be not more than ten public health officers in the department at any one time. In order to be eligible to be designated as a public health officer, an employee shall have received a doctor of medicine, doctor of dental medicine or equivalent degree from an accredited medical or dental school, and shall be fully registered to practice medicine or dentistry in the commonwealth, and shall be serving in a management position classified as a program manager specialist allocated to Job Group M-VII, M-VIII, M-IX, M-X, M-XI or M-XII in the management salary schedule in section forty-six C of chapter thirty. The salaries of the positions in which public health officers are serving shall, however, be determined in accordance with the provisions of paragraph (5A) of said section forty-six C and shall not be subject to paragraph (4) of section forty-five of said chapter thirty.

SECTION 2. Section 46C of chapter 30 of the General Laws, as appearing in section 73 of chapter 699 of the acts of 1981, is hereby amended by inserting after paragraph (5) the following paragraph:-

(5A) The said administrator shall submit, in writing, to the budget director and the house and senate committees on ways and means a list of positions the incumbents of which have been designated as public health officers in accordance with the provisions of section eight of chapter seventeen. The salaries of such positions shall be determined annually by the commissioner of administration on or before June first after recommendation by the personnel administrator, who shall make such recommendation annually on or before May first after having conducted an analy-

sis of salaries for the same or similar types of positions paid by other governments and by private employers with which the commonwealth must compete in securing qualified applicants for such positions. The maximum shall not exceed one hundred and twenty-five per cent of the salary rate set forth at each step-in-range of the management job group to which the positions are allocated in section forty-six C of chapter thirty.

Approved November 30, 1983.

Chap. 527. AN ACT ENABLING CITIES AND TOWNS TO REGULATE THE CONVERSION OF RESIDENTIAL PROPERTY TO THE CONDOMINIUM FORMS OF OWNERSHIP.

Be it enacted, etc., as follows:

SECTION 1. DECLARATION OF EMERGENCY. The general court finds and declares that a serious public emergency exists within the commonwealth with respect to the housing of a substantial number of the citizens of the commonwealth. This rental housing emergency has been created by the lack of sufficient new rental housing production, by prolonged increases in housing costs at a rate substantially exceeding increases in personal income, by housing abandonment, by increased costs of new housing construction and finance, and by increased residential mortgage interest rates. It has also been created by the effect of conversion of rental housing into condominiums or cooperatives. These forms of home ownership constitute an important and positive dimension in addressing the housing needs of the commonwealth. However, absent sufficient new rental housing production, such conversion necessarily reduces the stock of rental housing otherwise available. A substantial and increasing shortage of rental housing accommodations, especially for the elderly, the handicapped, and persons and families of low and moderate income, has been and will continue to be the result of this emergency. Unless the available stock of rental housing, and the tenants who reside therein, receive further protection from the consequences of conversion of said accommodations to condominiums and cooperatives than the law now affords, this rental housing shortage will generate serious threats to the public health, safety, and general welfare of the citizens of the commonwealth, particularly the elderly, the handicapped, and persons and families of low and moderate income. It is therefore necessary that such emergency be dealt with immediately.

SECTION 2. The provisions of section four of this act shall be applicable to all housing accommodations in any city or town of the commonwealth, unless otherwise provided in this section.

Any city or town may, by ordinance or by-law, impose provisions or requirements to regulate for the protection of tenants with respect to the conversion of housing accommodations to the condominium or cooperative forms of ownership and evictions related thereto which differ from those set forth in this act, upon a two-thirds vote of the city council with the approval of the mayor, in the case of a city, or a two-thirds vote of a town meeting, or town council, in the case of a town; provided, however, that no such ordinance or by-law which imposes additional provisions or requirements than those set forth in this act shall be applicable to any of the following housing accommodations: (i) housing accommodations constructed or converted from a non-housing to a housing use after the effective date of this act; (ii) housing accommodations which were constructed or substantially rehabilitated pursuant to any federal mortgage insurance program, without any interest subsidy or tenant subsidy attached thereto; and (iii) housing accommodations financed through the Massachusetts Housing Finance Agency, with an interest subsidy attached thereto.

Any city or town, which has adopted an ordinance or by-law for the regulation of the conversion of housing accommodations to the condominium or cooperative forms of ownership and evictions related thereto pursuant to the authority conferred upon such city or town by special act, shall be exempt from the provisions of this act, and this act shall not be construed to restrict the authority of any such city or town to amend or repeal any ordinance or by-law in accordance with the provisions of such special act.

Local legislative action shall be accompanied by a declaration, in the form of findings, that local conditions constitute an acute rental housing emergency requiring local action, on account of the aggravating impact of the factors set forth in section one of this act.

SECTION 3. As used in this act, the following words shall, unless the context clearly requires otherwise, have the following meanings:-

"Condominium unit", a unit in a housing condominium as that term is defined in chapter one hundred and eighty-three A.

"Cooperative unit", a unit in a housing cooperative as set forth in chapter one hundred and fifty-seven.

"Condominium or cooperative conversion eviction", an eviction of a tenant for the purpose of removing such tenant from a housing accommodation in order to facilitate the initial sale and

transfer of legal title to that housing accommodation as a condominium or cooperative unit to a prospective purchaser or an eviction of a tenant by any other person who has purchased a housing accommodation as a condominium or cooperative unit when the tenant whose eviction is sought was a resident of the housing accommodation at the time the notice of intent to convert is given to convert the building or buildings to the condominium or cooperative form of ownership pursuant to section four; provided, however, that the eviction of a tenant for non-payment of rent or other violation of a rental agreement shall in no event be deemed a condominium or cooperative conversion eviction.

"Elderly tenant", a tenant who is a person or group of persons residing in the same housing accommodation any of whom has reached the age of sixty-two years or over as of the date of receipt of the notice provided for hereunder.

"Handicapped tenant", a person entitled to occupy a housing accommodation who is physically handicapped as defined in section thirteen A of chapter twenty-two as of the date of receipt of the notice provided for hereunder.

"Housing accommodation", any building, structure, or part thereof or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all services connected with the use or occupancy of such property, but not including the following:

(i) housing accommodations which the United States or the commonwealth or any authority created under the laws thereof either owns or operates;

(ii) housing accommodations in any hospital, convent, monastery, asylum, public institution or college or school dormitory operated exclusively for charitable or educational purposes, or in any nursing or rest home for the aged;

(iii) buildings containing fewer than four housing accommodations;

(iv) housing accommodations in hotels, motels, inns, tourist homes, and rooming and boarding houses which are occupied by transient guests staying for a period of fewer than fourteen consecutive calendar days.

"Interest subsidy", any payment made by the federal or state government to reduce the effective interest rate payable by a mortgagor.

"Low or moderate income tenant", a tenant who is a person or group of persons residing in the same housing accommodation so long as the total income for all such tenants for the twelve months immediately preceding the date of notice provided for hereunder is less than eighty per cent of the median income for the area set forth in regulations promulgated from time to time by the Department of Housing and Urban Development pursuant

to 42 USC 1437 et seq., and calculated pursuant to said regulations.

"Tenant", a person or group of persons collectively entitled to occupy a housing accommodation pursuant to a rental agreement written or implied.

"Tenant subsidy", any payment made by the federal or state government for or on behalf of any tenant to be applied toward the reduction of the tenant's rental payment.

SECTION 4. (a) If a building submitted to the provisions of chapter one hundred and eighty-three A or chapter one hundred and fifty-seven has been used in whole or in part for residential purposes within one year prior to the recording of a master deed creating a condominium or the filing of the articles of organization creating a housing cooperative, the owner thereof shall give each tenant of all housing accommodations in such building or buildings notice of intent to convert the building or buildings to the condominium or cooperative form of ownership. Such notice shall state in clear and conspicuous language the following:-

(i) that the owner has filed or intends to file a master deed at a registry of deeds whose location is stated in the notice or has filed or intends to file articles of organization with the secretary of the commonwealth;

(ii) that any tenant residing on the date the notice of intent is given in the building or buildings converted or to be converted to the condominium or cooperative forms of ownership shall have a period of time which shall be stated in the notice, from the date of receipt of such notice, as authorized by this act, before the tenant shall be required to vacate the housing accommodation occupied on the date the notice is received;

(iii) that any tenant residing on the date the notice of intent was given in the building or buildings to be converted shall have a period of time, which shall be stated in the notice, from the date of receipt of such notice, as authorized by this act, to purchase the unit occupied by the tenant on the date the notice is received on terms and conditions which are substantially the same as or more favorable than those which the owner extends to the public generally for the ninety days following the expiration of said tenant's right to purchase as may be required by paragraph (b).

All notices required under this section shall be deemed to have been given when a written notice is delivered in person or mailed by certified or registered mail, return receipt requested, to the party to whom the notice is being given.

Whenever an owner is required to give notice of intent provided for in this section, the period of notice shall not be less than the expiration of any written agreement between the owner and

the tenant of the housing accommodation which governs the use and occupancy of said housing accommodation or one year from the date the tenant of such housing accommodation is given said notice of intent, whichever is greater; provided, however, that in the case of a housing accommodation occupied in whole or in part by a handicapped tenant or occupied by an elderly or low or moderate income tenant the period of notice shall not be less than two years from the date the tenant of such housing accommodation receives said notice of intent.

No person shall bring any action seeking a condominium or cooperative eviction until the expiration of the periods of time for notice to tenants specified in this act.

The burden of proving qualifications with respect to age, handicap, and income shall rest with the tenant.

(b) Any owner of residential property who converts such property to the condominium or cooperative form of ownership shall give to any tenant who is entitled to receive notice pursuant to this section the right to purchase the housing accommodation occupied by such tenant at the time such notice is delivered on terms and conditions which are substantially the same as or more favorable than those which the owner extends to the public generally for the ninety days following the expiration of said tenant's right to purchase. Such tenant may exercise a right to purchase such housing accommodations by executing a purchase and sale agreement prior to the expiration of ninety days after the date of receiving a copy of the purchase and sale agreement properly executed by the person offering the housing accommodation for sale.

(c) The owner of residential property converted to the condominium or cooperative form of ownership shall pay to any tenant who is entitled to receive a notice pursuant to this section and who does not purchase the housing accommodation which he occupies or another housing accommodation in the same building or buildings relocation benefits for the actual, documented costs of moving, not to exceed seven hundred and fifty dollars per housing accommodation; provided, that if such housing accommodation is occupied in whole or in part by a handicapped tenant or is occupied by an elderly or low or moderate income tenant, the maximum relocation benefit shall not exceed one thousand dollars per housing accommodation. Such relocation benefits shall be payable within ten days after the date on which the tenant vacates the housing accommodation occupied by him; provided, however, that no tenant shall be eligible for such relocation benefits unless all rent due and payable for said unit under the rental agreement or extension of such agreement, if any, has been paid by the tenant prior to the date on which the housing accommodation is vacated and only as long as the tenant

voluntarily vacates the housing accommodation for which recovery of possession is sought on or before the expiration of the notice period.

(d) Any owner of residential property converted to the condominium or cooperative form of ownership shall assist elderly, handicapped and low or moderate income tenants who qualified as such as of the date of receipt of the notice authorized pursuant to this section locating, within the period of the notice to such tenants, comparable rental housing within the same city or town in which such tenant resides which rents for a sum which is equal to or less than the sum which such tenant had been paying for the housing accommodation occupied at the time of receipt of the notice authorized by this section. The failure of the owner of such residential property to find such substitute housing accommodation shall extend the period of notice for up to an additional two years.

(e) Any owner of residential property converted to the condominium or cooperative form of ownership shall give to any tenant who is entitled to receive a notice pursuant to this section an extension of the rental agreement at the expiration thereof. Such extension, where required, shall be for such period or periods of one year or such fraction thereof as shall equal the period of notice to which such tenant is entitled pursuant to the provisions of this section. The provisions of such rental agreement may not otherwise be modified by the property owner except with respect to the amount of annual rent, any increase in which shall not exceed an amount equal to the sum which would result by multiplying said rent by the percentage increase in the consumer price index for all urban consumers as published by the United States Department of Labor, Bureau of Labor Statistics, during the calendar year immediately preceding the date upon which such rental agreement is commenced, or ten per cent, whichever is less; provided, however, nothing herein shall limit the right of a property owner to any amounts which may be due under a valid tax escalation clause.

SECTION 5. Any owner who converts residential property in violation of any provisions of this act, or any ordinance or by-law adopted pursuant to this act, shall be punished by a fine of not less than one thousand dollars, or by imprisonment of not less than sixty days. Each unit coverted in violation of this act constitutes a separate offense.

Any violation of this act, or any ordinance or by-law adopted pursuant to this act, by an owner of residential property shall not affect the validity of a conveyance of a condominium unit or an interest in a housing cooperative to a purchaser for value who has no knowledge of the violation.

The district and superior courts, and the housing courts in the city of Boston and Hampden county, shall have jurisdiction over an action arising from any violation of this act, or any ordinance or by-law adopted pursuant to this act, and shall have jurisdiction in equity to restrain any such violation.

SECTION 5A. In the case of any housing accommodation for which sufficient notice, as hereinafter defined, was given subsequent to April first, nineteen hundred and eighty-three, the period of notice required pursuant to section four of this act shall be deemed to have commenced on the date such sufficient notice was received by the tenant. Provided that sufficient notice for purposes of this section shall be defined as written notice to the tenant informing him, in substance, that said housing accommodation was being or had been converted to a condominium or cooperative form of ownership and that the tenant would be required to vacate not earlier than one year from the date of receipt of such notice. Sufficient notice given on or prior to April first, nineteen hundred and eighty-three, shall be deemed to have been given on April second, nineteen hundred and eighty-three.

SECTION 5B. The provisions of this act shall not be applicable to any unit in a building or buildings converted to the condominium or cooperative forms of ownership for which on the effective date of this act a master deed has been recorded or articles of organization filed and: (i) a deed or, in the case of a cooperative a proprietary lease, conveying the unit to a bona fide purchaser for value, who intends to occupy such unit as a principal residence, recorded, in the case of such deed, in the registry of deeds for the county in which such unit is located on or before October fifteenth, nineteen hundred and eighty-three; or (ii) a purchase and sale agreement was entered into on or before October fifteenth, nineteen hundred and eighty-three, with a bona fide purchaser for value who intends to occupy such unit as a principal residence. Proof of payment of a reasonable deposit or down payment shall be evidenced by a canceled check or its equivalent establishing said value.

SECTION 5C. The provisions of any ordinance or by-law adopted pursuant to this act shall not be applicable to any unit in a building or buildings converted to the condominium or cooperative forms of ownership for which, on or before the date of adoption of said ordinance or by-law, a master deed has been recorded or articles of organization filed, and a deed or, in the case of a cooperative, a proprietary lease, conveying the unit to a bona fide purchaser for value who intends to occupy such unit

as a principal residence has been recorded, in the case of such deed, in the registry of deeds for the county in which such unit is located.

SECTION 5D. Any ordinance or by-law adopted pursuant to the provisions of this act shall not be applicable to any building or buildings converted to the condominium or cooperative forms of ownership for which, on or prior to the effective date of this act, a master deed has been recorded, or articles of organization filed, and prior to the adoption of such ordinance or by-law, for not less than one-third of the units in such building or buildings: either (i) purchase and sale agreements were entered into prior to October fifteenth, nineteen hundred and eighty-three, with bona fide purchasers for value who intend to occupy such units as a principal residence as evidenced by a canceled check or its equivalent establishing said value; or (ii) deeds, or in the case of cooperatives, proprietary leases, conveying units in such building or buildings to bona fide purchasers for value, who intend to occupy such units as a principal residence were recorded, in the case of such deed, in the registry of deeds for the county in which such building or buildings are located, on or before October fifteenth, nineteen hundred and eighty-three.

SECTION 6. Chapter 183A of the General Laws is hereby amended by adding the following section:-

Section 22. In the event of a foreclosure upon a condominium development, the lender taking over the project shall succeed to any obligations the developer has with the unit owners, except that the developers shall remain liable for any misrepresentation already made and for warranties on work done prior to the transfer.

SECTION 7. There is hereby established a special commission, to consist of three members of the senate, five members of the house of representatives and the secretary of communities and development for the purpose of making an investigation and study relative to the establishment of a fund to provide low interest loans or subsidies to enable elderly tenants affected by condominium conversion to purchase or obtain joint equity in the condominiums thereby created.

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 to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday in December, nineteen hundred and eighty-four.

Approved November 30, 1983.

EMERGENCY LETTER - November 30, 1983 @ 4:03 P.M.

Chap. 528. AN ACT RELATIVE TO THE ALLEVIATION OF CERTAIN FINANCIAL BURDENS IMPOSED ON THE CITY KNOWN AS THE TOWN OF METHUEN BY THE FLOODING OF THE MERRIMACK RIVER ON MARCH TWENTIETH THROUGH MARCH TWENTY-THIRD, NINETEEN HUNDRED AND EIGHTY-THREE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide funds immediately for the costs of public services and the loss of property destroyed by the flooding of the Merrimack river on March twentieth through March twenty-third, nineteen hundred and eighty-three, 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. To provide for the purposes of disaster relief and to meet the expense of public services incurred during the flood and to aid the disaster victims of the flood of the Merrimack river in the city known as the town of Methuen on March twentieth through March twenty-third, nineteen hundred and eighty-three the sum of fifty thousand dollars is hereby appropriated from the local aid fund. The secretary of administration is hereby directed to grant fifty thousand dollars to said town to meet the expense of restoring and providing police, fire and public works and other public services utilized by said town for the purposes of aiding the flood victims and maintaining the public ways during the flood of the Merrimack river in said town from March twentieth through March twenty-third, nineteen hundred and eighty-three.

SECTION 2. The board of assessors in the city known as the town of Methuen, on application for abatement in respect to the tax on real estate and personal property for the fiscal year nineteen hundred and eighty-four, filed in compliance with the provisions of section fifty-nine of chapter fifty-nine of the General Laws, may grant an abatement of such tax, or that portion thereof which relates to the assessment on land and buildings or on personal property thereon which, in the opinion of the assessors, will provide an equitable adjustment for losses to such land and building or on personal property arising out of repairs caused or damages sustained by virtue of the floods; or the assessors may request the commissioner of revenue under the provisions of section eight of chapter fifty-eight of the General Laws to give authority to abate in whole or in part that portion

of the tax on property wholly or partially so destroyed which relates to the tax on such real estate and buildings or on personal property thereon, and which may be or has been levied against those who were the owners of record of property on January first, nineteen hundred and eighty-three, or subsequent owners who have assumed a part of the tax, as in their opinion provides an equitable adjustment. Notwithstanding any other provisions of law, application for abatement under this act shall be filed no later than thirty days after the effective date of this act.

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

Approved December 6, 1983.

Chap. 529. AN ACT AUTHORIZING AN ADDITIONAL TIME PERIOD FOR THE TOWN OF ORLEANS TO ADD OMITTED PROPERTY TO THE TAX LIST FOR THE FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-THREE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section seventy-five of chapter fifty-nine of the General Laws or any other general or special law to the contrary, if any portion of the real or personal estate of a person, to an amount not less than one hundred dollars and liable to taxation, has been omitted from the annual assessment of taxes for fiscal year nineteen hundred and eighty-three by the town of Orleans, the assessors for said town shall, at such time as the commissioner of revenue may in writing approve, but not later than December twenty-eighth, nineteen hundred and eighty-three, assess such person for such estate. Valuations of all or a portion of any estate attributable to clerical or data processing errors shall be construed as omitted assessments and subject to the provisions of this act. The taxes so assessed shall be entered on the fiscal year nineteen hundred and eighty-three tax list of the collector for said town who shall collect and pay over the same. The assessors of said town shall also deliver to the collector their warrants for the collection of all taxes so entered on the tax list. Such additional assessment shall not render the tax of said town invalid although its amount, in consequence thereof, shall exceed the amount authorized by law to be raised.

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

Approved December 6, 1983.

Chap. 530. AN ACT MAKING AN APPROPRIATION TO FUND A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE COMMONWEALTH AND THE NATIONAL ASSOCIATION OF GOVERNMENT EMPLOYEES, UNIT 3, LOCAL RI-219.

Be it enacted, etc., as follows:

SECTION 1. To provide for the cost of salary adjustments and other employee benefits authorized by the collective bargaining agreement between the commonwealth and the National Association of Government Employees, Unit 3, Local RI-219, the sum set forth in section two of this act is hereby appropriated, subject to the provisions of law regulating disbursements of public funds and the conditions pertaining to appropriations in chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three.

SECTION 2.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

Collective Bargaining.

1599-3401 For a reserve to meet the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the commonwealth and the National Association of Government Employees, Unit 3, Local RI-219, and to meet the cost of salary adjustments and other economic benefits necessary to provide equal salary adjustments or benefits to employees employed in "confidential" positions which would otherwise be covered by this collective bargaining agreement; provided, however, that the personnel administrator, with the approval of the commissioner of administration, shall determine such salary adjustments and other economic benefits for "confidential" employees in accordance with the provisions of the collective bargaining agreement then in effect which would otherwise cover said positions; provided, further, 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-four such amounts as are necessary to meet the cost of said adjustments and benefits for the fiscal year nineteen hundred and eighty-four

where the amounts otherwise available are insufficient for the purpose; 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; 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 and allocation of any amounts necessary to meet the cost of said adjustments and benefits; and provided, further, that no transfers shall be made without the prior approval of the house and senate committees on ways and means $1,221,000

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

Approved December 6, 1983.

Chap. 531. AN ACT MAKING AN APPROPRIATION TO FUND A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE LOTTERY COMMISSION AND THE SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 254, AFL-CIO.

Be it enacted, etc., as follows:

SECTION 1. To provide for the cost of salary adjustments and other employee benefits authorized by the collective bargaining agreement between the lottery commission and the Service Employees International Union, Local 254, AFL-CIO, the sum set forth in section two of this act is hereby appropriated, subject to the provisions of law regulating the disbursements of public funds and the conditions pertaining to appropriations in chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three.

SECTION 2.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

Collective Bargaining.

1599-3214 For a reserve to meet the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the lottery commission and the Service Employees International Union, Local 254, AFL-CIO; provided, however, 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-four, such amounts as are necessary to meet the cost of said adjustments and benefits for the fiscal year nineteen hundred and eighty-four and prior years where the amounts otherwise available are insufficient for the purpose; 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; 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 transfers shall be made without the prior approval of the house and senate committees on ways and means $ 240,045

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

Approved December 6, 1983.

Chap. 532. AN ACT MAKING AN APPROPRIATION TO FUND A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE COMMONWEALTH AND THE MASSACHUSETTS ORGANIZATION OF STATE ENGINEERS AND SCIENTISTS - UNIT 9.

Be it enacted, etc., as follows:

SECTION 1. To provide for the cost of salary adjustments

and other employees' benefits authorized by the collective bargaining agreement between the commonwealth and the Massachusetts Organization of State Engineers and Scientists - Unit 9, the sum set forth in section two of this act is hereby appropriated, subject to the provisions of law regulating disbursements of public funds and the conditions pertaining to appropriations in chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three.

SECTION 2.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

Collective Bargaining.

1599-3346 For a reserve to meet the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the commonwealth and the Massachusetts Organization of State Engineers and Scientists - Unit 9, 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" positions which would otherwise be covered by this collective bargaining agreement; provided that the personnel administrator, with the approval of the commissioner of administration, shall determine such salary adjustments and other economic benefits for "confidential" employees in accordance with the provisions of the collective bargaining agreement then in effect which would otherwise cover said positions; provided, however, 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-four such amounts as are necessary to meet the cost of said adjustments and benefits for the fiscal year nineteen hundred and eighty-four where the amounts otherwise available are insufficient for the purpose; 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; 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 and allocation of any amounts necessary to meet the cost of said adjustments and benefits; and provided, further, that no transfers shall be made without the prior approval of the house and senate committees on ways and means $2,425,000

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

Approved December 6, 1983.

Chap. 533. AN ACT PROHIBITING DISCRIMINATION AGAINST PERSONS IN EMPLOYMENT ON ACCOUNT OF PHYSICAL OR MENTAL HANDICAP.

Be it enacted, etc., as follows:

SECTION 1. Section twenty-four K of chapter one hundred and forty-nine of the General Laws is hereby repealed.

SECTION 2. Section 1 of chapter 151B of the General Laws is hereby amended by adding the following two subsections:-

16. The term "qualified handicapped person" means a handicapped person who is capable of performing the essential functions of a particular job, or who would be capable of performing the essential functions of a particular job with reasonable accommodation to his handicap.

17. The term "handicapped person" means any person who has a physical or mental impairment which substantially limits one or more of such person's major life activities, has a record of such impairment, or is regarded as having such impairment.

SECTION 3. Subsection 6 of section 3 of said chapter 151B, as most recently amended by chapter 923 of the acts of 1971, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- To receive, investigate and pass upon complaints of unlawful practices, as hereinafter defined, alleging discrimination because of race, color, religious creed, national origin, sex, age, ancestry or handicap of any person alleging to be a qualified handicapped person.

SECTION 4. Section 4 of said chapter 151B is hereby amended by striking out subsection 2, as most recently amended by section 5 of chapter 397 of the acts of 1965, and inserting in place thereof the following subsection:-

2. For labor organization, because of race, color, religious creed, national origin, sex, age, ancestry of any individual or because of the handicap of any person alleging to be a qualified handicapped person to exclude from full membership rights or to expel from its membership such individual or to discriminate in any way against any of its members or against any employer or any individual employed by an employer, unless based upon a bona fide occupational qualification.

SECTION 5. Said section 4 of said chapter 151B is hereby further amended by striking out subsection 3, as most recently amended by section 6 of said chapter 397, and inserting in place thereof the following subsection:-

3. For any employer or employment agency to print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for employment or to make any inquiry or record in connection with employment, which expresses, directly or indirectly, any limitations, specification or discrimination as to race, color, religious creed, national origin, sex, age, ancestry or the handicap of a qualified handicapped person or any intent to make any such limitation, specification or discrimination, or to discriminate in any way on the ground of race, color, religious creed, national origin, sex, age, ancestry or the handicap of a qualified handicapped person, unless based upon a bona fide occupational qualification.

SECTION 6. Said section 4 of said chapter 151B is hereby further amended by adding the following subsection:-

16. For any employer, personally or through an agent, to dismiss from employment or refuse to hire, rehire or advance in employment or otherwise discriminate against, because of his handicap, any person alleging to be a qualified handicapped person, capable of performing the essential functions of the position involved with reasonable accommodation, unless the employer can demonstrate that the accommodation required to be made to the physical or mental limitations of the person would impose an undue hardship to the employer's business.

In determining whether an accommodation would impose an undue hardship on the conduct of the employer's business, factors to be considered include:-

(1) the overall size of the employer's business with respect to the number of employees, number and type of facilities, and size

of budget or available assets;

(2) the type of the employer's operation, including the composition and structure of the employer's workforce; and

(3) the nature and cost of the accommodation needed.

Physical or mental job qualification requirement with respect to hiring, promotion, demotion or dismissal from employment or any other change in employment status or responsibilities shall be functionally related to the specific job or jobs for which the individual is being considered and shall be consistent with the safe and lawful performance of the job.

An employer may not make preemployment inquiry of an applicant as to whether the applicant is a handicapped individual or as to the nature or severity of the handicap, except that an employer may condition an offer of employment on the results of a medical examination conducted solely for the purpose of determining whether the employee, with reasonable accommodation, is capable of performing the essential functions of the job, and an employer may invite applicants to voluntarily disclose their handicap for purposes of assisting the employer in its affirmative action efforts.

Approved December 6, 1983.

Chap. 534. AN ACT RELATIVE TO THE MASSACHUSETTS CLEAN LAKES AND GREAT PONDS PROGRAM.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 37A of chapter 21 of the General Laws, as appearing in section 1 of chapter 628 of the acts of 1981, is hereby amended by inserting after the word "recreation", in line 8, the words:- , the availability of their public beaches and swimming facilities, for such lakes and great ponds which have beaches and swimming facilities, for use by all residents of the commonwealth,.

SECTION 2. The third paragraph of said section 37A of said chapter 21, as so appearing, is hereby amended by striking out, in line 13, the word "fifty" and inserting in place thereof the word:- seventy-five.

Approved December 6, 1983.

Chap. 535. AN ACT FURTHER REGULATING CONSUMER CREDIT COST DISCLOSURE.

Be it enacted, etc., as follows:

SECTION 1. Section 90B of chapter 140 of the General Laws, as appearing in section 1 of chapter 505 of the acts of 1959, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

A transaction subject to the provisions of section ninety A shall also be subject to the provisions of chapter one hundred and forty D. A lender subject to the provisions of said section ninety A shall also be subject to the provisions of said chapter one hundred and forty D and, in the event of a conflict between the provisions of said section ninety A and said chapter one hundred and forty D, the provisions of said chapter one hundred and forty D shall control.

SECTION 2. Section 1 of chapter 140D of the General Laws is hereby amended by striking out the definition of "Creditor", as appearing in section 2 of chapter 733 of the acts of 1981, and inserting in place thereof the following definition:-

"Creditor", a person who both (1) regularly extends, whether in connection with loans, sales of property or services, or otherwise, consumer credit which is payable by agreement in more than four installments or for which the payment of a finance charge is or may be required, and (2) is the person to whom the debt arising from the consumer credit transaction is initially payable on the face of the evidence of indebtedness or, if there is no such evidence of indebtedness, by agreement. Notwithstanding the preceding sentence, in the case of an open-end credit plan involving a credit card, the card issuer and any person who honors the credit card and offers a discount which is a finance charge is a creditor. For the purposes of the requirements imposed under this chapter, the term "creditor" shall also include card issuers whether or not the amount due is payable by agreement in more than four installments or the payment of a finance charge is or may be required, and the commissioner shall, by regulation, apply these requirements to such card issuers, to the extent appropriate, even though the requirements are by their terms applicable only to creditors offering open-end credit plans.

SECTION 3. Section 2 of said chapter 140D, as so appearing, is hereby amended by adding the following paragraph:-

(e) Loans made, insured, or guaranteed pursuant to a program authorized by 20 USC 1070, et seq. of Title IV of the Higher Education Act of 1965.

Approved December 6, 1983.

EMERGENCY LETTER - December 6, 1983 @ 4:42 P.M.

Chap. 536. AN ACT ESTABLISHING UNIFORM PROCEDURES FOR INDIVIDUAL SEWAGE DISPOSAL SYSTEM APPLICATIONS.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by inserting after section 31D the following section:-

Section 31E. Any health officer or board of health for any city, town or district, whose authority includes the issuance of permits for construction, maintenance or alteration of individual sewage disposal systems for residential buildings of not more than four dwelling units, shall act upon a completed application for such permit to construct, maintain, or alter such system within forty-five days from the date upon which such completed application is filed with said health officer or board of health. If a determination on a completed application is not rendered within forty-five days by the appropriate health officer or board of health, then said permit shall be deemed to have been granted.

For the purpose of this section, a completed application shall include, but not be limited to, information satisfactory to any local board of health regarding the number of deep observation holes, all percolation test results and a plan which meets the requirements of the state sanitary code and any local health regulation. Such application shall be considered filed on the date upon which a completed application is presented by the person who is seeking the permit, to the health officer, board of health or agent thereof.

For the purpose of this section, "action on a completed application" shall mean approval of said application and issuance of the permit to construct, maintain, or alter, or disapproval of said application with a written statement of the reasons for such disapproval. The written statement of reasons, in the case of disapproval shall be sent to the applicant by first class mail, postage prepaid and shall include the information necessary in order to ascertain why the application or the proposed subsurface sewage disposal system or both fail to comply with local or state code requirements.

Nothing contained in this section shall be deemed to exempt the applicant from the regulations promulgated under the provisions of section thirteen of chapter twenty-one A.

Approved December 6, 1983.

Chap. 537. AN ACT FURTHER DEFINING THE WORDS "PUBLIC EMPLOYER" IN THE LAW ESTABLISHING CLAIMS

AND INDEMNITY PROCEDURE FOR THE COMMONWEALTH, ITS MUNICIPALITIES, COUNTIES AND DISTRICTS AND THE OFFICERS AND EMPLOYEES THEREOF.

Be it enacted, etc., as follows:

Section 1 of chapter 258 of the General Laws is hereby amended by striking out the definition of "Public employer", as most recently amended by chapter 403 of the acts of 1981, and inserting in place thereof the following definition:-

"Public employer", the commonwealth and any county, city, town, educational collaborative, 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, agency or authority 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. With respect to public employees of a school committee of a city or town, the public employer for the purposes of this chapter shall be deemed to be said respective city or town.

Approved December 6, 1983.

EMERGENCY LETTER - December 6, 1983 @ 4:41 P.M.

Chap. 538. AN ACT INCREASING THE SURETY BOND OF PERSONS AUTHORIZED TO ISSUE LICENSES FOR THE DIVISION OF FISHERIES AND WILDLIFE.

Be it enacted, etc., as follows:

Section 18 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 fifth sentence and inserting in place thereof the following sentence:- Persons authorized to issue licenses under the provisions of section twelve who are not employees of the commonwealth shall furnish the commonwealth with a surety bond in the amount of six thousand dollars principal sum for the faithful performance of his duties and with surety satisfactory to the director.

Approved December 6, 1983.

Chap. 539. AN ACT AUTHORIZING THE PAYMENT OF COMPENSATION TO CERTAIN PUBLIC EMPLOYEES IN COMPLIANCE WITH A COLLECTIVE BARGAINING AGREEMENT AND FURTHER REGULATING ACTION WHICH MAY BE TAKEN AGAINST SAID EMPLOYEE.

Be it enacted, etc., as follows:

Section 15 of chapter 150E of the General Laws, as appearing in section 2 of chapter 1078 of the acts of 1973, is hereby amended by striking out the third paragraph and inserting in place thereof the following paragraph:-

No compensation shall be paid by an employer to an employee with respect to any day or part thereof when such employee is engaged in a strike against said employer. No such employee shall be eligible for such compensation at a later date in the event that such employee is required to work additional days to fulfill the provisions of a collective bargaining agreement, except in the instance when a regional or local school district does not receive authorization for a shortened school year from the department of education, in which case such employee shall be eligible for compensation at his regular rate for such additional days worked.

Approved December 6, 1983.

Chap. 540. AN ACT FURTHER REGULATING THE OPERATION OF THE MASSACHUSETTS TURNPIKE AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. The fourth paragraph of section 15B of chapter 354 of the acts of 1952, as appearing in section 1 of chapter 773 of the acts of 1970, is hereby amended by inserting after the word "fee", in line 7, the words:- this tax provision shall apply to any project constructed pursuant to chapter 21D of the General Laws.

SECTION 2. Clause Forty-fourth of section 5 of chapter 59 of the General Laws, as amended by section 113 of chapter 706 of the acts of 1975, is hereby further amended by adding the following sentence:- No exemption shall be granted under this clause to any hazardous waste facility sited under the provisions of said chapter twenty-one D on lands of the Massachusetts Turnpike Authority.

Approved December 6, 1983.

Chap. 541. AN ACT REORGANIZING THE BOARD OF PARK COMMISSIONERS AND THE DEPARTMENT OF PUBLIC WORKS OF THE CITY OF MALDEN.

Be it enacted, etc., as follows:

SECTION 1. Chapter 384 of the acts of 1954 is hereby amended by striking out section 2, as amended by sections 2 and 3 of chapter 395 of the acts of 1976, and inserting in place thereof the following section:-

Section 2. All the powers, duties, facilities, properties and appropriations now or from time to time vested by law or ordinances of the city in the street and water commission, park commission, board of survey, city forester and city engineer of the said city shall vest in and be exercised and performed by the public works commission after the appointment and qualification of its members, provided, however, that the compensation of all the employees of the public works department shall be fixed by ordinance by the city council, notwithstanding the provisions of any general or special law to the contrary. The commission shall have the powers of the board of aldermen under and subject to the provisions of chapter forty, section fourteen, of the General Laws to purchase or take by eminent domain under chapter seventy-nine of the General Laws any land, easement or right therein for the purpose of carrying out any of its powers or duties. Upon the appointment and qualification of the public works commission as aforesaid, the street and water commission, the park commission, the board of survey and the office of the city forester shall thereupon be abolished.

SECTION 2. Said chapter 384 is hereby further amended by striking out section 3, as most recently amended by section 4 of said chapter 395, and inserting in place thereof the following section:-

Section 3. There shall be within the department of public works, but subject to the control of the commission, a division of highways, a division of water works, a division of engineering and a division of forestry and parks. Each such division shall assume such management and control as shall be determined by the commission. The city engineer shall be appointed quinquennially by the mayor and city council for a term commencing the first day of March and shall hold office for the term of five years next ensuing and until the qualification of his successor. His salary shall be fixed by ordinance and he shall, in addition to other duties prescribed by law, be in charge of the division of engineering.

SECTION 3. Said chapter 384 is hereby further amended by striking out section 4 and inserting in place thereof the following section:-

Section 4. A director and supervisors of the division of public works shall be appointed, as necessary, by the public works commissioners. The said director and supervisors shall serve at the pleasure of said commissioners and shall assume such management and control of all divisions, as determined by said commissioners. The salaries of the directors and supervisors shall be fixed by ordinance. The director and supervisors shall not be removed except for just cause and in accordance with the provisions of sections forty-one to forty-five, inclusive, of chapter thirty-one of the General Laws.

SECTION 4. Section five of chapter three hundred and ninety-five of the acts of nineteen hundred and seventy-six is hereby repealed.

SECTION 5. Section 1 of chapter 395 of the acts of 1976 is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- Said board shall serve in an advisory capacity to the public works commission on matters of policy and administration regarding parks in the city of Malden.

SECTION 6. The position of city engineer shall be exempt from the provisions of sections eighty-one D to eighty-one T, inclusive, of chapter one hundred and twelve of the General Laws, provided, however, that said city engineer has previously attained a civil service rating of at least assistant civil engineer.

SECTION 7. This act shall take effect upon its acceptance by the city of Malden.

Approved December 6, 1983.

Chap. 542. AN ACT AUTHORIZING THE CHANGING OF THE DATE OF CERTAIN TOWN ELECTIONS AND ANNUAL MEETINGS FOR THE YEAR NINETEEN HUNDRED AND EIGHTY-FOUR.

Be it enacted, etc., as follows:

SECTION 1. Section 28 of chapter 53 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by chapter 216 of the acts of 1983, and insert-

ing in place thereof the following paragraph:-

State primaries shall be held on the seventh Tuesday preceding biennial state elections and on the fourth Tuesday preceding special state elections, except that primaries before special congressional elections shall be held on the fifth Tuesday preceding said elections. Presidential primaries shall be held on the second Tuesday in March in any year in which presidential electors are to be elected. Notwithstanding any provision of law to the contrary, any town may hold its preliminary or regular town elections on the same date designated as the date to hold a presidential primary, in any year in which presidential electors are to be elected, provided that such election is by a ballot independent of the ballot used at a presidential primary. City and town primaries before all city and town elections shall be held on the twenty-eighth day preceding such elections.

SECTION 2. Notwithstanding the provisions of any general or special law or of any town charter or by-law to the contrary, if the date for the holding of a town election falls within thirty days before or after the presidential primary to be held in the year nineteen hundred and eighty-four, or on the day of said presidential primary, the town council in a town having a town council and the selectmen in any other town, after consultation with the town clerk, may by majority vote establish a date between February first and May thirty-first, inclusive, for the holding of such town election and may also prescribe by majority vote a date between February first and May thirty-first, inclusive, in such year for the holding of the annual meeting of such town. Any such town election and any such town meeting shall be held on the date or dates established and shall be called as provided in sections nine A and ten of chapter thirty-nine of the General Laws.

SECTION 3. Notwithstanding the provisions of any general or special law to the contrary, if the date for holding a district election falls within thirty days before or after the presidential primary to be held in the year nineteen hundred and eighty-four, or on the day of said presidential primary, the prudential committee, if any, otherwise the commissioners, of the district may, by a majority vote, establish a date between February first and May thirty-first, inclusive, for the holding of such district election. Any such district election shall be held on the date established and shall be called as provided by law. For the purpose of this section district shall mean a district created by special law or established under the provisions of a general law.

Approved December 6, 1983.

EMERGENCY LETTER - December 6, 1983 @ 4:41 P.M.

Chap. 543. AN ACT AUTHORIZING THE CITY OF BOSTON TO ISSUE AN ALL ALCOHOLIC BEVERAGE CLUB LICENSE TO THE SAVIN HILL YACHT CLUB.

Be it enacted, etc., as follows:

Notwithstanding any limitation on the number of the licenses to be issued under the provisions of section seventeen of chapter one hundred and thirty-eight of the General Laws, the licensing board of the city of Boston is hereby authorized to issue to the Savin Hill Yacht Club of the Dorchester district of said city, an annual seven day all alcoholic beverage club license; provided, however, that all other provisions of said chapter one hundred and thirty-eight shall apply; and, provided further, that said licensing authority shall not approve the transfer of said license to any other person, organization, corporation, or location.

Approved December 6, 1983.

Chap. 544. AN ACT ESTABLISHING A NURSING HOME OMBUDSMAN PROGRAM.

Be it enacted, etc., as follows:

Chapter 19A of the General Laws is hereby amended by adding the following nine sections:-

Section 27. For the purpose of sections twenty-seven to thirty-six, inclusive, the following words and terms shall, unless the context requires otherwise, have the following meanings:-

"Act", any action or decision made by an owner, employee or agent of a long term care facility, or by a government agency or any condition within a long term care facility which affects the provision of service to a resident therein.

"Long term care facility", any facility subject to licensure by the department of public health pursuant to the provisions of section seventy-one of chapter one hundred and eleven.

"Resident", any person who is receiving treatment or care in long term care facility including, but not limited to, application or admission, retention, confinement, commitment, period of residence, transfer, discharge and instances directly related to such status.

"Designee", a member of the staff of the state nursing home ombudsman or any director of a local nursing home ombudsman program; provided, however, that said directors have been certified by the state nursing home ombudsman, as hereinafter defined.

"Administrative action", any action taken to resolve issues through negotiation and mediation within such facility.

"Government agency", any federal or state agency responsible for the administration of benefits to the elderly.

Section 28. The secretary shall, subject to appropriation or the receipt of federal funds, establish a statewide long term care ombudsman program for the purpose of advocating on behalf of long term care facility residents and of receiving, investigating and resolving through administrative action complaints filed by residents of long term care facilities, individuals acting on their behalf or any individual organization or government agency that has reason to believe that a long term care facility, organization or government agency has engaged in activities, practices or omissions that constitute violations of applicable statutes or regulations or that may have an adverse effect upon the health, safety, welfare or rights of residents of such long term care facilities. The secretary shall appoint an ombudsman to act as the director of the ombudsman program who shall be a person qualified by training and experience to perform the duties of the office. Said ombudsman shall not be subject to the provisions of section nine A of chapter thirty or chapter thirty-one.

Section 29. Any person employed by or associated with the ombudsman or any designated local ombudsman program, or representative of a community group offering legal services or free advocacy assistance, certified by the secretary of the department of elder affairs, under the provisions of clause (a) or (h) of section thirty-three, shall be permitted access at reasonable hours, including at least the hours of ten o'clock ante meridiem to eight o'clock post meridiem, inclusive, each day, to any consenting individual resident of any long time care facility; provided, however, that there is neither a commercial purpose nor affect to such access and if the purpose is to do any of the following:-

(1) visit, talk with and make personal, social and legal services available to all residents;

(2) inform residents of their rights and entitlements and their correspondent obligations, under federal and state laws, by means of educational materials and discussion in groups and with individual residents;

(3) assist residents in asserting their legal rights regarding claims for public assistance, medical assistance and social security benefits, or assist residents in action against agencies responsible for such programs, as well as in all other matters in which residents are aggrieved and may include advising litigation; or

(4) engage in other methods of assisting, advising and representing residents so as to extend to them full enjoyment of their rights.

Upon entering such facility, the person or representative shall notify facility personnel of his presence and, upon request, shall produce identification. Prior to entering the room of an individual resident, the person or representative shall identify himself and explain the purpose of the visit. The person or representative shall have the right to visit privately with the resident only after the resident has given permission for such visit; shall, at all times, respect the confidentiality of all such communications; and shall not subject the resident to photographing, filming, videotaping, or audiotaping without written permission of the resident or his legal representative. Such facility may not release or discuss information in a resident's medical records unless it has first obtained proper written consent as required by law from the resident or his legal representative.

Section 30. The state nursing home ombudsman or his designee, as defined in section twenty-seven, shall have the right of entry into long term care facilities at any time considered necessary and reasonable by the ombudsman or the designee for the purpose of:

(a) investigating and resolving through administrative action complaints made by residents or on their behalf;

(b) interviewing residents, with their consent, in private;

(c) offering the services of the ombudsman or designee to any resident, in private;

(d) interviewing employees or agents of the long term care facility;

(e) consulting regularly with the facility administration; and

(f) providing services authorized by law or by regulation.

The state nursing home ombudsman or his designee shall have access to any resident's records, and to records of any public agency necessary to the duties of the office, including records on patient abuse complaints, provided, however, that the resident or his legal representative has given written authorization to allow such access to the state nursing home ombudsman or his designee.

Section 31. The secretary shall establish procedures to protect the confidentiality of residents' records and files. Such procedures shall meet the following requirements: (1) no information or records maintained by the ombudsman program shall be disclosed unless the ombudsman or his designee authorizes such disclosure; and (2) the ombudsman or his designee shall not disclose the identity of any complainant or resident of the long term care facility involved in any complaint unless the complainant or resident or a legal representative of either, consents in writing to such disclosure and specifies to whom the identity may be disclosed, or a court orders such disclosure.

The ombudsman or his designee may initiate his own investiga-

tion of any long term care facility independent of the receipt of specific complaint.

If the ombudsman or his designee determines that any act of any long term care facility may adversely affect the health, safety, welfare or rights of a resident of the facility, he shall make specific recommendations for the elimination or correction of such act. If the ombudsman or his designee determines that an act of any long term care facility may constitute a violation of any applicable federal or state statute or regulation, the ombudsman shall report such findings and conclusions to the regulatory agency or agencies having jurisdiction to enforce said statute or regulation or to the office of the attorney general.

Within a reasonable period of time after the completion of an investigation the ombudsman shall notify the long term care facility of his actions and findings.

Section 32. The ombudsman shall contract with a local ombudsman program to act on behalf of the ombudsman or his designee in the receipt, investigation and resolution through administrative action of complaints within a geographic area as defined by the ombudsman. The ombudsman shall contract with any public agency or private nonprofit organization which has the capability of performing the duties of an ombudsman; provided, however, that such designee shall not be an agency or organization responsible for licensing or certifying long term care facilities or an association or an affiliate or agent of an association of long term care facilities; and, provided further, that the ombudsman shall contract with, to the extent practicable, such agencies or organizations which have been established by local initiative for the purposes set forth in this chapter. Such local ombudsman programs shall operate in compliance with any rules and regulations established by the secretary for the implementation of the ombudsman program. The ombudsman shall contract with a local program in every area of the commonwealth; provided, however, that the ombudsman shall carry out the responsibilities of the local program in any area within which no local ombudsman program has been established.

The ombudsman shall, to the extent practicable, contract with agencies and organizations which agree to carry out such responsibilities on a volunteer basis.

Section 33. In order to insure that the goals of the ombudsman program are met the ombudsman shall:-

(a) establish and conduct a training program for persons employed by or associated with the ombudsman or any designated local ombudsman program who perform the duties and responsibilities enumerated in section thirty-one regarding the receipt, investigation and resolution through administrative action of complaints, and certify such persons upon satisfactory completion

of such training programs;

(b) monitor the development and implementation of federal, state and local statutes, regulations and policies regarding long term care facilities;

(c) provide information to public agencies regarding the problems of elderly persons in long term care facilities;

(d) provide that complete records shall be maintained of complaints received, the actions taken, findings and recommendations in response to such complaints and other action, including the facilities' responses to serious complaints, finding or recommendation of the ombudsman or his designee initiated independent of a specific complaint;

(e) establish a statewide uniform reporting system to collect and analyze data relating to complaints and conditions in long term care facilities for the purpose of identifying and resolving significant problems; with provision for submission of such data to the one agency of the state responsible for licensing and certifying long term care facilities on a regular basis;

(f) file a report of the activities of the nursing home ombudsman program and the ombudsman's recommendation concerning long term care facilities and the protection of the rights of residents of said facilities with the secretary, governor and the general court within one hundred and twenty days following the end of each fiscal year;

(g) carry out other activities consistent with the requirements of 42USC 3027(a)(12) and the provisions of this chapter; and

(h) establish and conduct a training program for persons employed by or associated with a community group offering free advocacy assistance to residents of long term care facilities, and certify such persons upon satisfactory completion of such training program.

Section 34. The secretary shall promulgate and, from time to time, revise rules and regulations for the implementation of the nursing home ombudsman program including, but not limited to, the procedures for the receipt, investigation and resolution, through administrative action, of complaints.

Section 35. Nothing in this chapter shall be construed to be a limitation of the powers and responsibilities assigned by law to other departments or agencies. The secretary of elder affairs shall establish an interagency agreement among the department of elder affairs, department of public health, and office of the attorney general to ensure a cooperative effort in meeting the needs of the residents of long term care facilities.

Approved December 8, 1983.

Chap. 545. AN ACT AUTHORIZING THE CERTIFICATION AND APPOINTMENT OF PETER D. PROVOST AS A POLICE OFFICER, NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize the certification and appointment of Peter D. Provost as a police officer, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.

Be it enacted, etc., as follows:

The personnel administrator of the division of personnel administration shall examine and certify Peter D. Provost for appointment as a police officer according to the grade he received in the examination for police officer held on October first, nineteen hundred and eighty-three, notwithstanding the fact that he has attained the maximum age for said position; provided, however, that he fulfills all other requirements for certification and appointment.

Approved December 10, 1983.

Chap. 546. AN ACT AUTHORIZING THE CERTIFICATION AND APPOINTMENT OF STEPHEN J. CONNOLLY AS A POLICE OFFICER, NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize the certification and appointment of Stephen J. Connolly as a police officer, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.

Be it enacted, etc., as follows:

The personnel administrator of the division of personnel administration shall examine and certify Stephen J. Connolly for appointment as a police officer according to the grade he received in the examination for police officer held on October first, nineteen hundred and eighty-three, notwithstanding the fact that he has attained the maximum age for said position; provided, however, that he fulfills all other requirements for certification and appointment.

Approved December 10, 1983.

Chap. 547. AN ACT AUTHORIZING THE CERTIFICATION AND APPOINTMENT OF EDDIE JOSEPH CORMIER AS A POLICE OFFICER, NOTWITHSTANDING THE MINIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize the certification and appointment of Eddie Joseph Cormier as a police officer, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.

Be it enacted, etc., as follows:

The personnel administrator of the division of personnel administration shall examine and certify Eddie Joseph Cormier for appointment as a police officer according to the grade he received in the examination for police officer held on October first, nineteen hundred and eighty-three, notwithstanding the fact that he had not attained the minimum age for said position; provided, however, that he fulfills all other requirements for certification and appointment.

Approved December 10, 1983.

Chap. 548. AN ACT INCREASING THE MINIMUM LIMITS OF DEPOSITS IN LIEU OF MOTOR VEHICLE LIABILITY BONDS ON MOTOR VEHICLE LIABILITY POLICIES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately establish an increase in the minimum limits of deposits in lieu of motor vehicle bonds on motor vehicle liability policies, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 90 of the General Laws is hereby amended by striking out section 34D, as most recently amended by section 3 of chapter 670 of the acts of 1970, and inserting in place thereof the following section:-

Section 34D. The applicant for registration may, in lieu of procuring a motor vehicle liability bond or policy, deposit with the state treasurer cash in the amount of ten thousand dollars or bonds, stocks or other evidences of indebtedness satisfactory to said treasurer of a market value of not less than ten thousand dollars as security for the payment by such applicant or by any

person responsible for the operation of such applicant's motor vehicle with his express or implied consent of all judgments rendered against such applicant or against such person in actions to recover damages for bodily injuries, including death at any time resulting therefrom, judgments rendered as aforesaid for consequential damages consisting of expenses incurred by a husband, wife, parent or guardian for medical, nursing, hospital or surgical services, or for indemnity, in connection with or on account of such bodily injuries or death, and judgments rendered as aforesaid for contribution as a joint tortfeasor in connection with or on account of such bodily injuries, sustained during the term of registration by any person other than a guest occupant of such motor vehicle or any employee of the owner or registrant of such motor vehicle or of such other person responsible as aforesaid who is entitled to payments or benefits under the provisions of chapter one hundred and fifty-two, and arising out of the ownership, operation, maintenance, control or use of such motor vehicle upon the ways of the commonwealth or in any place therein to which the public has a right of access, to the amount or limit of at least ten thousand dollars on account of any such judgment; provided, however, that if the applicant for registration is engaged in the business of leasing motor vehicles under any system referred to in section thirty-two C, such applicant shall deposit with said treasurer additional security in the amount or value of at least one thousand dollars for the payment by such applicant or by any person responsible for the operation of such applicant's motor vehicle with his express or implied consent, including such consent imputed under section thirty-two E, of all judgments rendered against such applicant or against such person in actions to recover damages for injury to property and judgments rendered as aforesaid for indemnity, or for contribution as a joint tortfeasor, sustained during the term of registration by any person, and arising out of the ownership, operation, maintenance, control or use upon the ways of the commonwealth of such motor vehicle, to the amount or limit of at least one thousand dollars on account of any such judgment and provided further that no such deposit shall be required in the case of vehicles leased for a term of more than thirty days and the depositor shall in writing authorize the state treasurer to pay over to the insurer assigned a claim under section thirty-four N any and all amounts, including without limitation the reasonable costs of investigating and settling any such claim and such other reasonable expenses expended by it to satisfy a claim for personal injury protection made against it by any person, other than the depositor or members of his household, who is entitled to such payments as a result of the unavailability of personal injury protection benefits on said depositor's motor vehicle. The depo-

sitor shall be entitled to the interest accruing on his deposit and to the income payable on the securities deposited and may from time to time with the consent of the state treasurer change such securities. Upon presentation to the state treasurer by an officer qualified to serve civil process or an execution issued on any such judgment against the registrant or other person responsible as aforesaid, said treasurer shall pay, out of the cash deposited by the registrant as herein provided, the amount of the execution, including costs and interest, up to but not in excess of ten thousand dollars. If the registrant has deposited bonds, stocks or other evidences of indebtedness, the state treasurer shall, on presentation of an execution as aforesaid, cause the said securities or such part thereof as may be necessary to satisfy the judgment to be sold at public auction, giving the registrant three days' notice in writing of the time and place of said sale, and from the proceeds of said sale the state treasurer shall, after paying the expenses thereof, satisfy the execution as hereinbefore provided when a cash deposit has been made. Any payment upon an execution by the state treasurer in accordance with the provisions of this section shall discharge him from all official and personal liability whatever to the registrant to the extent of such payment. The state treasurer shall, whenever the amount of such deposit from any cause falls below the amount required by this section, require, at the option of the registrants, the deposit of additional cash or securities up to the amount required by this section or a motor vehicle liability bond or policy as provided in this chapter. Money or securities deposited with the state treasurer under the provisions of this section shall not be subject to attachment or execution except as provided in this section. The state treasurer shall deposit any cash received under the provisions of this section in a savings bank or the savings department of a trust company or of a national bank within the commonwealth, or on paid-up shares and accounts of and in co-operative banks, or shall use such cash to purchase share accounts in federal savings and loan associations located in the commonwealth.

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

Approved December 10, 1983.

Chap. 549. AN ACT AUTHORIZING THE CITY OF GARDNER TO GRANT AN ANNUITY TO SOPHIE E. LEBLANC.

Be it enacted, etc., as follows:

SECTION 1. The city of Gardner is hereby authorized to grant to Sophie E. Leblanc, widow of Edgar Leblanc, a former member of the police department of said city, an annuity under the provisions of section ninety-five of chapter thirty-two of the General Laws in the amount of nine hundred dollars per year.

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

Approved December 10, 1983.

Chap. 550. AN ACT AUTHORIZING THE TOWN OF HOPEDALE TO APPOINT A TOWN ADMINISTRATOR.

Be it enacted, etc., as follows:

SECTION 1. The board of selectmen and the board of water and sewer commissioners, meeting in joint session of the town of Hopedale, acting for and in behalf of said town, is hereby authorized to appoint a town administrator for a term of one, three, or five years, and to enter into a contract with such individual for services as town administrator. The town administrator appointed under the provisions of this act shall be sworn to the faithful performance of his duties. Said town administrator shall receive such compensation as the selectmen and water and sewer commissioners may determine. Compensation for said position shall be equally divided between the general government budget under the control of the board of selectmen and the water and sewer budgets under the control of the water and sewer commissioners. Said town administrator shall act by and for the board of selectmen and the board of water and sewer commissioners in any matter under their respective supervision and control as the respective board may deem appropriate, and may perform such duties as may be requested by any other town office, board, committee, or commission. Said town administrator shall hold no elective town office, but may be appointed by the board of selectmen to any other town office or position consistent with the office of town administrator.

SECTION 2. Notwithstanding the provisions of sections twenty and twenty-one A of chapter two hundred and sixty-eight A of the General Laws, incumbent members of the board of selectmen in office on the effective date of this act shall be eligible for appointment to the position of town administrator provided (1) said appointment shall be made at a duly called joint meeting of the boards of selectmen, water and sewer commissioners, (2) any selectman applying for the position shall not participate in the

appointment process, and (3) the appointment of a selectman to the position shall not be effective until the town clerk has received a letter of resignation from said selectman as a member of the board of selectmen.

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

Approved December 10, 1983.

Chap. 551. AN ACT AUTHORIZING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO SELL AND CONVEY A CERTAIN PARCEL OF LAND IN THE CITY OF BOSTON UNDER THE CONTROL OF THE METROPOLITAN DISTRICT COMMISSION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately sell and convey a certain parcel of land in the city of Boston, therefore 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 division of capital planning and operations is hereby authorized in the name of and on behalf of the commonwealth, to sell and convey by quitclaim deed, approved as to form by the attorney general, a certain parcel of land located on St. Thomas More Drive in the city of Boston under the control of the metropolitan district commission and presently used for water supply purposes, subject to the provisions of chapter seven of the General Laws and any additional terms and conditions as the division of capital planning and operations may prescribe in consultation with the commission. Said land is shown on a plan on file in said commission being bound and described as follows:

Beginning at a point on the easterly corner of said parcel of land;

Thence running S15°-13'-10"W a distance of 87.02 feet;

Thence turning and running N74°-47'-00"W a distance of 222.10 feet;

Thence turning and running N00°-13'-00"E a distance of 64.00 feet;

Thence turning and running S74°-47'-00"E a distance of 121.72 feet;

Thence turning and running N64°-43'-32"E a distance of 48.68 feet;

Thence turning and running S70°-12'-19"E a distance of 80.19 feet to the point of the beginning;
Containing 17,097 square feet of land as shown on a plan entitled "Plan of Metropolitan District Commission Land located on St. Thomas More Drive in the City of Boston", by Harry R. Feldman, Inc., scale 1" - 40', dated October 27, 1983.

SECTION 2. No blasting or drilling that could in any way affect the integrity of the water tunnels and pipes located on adjacent property of the metropolitan district commission shall be allowed.

SECTION 3. The division of capital planning and operations shall comply with all provisions of chapter five hundred and seventy-nine of the acts of nineteen hundred and eighty in the sale and conveyance herein authorized.

Approved December 10, 1983.

Chap. 552. AN ACT MAKING CHANGES IN THE LAW GOVERNING THE LICENSING OF PIPEFITTERS AND REFRIGERATION TECHNICIANS.

Be it enacted, etc., as follows:

SECTION 1. Section 10A of chapter 22 of the General Laws, as most recently amended by section 1 of chapter 34 of the acts of 1978, is hereby further amended by striking out the last sentence and inserting in place thereof the following two paragraphs:-
Each appointive member of the bureau shall be paid fifty dollars for each day while engaged in the actual performance of his duties as such; provided, however, that such payment shall not exceed seven hundred and fifty dollars in the aggregate in any fiscal year; and provided further, that such member shall also receive from the commonwealth all expenses necessarily incurred by him in connection with his official duties.
There shall be an executive secretary of the bureau, who shall assist the members in their responsibilities. Such clerical, technical and other assistants required by the bureau shall be assigned by the commissioner.

SECTION 2. Chapter 146 of the General Laws is hereby amended by striking out section 81, inserted by chapter 990 of the acts of 1977, and inserting in place thereof the following section:-

Section 81. As used in this section and in sections eighty-two to eighty-eight, inclusive, the following words shall have the following meanings:

"Apprentice pipefitter", a person who is registered and is learning or working at the business of pipefitting under the direct supervision of a master or journeyman pipefitter.

"Registered", a person registered according to the provisions of chapter seven hundred and seven of the acts of nineteen hundred and forty-one.

"Bureau", the bureau of pipefitters and refrigeration technicians as established by section ten A of chapter twenty-two.

"Journeyman pipefitter", any person who has completed an apprenticeship training program satisfactory to the bureau and who by himself or with other journeymen pipefitters or apprentice pipefitters performs any work in pipefitting subject to inspection under any law, ordinance, by-law, rule or regulation but does not employ other journeymen or master pipefitters.

"Master pipefitter", a person having a regular place of business or who, by himself, or with other master pipefitters, journeymen pipefitters, or apprentice pipefitters, in his employ performs pipefitting work.

"Pipefitting", the installation, repair, replacement, maintenance, or alteration of any apparatus for piping appliances, devices or accessories for heating systems having a rating greater than three million British Thermal Units including apparatus and piping for the general use of conveyance of steam and associated pumping equipment but excluding sheet metal work, air conditioning and refrigeration systems and boilers, and plumbing as defined under the rules and regulations of the board of state examiners of plumbers promulgated under sections four and thirteen of chapter one hundred and forty-two.

"Master refrigeration technician", a person having a regular place of business, or who by himself or with other master refrigeration technicians, journeymen refrigeration technicians, or refrigeration apprentices in his employ performs refrigeration work.

"Refrigeration", the installation, repair, replacement, maintenance of any refrigerant containing part of any refrigerant system of a ten ton capacity, or greater.

"Journeyman refrigeration technician", any person who has completed an apprenticeship training program satisfactory to the bureau, and who has successfully passed a refrigeration technician's examination, and who, by himself, or with other journeymen refrigeration technicians, or with refrigeration apprentices does any work in refrigeration subject to the provisions of this chapter.

"Refrigeration apprentice", any registered person who is at

least eighteen years of age and who is working at the business of refrigeration under the supervision of a master refrigeration technician or journeyman refrigeration technician.

"Ton", for the purpose of this chapter one ton of refrigeration shall be defined in conformance to section I subparagraph 6 of the Board of Boiler Rules, Form BLR 7, dated November twenty-two, nineteen hundred and sixty-three.

SECTION 3. Said chapter 146 is hereby amended by striking out section 83, as most recently amended by section 1A of chapter 34 of the acts of 1978, and inserting in place thereof the following section:-

Section 83. The district engineering inspectors of the division shall act as examiners of applicants for pipefitter, and refrigeration licenses. For the examination of pipefitters the division shall use the rules and regulations from national codes as may be necessary to effectuate the licensing provisions of this chapter, including the rules and regulations of sections, I, II, III, IV, VIII, and IX of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code, the ANSI B-31 Codes, and rules and regulations formulated and adopted by the bureau.

For the examination of refrigeration technicians the division shall use the rules and regulations from national codes as may be necessary to effectuate the licensing provisions of this chapter, including codes resulting from recommendations of the National Academy of Science for the safe handling and storage of chlorofluorocarbon materials to protect the earth's ozone layer, codes relative to the energy efficiency of refrigeration systems designed to meet national conservation goals, and the rules and regulations formulated and adopted by the bureau.

SECTION 4. Said chapter 146 is hereby further amended by adding the following section:-

Section 89. Any person, firm or corporation, or employee thereof, and any representative, member or officer of such firm or corporation individually, entering upon or engaging in the business and work as defined in section eighty-one, without having complied with this chapter, shall for the first offense be punished by a fine of not less than ten nor more than one hundred dollars, and for a subsequent offense by a fine of not less than fifty nor more than five hundred dollars or by imprisonment in the house of correction for six months or both.

Approved December 10, 1983.

Chap. 553. AN ACT PROVIDING FOR AN EXCHANGE OF CERTAIN LAND BETWEEN THE COMMONWEALTH AND THE TOWN OF WENDELL.

Be it enacted, etc., as follows:

SECTION 1. In consideration of the conveyance to the commonwealth by the town of Wendell, as provided in section two, the division of capital planning and operations, acting for and in behalf of the commonwealth, is hereby authorized to convey to said town, by deed approved as to form by the attorney general, all right, title and interest which the commonwealth has in a certain parcel of land under the control of the department of environmental management, located on the westerly side of New Salem road in said town, and shown as five acres more or less to be conveyed to the town of Wendell on a plan entitled, "Plan of Land Showing a Portion of Wendell State Forest, New Salem Road, Surveyed August 1982 by the Department of Environmental Management, Scale 1" = 100' W. P. Maisna, Req. #4HQ Amherst, Mass." a copy of which is on file with said department, and bounded and described as follows:-

Beginning at a concrete bound the westerly side of New Salem Road thence running S79° 00 W 230.70 feet to a concrete bound, thence N. 12° 12" W 862.45' to a concrete bound; thence N79° 00E 220.11' to a concrete bound at New Salem Road, thence southerly by said road 900 feet ± to the point of beginning.

Said land to be used by said town for the establishment of a town cemetery.

SECTION 2. In consideration of such conveyance the town of Wendell is hereby authorized to convey and shall convey to the commonwealth, by a deed approved as to form by the attorney general, all right, title and interest which it has in a certain parcel of land located approximately three thousand five hundred feet west of Wendell Depot road and approximately 1,000 feet south of Farley Road in said town and shown as "Parcel A" on a plan entitled "Phelps School Lots No. 4 & No. 5 Town of Wendell, Massachusetts, Book 404 Page 53, Tracts 4 & 5 compiled by Bay State Forestry Service from 1954 Plan, by N. J. Hunting, 1915 Plan by Harry F. Hastings, Plan Book 6, Page 60, 1906 Plan-Unnamed", a copy of which is on file with the town clerk of said town, containing thirteen acres, more or less, and bounded and described as follows:-

Beginning at an iron pipe and stones at the northwesterly corner of the same and thence running S 71° 00E 625.0' to an iron pipe and stones thence S 12° 36' W 879.1' to a stake and stones; then N 71° 00 W 684.75', to a stake and stones, thence

N 16° 30'E 874.5 feet to the point of beginning.

Said land to be under the care and custody and control of the department of environmental management.

Approved December 10, 1983.

Chap. 554. AN ACT AUTHORIZING THE COMMONWEALTH TO SELL AND CONVEY A CERTAIN PARCEL OF LAND IN THE TOWN OF BARNSTABLE TO THE CAPE COD CHAPTER NO. 96 DISABLED AMERICAN VETERANS, INC.

Be it enacted, etc., as follows:

SECTION 1. The deputy commissioner of capital planning and operations, in the name and behalf of the commonwealth, is hereby authorized to sell and convey to the Cape Cod Chapter No. 96, Disabled American Veterans, Inc. by deed approved as to form by the attorney general, a certain parcel of land situated in the town of Barnstable upon which a veterans post is to be built, comprising a portion of the second section of state highway laid on March fifteenth, nineteen hundred and fifty-two, L.O. No. 3954, in said town, and located northeasterly of Iyannough Road and southeasterly of Phinney's lane and bounded as follows:-

Northeasterly, in part, by land now or formerly of the estate of Mary G. Hickley, in part, by land now or formerly of Samuel Snow Heirs, and in part, by land now or formerly of Ensighn C. Jerauld a total of about 310 feet; southeasterly, in part, by land formerly of said Jerauld and in part by land formerly of said Heirs a total of about 240 feet; southwesterly about 89 feet, westerly about 208 feet, northwesterly about 72 feet, and again southwesterly about 21 feet, all by land formerly of said Heirs, and northwesterly by said Phinney's Lane about 62 feet; containing about 1.34 acres.

SECTION 2. The sale of the land provided in section one shall be made at fair market value to be determined by the division of capital planning and operations as the average of three independent appraisals, selected by said division. Said appraisals shall be conducted by appraisers selected by said division and shall be paid for by said veterans organization. Said division shall inform the Cape Cod Chapter No. 96 Disabled American Veterans, Inc. of the price to be remitted to the commonwealth as soon as possible after the appraisals are submitted.

Approved December 10, 1983.

Chap. 555. AN ACT RELATIVE TO PROTECTORS OF THE BLIND TO BE USED IN PUBLIC INSTITUTIONS.

Be it enacted, etc., as follows:

Section 12 of chapter 15A of the General Laws, as appearing in section 112 of chapter 329 of the acts of 1980, is hereby amended by adding the following sentence:- Products assembled, manufactured or otherwise produced by the Massachusetts Commission for the Blind shall be purchased from the commission pursuant to the provisions of section one hundred and thirty-four of chapter six.

Approved December 10, 1983.

Chap. 556. AN ACT DIRECTING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO CONVEY A CERTAIN PARCEL OF LAND IN THE CITY OF SPRINGFIELD TO THE UNITED STATES.

Be it enacted, etc., as follows:

The division of capital planning and operations acting for and on behalf of the commonwealth, as provided for in section forty F of chapter seven of the General Laws, is hereby authorized to convey to the United States, by deed approved as to form by the attorney general, all rights, title and interest of the commonwealth in and to the following parcel of land located in the city of Springfield under the control of the board of regents of higher education bounded and described as follows:-

A certain piece or parcel of land situated in the City of Springfield, County of Hampden, Commonwealth of Massachusetts, more particularly described as follows:-

Beginning at the intersection of the northerly line of State Street, extended, and the easterly line of Byers Street, extended; thence along the easterly line of Byers Street by a bearing of N. 49° 30' 30" W. a distance of 35.00 feet to the true point of beginning;

Thence along the easterly line of Byers Street by a bearing of N. 49° 30' 30" W. a distance of 50.00 feet to a point;

Thence along lands formerly of the City of Springfield, now of the United States of America, by a bearing of N. 42° 55' 30" E. a distance of 378.79 feet to a point;

Thence along land formerly of the City of Springfield now of the United States of America, by a curve to the left the radius of which is 123.85 feet and central angle is 76° 25' 40" an arc

distance of 165.21 feet to a point;

Thence continuing along land hereinabove described by a bearing of N. 33° 30' 10" W. a scaled distance of 506.57 feet, more or less, to a point;

Thence by a bearing N. 56° 29' 50" E. a distance of 50.00 feet;

Thence by a bearing of S. 33° 30' 10" E. a scaled distance of 727 feet, more or less, to a point on the northerly line of State Street;

Thence by a bearing of S. 50° 36' 10" W. along the northerly line of State Street, a distance of 29.83 feet to a point;

Thence by a bearing of S. 48° 29' 15" W. along the northerly line of State Street a distance of 429.36 feet to a point;

Thence by a curve to the left having a radius of 35.00 feet and a central angle of 97° 59' 45" an arc distance of 59.86 feet to the true point of beginning.

Being a portion of that land shown on plan entitled, "Springfield, Mass. Department of Streets and Engineering Land of United States Government at Springfield Armory to be Acquired by Benton Small Arms Museum, Scale 1" = 50' Date Aug. 1967" Revised on file in the Engineering Division of the Department of Streets and Engineering, City of Springfield, Mass.

Subject to easements of record, if any, for public roads and highways, public utilities, railroads and pipelines.

Said parcel shall be used in connection with the operation of the Benton Small Arms Museum.

Approved December 10, 1983.

Chap. 557. AN ACT RELATIVE TO THE RIGHTS OF A PERSON CHARGED WITH THE OFFENSE OF OPERATING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOLIC BEVERAGES.

Be it enacted, etc., as follows:

Section 5A of chapter 263 of the General Laws, as amended by chapter 237 of the acts of 1960, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:- The police official in charge of such station or place of detention, or his designee, shall inform him of such right immediately upon being booked, and shall afford him a reasonable opportunity to exercise it.

Approved December 10, 1983.

Chap. 558. AN ACT DIRECTING THE COMMISSIONER OF CAPITAL PLANNING AND OPERATIONS TO LEASE CERTAIN LAND IN THE CITY OF LOWELL.

Be it enacted, etc., as follows:

SECTION 1. The division of capital planning and operations acting for and on behalf of the commonwealth is hereby authorized and directed to negotiate a lease, subject to the approval of the commissioner of the department of environmental management, for a term not to exceed ninety-nine years to Malcolm F. Fryer, Jr., and Richard E. Dobroth, Trustees of Wannalancit Office and Technology Center Realty Trust, or their assigns, certain land in the city of Lowell to be used as a parking facility on such terms and conditions as said commissioner shall negotiate with said Trustees. Said land contains approximately thirty-six thousand four hundred and fifty square feet, more or less, and is bounded and described as follows:

Beginning at a point at the northeasterly corner of the property at land now or formerly of Courier-Citizen Company, and adjacent to a 30 foot wide right of way,

Thence running S 41°41'48"E 81.37 feet;

Thence running S 48°19'12"W 400.17 feet;

Thence running S 41°40'48"E 14.87 feet;

Thence running S 48°19'12"W about 15 feet, more or less;

Thence running N 41°40'48"W about 33 feet, more or less;

Thence running S 48°19'12"W about 33 feet, more or less;

Thence running N 41°41'48"W more or less 68 feet, more or less;

Thence running N 48°19'12"W 450 feet to the point of beginning.

SECTION 2. In consideration of the lease provided for in section one, Malcolm F. Fryer, Jr., and Richard E. Dobroth, trustees, or their nominee, shall lease for a term not to exceed ninety-nine years to the division of capital planning and operations acting for and on behalf of the commonwealth, subject to the approval of the department of environmental management, certain space in a building in the city of Lowell known as the Wannalancit Mill, comprising about six thousand one hundred and fifty square feet of first floor space containing turbine hatches and about six thousand eight hundred square feet of basement space in said Wannalancit Mill building containing seven water turbines, to be used as an interpretive exhibit facility. Such lease shall be such terms and conditions as said division and department and Malcolm F. Fryer, Jr., and Richard E. Dobroth, and said Trustees, or nominee, shall negotiate.

Approved December 10, 1983.

Chap. 559. AN ACT RELATIVE TO THE JURISDICTION OF JUVENILE COURTS.

Be it enacted, etc., as follows:

SECTION 1. Section 59 of chapter 218 of the General Laws is hereby amended by adding the following paragraph:-

Juvenile courts and juvenile sessions of the district court department shall also have jurisdiction in equity concurrent with the supreme judicial court and the superior court department in all cases and matters arising under the provisions of chapter one hundred and nineteen.

SECTION 2. Nothing in this act shall be construed to limit any presently existing authority of the department of social services, the department of youth services, the department of mental health, or the court to place children pursuant to chapter one hundred and nineteen of the General Laws.

Approved December 10, 1983.

Chap. 560. AN ACT RELATIVE TO RENOVATIONS TO NURSING HOMES AND CONVALESCENT HOMES FOR ENERGY CONSERVATION PURPOSES.

Be it enacted, etc., as follows:

Section 1 of chapter 40D of the General Laws is hereby amended by striking out paragraph (l), as most recently amended by chapter 778 of the acts of 1981, and inserting in place thereof the following paragraph:-

(l) "Industrial enterprise", an enterprise engaged 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, or to stationary facilities and equipment necessary or useful in connection with railroad operations, including railroad rights of way and all associated tracks and facilities or to the making of works of art by self-employed artists or to the construction and renovation of a nursing or convalescent home licensed under the provisions of section seventy-one of chapter one hundred and eleven, including renovations for energy conservation purposes. In any city or in a town subject to the provisions of clause (k) of subdivision (2) of section twelve, industrial enterprise shall also include commercial enterprise, which shall mean the conduct of a trade or business.

Facilities for the use of governmental and nonprofit entities shall be considered facilities to be used in a commercial enterprise, and bonds may be issued under this chapter to finance costs of such facilities, including such costs paid prior to the authorization of such bonds as the board of directors of the Massachusetts Industrial Finance Agency, referred to in this chapter as the MIFA board, shall approve in connection with the provision of such facilities; and for this purpose the term commercial enterprise shall be read to include the operation of such facilities, but the requirements of clause (e) of subsection (2) of section twelve shall not apply if the MIFA board determines that the issuance of the bonds will result in a public benefit. Rental housing, other than facilities to be rented primarily to transient guests, may not be financed under this chapter. Artists' studios having incidental living accommodations attached thereto shall not be deemed to be rental housing within the meaning of this chapter.

Approved December 10, 1983.

Chap. 561. AN ACT PROVIDING FINANCING FOR THE REHABILITATION OF THE DEER ISLAND SEWERAGE TREATMENT FACILITY LOCATED IN SUFFOLK COUNTY.

Be it enacted, etc., as follows:

SECTION 1. The secretary of environmental affairs is hereby authorized to expend a sum not to exceed ten million dollars for the design, construction and purchase of material and equipment to repair, rehabilitate and renovate the metropolitan district commission's Deer Island sewerage treatment plant located in Suffolk county.

SECTION 2. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary for the purpose of meeting payments authorized by section one 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 fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, but the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, nine-

teen hundred and ninety-five.

Notes and interest thereon issued under the authority of this section, notwithstanding any other provisions of this act, shall be general obligations of the commonwealth.

SECTION 3. To meet the expenditures necessary in carrying out the provisions of section one, the state treasurer shall, upon the 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 ten million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Deer Island Sewerage Treatment Improvement Loan, Act of 1983, 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 seven. All interest and payments on account of principal of such obligations shall be payable from the Metropolitan District Sewerage 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.

Approved December 12, 1983.

Chap. 562. AN ACT PROVIDING FOR THE PAYMENT BY THE COMMONWEALTH OF NINETY PER CENT OF THE HEALTH INSURANCE PREMIUM REQUIRED TO BE PAID TO THE INSURANCE COMMISSION BY THE SURVIVING SPOUSE OF AN INSURED EMPLOYEE OR RETIRED EMPLOYEE.

Be it enacted, etc., as follows:

Chapter 32A of the General Laws is hereby amended by striking out section 11, as most recently amended by section 11 of chapter 958 of the acts of 1977, and inserting in place thereof the following section:-

Section 11. Upon the death of an employee or retired employee insured under this chapter, the surviving spouse may continue the group general or blanket insurance covering himself or his dependents providing hospital, surgical, medical, dental and other health insurance until the remarriage or death of said surviving spouse; provided, however, that application for such

insurance coverage shall be filed with the commission and a method for the payment of premiums shall be determined in accordance with its rules and regulations; and provided, further, that said surviving spouse shall pay ten per cent of the monthly premium for such insurance and the commonwealth shall contribute the remaining ninety per cent of said premium subject, where applicable, to reimbursement as provided under section ten B. Said commission shall determine the amount of said premium which may be the entire average group premium for hospital, surgical, medical, dental and other health insurance applicable to an employee, an employee and his dependents, or a premium computed on a basis considered by said commission to be equitable in relation to all insured employees and all former employees who have retired and who have continued such coverage under the provisions of section ten or are insured under the provisions of section ten B.

Approved December 12, 1983.

Chap. 563. AN ACT RELATIVE TO RESTRICTIONS ON THE HOURS OF OPERATION FOR REFUSE VEHICLES.

Be it enacted, etc., as follows:

Section 31A of chapter 111 of the General Laws is hereby amended by striking out the first sentence, as appearing in chapter 282 of the acts of 1937, and inserting in place thereof the following sentence:- No person shall remove or transport garbage, offal or other offensive substances through the streets of any city or town without first obtaining a permit from the board of health of such city or town; provided, however, that no rules or regulations shall restrict the hours of the day when garbage, offal or other offensive substances may be collected in areas zoned for business, commercial or industrial use.

Approved December 12, 1983.

Chap. 564. AN ACT AUTHORIZING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO GRANT AN EASEMENT TO THE WAREHAM HOUSING AUTHORITY FOR DRAINAGE PURPOSES IN CERTAIN LAND SITUATED IN THE TOWN OF WAREHAM.

Be it enacted, etc., as follows:

The division of capital planning and operations, acting in the name and on behalf of the commonwealth, is hereby authorized to grant to the Wareham Housing Authority by deed approved as to form by the attorney general an easement in a strip of land under the control of the commissioner of mental health.

Said land in the town of Wareham containing 1110 square feet, more or less shall be used for drainage easement purposes and is situated on the southerly side of Church avenue in said town and shown on a plan entitled: "Drainage Easement Plan Prepared For Wareham Housing Authority Over Land Of Town of Wareham and Land Of Commonwealth of Massachusetts Department of Mental Health, Scale 1"=60', May 14, 1982, Charles L. Rowley & Associates, Civil Engineers & Surveyors, West Wareham, Mass." and being more particularly described as follows:

Beginning at a point in line of land of the Wareham Housing Authority, and S 39°-47'-50" W of and 218.22 feet distant from a concrete bound set in the southwesterly sideline of Church Avenue;

thence in line of land of Wareham Housing Authority, S 39°-47'-50" W, a distance of 20.00 feet;

thence in line of remaining land of Commonwealth of Massachusetts, Department of Mental Health, N 50°-11'-50" W, a distance of 54.46 feet to land of the Town of Wareham;

thence in line of said Town of Wareham land, N 33°-27'-10" E, a distance of 20.12 feet to an iron pipe as shown on said plan;

thence again in line of remaining land of Commonwealth of Massachusetts, Department of Mental Health, S 50°-11'-50" E, a distance of 56.68 feet to the point of beginning.

Approved December 12, 1983.

Chap. 565. AN ACT RELATIVE TO HEALTH CARE SERVICES FOR CERTAIN PATIENTS IN NURSING HOMES.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 94C of the General Laws is hereby amended by inserting after the definition of "Nurse" the following definition:-

"Nurse practitioner", a nurse with advanced training who is authorized to practice by the board of registration in nursing as a nurse practitioner, as provided for in section eighty B of chapter one hundred and twelve.

SECTION 2. Said section 1 of said chapter 94C is hereby further amended by inserting after the definition of "Pharmacy"

the following definition:-

"Physician assistant", a person who is a graduate of an approved program for the training of physician assistants who is supervised by a registered physician in accordance with sections nine C to nine H, inclusive, of chapter one hundred and twelve.

SECTION 3. Paragraph (g) of section 7 of said chapter 94C is hereby amended by adding the following paragraph:-

The commissioner shall promulgate regulations which provide for the registration of nurse practitioners and physician assistants to issue written prescriptions for patients in long term care facilities or for chronic patients in home care settings where the individual would otherwise require institutionalization. Prior to promulgating such regulations, the commissioner shall consult with the board of certification and approval of physician assistant training programs, the board of registration in medicine and the board of registration in nursing with regard to those schedules of controlled substances for which nurse practitioners or physician assistants may be registered.

SECTION 4. Said chapter 94C is hereby further amended by striking out section 9, as most recently amended by section 13 of chapter 1190 of the acts of 1973, and inserting in place thereof the following section:-

Section 9. (a) A physician, dentist, podiatrist, nurse practitioner as limited by paragraph (g) of section seven of this chapter and section eighty E of chapter one hundred and twelve and physician assistant as limited by said paragraph (g) of said section seven and section nine E of said chapter one hundred and twelve, or veterinarian when registered pursuant to the provisions of said section seven and when acting conformably with the provisions of applicable federal law and any provisions of this chapter which is consistent with federal law, in good faith and in the course of his professional practice for the alleviation of pain and suffering or for the treatment or alleviation of disease, may possess such controlled substances as he may reasonably require for the purpose of patient treatment and may administer controlled substances, or he may cause the same to be administered under his direction by a nurse.

(b) Notwithstanding the provisions of section seventeen, a physician, dentist, podiatrist, or veterinarian who is registered pursuant to the provisions of said section seven, when acting in good faith and in the legitimate practice of medicine, dentistry, podiatry or veterinary medicine, or a nurse when authorized by a physician, dentist, podiatrist, nurse practitioner, physician assistant or veterinarian in the course of said nurse's professional practice, may dispense by delivering to an ultimate user a

controlled substance in a single dose or in such quantity as is in the opinion of the physician, dentist, podiatrist, nurse practitioner, physician assistant or veterinarian is essential for the proper treatment of the patient, provided, however, that such amount or quantity of said controlled substance shall not exceed the amount needed for the immediate treatment of the patient and that all further such controlled substances required by the person as part of his treatment shall be dispensed by prescription to the ultimate user in accordance with the provisions of this chapter.

For purposes of this subsection the words "immediate treatment" shall mean that quantity of a controlled substance which is necessary for the proper treatment of the patient until it is possible for him to have a prescription filled by a pharmacy.

(c) A nurse who has obtained from a physician, dentist, podiatrist, or veterinarian a controlled substance for dispensing to an ultimate user pursuant to the provisions of subsection (b) or for administration to a patient pursuant to the provisions of subsection (a) during the absence of such physician, dentist, podiatrist, or veterinarian shall return to such physician, dentist, podiatrist, or veterinarian any unused portion of such substance which is no longer required by the patient.

(d) Every physician, dentist, podiatrist or veterinarian shall in the course of his professional practice keep and maintain records, open to inspection by the commissioner during reasonable business hours, which shall contain the names and quantities of any controlled substance in Schedule I, II or III received by the practitioner; the name and address of the patient for whom the controlled substance is administered or dispensed; the name, dosage and strength per dosage unit of such controlled substance; and the date of administration or dispensing.

SECTION 5. Section 9E of chapter 112 of the General Laws, as appearing in section 1 of chapter 937 of the acts of 1973, is hereby amended by inserting after the second paragraph the following paragraph:-

A physician assistant may, for patients in long term care facilities or for chronic patients in home care settings where the individual would otherwise require institutionalization, order therapeutics and tests and issue written prescriptions subject to paragraph (g) of section seven of chapter ninety-four C. Any prescription of medication made by a physician assistant must include the name of the supervising physician.

SECTION 6. The definition of "Professional nursing" in section 80B of said chapter 112, as appearing in section 2 of chapter 846 of the acts of 1975, is hereby amended by striking out, in line

5, the words "or dentist" and inserting in place thereof the words:- dentist, nurse practitioner, or by a physician assistant.

SECTION 7. The definition of "Practical nursing" in said section 80B of said chapter 112, as appearing in section 4 of chapter 595 of the acts of 1957, is hereby amended by striking out, in line 5, the words "or dentist" and inserting in place thereof the following words:- dentist, nurse practitioner or by a physician assistant.

SECTION 8. Said chapter 112 is hereby further amended by inserting after section 80D the following section:-

Section 80E. A nurse practitioner authorized to practice as such by the board may, for patients in long term care facilities or for chronic patients in home care settings where the individual would otherwise require institutionalization, order therapeutics and tests in accordance with regulations promulgated jointly by the board and the board of registration in medicine and issue written prescriptions subject to paragraph (g) of section seven of chapter ninety-four C. Any prescription of medication made by a nurse practitioner must include the name of the supervising physician.

SECTION 9. The department of public health shall promulgate regulations as provided for in the second paragraph of paragraph (g) of section seven of chapter ninety-four C of the General Laws, inserted by section three of this act, prior to March first, nineteen hundred and eighty-four. The board of registration in medicine and the board of registration in nursing shall promulgate regulations as provided for in sections two and six of this act by March first, nineteen hundred and eighty-four.

Approved December 12, 1983.

Chap. 566. AN ACT ESTABLISHING THE DOWNTOWN LOWELL HISTORIC DISTRICT AND THE LOWELL HISTORIC BOARD.

Be it enacted, etc., as follows:

SECTION 1. This act shall be known and may be cited as the Lowell Historic District Act.

SECTION 2. As used in this act, the following terms shall have the following meanings:-

"Administrator", the administrator of the Lowell historic board,

appointed by vote of a majority of the board.

"Application", application for an historic permit or certificate of nonapplicability.

"Board", the Lowell historic board.

"Certificate of nonapplicability", certificate issued by the board, or, as provided herein, the administrator, upon determination that no historic permit is required for a proposed development within the districts.

"City", the city of Lowell.

"Development", the erection, demolition, reconstruction, or alteration of any exterior architectural features of any building or structure, including, but not limited to, alteration of the site topography or general architectural arrangement of such portion of the exterior of any building or structure as is designed to be open to view from any street, canal or way open to public or private vehicular or pedestrian travel. The use or change of use of any building or structure shall not be considered "development".

"Districts", downtown district as defined herein, and, in addition, any neighborhood districts designated pursuant to this act.

"Downtown district", the Downtown Lowell Historic District established by this act or as may be amended from time to time as provided herein.

"Neighborhood district", an historic district within the city, other than the downtown district, designated by the city council of the city of Lowell.

"Historic permit", permit granted by the board, or as provided herein, the administrator, for development within the district.

"Person", natural person, corporation, trust, partnership, incorporated or unincorporated association, and any other legal entity; but excluding the city, the commonwealth, and the government of the United States, or any agencies thereof.

"Standards", historic preservation standards applicable to the downtown district and promulgated by the board as part of its regulations.

"Neighborhood standards", historic preservation standards proposed by the neighborhood committee for its neighborhood district and promulgated by the board as part of the board's regulations. Each neighborhood district shall have its own neighborhood standards.

"Neighborhood committee", subcommittee of the board having primary responsibility for review of applications for development within a neighborhood district. Each neighborhood district shall have a neighborhood committee.

"Minor development", shall be defined in the board's regulations, and shall include, but not be limited to: cleaning of a

building, repainting in original colors, repairing or replacing architectural elements according to historically compatible plans, and placement or removal of certain minor sign types.

"Major development", shall be defined in the board's regulations, and shall include, but not be limited to: alterations to exterior facades, construction of additions to existing buildings, new construction, demolition of any structures, and placement or removal of certain major sign types.

SECTION 3. The purposes of this act are:

(1) to promote the educational, cultural, economic and general welfare of the public through the preservation, protection and enhancement of the unique historic values of the city of Lowell, birthplace of the American industrial revolution;

(2) to preserve, protect and enhance the distinctive characteristics and architecture of buildings and places significant in the history of the city and of the commonwealth and the United States, ensure maintenance and improvement of the settings for such buildings and places, and encourage design compatible therewith;

(3) to ensure appropriate and coordinated development in the districts, and to prevent development which would impair or be unduly detrimental to the locally and nationally significant structures, and the general historic values, of the districts;

(4) to adopt standards which shall govern all development within the districts, as required by the legislation establishing the Lowell National Historical Park, Public Law 95-290, in order to carry out these purposes;

(5) to consolidate and expand the existing districts previously established pursuant to chapter forty of the General Laws;

(6) to expedite administrative review of development within the districts.

SECTION 4. There is hereby established the Downtown Lowell Historic District. The downtown district shall incorporate and supercede the existing City Hall Historic District and Locks and Canals Historic District, and shall initially consist of that property with buildings thereon located in said city, containing approximately four hundred acres being shown on a map on file with the city clerk's office, bounded and described as follows:

Beginning at a point of confluence of the Merrimack and Concord Rivers,

Northerly along the mid-point of the Merrimack River to the Aiken Street Bridge,

Northwesterly along said Aiken Street to a point one hundred feet north of the Northern Canal,

Northerly in a curved line 100 feet north and parallel to said

Northern Canal through property now or formerly of Notini and University of Lowell, to the mid-point of the Merrimack River,

Westerly in a curved line along the mid-point of the Merrimack River, parallel to the Northern Canal wall, to the School Street Bridge,

Northwesterly along the School Street Bridge to the opposite shore of the Merrimack River,

Westerly along the bank to the intersection of the Pawtucket Dam and the shore of the Merrimack River,

Southwesterly across the Merrimack River crossing Pawtucket Street along the western border of Francis Gate Park to a point on Shaffer Street approximately 238 feet north of the intersection of Shaffer Street and Broadway (the boundary here does not include any portion of said Shaffer Street or Broadway),

Northerly approximately 160 feet along the boundary of a parcel now or formerly of the Lowell Housing Authority,

Westerly approximately 20 feet along the boundary of said parcel,

Northerly approximately 80 feet along the boundary of said parcel,

Easterly on a crooked line by land now or formerly of Trustees of Lowell Fruit Company approximately 260 feet,

Northerly by land now or formerly of said Trustees approximately 80 feet,

Westerly crossing Broadway to a point 200 feet west of Pawtucket Canal,

Proceeding on a curved line 200 feet parallel to the Pawtucket Canal to the mid-point of Pevey Street, and continuing along said mid-point of Pevey Street to the School Street Bridge over Pawtucket Canal,

Westerly along School Street to Payne Street, Southerly along Payne Street, crossing Saunders Street, then

Continuing Southerly on seven lines along the property line of land now or formerly of the city of Lowell currently used as a playground to property now or formerly owned by the Lowell Boys Club Association, then

Westerly along the boundary of said Lowell Boys Club Association to the mid-point of Middlesex Street,

Southerly on Middlesex Street to the intersection with Boston & Maine Railroad tracks, then

Southwesterly along said tracks to Hale Street, then

Southeasterly to Thorndike Street,

Northeasterly on Thorndike Street to Middlesex Street at the Lord overpass, then

Southerly along a line to Eliot Street which line would appear as an extended version of Spring Street, a public way not currently in use,

Westerly along Eliot Street across Appleton Street to and including the Appleton Street row houses,

Southerly along said row houses to a parking lot,

Southwesterly along land now or formerly of Lowell Housing Authority, to Gorham Street,

Westerly along Gorham Street to Charles Street, Southerly on two lines along Charles Street to the mid-point of the Concord River,

Easterly along said mid-point of the Concord River to the point of beginning.

Excepting therefrom a parcel of land with buildings thereon located within the above-described parcel, bounded and described as follows:

Beginning at a northeasterly point twenty feet west of the Western Canal and 200 feet south of the Northern Canal,

Northerly on a curved line 200 feet south and parallel to said Northern Canal across Moody Street,

Northeasterly along Moody Street to the University Avenue Bridge (Pawtucket Street),

Westerly on a curved line 100 feet southeast and parallel to said Northern Canal, recrossing Pawtucket Street,

Easterly along a curved line 100 feet east and parallel to the Pawtucket Canal to Madonna Circle, then following the rail spur, crossing Broadway, and continuing along the rails now or formerly of the Boston and Maine Railroad, crossing School Street, to Western Avenue,

Southeasterly along Dutton Avenue to Dutton Street,

Southerly along Dutton Street to the common boundary of two lots now or formerly owned by Edward A. Souza (3,679 square feet) and Frank G. W. McKittrick,

Easterly along said boundary line to Suffolk Street,

Southeasterly on a curved line along Suffolk Street to Cross Street,

Northerly along Cross Street to Adams Street,

Easterly along Adams Street to St. Patrick's parking lot (St. Patrick's Church building being included in the Downtown District),

Southerly along the property line between said church and said parking lot to Suffolk Street,

Southeasterly along Suffolk Street to Market Street,

Easterly crossing Market Street 20 feet west and parallel to the Western Canal to the point of beginning.

Unless otherwise specifically noted, lines along streets shall be to the mid-point of said streets.

The city council of the city of Lowell on its own motion, the board, or any group of ten residents or property owners in the city may propose to said city council changes in the boundaries

of the downtown district. Said city council, by a two-thirds vote, and after notice and hearing provided by said city council in the same manner as in section eleven, may make such changes as they deem appropriate in the boundaries of the downtown district.

SECTION 5. There is hereby established within the government of the city of Lowell the Lowell historic board, consisting of nine members who shall be appointed within sixty days after the effective date of this act as follows:-

(a) five members to be appointed by the city manager of the city of Lowell and confirmed by the city council of said city, including one attorney from two nominated by the Lowell Bar Association, one representative from two nominated by the Lowell Historical Society, one member of the planning board of said city, one person having an interest in real property within the downtown district who has been selected from two persons nominated by the Lowell chamber of commerce in consultation with the Downtown Business Association and who is a member of both the Lowell chamber of commerce and the Downtown Business Association, one architect from two nominated by the local chapter of the American Institute of Architects; provided, however, that in the event any of the nominations made pursuant to this subsection are unacceptable to said city manager, he may request the submission of up to two substitute nominees from the designated nominating body;

(b) the director of the city division of planning and development;

(c) one member to be appointed by the chairman of the Lowell historic preservation commission;

(d) one member to be appointed by the superintendent of the Lowell National Historical Park; and

(e) one member to be appointed by the commissioner of environmental management of the executive office of environmental affairs, or any successor agency.

Upon dissolution of the Lowell historic preservation commission, the member to be appointed by said commission shall be appointed by said city manager to represent historic preservation interests. Appointees to the board shall become official members of the board upon their acceptance of office, and shall each be sworn into office by the city clerk of said city within thirty days of their appointment. The board shall hold its first meeting within ten days of being sworn into membership, and shall at that meeting elect from its members, by a vote of five members, a chairman and vice-chairman. Election for chairman and vice-chairman shall be held every year thereafter.

Board members shall be appointed for two-year terms; except

that for initial appointments, the attorney chosen to represent the Lowell Bar Association, the representative chosen to represent the Lowell Historical Society, the member appointed by the chairman of the Lowell historic preservation commission, the member appointed by the superintendent of the Lowell National Historical Park, and the member of the planning board of said city, shall all serve for three-year terms. Vacancies shall be filled in the same manner as original appointment within sixty days after creation of the vacancy. Any board member who fails to attend three consecutive regular or special meetings of the board without good cause approved by the chairman of the board, shall be subject to dismissal by a vote of five members of the board. The chairman shall give written notice to such board member at least ten days prior to the meeting at which said vote is to be taken, and said board shall meet, upon the board member's request, within said ten day period, to consider any relevant information justifying such failure to attend.

Members of the board are hereby deemed special municipal employees for purposes of chapter two hundred and sixty-eight A of the General Laws. All staff members or other employees of the board shall be city employees. Members of the board, staff members, and other employees of the board shall not be subject to the provisions of chapter thirty-one of the General Laws. The historical commission of the city of Lowell established pursuant to chapter forty C of the General Laws is hereby abolished, effective on the date of the first meeting of the board.

SECTION 6. Within ninety days of its first meeting, the board shall appoint by a vote of five members of the board an administrator, who shall serve for such term as the board may determine and shall assist the board in carrying out its powers and duties pursuant to this act. The administrator shall have such duties and responsibilities as the board may provide in its rules and regulations. At minimum, the administrator shall perform a preliminary review of all applications for historic permits and certificates of nonapplicability, shall award historic permits for minor development, and shall ensure to the best of his abilities compliance with this act.

SECTION 7. The board shall have all powers and duties reasonably necessary to carry out the purposes of this act, including, but not limited to the following:-

(1) To promulgate, amend, and enforce the standards, which shall apply to all development, by any person, within the downtown district; and to promulgate and enforce the neighborhood standards and any interim standards. The board may amend such standards as may be necessary, which amendment shall be

in the same manner as original adoption. The board shall provide in its regulations for modification of the otherwise applicable standards or neighborhood standards in certain hardship cases.

(2) To promulgate and enforce any other rules and regulations to carry out the purposes of this act.

(3) To grant, grant with conditions, or deny historic permits or certificates of nonapplicability for development within the districts. Conditions to the grant of an historic permit may include, without limitation, imposition of perpetual historic preservation restrictions or easements.

(4) To determine an amount reasonable for application fees and to collect such fees, to accept gifts, appropriations and grants, and to disburse all such monies in order to further the purposes of this act.

(5) To propose to the city council of the city of Lowell changes in the boundaries of the districts and to propose new neighborhood districts.

(6) To sue or be sued.

(7) To publish in cooperation with other interested agencies, guides, maps and other materials to document and highlight the historic resources of said city and to explain the standards and procedures for development within the districts.

(8) To acquire, accept, and maintain real property or interests in real property for historic preservation purposes. The board shall have no power of eminent domain.

(9) To accept, purchase, or require, as a condition to the grant of an historic permit, historic preservation restrictions or easements.

(10) To establish an historic markers program.

(11) To conduct studies of the historic and archaeological assets of said city.

(12) To conduct training sessions for the board on technical subjects related to their duties as board members.

(13) To serve in an advisory capacity to the city manager of said city, planning board of said city, director of the city division of planning and development, Massachusetts historical commission, and other public agencies, in matters pertaining to or affecting any historic structures, sites, areas or assets of archaeological interest in said city.

(14) To hire such technical staff or consultants as may be required to carry out its responsibilities. Such technical and consulting services may include, but are not limited to, experts in the fields of architecture, planning, law, and historical or archaeological research. Administrative, clerical, and other necessary support staff may also be hired by the board. The director of the city division of planning and development shall, whenever possible, provide assistance to the board.

(15) To delegate authority to the administrator as it deems necessary to carry out the purposes of this act.

SECTION 8. Standards applicable to development within the downtown district shall be adopted by the board, after notice and public hearing as provided in section six, within one hundred and twenty days after holding its first meeting. Interim standards may be adopted by the board, after notice and hearing as provided in section eleven, except that no notice is required to abutters, for use until the final standards are adopted. The standards shall be consistent with those approved by the Secretary of the Interior on January nineteenth, nineteen hundred and eighty-one which are contained in "Details of the Preservation Plan", published by the Lowell historic preservation commission. Specific standards may be adopted to apply only to certain portions of the downtown district, such as commercial streets, entry routes to the city of Lowell, and buffer zones to historic buildings. The standards shall set forth, at minimum: acceptable materials, techniques, height, massing, setback, and architectural detailing for the exteriors of structures; standards for signage, landscaping and design of open spaces and parking areas. The board may amend the standards as it deems necessary. Any such amendments shall be made in the same manner as original adoption of the standards.

SECTION 9. Upon its own motion, or upon nomination in writing by the board or any group of ten residents or property owners within the city of Lowell, the city council of said city may designate by a three-fourths vote of its members a neighborhood district. Upon the designation of a neighborhood district, the board shall appoint five of its members as a neighborhood committee, which shall advise the board in carrying out the purposes of this act with regard to the neighborhood district. The neighborhood committee shall consist of at least one member of the board who is a resident of the neighborhood district, and one member who is a property owner, within said neighborhood district. If the board has no such members, the city manager of said city shall appoint, with assistance from the board, residents and property owners of the neighborhood district to serve as members of the neighborhood committee. Members of a neighborhood committee shall have such powers and duties as shall be delegated by the board in its regulations.

As soon as practicable after designation of a neighborhood district, the neighborhood committee shall propose, and the board shall adopt, with any additions or amendments as the board shall see fit, neighborhood standards which shall be applicable to such neighborhood district. Neighborhood districts

shall not be subject to the downtown district standards except as any or all of those standards are specifically incorporated into the neighborhood standards; provided, however, that all development within a neighborhood district shall require an historic permit or certificate of nonapplicability. The board, or, where appropriate, the administrator, shall grant, grant with conditions or deny historic permits or certificates of nonapplicability for development within the neighborhood district upon recommendation by the neighborhood committee. Procedures applicable to the neighborhood committee shall be provided for by the board in its regulations.

SECTION 10. No person shall perform any development within any districts without having filed an application with the administrator and having received from the board or, where applicable, the administrator, an historic permit or certificate of nonapplicability; nor shall any building or other city permit be issued to such person until an historic permit or certificate of nonapplicability has been so received. Within seven days after receipt of an application, the administrator shall render a determination, based upon the standards, or where applicable, neighborhood standards, whether the development proposed by the application is a major development or minor development. If the administrator determines that a proposed development is a minor development, he shall in writing grant, grant with conditions, or deny an historic permit within seven days after receipt of the application and shall without delay send a copy of such decision to the board. If the administrator determines that a proposed development is a major development, or is not subject to the standards or neighborhood standards, he shall refer the application for such development to the board for consideration for an historic permit or a certificate of nonapplicability. The administrator shall prepare written comments and send them to the board on any application within ten days after receipt thereof.

All applications for development which the administrator has referred to the board shall be placed on the agenda and discussed at a meeting of the board. Historic permits or certificates of nonapplicability shall be issued by the board by a vote of five of its members. An applicant may request in the application a preliminary review by the administrator, but any guidance offered shall not constitute nor guarantee the granting of an historic permit or certificate of nonapplicability.

Within twenty-one days after receipt by the administrator of an application for a major development, the board shall conduct a public hearing on the application after providing notice pursuant to section eleven. A written decision on the application, granting, granting with conditions, or denying an historic permit or

certificate of nonapplicability and setting forth the reasons for the board's decision, shall be rendered by the board and filed with the city clerk of said city within sixty days after such hearing. Failure by the board to file its decision with said city clerk within sixty days after the hearing on the application shall be deemed to be approval of the application. A copy of the decision shall also be mailed to the applicant by certified mail within sixty days after such hearing. Historic permits for major development shall be recorded by the applicant in the registry of deeds within ten days after the expiration of the period of appeal provided in section twelve.

All time requirements contained within this section, except the requirements of section eleven referred to herein; may be modified by written agreement of the board and an applicant for an historic permit or certificate of nonapplicability.

SECTION 11. All hearings required by this act, except as provided in section four, shall be held by the board only after notice of the time, place and sufficient identification of the subject matter of such hearing shall have been given by the board by advertisement in a newspaper of general circulation in the city of Lowell not less than seven days before the day of such hearing, and by posting such notice in a conspicuous place in the office of the city clerk of said city and the office of the director of the city division of plannning and development for a period of not less than seven days before the day of such hearing. Notice for a hearing on an application shall be given at the expense of the applicant and shall also require mailing a copy of such notice to the applicant and to all owners of land abutting the land included in the application as appear on the most recent city tax list.

SECTION 12. No claim of invalidity of the standards, neighborhood standards, boundaries of the districts or any amendment thereto, designation of a neighborhood district, or the board's regulations or any amendment thereto, shall be made in any legal proceeding, unless commenced within thirty days after the adoption thereof and unless notice specifying the court, parties, invalidity claimed and date of filing is filed together with a copy of the complaint with the city clerk of said city within seven days after the commencement of the action.

Within seven days after the issuance of any written decision by the administrator, any person aggrieved may file an appeal to the board.

Within twenty days after the filing by the board of a decision on an application with said city clerk, any party aggrieved may file an appeal to the trial court department of the superior

court. Notice of the action with a copy of the complaint shall be given to the city clerk so as to be received within such twenty days. The complaint shall allege that the decision exceeds the authority of the board, and any factors pertinent to the issue, and shall contain a prayer that the decision be annulled. There shall be attached to the complaint a copy of the decision appealed from, bearing the date of filing thereof, certified by said city clerk.

If the complaint is filed by someone other than the original applicant, such original applicant, and all members of the board, shall be named as parties defendant with their addresses. To avoid delay in the proceedings, instead of the usual service of process, the plaintiff shall within fourteen days after the filing of the complaint, send written notice thereof, with a copy of the complaint, by delivery or certified mail to all defendants, including the members of the board and shall within twenty-one days after the entry of the complaint file with the clerk of the court an affidavit that such notice has been given. If no such affidavit is filed within such time the complaint shall be dismissed. No answer shall be required, but an answer may be filed and notice of such filing with a copy of the answer and an affidavit of such notice given to all parties as provided above within seven days after the filing of the answer. Other persons may be permitted to intervene upon motion. The clerk of the court shall give notice of the hearing as in other cases without jury, to all parties whether or not they have appeared. The court shall hear all evidence pertinent to the authority of the board and, upon the facts as so determined, annul such decision if found to exceed the authority of the board or make such other decree as justice and equity may require. The foregoing remedy shall be exclusive, notwithstanding any defect of procedure or of notice other than notice by publication, mailing or posting as required by this act.

Costs shall not be allowed against the board unless it shall appear to the court that the board in making the decision appealed from acted with gross negligence, in bad faith or with malice. Costs shall not be allowed against the party appealing from the decision of the board unless it shall appear to the court that said appellant or appellee acted in bad faith or with malice in making the appeal to the court. All issues in any proceeding under this section shall have precedence over all other civil actions and proceedings.

SECTION 13. The administrator shall issue a certificate of compliance in recordable form upon determination by the board that the development has been completed in accordance with the historic permit.

SECTION 14. Upon determination by the board that any person is in violation of this act or regulations promulgated hereunder, the board shall issue an order requiring that such violation be corrected and that any development in violation of this act cease and desist. The superior court department of the trial court shall have jurisdiction to enforce the provisions of this act and any regulations promulgated hereunder, and may restrain by injunction violations hereof.

Any person found by the board to be in violation of this act or regulations promulgated by the board hereunder shall be assessed a maximum penalty of one hundred dollars per day for each day of such violation.

SECTION 15. All books, papers, records, documents, equipment, lands, interest in land, buildings, facilities, and other property, both personal and real, which, immediately prior to the effective date of this act, are in the custody of the historical commission of the city of Lowell established pursuant to chapter forty C of the General Laws, and which relate to or are maintained for the purpose of the exercise of powers or as a performance of duties under said chapter forty C or this act shall be transferred by said commission to the board.

All orders, actions, guidelines, rules and regulations, procedures, by-laws, ordinances, licenses, permits, authorities, permissions, certificates, approvals, and endorsements duly granted by the city of Lowell, any agency of said city, or the historical commission of the city of Lowell and which are in effect immediately prior to the effective date of this act, shall continue in full force and effect and the provisions thereof shall thereafter be enforced, until superseded, revised, rescinded or cancelled in accordance with this act or any other applicable law. All applications for development within any districts which are pending before the historical commission of the city of Lowell for which no final decision has been rendered by that commission must be resubmitted as an application pursuant to this act.

SECTION 16. Effective upon the date of the first meeting of the board: Chapter Two, Article XIV of the Code of the city of Lowell is hereby repealed.

SECTION 17. This act shall take effect upon its passage.

Approved December 13, 1983.

Chap. 567. AN ACT AUTHORIZING THE TOWN OF NORTHBOROUGH TO ACQUIRE CERTAIN EASEMENTS FOR WATER AND SEWER PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The division of capital planning and operations, acting in the name and on behalf of the commonwealth, with the approval of the water resources commission, is hereby authorized to grant permanent easements in land located in the town of Northborough under the control of said commission for the purpose of the installation, construction, maintenance, operation, repair, and replacement of a water and sanitary sewer system to the town of Northborough, and being more particularly bounded and described as follows:

Beginning at a point being the Interstate Route 290 Massachusetts Highway Bound located on the common property line between the land now or formerly of Juliane and Joel Leavitt and the Commonwealth of Massachusetts;

Thence running N30°-48'-17"E along said common property line, 66.53 feet to a point;

Thence running S79°-31'-46"W, 157.09 feet to a point;

Thence running S57°-11'-15"W, 355.38 feet to a point;

Thence running N67°-29'-47"W, 125.06 feet to a point;

Thence running S27°-14'-56"W, 1.47 feet to a point;

Thence running S46°-09'-42"W, 53.00 feet to a point;

The last two courses being by land of Juliane and Joel Leavitt;

Thence running S67°-29'-47"E, 168.09 feet to a point;

Thence running N57°-11'-15"E, 365.18 feet to a point;

Thence running N79°-31'-46"E, 113.20 feet to the point of beginning.

The above described land contains 0.71 acres more or less.

The above described land is a portion of the land taken by the commonwealth of Massachusetts through its Water Resources commission in an order of taking dated October 23, 1961 and recorded with the Worcester district registry of deeds in Book 4235, Pages 271 through 278 and are shown on a plan entitled "Easement Plan of Land in Northborough and Marlborough" and recorded in plan book 259, plan 75. Said land was taken by said commission by virtue of the authority and in the exercise of the powers conferred by chapter six hundred and sixty-nine of the acts of nineteen hundred and sixty, for the purpose of flood prevention and related purposes.

The location and design of said water and sanitary sewer system shall be subject to the approval of said division of capital planning and operations and said commission.

The consideration for the above described easement shall be subject to an agreement between the division of capital planning and operations and said town and approved as to form by the attorney general.

Said division of capital planning and operations shall also

authorize the said town to enter upon the within easement for the purpose of passing and repassing over said easement for the purpose of installation, construction, maintenance, operation, repair and replacement of the water and sanitary sewer system adjacent to this said easement, provided, that said town has the prior approval from the adjacent owners in fee to install, construct, maintain, operate, repair and replace said water and sanitary sewer system and which does not defeat the purpose for which this easement is given to the town.

The town of Northborough shall, within thirty calendar days of commencement of any work on any land as described above, give written notice of such work to said division of capital planning and operations and said commission.

SECTION 2. The town of Northborough is hereby authorized to acquire certain easements of land located in the city of Marlborough for the purpose of the installation, construction, maintenance, operation, repair and replacement of water and sanitary sewer system and being more particularly bounded and described as follows:

Beginning at a point being the Interstate Route 290 Massachusetts Highway Bound located on the Marlborough - Northborough boundary line:

Thence running N50°-51'-48"E, 135.37 feet to a point on the Relocated River Road;

Thence Northeast on the Relocated River Road along a line of radius equal to 6045 feet, 50.00 feet to a point;

Thence running N82°-28'-03"W, 21.54 feet to a point;

Thence running S50°-51'-48"W, 158.12 feet to a point on the Marlborough - Northborough boundary line;

Thence running S40°-32'-51"E, 50.02 feet to a point of beginning.

The above described easement is land now or formerly owned by Juliane and Joel Leavitt and contains approximately 0.18 acres.

The city of Marlborough shall authorize the town of Northborough to enter upon the above described easement for the purpose of the installation, construction, maintenance, operation, repair and replacement of a water and sanitary sewer system, provided that the said town of Northborough has acquired said easement from the owners in fee to install, construct, maintain, operate, repair and replace said water and sanitary sewer system.

The town of Northborough shall, within thirty calendar days prior to the commencement of any work on the above described land, give written notice of such work to the city of Marlborough.

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

Approved December 13, 1983.

Chap. 568. AN ACT AUTHORIZING THE LEASING OF A CERTAIN PARCEL OF LAND AT NORTHAMPTON STATE HOSPITAL FOR AGRICULTURAL TRAINING.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize the leasing of a certain parcel of agricultural land at Northampton state hospital, therefore 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 division of capital planning and operations is hereby authorized to transfer care and custody of two parcels of agricultural land at Northampton state hospital, containing two hundred and eighty-three and seventy-five hundredth acres, as described in this section, to the department of food and agriculture. Said department of food and agriculture is hereby directed to lease said parcels of agricultural land, for one dollar per year, for a term of twenty-five years and under such other terms as provided in section two, to the city of Northampton and its assigned agent, Smith Vocational Agricultural high school. Said lease may be extended at the option of the lessee for three additional terms of twenty-five years each. Said land is shown on a plan entitled, "Plan of Land in Northampton, Massachusetts, to be leased to the City of Northampton by the Commonwealth of Massachusetts, dated June 2 and June 3, 1982, Almer Huntley, Jr., and Associates, Inc., Surveyors, Engineers, Planners, 125 Pleasant Street, Northampton" and is further bounded and described as follows:

Parcel 1

Beginning at a concrete bound at the northeast corner of the herein described parcel, said bound being on the southerly side of Burts Pit Road;

Thence, running S24°-25'-39"W along other land of the Commonwealth of Massachusetts (hereinafter referred to as being the Commonwealth) 606.17 feet to a concrete bound;

Thence, running S37°-32'-13"E along other land of the Commonwealth 243.54 feet to a concrete bound;

Thence, running S20°-08'-11"W along other land of the Commonwealth 242.19 feet to a concrete bound;

Thence, running S16°-23'-10"E along other land of the Commonwealth 205.87 feet to a concrete bound;

Thence, running S57°-43'-02"E along other land of the Common-

wealth 88.29 feet to a point at the northwesterly corner of land of Jeanette L. Morin;

Thence, running S10°-39'-52"E along the westerly line of land of Jeanette L. Morin 140.98 feet to a point on the northerly side of Chapel Street;

Thence, running S77°-56'-04"W along Chapel Street 211.30 feet to a point;

Thence, running southwesterly along a curve to the left, having a radius of 796.34 feet, along Chapel Street, an arc distance of 205.47 feet to a concrete bound;

Thence, running S63°-09'-04"W along Chapel Street 255.89 feet to a concrete bound;

Thence, running S62°-34'-15"W along Chapel Street 317.73 feet to a point at land of the County Commissioners of Hampshire County;

Thence, running N27°-25'-45"W along land of said County 68.31 feet to a point;

Thence, running northwesterly along a curve to the left having a radius of 190.00 feet along land of said County, an arc distance of 280.72 feet to a point;

Thence, running S67°-55'-00"W along land of said County 68.31 feet to a point;

Thence, running N22°-05'-00"W along land of said County 1263.60 feet to a point;

Thence, running N74°-20'-00"W along land of said County 312.96 feet to a point;

Thence, running S58°-26'-54"W along land of said County 350.00 feet to a point;

Thence, running S23°-00'-00"W along land of said County 321.00 feet to a point;

Thence, running S88°-48'-28"W along other land of the Commonwealth 124.34 feet to a concrete bound at a corner of land of Richard T. Blais;

Thence, running N66°-51'-09"W along land of said Blais 642.98 feet to a pile of stones;

Thence, running N20°-50'-57"E along land of David B. Musante et ux 496.19 feet to an iron pin;

Thence, running N23°-59'-57"E along land of Leonard E. Day, Jr. et ux 1058.65 feet to a concrete bound;

Thence, running N31°-02'-30"E along land of said Day 291.12 feet to a concrete bound on the southerly side of Burts Pit Road;

Thence, running S61°-17'-02"E along Burts Pit Road 930.01 feet to a point;

Thence, running S69°-41'-51"E along Burts Pit Road 112.89 feet to a point;

Thence, running N75°-12'-58"E along Burts Pit Road 181.21

feet to a point;
Thence, running N60°-26'-36"E along Burts Pit Road 319.36 feet to a point;
Thence, running N83°-59'-37"E along Burts Pit Road 52.30 feet to a point;
Thence, running S54°-19'-08"E along Burts Pit Road 64.23 feet to a point;
Thence, running S26°-27'-10"E along Burts Pit Road 77.89 feet to a point;
Thence, running S11°-20'-56"E along Burts Pit Road 272.80 feet to a point;
Thence, running S31°-16'-44"E along Burts Pit Road 202.03 feet to a point;
Thence, running S69°-57'-19"E along Burts Pit Road 807.05 feet to the point of beginning.
Said parcel contains 108.864 acres, more or less.
Said parcel is subject to an easement to the Berkshire Gas Company, as described by deed recorded in the Hampshire County Registry of Deeds, in Book 1282, Pages 260-264.
Said parcel is also subject to a 75.00 foot wide easement to the Hampshire County Commissioners, as shown on the before mentioned plan and as described by deeds in said Registry, in Book 1967, Page 103.
Said parcel is also subject to an easement to the Massachusetts Electric Company, as shown on the before mentioned plan and as described by deeds in said Registry, in Book 1344, Page 67, and in Book 738, Page 504.

Parcel 2
Beginning at a point at the southeast corner of the herein described parcel, said point being on the northerly side of Burts Pit Road;
Thence, running N65°-04'-27"W along Burts Pit Road 40.00 feet to a point;
Thence, running N69°-57'-19"W along Burts Pit Road 791.64 feet to a point;
Thence, running N31°-16'-44"W along Burts Pit Road 175.70 feet to a point;
Thence, running N11°-20'-56"W along Burts Pit Road 270.64 feet to a point;
Thence, running N26°-27'-10"W along Burts Pit Road 96.92 feet to a point;
Thence, running N54°-19'-08"W along Burts Pit Road 95.67 feet to a point;
Thence, running S83°-59'-37"W along Burts Pit Road 81.76 feet to a point;
Thence, running S60°-26'-36"W along Burts Pit Road 323.30

feet to a point;

Thence, running S75°-12'-58"W along Burts Pit Road 158.93 feet to a point;

Thence, running N69°-41'-51"W along Burts Pit Road 93.41 feet to a point;

Thence, running N61°-17'-02"W along Burts Pit Road 674.81 feet to a point at land of Edward J. Snape et ux;

Thence, running N06°-45'-34"W partly along land of said Snape and partly along land of Janet M. McCarthy 1312.82 feet to an iron pin;

Thence, running N46°-04'-13"E, along land of J & G Enterprises, 211.16 feet to a point;

Thence, running N24°-33'-30"E along land of said J & G Enterprises 163.00 feet to an iron pin;

Thence, running N11°-13'-53"E along land of said J & G Enterprises 151.48 feet to a stone bound;

Thence, running N13°-37'-30"W along land of said J & G Enterprises 172.90 feet to a point;

Thence, running N49°-20'-06"W along land of said J & G Enterprises 116.02 feet to a point at land of the Northampton Manufacturing Corp.;

Thence, running N38°-13'-30"E along land of the Northampton Manufacturing Corp. 101.00 feet to a stone bound;

Thence, running N41°-27'-30"E along land of the Northampton Manufacturing Corp. 165.51 feet to a stone bound;

Thence, running N27°-33'-44"E along land of the Northampton Manufacturing Corp. 73.75 feet to a stone bound;

Thence, running N82°-04'-13"E along land of the Northampton Manufacturing Corp. 113.59 feet to a stone bound;

Thence, running N70°-13'-00"E along land of the Northampton Manufacturing Corp. 56.65 feet to a stone bound;

Thence, running N70°-50'-30"E along land of the Northampton Manufacturing Corp. 66.17 feet to a stone bound;

Thence, running N61°-47'-00"E along land of the Northampton Manufacturing Corp. 66.18 feet to a point;

Thence, running N71°-00'-00"E along land of the Northampton Manufacturing Corp. 132.84 feet to a stone bound;

Thence, running N62°-57'-00"E along land of the Northampton Manufacturing Corp. 117.07 feet to a stone bound;

Thence, running S66°-29'-30"E along land of the Northampton Manufacturing Corp. 281.50 feet to an iron pin;

Thence, running N20°-57'-00"E along land of the Northampton Manufacturing Corp. 244.09 feet to a point;

Thence, running N25°-52'-00"E along land of the Northampton Manufacturing Corp. 235.70 feet to an iron pin;

Thence, running S52°-20'-19"E along land of the Northampton Manufacturing Corp. 154.00 feet to an iron pin;

Thence, running S52°-26'-15"E along land of the Northampton Manufacturing Corp. 102.50 feet to an iron pin;
Thence, running S62°-41'-44"E along land of the Northampton Manufacturing Corp. 85.00 feet to an iron pin;
Thence, running S56°-34'-05"E along land of the Northampton Manufacturing Corp. 58.00 feet to an iron pin;
Thence, running S49°-04'-34"E along land of the Northampton Manufacturing Corp. 54.55 feet to a stone bound;
Thence, running S52°-55'-10"E along land of Ernest R. Goulet et ux 82.50 feet to a point;
Thence, running S46°-25'-30"E along land of Richard J. Halloran et ux 83.00 feet to a point;
Thence, running S40°-32'-55"E along land of Joseph J. Fungaroli et ux 68.00 feet to a point;
Thence, running N48°-07'-45"E along land of said Fungaroli 45.00 feet to a point;
Thence, running S66°-40'-40"E along land of Walter W. Boucher, Jr. et ux 110.00 feet to a point;
Thence, running S60°-52'-55"E along land of Lewis Cohen and Joan Berzoff 24.50 feet to a point;
Thence, running N62°-53'-15"E along land of said Cohen and Berzoff 187.00 feet to an iron pin;
Thence, running N34°-16'-15"E along land of said Cohen and Berzoff 96.40 feet to an iron pin on the southerly side of Federal Street;
Thence, running S55°-31'-03"E along Federal Street 5.54 feet to a stone bound;
Thence, running westerly along a curve to the left having a radius of 271.62 feet along Federal Street, an arc distance of 179.49 feet to a stone bound;
Thence, running N86°-37'-15"E along Federal Street 152.31 feet to an iron pin to be set at land of David A. Premo et ux;
Thence, running S04°-39'-40"E along land of said Premo 176.64 feet to an iron pin to be set;
Thence, running S26°-28'-11"W along land of said Premo 61.30 feet to an iron pin to be set;
Thence, running S28°-11'-04"E along land of said Premo 63.30 feet to an iron pin to be set at land of Edward J. Martunes et ux;
Thence, running S00°-02'-45"W along land of said Martunes 46.66 feet to an iron pin;
Thence, running S06°-28'-00"W along land of Nelson C. Boisvert et ux 152.88 feet to a point;
Thence, running S71°-09'-10"W along land of Kenneth J. Provoncha et ux 109.59 feet to a point;
Thence, running S51°-33'-50"W in part along land of C. Richard Hinkley et ux and in part along land of Carroll A. Dolan et ux

103.70 feet to a point;

Thence, running N61°-57'-40"W in part along land of said Carroll A. Dolan et ux and in part along land of Louise G. Simon, about 160 feet to a point in the center of the Mill River;

Thence, running southwesterly, southerly, southeasterly, easterly, and northeasterly along the center of the Mill River about 3150 feet to a point at the Northwest corner of other land of the Commonwealth of Massachusetts (hereinafter referred to as the Commonwealth);

Thence, running S06°-55'-42"E along other land of the Commonwealth 736.46 feet to a concrete bound;

Thence, running westerly and southwesterly along a curve to the left having a radius of 159.07 feet along other land of the Commonwealth, an arc distance of 194.69 feet to a point;

Thence, running S84°-18'-50"W along other land of the Commonwealth 135.44 feet to a concrete bound;

Thence, running S73°-26'-52"W along other land of the Commonwealth 312.11 feet to a concrete bound;

Thence, running S08°-04'-03"W along other land of the Commonwealth 547.72 feet to a concrete bound;

Thence, running S22°-54'-14"W along other land of the Commonwealth 571.47 feet to a concrete bound;

Thence, running S51°-26'-04"W along other land of the Commonwealth 635.30 feet to the point of beginning;

Said parcel contains 174.89 acres, more or less.

Said parcel is subject to an easement to the Berkshire Gas Company, as described by deed recorded in the Hampshire County Registry of Deeds, in Book 1282, Pages 260-264.

Said parcel is also subject to whatever sanitary sewer rights the city of Northampton may have in and to an existing twenty-four-inch brick sewer which crosses the northerly portion of the hereinbefore described parcel.

Said parcel is also subject to whatever sanitary sewer easements the city of Northampton may have in and to a proposed interceptor which affects the northerly portion of the hereinbefore described parcel.

SECTION 2. The lease shall provide that the land described in section one shall be used for agricultural purposes only, and shall require a long-term management plan for the property approved by said department of food and agriculture. Said management plan shall denote portions of the property to be used by the University of Massachusetts and may be revised by agreement between the Smith Vocational Agricultural high school and the University of Massachusetts. In executing said lease, the division of capital planning and operations is hereby directed to make the agricultural land described in section one subject to

an agricultural preservation restriction. Such restriction shall conform to sections thirty-one, thirty-two and thirty-three of chapter one hundred and eighty-four of the General Laws and shall be held in the name of the commonwealth and the city of Northampton. As a condition of this lease, a conservation easement shall be held in effect for portions of the property described in said section one within one hundred feet of the average high water mark of the Mill river and the area between Burts Pit road and Rocky Hill road at or above two hundred and sixty-five foot-mean sea elevation in accordance with the United States Geodetic Survey, known as the "Drumlin". The board of trustees of Smith Vocational Agricultural high school and the agricultural advisory board of Smith Vocational Agricultural high school shall have overall responsibility for managing the property described in said section one. In addition, said board of trustees shall make annual reports to the city council of the city of Northampton and the department of food and agriculture in November of each year, for the purpose of informing said city council and said department of food and agriculture as to how the parcels are being utilized, and such reports should also provide notification of any contemplated changes in the agricultural use of the property. The lease to said parcels as described in this section shall be terminated if such conditions and restrictions required of the lessee by this act are not met.

SECTION 3. The division of capital planning and operations shall reserve four or more acres of land in "Parcel II" as described by Lozano, White, and Associates, 30 Brattle Street, Cambridge, MA. in a report entitled "Northampton State Hospital Re-Use Plan," dated March, nineteen hundred and eighty-two, for relocation of the current community gardens project, should a development proposal for "Parcel B" as described by Lozano, White and Associates in said report, be accepted by the commonwealth at a future date. In such an event, the developer or developers shall bear the cost of relocating the community gardens and reproducing existing conditions of the former site, such as topsoil quality, water supply and fencing on the new site.

SECTION 4. For the purposes of the provisions of section thirteen of chapter fifty-eight of the General Laws, the parcels described in section one shall be deemed to be in the care and custody of, and used for the purposes of the University of Massachusetts.

Approved December 13, 1983.

Chap. 569. AN ACT AUTHORIZING THE CITY OF NORTH ADAMS TO CONVEY CERTAIN PARCELS OF PARK LAND.

Be it enacted, etc., as follows:

SECTION 1. The city of North Adams is hereby authorized to sell and convey to Charles B. Vaughan, Jr. all right, title and interest in the following two parcels of park land:

PARCEL 1. Situate on the East side of State Street in said North Adams, bounded and described as follows:

Beginning at a point on the East side of State Street at the Northwest corner of land of Albert Bachand;

Thence North 20°-46'-35" West, six (6.00) feet along the East line of State Street to a concrete bound;

Thence North 18°-30'-35" West, twenty-five and two hundredths (25.02) feet along the East side of State Street to a point at the back of the sidewalk;

Thence North 73°-59'-25" East, one hundred twenty-one and fifty-nine hundredths (121.59) feet through City land to a point;

Thence South 16°-00'-35" East, twenty-five (25.00) feet through City land to a point;

Thence North 73°-59'-25" East, sixty-four and fifty hundredths (64.50) feet through City land to a point;

Thence South 20°-46'-35" East, seventy-two (72.00) feet through City land to a point;

Thence South 73°-59'-25" West, twenty (20.00) feet through City land to the Southeast corner of said Bachand;

Thence North 20°-46'-35" West, sixty-six (66.00) feet along the East line of said Bachand to the Northeast corner thereof;

Thence South 73°-59'-25" West, one hundred sixty-five (165.00) feet along the North line of said Bachand to the point and place of beginning.

EXCEPTING AND RESERVING out of the described parcel a right to enter upon said parcel to maintain, repair or renew existing water and sanitary sewer lines.

Being shown on a plan entitled "City of North Adams, Massachusetts, State Street, Proposed land sale, Scale 1"=40', November 3, 1981, City Engineering Department, Wallace E. Konopka, Director," which plan is filed in the Northern district registry of deeds in the county of Berkshire in Book 240J., Page 51.

PARCEL 2. A parcel of land situated in North Adams, Mass., on the East side of State Street, bounded and described as follows:

Beginning at a point on the East side of State Street at the Northwest corner of land supposed to be owned by C.B. Vaughan Jr.

Thence North 15°-49'-40" West, twenty-five and forty-four hundredths (25.44) feet along the East side of State Street to a point at the back of the sidewalk;

Thence North 73°-59'-25" East, seventy-two and ninety hundredths (72.90) feet through City lands to a point;

Thence North 85°-25'-40" East, one hundred thirteen and one hundredths (113.01) feet through City lands to a point;

Thence South 20°-46'-35" East, twenty-eight and fourteen hundredths (28.14) feet through City lands to the Northeast corner of land supposed to be owned by said Vaughan;

Thence South 73°-59'-25" West, sixty-four and fifty hundredths (64.50) feet along the southerly line of City land to a point;

Thence North 16°-00'-35" West, twenty-five (25.00) feet along the Westerly line of City owned land to a point;

Thence South 73°-59'-25" West, one hundred twenty-one and fifty-nine hundredths (121.59) feet along the southerly line of City owned land to the East line of State Street and the place of beginning.

EXCEPTING AND RESERVING out of the above described parcel a right to enter upon said parcel to maintain, repair, renew, enlarge or extend existing water and sanitary sewer lines.

The above described land contains about 4,900 square feet and is a portion of that land acquired by the city of North Adams in Deeds dated July 11, 1922 and recorded in Book 367, Pages 148 and 151 in the Northern district registry of deeds in the county of Berkshire.

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

Approved December 13, 1983.

Chap. 570. AN ACT PROVIDING FOR A CAPITAL OUTLAY FOR THE PURPOSE OF ESTABLISHING A LOWELL REGIONAL SKILLS TRAINING CENTER.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately establish a Lowell regional skills training center, therefore 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 a state institution and property, and for the purchase of certain property, the sum set forth in section two of this act, for the purpose and subject to the conditions in said section two, is hereby made available, subject to the provisions of law regulating the disbursement of public funds and the approval thereof.

SECTION 2.

EXECUTIVE OFFICE OF ECONOMIC AFFAIRS.

Department of Manpower Development.
Lowell Regional Skills Training Center.

9000-8836 For a grant to the city of Lowell for a program of construction, reconstruction, alteration and improvement, including demolition if required, of facilities and properties to be approved by the secretary of economic affairs, for the purpose of establishing a regional skills training center, in the community of Lowell, including the cost of furnishings and equipment; provided, however, that such grant shall be contingent upon the provision of a written commitment from the United States Department of Commerce to the city of Lowell and the commonwealth of matching federal funds of not less than one million one hundred and twenty-five thousand dollars for this project $1,125,000

SECTION 3. To meet the expenditures necessary in carrying out the provisions of sections one and 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 million one hundred and twenty-five thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Lowell Regional Skills Training Center, Act of 1983, 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 eight.

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 4. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary for the purpose of meeting payments authorized by sections one and two 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 fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, but the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, nineteen hundred and ninety-six.

Notes and interest thereon issued under the authority of this section, notwithstanding any other provisions of this act, shall be general obligations of the commonwealth.

Approved December 13, 1983.

Chap. 571. AN ACT FURTHER REGULATING THE DISTRIBUTION OF CONTROLLED SUBSTANCES.

Be it enacted, etc., as follows:

SECTION 1. Section 32 of chapter 94C of the General Laws is hereby amended by striking out paragraph (b), as amended by section 6 of chapter 650 of the acts of 1982, and inserting in place thereof the following paragraph:-

(b) Any person convicted of violating this section after one or more prior convictions of manufacturing, distributing, dispensing or possessing with the intent to manufacture, distribute, or dispense a controlled substance as defined by section thirty-one of this chapter under this or any prior law of this jurisdiction or of any offense of any other jurisdiction, federal, state, or territorial, which is the same as or necessarily includes the elements of said offense shall be punished by a term of imprisonment in the state prison for not less than five nor more than fifteen years. No sentence imposed under the provisions of this section shall be for less than a mandatory minimum term of imprisonment of five years and a fine of not less than two thousand and five hundred nor more than twenty-five thousand dollars may be imposed but not in lieu of the mandatory minimum five year term of imprisonment, as established herein.

SECTION 2. Section 32A of said chapter 94C, as most recently amended by section 7 of said chapter 650, is hereby further amended by striking out paragraph (b) and inserting in place thereof the following paragraph:-

(b) Any person convicted of violating this section after one or more prior convictions of manufacturing, distributing, dispensing, or possessing with the intent to manufacture, distribute or dispense a controlled substance as defined by section thirty-one of this chapter under this or any other prior law of this jurisdiction or of any offense of any other jurisdiction, federal, state, or territorial, which is the same as or necessarily includes the elements of said offense shall be punished by a term of imprisonment in the state prison for not less than three nor more than ten years. No sentence imposed under the provisions of this section shall be for less than a mandatory minimum term of imprisonment of three years and a fine of not less than two thousand and five hundred nor more than twenty-five thousand dollars may be imposed but not in lieu of the mandatory minimum term of imprisonment, as established herein.

SECTION 3. Said chapter 94C is hereby amended by striking out section 32E, as amended by section 11 of said chapter 650, and inserting in place thereof the following section:-

Section 32E. (a) Any person who trafficks in marihuana by knowingly or intentionally manufacturing, distributing, dispensing, or cultivating or possessing with intent to manufacture, distribute, dispense, or cultivate, or by bringing into the commonwealth a net weight of fifty pounds or more of marihuana or a net weight of fifty pounds or more of any mixture containing marihuana shall, if the net weight of marihuana or any mixture thereof is:

(1) Fifty pounds or more, but less than one hundred pounds, be punished by a term of imprisonment in the state prison for not less than two and one-half nor more than fifteen years or by imprisonment in a jail or house of correction for not less than one nor more than two and one-half years. No sentence imposed under the provisions of this section shall be for less than a mandatory minimum term of imprisonment of one year and a fine of not less than five hundred nor more than ten thousand dollars may be imposed but not in lieu of the mandatory minimum one year term of imprisonment, as established herein.

(2) One hundred pounds or more, but less than two thousand pounds, be punished by a term of imprisonment in the state prison for not less than three nor more than fifteen years. No sentence imposed under the provisions of this section shall be for less than a mandatory minimum term of imprisonment of three years and a fine of not less than two thousand and five hundred

nor more than twenty-five thousand dollars may be imposed but not in lieu of the mandatory minimum term of imprisonment, as established herein.

(3) Two thousand pounds or more, but less than ten thousand pounds, be punished by a term of imprisonment in the state prison for not less than five nor more than fifteen years. No sentence imposed under the provisions of this section shall be for less than a mandatory minimum term of imprisonment of five years and a fine of not less than five thousand nor more than fifty thousand dollars may be imposed but not in lieu of the mandatory minimum term of imprisonment, as established herein.

(4) Ten thousand pounds or more, be punished by a term of imprisonment in the state prison for not less than ten nor more than fifteen years. No sentence imposed under the provisions of this section shall be for less than a mandatory minimum term of imprisonment of ten years and a fine of not less than twenty thousand nor more than two hundred thousand dollars may be imposed but not in lieu of the mandatory minimum term of imprisonment, as established herein.

(b) Any person who trafficks in cocaine or any salt thereof by knowingly or intentionally manufacturing, distributing, or dispensing or possessing with intent to manufacture, distribute, or dispense or by bringing into the commonwealth a net weight of twenty-eight grams or more of cocaine or any salt thereof or a net weight of twenty-eight grams or more of any mixture containing cocaine or any salt thereof shall, if the net weight of cocaine or any salt thereof or any mixture thereof is:-

(1) Twenty-eight grams or more, but less than one hundred grams, be punished by a term of imprisonment in the state prison for not less than three nor more than fifteen years. No sentence imposed under the provisions of this section shall be for less than a mandatory minimum term of imprisonment of three years and a fine of not less than two thousand and five hundred nor more than twenty-five thousand dollars may be imposed but not in lieu of the mandatory minimum term of imprisonment, as established herein.

(2) One hundred grams or more, but less than two hundred grams, be punished by a term of imprisonment in the state prison for not less than five nor more than fifteen years. No sentence imposed under the provisions of this section shall be for less than a mandatory minimum term of imprisonment of five years and a fine of not less than five thousand nor more than fifty thousand dollars may be imposed but not in lieu of the mandatory minimum term of imprisonment, as established herein.

(3) Two hundred grams or more, be punished by a term of imprisonment in the state prison for not less than ten nor more than fifteen years. No sentence imposed under the provisions of

this section shall be for less than a mandatory minimum term of imprisonment of ten years and a fine of not less than twenty thousand nor more than two hundred thousand dollars may be imposed but not in lieu of the mandatory minimum term of imprisonment, as established herein.

(c) Any person who trafficks in heroin or any salt thereof, morphine or any salt thereof, opium or any derivative thereof by knowingly or intentionally manufacturing, distributing or dispensing or possessing with intent to manufacture, distribute, or dispense or by bringing into the commonwealth a net weight of twenty-eight grams or more of heroin or any salt thereof, morphine or any salt thereof, opium or any derivative thereof or a net weight of twenty-eight grams or more of any mixture containing heroin or any salt thereof, morphine or any salt thereof, opium or any derivative thereof shall, if the net weight of heroin or any salt thereof, morphine or any salt thereof, opium or any derivative thereof or any mixture thereof is:-

(1) Twenty-eight grams or more, but less than one hundred grams, be punished by a term of imprisonment in the state prison for not less than five nor more than twenty years. No sentence imposed under the provisions of this section shall be for less than a mandatory minimum term of imprisonment of five years and a fine of not less than five thousand nor more than fifty thousand dollars may be imposed but not in lieu of the mandatory minimum term of imprisonment, as established herein.

(2) One hundred grams or more, but less than two hundred grams, be punished by a term of imprisonment in the state prison for not less than ten nor more than twenty years. No sentence imposed under the provisions of this section shall be for less than a mandatory minimum term of imprisonment of ten years and a fine of not less than ten thousand nor more than one hundred thousand dollars may be imposed but not in lieu of the mandatory minimum term of imprisonment, as established herein.

(3) Two hundred grams or more, be punished by a term of imprisonment in the state prison for not less than fifteen nor more than twenty years. No sentence imposed under the provisions of this section shall be for less than a mandatory minimum term of imprisonment of fifteen years and a fine of not less than fifty thousand nor more than five hundred thousand may be imposed but not in lieu of the mandatory minimum term of imprisonment, as established herein.

SECTION 4. Said chapter 94C is hereby amended by striking out section 32F, as amended by section 12 of said chapter 650, and inserting in place thereof the following section:-

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 punished by a term of imprisonment in the state prison for not less than five nor more than fifteen years. No sentence imposed under the provisions of this section shall be for less than a mandatory minimum term of imprisonment of five years and a fine of not less than one thousand nor more than twenty-five thousand dollars may be imposed but not in lieu of the mandatory minimum term of imprisonment, as established herein.

(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 punished by a term of imprisonment in the state prison for not less than three nor more than fifteen years. No sentence imposed under the provisions of this section shall be for less than a mandatory minimum term of imprisonment of three years and a fine of not less than one thousand nor more than twenty-five thousand dollars may be imposed but not in lieu of the mandatory minimum term of imprisonment, as established herein.

(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 punished by a term of imprisonment in the state prison for not less than two and one-half nor more than fifteen years or in a jail or house of correction for not less than two nor more than two and one-half years. No sentence imposed under the provisions of this section shall be for less than a mandatory minimum term of imprisonment of two years and a fine of not less than one thousand nor more than twenty-five thousand dollars may be imposed but not in lieu of the mandatory minimum two year term of imprisonment, as established herein.

Approved December 13, 1983.

EMERGENCY LETTER - December 13, 1983 @ 4:10 P.M.

Chap. 572. AN ACT RELATIVE TO THE ELIGIBILITY OF WILLIAM J. P. CLEARY FOR MEMBERSHIP IN THE CONTRIBUTORY RETIREMENT SYSTEM FOR STATE EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, William J. P. Cleary, an employee of the industrial accident board, shall be given full credit for his prior service with the Massachusetts Bay Transportation Authority, including all services with said industrial accident board, for the purposes of determining his vacation and retirement benefits as provided in this act. Said William J. P. Cleary shall file with the state employees' retirement board an application on forms prescribed by said board for membership in the state employees' retirement system.

SECTION 2. Notwithstanding the provisions of any general or special law to the contrary, said authority shall within sixty days of the effective date of this act transfer to said board the amount of total accumulated contributions and earnings thereon which are credited to said William J. P. Cleary under the retirement plan of said authority. Said board shall calculate the amount equal to the contribution said William J. P. Cleary would have paid to said system for the periods of prior service to the authority if he had been in service to the state during said periods together with regular interest to the date of said transfer. If the amount transferred by said authority to said board is greater than or equal to said amount calculated by said board for said periods of prior service to said authority, then said William J. P. Cleary shall be entitled for retirement credit in the state employees' retirement system for said periods and for determining vacation credit. If said amount transferred by said authority to said board is less than said amount calculated by said board for said periods of prior service to said authority, then said William J. P. Cleary shall not be entitled to such retirement time unless he has, within one hundred and twenty days of said transfer, paid into the annuity savings fund of said system, in one lump sum, an amount equal to the difference between said amount transferred by said authority and said amount calculated by said board for said periods of prior service to said authority.

SECTION 3. Notwithstanding the provisions of any general or special law to the contrary, said authority shall reimburse in full said system for the portion, computed by the actuary of the division of public employee retirement administration, of any pension paid to said William J. P. Cleary attributed to his service with said authority. The state treasurer shall annually on or before January fifteenth, upon the certification of disbursements for a pension to said William J. P. Cleary by said board of said system, notify the treasurer of said authority of the amount of reimbursements due therefrom for the prior calendar year. The

treasurer of said authority shall forthwith take such steps as may be necessary to ensure prompt payment of such amount. All payments received from said authority shall be credited to the pension fund of said system. In default of any such payment or transfer by said authority, said board of said system may maintain an action of contract to recover such payment or transfer.

SECTION 4. After said William J. P. Cleary has received full credit for his prior service with said authority as provided by this act, he shall not be entitled to receive a pension from said authority nor shall he be allowed to repay the amount of his contributions plus interest into the pension fund of said authority for the purpose of reinstating his eligibility for such pension.

Approved December 13, 1983.

Chap. 573. AN ACT FURTHER REGULATING THE CONTROL AND REMOVAL OF OIL AND HAZARDOUS MATERIALS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately clarify the law relative to the prevention of and response to release of oil and hazardous materials, therefore, 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 21E of the General Laws, as appearing in section 5 of chapter 7 of the acts of 1983, is hereby amended by striking out the definition of "Owner" or "Operator", and inserting in place thereof the following definition:-

"Owner" or "Operator", (1) in the case of a vessel, any person owning, operating or chartering by demise such vessel, (2) in the case of a site, any person owning or operating such site, and (3) in the case of an abandoned site, any person who owned, operated, or otherwise controlled activities at such site immediately prior to such abandonment. The term shall not include a person, who, without participating in the management of a vessel or site holds indicia of ownership primarily to protect his security interest in said vessel or site.

SECTION 2. Said section 2 of said chapter 21E, as so appearing, is hereby further amended by inserting after the definition

of "Site" the following definition:-

"Statement of claim" or "statement", an instrument signed by the commissioner, describing a particular site or sites and naming the person or persons then deemed by the commissioner to be liable under this chapter with respect to each such site and their residential addresses, to the extent known to the commissioner, and declaring a lien upon the property of such person or persons for the payment of amounts due or to become due from such person or persons to the commonwealth under this chapter; provided, however, that neither failure to state any such address nor the designation of an incorrect address shall invalidate such statement; and provided, further, that successive statements, naming other persons so deemed to be liable, may be issued.

SECTION 3. Said chapter 21E is hereby further amended by striking out section 13, as so appearing, and inserting in place thereof the following section:-

Section 13. Any liability to the commonwealth under this chapter shall constitute a debt to the commonwealth. Any such debt, together with interest thereon at the rate of twelve per cent per annum from the date such debt becomes due, shall constitute a lien on all property owned by persons liable under this chapter when a statement of claim naming such persons is recorded or filed. If the site described in such statement comprises real property, the statement shall be recorded in each registry of deeds in the commonwealth; and shall also be registered in each registry district in which any person named in such statement of claim holds record title to registered land as shown on the current index of registered land owners in such district. The land court certificate number of each such owner shall be noted on the statement when presented for recording and each assistant recorder, upon receipt of such statement, shall note such statement on the owner's certificate of title. In the case of personal property, whether tangible or intangible, the statement shall be filed in accordance with the provisions of section 9-401 of chapter one hundred and six. Any lien recorded, registered or filed pursuant to this section shall have priority over any encumbrance theretofore recorded, registered or filed with respect to any site, other than real property the greater part of which is devoted to single or multi-family housing, described in such statement of claim, but as to all other real property shall be subject to encumbrances or other interests recorded, registered or filed prior to the record, registration or filing of such statement, and as to all other personal property shall be subject to the priority rules of said chapter one hundred and six. Such lien, other than a lien on real property the greater part of which is devoted to single or multi-family hous-

ing, shall continue in force with respect to any particular real or personal property until a release of the lien signed by the commissioner is recorded, registered or filed in the place where the statement of claim as to such property affected by the lien was recorded, registered or filed. In addition to discretionary releases of liens, the commissioner shall forthwith issue such a release in any case where the debt for which such lien attached, together with interest and costs thereon, has been paid or legally abated. This section shall not apply to any property, real or personal, tangible or intangible, any money, fees, charges, revenues or otherwise, owned, payable to or by, held in trust by or for, or otherwise owned, operated or managed by the Massachusetts Municipal Wholesale Electric Company established pursuant to chapter seven hundred and seventy-five of the acts of nineteen hundred and seventy-five, Massachusetts municipal light departments organized under chapter one hundred and sixty-four or any other special law, or with respect to any property real or personal whatsoever of municipal light departments administered pursuant to chapters forty-four and one hundred and sixty-four A. Notwithstanding the foregoing, the aforesaid Massachusetts Municipal Wholesale Electric Company and Municipal Light Departments shall use their authority as provided by applicable statutes to assess, contain, or remove any such oil or hazardous material release for which they are responsible under chapter twenty-one E.

SECTION 4. Sections one, two and three of this act shall take effect as of March twenty-fourth, nineteen hundred and eighty-three.

Approved December 15, 1983.

Chap. 574. AN ACT PROVIDING FOR INCREASED HOUSING UNITS IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. To provide for a program of studies, preparation of plans, construction, reconstruction, renovation, alteration and improvement, including but not limited to development of additional state-assisted housing units, as well as modernization of existing state-assisted housing units, and for the purchase of certain property, including but not limited to site acquisition and development, and for various programs increasing the housing stock available within the commonwealth, the sums set forth in sections two to six, inclusive of this act, for the several pur-

poses and subject to the conditions specified under the provisions of this act in said sections two to forty-four, inclusive, are hereby made available, subject to the provisions of law regulating the disbursement of public funds and the approval thereof.

SECTION 2.

3722-8841 For state financial assistance in the form of a grant by the commonwealth acting by and through the department of community affairs; provided, however, that said department may enter into a contract or contracts with a housing authority for the development costs of housing for families of low income pursuant to the provisions of section thirtyfour of chapter one hundred and twentyone B of the General Laws $40,000,000

SECTION 3.

3722-8842 For state financial assistance in the form of a grant by the commonwealth acting by and through the department of community affairs; provided, however, that said department may enter into a contract or contracts with a housing authority for the development costs of housing for elderly persons of low income, pursuant to the provisions of section forty-one of chapter one hundred and twenty-one B of the General Laws $66,600,000

SECTION 4.

3722-8843 For state financial assistance in the form of a grant by the commonwealth acting by and through the department of community affairs; provided, however, that said department may enter into a contract or contracts with a housing authority for the development costs of housing for handicapped persons of low income or families of low income of which one or more persons is handicapped pursuant to the provisions of section forty-one A of chapter one hundred and twenty-one B of the General Laws; provided, further, that no funds shall be expended from the sum appropriated herein for facilities, including, but not limited to, community residences, limited group residences, or intermediate care facilities, for clients of the department of mental health, except pursuant to a

plan submitted by the secretary of the executive office of human services; and provided, further, that in the case of an intermediate care facility or community residence said plan shall be in compliance with a model of not less than eight and not more than twenty clients per facility $15,000,000

SECTION 5.

3722-8844 For state financial assistance in the form of a grant by the commonwealth acting by and through the department of community affairs; provided, however, that said department may enter into a contract or contracts with a housing authority for projects undertaken pursuant to clause (j) of section twenty-six of chapter one hundred and twenty-one B of the General Laws $65,000,000

SECTION 6.

3722-8845 For state financial assistance in the form of a loan or grant by the commonwealth acting by and through the department of community affairs; provided, however, that said department may enter into a contract or contracts with a housing authority for projects undertaken pursuant to clause (k) of section twenty-six of chapter one hundred and twenty-one B of the General Laws, or for projects involving disposition of federally assisted low-rent housing owned by such housing authorities which meet the requirements of said clause (k) except for paragraph (5) of said clause; and provided, further, that a housing authority shall have the power to enter into projects involving the disposition of federally assisted low-rent housing owned by such housing authorities which meet the requirements of said clause (k) except for paragraph (5) of said clause $10,000,000

SECTION 7. Chapter 23B of the General Laws is hereby amended by adding the following three sections:-

Section 25. As used in sections twenty-six to twenty-seven, inclusive, the following words shall have the following meanings, unless a different meaning clearly is indicated from the context:

"Annual income", a person's or family's gross annual income less such reasonable allowances for dependents, other than

spouse, and for medical expenses, as determined by the department.

"Housing development area", any blighted open area, or any decadent area, or any substandard area, as respectively defined in section one of chapter one hundred and twenty-one B, as determined by the department.

"Low income persons and families", those persons and families whose annual income is equal to or less than the maximum amount which would make them eligible for housing assistance pursuant to chapter one hundred and twenty-one B, as determined by the department.

"Low and moderate income rental housing project", a rental housing project which shall be rented to (a) low income persons or families; (b) moderate income persons or families; or (c) other persons or families whose annual rental for the unit to be occupied shall be equal to the lesser of (i) the market rate rental, or (ii) twenty-five per cent of such person's or family's annual income.

"Market rate rental", the rental which would be charged if the project received no financial assistance pursuant to section twenty-seven, as determined by the department.

"Moderate income persons or families", those persons and families, other than low income persons or families, whose annual income is less than the amount necessary to enable them to obtain and maintain decent, safe and sanitary housing without the expenditure of over twenty-five per cent of such income for housing expenses, including the provision of heat, electricity, or hot water, as determined by the department.

"Rental housing project", the construction or rehabilitation of two or more dwelling units in which no less than twenty-five per cent of the dwelling units shall at all times during the period of any contract entered into pursuant to section twenty-seven be rented to persons and families who are, at the time of initial occupancy, of low income.

"Sponsors", any individual, firm, association, partnership, including limited partnerships, trust, corporation, and other legal entities, including public bodies as well as natural persons.

Section 26. It is hereby found and declared that there now exists in many cities and towns in the commonwealth an acute shortage of decent, safe and sanitary housing for persons and families of low or moderate income and others. That this shortage is inimical to the safety, health, morals and welfare of the residents of the commonwealth and the sound growth of communities therein.

That a large and significant number of commonwealth residents have and will be subject to hardship in finding decent, safe and sanitary housing unless new facilities are constructed and existing

housing, where appropriate is rehabilitated. Unless the supply of housing is increased significantly and expeditiously, a large number of residents of the commonwealth, especially low or moderate income persons or families, will be compelled to live in unsanitary, overcrowded and unsafe conditions to the detriment of the health, welfare and well-being of these persons and of the whole community of which they are a part. By increasing the housing supply of the commonwealth, the clearance, replanning, development and redevelopment of blighted areas will be aided, and the critical shortage of adequate housing will be ameliorated.

It is further found and declared that this public exigency, emergency and distress has not been met in any way by private agencies. Private enterprise, without the assistance contemplated in this chapter cannot achieve the construction of decent, safe and sanitary housing at rentals which persons and families of low or moderate income can afford in situations where permanent betterment of living conditions is to be hoped for. Moreover, experience has demonstrated that concentration of low income persons and families even in standard structures built with public subsidy does not eliminate slum conditions. It is, therefore, imperative that private enterprise be encouraged to build housing which will prevent the recurrence of slum conditions and assist in their permanent elimination by housing persons of varied economic means in the same project and neighborhoods, and which will promote the development, or redevelopment of blighted open areas, decadent or substandard areas by eliminating blight, decay or deterioration in such areas, or the imminent threat of such blight, decay or deterioration in such areas.

It is hereby further found and declared that the authority and powers conferred under this chapter and the expenditure of public monies pursuant thereto constitutes a serving of a valid public purpose and the enactment of the provisions hereinafter set forth is in the public interest and is hereby so declared to be such as a matter of determination by the general court.

Section 27. The commonwealth, acting by and through the department, may, to the extent of appropriations provided for such purpose, enter into contracts with sponsors of rental housing projects, financed through the agency established pursuant to chapter seven hundred and eight of the acts of nineteen hundred and sixty-six, for financial assistance in the form of a loan by the commonwealth to facilitate the construction or rehabilitation of rental housing projects in locations where there is a need for such housing.

Each such contract shall provide for annual disbursements of loan proceeds in such amounts as the department determines appropriate, for a period not to exceed fifteen years; provided, however, that the amount of such disbursements shall not exceed

in any one year, on a per unit basis, the difference between the amount determined by the department to be necessary to pay debt service on a typical, newly constructed rental housing project at prevailing interest rates on bonds whose interest is exempt from federal or state taxation, and the amount necessary to pay such debt service at an interest rate of five per cent per annum; and provided further, that the total amount of, and schedule for, such disbursements shall be determined by the department to be consistent with the repayment of the loan as hereinafter provided.

Prior to entering into any such contract, the department shall find: (1) that the area in which the proposed rental housing project is to be located is a housing development area, or that the proposed rental housing project is a low and moderate income rental housing project; (2) that the proposed rental housing project is itself designed to house persons and families of varied economic means, and will not contribute to undue concentration of low income persons and families in any one neighborhood; and (3) that the amount of any loan to be provided appears to be the minimum amount necessary to make the proposed rental housing project feasible, and to ensure that twenty-five per cent of the units in such project will be occupied by persons and families, who are, at the time of initial occupancy, of low income.

In the case of a rental housing project that is determined to be a low and moderate income rental housing project, the department shall require that the sponsor of such project make every reasonable effort to rent available units, other than units reserved for low income persons and families, to moderate income persons or families, prior to renting such units to other persons and families.

Any loan made pursuant to this section shall be secured by a lien on real or personal property, or both, satisfactory to the department. Such loans shall be subject to such terms and conditions as the department may prescribe, including but not limited to, such interest rate as may be set by the department.

Any loan made pursuant to this section shall be repaid to the MHFA, according to terms and conditions established by MHFA; provided, however, that such repayment proceeds shall be used for the benefit of low and moderate income tenants pursuant to this program; and provided, further, that MHFA shall not waive any loan in whole or in part.

Notwithstanding the provisions of any special or general law to the contrary, and as a condition precedent to entering into any contracts financed pursuant to this section, the MHFA shall make a determination for each development financed pursuant to this section whether:

(1) the allocation of state rental assistance funds is necessary

to achieve a fiscally sound project, and;

(2) alternative sources of funding are inappropriate; provided, however, that the secretary of the executive office of communities and development shall, pursuant to said determination, allocate funds appropriated for the state rental assistance program to eligible units within MHFA developments financed pursuant to this section, the number of said units to which state rental assistance funds shall be allocated, not to exceed twenty-five per cent of the total number of units in each development.

SECTION 8. Clause (12) of paragraph (a) of section 402 of chapter 110A of the General Laws, as appearing in section 1 of chapter 694 of the acts of 1974, is hereby amended by inserting after the word "fifty-seven", in line 2, the words:- or organized under chapter one hundred and fifty-seven A.

SECTION 9. Section 34 of chapter 121B of the General Laws, as most recently amended by section 4 of chapter 490 of the acts of 1980, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:- The total amount of grants financed by bonds authorized prior to September first, nineteen hundred and eighty-three shall not exceed the sum of one hundred and thirty-eight million dollars.

SECTION 10. Said chapter 121B is hereby further amended by striking out section 41, as most recently amended by section 1 of said chapter 490, and inserting in place thereof the following section:-

Section 41. The commonwealth, acting by and through the department, may enter into a contract or contracts with a housing authority for state financial assistance in the form of a grant by the commonwealth for the development cost of a housing project or projects or a part or parts of a housing project or projects for elderly persons of low income. The total amount of grants financed by bonds authorized prior to September first, nineteen hundred and eighty-three shall not exceed the sum of seven hundred and one million dollars; provided, however, that the amount expended pursuant to this section during any one fiscal year shall not exceed thirty-three million three hundred thousand dollars. The contract or contracts for financial assistance may provide for additional state financial assistance in the form of a guarantee by the commonwealth of notes of the housing authority issued to temporarily finance the development cost of such a project but the amount guaranteed on account of any project shall not exceed the amount of grant for that project. The total amount of all notes guaranteed pursuant to this section prior to September first, nineteen hundred and eighty-three shall not

exceed seven hundred and one million dollars, exclusive of notes which may be issued for refunding purposes. Any excess between the completed cost of a project as determined by the department and the notes outstanding therefore may be retired from the proceeds of such notes and if so retired, shall not be used in computing the total amount of notes guaranteed by the commonwealth under this section. The provisions of sections thirty-four, thirty-four B and thirty-five shall, so far as apt, be applicable to contracts, grants, guarantees and notes authorized by this section.

SECTION 11. Said chapter 121B is hereby further amended by striking out section 41A, as most recently amended by section 4 of chapter 714 of the acts of 1979, and inserting in place thereof the following section:-

Section 41A. The commonwealth acting through and by the department, may enter into a contract or contracts with a housing authority for financial assistance in the form of a grant by the commonwealth of the development cost of a project or projects or a part or parts of a project or projects for handicapped persons of low income or families of low income of which one or more persons is handicapped. The total amount of grants financed by bonds authorized prior to September first, nineteen hundred and eighty-three shall not exceed the sum of twenty-five million dollars. Such contract or contracts may provide for additional state financial assistance in the form of a guarantee by the commonwealth of notes of the housing authority issued to finance temporarily the development cost of such a project but the amount guaranteed on account of any project shall not exceed the amount of grant for that project. The total amount of all notes guaranteed pursuant to this section prior to September first, nineteen hundred and eighty-three shall not exceed the sum of twenty-five million dollars, exclusive of notes which may be issued for refunding purposes. Housing units for handicapped persons of families of low income, of which one or more persons is handicapped, provided as a project or a part of a project for housing for elderly persons and subject to a contract for financial assistance pursuant to section forty-one, shall not be included in the computation of the dollar or unit limits of this section. The provisions of sections thirty-four, thirty-four B and thirty-five, shall, so far as apt, be applicable to contracts for financial assistance, grants, notes and guarantees authorized under this section. The department shall report to the general court the use for which such funds were expended prior to requesting additional funds for further construction under this program.

SECTION 12. Said chapter 121B is hereby amended by striking

out sections 42 to 44A, inclusive, and inserting in place thereof the following five sections:-

Section 42. It is hereby declared (a) that there does not now exist within the commonwealth an adequate supply of decent, safe and sanitary dwelling and such other housing units subject to regulations promulgated by the department of community affairs not inconsistent with the standards required for dwelling units, which are available at rents which families of low income and handicapped persons of low income or families of low income of which one or more persons is handicapped can afford without depriving themselves of the other necessities of life, (b) that the elimination of decadent or substandard areas in the commonwealth and the rehousing of the families now in such areas, many of them of low income, in decent, safe and sanitary housing is a public necessity, (c) that experience has demonstrated that the construction of the new low-rent housing projects on the large scale required to provide the needed dwelling and said other housing units would be unduly expensive and would generate undesirable social consequences, (d) that there exists a supply of moderate rental dwelling and said other housing units within the commonwealth presently under construction or vacant which could be used to house such families of low income and handicapped persons of low income or families of low income of which one or more persons is handicapped as cannot presently afford decent, safe and sanitary housing, provided public funds are available to supplement the portion of their income which they can afford to spend on housing, and (e) a program of rental assistance operated through the housing authorities in the cities and towns would help end the undesirable concentration and segregation of families of low income, in separate, concentrated areas of our cities and towns and help give every citizen an equal opportunity to enjoy decent, safe and sanitary housing in a neighborhood of his own choice.

Section 43. In addition to its other powers and for the purpose of implementing a program of rental assistance a housing authority may rent or lease dwelling units or such other housing units subject to regulations promulgated by the department of community affairs not inconsistent with the standards required for dwelling units for periods of not less than one nor more than five years. Any such lease shall contain a provision conditioning the obligations of the housing authority thereunder upon the prior certification by the board of health of the city or town that such dwelling unit or said other housing units are in compliance with the provisions of the minimum standards of fitness for human habitation set forth in the state sanitary code. No housing authority shall enter into any such lease until (a) the housing authority has adopted a scale of maximum rents, including speci-

fied utility charges, payable by the authority for housing units of various types under such leases and the department has approved such scale as being consistent with the purposes of the rental assistance program, (b) the housing authority has determined that an adequate supply of the type of housing to be leased is not presently available in the low-rent housing projects located within the city or town, and (c) the housing authority has determined that the rent payable under the lease is not in excess of rents payable for similar types of housing units within the city or town. A housing authority shall, in order to encourage the construction and remodeling of dwelling units or such other housing units subject to regulations promulgated by the department of community affairs not inconsistent with the standards required for dwelling units, endeavor to lease units recently constructed, reconstructed or remodeled but may enter into leases for other units. The number of units leased by any housing authority in any one building or development shall not exceed the following limits: In a building or development containing one to twelve units, no limit, in a building or development containing thirteen to thirty units, twelve units, in a building or development containing thirty-one or more units, forty per cent of the total units, rounded up to the next highest whole number; provided, however, that the department may, in its discretion, permit a housing authority to lease additional units in a building or development containing more than twenty but less than one hundred units if the department determines that the owner of said buildings or development needs and will use the proceeds from said lease for the sole purpose of improving said building or development.

A housing authority which, as a lessee or tenant, enters into a lease or rental agreement with a cooperative corporation or other legal entity which is the owner of a cooperative project may require that any tenant occupying the leased premises with the consent of the authority shall have all the rights of a member of the corporation.

If a resident of a city or town is eligible for rental assistance and locates or occupies a standard dwelling unit or said other housing unit other than the one leased by the local housing authority and if said dwelling unit or said other housing unit and the rental thereof is reasonable and acceptable to said housing authority in accordance with this section, and if the owner of said unit is willing to enter into a leasing agreement with said authority, said authority shall within thirty days of application to it by said resident execute a lease for occupancy of said unit for not less than one nor more than five years by said resident under the guidelines of the rental assistance program as established by the department. All housing authorities

shall make application to the department of community affairs for funds with which to participate in the rental assistance program. The department may enter directly into leases and exercise all other rights and duties of housing authorities under the rental assistance program in cities and towns where no local housing authority exists or where the department finds that the local housing authority has not carried out the provisions of the rental assistance program.

The department of community affairs is hereby authorized and directed to allocate funds appropriated for the state rental assistance program to eligible units within developments financed by the Massachusetts Housing Finance Agency, hereinafter known as MHFA, pursuant to the provisions of sections twenty-five to twenty-seven, inclusive, of chapter twenty-three B.

Section 43A. If a person resides in a private dwelling unit or such other housing unit subject to regulations promulgated by the department of community affairs not inconsistent with the standard required for dwelling units leased by a local housing authority under any federal or state rent subsidy program and if that unit does not meet reasonable standards of human habitation, provided that the tenant shall not have caused such conditions, and the authority has terminated the lease as to said substandard unit then the resident may vacate the substandard unit and may relocate in another unit. The housing authority shall assist the resident in locating another unit. The rental subsidy shall be withdrawn from the vacated substandard unit and shall be transferred to the unit in which the resident may relocate. If the alternate dwelling unit or said other housing unit is standard or if the owner of said unit agrees to make the unit standard and if the rental thereof is reasonable and acceptable to the housing authority in accordance with section forty-three, and if the owner of said unit is willing to enter into a leasing agreement with said authority, said authority shall expeditiously execute a lease for occupany of said unit by said resident under the guidelines of the rent subsidy program affected.

Whenever a local housing authority determines that a unit leased by it under a federal or state rent subsidy program is going to be withdrawn from such program by termination or expiration of the rental agreement with the owner of said unit, the occupant of said unit may relocate to another unit. Such unit shall be leased by the Authority, provided that it meets all the requirements of the subsidy program under which the original unit was leased.

Section 44. The requirements with respect to rentals and tenant selection for low-rent housing projects shall apply to units leased by a housing authority under the rental assistance program, except that (a) as between applicants, who need not

be residents of the city or town, but shall be residents of the commonwealth who applied at the same time and who are eligible for occupancy, preference shall be given in the selection of tenants to the following types of applicants: first to families with four or more minor dependents, then to families displaced by public action, then to elderly persons of low income, and then to handicapped persons of low income or families of low income of which one or more persons is handicapped; provided, however, that in the case of any project financially assisted by the federal government, preference shall be given in the selection of tenants in whatever manner is required by federal legislation or regulation; (b) rentals payable by selected tenant families or persons shall not exceed twenty-five per cent of the income of the household, not including any student income, if heat, cooking fuel and electricity are provided by the landlord or twenty per cent of that income if said utilities are not so provided; (c) a housing authority shall release and assign its rights under any lease to the tenant then occupying a dwelling unit or such other housing units subject to regulations promulgated by the department of community affairs not inconsistent with the standards required for dwelling units under the rental assistance program provided the tenant so requests, and provided the tenant demonstrates financial ability to pay the full rent called for under the lease; and (d) payments to the owner of a dwelling unit or said other housing unit leased under the rental assistance program shall be made in the manner determined by the housing authority and agreed to by said owner. Amounts paid on behalf of tenant families under the rental assistance program shall not be considered in determining the amount of welfare or other public assistance payments to which they may be entitled.

Funds appropriated for the rental assistance program established by sections forty-two to forty-four, inclusive, or which may become available therefor from the federal government or any other sources, shall be allocated within the following limits:- cities with over five hundred thousand population, not in excess of fifty per cent of such funds for any one such city; cities and towns with between one hundred thousand and five hundred thousand population, not in excess of twenty per cent of such funds for any one such city or town; and cities and towns under one hundred thousand population, not in excess of ten per cent of such funds for any one such city or town. The department shall allocate funds on the basis of applications therefor from the housing authorities; provided, however, that if, after May the thirty-first, nineteen hundred and seventy, a housing authority has expended all of the funds allocated pursuant to this paragraph, the department may, in its discretion, utilize funds appropriated but not allocated pursuant to sections forty-two to

forty-four, inclusive of this chapter to provide additional rental assistance funds to such an authority. The department may make advances of funds to a local housing authority in such amount not to exceed five thousand dollars to an authority in each calendar year for purposes of negotiating leases for the rental assistance program; provided, however, such advances of funds shall be made upon the condition that such advances of funds shall be repaid out of any monies which become available to such authority for said rental assistance program.

No more than five per cent of the funds allocated by the department for the purposes of carrying out the provisions of the rental assistance program shall be used for the leasing of units other than dwelling units.

Section 44A. Notwithstanding any other provision of this chapter, a housing authority, in addition to its other powers and for the purpose of replacing dwelling units or said other housing units subject to regulations promulgated by the department of community affairs not inconsistent with the standards required for dwelling units for persons and families of low income which will be eliminated through the demolition, clearance, sale or other disposition of low rent housing projects or to provide relocation housing for persons and families of low income and elderly persons of low income displaced thereby, may lease dwelling units or said other housing units in projects financed by the MHFA for a period not to exceed forty years from the completion of such MHFA project, as determined by the department. The requirements with respect to rentals and tenant selection for low rent housing projects shall apply to units leased by such housing authorities pursuant to this section, except that preference shall be given to displaced occupants of the low rent housing projects so demolished, cleared, sold or otherwise disposed of.

SECTION 13. Paragraph (a) of section 3 of chapter 156B of the General Laws, as appearing in section 1 of chapter 392 of the acts of 1969, is hereby amended by inserting after the word "fifty-seven", in line 16, the words:- and corporations subject to chapter one hundred and fifty-seven A.

SECTION 14. Section three A of chapter one hundred and fifty-seven of the General Laws is hereby repealed; provided, however, that corporations previously organized under said section three A of chapter one hundred and fifty-seven shall continue to exist.

SECTION 15. The first paragraph of section 4 of chapter 157 of the General Laws is hereby amended by inserting after the

word "outstanding", in line 4, as appearing in section 3 of chapter 378 of the acts of 1949, the words:- unless in a housing cooperative there are less than ten units in which case each stockholder shall own an equal number of shares of the capital stock issued and outstanding.

SECTION 16. The General Laws are hereby amended by inserting after chapter 157 the following chapter:-

CHAPTER 157B.
COOPERATIVE HOUSING CORPORATIONS.

Section 1. The purpose of this chapter is to foster safe, decent and affordable housing in the commonwealth by enabling individuals to form cooperative corporations for the purpose of developing, acquiring, owning, and operating multi-family housing on a cooperative plan.

Section 2. This chapter applies to all cooperative corporations organized under it. Any corporation organized under any other chapter of the General Laws may become a cooperative corporation by adopting an amendment to its articles electing to become subject to this chapter and by adopting any further amendment necessary to comply with this chapter. The amendment must be adopted and filed, and shall be effective, according to the chapter under which the corporation was organized before acceptance of this chapter.

Section 3. All cooperative corporations shall be subject to laws as may be enacted affecting or altering their corporate rights or duties or dissolving them.

Section 4. In this chapter, the following words shall have the following meanings:-

"board", board of directors;

"by-laws", the by-laws of a cooperative corporation as they exist from time to time;

"cooperative corporation", a corporation organized or existing under this chapter;

"limited equity cooperative housing corporation", a cooperative corporation organized and operated primarily for the benefit of low and moderate income persons, and whose equity, after allowance for maximum transfer value of its stock, is permanently dedicated to providing housing to persons of low or moderate income or to a charitable purposes;

"member", a person who holds voting stock of a cooperative corporation;

"proprietary lease", an agreement between a cooperative corporation and its stockholder for occupancy of a dwelling unit owned by the cooperative corporation;

"transfer value", the value which may be paid or received upon the sale or transfer of the stock of a cooperative corporation.

Section 5. The provisions of chapter one hundred and fifty-six B shall be applicable to cooperative corporations, and they shall enjoy the powers and privileges, and be subject to the duties, restrictions and liabilities of other corporations, except where inconsistent with the letter and purpose of this chapter. This chapter shall take precedence in the event of any conflict with provisions of said chapter one hundred and fifty-six B, and any conflict with the provisions of section three A and section four of chapter one hundred and fifty-seven.

Section 6. Three or more persons, residents of the commonwealth, may organize a cooperative corporation by filing articles of organization with the secretary of the commonwealth. The articles must meet the requirements of chapter one hundred and fifty-six B, and, in addition, shall state:

(1) whether transfer of its stock is restricted;

(2) whether or not it shall be authorized to pay dividends on its stock, but no cooperative corporation may pay a dividend of more than ten per cent, noncumulative, upon its stock;

(3) whether the transfer value of its stock is restricted.

Section 7. The name of each cooperative corporation must comply with the provisions of chapter one hundred and fifty-six B and, in addition, must contain the word "cooperative".

Section 8. Any person, partnership, association or corporation, domestic or foreign, except cooperative banks and corporations organized under chapter one hundred and fifty-seven, transacting business in the commonwealth under any name or title containing the word "cooperative" or any close variation, shall forfeit to the commonwealth one hundred dollars for every day such name or title is used. The forfeiture may be recovered by an information brought in the supreme judicial court or superior court by the attorney general or any other person; the court may enjoin such unlawful use and may make such other orders and decrees as justice and equity may require.

Section 9. The power to make, amend or repeal by-laws shall be reserved to the stockholders.

Section 10. The articles or by-laws may provide:

(a) for election of directors and other officials by unit or district;

(b) for voting by stockholders on the basis of one vote per member or one vote per dwelling unit rather than one vote per share;

(c) that any action required or permitted to be taken at a meeting of stockholders may be taken by mail ballot;

(d) for a method of membership representation of stockholders

at meetings by delegates from units or districts, provided that delegates must be proportional to the number of members in each unit district;

(e) for redemption or recall of stock;

(f) for termination of membership rights and privileges of a stockholder;

(g) standards for eligibility to become a stockholder;

(h) for the allocation of its net savings among the uses permitted in section twelve.

Section 11. At least once a year the board of every cooperative corporation shall, after first setting aside an adequate portion of the net savings in a reserve fund for the general operation of the business, apportion the remainder of the net savings in one or more of the following ways:

(1) as a dividend not to exceed ten per cent, noncumulative, upon one or more classes of stock;

(2) as an equitable distribution or refund to all patrons in proportion to their individual patronage except that (a) in the case of a subscriber patron, the distribution or refund may be credited to the subscriber's account until the subscription has been fully paid, and (b) in the case of a nonmember patron, the amount otherwise distributable may be retained by the cooperative corporation;

(3) this section does not prevent a cooperative corporation from disposing of the net savings by reducing the cost of goods, facilities or services or by applying such net savings otherwise for the common benefit of members;

(4) this section does not prevent a cooperative corporation from adopting a system by which the payment of net savings are deferred for a fixed period of time, nor from adopting a system in which the net savings distributed are partly in cash and partly in stock.

Section 12. A cooperative corporation may terminate all of its proprietary leases, but only by agreement of proprietary lessees holding at least 80 per cent of its stock or any larger percentage the specified in the articles or by-laws.

Section 13. Any financial institution organized under the laws of the commonwealth and supervised either by the commissioner of banks or the commissioner of insurance shall be authorized to make loans secured by a pledge of a proprietary lease and the appurtenant stock of a cooperative corporation upon the same terms and with the same limitations as loans secured by mortgages of real property.

SECTION 17. Section 1 of chapter 708 of the acts of 1966, as most recently amended by section 3 of chapter 264 of the acts of 1982, is hereby further amended by striking out paragraphs (i)

to (k), inclusive, and inserting in place thereof the following three paragraphs:-

(i) "Disposition agreement", an agreement between the mortgagor and MHFA contained in an instrument in recordable form, which agreement shall require that at least twenty per cent of the dwelling units in a project financed by a mortgage loan be used solely for housing for low income persons or families, consistent with the provisions of this act, for a term equal to the original term of the mortgage loan; provided, however, that, in the case of a disposition agreement entered into with respect to a mortgage loan made or financed by the MHFA after July first, nineteen hundred and eighty-three, the term of such disposition agreement shall be fifteen years or such greater period of time as may be required by the MHFA.

(j) "Mortgage lender", any bank, mortgage broker, mortgage company or mortgage banker, trust company, savings bank, credit union, federal savings and loan association, or building and loan association maintaining an office in the commonwealth or an insurance company or national banking association authorized to transact business in the commonwealth.

(k) "New residential mortgage", a loan, including a home improvement loan, made by a mortgage lender and secured by a mortgage constituting a lien upon real property or a lease of the fee of real property located in the commonwealth and improved by a residential building or unimproved if the proceeds of such loan shall be used for the purpose of erecting, acquiring or rehabilitating a residential building thereon, or for the purpose of purchasing a condominium unit or a cooperative share in a residential condominium unit or a cooperative; provided that each such mortgage loan made from the proceeds of a loan made by MHFA to such mortgage lender shall be made to an owner-occupant pursuant to section five A.

SECTION 18. Section 4 of said chapter 708 is hereby amended by striking out paragraph (a), as most recently amended by section 1 of chapter 632 of the acts of 1979, and inserting in place thereof the following paragraph:-

(a) Make first mortgage loans, including mortgages insured by the secretary of housing and urban development or purchase, participate in the purchase of, or contract to purchase, and to make advance commitments therefor, such loans or securities which are secured by such mortgage loans, or make loans to mortgage lenders who have entered into a commitment to make such mortgage loans, to finance the building or rehabilitation of housing designed and planned to be available at low and moderate rental for low income persons and families and others upon the terms set forth in section five and pursuant to regulations

adopted by it, make seed money loans to nonprofit developers of such housing.

SECTION 18A. Section 4A of said chapter 708, inserted by section 11 of chapter 264 of the acts of 1982, is hereby amended by adding the following clause:-

(l) Make loans to mortgage lenders for residential development for families or elderly persons the dwelling units and related common areas of which are, or are to be, owned in accordance with the provisions of chapter one hundred and eighty-three A of the General Laws; provided, however, that such dwelling units are available only to first time home owners as defined by regulation by MHFA; and provided, further, that such dwelling units are available only to persons of moderate income as defined by regulations by MHFA.

SECTION 19. Paragraph (f) of said section 5 of said chapter 708, as most recently amended by section 5 of chapter 632 of the acts of 1979, is hereby further amended by striking out the third sentence and inserting in place thereof the following sentence:- A loan hereunder may be prepaid after a period of (a) twenty years for loans made prior to July first, nineteen hundred and eighty-three; (b) fifteen years for loans made on or subsequent to July first, nineteen hundred and eighty-three; or (c) sooner with the permission of MHFA for the purpose of conversion of the project to cooperative or condominium ownership by an occupant; provided, however, that nonprofit sponsors may prepay their loans prior to maturity only with the consent of MHFA.

SECTION 20. Paragraph (g) of section 5 of said chapter 708, as amended by section 1 of chapter 546 of the acts of 1982, is hereby further amended by striking out clause (1) and inserting in place thereof the following clause:-

(1) that low income persons and families can afford the adjusted rentals, including the provision of heat, electricity and hot water, set for twenty per cent of the units in the project on the basis of the use of not more than twenty-five per cent of annual income or such greater portion of their annual income as may be required by laws or regulations applicable to any housing subsidy program of any agency of the United States government or the commonwealth to be used in connection with the proposed project;.

SECTION 21. Said chapter 708 is hereby further amended by inserting after section 5C the following section:-

Section 5D. Loans to Mortgage Lenders For Multi-Family

Housing Projects. (a) The MHFA may make, or contract to make, loans to mortgage lenders for multi-family housing projects at such interest rates, terms and conditions as it shall determine pursuant to rules or regulations adopted by it. The MHFA shall require that the proceeds of its loans to mortgage lenders or an equivalent amount shall be used by such mortgage lenders to make mortgage loans with respect to housing projects containing two or more dwelling units which meet the requirements of section five located with the commonwealth, subject to such terms and conditions as the MHFA may prescribe.

(b) The MHFA shall require that each mortgage lender which is the recipient of a loan pursuant to this section shall issue and deliver to the MHFA an evidence of its indebtedness to the MHFA, which shall constitute a general obligation of such mortgage lender and shall bear such date or dates, shall mature at such time or times, shall be subject to such prepayment, and shall contain such other provisions consistent with this section as the MHFA shall determine.

(c) Notwithstanding any other provisions of this section to the contrary, the interest rate or rates and other terms of such loans to mortgage lenders made from the proceeds of any issue of bonds of the MHFA shall be at least sufficient to assure the payment of said bonds and the interest thereon as the bonds become due.

(d) The MHFA may require that loans made to mortgage lenders pursuant to this section be additionally secured as to payment of both principal and interest by a pledge of collateral security in such amounts and consisting of such obligations, securities or mortgages as the MHFA shall determine to be necessary to assure the payment of such loans and the interest thereon as the same become due.

(e) The MHFA may require that any collateral for loans to mortgage lenders be deposited with a bank, trust company or other financial institution acceptable to the MHFA located either within or outside the commonwealth as designated by the MHFA. In the absence of such requirement a mortgage lender that is the recipient of a loan from the MHFA shall enter into an agreement with the MHFA containing such provisions as the MHFA shall deem necessary or desirable to adequately identify and maintain such collateral, if any, to service such collateral, and to require that such mortgage lender shall hold such collateral as agent for the MHFA and shall be accountable to the MHFA as the trustee of an express trust for the application and disposition thereof and the income therefrom solely to the uses and purposes in accordance with the provisions of such agreement. A copy of each agreement and any revisions or supplements thereto shall be filed with the state secretary and no further filing or other

action under chapter one hundred and six or any other law of the commonwealth shall be required to perfect the security interest of the MHFA in the collateral, if any, or any additions thereto or substitutions thereof. The lien and trust so created for the benefit of the MHFA shall be binding from and after the time made or against all parties having claims of any kind in tort, contract, or otherwise against the mortgage lender. The MHFA may also establish such additional requirements as it shall deem necessary with respect to the pledging, assigning, setting aside or holding of such collateral and the making of substitutions therefor or additions thereto and the disposition of income and receipts therefrom.

(f) The MHFA shall require mortgage lenders that are the recipients of loans from the MHFA to submit evidence satisfactory to the MHFA that the mortgage lender has used the proceeds of such loans by the MHFA, or any equivalent amount, to make mortgage loans with respect to housing projects and that the mortgage lender has complied with the terms and conditions of such loans as prescribed by the MHFA. In connection therewith, the MHFA, through its employees or agents, may inspect the books and records of such mortgage lender.

(g) The MHFA may require as a condition of any loans to mortgage lenders such representations and warranties as it shall determine to be necessary or desirable to service such loans and implement the provisions of this section.

(h) Subject to the rights of holders of bonds of the MHFA, the MHFA may collect, enforce the collection of, and foreclose on any collateral securing its loans to mortgage lenders and acquire or take possession of such collateral and sell the same at private or public sale, with or without public bidding, and otherwise deal with such collateral as may be necessary to protect the interest of the MHFA therein.

(i) To the extent that any provisions of this section may be inconsistent with any provision of the law of the commonwealth governing mortgage lenders, the provisions of this section shall control.

SECTION 22. Section 6 of said chapter 708 is hereby amended by striking out paragraph (a), as most recently amended by section 2 of chapter 546 of the acts of 1982, and inserting in place thereof the following paragraph:-

(a) The MHFA shall, pursuant to regulations adopted by it, make the following rental determinations for each housing unit located in a project to which MHFA has made or financed a mortgage loan hereunder: (1) the market rate rental, which is the rental which would be appropriate if the project had been originally financed at then current market interest rates; (2) the

below-market rate rental, which is the market rate rental adjusted for the extent to which the applicable MHFA loan interest rate is below such then current interest rates; and (3) adjusted rentals which is the below market-rate rental, further adjusted downward so that such adjusted rentals, including the provision of heat, electricity and hot water, will be affordable by low-income persons and families without such persons and families having to expend more than twenty-five per cent of their annual income or such greater portion of their annual income as may be required by federal or commonwealth laws or regulations applicable to any housing subsidy program or any agency of the United States government or the commonwealth to be used in connection with the proposed project. Such rentals determination may be reviewed and adjusted by MHFA from time to time.

SECTION 23. Said section 6 of said chapter 708 is hereby further amended by striking out paragraph (b) and inserting in place thereof the following paragraph:-

(b) Subject only to the rights of FHA, if any, the rents to be charged for housing units which receive loans hereunder must be approved by the MHFA. In each project financed under this act not less than twenty per cent of the units in the project shall be rented at all times to low income persons or families at the adjusted rental. Up to an additional five per cent of the units in each project shall be rented to low or moderate income persons or families if: (1) the MHFA determines the additional low or moderate income units are needed in the area in which the project is located; and (2) state or federal housing subsidy funds are available to the MHFA to pay to the mortgagor the difference between the rental paid by such persons or families, which in the case of low-income persons and families shall not exceed the adjusted rental, and the below market rental for each additional unit rented to such low or moderate income persons or families. The remaining units not made available to such low-income persons or families shall be made available at rentals not lower than the below-market rental for the unit or the rent level established pursuant to any state or federal housing subsidy program and sufficiently high as determined by MHFA to achieve and maintain a fiscally sound project. Such determinations may be reviewed and adjusted by MHFA from time to time.

SECTION 24. Paragraph (a) of section 8 of said chapter 708, as amended by chapter 632 of the acts of 1979, is hereby further amended by adding the following sentence:- The notes and bonds issued pursuant to the provisions of this act may be issued in the discretion of the MHFA with such terms as will cause the interest thereon to be subject to federal income taxation.

SECTION 25. Paragraph (b) of said section 8 of said chapter 708 is hereby amended by striking out the ninth sentence, as most recently amended by section 13 of chapter 264 of the acts of 1982, and inserting in place thereof the following sentence:- The aggregate principal amount of notes and bonds of the MHFA and the Massachusetts Home Mortgage Finance Agency issued to make loans pursuant to section five A of this chapter and chapter eight hundred and forty-six of the acts of nineteen hundred and seventy-four outstanding at any one time shall not exceed the sum of seven hundred million dollars.

SECTION 26. Chapter 694 of the acts of 1970 is hereby amended by striking out section 1, as most recently amended by section 5 of chapter 490 of the acts of 1980, and inserting in place thereof the following section:-

Section 1. The amount of grants financed by bonds authorized prior to September first, nineteen hundred and eighty-three, 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, shall not exceed the sum of one hundred and sixty-seven million five hundred thousand dollars, 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; 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 housing and urban development on or before the last Wednesday in April of each year.

SECTION 27. Chapter 884 of the acts of 1973 is hereby amended by striking out section 4, as amended by section 8 of chapter 490 of the acts of 1980, and inserting in place thereof the following section:-

Section 4. The total amount of grants financed by bonds authorized prior to September first, nineteen hundred and eighty-three, 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 loans or grants to such authorities for projects undertaken pursuant to clause (k) of section twenty-six of said chapter, shall not exceed the sum of twenty million dollars, which grants shall be paid by the commonwealth upon approval and certification by said department to the state comptroller. Any sum remaining after the full discharge of all outstanding obligations as provided in paragraph (5) of said clause (k) shall be paid into the state treasury and held in a special fund for the purpose of this section.

SECTION 28. Chapter 846 of the acts of 1974 is hereby amended by inserting after section 7A the following section:-

Section 7B. Financing shares in residential cooperatives. It shall be the policy of MHMFA to permit all or a portion of the proceeds of every note or bond issue intended to finance new residential mortgages to be available for financing the purchase of cooperative shares in residential cooperatives.

SECTION 29. Chapter 4 of the acts of 1976 is hereby amended by striking out section 8, as most recently amended by section 2 of chapter 490 of the acts of 1980, and inserting in place thereof the following section:-

Section 8. The total amount of grants financed by bonds authorized prior to September first, nineteen hundred and eighty-three shall not exceed the sum of eight hundred and sixty-four million dollars, pursuant to contracts authorized by sections thirty-four, thirty-five, thirty-seven, forty-one and forty-one A

of chapter one hundred and twenty-one B of the General Laws and to repay and retire the principal amount of notes issued by housing authorities and guaranteed by the commonwealth under and pursuant to sections thirty-four and forty-one of said chapter one hundred and twenty-one B, to pay accrued interest on any of such notes for which an annual contribution has not been paid by the commonwealth pursuant to said sections, and to pay the expenses of issuing and selling the bonds authorized by section ten of this act, including all costs and fees incidental thereto, and to pay interest on said bonds for any period by which the time from when interest first accrues to the first interest payment on said bonds exceed six months, but in any case, for no more than one year, and to pay such additional amount of interest on said bonds as is estimated by the secretary to represent the amount of interest which would have been capitalized prior to completion on account of projects funded by housing authority notes but not completed on the effective date of this act had such notes not been paid from the proceeds of said bonds.

SECTION 30. 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 forty million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Family Public Housing Production Loan, Act of 1983, 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 eight.

Bonds and interest thereon under the authority of this section shall, notwithstanding any other provisions of this act, be general obligations of the commonwealth.

SECTION 31. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary for the purpose of meeting payments authorized by section two 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 fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with Section 3 of Article LXII of the Amendments to the Constitution

of the Commonwealth, but the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, nineteen hundred and ninety-six.

Notes and interest thereon issued under the authority of this section, notwithstanding any other provisions of this act, shall be general obligations of the commonwealth.

SECTION 32. 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 sixty-six million six hundred thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Elderly Public Housing Production Loan, Act of 1983, 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 eight.

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 33. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary for the purpose of meeting payments authorized by section three 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 fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, but the final maturities of such notes, whether original or renewal shall not be later than June thirtieth, nineteen hundred and ninety-six.

Notes and interest thereon issued under the authority of this section, notwithstanding any other provisions of this act, shall be general obligations of the commonwealth.

SECTION 34. 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

fifteen million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face Handicapped Public Housing Production Loan, Act of 1983, 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 eight.

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 35. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary for the purpose of meeting payments authorized by section four of this act and may issue and renew from time to time notes of the commonwealth thereof, bearing interest payable at such time and at such rates as shall be fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, but the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, nineteen hundred and ninety-six.

Notes and interest thereon issued under the authority of this section, notwithstanding any other provisions of this act, shall be general obligations of the commonwealth.

SECTION 36. 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 sixty-five million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Public Housing Modernization and Renovation Loan, Act of 1983, 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 eight.

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 37. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary for the purpose of meeting payments authorized by section five 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 fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, but the final maturities of such notes, whether original or renewal shall not be later than June thirtieth, nineteen hundred and ninety-six.

Notes and interest thereon issued under the authority of this section, notwithstanding any other provisions of this act, shall be general obligations of the commonwealth.

SECTION 38. 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 ten million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Public Housing Clearance and Disposition Loan, Act of 1983, 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 eight.

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 39. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary for the purpose of meeting payments authorized by section six, of this act and may issue and renew from time to time notes of the commonwealth therefor, bearing interest payable at such time and at such rates as shall be fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, but the final maturities of such notes, whether original or renewal, shall not be later than June thir-

tieth, nineteen hundred and ninety-six.

Notes and interest thereon issued under the authority of this section, notwithstanding any other provisions of this act, shall be general obligations of the commonwealth.

SECTION 40. The department of community affairs is hereby authorized to expend a sum not exceeding sixty-five million dollars, pursuant to section five, 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 previous 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, however, 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 nine million five hundred thousand 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 not less than 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 twenty million dollars of such authorization shall be used to provide energy conservation and cost saving energy improvements in existing state aided projects. Any expenditure of funds from this authorization in excess of forty-five million dollars upon modernization purposes other than energy conservation and cost-saving energy improvements shall require the approval of the house and senate committees on ways and means. 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 may make, with the clerks of the senate and house of representatives, the joint committee on housing and urban development, and the house and senate committees on ways and means on or before the last Wednesday in April of each year.

SECTION 41. During fiscal years nineteen hundred and eighty-four and nineteen hundred and eighty-five, the department of community affairs is hereby authorized and directed to maximize efforts to develop congregate housing facilities for elderly persons of low-income who are at risk of being institutionalized and in need of special services as determined by the department of community affairs, the department of public welfare, and the executive office of elder affairs. Prior to the expenditure of any monies for the purposes of section forty-one of chapter one hundred and twenty-one B of the General Laws, the department of community affairs shall submit a plan for the approval of the house and senate committees on ways and means detailing how said funds are to be expended for the development of congregate housing. The department of community affairs shall monitor the effectiveness of the development of congregate dwelling units in providing suitable housing for elderly persons of low-income and shall report to the general court the number, costs, and location of all congregate dwelling units developed hereunder, such report to be filed together with drafts of legislation necessary to carry into effect any recommendations the department may make, with the clerks of the senate and house of representatives, the joint committee on housing and urban development, and the senate and house committees on ways and means, on or before the last Wednesday in April of each year.

SECTION 42. To the maximum extent practicable, single-family mortgage loans under the provision of chapter seven hundred and eighty-nine of the acts of nineteen hundred and eighty-one shall be allocated to veterans of the Vietnam War, as defined in section seven of chapter four of the General Laws, and to physically handicapped persons, as defined in section thirteen A of chapter twenty-two of the General Laws.

SECTION 43. Notwithstanding the provisions of sections thirty-nine and forty of chapter one hundred and twenty-one B of the General Laws, the executive office of communities and development and local administering agencies, if necessary, are authorized and directed to enter into a pilot program through which program said executive office may provide housing units to families of low income consisting of a husband and wife with one child no older than the age of seven, within existing state-aided elderly housing projects; provided, however, that said families shall provide services as prescribed pursuant to a plan submitted by said executive office and as approved by the house and senate committees on ways and means; provided, further, that not more than five per cent of the total number of existing state aided elderly housing units per existing state aided elderly housing developments under the jurisdiction of local housing

authorities throughout the commonwealth may be so utilized; and provided, further, that such utilization does not prevent occupancy of such units by an eligible elderly person.

SECTION 44. The department of community affairs is hereby authorized and directed to promulgate necessary regulations not inconsistent with the standards required for dwelling units for the purpose of increasing the type of housing units eligible for the state rental assistance program.

Approved December 15, 1983.

EMERGENCY LETTER - December 15, 1983 @ 2:47 P.M.

Chap. 575. AN ACT ESTABLISHING A WORCESTER COUNTY DIVISION OF THE HOUSING COURT DEPARTMENT.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 185C of the General Laws, as appearing in section 92 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 housing court department established under section one of chapter two hundred and eleven B shall be composed of a division for Hampden county, a division for Worcester county and a division for the city of Boston.

SECTION 2. The first paragraph of section 3 of said chapter 185C, as amended by section 3 of chapter 72 of the acts of 1979, is hereby further amended by striking out, in lines 5 and 6, the words "and arising in the county of Hampden in the case of that division," and inserting in place thereof the words:- , in the county of Hampden in the case of that division and in the county of Worcester in the case of that division ,- and by striking out, in lines 28 and 29, the words "and Hampden county, in the case of that division" and inserting in place thereof the words:- Hampden county, in the case of that division and Worcester county, in the case of that division.

SECTION 3. Section 4 of said chapter 185C, as appearing in section 92 of chapter 478 of the acts of 1978, is hereby amended by adding the following two sentences:- The division of the housing court department for Worcester county shall hold its sittings in the facilities of the Worcester county courthouse in

the city of Worcester and at regular and frequent intervals in a district courthouse in the northern and southern areas of said county, but in no event less frequently than once per week in each of said northern and southern areas. The court, with the consent of the chief administrative justice, shall also sit in such other courthouse facilities within said county as the administrative justice of the housing court department may deem to be expedient or convenient.

SECTION 4. Section 8 of said chapter 185C, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- There shall be one justice appointed for the Hampden county division, one justice appointed for the Worcester county division and two justices appointed for the city of Boston division of the housing court department.

SECTION 5. Section 127G of chapter 111 of the General Laws is hereby amended by striking out the last sentence, as most recently amended by section 2 of chapter 591 of the acts of 1973, and inserting in place thereof the following sentence:- The provisions of this section shall not apply to any case brought in the housing court of the city of Boston, the housing court of the county of Hampden or the housing court of the county of Worcester.

SECTION 6. Section 86A of chapter 223 of the General Laws, as most recently amended by section 109 of chapter 1114 of the acts of 1973, is hereby further amended by striking out, in lines 3 and 4, the words "or housing court of the county of Hampden" and inserting in place thereof the words:- , housing court of the county of Hampden or housing court of the county of Worcester.

SECTION 7. Section 6 of chapter 224 of the General Laws, as most recently amended by section 47 of chapter 377 of the acts of 1975, is hereby further amended by striking out, in lines 14 and 15, the words "or in the housing court of the county of Hampden" and inserting in place thereof the words:- , in the housing court of the county of Hampden or in the housing court of the county of Worcester.

SECTION 8. Section 111 of chapter 231 of the General Laws, as most recently amended by section 199 of chapter 1114 of the acts of 1973, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

A justice of the superior or land court or the judge of the housing court of the city of Boston, the housing court of the county of Hampden or the housing court of the county of Worcester, after verdict or after a finding of the facts by the court, may report the case for determination by the appeals court.

SECTION 9. Said chapter 231 is hereby further amended by striking out section 113, as most recently amended by section 202 of said chapter 1114, and inserting in place thereof the following section:-

Section 113. A party aggrieved by a final judgment of the superior court, the land court, the housing court of the city of Boston, the housing court of the county of Hampden or the housing court of the county of Worcester, may appeal therefrom to the appeals court or, subject to the provisions of section ten of chapter two hundred and eleven A, to the full court of the supreme judicial court.

SECTION 10. Chapter 261 of the General Laws is hereby amended by striking out section 8, as most recently amended by section 18 of chapter 591 of the acts of 1973, and inserting in place thereof the following section:-

Section 8. If two or more cases are tried together in the supreme judicial court, in the superior court, in the housing court of the city of Boston, in the housing court of the county of Hampden, in the housing court of the county of Worcester or in a district court, the presiding justice may reduce the witness fees and other costs; but not less than the ordinary witness fees and other costs recoverable in one of the cases which are so tried together shall be allowed.

SECTION 11. Section 4 of chapter 263 of the General Laws, as most recently amended by section 19 of chapter 591 of the acts of 1973, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

No person shall be held to answer in any court for an alleged crime, except upon an indictment by a grand jury or upon a complaint before a district court, the housing court of the city of Boston, the housing court of the county of Hampden, the housing court of the county of Worcester or in proceedings before a court-martial.

SECTION 12. Said chapter 263 is hereby further amended by striking out section 8A, as most recently amended by section 21 of chapter 591 of the acts of 1973, and inserting in place thereof the following section:-

Section 8A. A person shall not be held to answer in a district court or the housing court of the city of Boston, the housing court of the county of Hampden, or the housing court of the county of Worcester to a second complaint for an offense for which he has already been tried upon the merits in a district court or in the housing court of the city of Boston, the housing court of the county of Hampden or the housing court of the county of Worcester.

SECTION 13. This act shall take effect upon its passage.

Approved December 16, 1983.

Chap. 576. AN ACT EXEMPTING THE POSITION OF APPRAISER/DIRECTOR OF ASSESSMENT, COMPUTER EVALUATIONS OFFICE ADMINISTRATOR IN THE TOWN OF ARLINGTON FROM THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The position of appraiser/director of assessment, computer evaluations office administrator in the town of Arlington 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 December 16, 1983.

Chap. 577. AN ACT EXEMPTING THE POSITION OF ASSISTANT ASSESSOR IN THE TOWN OF ARLINGTON FROM THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The position of assistant assessor in the town of Arlington 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 December 16, 1983.

Chap. 578. AN ACT RELATIVE TO CERTAIN TEMPORARY LOANS BY CITIES, TOWNS AND DISTRICTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize the making of temporary loans by cities, towns and districts for a period not exceeding two years, therefore 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 8 of chapter 44 of the General Laws is hereby amended by striking out clause (1), as amended by chapter 98 of the acts of 1965, and inserting in place thereof the following clause:-

(1) For temporary loans under sections four, six, six A, seventeen and seventeen A, the periods authorized by those sections.

SECTION 2. Said chapter 44 is hereby further amended by striking out section 17, as most recently amended by chapter 80 of the acts of 1963, and inserting in place thereof the following section:-

Section 17. If a city, town or district votes to issue bonds, notes or certificates of indebtedness in accordance with law, the officers authorized to issue the same may, in the name of such city, town or district, in the case of bonds, notes or certificates of indebtedness which may be payable within a period of ten years or more, make a temporary loan for a period of not more than two years, and in the case of bonds, notes or certificates of indebtedness which must be payable within a period of less than ten years make a temporary loan for a period of not more than one year in anticipation of the money to be derived from the sale of such bonds, notes or certificates of indebtedness, and may issue notes therefor, but the time within which such securities shall become due and payable shall not be extended by reason of the making of such temporary loan beyond the time fixed in the vote authorizing the issue of such bonds, notes or certificates of indebtedness. 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. Notes issued under this section and sections four, six and six A for a shorter period than is permitted by said sections may be refunded by the issue of other notes within the required period; provided, that the period from the date of issue of the original loan to the date of

maturity of the refunding loan shall be not more than the statutory authorization; and provided, further, that no notes shall be refunded under this section except under authority of such vote, if any, as is required for the original borrowing.

SECTION 3. Section 17A of said chapter 44 inserted by section 1 of chapter 869 of the acts of 1975, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Subject to the provisions of this section, a city, town or district may refund, by the issue of other notes, a temporary loan issued under the authority of the first sentence of section seventeen in anticipation of serial bonds, notes or certificates of indebtedness which must be payable within a period of less than ten years; provided, that the period from the date of issue of the original loan to the date of maturity of the refunding loan shall not exceed two years; and provided, further, that the remaining provisions of section seventeen shall apply to a refunding loan issued under this section, insofar as apt.

Approved December 16, 1983.

Chap. 579. AN ACT VALIDATING CERTAIN ACTIONS TAKEN BY THE CHARLEMONT SEWER DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of chapter two hundred and sixty-six of the acts of nineteen hundred and eighty-one, the Charlemont Sewer District is hereby authorized and empowered to collect such sewer assessments for fiscal year nineteen hundred and eighty-three as have already been made by the board of sewer commissioners arising from the design and construction of said sewer system. All votes and acts of commission or omission of the commissioners and the district providing for said assessments for fiscal year nineteen hundred and eighty-three are hereby ratified, confirmed and validated, and all bills sent or caused to be sent hereunder by the board of sewer commissioners with respect to this district for fiscal year nineteen hundred and eighty-three are hereby declared to be valid.

SECTION 2. Notwithstanding the provisions of chapter two hundred and sixty-six of the acts of nineteen hundred and eighty-one and the provisions of section twenty-three of chapter fifty-nine of the General Laws relating to the approval of the district's action in fixing a tax rate, said Charlemont Sewer

District is hereby authorized and empowered to collect such taxes as have already been levied or will be levied for fiscal year nineteen hundred and eighty-three, arising from the design and construction of said Charlemont sewer system, as if the Charlemont Sewer District had received prior written approval from the department of revenue fixing the district tax rate, and all bills sent or caused to be sent hereunder by the Charlemont board of assessors with respect to this district for fiscal year nineteen hundred and eighty-three are hereby declared to be valid.

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

Approved December 16, 1983.

Chap. 580. AN ACT AUTHORIZING AN ADDITIONAL TIME PERIOD FOR THE TOWN OF NORTH ATTLEBOROUGH TO ADD OMITTED PROPERTY TO THE TAX LIST FOR FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-THREE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section seventy-five of chapter fifty-nine of the General Laws or any other general or special law to the contrary, if any portion of the real or personal estate of a person, to an amount not less than one hundred dollars and liable to taxation, has been omitted from the annual assessment of taxes for fiscal year nineteen hundred and eighty-three by the town of North Attleborough the assessors for said town shall, at such time as the commissioner may in writing approve, but not later than December thirtieth, nineteen hundred and eighty-three, assess such person for such estate. Valuations of all or a portion of any estate attributable to clerical or data processing errors shall be construed as omitted assessments and subject to the provisions of this section. The taxes so assessed shall be entered on the fiscal year nineteen hundred and eighty-three tax list of the collector for said town who shall collect and pay over the same. The assessors of said town shall also deliver to the collector their warrants for the collection of all taxes so entered on the tax list. Such additional assessment shall not render the tax of said town invalid although its amount, in consequence thereof, shall exceed the amount authorized by law to be raised.

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

Approved December 16, 1983.

EMERGENCY LETTER - December 19, 1983 @ 9:58 A.M.

Chap. 581. AN ACT AUTHORIZING THE TOWN OF LYNNFIELD TO LEASE CERTAIN PROPERTY TO THE JOHN HANCOCK MUTUAL LIFE INSURANCE COMPANY.

Be it enacted, etc., as follows:.

SECTION 1. The town of Lynnfield, acting by and through its board of selectmen, is hereby authorized to lease to the John Hancock Mutual Life Insurance Company for a term of not more than twenty-five years a certain parcel of land consisting of a portion of the land and the buildings thereon known as the South school, currently surplus to the needs of the school department of said town, said parcel being bounded and described as follows:

A portion of a certain parcel of land known as the South School site located on the southerly side of Salem Street, Lynnfield, said portion containing 5.988 acres more or less, and being shown as "Proposed Lease Area" on a plan of land entitled "Plan of Land in Lynnfield, Mass.", dated September 7, 1983 by Hayes Engineering, Inc. and being bounded and described as follows:

Beginning at a point on the northeasterly corner of the premises herein described on the southerly sideline of Salem Street; thence S 04 55' 31" E 360.00' to a point; thence S 40 04' 29" W 90.00' to a point; thence N 65 50' 00" W 264.49' to a point; thence N 59 29' 10" W 103.13' to a point; thence S 32 53' 13" W 81.82' to a point; thence N 75 19' 31" W 265.19' to a point; thence N 34 25' 50" W 172.42' to a point; thence N 55 59' 00" E 57.87' along the northerly boundary of the property of the inhabitants of the Town of Lynnfield to a point; thence N 55 34' 10" E 265.40' along the northerly boundary of said property of the Town of Lynnfield to a point; thence N 53 17' 30" E 77.22' along the northerly boundary of said property of the Town of Lynnfield to a point on the southerly sideline of Salem Street, and thence S 76 30' 50" E 463.97' along the southerly sideline of Salem Street to the point of the beginning, or however the same may be more accurately described.

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

Approved December 16, 1983.

Chap. 582. AN ACT ESTABLISHING AND MAINTAINING A COMMEMORATIVE PLAQUE IN THE STATE HOUSE FOR THE FIRST AFRO-AMERICANS ELECTED AS STATE REPRESENTATIVES.

Be it enacted, etc., as follows:

The state treasurer, subject to appropriation, is hereby authorized and directed to expend a sum not to exceed two thousand four hundred dollars for the purpose of erecting and maintaining a commemorative plaque to be placed in the state house in honor of Edwin Garrison Walker, a state representative from the Charlestown district of the city of Boston and Charles L. Mitchell, a state representative from the city of Boston, the first Afro-Americans elected as state representatives.

Approved December 16, 1983.

Chap. 583. AN ACT RELATIVE TO THE POWERS AND DUTIES OF MUNICIPAL BOARDS OF WATER COMMISSIONERS.

Be it enacted, etc., as follows:

Section 69B of chapter 41 of the General Laws, as most recently amended by section 9 of chapter 766 of the acts of 1971, is hereby further amended by striking out the fifth sentence and inserting in place thereof the following sentence:- If in any fiscal year there should be a net surplus remaining after providing for the aforesaid charges and for the payment of any such reimbursement in full, such surplus may be appropriated for such new construction, extraordinary maintenance, or repairs, as the water commissioners, or selectmen authorized to act as such, with the approval of the town, may determine upon; and in case a net surplus should remain after payment for such new construction, extraordinary maintenance, or repairs, the water rates shall be reduced proportionately.

Approved December 16, 1983.

Chap. 584. AN ACT FURTHER REGULATING THE OPERATION OF THE BOARD OF CONCILIATION AND ARBITRATION.

Be it enacted, etc., as follows:

Chapter 23C of the General Laws is hereby amended by striking out section 3, as appearing in section 235 of chapter 351 of the acts of 1981, and inserting in place thereof the following section:-

Section 3. Notwithstanding the provisions of any general or

special law to the contrary, the chairman of the board of conciliation and arbitration shall, subject to appropriation, appoint and have power to remove, a vice chairman and such mediators, investigators, arbitrators, and other employees and individuals as are necessary for the operation of the board, and may utilize such voluntary and uncompensated services, as may from time to time be needed and said chairman shall assign duties and responsibilities to such individuals. In the absence of the chairman, the vice chairman shall have the duties and responsibilities of the chairman. The employees of the board and the employees of the joint labor management committee, established under the provisions of section four A of chapter one thousand and seventy-eight of the acts of nineteen hundred and seventy-eight, and the employees of any other joint labor management committee established under the provisions of any other general or special law, may be interchanged for the purposes of resolving a particular labor dispute in the most efficient and expeditious manner, and assigned various duties and responsibilities at the discretion of said chairman after consultation with the chairman of the joint labor management committee which is involved in the interchange.

Approved December 16, 1983.

Chap. 585. AN ACT RELATIVE TO THE RIGHTS OF DEAF PEOPLE AND USE OF DOGS TO ASSIST SUCH PERSONS.

Be it enacted, etc., as follows:

SECTION 1. Section 84A of chapter 6 of the General Laws, as appearing in section 1 of chapter 805 of the acts of 1974, is hereby amended by striking out, in line 2, the word "eighty-four H" and inserting in place thereof the word:- eighty-four I.

SECTION 1A. Section 84E of said chapter 6, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The office shall serve as the principal agency of the commonwealth to advocate, provide, and coordinate public policies, regulations, and programs which shall improve the quality of existing services for the deaf and promote the development of new services when necessary.

SECTION 2. Said chapter 6 is hereby further amended by inserting after section 84H the following section:-

Section 84I. The office shall purchase, pursuant to sections fifty-one and fifty-two of chapter thirty, telecommunication

devices for the deaf and shall rent, lease or sell such equipment to persons certified as deaf or severely hearing impaired by a licensed physician, otolaryngologist, speech-language pathologist or audiologist, at terms or prices which are fair and reasonable; provided, however, that no such device shall be sold by the office at a price less than one-half the wholesale market price of such device prevailing at the time of sale. The office shall promulgate regulations to implement the provisions of this section. Such regulations shall include a schedule of fees to be charged for such rentals or sales and shall be based upon a consideration of the circumstances, need and annual income of the deaf or severely hearing impaired person seeking such equipment. Monies collected under the provisions of this section shall be retained by the office in a revolving fund or revolving funds, and shall be expended subject to the approval of the secretary of the executive office of human services and the state comptroller to purchase telecommunication devices for the deaf; provided, however, that nothing herein contained shall be construed as to permit the office of deafness to authorize any action in contravention of the requirements of Section 1 of Article LXII of the Amendments to the Constitution. Said fund or funds shall be subject to annual audit by the state auditor.

SECTION 3. Section 1 of chapter 129 of the General Laws is hereby amended by inserting after the definition of "Guard dog business", inserted by section 1 of chapter 774 of the acts of 1981, the following two definitions:-

"Hearing dog", a dog that has completed a program of professional training to aid deaf and hearing impaired individuals whenever such dog is professionally trained by a person engaged in the hearing dog business to aid the deaf and actually being used for such purpose, or a dog owned by a person engaged in the hearing dog business within the commonwealth during the period such dog is being trained or bred for such purpose.

"Hearing dog business", the business of furnishing, whether by lease, sale or otherwise, dogs trained as hearing dogs, or of training such hearing dogs.

SECTION 4. Said chapter 129 is hereby further amended by striking out section 9, as most recently amended by section 2 of said chapter 774, and inserting in place thereof the following section:-

Section 9. The agents of the Massachusetts Society for the Prevention of Cruelty to Animals may visit all places at which neat cattle, horses, mules, sheep, swine or other animals are delivered for transportation or are slaughtered, any pet shop where animals, birds, fish, or reptiles are sold, or exhibited, or

for sale, any guard dog business, any hearing dog business and any stable where horses are kept for hire, for the purpose of preventing violations of any law and of detecting and punishing the same and such agents shall have the power to prosecute any such violation coming to their notice. Any person who prevents, obstructs or interferes with any such agent in the performance of such duties shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than two months, or both.

SECTION 5. Said chapter 129 is hereby further amended by inserting after section 39B, inserted by section 3 of said chapter 774, the following two sections:-

Section 39C. Every person engaged in the hearing dog business shall obtain a license therefor from the director, the fee for 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 such license shall expire on December thirty-first following the date of issuance, unless sooner revoked. The director may make rules and regulations governing the issuance and revocation of such licenses and the conduct of any business so licensed, and relative to the maintenance of premises, buildings and conveyances, the health of the dogs and the method and time of inspection of such dogs and such business.

The director shall promptly furnish to the director of the office of deafness the name and address of each person licensed to conduct a hearing dog business, and the person so licensed shall promptly furnish to the director of the office of deafness with the name and address of each person to whom a hearing dog is furnished. A hearing dog shall, for identification purposes, be fitted with a collar and leash which are of a bright color.

Section 39D. A person engaged in the hearing dog business, while actually engaged in the training process and activities of hearing dogs, shall have the same rights, privileges and responsibilities with respect to access to public facilities as those applicable to deaf persons.

SECTION 6. Section 139 of chapter 140 of the General Laws, as most recently amended by chapter 59 of the acts of 1983, is hereby further amended by inserting after the third sentence the following sentence:- No fee shall be charged for a license for a dog professionally trained in the hearing dog business to serve a deaf person; provided, that the director of the office of deafness certifies that such dog is so trained and actually in the service of the deaf person.

SECTION 7. Section 4 of chapter 151B of the General Laws is hereby amended by striking out subsection 6, as most recently amended by chapter 89 of the acts of 1978, and inserting in place thereof the following subsection:-

6. For the owner, lessee, sublessee, licensed real estate broker, assignee or managing agent of publicly assisted or multiple dwelling or contiguously located housing accommodations or any other person having the right of ownership or possession, or the right to rent, lease, sell or negotiate for the sale of such accommodations, or any agent or employee of such a person: -(a) to refuse to rent, lease, sell, negotiate for sale or otherwise, to deny to or withhold from any person or group of persons such accommodations because of the race, religious creed, color, national origin, sex, age, ancestry or marital status of such person or persons or because such person is a veteran or a member of the armed forces, or because such person is blind or deaf; (b) to discriminate against any person because of his race, religious creed, color, national origin, sex, age, ancestry or marital status or because such person is a veteran or a member of the armed forces or because such person is blind or deaf, in the terms, conditions or privileges of such accommodations or the acquisition thereof, or in the furnishing of facilities and services in connection therewith, or because such person possesses a trained dog guide as a consequence of blindness or deafness; or (c) to cause to be made any written or oral inquiry or record concerning the race, religious creed, color, national origin, sex, age, ancestry or marital status of the person seeking to rent, lease or buy any such accommodation, or concerning the fact that such peson is a veteran or a member of the armed forces or because such person is blind or deaf. The word "age" as used in this subsection shall not apply to persons who are minors nor to residency in state-aided or federally-aided housing developments for the elderly nor to residency in self-contained retirement communities constructed expressly for use by the elderly and which are at least twenty acres in size and have a minimum age requirement for residency of at least fifty-five years.

SECTION 8. Section 2 of chapter 151C of the General Laws is hereby amended by striking out clause (e), as amended by section 1 of chapter 458 of the acts of 1978, and inserting in place thereof the following clause:-

(e) To exclude from admission any student because said student is blind or deaf or requires the use of a dog guide.

SECTION 9. Chapter 221 of the General Laws is hereby amended by striking out section 92A, inserted by chapter 459 of

the acts of 1971, and inserting in place thereof the following section:-

Section 92A. In any proceeding in any court in which a deaf or hearing-impaired person is a party or a witness, or proceeding involves a juvenile whose parent, or parents, is deaf or hearing-impaired, or in any proceeding before an executive or legislative board, commission, agency, bureau committee or other body of the state or political subdivisions involving a hearing-impaired person, such court or body shall appoint a qualified interpreter to interpret the proceedings, unless such deaf or hearing-impaired person knowingly, voluntarily, and intelligently waives, in writing, the appointment of such interpreter. Such waiver is subject to the written approval of counsel where such deaf or hearing-impaired person is being represented by counsel. In no event shall the failure of the deaf or hearing-impaired person to request an interpreter be deemed a waiver of such appointment.

Whenever a deaf or hearing-impaired person is arrested for an alleged violation of a criminal law, including a local ordinance, the arresting officer shall procure and arrange payment for a qualified interpreter to assist such person regarding any for any interrogation, warning, notification of rights, or taking of a statement. No answer, statement, or admission, written or oral, made by a deaf or hearing-impaired person in response to any question by a law enforcement officer or any prosecutor, in his official capacity, a prosecutional function in any criminal proceeding may be used against such deaf or hearing-impaired person unless such statement was made or elicited through a qualified interpreter and was made knowingly, voluntarily and intelligently or, in the case of waiver of interpreter, unless the court makes a special finding that any statement made by such deaf or hearing-impaired person was made knowingly, voluntarily and intelligently. Further, in any criminal proceeding wherein counsel has been appointed to represent an indigent defendant.

The court shall also appoint a qualified interpreter for such defendant, whenever such defendant is deaf or hearing-impaired to assist in communication with counsel in all phases of the preparation and presentation of the case.

In all proceedings involving an interpreter under this section, no testimony shall be admitted as evidence until: (1) the interpreter is so situated as to assure effective communication between all persons having a substantial interest in the outcome of such proceedings,

(2) the interpreter swears under oath, that he will provide a true and accurate interpretation of the proceedings to the best of his skill and judgment, and

(3) the person conducting such proceedings determines, on the basis of testimony of the interpreter and the deaf or hearing-

impaired person, that such interpreter is able in that particular proceeding, to communicate accurately with and translate information to and from such deaf or hearing-impaired person involved.

If, at any time during the proceeding, it is determined that the interpreter is no longer able to provide effective communication between the parties, the person conducting such proceeding shall appoint another qualified interpreter or an intermediary interpreter in accordance with the provisions of this section.

For the purposes of this section, the following words shall have the following meanings:-

"Intermediary interpreter", a person who, because of an intimate acquaintance with deaf or hearing-impaired persons who use mainly natural or unusual gestures for communicating, can act as a mediator between the hearing-impaired person and the qualified interpreter.

"Qualified interpreter", a person skilled in sign language or oral interpretation and transliteration, has the ability to communicate accurately with a deaf or hearing-impaired person and is able to translate information to and from such hearing-impaired person, an interpreter shall be deemed qualified or intermediary as determined by the Office of Deafness, based upon the recommendations of the Massachusetts Registry of the Deaf, the Massachusetts State Association of the Deaf and other appropriate agencies. Said office of deafness shall coordinate all requests for qualified interpreters and shall maintain a list of all such interpreters from which it shall fill such requests.

An interpreter appointed pursuant to this section or section sixty-nine of chapter two hundred and thirty-four A, shall be reimbursed a reasonable fee by the commonwealth for his services, pursuant to a fee schedule established and promulgated by the chief administrative judge. Said schedule shall be based upon recommendations of the office of deafness, the Massachusetts Registry of Interpreters for the Deaf, the Massachusetts State Association of the Deaf, and other appropriate agencies. Reimbursement for actual travel and ordinary living expenses shall be at the rates provided for employees of the commonwealth.

In any proceeding involving an interpreter wherein communication is privileged and the deaf or hearing-impaired person is the holder of that privilege, such privilege shall also extend to the interpreter.

Nothing in this section shall be construed to prevent any department, board, commission, agency or licensing authority from employing a qualified interpreter, who is recommended by the office of deafness, on a full-time basis or under contract at a mutually agreed upon compensation rate.

SECTION 10. Section 98A of chapter 272 of the General Laws,

as most recently amended by chapter 445 of the acts of 1981, is hereby further amended by striking out, in lines 4 and 5, the words ", if such dog is properly and safely muzzled, if requested by a person in control of a place of public accommodation".

Approved December 16, 1983.

Chap. 586. AN ACT RELATIVE TO THE ELIGIBILITY OF COUNCILS ON AGING FOR CERTAIN INSURANCE PURPOSES.

Be it enacted, etc., as follows:

Chapter 175 of the General Laws is hereby amended by inserting after section 110I the following section:-

Section 110J. Nothing in section one hundred and eight, one hundred and ten, one hundred and thirty-three or one hundred and thirty-four shall be construed to apply to or affect or prohibit the issue of (i) any general or blanket or group policy of accident and health insurance, or (ii) any group policy of life insurance, or (iii) any policy of group life and accident and health insurance, to the trustee or trustees of a fund then existing or a fund to be established where the trustee or trustees of such fund are appointed by a council on aging authorized by section eight B of chapter forty. The policy shall specify the persons who are eligible for insurance and the conditions applicable to such insurance. The premiums for the policy shall be entirely paid for by the persons insured under the policy. Any return of premium or other monies by the insurance company to the trustee or trustees shall be applied or used by the trustee or trustees as specified in the trust instrument.

Said council shall be a duly licensed private nonprofit organization under the laws of the commonwealth in order to be eligible under this section. The council and its trustees shall be responsible for the negotiation, implementation, administration and all obligations and liabilities arising out of the contract; provided, however, that said contract shall be subject to the review and approval of the commissioner of insurance.

Approved December 16, 1983.

Chap. 587. AN ACT AUTHORIZING THE DEPUTY COMMISSIONER OF CAPITAL PLANNING AND OPERATIONS TO ACQUIRE CERTAIN PUBLIC LANDS IN THE TOWN OF WALPOLE 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 with the approval of the deputy commissioner of capital planning and operations, 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, by purchase, or otherwise, the public lands or interests in land hereinafter described, or such portions thereof as said department, with the approval of the said deputy commissioner, may determine, and to divert said lands from their present public use to highway use, as hereinafter provided.

Said lands to be so acquired and diverted are shown on a map entitled, "The Commonwealth of Massachusetts Department of Public Works Plan of Land in the Town of Walpole Norfolk County To Be Taken for Highway Purposes", which map shall be on file with the chief engineer of said department, and which lands are to be identified on a layout plan of said department as follows:

Five certain parcels of land in the town of Walpole on the northerly and southerly sides of the proposed reconstruction of United States highway route 1, and bounded and described as follows:

Parcel No. 4-30

A triangular-shaped parcel of land, located on the northwesterly side of the proposed reconstruction of state auto route 1, in the Town of Walpole, about fifty (50) feet left of the Main Baseline at or about Stations 48+50 to 59, bounded as follows:

Southeasterly by state auto route 1, about one thousand one hundred fifteen (1,115) feet;

Northerly by land owned now or formerly by Home Building Company, Inc. of the Town of Walpole, about eleven (11) feet; and

Northwesterly by other land owned now or formerly by the Town of Walpole, about one thousand one hundred twenty (1120) feet.

Containing in all about nine thousand two hundred forty (9240) square feet of land, more or less.

Parcel No. 4-31

A rectangular-shaped parcel of land, located on the southeasterly side of the proposed reconstruction of state auto route 1, in the Town of Walpole, about fifty (50) feet right of the Main Baseline at or about Stations 52+0 to 59+50, bounded as follows:

Northwesterly by the state auto route 1, about seven hundred

twenty (720) feet;

Northerly by land owned now or formerly by Home Building Company, Inc., of the Town of Walpole, about thirty-five (35) feet;

Southwesterly by state auto route 1, seven hundred eighteen (718) feet; and

Southeasterly by land owned now or formerly by Joseph Laham, about thirty-five (35) feet.

Containing in all about ten thousand eight hundred twenty (10,820) square feet of land, more or less.

Parcel No. 4-D-3

A certain parcel of land on the southerly side of and abutting Parcel No. 4-30, at or about fifty (50) feet left of Station 50+75 of the Main Baseline of the proposed reconstruction of state auto route 1, in the Town of Walpole, approximately twenty (20) feet wide and ten (10) feet long, containing about two hundred (200) square feet of land, to be used as a site for permanent drainage.

Parcel No. 4-D-4

A certain parcel of land on the southerly side of and abutting Parcel No. 4-31, at or about fifty (50) feet left of Station 51+50 of the Main Baseline of the proposed reconstruction of state auto route 1, in the Town of Walpole, approximately fifty (50) feet wide and twenty (20) feet long, containing about one thousand (1000) square feet of land, to be used as a site for permanent drainage.

Parcel No. 4-D-5

A certain parcel of land on the southerly side of and abutting Parcel No. 4-31, at or about fifty (50) feet right of Station 52+75 of the Main Baseline of the proposed reconstruction of state auto route 1, in the Town of Walpole, approximately thirty-eight (38) feet long and twenty (20) feet wide, containing about seven hundred sixty (760) square feet of land, to be used as a site for permanent drainage.

For the purposes of this act, the department of public works is hereby authorized to divert the above-described parcels of land from their present use for conservation purposes and to divert said parcels of land to highway use.

Approved December 16, 1983.

EMERGENCY LETTER - December 21, 1983 @ 12:54 P.M.

Chap. 588. AN ACT AUTHORIZING THE TOWN OF WINTHROP TO PAY A CERTAIN RETIREMENT ALLOWANCE TO MARY BATCHELDER.

Be it enacted, etc., as follows:

Notwithstanding the provisions of law to the contrary and for the purpose of promoting the public good and in consideration of the long and meritorious service of Mary Batchelder, matron in the police department of the town of Winthrop, said town may retire Mary Batchelder and pay her a retirement allowance in such amount as said town may determine not to exceed one thousand five hundred dollars annually for life.

Approved December 16, 1983.

Chap. 589. AN ACT RELATIVE TO THE PROTECTION OF THE MASSACHUSETTS COASTLINE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide more comprehensive protection to the Massachusetts coastline, therefore 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 21 of the General Laws is hereby amended by striking out section 8, as most recently amended by section 1 of chapter 201 of the acts of 1977, and inserting in place thereof the following section:-

Section 8. The division of water resources, hereinafter called the division, shall be under the supervision and control of the commissioner of the department of environmental management.

SECTION 2. Section eight A of said chapter twenty-one is hereby repealed.

SECTION 3. Said chapter 21 is hereby further amended by striking out section 9, as most recently amended by section 61 of chapter 706 of the acts of 1975, and inserting in place thereof the following section:-

Section 9. The division shall be the agency of the commonwealth having administrative responsibility, according to criteria established by the commission, over programs provided for by the Watershed Protection and Flood Prevention Act 16 USC 1001 et seq. and shall carry out, maintain and operate any works of improvement authorized by said federal act and limited by section fourteen; provided that it shall not be an applicant for assistance under said federal act.

Any employee or agent of said division may, at any reasonable time, enter upon any premises while engaged in the performance of any duties required under sections nine to sixteen, inclusive. The division may negotiate with any property owners such terms, agreements or contracts as may be necessary or convenient in carrying out the duties required under sections nine to sixteen, inclusive.

The term "works of improvement" as used in this section and in sections twelve to fifteen, inclusive, shall mean any undertaking for (1) flood prevention, including structural and land treatment measures, or (2) conservation, development, utilization and disposal of water in watershed or subwatershed areas not exceeding two hundred and fifty thousand acres and including any single structure which provides more than twelve thousand five hundred acre feet of flood-water detention capacity and more than twenty-five thousand acre feet of total capacity. A number of such watersheds when they are component parts of a larger watershed may be planned together when the local sponsoring organizations so desire.

SECTION 4. Said chapter 21 is hereby further amended by striking out section 9A, as amended by section 1 of chapter 167 of the acts of 1983, and inserting in place thereof the following two sections:-

Section 9A. The division may, subject to the approval of the water resources commission and after proper consideration of the criteria established by the water resources commission, acquire by purchase, gift, lease, eminent domain, or otherwise lands and waters and easements therein to protect and conserve water impoundment sites and land adjacent to such sites which it deems necessary to meet the water resource needs of the commonwealth for flood control, low flow augmentation, and municipal water supply, provided that the excercise of the power of eminent domain shall be subject to the approval of the governor, the board of selectmen in a town or the city council in a city in which the land is located. If such board or council fails to approve or disapprove such proposed taking within ninety days after receipt of written notice of the proposed taking from the division, such board or council shall be deemed to have approved the same. No subsequent transfer or sale of such lands or waters by the division to any agency of the commonwealth or to any city, town, or district shall be made and no construction or water resources improvement thereon shall be undertaken without the approval of the general court. The division may enter into an agreement for the temporary supervision and maintenance of such lands and waters with any appropriate public agency, and may permit temporary compatible private uses subject to such

conditions as it may impose. Said lands shall be subject to payments in lieu of taxes as provided in sections thirteen to seventeen, inclusive, of chapter fifty-eight. The division of water resources and its duly authorized agents, without being liable for trespass, shall have the right after giving due notice, accompanied by a detailed plan to enter upon any lands for the purpose of making surveys, test pits, borings and geologic investigation. Any damages to property resulting by the exercise of the aforementioned rights shall be reimbursed by the division to the owner of the property so damaged.

The water resources commission may also reimburse a city, town or district for acquisition costs of lands, waters and easements necessary for the development and protection of water impoundments for a regional municipal water supply system, provided that said regional water supply system meets criteria which may be established by the water resources commission. For purposes of this section, a regional municipal water supply system shall consist of two or more municipalities.

In the event that said city, town or district does not begin said regional water supply system project as authorized by law within a number of years to be determined by said commission, then said city, town or district receiving such reimbursement shall repay all monies at the prevailing interest rates to the commonwealth.

When an impoundment site is acquired under the provisions of this section which has the capacity for future development to meet substantially more than the needs of the cities, towns or districts served by the initial regional water supply system, provisions shall be included in the agreement with the water resources commission and in the agreement forming the district which will preserve the opportunity for other cities, towns or districts to later join the district and to share the impounded waters after having participated in the cost of the reservoir enlargement. The water resources commission shall enter into an agreement under this section to facilitate development of a water system to serve the original district and to preserve the opportunity for future expansion of said district.

Section 9B. The division shall be the administrator of the state's contribution to the cooperative survey program of the United States Geological Survey, hereinafter referred to as the USGS, for detailed groundwater assessments and related hydrological studies. Said division, with the approval of and according to the criteria established by the commission, shall contract or cause a contract to be executed, with the USGS to conduct a ten year program of detailed groundwater appraisals, aquifer assessments, and such other appropriate geologic and hydrologic studies as may be required for the protection of existing sources

of groundwater supply and for the identification of new groundwater sources.

Said groundwater survey program shall include aquifer identification and assessments of quality and yield, and direct technical assistance to localities to solve groundwater problems of less than regional scale. Assistance to localities shall be based on criteria and priorities to be established by the commission which shall include, but not be limited to, the following: a present or recurrent water supply deficit; areas in which the survey would serve more than one community; communities which have suffered loss of supply due to contamination; communities in which demands are placed on supply systems by state institutions; and local commitment to participation. Direct local assistance shall not exceed five hundred thousand dollars and shall be funded fifty per cent by USGS and fifty per cent by the commonwealth, and the total cost of said program shall not exceed, in the aggregate, five million dollars.

For the purposes of this section, groundwater shall mean water which is below the surface of the earth.

SECTION 5. Section ten of said chapter twenty-one is hereby repealed.

SECTION 6. Said chapter 21 is hereby further amended by striking out section 11, as most recently amended by section 2 of chapter 201 of the acts of 1977, and inserting in place thereof the following section:-

Section 11. The division may employ such technical and clerical assistance and consultants as may be necessary to fulfill the responsibilities of the division as specified in section nine. The division may establish rules and regulations as may be necessary for the proper administration of sections nine to sixteen, inclusive.

SECTION 7. Said chapter 21 is hereby further amended by striking out section 12, as appearing in section 3 of chapter 620 of the acts of 1956, and inserting in place thereof the following section:-

Section 12. Applications for assistance under the federal Watershed Protection and Flood Prevention Act shall be initiated by the local organization, and may not be initiated by the division. Such applications shall be filed with the division, which may disapprove the same within forty-five days from the date of filing. The division may give approval only to applications submitted by local organizations, but any local or regional voluntary citizens' group, established under chapter one hundred and eighty for the purpose of furthering water conservation and

flood prevention, may join with any local organization in making application to the division for assistance under the federal Watershed Protection and Flood Prevention Act.

SECTION 8. Said chapter 21 is hereby further amended by striking out section 13, as so appearing, and inserting in place thereof the following section:-

Section 13. The division shall require, as a condition to providing assistance from the commonwealth for the installation and operation and maintenance of works of improvement, that local organizations shall (1) assume responsibility for all planning for works of improvement to be constructed within the watershed area, but the local organization may, nevertheless, request, through the division, technical advice from any appropriate agency of the commonwealth; (2) acquire, in the name of the commonwealth, and without cost to the commonwealth, such land, easements or rights of way as will be needed in connection with works of improvement installed with the assistance of the commonwealth; (3) acquire, or provide assurance that landowners have acquired, such water rights, pursuant to the laws of the commonwealth, as may be needed in the installation and operation of the works of improvement; and (4) obtain agreements to carry out recommended soil conservation measures and proper farm plans from owners of not less than fifty per cent of the lands situated in the drainage area above each retention reservoir to be installed with the assistance of the commonwealth.

SECTION 9. Said chapter 21 is hereby further amended by striking out section 14, as amended by section 62 of chapter 706 of the acts of 1975, and inserting in place thereof the following section:-

Section 14. At such time as the United States Secretary of Agriculture and the interested local organization have agreed upon a plan for works of improvement, the division may (1) assume such proportionate share of the nonfederal cost of installing any works of improvement involving federal assistance as it determines to be equitable in consideration of anticipated benefits from such improvements; provided, that no part of the construction cost for providing any capacity in structures for purposes other than flood prevention and features related thereto shall be borne by the commonwealth; and (2) make arrangements, through the local organizations satisfactory to the said Secretary of Agriculture for defraying the costs of operating and maintaining such works of improvement, in accordance with regulations presented by the said Secretary of Agriculture.

In order to carry out the provisions of clause (1) the division shall be the contracting authority for the construction of any

works of improvement involving assistance from the commonwealth, but shall designate the appropriate department or departments of the commonwealth or subdivision or subdivisions thereof as the agent or agents of the division for the purpose of making such contracts or performing the work of construction; provided, that whenever the said works of improvement involve stream clearance, channel improvement or construction of dams the division shall designate the division of waterways in the department of environmental management as the contracting agent, except that when the work to be done involves property under the care and control of the metropolitan district commission the division shall designate the said metropolitan district commission as the contracting agent.

In order to carry out the provisions of the above clause (2) the commission is authorized to assume such proportionate share of the costs of operation and maintenance of said works of improvement as it determines to be equitable in consideration of anticipated benefits from such improvements.

In order to insure the continued operation and maintenance of any and all works of improvement that have been installed with the assistance of state funds, the division is authorized and directed to designate as its agent or agents for this purpose the department or departments of the commonwealth or the subdivision or subdivisions thereof which constructed or contracted for the construction of said works of improvement.

SECTION 10. Said chapter 21 is hereby further amended by striking out section 15, as appearing in section 3 of chapter 620 of the acts of 1956, and inserting in place thereof the following section:-

Section 15. At such time as the United States Secretary of Agriculture and the interested local organization have agreed upon a plan for works of improvement, and the local organization has met the requirements for receiving assistance from the commonwealth in installing, operating and maintaining the works of improvement as set forth in section fourteen, the commission shall request the general court to appropriate such sums of money as are needed to meet (1) the share of the nonfederal cost of installing the works of improvement and (2) the share of the cost of operating and maintaining said works of improvement, which the division proposes to assume under the provisions of section fourteen.

Any funds received from local organizations or any other source, including funds made available by the federal government, shall be in addition to funds made available to the division by the general court.

With respect to all projects for which funds of the commonwealth

have been appropriated as partial or total payment of the nonfederal share of the costs of constructing, operating or maintaining the proposed works of improvement, the division shall be the recipient of any federal, state, or local funds appropriated for such projects. Funds made available from any source for a specific project shall be held by the division for said project, and may not be allocated to any other project.

Nothing in this section or in section fourteen shall be construed to prevent or limit a local organization from assuming the full amount of the nonfederal share of the cost of installing any works of improvement.

SECTION 11. Said chapter 21 is hereby further amended by striking out section 16, as most recently amended by section 5 of chapter 572 of the acts of 1980, and inserting in place thereof the following section:-

Section 16. No person shall engage in the business of digging or drilling wells within the commonwealth unless he is registered with the division. Each person intending to engage in said business shall register annually with said division and upon payment of a fee determined annually by the commissioner of administration under the provision of section three B of chapter seven shall be issued a certificate indicating that he is so registered. Each registration shall be in force, unless sooner cancelled, suspended or revoked for violation of this section or any of the rules and regulations established under section eleven, until July first following the year of its issuance.

Within thirty days after completion of any well by digging or drilling, the person engaged in the business of digging or drilling wells shall submit a report to the division setting forth such information as may be required under said rules and regulations.

Whoever engages in the business of digging or drilling wells without being registered or fails to submit a report upon the completion of a well shall be punished by a fine of not more than three hundred dollars.

SECTION 12. The first paragraph of section 2 of chapter 21A of the General Laws, as appearing in section 1 of chapter 806 of the acts of 1974, is hereby amended by adding the following clause:-

(29) consistent with their statutory responsibilities, implement the coastal zone management program established pursuant to section four A.

SECTION 13. Said chapter 21A is hereby further amended by inserting after section 4 the following section:-

Section 4A. There is hereby established within the executive office of environmental affairs a coastal zone management office which shall be administered by a director who shall be appointed and may be removed by the secretary. The director shall be a person of skill and experience in the field of coastal zone management. The director shall appoint all necessary employees within his office, except as may be otherwise provided by law. The positions of director and of any employees of the office shall not be subject to the provisions of chapter thirty-one or section nine A of chapter thirty.

The secretary shall direct the coastal zone management office, consistent with state law, to adopt, and from time to time amend rules, regulations, procedures, standards, guidelines, and policies which shall constitute the Massachusetts coastal zone management program. The purpose of the program shall be to secure for the inhabitants of the commonwealth the objectives and benefits of the federal Coastal Zone Management Act, 16 USC1451 et seq.

SECTION 14. Said chapter 21A is hereby further amended by striking out section 7A, inserted by section 1A of chapter 969 of the acts of 1977, and inserting in place thereof the following section:-

Section 7A. The commissioner of environmental management may appoint and remove a director of the division of waterways and the secretary may appoint and remove a professional geologist, who shall be the state geologist, and neither position shall be subject to chapter thirty-one or to section nine A of chapter thirty.

SECTION 15. The first paragraph of section 8 of said chapter 21A, as most recently amended by section 1 of chapter 565 of the acts of 1982, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- The department of environmental quality engineering shall include the bureau of environmental sanitation and all the powers and duties assigned to said bureau which relate to environmental health, air pollution control, noise regulation, community sanitation, water supply and water quality, noisome trades and sanitary landfills, and including those set forth in sections two B, two C, five E, five F, five G, seventeen, twenty-three, twenty-four, thirty-one C, thirty-one D, one hundred and forty-two A to one hundred and forty-two E, inclusive, one hundred and forty-three, one hundred and forty-seven, one hundred and fifty A, one hundred and fifty-two, one hundred and fifty-nine, one hundred and sixty to one hundred and sixty-six, inclusive, and one hundred and seventy-five of chapter

one hundred and eleven, the division of water pollution control, the division of outdoor advertising, the outdoor advertising board, the division of mineral resources, the powers and duties of the department of natural resources contained in section forty of chapter one hundred and thirty-one.

SECTION 16. Said section 8 of said chapter 21A is hereby further amended by striking out the second paragraph, as appearing in section 1 of chapter 806 of the acts of 1974, and inserting in place thereof the following paragraph:-

The department of environmental management shall include the bureau of solid waste disposal, the board of natural resources, the division of waterways, and the department of natural resources except for its division of fisheries and game, its division of law enforcement, its division of conservation services, its division of marine fisheries, and its division of mineral resources.

SECTION 17. Said section 8 of said chapter 21A is hereby further amended by striking out the eighth paragraph, as most recently amended by section 8 of chapter 760 of the acts of 1981, and inserting in place thereof the following paragraph:-

The office of the secretary shall include the division of conservation services, including the committee for conservation of soil, water and related resources, and the water resources commission and the Massachusetts coastal zone management office.

SECTION 18. Said chapter 21A is hereby further amended by inserting after section 8 the following six sections:-

Section 8A. There shall be established within the executive office of environmental affairs the water resources commission hereinafter in this section and in sections eight B to eight F, inclusive, called the commission, which shall consist of the secretary of the executive office of environmental affairs, the commissioner of the department of environmental quality engineering, the commissioner of the department of environmental management, the commissioner of the metropolitan district commission, the commissioner of the department of fisheries, wildlife and recreational vehicles, the commissioner of the department of food and agriculture, and the secretary of the executive office of communities and development, all of whom shall serve ex officio, and six persons to be appointed by the governor.

The six members appointed by the governor for a term of three years shall each represent a major type of water user, have a demonstrated knowledge in at least one area of water resource management, have a demonstrated interest in statewide water resource issues, and an ability to address all issues at a level of expertise commensurate with the commission's mandate;

provided, however, that one member so appointed shall be a member of the groundwater industry. The governor's appointments shall be made with appropriate consideration being given to a list of candidates provided by the secretary of environmental affairs.

In his initial appointments the governor shall designate two members to serve for one year, two from a term of two years and two for a term of three years and their successors shall serve for terms of three years.

Section 8B. The secretary shall be chairman of said commission. The responsibilities and duties of said commission shall include:-

(a) development of a water resources management policy framework within which the water resource policies, plans and management programs of the several agencies and departments under the secretary shall function;

(b) coordination of water resources planning and management functions among the several agencies and departments under the secretary;

(c) review and comment on all policies brought before the commission;

(d) annual review and comment on all programs relating to water resource management of the several agencies and departments under the secretary;

(e) establishment of criteria and priorities for all water resource-related cooperative programs with the federal government, with any other state, or with any executive office, department, or division of the commonwealth;

(f) development and periodic updating of comprehensive water resource management plans for river basins, giving consideration to regional and statewide needs and to integration of waste-water management into water resource planning;

(g) development of water allocation criteria which takes into account demographic, hydrologic, and environmental characteristics;

(h) development of a management information system and data processing capability for the central collection, storage and retrieval of water resource management information. Further, the commission may be responsible for dissemination of said information to the several agencies and departments under the secretary, to other state agencies and to the public on request. A fee may be charged for retrieval of information from said system.

(i) development of an education program which encouraged broad public participation at both municipal and regional levels, with emphasis on encouragement of long term water resource and wastewater planning and management by municipalities and by

regional planning agencies.

Section 8C. The commission shall further be responsible for updating the Massachusetts water supply policy statement at intervals which shall not exceed five years. The commission shall incorporate any recommendations of municipalities and regional planning agencies as appropriate, and shall include, as appropriate, consideration of coordination of wastewater management, and shall submit a report of its findings to the clerk of the house of representatives and to the clerk of the senate at the completion of each update of the policy statement.

Section 8D. The commission may establish rules and regulations as may be necessary for the proper administration of sections eight A to eight F, inclusive, and shall annually submit to the budget commissioner the estimates required by sections three and four of chapter twenty-nine and shall file an annual report as required by sections thirty-two and thirty-three of chapter thirty.

Section 8E. The commission shall be staffed by a director appointed by the secretary, who shall not be subject to the provisions of chapter thirty-one nor the provisions of section nine A of chapter thirty, and by such technical and clerical staff as the secretary, subject to appropriation, may appoint in order to fulfill the requirements of this chapter. Said technical and clerical staff shall not be subject to the provisions of chapter thirty-one nor the provisions of section nine A of chapter thirty.

Section 8F. The commission shall meet at least once a month, on the second Monday, and may meet more often as the members may determine. The members shall be reimbursed for expenses incurred in connection with their duties and the appointed members of the commission shall, subject to appropriation, receive in addition to their expenses, fifty dollars per day for each day or part thereof of service to said commission.

SECTION 19. The General Laws are hereby amended by inserting after chapter 21E, inserted by section 5 of chapter 7 of the acts of 1983, the following chapter:-

CHAPTER 21F.
COASTAL FACILITIES IMPROVEMENT.

Section 1. The purposes of this chapter are:

(a) to ensure that adequate and well-maintained public facilities exist to support the commonwealth's fishing, marine, tourist, and recreational industry in the coastal zone;

(b) to provide flexible and affordable financial programs for the commonwealth's coastal cities and towns so that they can plan for, construct, reconstruct, maintain and improve public coastal

facilities;

(c) to improve planning for coastal facilities consistent with the policies of the executive office of environmental affairs;

(d) to encourage greater cost sharing between the public and users of public facilities financed with public funds.

Section 2. As used in this chapter, the following words shall, unless the context clearly requires otherwise, have the following meanings:-

"Harbor facility", any existing or proposed public dredged channel, spoil disposal area, bulkheads, ripraps, piers, wharves, fill, docks, floats, beaches or other structures used for fishing, marine industry, or commerce, marine recreations or public access purposes.

"Waterfront facility", public upland platforms, public buildings containing harbor related facilities or public spaces or structures used for fish or vessel and related equipment handling or storage, and parking facilities and walkways necessary for access to said waterfront facility.

"Public", any structure or land owned and maintained by a coastal city or town or by the commonwealth.

"Improvements", a project or undertaking involving the planning, engineering, repair, construction or reconstruction of harbor or waterfront facilities.

"Card program", the state Commercial Area Revitalization District program established under chapter forty D.

"Substandard condition", physical deterioration, faulty arrangement or design, overcrowding, lack of access, or other factors which cause the condition of a harbor or waterfront facility to be detrimental to the public safety, health, morals, welfare or sound growth of a coastal city or town.

"Designated port area", any port area suitable for maritime-industrial uses and so designated in accordance with the procedures established by the Department of Environmental Quality Engineering under chapter ninety-one.

"Special assistance development area", an area identified by the Executive office of environmental affairs under chapter twenty-one A, having special development needs and significant resource areas which have development potential such as in ports, harbors and recreational areas.

Section 3. The executive office of environmental affairs shall define the terms "coastal city or town" and shall designate such cities and towns as so qualifying for the purpose of determining eligibility for project assistance.

Section 4. Any coastal city or town, acting by and through its mayor in the case of a city, the town manager in a town having a town council form of government and the board of selectmen in any other town, may apply to the secretary of

environmental affairs for assistance to undertake a harbor or waterfront improvement. An application for assistance under this chapter shall represent no more than fifty per cent of the estimated total cost of the improvement and in no case shall exceed one million dollars. The commonwealth shall reimburse no more than one million five hundred thousand dollars total to a city or town applying for funding for more than one harbor or waterfront project. The secretary of environmental affairs is authorized to utilize seventy per cent of the funding provided for in this chapter, for public facilities used primarily for commercial purposes.

Said applicant must provide a cash or inkind match with a value equal to at least fifty per cent of the total cost of the improvement which may originate from any source including grants, bequests, gifts, or contribution by the federal, state or municipal government or by an individual, corporation or association.

Section 5. To qualify for assistance under this chapter, a city or town shall comply with the following conditions:

(a) the improvement will be public for the duration of any debt obligation incurred by the commonwealth relative to such assistance pursuant to regulations to be adopted pursuant to this chapter and shall be used principally for fishing, shellfishing, marine commerce or industry, or for marine recreation or public access purposes;

(b) the project site has been determined by the executive office of environmental affairs, to be in substandard conditions or is located within an approved Commercial Area Revitalization District or within a designated port area or an area designated as a special assistance development area by the Massachusetts coastal zone management program within the executive office of environmental affairs;

(c) that the city or town may seek to obtain reasonable fees from users of the improvement or related facilities, that this income will be committed to the operation, maintenance, management and, if required, the retirement of any debt incurred under the provisions of this chapter.

Section 6. In making applications for assistance under this chapter, the city or town shall follow the rules and procedures developed by the secretary of environmental affairs to implement this chapter which shall include, but not be limited to the following findings:

(a) the proposed improvement will serve the public interest and is consistent with community wide needs and priorities;

(b) the project will have a significant economic impact on the fishing, marine, commercial or industrial, recreation or tourist industry or provide significant public benefits;

(c) there is a clear need for the improvement;
(d) the improvement is consistent with the guidelines set by the executive office of environmental affairs and that all required local, state and federal permits, approvals and licenses, have been sought or obtained in the case of an improvement requiring such;
(e) the funds required to complete the total improvement are or will be secured;
(f) the application for assistance has been approved by the mayor in the case of a city, the town manager in a town having a town counsel form of government and the board of selectmen in any other town;
(g) funds shall not be used for dredging projects.
Section 7. In addition to the conditions and requirements set forth in this chapter, the executive office of environmental affairs shall promulgate such rules and regulations as are deemed necessary to effectuate the purpose of this chapter.

SECTION 19A. The department of environmental management is hereby authorized to expend a sum not exceeding seven million dollars for the development and associated costs in connection with the establishment at Long Wharf in the city of Boston of a mainland access point and waterfront component of the Boston Harbor Islands State Park and for the purpose of entering into agreement with the Boston Redevelopment Authority and the city of Boston for development and associated costs in connection therewith.

SECTION 20. Section 1 of said chapter 91 is hereby amended by striking out the definition of "Department" and inserting in place thereof the following definition:-
"Department", the department of environmental quality engineering; provided, however, that in sections two, two A, three, four, five, six, seven, eight, nine, nine A, ten, eleven, eighteen A, twenty-five, twenty-seven, twenty-nine, twenty-nine A, thirty-one, thirty-two, thirty-three, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty, forty-one, forty-two, forty-three, forty-five, forty-six, forty-seven, forty-eight, forty-nine, forty-nine A and fifty, the word "Department" shall mean the department of environmental management.

SECTION 21. Section 1 of chapter 91 of the General Laws is hereby amended by adding the following definitions:-
"Tidelands", present and former submerged lands and tidal flats lying below the mean high water mark.
"Commonwealth tidelands", tidelands held by the commonwealth in trust for the benefit of the public or held by another party

by license or grant of the commonwealth subject to an express or implied condition subsequent that it be used for a public purpose.

"Private tidelands", tidelands held by a private party subject to an easement of the public for the purposes of navigation and free fishing and fowling and of passing freely over and through the water.

"Water-dependent uses", those uses and facilities which require direct access to, or location in, marine or tidal waters and which therefore cannot be located inland, including but not limited to: marinas, recreational uses, navigational and commercial fishing and boating facilities, water-based recreational uses, navigation aids, basins, and channels, industrial uses dependent upon waterborne transportation or requiring large volumes of cooling or process water which cannot reasonably be located or operated at an inland site.

SECTION 22. Section 2 of said chapter 91 is hereby amended by adding the following two paragraphs:-

In carrying out its duties under the provisions of this chapter, the department shall act to preserve and protect the rights in tidelands of the inhabitants of the commonwealth by ensuring that the tidelands are utilized only for water-dependent uses or otherwise serve a proper public purpose.

The department of environmental quality engineering shall protect the interests of the commonwealth in areas described herein in issuing any license or permit authorized pursuant to this chapter. The activities of the department of environmental management pursuant to this chapter shall be subject to the licensing and permitting authority of the department of environmental quality engineering.

SECTION 23. Section 10 of said chapter 91, as appearing in the Tercentenary Edition, is hereby amended by adding the following sentence:- The department of environmental quality engineering shall protect the interests of the commonwealth in areas described herein in issuing any license and permit authorized pursuant to this chapter.

SECTION 24. Section 14 of said chapter 91 is hereby amended by adding the following paragraph:-

Except as provided in section eighteen, no structures or fill may be licensed on private tidelands or commonwealth tidelands unless such structures or fill are necessary to accommodate a water dependent use; provided that for commonwealth tidelands said structures or fill shall also serve a proper public purpose and that said purpose shall provide a greater public benefit than public detriment to the rights of the public in said lands.

SECTION 25. Said chapter 91 is hereby further amended by striking out section 15, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 15. Every authority or license granted since eighteen hundred and sixty-eight or hereafter granted by the commonwealth to any person to build a structure or do other work in, over and under the Connecticut river or the nontidal part of the Merrimack river or in, over or under the waters of any great pond or at any outlet thereof below high water mark, or upon ground over which the tide ebbs and flows, or to fill up or to enclose the same, whether such ground is above or below low water mark, or within or beyond one hundred rods from high water mark, or whether private property or property of the commonwealth, shall be subject to the following conditions, whether expressed in the act, resolve or license granting the same or not. Said authority or license shall be revocable at the discretion of the general court or for noncompliance with the terms and conditions set forth therein. The license shall expire unless all work authorized or licensed is completed within five years from the date of such authorization or license; provided however, that revocation by the general court for authorization of licenses issued after January first, nineteen hundred and eighty-four for any reasons other than noncompliance or expiration requires compensation in accordance with the provisions of chapter seventy-nine for valuable structures, fillings or enclosures actually and in good faith built or made under said authorization or license during the term thereof. The grant of a license pursuant to this chapter shall not convey a property right, nor authorize any injury to property or invasion of other rights.

SECTION 26. Said chapter 91 is hereby further amended by striking out section 18, as amended by chapter 528 of the acts of 1956, and inserting in place thereof the following section:-

Section 18. Every license granted under this chapter shall be signed by the department, shall state the condition on which it is granted, including, but not limited to the specific use to which the license structure or fill is restricted, and shall specify by metes, bounds and otherwise the location, dimensions, and limits and mode of performing the work authorized thereby. Any changes in use or substantial structural alteration of a licensed structure or fill, whether said structure or fill first was licensed prior to or after the effective date of this section, shall require the issuance by the department of a new license in accordance with the provisions and procedures established in this chapter. Any unauthorized change in use or structural alteration shall render the license void. Licenses granted by the department

pursuant to this chapter shall be revocable by the department for noncompliance with the conditions set forth therein.

Forty-five days before any license is granted pursuant to this chapter, the department shall give notice to the selectmen of the town or the mayor of the city and the conservation commission of the town or city where the work is to be performed that they may be heard, except in the case of a proposed bridge, dam or similar structure across a river, cove, or inlet, the department shall give notice to the selectmen or mayor, and conservation commission of every municipality into which the tidewater of said river, cove or inlet extends, and the department shall cause said notice to be published at the same time in a newspaper or newspapers having a circulation in the area affected by said license at the expense of the applicant.

A public hearing shall be held in the affected city or town on any license application for nonwater dependent uses of tidelands. No structures or fill for nonwater dependent uses of tidelands may be licensed unless a written determination by the department is made following a public hearing that said structures or fill shall serve a proper public purpose and that said purpose shall provide a greater public benefit than public detriment to the rights of the public in said lands and that the determination is consistent with the policies of the Massachusetts coastal zone management program. For those license applications where a public hearing is not mandated, a public hearing may be held, upon the request of the municipality or at the discretion of the department in the affected city or town.

Any person aggrieved by a decision by the department to grant a license pursuant to this chapter shall have the right to an adjudicatory hearing in accordance with chapter thirty A.

The department shall keep a record of each license and a plan of the work or structure. Said license shall be void unless, within sixty days after its date, it and the accompanying plan are recorded in the registry of deeds for the county or district where the work is to be performed. Work or change in use authorized under the license shall not commence until said license is recorded and the department has received notification of said recordation.

No license shall be granted for private tidelands unless the application therefor contains a certification by the clerk of the affected cities or towns that the work to be performed or changed in use is not in violation of local zoning ordinances and by-laws.

Each license granted shall contain a statement of the tidewater displacement assessments made with respect thereto and that payment has been received therefor, or that performance of other conditions in lieu of such payment has been completed to the satisfaction of the department and a statement of the assess-

ment for occupation of commonwealth tidelands, any, made with respect thereto for which payment has been received or shall be required in accordance with regulations of the department.

SECTION 27. Said chapter 91 is hereby further amended by striking out sections 21 and 22 and inserting in place thereof the following sections:-

Section 21. The amount of tidewater displaced by any structure below high water mark, or any filling of flats, shall be ascertained by the department, which shall require the person, his heirs or assignees who are responsible for such displacement to make compensation therefor by excavating, under its direction, between high and low water mark in some part of the same harbor a basin for a quantity of water equal to that displaced; or by paying to the commonwealth, in lieu of such excavation, an amount assessed by the department, or by improving the harbor in any other manner satisfactory to the department. The department shall by regulation determine a schedule of rates of assessment to be charged pursuant to this section per cubic yard of water displaced. In determining said rate of assessment the department may consider the following factors: the costs incurred by the department in the licensing of tidelands; the costs typically associated with excavation or improvement of harbors or basins as permitted in lieu of payment of an assessment under this section; and the level of assessments historically charged in the commonwealth or in other states with respect to the displacement of tidewater. An assessment for the tidewater which has been displaced may be recovered in contract in the name of the state treasurer.

Section 22. If authority or a license is granted by the general court or by the department to a person to build a wharf or other structure upon, or to fill or otherwise occupy, land in tide water, or to build or extend any structure or drive piles, fill land or make any obstruction, encroachment or excavation in, over or upon the waters of any great pond, he shall pay to the commonwealth such compensation for the rights granted in any land the title to which is in the commonwealth as shall be determined pursuant to regulations of the department. The department shall by regulation provide for a uniform method for determination of such compensation which may in the department's discretion be based on either a uniform rate per square yard of commonwealth tidelands occupied or on an appraisal of the fair market value of the rights granted by the commonwealth, and which may in the department's discretion be assessed either as a lump sum payable in full prior to issuance of the license or as a series of annual payments which shall be required as a condition of the license. This section shall not apply to authority granted

to a county, city or town for the construction, widening or maintenance of a bridge constituting a part of a highway.

SECTION 28. Section 44 of chapter 253 of the General Laws, as appearing in chapter 722 of the acts of 1979, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- In this section and in sections forty-five to forty-seven, inclusive, the term "commissioner" shall mean the commissioner of environmental management or his designee.

SECTION 29. The general court hereby finds and declares that, in the interests of more efficient administration of government, that certain functions of the division of waterways, within the department of environmental quality engineering, shall be transferred to the department of environmental management. The following functions of the division of waterways within the department of environmental quality engineering as provided in chapters ninety-one and two hundred and fifty-three of the General Laws, are hereby transferred to the department of environmental management: the authority to construct projects and facilities, the authority to dredge the waterways of the commonwealth, the ownership and management of the state piers, the ownership and management of certain land, and the dam maintenance and safety program. The functions of the division of waterways relating to licensing and permitting structures or activities within the tidelands of the commonwealth shall remain in the department of environmental quality engineering.

SECTION 30. All rules, regulations, procedures, standards, guidelines and policies duly made by the executive office of environmental affairs which relate to the Massachusetts coastal zone management program and are in force immediately prior to the effective date of this act, shall continue in force and the provisions thereof shall thereafter be enforced, until superseded, revised, rescinded or cancelled in accordance with law, by the Massachusetts coastal zone management office.

SECTION 31. Upon the effective date of this act, all persons then employees of the department of environmental management and whose salaries are provided through budget account number 2130-0010 shall remain employees of the department of environmental management but may be temporarily transferred to the office of the secretary of the executive office of environmental affairs, without impairment of civil service status, seniority, retirement, or other rights, and without interruption of service under the provisions of chapter thirty A and section nine A of

chapter thirty 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 commission shall have unrestricted right to take civil service examinations for and from the positions in which they are incumbent.

SECTION 32. Members of the water resources commission appointed by the governor and serving at the time of passage of this act shall continue to serve until the expiration of their present term and may be reappointed by the governor.

SECTION 33. Upon the effective date of this act, all employees of the division of water resources shall become employees of the department of environmental management without impairment of civil service status, seniority, retirement or other rights, and without interruption of service under the provisions of chapter thirty-one and section nine A of chapter thirty 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.

SECTION 34. All employees whose duties are transferred to a department, commission, or other unit of state government by passage of this act, who, immediately prior to the effective date of this act, hold positions related to the exercise of such powers or the performance of such duties and either hold permanent appointment in positions classified under chapter thirty-one of the General Laws or have tenure in their positions by reason of section nine A of chapter thirty of the General Laws, are hereby transferred to said department, commission, or other unit of state government to which said powers and duties are so transferred, every such transfer to be without impairment of civil service status, seniority, retirement or other rights of the employee and without interruption of service within the meaning of said chapter thirty-one or said section nine A and without reduction in compensation or salary grade notwithstanding any change in title or duties resulting from such transfer, subject to the provisions of said chapter thirty-one and the rules and regulations adopted thereunder.

All employees who, immediately prior to said effective date, hold positions related to the exercise of such powers or the performance of duties, as are transferred to a department, commission, or other unit of state government, but neither hold permanent appointment in such positions, nor have such tenure,

are hereby transferred to said department, commission, or unit to which said powers and duties are so transferred, every such transfer to be without impairment of seniority, retirement and other rights of the employee, and without interruption of service within the meaning of said section nine A of chapter thirty and without reduction in compensation or salary grade, notwithstanding any change in title or duties resulting from such transfer.

Nothing in this section shall be construed to confer upon any employee any rights not held immediately prior to the effective date of this act or to prohibit any reduction of salary or grade, transfer, reassignment, suspension, discharge, layoff, or abolition or position not prohibited prior to said effective date.

The status of the incumbent in any office or position placed within the classified civil service by this act shall be determined pursuant to the provisions of section forty-seven A of said chapter thirty-one.

SECTION 35. All petitions, hearings and other proceedings duly brought before, and all prosecutions and legal and other proceedings duly begun by a department, commission, or other unit of state government, the powers and duties which are transferred by passage of this act, and which arise from or relate to the exercise of such powers or the performance of such duties, and which are pending immediately prior to the effective date of this act, shall continue unabated and remain in force notwithstanding the passage of this act, and shall thereafter be completed before or by said department, commission, or other unit of state government to which said powers and duties are so transferred.

All orders, rules and regulations duly made, and all licenses, permits, certificates and approvals duly granted, by any department, commission, or unit of state government concerning the powers and duties which are transferred by this act, which arise from or relate to the exercise of such powers or the performance of such duties, and which are in force immediately prior to the effective date of this act, shall continue in force and the provisions thereof shall thereafter be enforced, until superseded, revised, rescinded or cancelled in accordance with law, by the appropriate department, commission, or other unit of state government to which said powers and duties are so transferred.

All questions regarding the identification of such petitions, hearings, prosecutions, proceedings, orders, rules, regulations, licenses, permits, certificates and approvals, and of the agencies to which the completion or enforcement thereof is so transferred, shall be determined by the secretary of environmental affairs.

SECTION 36. All books, papers, records, documents, equip-

ment, lands, interests in land, buildings, facilities and other property, both personal and real, which, immediately prior to the effective date of this act, are in the custody of a department, commission, or other unit of state government, relating to powers and duties which are transferred by this act and which relate to or are maintained for the purpose of the exercise of such powers or the performance of such duties, are hereby transferred to the department, agency, or other unit of government to which said powers and duties are so transferred.

All questions regarding the identification of such property and of the agencies to which custody thereof is transferred shall be determined by the secretary of environmental affairs.

SECTION 37. All duly existing contracts, leases and obligations of any department, commission or other unit of state government concerning the powers and duties which are transferred by passage of this act, which relate to the exercise of such powers or the performance of such duties, and which are in force immediately prior to the effective date of this act, shall thereafter be performed by the department, commission, or other unit of state government to which said powers and duties are so transferred. No existing right or remedy of any character shall be lost, impaired or affected by the provisions of this act.

SECTION 38. All monies heretofore appropriated for a department, commission, or other unit of state government, concerning the powers and duties which are transferred by passage of this act, for the purpose of the exercise of such powers or the performance of said duties, and remaining unexpended on the effective date of this act, are hereby transferred to, and shall be available for expenditure by, said department, commission, or other unit of state government to which said powers and duties are so transferred, for the purposes for which such funds were originally appropriated.

All questions regarding the identification of such monies and of the agencies to which they are so transferred shall be determined by the secretary of environmental affairs.

SECTION 39. Wherever the name of a department, commission, or other unit of state government concerning the powers and duties which are transferred by passage of this act, appears in any general or special law, or in any order, rule, regulation or other document related to the exercise of such powers or the performance of such duties, such name shall mean and shall be construed as referring to the department, commission, or other unit of state government to which said powers and duties are so transferred.

SECTION 40. All powers, duties and other statutory provisions which prior to the effective date of this act were assigned to, or exercised by, a department, commission, or other unit of state government or were assigned to or exercised by any officer of any such unit shall continue to be exercised and performed by, and to be assigned to, such unit or officer except as such powers, duties or other statutory provisions are modified by this act.

SECTION 41. To meet the expenditures necessary in carrying out the provisions of section nineteen and nineteen A 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-five million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Public Piers Reimbursement Loan, Act of 1983, 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 eight.

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 42. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary for the purpose of meeting payments authorized by section nineteen 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 fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, but the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, nineteen hundred and eighty-eight.

Notes and interest thereon issued under the authority of this section, notwithstanding any other provisions of this act, shall be general obligations of the commonwealth.

Approved December 17, 1983.

Chap. 590. AN ACT RELATIVE TO DEPOSITS AND ACCOUNTS IN BANKS AND OTHER CHANGES TO THE BANKING LAWS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize certain deposits and accounts in banks and other changes to the banking laws of the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 13 of chapter 167 of the General Laws, as appearing in section 5 of chapter 155 of the acts of 1982, is hereby amended by striking out, in lines 22 to 24, inclusive, the words "February, a statement of the condition, as of the last business day of October" and inserting in place thereof the words:- May, a statement of the condition, as of the last business day of December.

SECTION 2. The General Laws are hereby amended by striking out chapter 167D, as most recently amended by section 17 of chapter 371 of the acts of 1983, and inserting in place thereof the following chapter:-

CHAPTER 167D.
DEPOSITS AND ACCOUNTS.

Section 1. In this chapter, unless the context otherwise requires, the following words shall have the following meanings:-

"Bank", a savings bank, co-operative bank or trust company incorporated as such in the commonwealth.

"Board", the board of trustees in a savings bank, the board of directors in a co-operative bank and the board of directors in a trust company.

"Commissioner", the commissioner of banks.

"Federally-chartered bank", a national bank association, a federal savings and loan association, a federal savings bank or a federal credit union authorized to do business in the commonwealth.

Section 2. Every bank in its banking department shall, subject to any limitations imposed by this chapter, have the following powers and whatever further incidental powers may fairly be implied from those expressly conferred and such as are reasonably necessary to enable it to exercise fully those powers according to common banking customs and usages:

1. To receive deposits as authorized by sections two to twelve, inclusive, and sections twenty-one and thirty-one and to receive demand, time and other types of deposits upon such terms and conditions as may be agreed upon between the depositor and the bank.

2. To receive on deposit, storage or otherwise, money, government securities, stocks, bonds, coin, jewelry, plate, valuable papers and documents, evidences of debt, and other property of any kind, upon such terms and conditions as may be agreed upon between the depositor and the bank; and to collect and disburse, at the request of the depositor, the interest or income or principal of said property upon terms to be prescribed by such bank.

Section 3. A bank may receive demand, time and other types of deposits without limitation.

Section 4. A bank may receive deposits in denominations of one hundred dollars or two hundred dollars in the form of shares as hereinafter described:

1. Serial Shares. - (a) Issue: Serial shares in either denomination may be issued in quarterly, half-yearly or yearly series, in such amounts and at such times as the board, from time to time, may determine. Shares of a prior series may be sold with the approval of the board. Purchasers of shares of a prior or current series shall pay therefor their value computed from the date of their issue.

(b) Dues: On or before each bank day every serial shareholder shall pay one dollar as dues upon each serial share held by him until it is withdrawn, forfeited, suspended, retired and matured.

(c) Maturity: Serial shares shall mature when they reach the value of either one hundred dollars or two hundred dollars, depending on which denomination such series is in, by the accumulation of dues, distributed earnings and other credits. When maturity of any shares would occur between distribution dates by the crediting of interest at the last rate of distribution, such interest shall be so credited and such shares thereupon shall mature.

(d) Exchange of Serial Shares: The withdrawal value of the serial shares of a nonborrower who continues in arrears for more than six months, at the option of the board, if he fails to pay the arrears within thirty days after notice, may be transferred into paid-up shares or into a savings account, or both, or into a suspended share account. In the event of any withdrawal before maturity of interest paid or credited upon serial shares, the remaining withdrawal value of such shares may, unless withdrawn by the holder, be transferred by the bank into paid-up shares or into a savings share account, or both.

2. Paid-up Shares. - Paid-up shares may be sold in denominations of either one hundred dollars or two hundred dollars each payable when issued either with or without interest adjusted from the last distribution of profits at a rate fixed by the board. When serial shares mature they shall be deemed paid-up shares.

No person individually and no two or more persons in a joint account shall hold more than six hundred serial shares in the denomination of one hundred dollars nor more than three hundred serial 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 a bank held at the same time by such person both individually and with one or more other persons shall exceed in the denomination of one hundred dollars, six hundred serial shares, or in the denominations of two hundred dollars, three hundred serial shares.

Paid-up shares shall be governed by the limitations contained in section three.

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.

For other applicable provisions of law, shares shall be deemed deposits.

Section 5. Any bank or federally-chartered bank may receive deposits in the name of two or more persons as joint tenants, payable to two or more persons or the survivor or survivors of them, and any part or all of the deposits and interest represented by joint accounts may be withdrawn, assigned or transferred in whole or in part by any of the individual parties. Payments to any of the parties to a joint account while all of them are living shall discharge the liability of the bank or federally chartered bank to all persons and, in the event of the death of any of them, the bank or federally chartered bank shall be liable only to the survivor or survivors and the payment to any of the survivors shall discharge the liability of the bank or federally chartered bank to all persons.

Any party to a joint account also may make deposits to an individual account.

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

Such deposits or any part thereof, or any interest thereon, may be paid to any of such persons or to any assignee or pledgee of any of such persons, whether the other such persons be

living or not, provided they are not then attached at law or in equity in a suit against any such person, and the bank or federally chartered bank then has no notice in writing of any assignment or pledge of the account by any of such persons to any person other than the person to whom payment is being made hereunder. All such payments shall be valid.

Section 6. Any bank or federally-chartered bank may receive deposits made by one or two persons in trust for another. The name and residence of the person for whom such deposit is made shall be disclosed and the deposit shall be credited to the depositors as trustees for such person. Payments may be made to the trustee, or if there are two trustees, to both or to either or the survivor. If no other notice of the existence and terms of a trust has been received in writing by the bank or federally chartered bank upon the death of the trustee, or if there are two trustees upon the death of both, the amount then on deposit together with the interest thereon may be paid to the person for whom such deposit was made, or to his legal representative. Withdrawals and payments made in accordance with this section shall fully discharge the liability of the bank or federally chartered bank to all persons.

Section 7. Any bank or federally-chartered bank having funds on deposit in the name of a minor may, unless in violation of a written agreement to which such bank or federally chartered bank is a party, pay the same in whole or in part directly to such minor, to his legal representative, to either parent of such minor or to others on his written order; and any such payments shall discharge the liability of such bank or federally chartered bank to all persons to the extent of such payment.

Section 8. For any time deposits with a maturity in excess of thirty days, any such bank shall be required to mail to the depositor a written notification of maturity at least thirty days prior to the date of maturity of said plan or deposit but in no event more than forty-five days prior to said date of maturity of said deposit.

No general requirement of notice of withdrawal or loan under section seventeen shall apply to the withdrawal of such deposits pursuant to a withdrawal notice, if so required, received by a bank before such general requirement was imposed.

Notwithstanding the provisions of any time deposit or of any agreement made pursuant to the authority thereof relative to notice of intent to withdraw funds from such an account, no such requirement of notice shall be applicable after the death of the depositor in such an account to a duly appointed and qualified executor or administrator of the estate of such depositor.

Section 9. Any such bank may contract, on terms to be agreed upon, for club deposits, so-called, which deposits may be

made at intervals within any period of twelve months, of sums of money in the aggregate not in excess of the statutory limit on deposits which deposits interest shall be paid.

Section 10. In order to encourage savings among school children, any bank may arrange for the collection, by collectors or by the school principal or teachers, of deposits from school children of private schools and, with the approval of the school committee of the town or regional district wherein the school is situated, from school children of public schools. To give effect to the purposes of this section any such bank may, in participation and under an agreement in writing with one or more other such banks, all such banks having their main offices in the same town, arrange for such collection in one or more public or private schools in any town in which a participating bank has its main office or a branch office, or in any contiguous or surrounding town in which no other bank or bank branch office is located; subject, however, to the approval of the commissioner and, in the case of public schools, of the commissioner and the school committee of the town or regional district wherein such school or schools are situated. Subject to conditions approved by the commissioner and notwithstanding the provisions of section thirty-seven of chapter one hundred and sixty-seven, such participation may be effected through an association or through a corporation established under chapter one hundred and eighty, organized for that purpose by some or all of the participating banks or by persons on their behalf, and any such association or corporation shall be subject to the supervision of the commissioner. Whenever used in this section, the word "association" shall mean an association the business of which is conducted or transacted by trustees under a written instrument or declaration of trust.

Section 11. A bank may receive on deposit to any amount, funds in trust for the purposes of setting out shade trees in streets and parks and improving the same, purchasing land for parks or playgrounds and improving the same, maintaining cemeteries or cemetery lots, or erecting and maintaining drinking fountains in public places, subject to the following provisions:

1. Payments. - The interest on such deposits shall be paid at least annually to such town or cemetery authorities as may be designated by the donors of said funds or by the will of the person bequeathing the same, and shall be expended by such authorities within their respective towns or cemeteries for any or all of said purposes as may be specified by such donors or such will. Such deposits and interest shall be exempt from attachment or levy on execution. No part of the principal of such deposits shall be withdrawn or expended, but nothing in this sentence shall prevent the withdrawal of the principal of or interest on deposits made by a cemetery corporation under section three,

and nothing in this sentence shall prevent the withdrawal by the city or town treasurer of cemetery perpetual care funds deposited by a city or town.

2. Court Order. - A judge of probate, after notice and a hearing, may authorize an executor, administrator or trustee holding money or other personal property for any of the purposes mentioned in this section, to deposit such money, or the avails arising from such personal property, in any such bank designated by the judge, to be held by it in the manner and for such purposes and upon the trusts upon which the executor, administrator or trustee held the same; and upon the deposit of such money and its receipt and acceptance by such bank the executor, administrator or trustee shall be discharged from further care and responsibility therefor.

3. Statement Every Three Years. - The deposits held in accordance with this section shall be known as the "Shade Tree and Cemetery Accounts" and the treasurer of the bank with which they are deposited shall give a receipt therefor to the depositor, and shall send by mail or delivery, in January in each third year after the first deposit, to the mayor of a city or the chairman of the selectmen of a town, a written statement, signed by such treasurer, of the amount of deposits held for any of the purposes aforesaid in the name or for the benefit of such city or town or of any instrumentality thereof. Such statement shall be recorded in the office of the city or town clerk.

4. Transfer of Deposit. - If a bank holding such deposits surrenders its charter or ceases to do business, the supreme judicial court may order said deposits to be transferred and deposited in another such bank, upon the same trusts, and if the laws authorizing such banks are repealed, the court may order such deposits to be transferred and deposited in such banking institutions as it may find proper, to be held upon the trusts aforesaid.

Section 12. A bank may receive deposits, under the terms of a written plan approved by the commissioner 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 shall not exceed twenty per cent of the assets of the bank.

Section 13. A depositor's vouchers may be returned by mailing the same to him, at his last known address, postage prepaid,

and such depositor may, when required to notify the bank, give notice in like manner.

Section 14. Without the consent of the commissioner, no bank shall advertise in any manner more than four months prior to the date interest or dividends on deposits or shares will be payable, the rate at which it is anticipated or estimated such interest or dividends will be paid.

Section 15. 1. As used in this section the following words shall have the following meanings:

(a) "Nonfederally-insured bank", any bank, except a credit union as defined in section one of chapter one hundred and seventy-one, which is subject to supervision by the commissioner, which is not a "member" of a Federal Home Loan Bank as defined in Section 2 of the Federal Home Loan Bank Act (12 U.S.C. 1422), and the deposits of which are not insured in accordance with the provisions of the Federal Deposit Insurance Act (12 U.S.C. 1811-1831);

(b) "Insured nonmember bank", the same meaning that such term has in the Federal Deposit Insurance Act;

(c) "Member", the same meaning that such term has in the Federal Home Loan Bank Act;

(d) "Insured institution", the same meaning that such term has in section 401 (a) of the National Housing Act (12 U.S.C. 1724 (a));

(e) "Deposits", all deposits authorized under section two; and

(f) "Affiliate", the same meaning that such term has in section 2(b) of the Banking Act of 1933 (12 U.S.C. 221a), except that the term "member bank", as used in said section 2(b), shall be deemed to refer to a nonfederally-insured bank.

2. The advertising and payment of interest on deposits, shares or withdrawable accounts, shall be subject to regulation by the commissioner as herein provided. Said commissioner may, from time to time, prescribe rules and regulations governing the payment and advertisement of interest on deposits, including limitations on the rates of interest that may be paid on deposits, by all nonfederally-insured banks. Said commissioner may prescribe different rate limitations for different classes of deposits, for deposits of different amounts or with different maturities or subject to different conditions regarding withdrawal or repayment, according to the nature or location of such nonfederally-insured banks or their depositors, or according to such other reasonable bases as the commissioner may deem desirable in the public interest. The commissioner is authorized, for the purposes of this section to classify types of deposit, to determine what shall be deemed a payment of interest and to prescribe such regulations as he may deem necessary to effectuate the purposes of this section and to prevent evasions thereof. Such regulations shall

prohibit any nonfederally-insured bank from paying any time deposit before its maturity except upon such conditions and in accordance with such rules and regulations as may be prescribed by the commissioner and from waiving any requirement of notice before payment of any deposit except as to all deposits having the same requirement. The provisions of this section and of regulations hereunder shall also apply, in the discretion of the commissioner, to obligations other than deposits that are undertaken by nonfederally-insured banks or their affiliates for the purpose of obtaining funds to be used in the banking business. The commissioner shall also have any such authority with respect to nonfederally-insured banks as the board of directors of the Federal Deposit Insurance Corporation now has or may in the future have with respect to insured nonmember banks pursuant to Section 18 (g) of the Federal Deposit Insurance Act (12 U.S.C. 1828 (g)) and as the Federal Home Loan Bank Board now has or may in the future have with respect to members and insured institutions pursuant to Section 5B of the Federal Home Loan Bank Act (12 U.S.C. 1425b). Any authority conferred on the commissioner by this section with respect to nonfederally-insured banks shall be effective only during such time as the board of directors of the Federal Deposit Insurance Corporation shall have comparable authority with respect to insured nonmember banks or as the Federal Home Loan Bank board shall have comparable authority with respect to members and insured institutions.

3. (a) Whenever it appears to the commissioner that any bank is engaged or has engaged or is about to engage in any act or practice which constitutes or will constitute a violation of the provisions of this section or of any regulation hereunder, the commissioner may, in his discretion, bring an action in the superior court for the county in which the principal office of such bank is located to enjoin such act or practice, to enforce compliance with this section or any regulation prescribed hereunder or for a combination of the foregoing, and such court shall have jurisdiction of such action, and, upon a proper showing, an injunction, restraining order or other appropriate order may be granted without bond.

(b) In addition to any other penalty provided by this or any other law, any bank, subject to this section, which violates a rule promulgated pursuant to this section shall be subject to such civil penalties, which shall not exceed one hundred dollars for each violation, as may be prescribed by the commissioner by regulation, and such regulation may provide, with respect to any or all such violations, that each day on which the violation continues shall constitute a separate violation. The commissioner may recover any such civil penalty for his own use, through action or otherwise, including recovery thereof in any other

action or proceeding under this section. The commissioner may, at any time before collection of any such penalty, whether before or after the bringing of an action or other legal proceeding, the obtaining of any judgment or other recovery or the issuance or levy of any execution or other legal process therefor, and with or without consideration, compromise, remit or mitigate in whole or in part any such penalty of any such recovery.

4. Any regulation made by the commissioner pursuant to the authority conferred by this section shall be subject to the provisions of chapter thirty A, except that the commissioner may from time to time change the maximum rate of interest on deposits without holding a public hearing by publishing in a newspaper or newspapers of general circulation in the commonwealth selected by the commissioner, and delivering to any banks subject to such maximum rate, a notice which states the substance of the proposed maximum rate limitation and fixes an effective date for such limitation not earlier than thirty days after the date of publishing or delivering such notice.

Section 16. All deposits in any bank may be withdrawn at such time and in such manner as the by-laws direct. The treasurer or other authorized officer of any bank may, at any time, require a depositor to give a written notice, not exceeding ninety days, of his intention to withdraw the whole or any part of any deposit other than a demand deposit loan secured by any such deposit. Whenever said notice is required from depositors on any one day, such bank shall be deemed to have made a general requirement and shall file with the commissioner, within forty-eight hours thereafter, a written notice thereof. Until such general requirement has been removed and notice thereof filed with the commissioner, no payment by way of withdrawal or loan shall be made to any such depositor on account of any such deposit, except that, with the approval of the commissioner, such sum or sums not exceeding, in the aggregate, an amount fixed by the board may be so paid to each such depositor.

Whenever in the judgment of the board there is an unusual demand by such depositors for withdrawals the bank may, with the approval of the commissioner, and whenever in the opinion of the commissioner there is such an unusual demand the bank shall upon his order, require such a depositor to give written notice of his intention to withdraw the whole or any part of such deposits or to apply for a loan secured by such deposit, such notice to be for such period not exceeding six months, as may be determined by the commissioner, which period may, in his discretion, be extended but not beyond one year from the date of notice, and until such a requirement has been revoked by the commissioner, the foregoing limitations as to payments by way of withdrawal or loan applicable in case of a general requirement as

aforesaid shall apply to such deposits.

Such bank shall not advertise for such deposits in newspapers, by posters or other written solicitation, while any requirement of notice of intention to withdraw is in effect, unless the advertisement shall contain, in type not smaller than the largest type thereof, a statement that such deposits may not be paid out, by way of withdrawal or loan, except in accordance with the terms of the requirement, which terms shall be set forth in such statement.

Section 17. Any agreement between a depositor and any bank which exculpates such bank when a deposit account, or any part thereof, is paid by such bank to a person unlawfully presenting a passbook, or other instrument as evidence of such account is hereby declared to be contrary to public policy and void.

Section 18. When a passbook or other instrument as evidence of a depositor's account issued by any bank has been lost, stolen or destroyed, the person in whose name it was issued, or in the case of a joint account, by the joint owners thereof may make written application to such bank for payment of the amount of the deposit represented by said book or other instrument or for issuance of a duplicate book or other instrument therefor. The application shall include an affidavit signed and sworn to that the person, or persons, making such application is a lawful owner, or are the lawful owners, of said passbook or other instrument, that said passbook or other instrument has been lost, stolen or destroyed, and that no lawful owner has, in any way, transferred, pledged or assigned said passbook or other instrument or any interest in the deposits therein. The application shall further include an agreement, in writing, to indemnify the bank from and against any and all claims, expenses and liabilities in any way resulting from the bank's action on the application by the payment of amounts due on said passbook or other instrument or by the issuance of a duplicate book or other instrument therefor. All signatures contained with such application shall be duly notarized. Upon receipt of such application, the bank may pay the amount due on said passbook or other instrument or may issue a duplicate book or other instrument therefor. The provisions of this section shall apply to passbooks and other instruments issued by a bank which subsequently has merged in, consolidated with or transferred its deposit liabilities to another bank.

When payment is made or a duplicate book or other instrument is issued in accordance with this section and after presentation of reasonable identification, a bank shall not be liable to any person on account of its action on the application, payments of the amount due on said passbook or other instrument or issuance of a duplicate book or other instrument therefor, except that a

bank may be liable to a transferee, pledgee or assignee who, prior to such action, payment or issuance, has given the bank written notice of the transfer, pledge or assignment.

Section 19. Whenever a bank as a consequence of a default of a debt owed to said bank by a depositor or shareholder, makes a transfer of funds of such depositor or shareholder to reduce or extinguish said debt, such depositor or shareholder shall be notified forthwith of such transfer by written notice sent by certified mail, return receipt requested, directed to his last known address; provided, however, that no such transfer shall be made if such debt is the result of consumer credit granted under the provisions of chapter one hundred and forty D unless the written notice required by section twenty-three of said chapter one hundred and forty D has been given. A depositor or shareholder to whom such notice has not been sent shall be entitled to recover the amount of any actual damages.

Section 20. A person indebted to a bank may, when proceeded against for the collection of such indebtedness or for the enforcement of any security therefor, set off or recoup the amount of a deposit in such bank held and owned by him at the time of the commencement of such proceeding; provided, however, that if a proceeding in equity has been commenced to restrain the bank from doing its actual business, or if possession of such bank has been taken over by the commissioner as provided in section twenty-two of chapter one hundred and sixty-seven or as otherwise provided by law, no deposit shall be so set off or recouped by any such person unless held and owned by him on the date of the commencement of such proceeding or of possession so taken, and the right of set off or recoupment shall be determined as of such date whether the indebtedness of the depositor, or the deposit, is then due or payable or becomes due or payable at a later date. Any indebtedness against which a deposit is permitted to be set off or recouped as aforesaid may be secured or unsecured. Section three of chapter two hundred and thirty-two shall not apply to a set off hereunder, except that any party to a joint account may set off the joint deposit against his individual debt to such bank. Notwithstanding the foregoing, a judgment shall not be rendered against such bank in favor of the defendant for any balance found due from it if a proceeding in equity has been commenced against the bank or possession thereof has been taken as aforesaid. The word "deposit", as used in this section, shall include interest due thereon.

Section 21. No bank shall give collateral or other security for a deposit of money received in its banking department, except that such bank may make such a deposit of securities as may be required by the laws of the United States or the rules and regulations of any department, agency or instrumentality thereof

as security for deposits of funds made with such bank and may give such collateral or other security for deposits of public or other funds as may be required by any public authority making such deposits or controlling the terms upon which they may be made and except as provided in section eight of chapter one hundred and sixty-seven G.

Section 22. A bank may act as a depository of funds of the United States or any department, agency or instrumentality thereof, and in connection therewith and in accordance with applicable federal law, rules and regulations, may satisfy any requirement, including, without limitation, the pledging of collateral, and enter into such arrangements necessary or incidental to the receipt and administration of such deposit accounts.

Section 23. Any bank may cause any stock or security in registered form held for its account and not in a fiduciary capacity to be registered and held in the name of a partnership or corporate nominee named by it and residing or having a principal place of business in the commonwealth; provided, however, that nothing in this section shall be construed as to permit any bank to deliver any security held for its account into the possession and control of any other person except in accordance with the regulations of the commissioner pursuant to section six of chapter one hundred and sixty-seven. A depository having possession of securities of a bank registered as authorized by this section shall maintain adequate records indicating the ownership thereof, shall segregate the same from his or its own assets and shall be absolutely liable for any loss occasioned by the acts of a nominee.

Section 24. If, in an action against a bank for money on deposit therewith, it appears that the same fund is claimed by another party than the plaintiff, whether by the husband or wife of the plaintiff, or otherwise, the court in which such action is pending, on the petition of the bank and on such notice to the plaintiff and to such claimants as the court considers proper, may order the proceedings to be amended by making such claimants defendants thereto, and thereupon the rights and interests of the several parties in and to said funds shall be heard and determined. Such deposits may remain with the bank until final judgment and shall be paid as the court orders, or may be paid into court to await final judgment, and when so paid into court, the action shall be discontinued as to such bank and its liability for such deposit shall cease. The taxable costs of the bank in such actions shall be in the discretion of the court and may be charged upon the fund.

Section 25. Subject to section twenty-eight of chapter two hundred and six, the probate and family court department of the trial court, or other court, respectively, shall, upon the applica-

tion of a person interested or of the attorney general, and after public notice, order and decree that all amounts of money deposited with a bank by authority of any of said courts or of any judge thereof, and which shall have remained unclaimed for more than twenty years from the date of such deposit shall be paid, together with the interest accumulated thereon, to the state treasurer, to be held and used by him according to law, subject to be repaid to the person having and establishing a lawful right thereto, with interest at the rate of three per cent per annum from the time when it is so paid to said treasurer to the time when it is paid over by him to such person, as hereinafter provided in this section. The registers and the clerks of said courts shall, annually, submit to the attorney general a list of all said deposits over twenty years old, setting forth the docket numbers, the names of the estates, depositors, depositories, the numbers and the balances of any passbooks or other instruments evidencing such accounts.

Any person claiming a right to money deposited with the state treasurer under this section pursuant to a decree of a probate and family court department in any county may establish the same by a petition to the probate and family court department of such county, or if so deposited, pursuant to the order of any other court, by a petition to the superior court department of the trial court under section one of chapter two hundred and fifty-eight; provided, however, that in cases where claims amount to less than fifty dollars each, such claims may be presented to the comptroller of the commonwealth who shall examine the same and allow and certify for payment such as may be proved to his satisfaction.

Section 26. The supreme judicial court or any justice thereof sitting in equity may, on petition of a bank or the board of the bank, approved by the commissioner, approve or order a reduction of the deposit account of each depositor therein whenever the value of its assets is less than the total amount of its deposits so as to divide the loss equitably among said depositors. If thereafter the bank shall realize from said assets a greater sum than was fixed by said order reduction, such excess shall be divided among the depositors whose accounts have been reduced but to the extent of such reduction only; provided, however, that at any time after the entry of a decree approving or ordering such a reduction of deposit accounts, said court or any justice thereof may, by order, finally determine the amount which said depositors are equitably entitled to receive in full settlement of their said deposit accounts and the manner of distribution of said amount.

Section 27. Any bank or federally-chartered bank which accepts deposits for demand deposit or other accounts subject to

withdrawal by negotiable or transferable instrument for the purpose of making transfers to third parties shall, if requested by the depositor, return the cancelled negotiable or transferable instruments of such accounts and shall not charge a fee for such return and if any such cancelled instrument becomes lost prior to such return the corporation shall provide, without charge, photostats of such instruments.

Section 28. Any advertisement, within the commonwealth, in a language other than English made by a bank, or federally-chartered bank to aid, promote or assist directly or indirectly any deposit account offered by such bank or federally chartered bank 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" shall mean any commercial message in any newspaper, magazine, leaflet, flyer or catalog, on radio, television or public address system, in direct mail literature or other printed material, on any interior or exterior sign or display, in any window display, in any point-of-transaction literature or price tag which is delivered or made available to a customer or prospective customer in any manner whatsoever.

Section 29. A city, state, county or municipal treasurer or other official or private employer who receives a written request from a pensioner or retiree, shall, at the direction of said pensioner or retiree, forward any payment made under a pension or retirement fund or plan to a bank or federally-chartered bank that shall be designated by said pensioner or retiree. Such payment shall be deposited, with the approval of said pensioner or retiree in his savings or checking account. Such bank or federally chartered bank shall notify promptly the pensioner or retiree of any deposit made pursuant to this section.

Section 30. Any designation of any beneficiary in connection with and as provided by an instrument intended to establish a pension, profit-sharing, or other deferred compensation or retirement plan, trust or custodial account described in one or more of the following sections of the Internal Revenue Code of the United States, and in effect from time to time, shall be effective according to its terms, notwithstanding any purported testamentary disposition allowed by statute, by operation of law or otherwise to the contrary; section four hundred and one (a), section four hundred and one (f), section four hundred and three (b) (7), section four hundred and five (a), section four hundred and eight (a), and section four hundred and eight (h). Nothing in this section is intended to limit, by implication or otherwise, any nonstatutory right of an employee to designate one or more beneficiaries in the employee's interest under any

retirement plan not described in this section or under any other employee benefit plan.

Section 31. No bank, federally-chartered bank or other corporation doing a banking business in the commonwealth, in this section called the depository, shall be required to recognize an adverse claim to a deposit standing on his or its books to the credit of or to securities held for the account of any person, except by virtue of the service upon him or it of appropriate process issued by a court of competent jurisdiction in a suit or action to which such person, or his executors or administrators, has been made a party, unless the adverse claimant gives bond satisfactory to the depository and the adverse claimant to hold harmless and indemnify it from any liability, loss, damage, costs and expenses whatsoever on account of such adverse claim, or files with the depository an affidavit setting forth facts showing a reasonable cause for belief that a fiduciary relationship exists between such person and said adverse claimant and that such person is about to misappropriate the deposit or securities in question.

Section 32. Any bank or federally-chartered bank may establish an account to receive deposits from a lessor acting as a trustee for funds received and held by such trustee pursuant to paragraph (a) of subsection (3) of section fifteen B of chapter one hundred and eighty-six. Such account may be established as required by said section fifteen B for the purpose of holding security deposits taken by a lessor of residential dwelling units owned or managed by said lessor, but the terms of said account shall be such as to place said deposit beyond the claim of a creditor of the lessor, including a foreclosing mortgagee or trustee in bankruptcy, and as will provide for the transfer of said deposit to a subsequent owner of any property for which such security deposit was taken. Interest accruing on said deposit shall be paid to the lessor pursuant to the terms of the deposit. Withdrawals and payments made by the corporation from said account shall discharge the liability of said corporation to all persons.

Section 33. Deposits standing in the individual name of a deceased depositor of a bank or federally-chartered bank shall be paid to his legal representative; provided, however, that if the deposit does not exceed three thousand dollars and there has been no demand for payment for a duly appointed executor or administrator, payment may be made, in the discretion of the treasurer or other duly authorized officer of the bank or federally chartered bank, or pursuant to special vote of its board, after the expiration of thirty 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. Any such bank or federally chartered bank may pay an order, drawn by a person who has funds on deposit to meet the same, notwithstanding the death of the drawer, if presentation is made within thirty days after the date of such order, and at any time if the corporation has not received written notice of the death of the drawer; provided, however, that in either event, that such funds would, on the date of such payment, have been subject to withdrawal by the drawer if living. Payments made under authority of any provision of this section shall discharge the liability of the bank or federally chartered bank to all persons to the extent of such payments.

SECTION 3. Paragraph 12 of section 2 of chapter 167F of the General Laws, as appearing in section 9 of chapter 155 of the acts of 1982, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- To 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", section 152 of Public Law 95-600 entitled "Revenue Act of 1978", or sections 311 and 312 of the Economic Recovery Tax Act of 1981 Public Law 97-34, or pursuant to the provisions of sections 235 through 249, inclusive, of the Tax Equity and Fiscal Responsibility Act of 1982 Public Law 97-248, 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 bank.

SECTION 4. Chapter 168 of the General Laws is hereby amended by striking out section 1, as appearing in section 29 of said chapter 155, and inserting in place thereof the following section:-

Section 1. The following words as used in this chapter, unless the context otherwise requires, shall have the following meanings:-

"Annual meeting", the meeting of corporators required by section nine A to be held annually.

"Commissioner", the commissioner of banks.

"Corporator", an original incorporator, or a person elected as a corporator as provided by section nine.

"Deposit book", a passbook or other instrument which a savings bank issued to the depositor as evidence of his account.

"Interest", payments to depositors as provided by section

twenty-nine.

"Guaranty fund, surplus, unallocated reserves and undivided profits", the surplus accounts required to be established and maintained by section twenty-seven.

"Savings bank", a savings bank, institution for savings or savings institution incorporated as such in this commonwealth.

"Such corporation" or "such bank", a savings bank, institution for savings and a savings institution incorporated as such in this commonwealth.

SECTION 5. Section 11 of said chapter 168, as so appearing, is hereby amended by striking out paragraph 2 and inserting in place thereof the following paragraph:-

2. Report of Board of Investment - The board of investment shall submit a report consisting of a detailed written statement containing the following information:- (a) for the period since the last regular meeting of the trustees, lists showing all loans made by the corporation; all changes in security pledged for loans and in the rates of interest charged thereon; all purchases and sales of stocks, bonds and notes; all securities acquired; all payments of taxes and insurance made by the corporation for the accounts of mortgagors and not repaid; all real estate acquired by foreclosure or of which possession shall have been taken; all contributions, donations and payments for memberships and services made pursuant to paragraph twenty-nine of section two or section nine of chapter one hundred and sixty-seven F and the total of all commissions paid for making or acquiring real estate loans; and (b) as of the date of the statement of condition referred to in paragraph 1, all real estate mortgage loans on which interest or required principal payments or both shall be more than six months overdue; all real estate mortgage loans concerning which taxes on the mortgaged property are unpaid for more than twelve months; all time loans, other than real estate mortgage loans, any payments upon which are more than ninety days overdue; all bonds and other interest-bearing obligations on which principal and interest are overdue and unpaid for more than thirty days; and the rates of interest paid on deposit accounts.

Said report shall be presented to the trustees present at the meeting or a copy thereof shall be furnished to each such trustee. A summary of said report containing a recapitulation of the several items, and such other portion of the contents thereof as may be determined at the meeting, shall be read or presented to the trustees present thereat.

SECTION 6. Section 12 of said chapter 168, as so appearing, is hereby amended by striking out the second paragraph and

inserting in place thereof the following paragraph:-

The board shall approve all loans made or acquired by the corporation, all changes in security pledged, and the rates of interest charged, for loans; all purchases and sales of bonds, stocks or other securities; all foreclosures or mortgages of real estate and the sale of property held in foreclosure; the rates of interest paid on deposit accounts which rates may vary based on the type of account or the terms and conditions applicable to the account; and shall perform such other duties as the by-laws may prescribe; provided, however, that no member of such a board shall vote on any transaction involving a member of his immediate family. The board of investments may invite one or more trustees who are not members of said board to attend its meetings during such monthly, quarterly or semi-annual periods as said board may determine.

SECTION 7. Said chapter 168 is hereby further amended by striking out section 24, as so appearing, and inserting in place thereof the following section:-

Section 24. Any officer, agent, clerk or servant of a savings bank who pays or authorizes the payment of interest in violation of the provisions of section twenty-nine shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than six months.

SECTION 8. Section 26 of said chapter 168, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

Every such corporation shall, annually, within fifteen days after the last business day of December, make a report to the commissioner in such form as he may prescribe, showing accurately its condition at the close of business on that day, and containing such other information as the commissioner may require. The president or in his absence or disability a vice president, the treasurer or in his absence or disability the vice treasurer or any assistant treasurer, and a majority of the auditing committee shall sign the report and certify on oath that it is correct according to their best knowledge and belief.

SECTION 9. Said chapter 168 is hereby further amended by striking out section 28, as so appearing, and inserting in place thereof the following section:-

Section 28. At least semi-annually, the auditing committee, referred to in section sixteen, shall report to the trustees that they have reviewed the financial report of the treasurer and, to the best of their knowledge and belief, that it presents fairly the bank's financial position, results of operations and changes

in surplus for the period under review. Such report should include the surplus at the beginning of the period, the results of operations, income, expenses, interest on deposits, gains, losses and taxes for such period and surplus remaining at the end of the period. A copy of the financial report shall be signed by the committee and filed with the records of the corporation.

SECTION 10. Said chapter 168 is hereby further amended by striking out section 29, as amended by section 49 of chapter 371 of the acts of 1983, and inserting in place thereof the following section:-

Section 29. Such corporation may pay interest on deposit accounts in accordance with applicable law. Rates of interest may vary based on the type of account or on the terms and conditions applicable to the account. Such corporation by its by-laws, may provide that fractional parts of a dollar shall not be included in principal in computing interest, and may provide that interest shall not be paid on deposits of less than ten dollars; but interest for each full dollar shall be paid on deposit accounts established under section ten of chapter one hundred and sixty-seven D having balances of three dollars or more.

SECTION 11. Sections thirty to thirty-two, inclusive, of said chapter one hundred and sixty-eight are hereby repealed.

SECTION 12. Section 33 of said chapter 168, as appearing in section 29 of chapter 155 of the acts of 1982, is hereby amended by striking out paragraph 4 and inserting in place thereof the following paragraph:-

4. Unclaimed Interest. - Funds representing unclaimed interest in liquidation and remaining in the hands of the liquidating committee for six months after the date of the final payment in liquidation shall be deposited by them, together with all books and papers of the liquidating corporation, with the commissioner. Such funds shall be deposited in one or more trust companies or national banks to the credit of the commissioner in his official capacity, in trust for the depositors of the liquidating corporation and other persons entitled thereto, according to their several interests. Upon receipt of evidence satisfactory to him, the commissioner may pay over the moneys so held by him to the persons respectively entitled thereto. In case of doubt or of conflicting claims, he may require an order of the supreme judicial court authorizing and directing the payment thereof. He may apply the interest earned by the money so held to the defraying of expenses incurred in the payment of such unclaimed interest. At the expiration of twelve months from the date of

receipt of such funds by the commissioner, such portion thereof as still remains in his possession shall be disposed of as provided in section thirty-five of chapter one hundred and sixty-seven, and such portion shall not be subject to the provisions of chapter two hundred A.

SECTION 13. Section 34 of said chapter 168 is hereby amended by striking out the last paragraph, as so appearing, 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 twenty-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 make any distribution to its depositors.

SECTION 14. Section 34A of said chapter 168, as amended by section 52 of chapter 371 of the acts of 1983, is hereby further amended by striking out paragraph 6 and inserting in place thereof the following paragraph:-

6. Any consolidation may be approved and effected pursuant to this section, notwithstanding that the percentage which the aggregate value of the surplus and other reserves, of any of the consolidating institutions, bears to its liabilities including share liabilities, exceeding such percentage of any other consolidating institution, and any consolidating institution having such an excess of percentage shall not be required to make any distribution to its shareholders or depositors.

SECTION 15. The second paragraph of section 34B of said chapter 168 is hereby amended by striking out paragraph 6, as amended by section 12 of chapter 626 of the acts of 1982, and inserting in place thereof the following paragraph:-

6. Any consolidation may be approved and effected pursuant to this section, notwithstanding that the percentage which the aggregate value of the guaranty fund, surplus and other reserves, of any of the consolidating institutions, bears to its liabilities including share liabilities, exceeds such percentage of any of the other consolidating institutions, and any consolidating institution having such an excess of percentage shall not be required to make any distribution to its shareholders or depositors.

SECTION 16. Section 34C of said chapter 168, as appearing in section 29 of chapter 155 of the acts of 1982, is hereby amended

by inserting after the third paragraph the following paragraph:-

After conversion to a stockholder form of corporation pursuant to this section, sections eight to seventeen, inclusive, shall not apply to such a converted bank, and such bank shall be subject to the provisions of sections eleven to fifteen, inclusive, sections nineteen, twenty, twenty-two, twenty-four, twenty-eight, thirty-one and other applicable sections of chapter one hundred and seventy-two. References to corporators and trustees of savings banks in this chapter shall mean directors in a stock savings bank.

SECTION 17. Section 26C of chapter 170 of the General Laws, as appearing in section 46 of said chapter 155, is hereby amended by inserting after the third paragraph the following paragraph:-

After conversion to a stockholder form of corporation pursuant to this section, sections eight through ten, inclusive, shall not apply to a converted bank, and such bank shall be subject to the provisions of sections eleven to fifteen, inclusive, sections nineteen, twenty, twenty-two, twenty-four, twenty-eight, thirty-one and other applicable sections of chapter one hundred and seventy-two.

SECTION 18. Chapter 171 of the General Laws is hereby amended by inserting after section 10C the following section:-

Section 10D. With the prior written approval of the commissioner of banks and under such conditions as he may prescribe, a credit union may authorize accounts that would allow withdrawals by negotiable or transferable instruments for the purpose of making transfers to third parties. Such accounts shall be designated as negotiable withdrawal order accounts. Said accounts shall be subject to regulations of the commissioner.

SECTION 19. Said chapter 171 is hereby further amended by striking out section 37, added by section 48 of chapter 155 of the acts of 1982, and inserting in place thereof the following section:-

Section 37. Section six of chapter one hundred and sixty-seven C; sections five, nine, twelve, thirteen, fourteen, seventeen, eighteen, nineteen, twenty, twenty-three, twenty-six, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one and thirty-two of chapter one hundred and sixty-seven D; paragraph 10 of subsection B of section two, section three and paragraphs 10, 11 and 14 of sections six, seven, nine and ten of chapter one hundred and sixty-seven E; paragraphs 10, 16, 17, 18, 19 and 20 of section two of chapter one hundred and sixty-seven F and section four of said chapter one hundred and sixty-seven F shall apply to credit unions; provided, however, that any

references to deposits in such provisions shall mean shares and deposits in a credit union.

SECTION 20. Section 4 of chapter 178 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence:- If in any year ending December thirty-first the profits remaining, after setting aside amounts for surplus as provided in section twenty-one, shall be sufficient therefor, the trustees shall from such profits reimburse said expense guaranty fund for any amounts theretofore drawn from it, to defray expenses of the insurance department; and if, after so reimbursing said fund, and after reimbursing the special insurance guaranty fund for amounts theretofore drawn from it, the balance of profits shall be sufficient therefor, the trustees shall pay to the holders of the certificates of said expense guaranty fund the interest accrued thereon, or such part thereof as the amount may suffice to cover.

SECTION 21. Section 5 of said chapter 178, as so appearing, is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence:- If in any year ending December thirty-first the profits remaining are sufficient therefor, after setting aside amounts for the surplus as provided in section twenty-one, and reimbursing the special expense guaranty fund and said special insurance guaranty fund for all amounts theretofore drawn from them or either of them, and paying interest on the certificates representing the special expense guaranty fund, the trustees may pay the interest accrued on said insurance guaranty certificates or such part thereof as the amount may suffice to cover.

SECTION 22. Section 15 of said chapter 178 is hereby amended by striking out the ninth sentence, as appearing in section 4 of chapter 330 of the acts of 1935, and inserting in place thereof the following sentence:- The ordinary routine work of the banks shall be performed by their clerks, guided and assisted, so far as may be necessary, by the advice and instruction of the state actuary; but an annual valuation of all the policies of the banks and of the condition of the General Insurance Guaranty Fund as of December thirty-first of each year shall be made in the office of the state actuary under his direction, and from schedules of policy data on blanks furnished by him and prepared by the banks in accordance with his instructions.

SECTION 23. Said section 15 of said chapter 178 is hereby further amended by striking out the eleventh sentence and

inserting in place thereof the following sentence:- The state actuary shall for each year ending December thirty-first determine the ratio of actual to expected mortality claims for all of the savings and insurance banks combined and shall determine a similar ratio for each of the savings and insurance banks separately.

SECTION 24. Said chapter 178 is hereby further amended by striking out section 29, as most recently amended by section 1 of chapter 108 of the acts of 1941, and inserting in place thereof the following section:-

Section 29. The treasurer shall annually, within sixty days after the last business day of December, file with the commissioner of insurance and the commissioner of banks a statement showing the financial condition of the insurance department on the last business day of December. Such annual statement shall be in the form required by the commissioners, who shall embody therein so much of the forms now prescribed for life insurance companies and for savings banks as may seem to them appropriate, with any additional inquiries they may require for the purpose of eliciting a complete and accurate exhibit of the condition and transactions of the banks. The assets and liabilities shall be computed and allowed in such statement in accordance with the rules governing insurance companies, except as herein otherwise provided. The president or vice president of the savings and insurance bank and five or more of its trustees shall make oath that the statement is correct according to the best of their knowledge and belief. The treasurer shall annually, on or before the first day of April, file with said commissioners, in the form required by them, a statement, supplementary to the last annual statement filed as aforesaid, sworn to in the same manner as said annual statement, showing the distribution, since the last business day of the preceding December, of sums designated in said annual statement as undivided profits and the change in the surplus account, appearing in said annual statement, resulting from dividends declared since said last business day of December. The commissioner of insurance and the commissioner of banks may also at any time require the treasurer to make such other statement of condition or furnish such other information concerning the insurance department as they deem necessary.

SECTION 25. Section 30 of said chapter 178, as amended by section 4 of chapter 285 of the acts of 1936, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- The treasurer of the General Insurance Guaranty Fund shall annually, within sixty days after

the last business day of December, file with the commissioner of insurance and the commissioner of banks a statement, in such form as said commissioners shall prescribe, showing its financial condition on the last business day of December, and shall also at any time make such statement of condition and furnish such other information concerning its business as said commissioners deem necessary.

SECTION 26. Said chapter 178 is hereby further amended by striking out section 31, as amended by section 2 of chapter 108 of the acts of 1941, and inserting in place thereof the following section:-

Section 31. The commissioner of insurance and the commissioner of banks shall prepare annually from the said statements concerning insurance departments and the General Insurance Guaranty Fund, and communicate to the general court, by filing with the clerk of the house of representatives, on or before the first Wednesday in July, a statement of the condition of each savings and insurance bank and of said General Insurance Guaranty Fund, and shall include therein such suggestions as they consider expedient relative to the general conduct and condition of each bank visited by them.

SECTION 27. Said chapter 178 is hereby further amended by striking out section 33, added by chapter 143 of the acts of 1947, and inserting in place thereof the following section:-

Section 33. The council shall annually, within sixty days after the last business day of December, submit to the incorporators and file with the commissioner of insurance and the commissioner of banks a statement, in such form as said commissioners shall prescribe, showing its receipts and disbursements for the twelve month period ending on December thirty-first and such other information concerning its transactions as said commissioners may require. Said commissioners shall at any time have full access to the books and records of the council for the purpose of examining its affairs and transactions.

SECTION 28. Sections one, eight and twenty to twenty-seven, inclusive, shall take effect on January first, nineteen hundred and eighty-four.

Approved December 17, 1983.

Chap. 591. AN ACT AUTHORIZING THE CERTIFICATION FOR APPOINTMENT OF JOHN WOJCIK, ROBERT McCARTHY AND GEORGE AGGOTT AS POLICE OFFICERS NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize the certification and appointment of John Wojcik, Robert McCarthy and George Aggott as police officers, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.

Be it enacted, etc., as follows:

The personnel administrator of the division of personnel administration shall examine and certify John Wojcik, Robert McCarthy, and George Aggott for appointment as police officers according to the grade they received in the examination for police officer held on October first, nineteen hundred and eighty-three, notwithstanding the fact that they have attained the maximum age for said position; provided, however, that they fulfill all other requirements for certification and appointment as such police officer.

Approved December 17, 1983.

Chap. 592. AN ACT INDEMNIFYING CERTAIN EMPLOYEES OF THE DEPARTMENT OF CORRECTION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately indemnify certain employees of the department of correction, therefore 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 three D of chapter twelve of the General Laws, the department of correction, subject to appropriation, is hereby authorized to indemnify Robert O'Neil, Robert Fitta, James Poirier, Joseph Gonsalves and Robert Brosseau for their reasonable legal expense incurred as

employees within the department of correction in their successful defense of a criminal charge brought against them for their actions while in the performance of their official duties at the Massachusetts correctional institution at Bridgewater; provided, however, that in no such instance shall expenses exceed twenty-five thousand dollars for each said officer.

SECTION 2. No bill for legal expenses shall be approved by the department of correction under the authority of this act unless and until a certificate has been signed and filed with the commissioner of corrections stating, under the penalties of perjury, that said legal expenses have been incurred, and or paid by such individual officer.

Approved December 17, 1983.

Chap. 593. AN ACT AUTHORIZING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO CONVEY A CERTAIN PARCEL OF LAND IN THE TOWN OF TEWKSBURY TO SAID TOWN FOR CONSERVATION PURPOSES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize the division of capital planning and operations to convey a certain parcel of land in the town of Tewksbury to said town, therefore 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 division of capital planning and operations, acting for in the name of and on behalf of the commonwealth is hereby authorized to convey to the conservation commission of the town of Tewksbury for recreational purposes, by a deed approved as to form by the attorney general, a certain parcel of land, under the control of the department of public health, shown on the town of Tewksbury assessor's map 31, as lots 5 and 6, said lots being adjacent to Long Pond.

Approved December 17, 1983.

Chap. 594. AN ACT RELATIVE TO THE STATE RACING COMMISSION.

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

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 48 of chapter 6 of the General Laws, as appearing in section 1 of chapter 507 of the acts of 1974, is hereby amended by striking out the first two sentences and inserting in place thereof the following sentence:-

There shall be a commission to be known as the state racing commission, to consist of a commissioner and two associate commissioners to be appointed by the governor and serve coterminous with him.

SECTION 2. Chapter 58 of the General Laws is hereby amended by striking out section 18D, as amended by chapter 549 of the acts of 1982, and inserting in place thereof the following section:-

Section 18D. The state treasurer, upon certification of the state racing commission, shall annually distribute to each city and town, within which racing meetings are conducted in which the major portion of the racing strip is located, including racing meetings conducted in connection with a state or county fair, under licenses issued under the provisions of chapter one hundred and twenty-eight A, the sum of one-quarter of one per cent of the total pari-mutuel wager from each such racetrack within said city or town for the preceding calendar year, which sum shall be allocated from the commonwealth's share.

SECTION 3. The fourth paragraph of section 3 of chapter 128A of the General Laws is hereby amended by striking out the third sentence, added by section 1 of chapter 783 of the acts of 1981.

SECTION 4. The executive office of consumer affairs, in cooperation with the state racing commission, is hereby authorized and directed to conduct a study of the quality and integrity of the operations and procedures undertaken by the commission to ensure the legitimate performance of the animals to be raced at

any racing meeting in the commonwealth and to protect the health of such animals. No later than March fourth, nineteen hundred and eighty-four, said executive office shall report the results of such study, together with a proposal for implementing any necessary or appropriate improvements in such operations and procedures, to the joint committee on governmental regulations and the house and senate committees on ways and means. Matters to be investigated by said executive office in the course of such study shall include, but not be limited to, the following: methods of assuring the integrity of samples taken and tests performed by the commission; methods of improving the accuracy and quality of veterinary and laboratory functions performed by the commission; and the feasibility, relative efficiency and cost of contracting with schools of veterinary medicine within or without the commonwealth for the performance of veterinary and laboratory services presently provided by the commission.

SECTION 5. In order to provide for an orderly transition in the position of commissioner and associate commissioner of the state racing commission, the terms of which are set by section forty-eight of chapter six of the General Laws, as amended by section one of this act, the term of the incumbent commissioner as of the effective date of this act shall, notwithstanding the provisions of any general or special law to the contrary, be deemed to expire on January first, nineteen hundred and eighty-four, and said incumbent commissioner may be removed from that office as of that date. The terms of the two incumbent associate commissioners as of the effective date of this act shall, notwithstanding the provisions of any general or special law to the contrary, be deemed to expire on November twentieth, nineteen hundred and eighty-three and said incumbent associate commissioners may be removed from those offices as of that date.

Approved December 17, 1983.

Chap. 595. AN ACT AUTHORIZING THE CITY OF NORTH ADAMS TO TRANSFER AN EASEMENT OVER WATERSHED PROPERTY TO THE DIVISION OF CAPITAL PLANNING AND OPERATIONS FOR THE PURPOSE OF ESTABLISHING THE APPALACHIAN TRAIL.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any law to the

contrary, the city of North Adams is hereby authorized to grant an easement hereinafter described over a parcel of land to the division of capital planning and operations for the use of the department of environmental management, and said department of environmental management is hereby authorized to divert said public lands over which said hereinafter described easement passes from their present public uses to use for a footpath which shall become a part of the Appalachian Trail. The department of environmental management shall pay to the city of North Adams, as consideration for said easement, an amount equal to the fair market value of said easement as determined by not less than the lesser amount arrived at by one of two independent appraisals. Said easement is bounded and described as follows:-

All that certain tract or parcel of land lying and being situated in North Adams District, Berkshire County, Commonwealth of Massachusetts, being bound, now or formerly, on the North by the land of North Adams Housing Authority and Phelps Avenue; on the West by the land of Mount Greylock State Reservation and other land of subject owner; on the East and South by other land of subject owner; and being more particularly described as follows:

COMMENCING at a corner common to said State Reservation and subject owner, said corner being marked by an eight inch square granite monument and having coordinate values of North 616,353.42 and East 152,437.40; thence, with boundary of said State Reservation, North 06° 13' 56" East, 45.55 feet to the point of beginning; thence, continuing with the boundary line of said State Reservation, North 06° 13' 56" East, 80.97 feet to a point on said State Reservation boundary line; thence, severing the land of subject owner the following twenty-three bearings and distances: North 44° 22' 05" East, 90.79 feet; North 40° 03' 46" East, 362.52 feet; North 28° 23' 25" East, 240.95 feet; North 27° 36' 00" East, 349.87 feet; North 13° 57' 45" East, 210.35 feet; North 18° 57' 05" East, 195.79 feet; North 44° 26' 45" East, 198.93 feet; North 42° 50' 05" East, 296.82 feet; North 01° 52' 15" West, 359.55 feet; North 69° 13' 15" East, 53.12 feet; North 00° 44' 05" East, 95.34 feet; North 02° 20' 45" West, 239.40 feet, crossing Pattison Road; North 19° 48' 30" West, 161.69 feet; North 00° 33' 55" West, 157.87 feet; North 18° 25' 20" East, 102.42 feet; North 18° 36' 55" West, 164.98 feet; South 69° 30' 15" East, 148.20 feet; North 84° 29' 15" East, 436.24 feet; North 04° 30' 55" East, 534.81 feet; North 52° 38' 35" East, 203.12 feet; North 05° 41' 19" West, 62.15 feet; North 18° 46' 40" East, 135.93 feet; and, North 05° 39' 44" West, 95.38 feet, to a point on the property line of said Housing Authority; thence, with the property line of

said Housing Authority and crossing said Avenue, South 86° 35' 56" East, 50.63 feet, to another point on the property line of said Housing Authority; thence again severing the land of subject owner the following twenty-four bearings and distances: South 05° 39' 44" East, 98.23 feet; South 18° 46' 38" West, 131.11 feet; South 05° 41' 19" East, 70.68 feet; South 52° 38' 35" West, 208.69 feet; South 04° 30' 55" West, 554.41 feet; South 84° 29' 15" West, 489.72 feet; North 69° 30' 15" West, 54.66 feet; South 18° 36' 55" East, 76.64 feet; South 18° 25' 20" West, 110.81 feet; South 00° 33' 55" East, 141.03 feet; South 19° 48' 30" East, 160.89 feet, to the northern right-of-way of Pattison Road; thence South 02° 20' 45" East, 248.43 feet, crossing Pattison Road; South 00° 44' 05" West, 130.72 feet; South 69° 13' 15" West, 51.43 feet; South 01° 52' 15" East, 344.39 feet; South 42° 50' 05" West, 318.08 feet; South 44° 26' 45" West, 188.32 feet; South 18° 57' 05" West, 182.30 feet; South 13° 57' 45" West, 214.15 feet; South 27° 36' 00" West, 356.20 feet; South 28° 23' 25" West, 246.41 feet; South 40° 03' 46" West, 367.63 feet; and, South 44° 22' 05" West, 156.37 feet, to the point of beginning.

Containing 5.62 acres, more or less.

The above described parcel, designated as Tract 236-02, Appalachian National Scenic Trail.

The above described parcel is shown on two plans recorded with the northern district registry of deeds in the county of Berkshire in Drawer 4, Plans 128 and 129.

Bearings and Coordinates refer to Massachusetts Plane Coordinate System, Mainland Zone.

SECTION 2. The department of environmental management shall acquire said easement with the approval of the division of capital planning and operations, and according to the provisions of section three, three A and twelve of chapter one hundred and thirty-two A of the General Laws, as amended.

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

Approved December 17, 1983.

Chap. 596. AN ACT FURTHER REGULATING THE PROVISIONS OF MOTOR VEHICLE INSURANCE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately make certain changes

in the law regulating motor vehicle insurance, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 183 of chapter 6 of the General Laws is hereby amended by striking out the second sentence, as amended by section 2 of chapter 365 of the acts of 1977, and adding the following sentence:- Such records and data disseminated by such plan shall be used exclusively for motor vehicle insurance purposes and criminal law enforcement purposes.

SECTION 2. Section 22E of chapter 175 of the General Laws, as most recently amended by section 9 of chapter 241 of the acts of 1983, is hereby further amended by inserting after the word "occupation", in line 5, the words:- , marital status.

SECTION 3. The sixth paragraph of section 113B of chapter 175 of the General Laws, inserted by section 11 of said chapter 241, is hereby amended by inserting after the word "ninety C", in line 6, the words:- , assignment to a driver alcohol education program. ,- and by striking out, in line 6, the word ", unless" and inserting in place thereof the word:- unless.

SECTION 4. Subclause (iv) of clause (7) of paragraph (A) of section 113H of said chapter 175, as appearing in section 17 of said chapter 241, is hereby amended by inserting after the word "claims", in line 3, the words:- after January first, nineteen hundred and eighty-four and.

Approved December 17, 1983.

Chap. 597. AN ACT REQUIRING THAT CERTAIN CRIMES BE REPORTED AND LIMITING LIABILITY OF CERTAIN GOOD SAMARITANS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide assistance to certain persons in emergency situations, 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. Chapter 258A of the General Laws is hereby amended by adding the following section:-

Section 8. No person who in good faith provides or obtains or attempts to provide or obtain assistance for a victim of a crime as defined in section one shall be liable in a civil suit for damages as a result of his acts or omissions in providing or obtaining, or attempting to provide or obtain said assistance unless said acts or omissions constitute willful, wanton or reckless conduct.

SECTION 2. Chapter 268 of the General Laws is hereby amended by adding the following section:-

Section 40. Whoever knows that another person is a victim of aggravated rape, rape, murder, manslaughter or armed robbery and is at the scene of said crime shall, to the extent that said person can do so without danger or peril to himself or others, report said crime to an appropriate law enforcement official as soon as reasonably practicable. Any person who violates this section shall be punished by a fine of not less than five hundred nor more than two thousand and five hundred dollars.

Approved December 17, 1983.

Chap. 598. AN ACT RELATING TO THE FINANCING OF A CERTAIN SCHOOL PROJECT BY THE CITY OF SOMERVILLE.

Be it enacted, etc., as follows:

SECTION 1. The proceeds of any construction grant approved pursuant Chapter 370 of the Acts of 1982 for a consolidated public school project (the "project") in the city of Somerville shall be paid to the trustee appointed in accordance with section four of this act (the "trustee") and shall be held in trust and applied by the trustee to pay principal and interest on the bonds issued by the city for the project and interest on any notes issued in anticipation of the bonds. Notwithstanding any provisions to the contrary of Chapter 645 of the Acts of 1948, as amended, the grant shall be payable in annual installments in such amounts as necessary to provide sixty-five per cent of each payment of interest on the bonds or notes and ninety per cent of each payment on the bonds coming due in each fiscal year, and each annual grant payment shall be made not later than

fifteen days prior to the date on which the first payment of interest on the bonds or notes is due in that fiscal year.

SECTION 2. At least fifteen days prior to each date on which a payment of principal or interest is due on bonds or notes issued by the city for the project, the treasurer shall deposit with the trustee the amount necessary to make such payment, after taking into account all other moneys held by the trustee that are available for that purpose.

SECTION 3. Pending their use in accordance with this act, the proceeds of the bonds or notes issued by the city for the project shall be segregated from all other funds and accounts of the city and shall be held in trust by the trustee.

SECTION 4. Any funds to be held in trust under sections one, two, and three of this act shall be deposited for the account of the city with a corporate trustee, which may be any trust company or bank having the powers of a trust company within the commonwealth. The treasurer of the city with the approval of the mayor shall appoint the trustee and shall execute a trust agreement in such form as they may determine to be necessary or appropriate. Any such funds held in trust may be invested in accordance with section fifty-four of chapter forty-four of the General Laws, and any investment earnings shall be applied within one year of their receipt to pay debt service on bonds or notes issued by the city for the project.

SECTION 5. In addition to other security provided herein or otherwise by law, bonds or notes issued by the city for the project may be secured in whole or in part by insurance, or by letters or lines of credit or other credit facilities issued to the city by any bank, trust company or other financial institution. In connection therewith the treasurer with the approval of the mayor may enter into agreements with insurers or with banks or other financial institutions within or without the state and any such agreement may include covenants and provisions for protecting and enforcing the rights, security and remedies of the insurers or lenders as, in the discretion of the treasurer, may be reasonable and proper and not in violation of law.

SECTION 6. Amounts necessary to pay principal and interest on bonds or notes of the city issued for the project shall not be included in any computation under section twenty-one C of chapter fifty-nine of the General Laws to the extent that such payments are to be made from the proceeds of any construction grant approved pursuant to Chapter 370 of the Acts of 1982. In

addition, payments of principal and interest to be made by the city from taxes shall not be included in any computation under said section twenty-one C if such amounts have been exempted by a majority of those voting on a question in substantially the following form, at a city election called by a two-thirds vote of the board of aldermen with the approval of the mayor:

"Shall the City of Somerville be allowed to exempt from the tax limitations of G.L. c. 59 §21C the amounts required to pay the city's share of the cost of principal and interest on bonds or notes issued by the city for the consolidated public school project authorized by an order of the Board of Aldermen approved by the Mayor on May 31, 1983?"

SECTION 7. The city may expend part of the proceeds of the bonds or notes authorized for the project by an order of the board of aldermen approved by the mayor on May thirty-first, nineteen hundred and eighty-three to refund a like amount of notes issued by the city in anticipation of bonds which were authorized in the principal amount of one million one hundred thousand dollars for architectural plans and specifications under clause (21) of section seven of chapter forty-four of the General Laws by an order of the board of aldermen approved August sixteenth, nineteen hundred and eighty-three. No payment need be made under section seventeen A of said chapter forty-four with respect to any loan refunded pursuant to this section.

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

Approved December 17, 1983.

Chap. 599. AN ACT MAKING AN APPROPRIATION FOR THE DORCHESTER DISTRICT COURT ALTERNATIVE WORK PROGRAM FROM ITS TRUST FUND.

Be it enacted, etc., as follows:

SECTION 1. To provide for the operational expenses of the Dorchester district court alternative work program at the Dorchester district court of the district court division of the trial court, the sum set forth in section two of this act is hereby appropriated, subject to the provisions of law regulating disbursements of public funds.

SECTION 2.

DEPARTMENT OF THE TRIAL COURT.
Dorchester District Court.

For the Dorchester district court work alternative program, to be appropriated from the Dorchester district court alternative work program trust fund, for the purchase of supplies, tools, equipment and other incidental expenses necessary for the daily operations of the program

$4,000.00.

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

Approved December 17, 1983.

Chap. 600. AN ACT AUTHORIZING THE TOWN OF TEWKSBURY AND THE CITY OF LOWELL TO ENTER INTO CONTRACTS FOR THE PURCHASE AND SALE OF WATER.

Be it enacted, etc., as follows:

SECTION 1. The town of Tewksbury is hereby authorized to purchase water from the city of Lowell, and the city of Lowell is hereby authorized to sell water to said town upon such terms and conditions as may be agreed upon by the board of public works in said town and the water department of said city. Said board of public works and said water department may, by written contract, agree upon the quantity of water to be supplied, the method of measurement of the same, and the price to be paid therefor, and all matter incidental thereto; and such contracts when duly executed by authority of said board of public works and said water department shall be binding upon said town and said city for such time as said board of public works and said water department may agree upon.

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

Approved December 17, 1983.

Chap. 601. AN ACT AUTHORIZING THE CERTIFICATION AND APPOINTMENT OF RICHARD HIGGINS AS A POLICE OFFICER, NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize the certification and appointment of Richard Higgins as a police officer, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.

Be it enacted, etc., as follows:

The personnel administrator of the division of personnel administration shall examine and certify Richard Higgins for appointment as a police officer according to the grade he received in the examination for police officer held on October first, nineteen hundred and eighty-three, notwithstanding the fact that he has attained the maximum age for said position; provided, however, that he fulfills all other requirements for certification and appointment as such police officer.

Approved December 17, 1983.

Chap. 602. AN ACT AUTHORIZING THE CERTIFICATION AND APPOINTMENT OF THOMAS BROWN AS A POLICE OFFICER, NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize the certification and appointment of Thomas Brown as a police officer, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.

Be it enacted, etc., as follows:

The personnel administrator of the division of personnel administration shall examine and certify Thomas Brown for appointment as a police officer according to the grade he received in the examination for police officer held on October first, nineteen hundred and eighty-three, notwithstanding the fact that he has attained the maximum age for said position; provided, however, that he fulfills all other requirements for certification and appointment as such police officer.

Approved December 17, 1983.

Chap. 603. AN ACT RELATIVE TO THE LICENSING PERIOD FOR THE LICENSING OF DOGS IN THE TOWN OF SWAMPSCOTT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section one hundred and thirty-six A of chapter one hundred and forty of the General Laws or any other provision of law to the contrary, the license period for the licensing of dogs in the town of Swampscott shall be the time between January first and the following December thirty-first, both dates inclusive.

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

Approved December 17, 1983.

Chap. 604. AN ACT AUTHORIZING THE CERTIFICATION FOR APPOINTMENT OF RICHARD LALOR AS A POLICE OFFICER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize the certification and appointment of Richard Lalor as a police officer, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.

Be it enacted, etc., as follows:

The personnel administrator of the department of personnel administration shall examine and certify Richard Lalor for appointment as a police officer according to the grade he received in the examination for police officer held on October first, nineteen hundred and eighty-three, notwithstanding the fact that he has attained the maximum age for said position; provided, however, that he fulfills all other requirements for certification and appointment to such position.

Approved December 17, 1983.

Chap. 605. AN ACT AUTHORIZING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO SELL

CERTAIN LAND TO THE METROPOLITAN BANK AND TRUST COMPANY.

Be it enacted, etc., as follows:

SECTION 1. The division of capital planning and operations is hereby authorized in the name of and on behalf of the commonwealth, to sell and convey by quitclaim deed approved as to form by the attorney general, a certain parcel of land located on Main Street in the city of Melrose under the control of the Metropolitan District Commission, subject to the provisions of chapter seven and any additional terms and conditions as the division of capital planning and operations may prescribe in consultation with the Commission. Said land is shown on a plan dated March 13, 1978, prepared by Hayes Engineering Inc., Civil Engineers, and is further bounded and described as follows:-

EASTERLY by Main Street, sixty-five and 87/100 (65.87) feet;

SOUTHERLY by land of the Metropolitan Bank and Trust Company, one hundred thirty-four and 19/100 (134.19) feet;

EASTERLY by land of said Metropolitan Bank and Trust Company, forty-eight (48) feet;

SOUTHERLY again by Melrose Street, twenty-nine (29) feet;

WESTERLY by Lynn Fells Parkway, fifty-one and 28/100 (51.28) feet; and

NORTHERLY by Lynn Fells Parkway, one hundred thirty-one and 60/100 (131.60) feet.

Meaning and intending to describe a certain parcel of land containing 6,023 square feet.

SECTION 2. The provisions of this act shall be subject to the provisions of Chapter 579 of the acts of 1980.

Approved December 17, 1983.

Chap. 606. AN ACT RELATIVE TO THE BOARD OF CERTIFICATION OF OPERATORS OF WASTEWATER TREATMENT FACILITIES.

Be it enacted, etc., as follows:

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

SECTION 2. Section 26A of chapter 21 of the General Laws, as most recently amended by section 1 of chapter 7 of the acts of 1983, is hereby further amended by inserting after the definition "Abatement facilities" the following definition:-

"Board", the board of certification of operators of wastewater treatment facilities.

SECTION 3. Said chapter 21 is hereby further amended by inserting after section 34 the following three sections:-

Section 34A. There shall be within the department of environmental quality engineering a board of certification of operators of wastewater treatment facilities. The purpose of the board shall be to insure the proper management, operation and maintenance of wastewater treatment systems and facilities. The board shall consist of nine members, as follows: the commissioner of environmental quality engineering or his designee, the commissioner of public health or his designee, and seven members appointed by the governor. Of the members appointed by the governor, one shall be a faculty member of an accredited school of engineering, one a registered professional engineer engaged in the practice of sanitary engineering, one a member of the Massachusetts State Labor Council, AFL-CIO, one to be appointed from a list of qualified operators of wastewater treatment facilities in the commonwealth which has been recommended by the executive committee of the New England Water Pollution Control Association, one a member of the Associated Industries of Massachusetts, one to be appointed from a list of qualified persons recommended by the Massachusetts Waste Water Treatment Plan Operators Association, and one who shall be a representative of the public, subject to the provisions of section nine B of chapter thirteen. The commissioner of environmental quality engineering or his designee shall be chairman of the board. The board shall meet at the call of the chairman. Each appointive member of the board shall receive his necessary traveling expenses incurred in the performance of official duties; provided, however, that the expenses of the members of the board, including those of such employees as it may appoint, shall not in any one year exceed its receipts. Each appointive member shall serve for a term of four years, except for persons appointed to fill vacancies who shall serve for the unexpired term. Any appointive member shall be eligible for reappointment. The division shall provide professional, technical and clerical assistance necessary for the administration and

enforcement of the board's programs.

Section 34B. The board shall conduct a program of evaluating and certifying individuals who wish to be certified as operators of wastewater treatment facilities. The board may establish classes and categories of certifications, and the minimum qualifications and standards for said certifications. The board may prepare and conduct examinations, maintain records, and may issue, renew or deny, or suspend or revoke, after reasonable opportunity for hearing and for cause, certificates of competency. The board may adopt, amend or repeal rules and regulations for the performance of its duties.

Any individual who desires to be certified as an operator of a wastewater facility shall file with the board an application upon a form furnished by the board. Each applicant shall include in such application under oath his qualifications and shall pay with such application an application fee. Prior to issuing an original certificate, the board shall evaluate each applicant to determine his competence and fitness with respect to the class or category of certification for which certification is sought. Said evaluation shall include such examinations as the board may require. Examinations may be taken only upon payment of a nonrefundable examination fee. Prior to renewal of a certificate, the board may make such review of an appplicant's competence and fitness as it deems necessary and appropriate. Such renewal shall be made only upon payment of a renewal fee.

Each certification issued by the board shall be valid only for the individual to whom it is issued, may not be transferred, and shall not continue in force and effect after the death of the individual to whom it is issued. Certification and renewals thereof shall be issued for a term not to exceed one year, unless sooner revoked.

The board may issue, for good cause shown and upon payment of a fee, a temporary emergency certification which shall be in effect for a period not to exceed six months.

Fees for the aforementioned application, examination, original certification, renewal and temporary emergency certification shall be determined annually by the commissioner of administration under the provisions of section three B of chapter seven.

Section 34C. No person shall manage, operate or maintain a facility used for the treatment, neutralization or stabilization of wastewater from homes, public buildings, or commercial or industrial sources or any combination thereof, unless the individual in charge of the facility is in possession of a currently valid certificate of competency issued by the board pursuant to section thirty-four B. Any person who violates any provision of this section or any valid regulation, order or permit issued by the board; or who knowingly makes any false representation in any

application required under the provision of said section thirty-four B shall be punished by a fine of not more than twenty-five hundred dollars per day of such violation or by imprisonment for not more than one year, or both, or shall be subject to a civil penalty of not more than twenty-five hundred dollars per day of such violation, which may be assessed in an action brought on behalf of the commonwealth in any court of competent jurisdiction.

SECTION 4. The first paragraph of section 42 of said chapter 21, as appearing in section 8 of chapter 546 of the acts of 1973, is hereby amended by adding the following sentence:- This section shall not apply to sections thirty-four B and thirty-four C.

SECTION 5. Section eighty-seven AAAA of chapter one hundred and twelve of the General Laws is hereby repealed.

SECTION 6. Section eighty-seven BBBB of said chapter one hundred and twelve is hereby repealed.

SECTION 7. The members of the board of certification of wastewater treatment plant operators appointed pursuant to the authority of the law repealed by section one shall continue, without interruption in their term, as members of the board established by the laws added by section three.

SECTION 8. All orders and certifications duly issued pursuant to the authority of the laws repealed by section one, five and six, including those issued under the authority of section four of chapter seven hundred and eighty-two of the acts of nineteen hundred and seventy, shall continue in force and effect until their terms expire or until revoked. The rules and regulations
adopted pursuant to the laws repealed by section one shall continue in force and effect until amended or repealed by the board established by the laws added by section three. The state secretary shall recodify said regulations in a title of the code of Massachusetts regulations numerically proximate to the title pertaining to the regulations of the department of environmental quality engineering.

SECTION 9. No suit, action, cause of action or other proceeding lawfully commenced or arising under the laws repealed by section one, five and six prior to the effective date of this act shall abate by reason of the passage of this act. Any such

suit, action, cause of action or proceeding shall be continued, completed and enforceable by the board transferred by this act.

Approved December 17, 1983.

Chap. 607. AN ACT RELATIVE TO GROUP MARKETING OF AUTOMOBILE INSURANCE.

Be it enacted, etc., as follows:

Section 193R of chapter 175 of the General Laws, inserted by chapter 1098 of the acts of 1973, is hereby amended by striking out the third paragraph and inserting in place thereof the following paragraph:-

The commissioner shall make and at any time may alter or amend reasonable rules and regulations regarding insurance issued pursuant to a group marketing plan; provided, however, that insurance issued pursuant to a group marketing plan shall be cedeable and the experience of each group plan, both voluntary and ceded, shall be used in determining a company's losses and expenses in accordance with the attribution rules established under the provisions of section one hundred and thirteen H.

Approved December 17, 1983.

Chap. 608. AN ACT AUTHORIZING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO EXCHANGE CERTAIN LAND IN THE TOWN OF CONWAY WITH DEANE LEE.

Be it enacted, etc., as follows:

SECTION 1. The deputy commissioner of the division of capital planning and operations, acting for and on behalf of the commonwealth, is hereby authorized to sell and convey to Deane Lee, by a deed containing a conservation restriction subject to the provisions of sections thirty-one to thirty-three, inclusive, of chapter one hundred and eighty-four of the General Laws and being approved as to form by the attorney general, all the right, title, and interest of the commonwealth in and to certain parcels of land in the town of Conway under the control of the department of environmental management. Said parcels containing nineteen (19) acres of land more or less, are bounded and described as follows:

Parcel #1. Situate in the southeasterly part of Conway and known as the Snow Lot.

Said parcel of land is located approximately fifteen hundred (1500) feet southeast of the intersection of Cricket Hill Road and Old Cricket Hill Road and contains nine (9) acres of land, more or less.

Said parcel is more particularly described as: "Beginning at an old barway in a wire fence; thence running by said fence five hundred (500) feet to an intersection of wire fences, thence by fence South 15° West six hundred and fifty (650) feet to the intersection of fence and stone wall; thence by the wall Westerly fifty (50) feet to a brook; thence by said brook Southwesterly nine hundred (900) feet to an old cart road crossing said brook; thence Northerly by said road eight hundred and fifty (850) feet and continuing by said road Northerly and Northwesterly six hundred (600) feet to the point of beginning". Being the same premises conveyed to the Commonwealth by Harriet M. Snow by deed dated March 2, 1927 and recorded with the registry of deeds in Franklin county in Book 721, Page 391.

Parcel #2. Situate in the southeasterly part of Conway and known as a portion of the Lee Lot.

Said parcel of land containing approximately 10 acres of land, more or less, is located on the West side of Old Cricket Hill Road opposite the point where the north line of Cricket Hill Road intersects Old Cricket Hill Road.

Said parcel of land is more particularly shown on a pile of land entitled "Plan of Land Showing Land in Conway Proposed to be Transferred to Deane Lee," which is on file at the department of environmental management. Being part of the premises conveyed to the Commonwealth by Merton R. Lee by deed dated November 10, 1932 and recorded with the registry of deeds in Franklin county in Book 780, Page 185.

SECTION 2. In consideration for said conveyance provided for in section one, Deane Lee shall convey to the commonwealth all right, title, and interests in a certain parcel of land located in the southeasterly part of the town of Conway.

Said parcel of land is located approximately six hundred (600) feet east of the peak of Sikes Hill and contains approximately sixty (60) acres of land, more or less.

Said parcel is bounded "Westerly on the Town Road; Northerly on land formerly of Isreal Childs; Easterly on land formerly of Thomas C. Field and Land formerly of John Howland; and Southerly on land formerly of Cephas Phelps, Otis Sikes and Artemas Williams."

Being the same premises conveyed to Deane Lee by Peck Lumber Co. by deed dated March 30, 1967 and recorded with the Franklin County of Registry of Deeds, Book 1209, Page 357.

SECTION 3. Upon delivery of a warranty deed to the parcel of land described in section two, the commonwealth is hereby authorized to pay to Deane Lee that amount by which the value of the land transferred in said section two exceeds the value of the land transferred in section one; provided, however, that if the value of land transferred in said section one exceeds the value of the land transferred in said section two, said difference shall be paid by Deane Lee to the commonwealth. Said amounts shall be determined by two independent appraisers. The cost of said appraisals shall be borne equally by the commonwealth and Deane Lee.

Approved December 17, 1983.

Chap. 609. AN ACT AUTHORIZING THE LICENSING AUTHORITY OF THE TOWN OF GREAT BARRINGTON TO ISSUE AN ADDITIONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES TO JOSEPH DOMANEY.

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 Great Barrington is hereby authorized to issue 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 to Joseph Domaney d/b/a Domaney's Package Store. Said license shall be subject to all the provisions of said chapter one hundred and thirty-eight except said section seventeen; provided, however, that the number of seasonal licenses for the sale of all alcoholic beverages not to be drunk on the premises authorized for said town to grant under the provisions of said section seventeen of said chapter one hundred and thirty-eight shall be reduced by one such license; and provided further that said licensing authority shall not approve the transfer of said license within one year after the date of issuance by said licensing authority.

Approved December 17, 1983.

EMERGENCY LETTER - December 21, 1983 @ 12:54 P.M.

Chap. 610. AN ACT RELATIVE TO THE CONNECTICUT RIVER SALMON COMPACT.

Be it enacted, etc., as follows:

Chapter 716 of the acts of 1981 is hereby amended by striking out section 1 and inserting in place thereof the following section:-

Section 1. The governor is hereby authorized and directed to enter into and execute, on behalf of the commonwealth, a compact in the form substantially as set forth herein with the states of Connecticut, New Hampshire and Vermont and with the United States Fish and Wildlife Service and the National Marine Fisheries Service legally joining therein.

Approved December 17, 1983.

Chap. 611. AN ACT PROVIDING FOR A TAX EXPENDITURE BUDGET.

Be it enacted, etc., as follows:

Chapter 29 of the General Laws is hereby amended by striking out section 5B, as most recently amended by section 46 of chapter 579 of the acts of 1980, and inserting in place thereof the following section:-

Section 5B. The commissioner of administration, with the approval of the governor, shall annually on or before August fifteenth, prepare estimates of the total revenue which in his judgment will be available for the annual budget for the ensuing fiscal year. In making such estimates he shall take into account the impact of existing taxes, the probable economic growth within the state, anticipated federal fund receipts and departmental and other revenue based on existing laws.

The estimates of tax expenditures shall be prepared in such form that they will facilitate a comparison of increases or decreases from actual collections of the preceding fiscal year and the estimates of such revenue for the then current fiscal year.

Said commissioner, with the approval of the governor, shall annually on or before December fifteenth, prepare estimates of the tax expenditures which in his judgment will occur during the ensuing fiscal year. For the purpose of this section, "tax expenditures" shall mean those tax revenues foregone as a direct result of provisions of any general or special law which allow exemptions, exclusions or deductions from, or credits allowed against, the taxes imposed on income, corporations, and sales.

Said commissioner shall transmit the estimates of total revenue and the estimates of tax expenditure to the deputy commissioner of capital planning operations, to every secretary of an executive office, to every statutory officer of the commonwealth, who shall transmit to each subordinate agency such of the information which each such officer or secretary determines is appropriate to assist each such agency in its budget preparations, to the house and senate committees on ways and means, and to the joint committee on taxation.

Said secretaries shall identify any new program approved by them that will require additional revenue.

On or before October fifteenth, January fifteenth and April fifteenth, said commissioner, with the advice of the advisory board on revenue resources and the state economy established under the provisions of section thirty-seven A of chapter seven, shall prepare and submit to the governor, to the house and senate committees on ways and means, and to the joint committee on taxation revised estimates of revenue available to meet appropriations and other needs in the current fiscal year, unless, in his opinion, no significant change in his previous estimates of total available revenues is indicated by information then available to him, and he shall accompany his revised estimates with explanations of any changes in his estimates for specific sources of revenue.

In accordance with section twenty-one of chapter sixty-two C, the commissioner of revenue shall provide the commissioner of administration the data necessary to estimate tax expenditures.

Approved December 17, 1983.

Chap. 612. AN ACT AUTHORIZING ESSEX COUNTY TO PAY A SUM OF MONEY TO CHARLES F. GEARY.

Be it enacted, etc., as follows:

The county commissioners of Essex county are hereby authorized and directed to pay in the aggregate a sum of five thousand eight hundred and ninety-three dollars and thirty-one cents to Charles F. Geary, a correction officer in said county, which sum is due to said Charles F. Geary for prior service with the commonwealth. Said salary shall be for the period from July first, nineteen hundred and seventy-seven to June thirtieth, nineteen hundred and eighty.

Approved December 17, 1983.

Chap. 613. AN ACT RELATIVE TO CERTAIN EMPLOYEES OF THE PAROLE BOARD.

Be it enacted, etc., as follows:

The definition of Group 4 of paragraph (g) of subdivision (2) of section 3 of chapter 32 of the General Laws, as most recently amended by section 9 of chapter 760 of the acts of 1981, is hereby further amended by striking out, in line 34, the word "superintendent," and inserting in place thereof the words:- superintendent; employees of the parole board who hold the position of parole officer or parole supervisor;.

Approved December 17, 1983.

Chap. 614. AN ACT AUTHORIZING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO ACQUIRE CERTAIN PARCELS OF LAND IN THE CITY OF CAMBRIDGE ON BEHALF OF THE METROPOLITAN DISTRICT COMMISSION FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

The department of public works is hereby authorized, with the approval of the division of capital planning and operations, to acquire by eminent domain, or to acquire by purchase or otherwise, the following described parcels of land or any interest in land hereinafter described, or such portions thereof as the department may determine, on the behalf of the metropolitan district commission in the city of Cambridge in conjunction with the East Cambridge Roadway Improvement Project of the Cambridge Community Development department, Urban System Contract No. 88-80, and to upgrade, widen and reconstruct portions of Monsignor O'Brien Highway, Cambridge Parkway, Commercial Avenue, Cambridge Street, Charles River Dam Road and Charlestown Avenue, and to divert part or all of these lands from their present use to highway use.

Said lands to be acquired and diverted are shown on a plan by Howard, Needles, Tammen & Bergendoff entitled "East Cambridge Roadway Improvement Project, Commonwealth of Massachusetts (M.D.C.) Acquisitions" dated June 15, 1981, which said department is directed to file with the chief engineer of the department, and which lands are identified on a department layout plan as follows:

Parcel No. 1-1-MDC

Beginning at a point on the westerly side of Commercial Avenue approximately 540 feet south of the southwesterly intersection of Monsignor O'Brien Highway and Commercial Avenue being the southeasterly corner of the herein described premises; thence running N35°-11'-29"E by the sideline of Commercial Avenue a distance of 173.22 feet, thence

N55°-41'-31"W by the land of the City of Cambridge a distance of 53.07 feet, thence

S37°-53'-32"W a distance of 94.54 feet, thence

Southwesterly by a curved line to the left having a radius of 5839.00 feet a distance of 78.04 feet, thence

S54°-48'-31"E a distance of 60.67 feet to the point of beginning.

Containing 9,860± S.F.

Parcel No. 1-2-MDC

Beginning at a point on the westerly side of Commercial Avenue approximately 370 feet south of the southwesterly intersection of Monsignor O'Brien Highway and Commercial Avenue being the southeasterly corner of the herein described premises; thence running

N35°-11'-29"E by the sideline of Commercial Avenue a distance of 0.78 feet, thence

N39°-45'-33"E by the sideline of Commercial Avenue a distance of 50.39 feet, thence

N55°-40'-57"W by the land of the Regina T. Homburger Indenture of Trust a distance of 54.67 feet, thence

S37°-53'-32"W a distance of 51.06 feet, thence

S55°-41'-31"E by the land of the Boston Society of Natural History a distance of 53.07 feet to the point of beginning

Containing 2,740± S.F.

Parcel No. 1-3-MDC

Beginning at a point on the westerly side of Commercial Avenue approximately 320 south of the southwesterly intersection of Monsignor O'Brien Highway and Commercial Avenue being the southeasterly corner of the herein described premises, thence running

N39°-45'-33"E by the sideline of Commercial Avenue a distance of 50.23 feet, thence

N34°-19'-03"E by the sideline of Commercial Avenue a distance of 144.00 feet, thence

N55°-40'-57"W by the land of the Commonwealth of Massachusetts (M.D.C.) a distance of 47.32 feet, thence

S37°-53'-32"W a distance of 194.38 feet, thence

S55°-40'-57"E by land of the City of Cambridge a distance of 54.67 feet, to the point of beginning

Containing 10,240± S.F.

Parcel No. 1-4-MDC

Beginning at a point on the westerly side of Commercial Avenue

approximately 125 feet south of the southwesterly intersection of Monsignor O'Brien Highway and Commercial Avenue being the southeasterly corner of the herein described premises; thence running

N34°-19'-03"E by the sideline of Commercial Avenue a distance of 98.64 feet; thence

N10°-40'-54"W by the sideline of Commercial Avenue a distance of 37.28 feet; thence

N55°-40'-57"W by the sideline of Monsignor O'Brien Highway a distance of 117.54 feet; thence

S34°-19'-03"W by the land of the Museum of Science a distance of 125.00 feet; thence

S55°-40'-57"E by the land of Regina T. Homburger Indenture of Trust 143.90 feet to the point of beginning.

Containing 17,640± S.F.

Parcel No. 1-5-MDC

Beginning at a point on the southerly side of Monsignor O'Brien Highway approximately 145 feet west of the southwesterly intersection of Monsignor O'Brien Highway and Commercial Avenue being the northeasterly corner of the herein described premises; thence running

N55°-40'-57"W by the sideline of Monsignor O'Brien Highway a distance of 186.10 feet, thence

S34°-19'-03"W by the land of the Boston Society of Natural History a distance of 41.21 feet, thence

S56°-55'-20"E a distance of 186.14 feet, thence

N34°-10'-03"E by the land of the Commonwealth of Massachusetts (M.D.C.) a distance of 37.18 feet to the point of beginning

Containing 7,290± S.F.

Parcel No. 1-6-MDC

Beginning at a point on the southerly side of Monsignor O'Brien Highway approximately 330 feet west of the southwesterly intersection of Monsignor O'Brien Highway and Commercial Avenue being the northeasterly corner of the herein described premises; thence running

N55°-40'-57"W by the sideline of Monsignor O'Brien Highway a distance of 95.00 feet, thence

N34°-19'-03"W by the land of the Cities Service Company a distance of 43.26 feet, thence

S56°-55'-20"E a distance of 95.02 feet, thence

S34°-19'-03"E by the land of the Museum of Science a distance of 41.21 feet to the point of beginning

Containing 4,010± S.F.

Parcel No. 1-7-MDC

Beginning at a point on the southerly side of Monsignor O'Brien Highway approximately 425 feet west of the southwesterly intersection of Monsignor O'Brien Highway and Commercial Avenue

being the northeasterly corner of the herein described premises, thence running

N55°-40'-57"W by the sideline of Monsignor O'Brien Highway a distance of 85.06 feet, thence

N55°-13'-26"W by the sideline of Monsignor O'Brien Highway a distance of 89.94 feet, thence

S34°-19'-06"W by the land of the City of Cambridge a distance of 32.92 feet, thence

S50°-40'-57"E a distance of 6.66 feet, thence

S50°-11'-55"E a distance of 125.57 feet, thence

S56°-55'-20"E a distance of 43.35 feet, thence

N34°-19'-03"E a distance of 43.26 feet to the point of beginning.

Containing 6,920± S.F.

Parcel No. 1-8-MDC

Beginning at a point on the southerly side of Monsignor O'Brien Highway approximately 160 feet east of the intersection of First Street and Cambridge Street being the northwesterly corner of the herein described premises; thence running

S79°-34'-01"E by the sideline of Monsignor O'Brien Highway a distance of 190.35 feet, thence

S55°-13'-26"E by the sideline of Monsignor O'Brien Highway a distance of 163.30 feet, thence

S34°-19'-06"W by the land of Cities Service Company a distance of 32.92 feet, thence

N55°-40'-57"W a distance of 196.15 feet, thence

Southwesterly by a curved line to the left having a radius of 70.00 feet a distance of 29.18 feet, thence

N79°-34'-01"W a distance of 118.11 feet, thence

N10°-25'-59"E a distance of 12.00 feet to the point of beginning.

Containing 8,250± S.F.

Parcel No. 1-10-MDC

Beginning at a point on the easterly side of Commercial Avenue approximately 164. feet north of the intersection of Commercial Avenue and First Street being the northwesterly corner of the herein described premises; thence running

S35°-11'-29"W by the sideline of Commercial Avenue a distance of 164.28 feet, thence

S09°-36'-29"W by the sideline of Cambridge Parkway a distance of 71.59 feet, thence

S12°-51'-08"E by the sideline of Cambridge Parkway a distance of 47.21 feet, thence

S54°-48'-33"E by the sideline of Cambridge Parkway a distance of 50.46 feet, thence

N58°-04'-03"E by the sideline of Cambridge Parkway a distance of 21.80 feet, thence

N06°-53'-14"W a distance of 84.53 feet, thence

Northeasterly by a curved line to the right having a radius

265.00 feet a distance of 194.62 feet to the point of beginning.

Containing 9,770± S.F.

Parcel No. 1-11-MDC

Beginning at a point on the easterly side of Commercial Avenue approximately 270 feet south of the southeasterly intersection of Commercial Avenue and Charles River Dam Road; being the southwesterly corner of the herein described premises, thence running;

N35°-13'-03"E by the sideline of Commercial Avenue a distance of 259.21 feet, thence

Easterly by the sideline of Commercial Avenue on a curve to the right having a radius of 10.00 feet a distance of 15.55 feet, thence

S55°-40'-57"W by the sideline of Charles River Dam Road a distance of 110.17 feet, thence

S35°-13'-03"W by the sideline of Charles River Dam Road a distance of 5.28 feet, thence

S55°-36'-54"E by the sideline of Charles River Dam Road a distance of 122.51 feet, thence

S35°-13'-03"W by the land of the Commonwealth of Massachusetts (M.D.C.) a distance of 11.02 feet, thence

N55°-56'-03"W a distance of 92.00 feet, thence

N55°-37'-37"W a distance of 56.40 feet, thence

S33°-37'-16"W a distance of 66.00 feet, thence

N55°-32'-10"W a distance of 85.00 feet, thence

S37°-13'-04"W a distance of 186.69 feet, thence

N55°-40'-03"W by the land of owners unknown a distance of 4.46 feet to the point of beginning.

Containing 11,080± S.F.

Parcel No. 1-12-MDC

Beginning at a point on the southerly side of Charles River Dam Road approximately 242 feet east of the southeasterly intersection of Charles River Dam Road and Commercial Avenue; being the northwesterly corner of the herein described premises, thence running

S55°-36'-54"E by the sideline of Charles River Dam Road a distance of 183.88 feet; thence

S34°-05'-40"W a distance of 3.03 feet; thence

N55°-54'-20"W a distance of 112.44 feet; thence

S34°-02'-03"W a distance of 7.02 feet; thence

N55°-56'-03"W a distance of 71.67 feet; thence

N35°-13'-03"E by land of the Commonwealth of Massachusetts (M.D.C.) a distance of 11.02 feet to the point of beginning.

Containing 1,150± S.F.

Parcel No. 1-13-MDC

Beginning at a point on the northerly side of Charles River Dam Road approximately 260 feet east of the northeasterly inter-

section of Charlestown Avenue and Charles River Dam Road being the southeasterly corner of the herein described premises; thence running

N55°-36'-54"W by the sideline of Charles River Dam Road a distance of 63.53 feet; thence

N34°-13'-24"E by the sideline of Industrial Park Road and land of the Commonwealth of Massachusetts (M.D.C.) a distance of 67.30 feet, thence

S55°-46'-36"E a distance of 51.11 feet, thence

S34°-13'-24"W a distance of 53.54 feet, thence

Southerly by a curved line to the left having a radius of 50.00 feet a distance of 18.78 feet to the point of beginning.

Containing 3,520± S.F.

Parcel No. 1-14-MDC

Beginning at a point on the northerly side of Charles River Dam Road approximately 140 feet east of the northeasterly intersection of Charles River Dam Road & Charlestown Avenue, being the southeasterly corner of the herein described premises; thence running

N55°-53'-35"W by the sideline of Charles River Dam a distance of 112.11 feet; thence

Northerly by a curved line to the right having a radius of 40.00 feet a distance of 32.09 feet; thence

N31°-28'-46"E by the sideline of Charlestown Avenue a distance of 9.84 feet; thence

S58°-31'-14"E a distance of 2.42 feet; thence

Southerly by a curved line to the left having a radius of 18.00 feet a distance of 27.59 feet; thence

S55°-48'-04"E a distance of 120.71 feet; thence

S31°-09'-10"W a distance of 4.60 feet to the point of beginning.

Containing 660± S.F.

Parcel No. 1-15-MDC

Beginning at a point on the southerly side of Monsignor O'Brien Highway approximately 102 feet west of the southwesterly intersection of Monsignor O'Brien Highway and Cambridge Street being the northeasterly corner of the herein described premises, thence running

N55°-50'-54"W by the sideline of Monsignor O'Brien Highway a distance of 105.62 feet, thence

S53°-16'-19"E a distance of 105.67 feet, thence

N34°-49'-42"E by the sideline of Lechmere Square a distance of 4.75 feet to the point of beginning.

Containing 250± S.F.

Parcel No. 1-16-MDC

Beginning at a point on the northerly side of Monsignor O'Brien Highway approximately 120 feet west of the northwesterly intersection of the Monsignor O'Brien Highway and East Street being

the southeasterly corner of the herein described premises, thence running

N55°-50'-54"W by the sideline of Monsignor O'Brien Highway a distance of 154.77 feet, thence

N34°-09'-06"E by the land of Narvin and Irwin S. Zonis a distance of 1.80 feet, thence

Southeasterly by a curved line to the right having a radius of 1299.00 feet a distance of 164.82 feet, thence

Northwesterly by the sideline of Monsignor O'Brien Highway on a curved line to the left having a radius of 712.15 feet a distance of 9.93 feet to the point of beginning.

Containing 430± S.F.

Parcel No. 1-17-MDC

Beginning at a point on the Easterly side of Third Street approximately 30 feet south of the southeasterly intersection of Monsignor O'Brien Highway and Third Street being the southwesterly corner of the herein described premises; thence running

N09°-32'-44"E by the sideline of Third Street a distance of 10.41 feet, thence

Northeasterly by the sideline of Monsignor O'Brien Highway on a curved line to the right having a radius of 14.19 feet a distance of 28.41 feet, thence

S55°-44'-49"E by the sideline of Monsignor O'Brien Highway a distance of 3.18 feet, thence

Southwesterly by a curved line to the left having a radius of 22.00 feet a distance of 35.56 feet to the point of beginning.

Containing 110± S.F.

Parcel No. 1-18-MDC

Beginning at a point on the westerly side of Third Street approximately 25 feet from the northwesterly intersection of Monsignor O'Brien Highway and Third Street being the southeasterly corner of the herein described premises; thence running

N09°-32'-44"E by the sideline of Third Street a distance 3.36 feet, thence

Northwesterly by the sideline of Monsignor O'Brien Highway on a curve to the left having a radius of 22.00 feet a distance of 20.22 feet, thence

Southeasterly by a curved line to the right having a radius 72.00 feet a distance of 22.67 feet to the point of beginning.

Containing 30± S.F.

Parcel No. 1-19-MDC

Beginning at a point on the northerly side of Monsignor O'Brien Highway approximately 10 feet east of the southeasterly intersection of Monsignor O'Brien Highway and East Street being the southeasterly corner of the herein described premises; thence running

N49°-24'-11"W by the sideline of Monsignor O'Brien Highway a distance of 9.66 feet;

N34°-21'-11"E by the sideline of East Street a distance of 26.03 feet, thence

Southeasterly by a curved line to the left having a radius of 43.00 feet a distance of 29.29 feet to the point of beginning.

Containing 80± S.F.

For the purposes of this act, the department of public works is hereby authorized and directed to divert the above described parcels of land from its present uses and to divert the said parcels to highway use.

Approved December 17, 1983.

EMERGENCY LETTER - January 6, 1984 - 3:23 P.M.

Chap. 615. AN ACT AUTHORIZING THE DEPUTY COMMISSIONER OF CAPITAL PLANNING AND OPERATIONS TO ACQUIRE LAND IN THE TOWN OF HINGHAM 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, and in compliance with the provisions of section forty H of chapter seven of the General Laws, the department of public works, acting for and in behalf of the commonwealth, with the approval of the deputy commissioner of capital planning and operations, is hereby authorized to acquire by eminent domain under the provisions of chapter seventy-nine of the General Laws, by purchase, or otherwise, a parcel of land in the town of Hingham or any interest in land hereinafter described, or such portions thereof as said department may determine, with the approval of the said deputy commissioner, and to divert said land from its present public use to highway use, under the control of the department of public works, as hereinafter provided. Said land so acquired and diverted are shown on a plan dated April 23, 1982 by Robert D. Sgarzi, Registered Land Surveyor, and which land is to be identified on a department layout as follows:

A parcel of land in the town of Hingham containing approximately thirty-seven thousand seven-hundred and seventy-two feet (37,772 s.f.) square feet on a plan entitled, "Proposed State Highway Alteration in the Town of Hingham" dated April 23, 1982 by Robert D. Sgarzi, Registered Land Surveyor, and

bounded and described easterly and southerly by a curve of George Washington Boulevard and Rockland street, one-thousand ninety-seven and forty hundredths feet (1,097.40 ft.) and westerly and northerly by a curve within lots three (3) and four (4) on a plan herein mentioned one-thousand fifty and ninety-two hundredths feet (1,050.92 ft.). The land currently being used by the town of Hingham for conservation purposes.

Approved December 17, 1983.

Chap. 616. AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE CERTAIN LAND IN THE CITY KNOWN AS THE TOWN OF METHUEN.

Be it enacted, etc., as follows:

The department of public works is hereby authorized, with the approval of the division of capital planning and operations, to acquire on behalf of the commonwealth and upon such terms and conditions, including price, as are agreed to by the parties, the following described parcels of land, or such portions thereof as the department may determine, based upon a finding by said department that such acquisition is necessary for the protection of public safety or the implementation of flood control measures relative to periodic flooding of said property caused by the overflowing of the waters of the Merrimack river and Hawkes brook. Said lands which may be so acquired are located in the city known as the town of Methuen, owned by Charles S. Buco and Paula M. Buco, husband and wife as tenants by the entirety, and bounded and described as follows:-

Parcel 1.

Westerly, northwesterly, northerly, northeasterly, easterly, and again northerly by Hawkes Brook;

Northeasterly by land now or formerly of Fred C. Tobey, Trustee, being the boundary line between the Town of Methuen and the City of Haverhill about one hundred thirty-seven (137±) feet;

Easterly, and again northerly by said Hawkes Brook; again

Easterly by Merrimack Street about twenty (20±) feet;

Southerly by Addison Avenue seventy-four and 43/100 (74.43) feet;

Westerly by Colburn Circle eighty (80) feet, and further

Westerly, northwesterly in a curved line by Colburn Circle one

hundred fifty-six and 81/100 (156.81) feet;

Southerly by Colburn Circle two hundred forty-seven and 25/100 (247.25) feet;

Southeasterly and easterly in a curved line by Colburn Circle two hundred seventeen and 83/100 (217.83) feet; and

Southerly by lot fifty-three (53) on plan hereinafter mentioned four (4) feet.

All of said boundaries are determined by the Land Court to be located as shown on Plan No. 6549B, drawn by F.T. Westcott, Engr., dated July 3, 1917, as modified and approved by the Court, filed in the Land Registration Office, a copy of a portion of which is filed with Certificate of Title No. 640, Book 2, Page 453, and being designated as lots fifty-four (54) to sixty-one (61), inclusive, sixty-two B (62B) and thirteen (13) thereon.

Parcel 2.

Also lots sixty-three (63) to seventy-five (75) on said plan bounded and described as follows:

Westerly by Colburn Circle one hundred and four and 4/100 (104.04) feet;

Northerly by Colburn Circle two hundred ninety-four and 24/100 (294.24) feet; and

Northeasterly and easterly by Colburn Circle ninety-nine and 13/100 (99.13) feet; and

Southerly by lots seventy-six (76) to ninety-one (91), inclusive, on said plan four hundred (400) feet.

Parcel 3.

Also lots ninety (90) and ninety-one (91) on said plan bounded and described as follows:

Southerly by Addison Avenue fifty (50) feet;

Westerly by lot eighty-nine (89) on said plan eighty (80) feet;

Northerly by part of lot sixty-three (63) on said plan fifty (50) feet; and

Easterly by Colburn Circle eighty (80) feet.

Parcel 4.

Also lots eighty-eight (88) and eighty-nine (89) on said plan bounded and described as follows:

Northerly by lot sixty-three (63) on said plan fifty (50) feet;

Easterly by lot ninety (90) on said plan eighty (80) feet;

Southerly by Addison Avenue fifty (50) feet; and

Westerly by lot eighty-seven (87) on said plan eighty (80) feet.

Approved December 17, 1983.

Chap. 617. AN ACT AUTHORIZING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO GRANT A CERTAIN EASEMENT OVER CERTAIN LAND IN THE TOWN OF MIDDLEBOROUGH.

Be it enacted, etc., as follows:

The division of capital planning and operations, acting in the name of and on behalf of the commonwealth, is hereby authorized to grant to William Couto an easement over a certain parcel of land, under the control of the division of fisheries and wildlife, situated off Purchase street in the town of Middleborough for the purpose of installing and maintaining poles and wires for the transmission of electricity from the electric company transmission line to the Couto cranberry bogs, as shown on a plan entitled "Plan Showing Proposed 20' Wide Easement Across Land of the Commonwealth of Massachusetts in Middleborough, Massachusetts; September 17, 1981, Arthur C. Thompson, Inc., Engineers and Surveyors, Marion, Massachusetts", recorded with the Plymouth county registry of deeds in the county of Plymouth in Book 3847, Pg. 410. Said easement to be granted subject to such terms and conditions and in such location as said division of capital planning and operations shall determine.

Approved December 17, 1983.

Chap. 618. AN ACT ESTABLISHING A BUREAU FOR FILM AND VIDEO DEVELOPMENT WITHIN THE DEPARTMENT OF COMMERCE AND DEVELOPMENT.

Be it enacted, etc., as follows:

Chapter 23A of the General Laws is hereby amended by adding after section 4 the following section:-

Section 4A. There shall be in the department a bureau for film and video development. Said bureau shall be under the supervision of a director who shall be subject to the provisions of section five. Said bureau shall provide film and video assistance to businesses and individuals to develop the commonwealth as a desirable place to film on location, by providing support services to visiting production companies, and by assisting and promoting local film, video, and cable related companies.

Approved December 17, 1983.

Chap. 619. AN ACT EXEMPTING CERTAIN GAMES CONDUCTED AT ELDERLY HOUSING PROJECTS FROM LAWS REGULATING THE STATE LOTTERY.

Be it enacted, etc., as follows:

Section 38 of chapter 10 of the General Laws is hereby amended by inserting after the twelfth paragraph the following paragraph:-

Organizations composed of persons sixty years of age or older, commonly referred to as senior citizens' or golden age clubs, may operate or conduct beano games without a license between the hours of nine o'clock ante meridian and ten o'clock post meridian for the purpose of amusement and recreation of its members; provided, however, that the organization has applied for and received an identification number from said commission, that no player or other person furnished consideration in excess of twenty-five cents for the opportunity to participate, that prizes awarded are of nominal value, that no person other than an active member of the organization participates in the conduct of the game, and that no person is paid for conducting or assisting in the conduct of the games.

Approved December 17, 1983.

Chap. 620. AN ACT RELATIVE TO ABANDONED SAFE DEPOSIT BOXES.

Be it enacted, etc., as follows:

The second paragraph of section 17 of chapter 158 of the General Laws, as appearing in chapter 526 of the acts of 1966, is hereby amended by striking out, in lines 1 and 2, the words "two years" and inserting in place thereof the words:- one year.

Approved December 17, 1983.

Chap. 621. AN ACT AUTHORIZING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO CONVEY A CERTAIN PARCEL OF LAND TO THE CITY OF QUINCY.

Be it enacted, etc., as follows:

The deputy commissioner of capital planning and operations, on behalf of the commonwealth, is hereby authorized to convey by a deed, approved as to form by the attorney general, with quitclaim covenants to the city of Quincy for nominal consideration the land in said Quincy, now under the control of the department of education, and is bounded and described as follows:-

Beginning at a point at the southeasterly corner of Calvin Road, thence running in a southerly direction 60 feet, by land of City of Quincy to a concrete bound, thence turning and running S. 65° - 46' - 00" E., by land of City of Quincy, 945± feet to the center line of Pine Creek, thence running by various courses and distances as shown on plan filed herewith by said Pine Creek, Town River, Turning Basin and Town River, all as shown on said plan to a point on the center line of Town River, thence turning and running southeast by a curve with a radius of 506.24 feet by Town River and land of City of Quincy, about 200± feet to a point thence turning and running northeast by land of City of Quincy, about 40.0 feet to a point, thence turning and running N. 67° - 11' - 30" E., by other land of Massachusetts Electric Company about 475.0± feet to a point, thence turning and running N. 22° - 48' - 30" W., about 1364.43 feet by other land of Massachusetts Electric Company, thence turning and running N. 56° - 39' - 00" E., by land of Alfred A. Keith and land of the Massachusetts Electric Company, 128.56 feet to land of Mildred Silbovitz; thence running N. 76° - 13' - 20" E., by land of Mildred Silbovitz, land of Dorothy M. and Mabel Schofield, land of Albert Davis et ux, land of John Santagate et ux and land of Emilio G. Mancini et ux, 250.65 feet to the westerly line of a Private Way; thence running N. 71° - 04' - 30" E., by said Private Way 40.01 feet to a concrete bound; thence running N. 59° - 51' - 40" E., by land of Rhoda A. Mosesso, 184.54 feet to a stone bound at land of the Roman Catholic Archbishop of Boston, thence running N. 59° - 51' - 40" E., by land of the Roman Catholic Archbishop of Boston, 14.26 feet to a stone bound, thence running S. 77° - 08' - 00" E., by land of the Roman Catholic Archbishop of Boston 246.60 feet to a stone bound at land of Albert F. Hermes, thence running S. 77° - 08' - 00" E., by land of Albert F Hermes, land of Peter A. Marinaites et ux, land of Mary Tosches and land of S. Pattavina & Sons, Inc., 403.69 feet to a concrete bound; thence running S. 12° -

36' - 00" W., by land of S. Pattavina & Sons, Inc., 234.61 feet to a concrete bound, thence running S. 53° - 04' - 00" E., by land of said S. Pattavina & Sons, Inc., 162.93 feet to a concrete bound; thence running N. 10° - 54' - 00" E., by land of S. Pattavina & Sons, Inc., 531.62 feet to the southwesterly side of Barbour Terrace, formerly Merrymount Terrace; thence running S. 9° - 41' - 35" E., by the southwesterly side of Barbour Terrace, formerly Merrymount Terrace, 111.96 feet to a concrete bound; thence running S. 20° - 53' 40" W., by land of Robert G. Cann et ux and land now or formerly of the City of Quincy 113.45 feet to a point, thence running S. 24° - 14' - 00" W., 41.30 feet to a concrete bound, thence running S. 65° - 46' - 00" E., by land of Kenneth A. Trillcott et ux, 149.43 feet to a concrete bound; thence running S. 24° - 14' - 00" W., by land of Kenneth A. Trillcott et ux, land of Annie B. Masson, land of Joseph F. Verlicco et ux, land of Aaron Barnett et ux and land of William H. Tucker et ux, 200 feet to a concrete bound; thence running S. 65° - 46' - 00" E., by land of William H. Tucker et ux 100 feet to a concrete bound on the westerly side of Homer Road, thence running S. 24° - 14' - 00" W., by the westerly line of Homer Road, 140 feet to a concrete bound, thence running S. 65° - 46' - 00" E., by the end of Homer Road and land of Leroy F. Dyer et ux, 140 feet to a concrete bound at land of Daniel J. Mahoney et ux; thence running S. 24° - 14' - 00" W., by land of said Daniel J. Mahoney et ux, land of Archie J. Barba et ux, land of Alfred Pecce et ux and land of George Moscardelli et ux, 220 feet to a concrete bound; thence running S. 65° - 46' - 00" E., by land of George Moscardelli et ux and the end of Moffat Road, 140 feet to a concrete bound; thence running S. 24° - 14' - 00" W., by the east line of Moffat Road, 70 feet to a concrete bound; thence running S. 65° - 46' - 00" E., along the southerly side line of Calvin Road, 228.79 feet to a concrete bound at the point of beginning.

Said parcel of land is shown as Parcel #1 on a plan of land entitled, "Plan of Land in Quincy, Massachusetts, Broad Meadows," made by Edward A. Leone, City Engineer, dated March 15, 1971 and duly recorded with Norfolk Registry of Deeds Plan Book 229, Plan 607 of 1971.

Being the same premises conveyed to the Commonwealth of Massachusetts by deed of the city of Quincy dated December 22, 1971 and recorded with said Norfolk Registry of Deeds Book 4828, Page 445.

Approved December 17, 1983.

Chap. 622. AN ACT RELATIVE TO THE ANNUAL SALARY OF THE EXECUTIVE SECRETARY TO THE COMMISSION ON JUDICIAL CONDUCT.

Be it enacted, etc., as follows:

Section 3 of chapter 211C of the General Laws, as appearing in section 114 of chapter 478 of the acts of 1978, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- The executive secretary shall receive an annual salary of thirty-three thousand dollars and such expenses as are approved by the commission and which are incurred by him in the discharge of his duties.

Approved December 17, 1983.

Chap. 623. AN ACT RELATIVE TO THE EXECUTIVE OFFICE OF CONSUMER AFFAIRS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 6 of the General Laws is hereby amended by striking out section 17A, as most recently amended by section 1 of chapter 668 of the acts of 1982, and inserting in place thereof the following section:-

Section 17A. There is hereby established a cabinet, which shall serve directly under the governor. The cabinet shall consist of the secretary of administration, the secretary of communities and development, the secretary of consumer affairs and business regulation, the secretary of environmental affairs, the secretary of human services, the secretary of elder affairs, the secretary of manpower affairs, the secretary of labor, the secretary of public safety, the secretary of transportation and construction, and such other offices of the executive department as the governor may from time to time designate.

SECTION 2. Chapter 6A of the General Laws is hereby amended by striking out section 2, as most recently amended by section 2 of said chapter 668, and inserting in place thereof the following section:-

Section 2. There are hereby established the following executive offices, each of which shall serve directly under the governor:- communities and development, consumer affairs and business regulation, energy resources, environmental affairs, human services, elder affairs, manpower affairs, labor, public safety and transportation and construction.

SECTION 3. Said chapter 6A is hereby further amended by striking out section 9, as amended by section 5 of chapter 806 of the acts of 1974, and inserting in place thereof the following section:-

Section 9. There shall be within the executive office of consumer affairs and business regulation the following state agencies: the department of public utilities and all other state agencies within said department; the department of banking and insurance and all other state agencies within said department, including the small loans regulatory board and the trustees of the General Insurance Guaranty Fund; the division of registration established by section eight of chapter thirteen, including the several boards of registration serving therein, and the approving authority established by section two of chapter one hundred and twelve; the alcoholic beverages control commission; the state racing commission; and the health, welfare, and retirement trust funds board.

Nothing in this section shall be construed as conferring any power or imposing any duties upon the secretary with respect to the foregoing agencies except as expressly provided by law.

SECTION 4. Said chapter 6A is hereby further amended by striking out section 9A, as most recently amended by section 1 of chapter 375 of the acts of 1981, and inserting in place thereof the following section:-

Section 9A. The secretary of consumer affairs and business regulation is hereby authorized to make an annual assessment against each electric, gas, telephone, and telegraph company doing business in the commonwealth and subject to the supervision of the department of public utilities, based upon intrastate operating revenues of each of such companies derived from the sales of electric, gas, telephone, and telegraph services, respectively, as shown on the annual report or annual statement of each of said companies filed with the proper supervising agency. Said assessments shall be in such amounts as shall be determined and certified annually by the secretary of consumer affairs and business regulation as sufficient to produce two hundred and fifty thousand dollars in revenue to the commonwealth and shall be assessed proportionately against each such company on the basis of said intrastate operating revenues of each such company; provided, however, that if the attorney general fails to expend in any fiscal year the total amount of two hundred and fifty thousand dollars for the purposes set forth under the provisions of section eleven E of chapter twelve, any amount unexpended in such fiscal year shall be credited against the assessment to be made in the following year and the assessment in such following year shall be reduced by such unexpended

amount.

Assessments made under this section may be credited to the normal operating costs of each such company and shall be utilized by the attorney general solely for the purposes set forth under the provisions of section eleven E of chapter twelve. Said secretary is hereby authorized to make a further annual assessment for the purpose of providing funds to the attorney general for the representation of consumer interests in proceedings held pursuant to section ninety-four G of chapter one hundred and sixty-four and such other proceedings as may be reasonably related to said section. Said assessments shall be assessed proportionately against each electric company under the jurisdictional control of the department of public utilities based upon the intrastate operating revenues of each said companies derived from wholesale and retail sales of electricity within the commonwealth as shown in the annual report of said companies to the department. Said assessment shall be made at a rate as shall be determined and certified annually by the secretary of consumer affairs and business regulations as sufficient to produce not more than seventy-five thousand dollars in revenue for each fiscal year for which said assessment is made.

SECTION 5. Said chapter 6A is hereby further amended by striking out section 9B, as amended by section 1 of chapter 795 of the acts of 1981, and inserting in place thereof the following section:-

Section 9B. On or before the first day of October of the year in which an assessment is made pursuant to the provisions of section nine A, the secretaries of labor and consumer affairs and business regulation shall certify to the commissioner of revenue the amount of the assessment to be made and the name and address of each company against whom such assessment is made. Such assessments shall be collected by the commissioner of revenue in accordance with applicable provisions of chapter sixty-three; provided, however, that each company shall pay the amount assessed against it within thirty days from the receipt of notice of assessment from the commissioner of revenue. The amount so collected shall be credited to the General Fund.

SECTION 6. Said chapter 6A is hereby further amended by striking out section 10, as appearing in section 3 of chapter 704 of the acts of 1969, and inserting in place thereof the following section:-

Section 10. There shall be a division of standards within the executive office of consumer affairs and business regulation.

SECTION 7. Section 19 of chapter 297 of the acts of 1983 is

hereby amended by striking out said section in its entirety, and inserting in place thereof the following section:-

Section 19. Notwithstanding the provisions of any special or general law to the contrary, in addition to the assessments authorized in sections seventeen and eighteen of General Law chapter 25, the Department of Public Utilities is hereby authorized to make an assessment, for fiscal year nineteen hundred and eighty-four, against each telephone and telegraph company under the jurisdictional control of the department, based upon the intrastate operating revenues of each of said companies derived from sales within the commonwealth of telephone and telegraph service as shown in the most recent annual report of each of said companies to the department. Said assessment shall be determined and certified by the department as sufficient to produce two hundred and fifty thousand dollars in revenue to be allocated among such companies in the proportion that each company's share of such operating revenues bears to the total operating revenues of all such companies in the commonwealth during the previous calendar year. The assessment under this section may be credited to the normal operating cost of each company. The funds produced by such assessment shall be used by the department, in addition to other funds appropriated, to assist in defraying the general operating expenses of the telecommunications division and other expenses of the department relating to telecommunications, including but not limited to the provision of informational and educational services to telecommunications consumers in the commonwealth and costs involved in telecommunications rate setting proceedings.

Approved December 17, 1983.

EMERGENCY LETTER - December 21, 1983 @ 12:54 P.M.

Chap. 624. **AN ACT AUTHORIZING THE TOWN OF SAUGUS 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 Saugus, 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 Lincoln avenue pumping station in said town, across lands of said town of Saugus and the city of Lynn. The easement shall be variable in width with a temporary easement not to exceed 50' in width and a permanent easement not to exceed 20' in width, both to be located within the limits of the land described herein. Said easements shall include the right to lay and maintain conduits, pipes and other works under any such land or 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. The land upon which said easements are located in the town of Saugus is bounded and described as follows:-

FORCE MAIN EASEMENT THRU BOSTON & MAINE
RAILROAD RIGHT OF WAY AND OTHER LANDS
TO COMMERCIAL STREET, CITY OF LYNN.

Beginning at a point in the thread of the stream, Town of Saugus and the City of Lynn boundary, Mass. Coordinates N532113.001 and E737993.988;

thence running N59-55-27W, 45.00' to a point;

thence turning and running N32-04-33E, 270'± to a point;

thence turning and running N82-05-09W, 180'± to land N/F N & G Realty Corporation to a point;

thence turning and running Northeasterly 20'± by land of N/F N & G Realty Corporation to a point;

thence turning and running Westerly 93'± by land N/F of N & G Realty Corporation, to a point on the easterly sideline of Boston Street;

thence turning and running Northeasterly 30'± by the easterly sideline of Boston Street to a point;

thence turning and running Easterly 75'± by land of Bernard M.

Mahoney to a point;

thence running Northerly 20'± by land N/F of Bernard M. Mahoney to a point;

thence turning and running Southeasterly 15'± by land N/F of Bernard M. Mahoney to a point;

thence turning and running Northeasterly 15'± by land N/F of Bernard M. Mahoney to the Northerly sideline of the Boston and Maine Railroad;

thence turning and running Southeasterly, Northeasterly, and Southerly a distance of 7,070'± to a point on the Southerly side of Summer Street at the junction of the Easterly sideline of Summer Street Place, said last course crossing and including the limits of the ways known as Summer Street, Ashland Street, Cottage Street, Spencer Street, and Western Avenue and any unnamed or private ways, rights of ways and easements existing;

thence running Southerly by the Easterly sideline of Summer Street Place and the projection thereof a distance of 270' to a point at the intersection of the Northerly sideline of South Street Court and the Easterly sideline of the Boston and Maine Railroad;

thence turning and running Northeasterly 16'± by the Northerly end of South Street Court to a point;

thence turning and running Southeasterly parallel to the Easterly sideline of the Boston and Maine Railroad 780'± by the Easterly sideline of South Street Court, crossing Assessor's Lots 36 and 37 and Neptune Street Court and Assessor's Lots 51 and 53, Sheet 25 to a point in the Northerly side of South Street Place;

thence turning and running Easterly 10' to the Northwest corner of South Street Place, formerly Ray Court;

thence turning and running Southeasterly 25' by the Westerly end of South Street Place to the Southwest intersection of South Street Place and the Northwest corner of land N/F owned by Jacob Krasnow, shown as Assessor's Lot #57, Sheet 25;

thence turning and running Easterly by the Southerly sideline of South Street Place 67.47' to Assessor's Lot #58;

thence turning and running Southeasterly by said Lot #58, 85'± to a point;

thence running Southeasterly 25' distant from and parallel to the Boston and Maine Railroad a distance of 60' to land N/F of Harry A. Janice (shown as Assessor's Lot #59, sheet 25);

thence turning and running Southeasterly by land N/F of Harry A. Janice 45' to the intersection of the Boston and Maine Railroad;

thence running Southwesterly 95'± across the Boston and Maine Railroad to the intersection of the Boston and Maine Railroad with the Northwest sideline Bennett Street;

thence turning and running Southeasterly across said Bennett

Street to the intersection of the property of Local 201 IUE, shown as Assessor's Lot #55, Sheet #37, with the sideline of Bennett Street;

thence running Easterly by the division line of Lots 54 and 55 (land of Local 201 IUE) S55-38-57E, 230.39' to a bend;

thence running S32-08-27E, 215.83' to the Boston and Maine Railroad;

thence continuing on a projection of this course across said land of the Boston and Maine Railroad and land of the General Electric Company 145' to a point;

thence running S75°-27'-56"E, 140'± to a point;

thence running S46°-35'-28"E, 230'± to the Northwest sideline of the Lynnway;

thence running Southerly across the Lynnway 140' to a point of curvature on the Northeast sideline of Day Street;

thence running S25°-26'-30"E, 487.59' by the sideline of Day Street to a point of curvature;

thence turning and running on a curved line to the East on a radius of 50.00 a distance of 78.54' to the point of tangency on the Northerly sideline of Circle Avenue;

thence running N64°-33'-30E, 920.00' by the Northerly sideline of Circle Avenue, crossing Chester Street, to the Easterly sideline of Commercial Street Extension;

thence turning and running S25°-26'-30"E, 100.00' to the southerly sideline of Circle Avenue;

thence turning and running S64°-33'-30"W, 1040.09' by the Southerly sideline of Circle Avenue to the projection of the Westerly sideline of Day Street;

thence turning and running N25°-26'-30"W, 640'± by the Southwest sideline of Day Street to the Southeast sideline of the Lynnway;

thence running Northerly across the Lynnway 140'± to the projection of the Northeast range of a structure owned by Colortile Supermart, Inc. and the Lynnway;

thence turning and running Northwesterly 235'± by the Northeast side of the aforementioned structure to a point;

thence running N75°-27'-56"W, 140'±, crossing land of the General Electric Company to a point;

thence running N32°-08'-27"W, 360', crossing land of the Boston and Maine Railroad to land of Local 201 IUE;

thence running N55°-38'-57"W, 405', crossing Bennett Street to a point at land of Moran Fuel, Inc. 100' Westerly of Bennett Street;

thence turning and running Northwesterly 45'± to the Northeast corner of the Moran Fuel structure;

thence turning and running Northerly 80' to the westerly sideline of the Boston and Maine Railroad at the Northerly end of

a concrete retaining wall at the projection of Northerly end of the Moran Fuel structure with Boston and Maine Railroad property;

thence running Northwesterly and Westerly 7895'± by the sideline of the Boston and Maine Railroad property, crossing Summer Street, Western Avenue, Spencer Street, Cottage Street, Ashland Street and Summer Street to a point;

thence turning and running S32°-04'-33"W, 310' to a point in the Saugus River;

thence turning and running N59°-55'-27"W, 55'± to the point of beginning.

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.

Approved December 17, 1983.

EMERGENCY LETTER - December 21, 1983 @ 12:54 P.M.

Chap. 625. AN ACT AUTHORIZING THE TOWN OF DRACUT TO ISSUE AN ADDITIONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES TO COLLINSVILLE LIQUOR MART, INC.

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 Dracut is hereby authorized to issue, to Collinsville Liquor Mart, Inc., 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 said section seventeen; provided, however, that the number of seasonal licenses for the sale of all alcoholic beverages not to be drunk on the premises authorized for said town to issue under the provisions

of said section seventeen of said chapter one hundred and thirty-eight shall be reduced by one such license.

Approved December 17, 1983.

Chap. 626. AN ACT FURTHER REGULATING CERTAIN ASSESSMENTS ON CERTAIN UTILITY COMPANIES.

Be it enacted, etc., as follows:

Section 9A of chapter 6A of the General Laws, as most recently amended by section 1 of chapter 375 of the acts of 1981, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

The secretary of consumer affairs is hereby authorized to make an annual assessment against each electric, gas, telephone, and telegraph company doing business in the commonwealth and subject to the supervision of the department of public utilities, based upon intrastate operating revenues of each of such companies derived from the sales of electric, gas, telephone and telegraph services, respectively, as shown on the annual report or annual statement of each of said companies filed with the proper supervising agency. Said assessments shall be in such amounts as determined and certified annually by the secretary of consumer affairs to be sufficient to produce five hundred thousand dollars in revenue to the commonwealth and shall be assessed proportionately against each such company on the basis of said intrastate operating revenues of each such company; provided, however, that if the attorney general fails to expend in any fiscal year the total amount of five hundred thousand dollars for the purposes set forth under the provisions of section eleven E of chapter twelve, any amount unexpended in such fiscal year shall be credited against the assessment to be made in the following year and the assessment in such following year shall be reduced by such unexpended amount.

Approved December 17, 1983.

Chap. 627. AN ACT FURTHER REGULATING THE LICENSING OF NURSING HOMES, INFIRMARIES AND INTERMEDIATE CARE FACILITIES.

Be it enacted, etc., as follows:

SECTION 1. The sixth paragraph of section 71 of chapter 111

of the General Laws, as appearing in section 1 of chapter 571 of the acts of 1979, is hereby amended by inserting after the word "safety", in line 10, the words:- ; provided, however, that with respect to convalescent or nursing homes only, the division of health care quality of the department of public health shall have sole authority to inspect for and issue such certificate.

SECTION 2. The seventh paragraph of said section 71 of said chapter 111, as so appearing, is hereby amended by inserting after the first sentence the following sentence:- With respect to certificates of inspection that the division of health care quality of the department of public health has the sole authority to issue, an applicant may, within thirty days from disapproval of a certificate of inspection, appeal in writing to the department of public health only.

SECTION 3. The eighth paragraph of said section 71 of said chapter 111, as so appearing, is hereby amended by inserting after the word "safety", in line 1, the words:- or, where applicable, the department of public health.

SECTION 4. The sixteenth paragraph of said section 71 of said chapter 111, as so appearing, is hereby amended by striking out, in lines 5 and 6, the words "of an inspector of the division of inspection of the department of public safety".

Approved December 17, 1983.

Chap. 628. AN ACT FURTHER REGULATING THE AUTHORITY OF THE MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION.

Be it enacted, etc., as follows:

SECTION 1. Section 4 of chapter 151B of the General Laws is hereby amended by striking out subsection 6, as most recently amended by section 1 of chapter 1015 of the acts of 1973, and inserting in place thereof the following subsection:-

6. For the owner, lessee, sublessee, licensed real estate broker, assignee or managing agent of publicly assisted or multiple dwelling or contiguously located housing accommodations or other person having the right of ownership or possession or right to rent or lease, or sell or negotiate for the sale of such accommodations, or any agent or employee of such a person or any organization of unit owners in a condominium or housing cooperative:- (a) to refuse to rent or lease or sell or negotiate

for sale or otherwise to deny to or withhold from any person or group of persons such accommodations because of the race, religious creed, color, national origin, sex, age, ancestry or marital status of such person or persons or because such person is a veteran or a member of the armed forces, or because such person is blind or hearing impaired; (b) to discriminate against any person because of his race, religious creed, color, national origin, sex, age, ancestry or marital status or because such a person is a veteran or a member of the armed forces or because such person is blind or hearing impaired in the terms, conditions or privileges of such accommodations or the acquisitions thereof, or in the furnishings of facilities and services in connection therewith, or because such person possesses a trained dog guide as a consequence of blindness or hearing impairment; (c) to cause to be made any written or oral inquiry or record concerning the race, religious creed, color, national origin, sex, age, ancestry or marital status of the person seeking to rent or lease or buy any such accommodation, or concerning the fact that such person is a veteran or a member of the armed forces or because such person is blind or hearing impaired. The word "age" as used in this subsection shall not apply to persons who are minors nor to residency in state-aided or federally-aided housing developments for the elderly nor to residency in self-contained retirement communities constructed expressly for use by the elderly and which are at least twenty acres in size and have a minimum age requirement for residency of at least fifty-five years.

SECTION 2. Said section 4 of said chapter 151B is hereby further amended by striking out subsection 7, as most recently amended by said section 1 of said chapter 1015, and inserting in place thereof the following subsection:-

7. For the owner, lessee, sublessee, real estate broker, assignee or managing agent of other covered housing accommodations or of land intended for the erection of any housing accommodation included under subsections 10, 11, 12 or 13 of section one, or other person having the right of ownership or possession or right to rent or lease, or sell, or negotiate for the sale or lease of such land or accommodations, or any agent or employee of such a person or any organization of unit owners in a condominium or housing cooperative:- (a) to refuse to rent or lease or sell or negotiate for sale or lease or otherwise to deny to or withhold from any person or group of persons such accommodations or land because of the race, color, religious creed, national origin, sex, age, ancestry, marital status, veteran status or membership in the armed services, blindness, hearing impairment, or because such person possesses a trained dog guide as a

consequence of blindness or hearing impairment of such person or persons; (b) to discriminate against any person because of his race, color, religious creed, national origin, sex, age, ancestry, marital status, veteran status or membership in the armed services, blindness, hearing impairment, or because such person possesses a trained dog guide as a consequence of blindness or hearing impairment in the terms, conditions or privileges of such accommodations or land or the acquisition thereof, or in the furnishing of facilities and services in connection therewith; or (c) to cause to be made any written or oral inquiry or record concerning the race, color, religious creed, national origin, sex, age, ancestry, marital status, veteran status or membership in the armed services, blindness, hearing impairment, or because such person possesses a trained dog guide as a consequence of blindness or hearing impairment of the person seeking to rent or lease or buy any such accommodation or land; provided, however, that this subsection shall not apply to the leasing of a single apartment or flat in a two family dwelling, the other occupancy unit of which is occupied by the owner as his residence. The word "age" as used in this subsection shall not apply to persons who are minors, nor to residency in state-aided or federally-aided housing developments for the elderly nor to residency in self-contained retirement communities constructed expressly for use by the elderly and which are at least twenty acres in size and have a minimum age requirement for residency of at least fifty-five years.

SECTION 3. Said section 4 of said chapter 151B is hereby further amended by striking out subsection 11, as amended by section 2 of chapter 710 of the acts of 1979, and inserting in place thereof the following subsection:-

11. For the owner, sublessees, real estate broker, assignee or managing agent of publicly assisted or multiple dwelling or contiguously located housing accommodations or other covered housing accommodations, or other person having the right of ownership or possession or right to rent or lease or sell such accommodations, or any agent or employee of such person or organization of unit owners in a condominium or housing cooperative, to refuse to rent or lease or sell or otherwise to deny to or withhold from any person such accommodations because such person has a child or children who shall occupy the premises with such person.

This subsection shall not apply to:

(1) Dwellings containing three apartments or less, one of which apartments is occupied by an elderly or infirm person for whom the presence of children would constitute a hardship. For purposes of this subsection, an "elderly person" shall mean a

person sixty-five years of age or over, and an "infirm person" shall mean a person who is disabled or suffering from a chronic illness.

(2) The temporary leasing or temporary subleasing of a single family dwelling, a single apartment, or a single unit of a condominium or housing cooperative, by the owner of such dwelling, apartment, or unit, or in the case of a subleasing, by the sublessor thereof, who ordinarily occupies the dwelling, apartment, or unit as his or her principal place of residence. For purposes of this subsection, the term "temporary leasing" shall mean leasing during a period of the owner's or sublessor's absence not to exceed one year.

(3) The leasing of a single dwelling unit in a two family dwelling, the other occupancy unit of which is occupied by the owner as his residence.

(4) Housing developments containing one hundred or more apartments, if said development shall at such time be the residence for a number of children equal to fifty per cent of the number of apartments in the development, and in such exempted development children may be restricted to specific types of apartments or buildings. For the purposes of this exemption, a child shall be defined as a person sixteen years of age or less. This exemption shall not apply to publicly assisted or publicly subsidized developments, buildings, or apartments designated by the administering public agency for persons over sixty-two years of age or handicapped persons, or both.

SECTION 4. Section 5 of said chapter 151B, as most recently amended by section 3 of chapter 463 of the acts of 1976, is hereby further amended by striking out the first and second paragraphs and inserting in place thereof the following two paragraphs:-

Any person claiming to be aggrieved by an alleged unlawful practice or alleged violation of clause (e) of section thirty-two of chapter one hundred and twenty-one B or sections ninety-two A, ninety-eight and ninety-eight A of chapter two hundred and seventy-two may, by himself or his attorney, make, sign and file with the commission a verified complaint in writing which shall state the name and address of the person, employer, labor organization or employment agency alleged to have committed the unlawful practice complained of or the violation of said clause (e) of said section thirty-two or said sections ninety-two A, ninety-eight and ninety-eight A which shall set forth the particulars thereof and contain such other information as may be required by the commission. The attorney general may, in like manner, make, sign and file such complaint. The commission, whenever it has reason to believe that any person has been or is engaging

in an unlawful practice or violation of said clause (e) of said section thirty-two or said sections ninety-two A, ninety-eight and ninety-eight A, may issue such a complaint. Any employer whose employees, or some of them, refuse or threaten to refuse to cooperate with the provisions of this chapter, may file with the commission a verified complaint asking for assistance by conciliation or other remedial action.

After the filing of any complaint, the chairman of the commission shall designate one of the commissioners to make, with the assistance of the commission's staff, prompt investigation in connection therewith. If such commissioner shall determine after such investigation that no probable cause exists for crediting the allegations of the complaint, the commission shall, within ten days from such determination, cause to be issued and served upon the complainant written notice of such determination, and the said complainant or his attorney may, within ten days after such service, file with the commission a written request for a preliminary hearing before the commission to determine probable cause for crediting the allegations of the complaint, and the commission shall allow such request as a matter of right; provided, however, that such a preliminary hearing shall not be subject to the provisions of chapter thirty A. If such commissioner shall determine after such investigation or preliminary hearing that probable cause exists for crediting the allegations of the complaint, he shall immediately endeavor to eliminate the unlawful practice complained of or the violation of said clause (e) of said section thirty-two or said sections ninety-two A, ninety-eight and ninety-eight A by conference, conciliation and persuasion. The members of the commission and its staff shall not disclose what has occurred in the course of such endeavors, provided that the commission may publish the facts in the case of any complaint which has been dismissed, and the terms of conciliation when the complaint has been so disposed of. In case of failure so to eliminate such practice or violation, or in advance thereof if in his judgment circumstances so warrant, he shall cause to be issued and served in the name of the commission, a written notice, together with a copy of such complaint, as the same may have been amended, requiring the person, employer, labor organization or employment agency named in such complaint, hereinafter referred to as respondent, to answer the charges of such complaint at a hearing before the commission, at a time and place to be specified in such notice. The place of any such hearing shall be the office of the commission or such other place as may be designated by it. After a determination of probable cause hereunder such commissioner may also file a petition in equity in the superior court in any county in which the unlawful practice which is the subject of the complaint occurs, or in a

county in which a respondent resides or transacts business, or in Suffolk county, seeking appropriate injunctive relief against such respondent, including orders or decrees restraining and enjoining him from selling, renting or otherwise making unavailable to the complainant any housing accommodations or public accommodations with respect to which the complaint is made, pending the final determination of proceedings under this chapter. An affidavit of such notice shall forthwith be filed in the clerk's office. The court shall have power to grant such temporary relief or restraining orders as it deems just and proper. The case in support of the complaint shall be presented before the commission by one of its attorneys or agents or by an attorney retained by the complainant, and the commissioner who shall have previously made the investigation and caused the notice to be issued shall not participate in the hearing except as a witness, nor shall he participate in the deliberations of the commission in such case except when necessary to decide an appeal to the full commission; and the aforesaid endeavors at conciliation shall not be received in evidence. If an investigating commissioner determines that probable cause exists to credit the allegations of a complainant that a respondent has refused to sell, rent or lease, or to negotiate in the sale, rental, or leasing of, housing accommodations or commercial space and if he determines that such respondent is a nonresident of the commonwealth and cannot be personally served with process in the commonwealth, such investigating commissioner may file a petition in equity in the nature of an in rem proceeding seeking appropriate injunctive relief against such property with respect to which a complaint has been made, including orders or decrees restraining and enjoining any sale, rental, lease, or other disposition of such property which would render it unavailable to the complainant pending the final determination of proceedings under this chapter. Such commissioner shall send by registered mail, with return receipt requested, a copy of such petition to the last address of such respondent known to the commissioner. An affidavit of compliance herewith, and the respondent's return receipt or other proof of actual notice, if received, shall be filed in the case on or before the return day of the process or within such further time as the court may allow. A copy of the order or decree of the court running against such property of a nonresident respondent shall be recorded in the registry of deeds in the county wherein such housing accommodations or commercial space is located, and a copy of such order or decree shall be attached in a conspicuous place to the property which has been the subject of a complaint under section four by the sheriff of the county wherein such property is located, or by his authorized agent or employee. Any person purchasing housing accommodations or commercial

space, subsequent to the recording of the order or decree in the registry of deeds, shall be, as a matter of law, bound by the terms of any order which the commission has made or may make relating to such property which has been the subject of an order or decree of the superior court. Any person renting or leasing housing accommodations or commercial space subsequent to the attachment of a copy of an order or decree referred to above by the sheriff of the county wherein such property is located or by his authorized agent or employee shall be, as a matter of law, bound by the terms of any order which the commission has made or may make relating to such property. The respondent may file a written verified answer to the complaint and appear at such hearing in person or otherwise, with or without counsel, and submit testimony. In the discretion of the commission, the complainant may be allowed to intervene and present testimony in person or by counsel. The commission or the complainant shall have the power reasonably and fairly to amend any complaint, and the respondent shall have like power to amend his answer. The commission shall not be bound by the strict rules of evidence prevailing in courts of law or equity. The testimony taken at the hearing shall be under oath and be transcribed at the request of any party. If, upon all the evidence at the hearing the commission shall find that a respondent has engaged in any unlawful practice as defined in section four or violation of said clause (e) of said section thirty-two or said sections ninety-two A, ninety-eight and ninety-eight A, the commission shall state its findings of fact and shall issue and cause to be served on such respondent an order requiring such respondent to cease and desist from such unlawful practice or violation of said clause (e) of said section thirty-two or said sections ninety-two A, ninety-eight and ninety-eight A to take such affirmative action, including but not limited to, hiring, reinstatement or upgrading of employees, with or without back pay, or restoration to membership in any respondent labor organization, as, in the judgment of the commission, will effectuate the purposes of this chapter or of said clause (e) of said section thirty-two or said sections ninety-two A, ninety-eight and ninety-eight A, and including a requirement for report of the manner of compliance. Such cease and desist orders and orders for affirmative relief may be issued to operate prospectively. If, upon all the evidence, the commission shall find that a respondent has not engaged in any such unlawful practice or violation of said clause (e) of said section thirty-two or said sections ninety-two A, ninety-eight and ninety-eight A, the commission shall state its findings of fact and shall issue and cause to be served on the complainant an order dismissing the said complaint as to such respondent. A copy of its order shall be delivered in all cases to the attorney general and

such other public officers as the commission deems proper. The commission shall establish rules of practice to govern, expedite and effectuate the foregoing procedure and its own actions thereunder. Any complaint filed pursuant to this section must be so filed within six months after the alleged act of discrimination. The institution of proceedings under this section, or an order thereunder, shall not be a bar to proceedings under said sections ninety-two A, ninety-eight and ninety-eight A, nor shall the institution of proceedings under said sections ninety-two A, ninety-eight and ninety-eight A, or a judgment thereunder, be a bar to proceedings under this section.

SECTION 5. The third paragraph of said section 5 of said chapter 151B, as amended by section 12 of chapter 752 of the acts of 1969, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- If upon all the evidence at any such hearing the commission shall find that a respondent has engaged in any such unlawful practice relative to housing or real estate or violated clause (e) of said section thirty-two it may, in addition to any other action which it may take under this section, award the petitioner damages, not to exceed two thousand dollars, which damages shall include, but shall not be limited to, the expense incurred by the petitioner for obtaining alternative housing or space, for storage of goods and effects, for moving and for other costs actually incurred by him as a result of such unlawful practice or violation; provided, however, that such damages shall not include attorneys' fees.

SECTION 6. Section 2 of chapter 221A of the General Laws, as appearing in section 1 of chapter 609 of the acts of 1982, is hereby amended by inserting after the first sentence the following sentence:- The corporation may, however, provide financial support for legal assistance programs that provide representation to complainants financially unable to afford such assistance in proceedings before the Massachusetts commission against discrimination.

SECTION 7. Chapter 272 of the General Laws is hereby amended by striking out section 98, as most recently amended by section 2 of chapter 595 of the acts of 1979, and inserting in place thereof the following section:-

Section 98. Whoever makes any distinction, discrimination or restriction on account of race, color, religious creed, national origin, sex, deafness, blindness, or any physical or mental disability or ancestry relative to the admission of any person to, or his treatment in, any place of public accommodation, resort or amusement, as defined in section ninety-two A, or whoever aids

or incites such distinction, discrimination or restriction, shall be punished by a fine of not more than twenty-five hundred dollars or by imprisonment for not more than one year, or both, and shall be liable to any person aggrieved thereby for such damages as are enumerated in section five of chapter one hundred and fifty-one B; provided, however, that such civil forfeiture shall be of an amount not less than three hundred dollars; but such person so aggrieved shall not recover against more than one person by reason of any one act of distinction, discrimination or restriction. All persons shall have the right to the full and equal accommodations, advantages, facilities and privileges of any place of public accommodation, resort or amusement, subject only to the conditions and limitations established by law and applicable alike to all persons. This right is recognized and declared to be a civil right.

SECTION 8. Said chapter 272 is hereby further amended by striking out section 98A, as most recently amended by chapter 445 of the acts of 1981, and inserting in place thereof the following section:-

Section 98A. Notwithstanding any other provision of law, any blind person, or deaf or hearing handicapped person, or other physically handicapped person accompanied by a dog guide, shall, if such dog is properly and safely muzzled, if requested by a person in control of a place of public accommodation, be entitled to any and all accommodations, advantages, facilities and privileges of all public conveyances, public amusements and places of public accommodation, within the commonwealth, to which persons not accompanied by dogs are entitled, subject only to the conditions and limitations applicable to all persons not accompanied by dogs, and no such blind person, or deaf or hearing handicapped, or other physically handicapped person shall be required to pay any charge or fare for or on account of the transportation of any public conveyance for himself and such dog so accompanying him in addition to the charge or fare lawfully chargeable for his own transportation. Whoever deprives any blind person, or deaf or hearing handicapped person, or other physically handicapped person of any right conferred by this section shall be punished by a fine of not more than three hundred dollars and shall be liable to any person aggrieved thereby for such damages as are set forth in section five of chapter one hundred and fifty-one B; provided, however, that such civic forfeiture shall be of an amount not less than one hundred dollars; provided, further, that in the case of a deaf or hearing handicapped person, or other physically handicapped person, such person carries and displays upon demand, written evidence that the dog accompanying him is a dog guide.

Approved December 17, 1983.

Chap. 629. AN ACT PROVIDING FOR PROTECTION AGAINST GAS AND ELECTRIC SERVICE SHUT OFF TO CERTAIN PERSONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 164 of the General Laws is hereby amended by striking out section 124A, as most recently amended by section 1 of chapter 802 of the acts of 1979, and inserting in place thereof the following section:-

Section 124A. No gas or electric company shall shut off or fail to restore gas or electric service in any residence during such time as there is a serious illness therein; provided, however, that a registered physician or the local board of health certifies in writing to the company that such serious illness exists; and provided, further, that the customer cannot afford to pay any overdue bill because of a financial hardship. Any such certification by a registered physician or local board of health shall be effective unless and until found invalid, after review, by the department. The department may promulgate such rules and regulations consistent with this section as it deems reasonable and necessary to carry out the provisions of this section.

SECTION 1A. Section 124D of said chapter 164, as amended by section 1 of chapter 270 of the acts of 1974, is hereby further amended by striking out the fifth paragraph.

SECTION 2. Section 124G of said chapter 164, inserted by chapter 180 of the acts of 1981, is hereby amended by striking out the last sentence.

SECTION 3. Said chapter 164 is hereby further amended by inserting after section 124G the following two sections:-

Section 124H. No gas or electric company shall shut off gas or electric service in any residence in which there is domiciled a person under the age of twelve months provided that the customer cannot afford to pay any overdue bill because of financial hardship. The department may promulgate such rules and regulations consistent with this section as it deems reasonable and necessary to implement the provisions of this section.

Section 124I. Any company found by the department to have wilfully violated sections one hundred and twenty-four A to one hundred and twenty-four H, inclusive, shall be assessed a penalty after a hearing by the department, in an amount not to exceed one hundred dollars.

Approved December 17, 1983.

EMERGENCY LETTER - December 21, 1983 @ 12:54 P.M.

Chap. 630. AN ACT AUTHORIZING THE TOWN OF WESTPORT TO ISSUE 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 licensing authority of the town of Westport is hereby authorized to issue to Antone Pavao d/b/a State Road Package Store, 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; provided, however, that said licensing authority shall not approve the transfer of said license within one year after the date of issuance by said authority; and provided, further, that the number of licenses for the sale of wine and malt beverages not to be drunk on the premises authorized for said town to issue under the provisions of said section seventeen of said chapter one hundred and thirty-eight shall be reduced by one such license.

Approved December 17, 1983.

Chap. 631. AN ACT FURTHER REGULATING DOG POUNDS.

Be it enacted, etc., as follows:

SECTION 1. Chapter forty-nine A of the General Laws is hereby repealed.

SECTION 2. Section 136A of chapter 140 of the General Laws is hereby amended by inserting before the definition of "Director" the following two definitions:-

"Adoption", the delivery of a cat or dog to any person eighteen years of age or older for the purpose of harboring as a pet.

"Commissioner", the commissioner of public health.

SECTION 3. Said section 136A of said chapter 140 is hereby further amended by adding the following definition:-

"Research institution", any institution operated by the United States or by the commonwealth or a political subdivision thereof, or any school or college of medicine, public health, dentistry, pharmacy, veterinary medicine or agriculture, medical diagnostic

laboratory or biological laboratory, hospital or other educational or scientific establishment within the commonwealth above the rank of secondary school, which, in connection with any of its activities, investigates or gives instruction concerning the structure or functions of living organisms or the causes, prevention, control or cure of diseases or abnormal conditions of human beings or animals.

SECTION 4. Said chapter 140 is hereby further amended by striking out section 151, as most recently amended by chapter 573 of the acts of 1978, and inserting in place thereof the following section:-

Section 151. The mayor of each city and the board of selectmen of each town shall annually on May first designate one or more dog officers, who may be police officers or constables and who, except as herein provided, shall hold office for one year or until their successors are qualified. The mayor or board of selectmen shall forthwith submit to the county commissioners the names and address of such officers. Except as hereinafter otherwise provided, if any city or town shall fail to make such appointment, the county commissioners shall on June first thereafter appoint a dog officer for such city or town. Any dog officer who fails to comply with the terms of his warrant shall forthwith be removed from office by the mayor or board of selectmen, and notice of such removal shall forthwith be given to the county commissioners. Dog officers, other than those employed under regular pay, shall receive from the treasurers of their respective cities and towns two dollars for each dog killed, as provided in section one hundred and fifty-one A, in full compensation for their services; provided, however, that any dog officer shall, prior to engaging in execution of animals, have completed under the supervision of a veterinarian registered under the provisions of section fifty-five or fifty-six C of chapter one hundred and twelve a course of instruction in humane techniques for the execution of animals. Each dog officer before disposing of any dog in his possession shall check its description against the descriptions issued on dogs licensed within his city or town. Bills for such services shall be approved by the mayor of the city or the board of selectmen of the town in which said dogs are kept or killed, and in Suffolk county shall be paid out of the dog fund. Cities and towns in counties other than Suffolk shall be reimbursed by the treasurers of their respective counties from the dog fund. Each dog officer appointed under this section shall also attend to all complaints or other matters pertaining to dogs in their respective towns, in addition to the duties imposed upon him by his warrant, and shall be paid for such services by the town treasurer upon bills approved by the mayor

or by the board of selectmen. The mayor of any city or the board of selectmen of any town may, instead of appointing dog officers as hereinbefore provided, enter into a contract with a domestic charitable corporation incorporated exclusively for the purpose of protecting animals from cruelty, neglect or abuse, to perform the duties required of dog officers, which contract shall, except in Suffolk county, be subject to the approval of the county commissioners. In any such case the payments to such corporation under the terms of the contract shall be in full for all services rendered by it in such capacity. Whenever in the opinion of the county commissioners the co-operation of the local dog officer with a county dog officer is necessary for the proper enforcement of sections one hundred and thirty-seven to one hundred and seventy-five, inclusive, they may require such co-operation.

No dog officer shall be a licensed animal dealer registered with the United States Department of Agriculture, and no dog officer, either privately or in the course of carrying out his official assignments as an agent for his municipality, shall give, sell, or turn over any animal which may come into his custody to any business or institution licensed or registered as a research facility or animal dealer with the United States Department of Agriculture. No municipality shall give, sell, or turn over any animal which may come into its custody to any business or institution licensed or registered as a research facility or animal dealer with the United States Department of Agriculture. Whoever violates the provisions of this paragraph shall be punished by a fine of not less than fifty nor more than two hundred dollars.

SECTION 5. Said chapter 140 is hereby further amended by striking out section 151A, as most recently amended by chapter 458 of the acts of 1983, and inserting in place thereof the following section:-

Section 151A. In the several cities and towns of the several counties, except Suffolk county, the mayor or selectmen shall annually within ten days after June first issue a warrant to such dog officer or officers directing him or them to seek out, catch and confine all dogs within the city or town which then have not been licensed, collared or harnessed, and tagged, as required by this chapter, and to enter and prosecute a complaint for failure to comply with the provisions of this chapter against the owners or keepers thereof, if known, and to kill or cause to be killed by methods of execution other than gunshot except in case of emergency, T-61, so-called, an euthanasia solution not under the control of the federal Drug Enforcement Administration, unless under the supervision of a veterinarian, electrocution, succinylcholine cholide, or any other method which causes an

unnecessarily cruel death each such dog which after being detained by or for him for a period of ten days shall not then have been licensed, collared or harnessed, and tagged; provided, that at the end of ten days such dog officer may make available for adoption any male or any spayed female dog not found to be diseased, for a sum not less than three dollars and shall keep an account of all moneys received by him for such adoption and shall forthwith pay over such sums to the town treasurer who shall forward all such money to the county treasurer in the same manner as dog license money as provided in section one hundred and forty-seven. Before delivery of any dog so adopted such dog officer shall require the purchaser to show identification and to procure a license and tag for such dog from the clerk of the town where the dog is to be kept. Dogs confined under authority of this section shall be confined in a place suitable for the detention and care of dogs and kept in a sanitary condition, or they may be placed in the care of the holder of a kennel license or of a domestic charitable corporation incorporated exclusively for the purpose of protecting animals from cruelty, neglect or abuse. The county commissioners from time to time shall cause all such places to be inspected and shall make necessary orders in relation thereto. A dog officer having custody of a confined dog shall be allowed the sum of three dollars per day for the care of such dog, payable by the owner or keeper thereof, if known, otherwise from the dog fund.

Every dog officer shall make, keep, and maintain systems of records or forms which fully and correctly disclose the following information concerning each dog in his custody:-

The date and location of each apprehension; a description of each animal; place of confinement; if tagged, the name and address of owners of such animal; name and address of new owner including the date of sale or transfer of such animal. If animal is destroyed said dog officer shall record the method and date of destruction and the name of the person who executed such animal, copies of such records shall, for a period of two years, be kept in the offices of the county dog office and the city or town clerk where such dog officer is employed.

In the cities and towns of Suffolk county, the mayor or board of selectmen shall annually within seven days after June first issue a warrant to such dog officer or officers directing him to seek out, catch and confine all dogs within the city or town which then have not been licensed, collared or harnessed, and tagged, as required by this chapter, and to enter and prosecute a complaint for failure to comply with the provisions of this chapter against the owners or keepers thereof, if known, and to kill or cause to be killed by methods of execution other than gunshot except in case of emergency, T-61, so-called, an

euthanasia solution not under the control of the federal Drug Enforcement Administration, unless under the supervision of a veterinarian, electrocution, succinylcholine cholide, or any other method which causes an unnecessarily cruel death each such dog which after being detained by or for him for a period of seven days shall not then have been licensed, collared or harnessed, and tagged; provided, that at the end of seven days such dog officer may make available for adoption any male or any spayed female dog not found to be diseased, for a sum not less than three dollars and shall keep an account of all moneys received by him for such adoption and shall forthwith pay over such sums to the town treasurer who shall forward all such money to the county treasurer in the same manner as dog license money as provided in section one hundred and forty-seven. Before delivery of any dog so adopted such dog officer shall require the purchaser to procure a license and tag for such dog from the clerk of the town where the dog is kept. Dogs confined under authority of this section shall be confined in a place suitable for the detention and care of dogs and kept in a sanitary condition, or they may be placed in the care of the holder of a kennel license or of a domestic charitable corporation incorporated exclusively for the purpose of protecting animals from cruelty, neglect or abuse. The county commissioners from time to time shall cause all such places to be inspected and shall make necessary orders in relation thereto. A dog officer having custody of a confined dog shall be allowed the sum of three dollars per day for the care of such dog, payable by the owner or keeper thereof, if known, otherwise from the dog fund.

SECTION 6. Said chapter 140 is hereby further amended by striking out section 152, as most recently amended by section 4 of chapter 298 of the acts of 1957, and inserting in place thereof the following section:-

Section 152. Each police officer, constable or dog officer to whom such warrant is issued shall make returns, on or before October first, on or before January first, and on or before April first, in each year, and at the expiration of his term of office, to the mayor or chairman of the board of selectmen issuing the same, and shall state in said returns the number of dogs which he has caught, confined or killed, or made available for adoption, the names of the owners or keepers thereof and whether all unlicensed dogs in his town have been caught, confined or killed, or adopted, and the names of persons against whom complaints have been made under the provisions of this chapter relating to dogs, and whether complaints have been entered against all of the persons who have failed to comply therewith since the previous report.

SECTION 7. Said chapter 140 is hereby further amended by striking out section 153, as most recently amended by section 3 of chapter 289 of the acts of 1976, and inserting in place thereof the following section:-

Section 153. In the several cities and towns of the several counties, except Suffolk county, such warrant may be in the following form:-

COMMONWEALTH OF MASSACHUSETTS

(Seal)

ss

To _____, constable of the city (or town) of

In the name of the commonwealth of Massachusetts, you are hereby required to proceed forthwith to seek out, catch and confine all dogs within said city (or town) not duly licensed, collared or harnessed, and tagged, according to the provisions of chapter one hundred and forty of the General Laws, and you are further required to make and enter complaint against the owner or keeper of every such dog, and to kill or cause to be killed by methods of execution other than gunshot except in case of emergency, T-61, so-called, an euthanasia solution not under the control of the federal Drug Enforcement Administration, unless under the supervision of a veterinarian, electrocution, succinylcholine cholide, or any other method which causes an unnecessarily cruel death each dog which after being detained for a period of ten days, shall not then have been duly licensed, collared or harnessed, and tagged, except that any male or any spayed female dog not found to be diseased may be made available for adoption for not less than three dollars, and you shall keep an account of any such adoption and forthwith pay over the money to the town treasurer. Before delivery of any dog so adopted you shall require the purchaser to show identification and to register and procure a license and tag for such dog from the town clerk of the town where the dog is to be kept, in accordance with the provisions of section one hundred and thirty-seven of said chapter one hundred and forty of the General Laws.

Hereof fail not, and make due return of this warrant with your doings therein, on or before the first day of October next, on or before the first day of January next, and on or before the first of April next, and at the expiration of your term of office, stating the number of dogs caught, confined and/or killed, or adopted, and the name of the owners or keepers thereof, and

whether all unlicensed dogs in said city (or town) have been caught, confined and/or killed, or adopted, and the names of persons against whom complaints have been made under the provisions of said chapter one hundred and forty, and whether complaints have been made and entered against all the persons who have failed to comply with the provisions of said chapter one hundred and forty.

Given under my hand and seal at _____ aforesaid the _____ day of _____ in the year nineteen hundred and _____

Mayor of (or Chairman of the Selectmen of)

In the cities and towns of Suffolk county such warrant may be in the following form:

COMMONWEALTH OF MASSACHUSETTS

(Seal)

, ss.

To _____, constable of the city (or town) of

In the name of the commonwealth of Massachusetts, you are hereby required to proceed forthwith to seek out, catch and confine all dogs within said city (or town) not duly licensed, collared or harnessed, and tagged, according to the provisions of chapter one hundred and forty of the General Laws, and you are further required to make and enter complaint against the owner or keeper of every such dog, and to kill or cause to be killed by methods of execution other than gunshot except in case of emergency, T-61, so-called, an euthanasia solution not under the control of the federal Drug Enforcement Administration, unless under the supervision of a veterinarian, electrocution, succinylcholine cholide, or any other method which causes an unnecessarily cruel death each such dog which, after being detained for a period of seven days, shall not then have been duly licensed, collared or harnessed, except that any male or any spayed female dog not found to be diseased may be made available for adoption for not less than three dollars, and you shall keep an account of any such sale and forthwith pay over the money to the town treasurer. Before delivery of any dog so adopted you shall require the purchaser to show identification and to register and procure a license and tag for such dog from the town clerk of the town where the dog is to be kept, in accordance with the provisions of section one hundred and thirty-seven of said chapter one hundred and forty of the

General Laws.

Hereof fail not, and make due return of this warrant with your doings therein, on or before the first day of October next, on or before the first day of January next, and on or before the first day of April next, and at the expiration of your term of office, stating the number of dogs caught, confined and/or killed, or adopted, and the names of the owners or keepers thereof, and whether all unlicensed dogs in said city (or town) have been caught, confined and/or killed, or adopted, and the names of persons against whom complaints have been made under the provisions of said chapter one hundred and forty, and whether complaints have been made and entered against all the persons who have failed to comply with the provisions of said chapter one hundred and forty.

Given under my hand and seal at _____ aforesaid the _____ day of _____ in the year nineteen hundred and

_____

Mayor of (or Chairman of the Selectmen of)

SECTION 8. Said chapter 140 is hereby further amended by inserting after section 174C the following section:-

Section 174D. (a) No research institution shall employ dogs or cats in scientific investigation, experiment or instruction or for the testing of drugs or medicines without having first been issued a license therefor under this section by the commissioner. A research institution desiring to obtain a license shall make application to the commissioner. On receipt of such application the commissioner shall make or cause to be made such investigation as he may deem necessary to determine whether the public interest would be served by the issue of such license. The commissioner shall issue such license unless, after notice and hearing, he finds that the research institution, by reason of its standards, facilities, practices or activities, is not a fit and proper institution to receive such license, and that the issue thereof is not in the public interest. Each research institution licensed under this chapter shall before such license issues pay to the commissioner a license fee of fifty dollars. Each license shall expire on June thirtieth next following the date of issue. The commissioner shall annually renew each license upon the application of the licensee unless, after notice and hearing, he finds that by reason of the standards, facilities, practices or activities of the licensee such renewal is not in the public interest. The commissioner may, after notice and hearing, cancel, suspend or revoke any license if he finds that by reason of the standards, facilities, practices or activities of the licensee the

continuation of such license is not in the public interest.

Whoever knowingly violates any of the provisions of this section shall be liable for a civil penalty of not more than one hundred dollars for each offense. The superior court department of the trial court shall have authority to enjoin any violation of this section or to take such other actions as equity or justice may require.

(b) The commissioner may make such rules and regulations, not inconsistent with this section, necessary to carry out its purposes, and may alter, rescind or add to any rules or regulations previously made. The commissioner or an agent designated by him may, in connection with the granting, continuance or renewal of a license, visit and inspect the animal research and care facilities of any licensee or of any research institution which has applied for a license. The Massachusetts Society for the Prevention of Cruelty to Animals and the Animal Rescue League of Boston may be designated as agents of the commissioner. For purposes of this paragraph the term "animal" shall refer to the dog and cat specifically and all other sentient creatures except humans.

SECTION 9. Commencing October first, nineteen hundred and eighty-six, no person, institution, animal dealer or their authorized agents shall transport, or cause to be transported, any animal obtained from any municipal or public pound, public agency, or dog officer acting individually or in an official capacity into the commonwealth for purposes of research, experimentation, testing, instruction or demonstration. Until October first, nineteen hundred and eighty-six, any institution obtaining any such animals shall on or before December first of every year submit to the department of public health a written report detailing its plans for discontinuation of the use of such animals.

SECTION 10. This act shall take effect on October first, nineteen hundred and eighty-four.

Approved December 17, 1983.

Chap. 632. AN ACT RELATIVE TO THE BENEFITS PAID TO ITS MEMBERS AND THEIR SPOUSES BY THE CAMBRIDGE POLICE MUTUAL AID ASSOCIATION.

Be it enacted, etc., as follows:

The Cambridge Police Mutual Aid Association, a corporation established under the laws of the commonwealth, is hereby

authorized, upon the retirement of any member in good standing who has completed twenty-five or more years of service as a permanent officer of the police department of the city of Cambridge, to pay such member such sum, not exceeding ten thousand dollars, as may from time to time be determined by a vote of the Association; provided, however, that such member shall thereupon cease to be a member of said Association and shall not thereafter be entitled to receive any benefits therefrom.

Said Association is further authorized, upon the retirement of a member in good standing who has completed at least one, but less than twenty-five, years of service as a permanent officer of said police department of said city, to pay to such member a sum of money equal to one hundred dollars for each year of service for the first ten years of service plus two hundred and seventy dollars for each year of service in excess of ten years; provided, however, that in no event shall the total amount exceed five thousand dollars; and provided further, that such member shall thereupon cease to be a member of the Association and shall not thereafter be entitled to receive any benefits therefrom.

Said Association is further authorized to pay, to any active member in good standing, upon the death of his spouse, the sum of one thousand dollars; provided, however, that the final payment to such member, upon his retirement, shall be reduced by that amount.

Said Association is further authorized, upon the death of an active member in good standing, to pay to the spouse of such member such sum, not exceeding ten thousand dollars, as may be determined by a vote of the Association.

Approved December 17, 1983.

Chap. 633. AN ACT INCREASING THE AMOUNT OF MONEY ALLOWED FOR CERTAIN BURIAL EXPENSES.

Be it enacted, etc., as follows:

SECTION 1. The last paragraph of section 130 of chapter 6 of the General Laws, as most recently amended by section 4 of chapter 1210 of the acts of 1973, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- The commission may, if no other means are available, pay for the expense of the funeral and burial of blind persons aided under this section, a sum not exceeding eleven hundred dollars, provided that the total expense of the funeral and burial does not exceed fifteen hundred dollars; and provided, further, that any payment made by said commission shall be

reduced by whatever resources may exist in the estate of such deceased blind person.

SECTION 2. Section 8 of chapter 115 of the General Laws, as most recently amended by section 2 of chapter 570 of the acts of 1966, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Amounts expended by the burial agent under the provisions of section seven shall not exceed eleven hundred dollars for any person under this chapter, provided that the total expense of the funeral and burial does not exceed fifteen hundred dollars; and, provided further, that any payment made by said burial agent shall be reduced by whatever resources may exist in the estate of said person.

SECTION 3. Section 18 of chapter 117 of the General Laws, as appearing in chapter 908 of the acts of 1971, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:- The expense thereof may be recovered of their kindred, if any, chargeable by law for their support in the manner provided in this chapter; and if the expense of their funeral and burial is not paid by such kindred, an amount not exceeding eleven hundred dollars, provided that the total expense of the funeral and burial does not exceed fifteen hundred dollars; and, provided further, that any payment made by the department shall be reduced by whatever resources may exist in the estate of said person.

SECTION 4. Said chapter 117 is hereby further amended by striking out section 19, as so appearing, and inserting in place thereof the following section:-

Section 19. In case of the decease of a poor and indigent person the commonwealth shall pay for the expense of the funeral and burial of such person a sum not exceeding eleven hundred dollars, provided that the total expense of the funeral and burial does not exceed fifteen hundred dollars; and provided, further, that any payment made by the commonwealth shall be reduced by whatever resources may exist in the estate of said person. The funeral director engaged in conducting the funeral and burial of said deceased person shall perform the services and furnish the materials in connection therewith as follows:- removal of body; procuring of death certificate and burial permit; embalming and dressing of body; furnishing suitable burial garment; furnishing suitable casket, bearing metal plate with name of deceased engraved thereon; furnishing outer case of pine wood; furnishing hearse for transporting body of the deceased to a cemetery; furnishing conveyance for transporting to such cemetery the

immediate family of the deceased; procuring of a clergyman, of the religion that the deceased professed, to officiate at the funeral; procuring a burial place for the body of the deceased; opening the grave, and obtaining the use of interment devices.

SECTION 5. Section 2 of chapter 118 of the General Laws is hereby amended by striking out the third paragraph, as appearing in section 18 of chapter 885 of the acts of 1969, and inserting in place thereof the following paragraph:-

The department may pay a sum not exceeding eleven hundred dollars for the funeral and burial of a recipient provided that cost does not exceed fifteen hundred dollars and there are insufficient resources to pay for the cost of such funeral and burial. Any resources of the recipient shall be deducted from the maximum cost of the funeral and burial allowable hereunder and the difference, subject to the limitation set forth in this paragraph, shall be paid by the department.

SECTION 6. Section 7 of chapter 118A of the General Laws, as appearing in section 23 of chapter 1210 of the acts of 1973, is hereby amended by striking out the third and fourth sentences and inserting in place thereof the following two sentences:- The department may pay a sum not exceeding eleven hundred dollars for the funeral and burial of a recipient provided that cost of funeral and burial does not exceed fifteen hundred dollars and there are insufficient resources to pay for the cost of such funeral and burial. Any resources of the recipient shall be deducted from the maximum cost of the funeral and burial allowable hereunder and the difference, subject to the limitation set forth in this paragraph, shall be paid by the department.

SECTION 7. Section 23 of chapter 119 of the General Laws is hereby amended by striking out subsection H, added by chapter 478 of the acts of 1980, and inserting in place thereof the following subsection:-

H. The department may pay a sum not exceeding eleven hundred dollars for the funeral and burial of a child in its care provided that the cost of funeral and burial does not exceed fifteen hundred dollars and there are insufficient resources to pay for the cost of such funeral and burial. Any resources of the child shall be deducted from the maximum cost of the funeral and burial allowable hereunder and the difference, subject to the limitation set forth in this paragraph, shall be paid by the department.

Approved December 17, 1983.

Chap. 634. AN ACT AUTHORIZING THE COMMISSIONER OF LABOR AND INDUSTRIES TO SUSPEND THE OPERATION OF CERTAIN LABOR LAWS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize the commissioner of labor and industries to suspend the operation of certain labor laws, therefore it is hereby declared to be an emergency law, necessary for the immediate protection of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The commissioner of labor and industries is hereby authorized, in conformity with Article XX of Part the First of the Constitution of the Commonwealth, to suspend until July first, nineteen hundred and eighty-five the application or operation of any provision of chapter one hundred and forty-nine of the General Laws or of any rule or regulation made thereunder, regulating, limiting or prohibiting the employment of persons, or of minors over the age of sixteen, or both. The commissioner shall exercise this authority when he finds, after opportunity has been given to interested parties to be heard, that an emergency exists or that conditions of hardship in an industry, branch of an industry, or individual establishment require or justify the suspension of any provision of such laws, rules or regulations. Suspensions issued by the commissioner shall prescribe, and may be either granted or limited to, one or more particular departments, operations or occupations within an establishment or a particular industry or branch of an industry. The commissioner shall appoint industry advisory committees, on which employers and employees shall be equally represented, to consult and advise with him in matters relating to the suspension authorized by this act.

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

Approved December 19, 1983.

Chap. 635. AN ACT RELATIVE TO THE OPERATION OF THE STATE LOTTERY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which in part is to immediately provide additional revenue for the commonwealth, therefore it is hereby

declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section 24 of chapter 10 of the General Laws is hereby amended by striking out the second sentence, as appearing in section 2 of chapter 813 of the acts of 1971, and inserting in place thereof the following sentence:- Each state lottery ticket or share shall have imprinted thereon the state seal and a serial number.

Approved December 19, 1983.

Chap. 636. 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. Chapter 6 of the General Laws is hereby amended by striking out sections 133E and 133F, inserted by chapter 568 of the acts of 1982, and inserting in place thereof the following two sections:-

Section 133D. Notwithstanding the provisions of any general or special law to the contrary, no rental or other charge shall be demanded, assessed, exacted, required or received for the granting of authority to a vendor licensed by the commission for the blind to operate a vending facility pursuant to the provisions of this chapter.

Section 133E. In buildings and properties where a vending facility now exists the present operator shall not be removed nor shall he be precluded in any way from exercising any renewal of his existing lease.

SECTION 2. The first paragraph of section 37 of chapter 6A of the General Laws, as appearing in section 4 of chapter 409 of the acts of 1976, is hereby amended by inserting after the word "Any", in line 1, the word:- non-acute.

SECTION 3. The second paragraph of said section 37 of said

chapter 6A, inserted by section 55 of chapter 329 of the acts of 1980, is hereby amended by inserting after the word "applicant" in line 3, the word:- non-acute.

SECTION 4. The third paragraph of said section 37 of said chapter 6A, inserted by section 2 of chapter 675 of the acts of 1979, is hereby amended by striking out, in line 5, the word "the", the second time it appears, and inserting in place thereof the word:- said.

SECTION 5. The first paragraph of section 38 of said chapter 6A, as appearing in section 4 of chapter 409 of the acts of 1976, is hereby amended by inserting after the word "Any", in line 1, the word:- non-acute.

SECTION 6. The second paragraph of said section 38 of said chapter 6A, as so appearing, is hereby amended by striking out, in line 7, the word "the" and inserting in place thereof the word:- said.

SECTION 7. Said chapter 6A is hereby further amended by striking out section 39, as so appearing, and inserting in place thereof the following section:-

Section 39. For each fiscal year beginning with the fiscal year nineteen hundred and seventy-eight, every non-acute hospital, whether or not proposing to modify its charges or implement any new charge, shall, at least sixty days prior to the start of its fiscal year, file with the commission a copy of its budget, including projected and actual costs, volume and revenue data, the charge schedule supporting the revenue projection, and such other information as the commission shall require, including pertinent information, if any, regarding anticipated changes in intensity of service and medical practice, or either of them. The budget of any non-acute hospital proposing no modification of its charges nor implementation of any new charge shall not be subject to approval or disapproval in whole or part by the commission unless the commission determines by application of the standards and criteria specified in section thirty-seven and in regulations of the commission issued thereunder that the filing said hospital's ratio of total patient care costs to total patient care charges shall be below ninety-five per cent or such ratio for said hospital's base year; in which event the commission shall approve or disapprove in whole or part total patient care costs and total patient care charges.

SECTION 8. The first paragraph of section 41 of said chapter 6A, as so appearing, is hereby amended by inserting after the

word "Any", in line 1, the word:- non-acute.

SECTION 9. Section 42 of said chapter 6A, as so appearing, is hereby amended by inserting after the word "Any", in line 1, the word:- non-acute.

SECTION 10. Section 43 of said chapter 6A, as so appearing, is hereby amended by inserting after the word "Each", in line 1, the word:- non-acute.

SECTION 11. Section 44 of said chapter 6A, as so appearing, is hereby amended by inserting after the word "Any", in line 1, the word:- non-acute.

SECTION 12. Section 45 of said chapter 6A, as so appearing, is hereby amended by inserting after the word "every", in line 3, the word:- non-acute.

SECTION 13. Said chapter 6A is hereby further amended by striking out section 46, as so appearing, and inserting in place thereof the following section:-

Section 46. For the purposes of any experimental or demonstration project designed to test the relative advantages and disadvantages of alternative methods of determining, reporting, and auditing the costs and charges of any non-acute hospital or hospitals or to promote, through financial incentives, the more efficient use of the personnel and facilities of any non-acute hospital or hospitals, the commission may with the written agreement of any such hospital or hospitals, and of any third-party purchasers of patient care services, supplies, and accommodations therefrom as may choose to participate in such project, develop and implement criteria and procedures for action as to such non-acute hospital or hospitals which may differ from such criteria and procedures previously established.

SECTION 14. Said chapter 6A is hereby further amended by striking out sections 47, 48 and 49 and inserting in place thereof 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.

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 non-acute 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.

Section 48. Notwithstanding the provisions of any general or special law or any rule or regulation to the contrary, the commission, in its computations to determine the rate of payment for prescribed drugs dispensed to publicly-aided or industrial accident patients by pharmacy providers, shall not apply or use, either directly or indirectly, a discount from the primary standard used by the commission in establishing such rate.

SECTION 15. The fifth paragraph of section 40F of chapter 7 of the General Laws, as appearing in section 12 of chapter 579 of the acts of 1980, is hereby amended by striking out, in line 6, the word "eight" and inserting in place thereof the word:- ten.

SECTION 16. Chapter 29 of the General Laws is hereby amended by striking out section 7E, as appearing in section 47 of chapter 579 of the acts of 1980, and inserting in place thereof the following two sections:-

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 as provided by sections seven A, seven B, seven C, and seven D, and shall make such investigations as will enable him 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 he proposes.

The governor in his capital facility budget and the deputy commissioner of capital planning and operations, in his 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 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 thirty B to thirty P, inclusive, and with the policies and procedures for the selection of contractors in sections forty-four A to forty-four H, inclusive 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 total 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 7F. 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 unforeseeable 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 two F. 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 two F 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 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 two F, 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 17. Section 91 of chapter 32 of the General Laws is hereby amended by striking out paragraph (c), as amended by chapter 587 of the acts of 1973, and inserting in place thereof the following paragraph:-

(c) Each person referred to in paragraph (b) shall certify to his employer and the treasurer or other person responsible for the payment of the compensation for the position in which he is to be employed, the number of days or hours which he has been employed in any such calendar year and the amount of earnings therefrom, and if the number of days exceeds one hundred and twenty or if the number of hours exceeds nine hundred and sixty, in the aggregate, he shall not be employed, or if the earnings therefrom exceed the amount allowable under paragraph (b), he shall return to the appropriate treasurer or other person responsible for the payment of compensation all such earnings as are in excess of said allowable amount. The amount of any excess not so returned may be recovered in an action of contract by the appropriate treasurer or other person responsible for the payment of the compensation of any such person.

SECTION 18. Said chapter 32 is hereby further amended by striking out section 91A, inserted by section 1 of chapter 766 of the acts of 1957.

SECTION 19. Chapter 35 of the General Laws is hereby amended by striking out section 26, inserted by section 30 of chapter 579 of the acts of 1980, and inserting in place thereof the following section:-

Section 26A. Notwithstanding the provisions of sections ten, fourteen, seventeen, twenty-five of chapter thirty-four or any

other general or special law to the contrary, county capital facilities and capital facility projects, as defined by section thirty-nine A of chapter seven shall be subject to the jurisdiction of the division of capital planning and operations according to the provisions of section forty A of chapter seven to the same degree and extent as other state agencies, as defined by said section thirty-nine A.

SECTION 20. Paragraph (b) of section 8 of chapter 62 of the General Laws, as appearing in section 2 of chapter 723 of the acts of 1973, is hereby amended by inserting after the word "cent", in line 8, the words:- or (iv) is exempted pursuant to subdivision (1) or (2) of section twenty-three of chapter thirty-two.

SECTION 21. Clause (b) of paragraph 5 of section 30 of chapter 63 of the General Laws, as most recently amended by section 1 of chapter 69 of the acts of 1978, is hereby further amended by inserting after the first sentence the following sentence:- A deduction shall be allowed for that portion of wages or salaries paid or incurred for the taxable year equal to the amount of the credit allowable for the taxable year under section forty-four B of the Federal Internal Revenue Code and otherwise disallowed under section two hundred and eighty C of said Code.

SECTION 22. Said clause (b) of said paragraph 5 of said section 30 of said chapter 63 is hereby further amended by striking out the last sentence added by said section 1 of said chapter 69.

SECTION 23. Section 7 of chapter 90C of the General Laws, as appearing in section 2 of chapter 586 of the acts of 1982, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The clerk/magistrate of a district court division or an assistant clerk or other person designated by said clerk/magistrate shall accept waiver of trial, plea of guilty, and payment of fine from any person summoned to appear before such court on a complaint alleging violation of any law relating to the operation or control of motor vehicles or the operation, parking or control of bicycles for which the punishment is a fine or forfeiture not exceeding the sum of fifty dollars and does not include a sentence of imprisonment, or on a complaint alleging violation of the weight limits provided in section nineteen A of chapter ninety.

SECTION 24. Chapter 111 of the General Laws is hereby

amended by striking out section 71A, inserted by section 17 of chapter 357 of the acts of 1982, and inserting in place thereof the following section:-

Section 71A½. The administrator of any facility licensed pursuant to section seventy-one shall deposit in an individual, interest-bearing account of 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. The interest earned by any such funds so deposited will be credited to the individual account of such person. The department shall promulgate rules and regulations to implement the provisions of this section.

SECTION 25. Chapter 138 of the General Laws is hereby amended by striking out section 12B, inserted by chapter 606 of the acts of 1981, and inserting in place thereof the following section:-

Section 12B. In any city or town which accepts the provisions of this section, no licensee, licensed under the provisions of section twelve, shall suffer or permit any person to appear on said licensed premises in any manner or attire as to expose to public view any portion of the pubic area, anus, vulva or genitals, or any simulation thereof, or shall suffer or permit any female to appear on licensed premises in such manner or attire as to expose to view any portion of the breast below the top of the areola, or any simulation thereof. Any violation of the provisions of this section shall be enforced by the alcoholic beverage control commission and the local authorities.

SECTION 26. Chapter 167B of the General Laws is hereby amended by striking out section 11, as appearing in section 2 of chapter 530 of the acts of 1981, and inserting in place thereof the following two sections:-

Section 11. No writing or other agreement between a consumer and any other person may contain any provision which constitutes a waiver of any right conferred or cause of action created by this chapter. Nothing in this section prohibits, however, any writing or other agreement which grants to a consumer a more extensive right or remedy or greater protection than contained in this chapter or a waiver given in settlement of a dispute or action.

Section 12. No retail establishment at which an electronic branch is located may offer a discount to a consumer for making

payment on any purchase by electronic fund transfer rather than by cash, check, or charge.

SECTION 27. Chapter 218 of the General Laws is hereby amended by striking out section 26, as most recently amended by section 19 of chapter 373 of the acts of 1982, 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 paragraph (a) of section twenty-four G of chapter ninety, section fifteen A of chapter two hundred and sixty-five and sections sixteen, seventeen, eighteen, nineteen, twenty-eight, forty-nine and one hundred and twenty-seven of chapter two hundred and sixty-six, and the crimes of malicious destruction of personal property under section one hundred and twenty-seven of chapter two hundred and sixty-six, indecent assault and battery on a child under fourteen years of age, 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.

SECTION 28. The second paragraph of section 3 of chapter 239 of the General Laws, as amended by section 2 of chapter 304 of the acts of 1982, is hereby further amended by inserting after the word "five", in line 3, the words:- of this chapter.

SECTION 29. Chapter 260 of the General Laws is hereby amended by striking out section 5A, as most recently amended by section 11 of chapter 332 of the acts of 1982, and inserting in place thereof the following section:-

Section 5A. Actions arising on account of violations of any law intended for the protection of consumers, including but not limited to the following: chapter seventy-five C; chapter seventy-five D; section seven N of chapter ninety; sections twenty-one, twenty-one D, twenty-eight, forty-eight, forty-nine, sixty-nine, and seventy of chapter ninety-three; chapter ninety-

three A; sections forty-six A to forty-six R, inclusive, and sections ninety-six to one hundred and fourteen B, inclusive, of chapter one hundred and forty; chapter one hundred and forty D; section one hundred and twenty-seven A of chapter one hundred and sixty-four; chapter one hundred and seventy-six D; sections fourteen, fifteen B, fifteen C, and eighteen of chapter one hundred and eighty-six; sections thirteen I, thirteen J, and thirteen K of chapter two hundred and fifty-five; chapter two hundred and fifty-five B; chapter two hundred and fifty-five C; and chapter two hundred and fifty-five D; whether for damages, penalties or other relief and brought by any person, including the attorney general shall be commenced only within four years next after the cause of action accrues.

SECTION 30. The second sentence of section 10 of chapter 75 of the acts of 1963, as appearing in section 1 of chapter 473 of the acts of 1982, is hereby amended by striking out, in line 2, the word "thirteen A" and inserting in place thereof the word:- twelve A.

SECTION 31. Section six of chapter seven hundred and eighty-one of the acts of nineteen hundred and eighty-one is hereby repealed.

SECTION 32. The third paragraph of section 5 of chapter 347 of the acts of 1982 is hereby amended by striking out, in line 25, the words "Town of Dartmouth Industrial Development Commission" and inserting in place thereof the words:- Dartmouth Industrial Development Foundation Inc.

SECTION 33. Section two of chapter three hundred and seventy-two of the acts of nineteen hundred and eighty-two is hereby repealed.

SECTION 34. Section 6 of chapter 627 of the acts of 1982 is hereby amended by inserting after the word "of", in line 1, the second time it appears, the following:- section 21.

SECTION 35. Section seven of chapter six hundred and forty-four of the acts of nineteen hundred and eighty-two is hereby repealed.

Approved December 19, 1983.

Chap. 637. AN ACT PROVIDING FOR A TRANSPORTATION DEVELOPMENT AND IMPROVEMENT PROGRAM FOR THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith funds for a comprehensive program of development, construction and improvement of the commonwealth's extensive network of highway, bridge, rail, public transit and transport facilities, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The department of public works, hereinafter referred to as the "department", is hereby authorized and directed to expend a sum not to exceed four hundred and sixty-four million dollars and the metropolitan district commission, hereinafter referred to as the "commission", is hereby authorized and directed to expend a sum not to exceed twenty-seven million seven hundred thousand dollars for the following purposes:

Projects for the laying out, construction, reconstruction, resurfacing, relocation or improvement of highways, bridges, bicycle paths or facilities, parking facilities, auto-restricted zones, scenic easements, grade crossing eliminations and alterations of other crossings, traffic safety devices on state highways and on roads constructed under the provisions of section thirty-four of chapter ninety of the General Laws, highway or mass transportation studies, including without limitation, traffic, environmental or parking studies, establishment of school zones in accordance with section seventeen of said chapter ninety, improvements on routes not designated as state highways without assumption of maintenance responsibilities, and notwithstanding any law to the contrary, to alleviate the contamination of public and private water supplies caused by the storage and use of snow removal chemicals, the storage and use of which is necessary for the purposes of highway safety, and for the relocation of persons, or businesses, or replacement of dwellings or structures, including, without limitation, the provisions of last resort housing under federal law and such functional replacement of structures in public ownership as may be necessary for the foregoing purposes and for relocation benefits equal to those provided for by the policies of the Uniform Relocation Assistance and Real Property Acquisition Act, 42 USC 4601 et seq., PL 90-646, and to sell, at public or private sale, any structure the title to which has been acquired for highway purposes. When dwellings or other structures are removed, in furtherance of any of the foregoing projects, the excavations or cellar holes remaining shall be filled in and brought to grade within one month.

Funds authorized by this section shall, except as otherwise specifically provided in this act, be subject to the provisions of

the first paragraph of section six and sections seven and nine of chapter seven hundred and eighteen of the acts of nineteen hundred and fifty-six and, notwithstanding any law to the contrary, may be used for the purposes stated in this act in conjunction with funds of cities, towns, and any political subdivision of public agencies and commissions of the commonwealth.

In addition to the foregoing the department is further authorized:

(1) to expend funds made available by this section to acquire from any person land or rights in land by lease, purchase, eminent domain, under the provisions of chapter seventy-nine of the General Laws, or otherwise for parking facilities adjacent to any public way, to be operated by the department or under contract with any person; and

(2) to expend funds made available by this section for the acquisition of van-type vehicles used for multipassenger, commuter-driven carpools; and

(3) to exercise all powers and do all things necessary and convenient to carry out the purpose of this act.

SECTION 2. Amounts authorized by section one shall be allocated on the accounting records of the comptroller to the department, and the commission as follows:

(a) a sum not to exceed two hundred million dollars to the department for projects, pursuant to the provisions of section one, on the interstate federal aid highway system;

(b) a sum not to exceed two hundred million dollars to the department for projects, pursuant to the provisions of section one, on the federal aid highway system, other than interstate;

(c) a sum not to exceed sixty million dollars to the department for engineering and other consultant services essential to the purposes and projects authorized by this section; provided, however, that a sum of not less than three million dollars of this amount shall be expended for salaries of engineering employees of the department, other than junior civil engineers appointed as provided hereinafter in this sentence; and provided, further, that the commissioner of public works may appoint, without regard to chapter thirty-one of the General Laws or any collective bargaining agreement pursuant to chapter one hundred and fifty E of the General Laws, persons qualified as described herein, not to exceed a total of one hundred in any one fiscal year, to serve in the department of public works as junior civil engineers. Persons appointed as junior civil engineers under the preceding sentence shall have received the degree of bachelor of science in an appropriate engineering discipline from an accredited college or university. Among persons so qualified preference shall be given first to disabled veterans as defined in

section one of said chapter thirty-one of the General Laws; second to veterans as defined in said section one of said chapter thirty-one; and third to all other qualified persons. Following their appointment, persons appointed as described above in this paragraph shall be subject to all other applicable provisions of any collective bargaining agreement under said chapter one hundred and fifty E, but shall not be subject to any provisions of said chapter thirty-one for a probationary period of one year. Following their appointment, successful completion of the probationary period of one year, and examination and certification as an engineer-in-training by the board of registration of professional engineers and land surveyors under the provisions of section eighty-one of chapter one hundred and twelve of the General Laws, persons appointed under the provisions of this section shall have all rights of permanent tenured civil service appointees as provided by said chapter thirty-one;

and, provided further, that a sum of not more than five million dollars of this amount may be expended to establish a working collaborative with the civil engineering departments of the various public universities within the commonwealth. The department may contract with such universities for the provision of engineering and other consultant services essential to the purposes and projects authorized by this section;

(d) a sum not to exceed four million dollars to the department for direct expenses in connection with research and planning projects and work to be done on a cooperative basis with educational institutions and other state, regional and federal agencies;

(e) a sum not to exceed five million two hundred thousand dollars to the commission for engineering and other consultant services essential to the purpose and projects authorized by section one of this act; and

(f) a sum not to exceed twenty-two milllion five hundred thousand dollars to the commission for construction projects of the commission.

The commission shall file with the clerk of the house of representatives, no later than ninety days after the effective date of this act, and every ninety days thereafter a report containing a detailed explanation of the expenditures made from funds authorized to be expended under the provisions of this act, and under section fifteen of chapter seven hundred and thirty-two of the acts of nineteen hundred and eighty-one. In addition said report shall contain an estimate of the expenditures to be made for the succeeding ninety days, and such other information as the commission deems appropriate.

SECTION 3. In addition to the funds and purposes authorized by section one, the department is hereby authorized and directed

to expend the following:

(a) a sum not to exceed three million dollars for the acquisition and improvement of maintenance sites, including the construction of sanitary facilities, the erection of protective fences, and the construction of salt storage sheds; provided, however, that the department shall make available to cities and towns a sum of two million dollars of said three million dollars for the construction of salt storage sheds;

(b) a sum not to exceed ten million dollars for the design and reconstruction of, and improvements to, state highway bridges and other bridges; provided, however, that notwithstanding the provisions of any other law to the contrary, the provisions of section forty of chapter one hundred and thirty-one of the General Laws and sections sixty-one and sixty-two of chapter thirty of the General Laws shall not apply to the repair of existing state highway bridges and other bridges nor to the reconstruction or replacement of said bridges in which the design is substantially the functional equivalent of, and in similar alignment to, the structure to be reconstructed or replaced; provided, further, that the provisions of sections eleven, twelve, twelve A, and fourteen of chapter ninety-one of the General Laws shall not apply to bridge projects of the department; provided, further, that in case of any state highway or other bridge crossing over a railroad right-of-way, the department shall seek the opinion of any railroad company operating on said track of a desirable clearance between said track and the state highway bridge, but said clearance shall be at the discretion of the department; provided, further, that the department may enter upon any land or premises of a railroad company for such purposes as they may deem necessary or convenient to carry out the provisions of this act; and provided, further, that the department shall develop and utilize, whenever feasible, a standard bridge design for reconstruction of such bridges;

(c) a sum not to exceed eighty-five million dollars for the design and construction, repair or improvement to nonfederally reimbursable projects; provided, however, that not less than one million dollars of said eighty-five million dollars shall be expended for the design, construction, repair or improvement of ways not under the control of the department but deemed by the department to primarily serve a state facility. In carrying out the provisions of this paragraph the department may enter into such contracts or agreements as are appropriate with other state, local, or regional public agencies;

(d) a sum not less than forty million dollars for projects for construction and reconstruction of town and county ways under subdivision (a) of clause (2) of section thirty-four of chapter ninety of the General Laws; provided, however, that the depart-

ment shall certify to the comptroller the amount to be apportioned to each city and town; provided, further, that said apportionments shall be a direct grant to each city and town which shall not require the prior expenditure of any funds by any city or town as a condition for receipt of such direct grant;

(e) a sum not to exceed five million dollars for nonfederal aid highway expenditures which are potentially reimbursable by the federal government;

(f) a sum not to exceed two million dollars for laying out, construction, reconstruction or other improvement of bicycle paths and facilities;

(g) a sum not to exceed five hundred thousand dollars to alleviate the contamination of public or private water supplies caused by the storage and use of snow removal chemicals, the storage and use of which is necessary for the purposes of highway safety, by:

(1) replacing or repairing damage to the water supply in question; or

(2) paying damages in lieu of replacement or repair; or

(3) purchasing real property in lieu of replacement or repair; or

(4) entering into agreements with water departments, water companies, or other water surveyors or other governmental units to assist in the extension of water supply lines or the establishment of a new water supply system.

The provisions of this subclause shall not apply in the event that water supplies dug, drilled or developed after the effective date of this act are within fifty feet of highway rights-of-way and drainage ditches or both, or where the location does not allow or provide for adequate surface drainage.

(h) a sum not to exceed ten million dollars for the design and construction of roads, roadways and any other related public works facilities deemed necessary for economic development by the secretary of transportation upon the petition of the appropriate local executive governmental body. Said ten million dollars shall be expended in accordance with the provisions of chapter nineteen of the acts of nineteen hundred and eighty-three;

(i) a sum not to exceed one million dollars for the provision of boat services for commuter operations to and from the city of Boston from the north and south shores and between points within the inner harbor, or other public transportation purposes, including, without limitation the planning, design, construction or acquisition of docking, dredging and other landside facilities, such as parking or shelter facilities, except boats, the purchase of other equipment in connection with such services and the disposal of same when their use has been substantially diminished including any and all equipment or boats purchased for such

marine transportation services prior to this act. In carrying out the provision of this section, the department may enter into such contracts or agreements as are appropriate with other state and local public agencies, authorities, or political subdivisions of the commonwealth, including, without limitation, the Massachusetts Port Authority and the Massachusetts Bay Transportation Authority, the division of environmental management in the executive office of environmental affairs or with private parties, which are hereby granted the power and authority to enter into any such contracts or agreements with the department:

(j) a sum not to exceed two million dollars for the purpose of implementing the provisions of section thirty-two of this act.

SECTION 4. Pursuant to the provisions of section one, the department is hereby authorized and directed to expend a sum not less than sixty million dollars for projects in the following four areas: no less than fifteen million dollars of said sum shall be expended in the area west of the Connecticut River, including therein any bridges across said river with their approaches and connections; not less than fifteen million dollars in the area lying between the Connecticut River and easterly boundary line of Worcester county; and not less than fifteen million dollars in Essex, Middlesex and Norfolk counties; and not less than fifteen million dollars in the counties of Bristol, Plymouth, Barnstable, Dukes county and Nantucket.

SECTION 5. No payment in excess of one hundred thousand dollars by way of purchase of real estate or any interest therein shall be made by the department and no settlements in excess of one hundred thousand dollars and in excess of the amount recommended by the real estate review board established by section six of chapter seven hundred and eighteen of the acts of nineteen hundred and fifty-six shall be made out of court for damage recoverable under chapter seventy-nine of the General Laws, by reason of a purchase or taking under this act or under chapter six hundred and seventy-nine of the acts of nineteen hundred and sixty-five or chapter six hundred and sixteen of the acts of nineteen hundred and sixty-seven or chapter seven hundred and sixty-eight of the acts of nineteen hundred and sixty-nine or chapter seven hundred and sixty-five of the acts of nineteen hundred and seventy-two or chapter eight hundred and fifty-nine of the acts of nineteen hundred and seventy-five or chapter three hundred and fifty-six of the acts of nineteen hundred and seventy-seven or chapter four hundred and eighty of the acts of nineteen hundred and seventy-nine or chapter seven hundred and thirty-two of the acts of nineteen hundred and eighty-one or chapter three hundred and thirty-five of the acts of nineteen

hundred and eighty-two. Each recommendation of the real estate review board shall be in writing and shall be accompanied by a written statement of the reasons for such recommendation.

No settlement by reason of taking under this act or under said chapters six hundred and seventy-nine, six hundred and sixteen, seven hundred and sixty-eight, seven hundred and sixty-five, eight hundred and fifty-nine, three hundred and fifty-six, four hundred and eighty, seven hundred and thirty-two and three hundred and thirty-five, in excess of one hundred thousand dollars and in excess of the recommendation of the real estate review board, shall be made by agreement of the parties during or after trial except with the written approval of the court; provided, however, that the settlements in excess of the recommendation of the board may be made without such approval if the settlement does not exceed the amount of any verdict or finding which may have been rendered, together with interest and costs.

SECTION 6. The department may provide functional replacement of real property in public ownership whenever the department has acquired such property under the provisions of this act as a result of a highway or highway-related project and whenever the department determines such functional replacement is made necessary by such project and is in the public interest. Functional replacement is defined as the replacement of real property, either land or facilities or both, which will provide equivalent utility.

Whenever the department determines it is necessary that any utility, as defined in 23 USC 123, is required to be relocated because of construction of a project authorized under the provisions of this act which is to be reimbursed federally in whole or in part, then such facilities shall be relocated by the owner thereof in accordance with the order of the department; provided, however, that the commonwealth may reimburse the owner of such utility facility for the "cost of relocation" as such cost is defined in said 23 USC 123.

SECTION 7. The secretary of administration and finance may from time to time establish in the division of capital planning and operations such units as may be necessary to assist the department in the planning, development and supervision of construction of buildings or facilities which the department is providing as replacement facilities on projects authorized under the provisions of this act. The deputy commissioner of the division of capital planning and operations may, with the approval of the public works commission, temporarily assign any permanent or temporary employee of said division as may be required for the supervision of the project provided that the salaries and expenses of all

such employees during the period of such assignment shall be paid from funds made available to the department for said project. No increase in the number of permanent positions in said division shall be allowed on account of this section, nor shall it cause a decrease in the number of positions in said division's budget.

SECTION 8. Any amounts made available by sections one and three of this act or heretofore made available by section one of chapter six hundred and sixteen of the acts of nineteen hundred and sixty-seven and section one of chapter seven hundred and sixty-eight of the acts of nineteen hundred and sixty-nine and sections one and four of chapter seven hundred and sixty-five of the acts of nineteen hundred and seventy-two and sections six and eight of chapter eight hundred and fifty-nine of the acts of nineteen hundred and seventy-five and sections one and two of chapter three hundred and fifty-six of the acts of nineteen hundred and seventy-seven and sections one and two A of chapter four hundred and eighty of the acts of nineteen hundred and seventy-nine and sections fifteen and seventeen of chapter seven hundred and thirty-two of the acts of nineteen hundred and eighty-one and section one of chapter three hundred and thirty-five of the acts of nineteen hundred and eighty-two shall be available for expenditure until June thirtieth, nineteen hundred and eighty-eight.

SECTION 9. Notwithstanding any other law to the contrary, the department is hereby authorized and directed to take all necessary actions to secure federal highway or mass transportation assistance which is or may become available to said department, including, without limitation, actions authorized under or in compliance with the provisions of Title 23 of the United States Code and section one hundred and forty-five of the Surface Transportation Assistance Act of 1982, PL 97-424, and actions such as filing applications for federal assistance, supervising the expenditure of funds under federal grants or other assistance agreements, and making any determinations and certifications necessary or appropriate to the foregoing. If any federal law, administrative regulation or practice requires any action relating to such federal assistance to be taken by any department, agency or other instrumentality of the commonwealth other than said department, such other department, agency or instrumentality is hereby authorized and directed to take such action.

In furtherance of the foregoing purposes, said department shall apply for and accept any federal funds available for projects authorized in sections one and three of this act and such federal funds when received shall be credited to the Federal Highway Construction Program Fund. To meet a portion of the expendi-

tures authorized by sections one and three, there is hereby appropriated from the Federal Highway Construction Program Fund a sum of three hundred and sixty million dollars which shall be expended, subject to the limitations contained in Article LXXVIII of the Amendments to the Constitution and which shall be in addition to the amounts appropriated in section six of chapter six hundred and seventy-nine of the acts of nineteen hundred and sixty-five, section seven of chapter six hundred and sixteen of the acts of nineteen hundred and sixty-seven, section six of chapter seven hundred and sixty-eight of the acts of nineteen hundred and sixty-nine, section six of chapter seven hundred and sixty-five of the acts of nineteen hundred and seventy-two, section eleven of chapter eight hundred and fifty-nine of the acts of nineteen hundred and seventy-five, section eight of chapter three hundred and fifty-six of the acts of nineteen hundred and seventy-seven, section eight of chapter four hundred and eighty of the acts of nineteen hundred and seventy-nine, section twenty-three of chapter seven hundred and thirty-two of the acts of nineteen hundred and eighty-one and section one of chapter three hundred and thirty-five of the acts of nineteen hundred and eighty-two.

SECTION 10. To meet a portion of the expenditures necessary in carrying out the provisions of sections one and three, 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 two hundred and ninety million two hundred thousand dollars, to be in addition to bonds authorized to be issued and sold in section eleven of chapter six hundred and sixteen of the acts of nineteen hundred and sixty-seven, section nine of chapter seven hundred and sixty-five of the acts of nineteen hundred and seventy-two, section fourteen of chapter eight hundred and fifty-nine of the acts of nineteen hundred and seventy-five, section nine of chapter three hundred and fifty-six of the acts of nineteen hundred and seventy-seven, section nine of chapter four hundred and eighty of the acts of nineteen hundred and seventy-nine, section twenty-four of chapter seven hundred and thirty-two of the acts of nineteen hundred and eighty-one and section two of chapter three hundred and thirty-five of the acts of nineteen hundred and eighty-two. All bonds issued by the commonwealth as aforesaid shall be designated on their face the words, Highway Improvement Loan, Act of 1983, 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 of the Constitution of the Commonwealth;

provided, however, that all such bonds shall be payable not later than June thirtieth, two thousand and eight. 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 11. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary for the purpose of meeting payments authorized by sections one and three 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 fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, but the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, nineteen hundred and ninety-six.

Notes and interest thereon issued under the authority of this section, notwithstanding any other provisions of this act, shall be general obligations of the commonwealth. All payments on account of principal on the said notes allocable to the Federal Highway Construction Program Fund shall be repaid from the said Federal Highway Construction Program Fund.

SECTION 12. The proceeds of the two hundred and six million eight hundred thousand dollars of additional bond authorization provided under section nineteen shall be expended only for the following purposes:

(a) purchase and rehabilitation of rolling stock,
(b) rehabilitation of shops and carhouses,
(c) commuter rail improvements,
(d) subway structural and ventilation improvements,
(e) systemwide track and power improvements,
(f) station modernization and improvements, and
(g) plant and facility improvements and material and equipment procurements.

In addition to clauses (a) to (g), inclusive, the authority is hereby authorized to expend those funds necessary or desirable to complete those rapid transit or steel-wheeled surface line projects currently under construction and previously authorized by the general court.

No later than six months after the effective date of this act, and every six months thereafter, the authority shall submit to

the clerk of the house of representatives, a report listing all rolling stock replacement parts purchased under the provisions of the Surface Transportation Act of 1982, PL 97-424, sec. 303(a) which allows the purchase of equipment and materials, each of which costs no less than one per cent of the current fair market value of rolling stock comparable to the rolling stock for which the equipment and materials are to be used.

Said report shall contain, but not be limited to, quantities, item cost, new vehicle cost, usage, and an analysis of inhouse cost to repair, if applicable.

SECTION 13. The secretary of transportation hereinafter called the secretary, is hereby authorized to establish a program to provide transportation services to elderly and handicapped individuals whose needs cannot be met by existing mass transportation services.

Said secretary may, from funds provided for such purposes, provide grant funds to any regional transit authority, established under the provisions of chapter one hundred and sixty-one B of the General Laws, any public agency or political subdivision of the commonwealth for the specific purpose of providing improved transportation services to elderly and handicapped persons and also for such purposes to any nonprofit corporation only from Urban Mass Transportation Act funds.

Funds provided for this purpose may be expended in conjunction with funds provided to the commonwealth, under the provisions of Sections 16(b) 1 and 16(b) 2 of the Urban Mass Transportation Act of 1964, and in conjunction with funds of other public agencies and political subdivisions of the commonwealth, or with those of nonprofit corporations.

Within the area constituting a regional transit authority, the secretary shall give first preference to applications for such grant funds filed or endorsed by said authority.

SECTION 14. To meet the expenditures necessary in carrying out the provisions of section thirteen, 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 million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Mobility Assistance Program Loan, Act of 1983, and shall be issued 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; provided, however, that all such bonds shall be payable not later than June thirtieth, nineteen hundred and ninety-three.

Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 15. Notwithstanding the provisions of any other law or regulation to the contrary, the regulations in effect prior to April first, nineteen hundred and eighty-three for administering the provisions of section forty of chapter one hundred and thirty-one of the General Laws shall apply to the construction or reconstruction of any highway project of the department for which a federal environmental impact statement or a state environmental impact report had received approval by the appropriate federal or state agency prior to April first, nineteen hundred and eighty-three.

SECTION 16. Notwithstanding the provisions of section twenty-nine A of chapter twenty-nine of the General Laws or of any other general or special law to the contrary, the comptroller is hereby authorized to make payments for certain contracted services for highway or railroad purposes rendered prior to the effective date of this act for which certain regulations and procedures adopted under the authority of said section twenty-nine A or any other such general or special law were not properly followed; provided, however, that the secretary of the executive office of transportation and construction shall certify in writing that such services were actually performed; and provided, further, that sufficient funds for such payments exist in accounts made available from acts in effect prior to the effective date of this act.

SECTION 17. The total amount of bonds issued by the commonwealth and the Massachusetts Bay Transportation Authority pursuant to the provisions of sections ten and nineteen shall not exceed one hundred and thirty-five million dollars in any fiscal year. For the purpose of this section, two hundred and six million eight hundred thousand dollars of the authorization contained in said section nineteen shall be deemed authorized pursuant to this act and balance shall be deemed authorized pursuant to earlier acts.

The secretary of transportation and construction shall periodically allocate between the commonwealth and the Massachusetts Bay Transportation Authority portions of the annual limit on the issuance of bonds.

SECTION 18. None of the funds authorized for expenditure by the commission under section one shall be expended until sixty days after the governor submits to the clerk of the senate,

the clerk of the house of representatives, the senate committee on ways and means, the house committee on ways and means, the joint committee on transportation, and the inspector general a report which describes the improvements made in the commission's management capabilities, in accordance with a comprehensive improvement plan, and which demonstrates that the commission has the necessary technical, managerial, and financial capability to execute one or more projects to be funded under this act and to maintain such projects in good repair. Within thirty days after receiving said report, the inspector general shall provide his written comments thereon to the clerk of the senate, the clerk of the house of representatives, the senate committee on ways and means, the house committee on ways and means, and the joint committee on transportation.

SECTION 19. Chapter 161A of the General Laws is hereby amended by striking out section 23, as most recently amended by section 4 of chapter 732 of the acts of 1981, and inserting in place thereof the following section:-

Section 23. The authority is hereby authorized to provide by resolution at one time or from time to time for the issue of bonds of the authority for any one or more of the following purposes:

(1) To acquire, plan, design, construct, reconstruct, alter, recondition and improve mass transportation facilities and equipment for express service for use by or under contract with the authority;

(2) Subject to the limitations contained in paragraph (f) of section three, to finance agreements with railroads to provide passenger service to and from Boston extending no later than December thirty-first, nineteen hundred and sixty-seven;

(3) (a) To acquire, plan, design, construct, reconstruct, alter, recondition and improve mass transportation facilities and equipment for local service for use by or under contract with the authority and (b) to provide relief to any private company, whether by agreement or arbitration award, under the provisions of section fourteen;

(4) To pay any capital costs of the authority, whether or not bonds for any such purpose may also be issued under any other provision of this section.

Bonds may be issued for any costs of the foregoing incurred either before or after the issue of the bonds. Bonds issued under any of the foregoing clauses may be issued in sufficient amount to pay the expenses of issue and to establish such reserves as may be required by any applicable trust agreement or bond resolution. 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.

Not more than eight hundred and sixty-seven million three hundred thousand dollars of bonds of the authority under clauses (1), (2), (3) and (4) shall be outstanding at any time; provided, however, that such funds are expended for capital projects; and, provided further, that any bonds which are redeemed on or after January first, nineteen hundred and eighty-six shall not be reissued.

For the purpose of determining the amount of bonds issued pursuant to this section, the amount of any issue of bonds sold by the authority at a discount shall be equal to the net proceeds thereof determined by adding to the face amount of such bond issue the premium, if any, related to any bonds of such issue and by then subtracting the discount related to any bonds of such issue. The amount of bonds of any such issue outstanding at any time, for the purposes of the above paragraphs and for the purpose of clause A of the second sentence of the first paragraph of section twenty-eight, shall be determined by multiplying the face amount of the bonds of such issue outstanding at such time by a fraction, the numerator of which is the net proceeds of such issue, as determined above, and the denominator of which is the face amount of such issue. For the purpose of determining the amount of bond proceeds expended by the authority for purposes specified by any general or special law heretofore or hereinafter enacted, such proceeds shall in the case of any issue of bonds sold by the authority at the discount be equal to the expenditure of the net proceeds of such issue, as determined above.

Each application or reapplication of the authority for grants from the federal government, whether directly or through an intermediary, shall be filed with the joint legislative committee on transportation at the same time as such application is filed with the federal government. Upon the filing of each such application with said committee, the authority shall certify to said committee such information regarding the proposed grant, including without limitation itemization of proposed expenditures and of financing sources, as shall be prescribed from time to time by said committee.

The bonds of each issue shall be dated, shall bear interest at such rates, shall mature at such time or times not exceeding forty years from their date or dates as may be determined by the authority, and may be made redeemable before maturity at the option of the authority, at such price or prices and under such terms and conditions as may be fixed by the authority prior to the issue of the bonds. The authority shall determine the form of the bonds, including any interest coupons to be attached thereto, and the manner of execution of the bonds, and

shall fix the denomination or denominations of the bonds and place or places of payment of principal and interest, which may be at any bank or trust company within or without the commonwealth. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until such delivery. All bonds issued under the provisions of this chapter shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the Uniform Commercial Code. The bonds may be issued in coupon or in registered form, or both, as the authority may determine, and provision may be made for the registration of any coupon bonds as to principal alone, and also as to both principal and interest and for the exchange of coupon or registered bonds. 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.

The proceeds of such bonds shall be disbursed in such manner and under such restrictions, if any, as the authority may provide. The authority may also provide for the replacement of any bonds which shall become mutilated or shall be destroyed or lost. Bonds and bond anticipation notes may be issued under the provisions of this chapter without obtaining the consent of any department, division, commission, board, bureau or agency of the commonwealth, and without any other proceedings or the happening of any other conditions or things than those proceedings, conditions or things which are specifically required by this chapter. Provisions of this chapter relating to the preparation, adoption or approval of plans, programs, projects, budgets and expenditures shall not affect the issue of bonds and notes and the bonds and notes may be issued either before or after such preparation, adoption or approval.

In addition to the foregoing the authority is hereby authorized to provide by resolution for the issue of refunding bonds of the authority for the purpose of refunding any principal, interest and sinking fund requirements on any bond issued by the authority or on any indebtedness assumed by the authority pursuant to law, including payment of any redemption premium thereon, any interest accrued, or to accrue to the date of payment or redemption of the bonds or indebtedness being refunded, and any expenses of issuing and refunding bonds. Such refunding bonds may be issued at such time prior to the payment or redemption of the bonds or indebtedness being refunded as the

authority may determine to be in the best interests of the authority. The issue of such bonds, the maturities and other details thereof, and the duties of the authority in respect to the same, shall be governed by the provisions of this chapter in so far as the same may be applicable.

While any bonds or notes issued or assumed by the authority remain outstanding, the powers, duties and existence of the authority and the provisions for payments by the commonwealth to the authority shall not be diminished or impaired in any way that will affect adversely the interests and rights of the holders of such bonds or notes. This section shall constitute specific authorization as required by paragraph (k) of section three for the construction of projects of the kind described in paragraph (l) for which not more than fifty-five million dollars of bond proceeds may be expended.

SECTION 20. The second sentence of section 28 of said chapter 161A is hereby further amended by striking out clause (A), as amended by section 5 of said chapter 732, and inserting in place thereof the following clause:-

(A) the annual debt service on bonds issued prior to January first, nineteen hundred and seventy-one for which such contract assistance has been provided by contract, and the annual debt serice on ninety per cent of the bonds issued thereafter, but not exceeding under this clause the debt service on seven hundred thirty-five million three hundred thousand dollars of bonds outstanding at any time, and.

SECTION 21. Section 5 of chapter 161D of the General Laws, as appearing in section 8 of said chapter 732, is hereby amended by striking out clause (3) and inserting in place thereof the following clause:-

(3) Said rate shall be set by the secretary, and shall, as nearly as possible, produce sufficient revenues to the commonwealth, in combination with the estimated revenues from the sale of such vehicles under the provisions of clause (4), to recover one hundred per cent of the cost to the commonwealth of said program.

SECTION 22. Chapter 765 of the acts of 1972 is hereby amended by striking out section 2B and inserting in place thereof the following section:-

Section 2B. Pursuant to the provisions of section one, not less than one million dollars shall be expended for the beautification of interstate Route 93 in the city of Somerville or for such other purposes as the department may determine.

SECTION 23. Paragraph (e) of section 2 of chapter 859 of the acts of 1975, as most recently amended by section 10 of chapter 732 of the acts of 1981, is hereby further amended by striking out, in lines 8 and 9, the words "July thirty-first, nineteen hundred and eighty-two" and inserting in place thereof the words:- June thirtieth, nineteen hundred and eighty-five.

SECTION 24. Section 2 of chapter 356 of the acts of 1977 is hereby amended by striking out clause (e) and inserting in place thereof the following clause:-

(e) a sum not to exceed one million dollars for the design of the reconstruction of a portion of United States Highway Route 1, in the cities of Chelsea and Revere or for such other purposes as the department may determine.

SECTION 25. Section 18 of said chapter 356 is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

The proceeds of twenty million seven hundred thousand dollars of the forty-five million dollars of additional bonding authorization provided by section twenty-three of chapter one hundred and sixty-one A of the General Laws, as amended by section sixteen of this act, shall be expended only for the North Shore Transportation Improvements Program, including the construction of a parking facility in downtown Lynn.

SECTION 26. Section 4 of chapter 487 of the acts of 1980 is hereby amended by striking out the first sentence, as amended by section 5 of chapter 313 of the acts of 1982, and inserting in place thereof the following sentence:- To meet the expenditures necessary in carrying out the provisions of this act, the state treasurer shall, upon the request 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 sixty million dollars.

SECTION 27. Chapter 732 of the acts of 1981 is hereby amended by inserting after section 8 the following section:-

Section 8A. The executive office of transportation and construction is hereby authorized and directed to expend a sum not to exceed five million dollars for the purposes set forth in section three of chapter one hundred and sixty-one D of the General Laws, as provided for in section eight of this act, and the financing costs associated therein.

SECTION 28. Said chapter 732 is hereby further amended by

striking out section 28 and inserting in place thereof the following section:-

Section 28. The sum of forty million dollars of bonds authorized to be issued by section twenty-seven of this act shall be expended as follows:

(a) A sum of twenty million dollars of said forty million dollars shall be expended for passenger rail transportation purposes, including but not limited to improvements to the so-called Inland Route, as provided in subsection (d) of section five of chapter four hundred and sixty-two of the acts of nineteen hundred and seventy-eight, and for restoring passenger service between Attleboro and Cape Cod, as provided in subsection (e) of said chapter four hundred and sixty-two.

(b) A sum of two million dollars of said forty million dollars shall be expended for inspection, title search, appraisal and acquisition of rail rights-of-way and related facilities, in accordance with the provisions of section four of chapter one hundred and sixty-one C of the General Laws, which are or may become available to the commonwealth as a result of abandonment proposals by railroad companies operating within the commonwealth, or otherwise.

(c) A sum of eighteen million dollars of said forty million dollars shall be expended for inspection, title search, appraisal, acquisition, preservation, engineering, rehabilitation, reconstruction or other improvements, whether directly, jointly or under contract with other public or private parties, of rail rights-of-way and related facilities or equipment; provided, however, that prior to the expenditure of funds for rehabilitation, reconstruction or other improvements of rail rights-of-way and related facilities and equipment leased to a private operator, the secretary of the executive office of transportation and construction shall enter into agreements with said operator for a pro rata payment to the commonwealth of a portion of the cost of said expenditure on such terms and conditions as are mutually agreed upon by said operator and the commonwealth.

Any funds received by the commonwealth pursuant to agreements between the commonwealth and operators of private railroads shall be paid into the Freight Rail Fund, established by section two of chapter eight hundred and fifty-nine of the acts of nineteen hundred and seventy-five.

SECTION 29. Said chapter 732 is hereby further amended by striking out section 34 and inserting in place thereof the following section:-

Section 34. To meet the expenditures necessary in carrying out the provisions of section eight A, the state treasurer shall, upon request of the governor, issue and sell bonds of the com-

monwealth to an amount to be specified by the governor from time to time, but not exceeding in the aggregate, the sum of five million dollars.

All bonds issued by the commonwealth, as aforesaid shall be designated on their face the words, Intercity Bus Capital Assistance Loan, Act of 1981, and shall be issued for such maximum term of years not exceeding ten years, as the governor may recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth; provided, however, that all such bonds shall be payable not later than June thirtieth, nineteen hundred and ninety-six.

All interest and payments on account of principal of such obligations shall be payable from the Intercity Bus Capital Assistance Program Fund to the extent that there are funds available therein for such payments. Notwithstanding the foregoing, bonds and the interest thereon issued under the authority of this section shall be general obligations of the commonwealth.

Said bonds shall not be subject to section fifty-three of chapter twenty-nine of the General Laws.

SECTION 30. The first sentence of the first paragraph of section 35 of chapter 732 of the acts of 1981 is hereby amended by inserting after the word "section", in line 11, the words:- ; provided, however, that five hundred thousand dollars of said amount shall be authorized to be expended by the Westover metropolitan development corporation pursuant to clause (d) of section five of chapter six hundred and seventy-two of the acts of nineteen hundred and seventy-four for the development, design, and construction of a facility appropriate for air passenger service and to assist said corporation to qualify for federal grants including such grants for airport improvement.

SECTION 31. The commissioner of public works shall on or before March first, nineteen hundred and eighty-four report to the joint committee on transportation and the house and senate committee on ways and means on the availability of federal funds for the construction of the Airport Connector Road, so called, in the city of Pittsfield. If said commissioner determines that no federal monies are available the commissioner shall submit a supplemental report to said committees on or before July first, nineteen hundred and eighty-four detailing the availability of state funds for said project.

SECTION 32. The commissioner of the department of public works hereinafter called the commissioner is hereby authorized to establish a program to assist towns with populations of fifteen hundred or less undertaking projects to construct, reconstruct,

widen, resurface, rehabilitate, and otherwise improve roads, highways, and bridges within the commonwealth. Such a program shall provide grant funds to towns for projects authorized by this section. Towns shall be eligible to receive only one grant and the amount of any such grant shall not exceed one hundred and fifty thousand dollars.

The commissioner shall establish rules and regulations which shall govern the application and distribution of grant funds under the provisions of this section. Such rules and regulations shall contain a requirement that any town receiving a grant shall repay a portion of that grant to the commonwealth. The required repayment amount shall not be less than thirty per cent of the amount of any such grant and the time period allowed for such repayment shall not exceed ten years. To facilitate repayment of any grant amount the commissioner may require the town to authorize said commissioner or the commissioner of revenue to deduct the town's repayment from any distribution of gasoline tax monies or any other local aid distribution or grant made to the town. Any amounts so deducted shall be paid into the Highway Fund. Any such rules or regulations, or any amendment or repeal of any such rules or regulations 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.

Any town with a population of fifteen hundred or less may by vote of 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 commissioner for financial assistance in undertaking a project described in this section. 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 evaluating the project and the level of funding the commissioner shall consider, among others, the following factors: (a) the extent to which the project will have a beneficial impact upon the economic and public safety efforts of said town; (b) the availability of funds for the project under other state and federal programs; (c) the likelihood of funding under other programs; (d) the financial ability of the town to fund the project from its own sources; and (e) the ability of the town to enter the capital markets to obtain borrowed funds for the project.

Upon the approval of said application, the commissioner shall notify the town as to the total amount of state aid for such project and the provisions for repayment. No grants shall be approved after June thirtieth, nineteen hundred and eighty-six.

SECTION 33. The Massachusetts Bay Transportation Authority is hereby authorized and directed to study the feasibility of restoration of commuter rail services to southeastern Massachusetts, including but not limited to the Old Colony Line, so called, in the town of Plymouth. Such study shall include an analysis of the potential ridership, cost of operation, and the capital expenditure necessary to restore said services. Such study shall also include a recommendation as to the most appropriate termini of such services. A report of the results of such study shall be filed on or before June thirtieth, nineteen hundred and eighty-four with the clerks of the house of representatives and the senate, the joint committee on transportation, the house and senate committees on ways and means and the commissioner of administration.

SECTION 34. There is hereby appropriated two million dollars for the implementation of emergency measures to alleviate traffic congestion incident to the planned resurfacing of the southeast expressway, so-called, beginning in March, nineteen hundred and eighty-four. Said amount shall be held in a reserve account under the control of the secretary of transportation and construction. Said amount shall be used for the creation of alternative means of access to an egress from the city of Boston from and to the cities and towns to the southeast of said city of Boston. Said secretary shall consider a wide range of such alternative means of access and egress, including commuter railroad, fixed rail transit, bus service, car pooling, commuter boat service, and bicycle paths. Said secretary shall submit copies of the final plan of alternative means of access to the clerk of the house of representatives, the clerk of the senate, the joint committee on transportation, and the house and senate committees on ways and means no later than January fourth, nineteen hundred and eighty-four. No monies may be expended from said reserve account until thirty days after said report is so filed. Said secretary is authorized, with the prior approval of the commissioner of administration, to transfer amounts from said reserve account to the appropriate accounts of the agencies and authorities within the executive office of transportation and construction in accordance with and for the implementation of said plan. Said secretary shall notify the house and senate committees on ways and means prior to any such transfer.

SECTION 35. The department of public works is hereby authorized and directed to report on the status of the state and federal highway projects listed hereinafter. Said status report shall provide a detailed explanation of the availability of state and federal funds for such projects, the remaining obstacles, if

any, before such projects can be completed, and the anticipated completion date of such projects. Said status report shall be filed with the joint committee on transportation and the house and senate committees on ways and means before March first, nineteen hundred and eighty-four. Such projects are:

the repair of the connector road between the interstate highway route 495 and the city of Lowell;

reconstruction of state highway route 28 in the town of North Reading;

completion of United States highway 44 in the towns of Carver and Plymouth;

reconstruction of state highway route 32 in the towns of Palmer and Ware;

installation of traffic lights in the town of Billerica at the intersections of Treble Cove road and state highway route 3A, at the intersection of Webb Brook road and said route 3A, and at the intersection of Bridge street and said route 3A;

completion of drainage improvements along United States highway 1 in the cities of Chelsea and Revere;

reconstruction and improvement of state highway route 141 in the town of Easthampton;

completion of improvements of state highway 2 in the town of Erving; and

reconstruction of state highway 53 in the town of Hanover.

SECTION 36. The department of public works is hereby authorized and directed to expend a sum not to exceed two million dollars for the establishment of tourist information centers across the commonwealth. Such tourist information centers shall be located at but not be limited to sites at the Lindberg facility near the basketball hall of fame in the city of Springfield, along interstate highway route 86 in the town of Sturbridge, along interstate highway route 91 in the town of Bernardston, near interstate highway route 195 and route 6 in the city of New Bedford and along interstate 90 in the town of Lee.

SECTION 37. To meet the expenditures necessary in carrying out the provisions of section thirty-six, the state treasurer shall, upon the request of the governor, issue and sell bonds of the commonwealth to an amount specified by the governor from time to time, but not exceeding in the aggregate, the sum of two million dollars. All bonds issued by the commonwealth as aforesaid shall be designated on their face the words, Tourist Centers Loan, Act of 1983, 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 of the Constitution of the Commonwealth;

provided, however, that all such bonds shall be payable not later than June thirtieth, two thousand and eight. 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 38. The department of public works is hereby authorized to expend a sum not in excess of fifty thousand dollars for a study, and preparation of plans, if necessary, and construction, reconstruction, purchase and installation of traffic signals adjacent to Alden road and Bridge street on Route 240 in the town of Fairhaven, including but not limited to curbing and crosswalks, if necessary.

SECTION 39. A special commission, to consist of three members of the senate, five members of the house of representatives, and five persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study concerning the promotion of tourism in the commonwealth. Said commission shall report to the general court the results of its investigation and study, and its recommendations, together with drafts of legislation, if any, necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before December first, nineteen hundred and eighty-four. There is hereby appropriated seventy-five thousand dollars for the expenses of said special commission.

SECTION 40. The secretary of transportation and construction is hereby authorized to expend an amount not to exceed three million five hundred and fifty thousand dollars for the following purposes:

(1) a study, and the preparation of plans, if necessary, and the construction, including footings and foundations, of an underground parking facility at the Malden Center Station in the city of Malden, and

(2) to design, purchase and install parking and security control/surveillance equipment for the Oak Grove Station in the city of Malden.

SECTION 41. The second sentence of section 391 of chapter 190 of the acts of 1982, as appearing in section 15 of chapter 629 of the acts of 1982, is hereby amended by striking out, in line 3, the word "one", and inserting in place thereof the following word:- two.

SECTION 42. Said section 391, as so appearing, is hereby further amended by striking out the fifth sentence and inserting in place thereof the following sentence:- The principal amount of such bonds shall, for the purposes of this paragraph, be equal to the net proceeds thereof; the amount of bonds of any such issue outstanding at any time shall be determined by multiplying the face amount of the bonds of such issue outstanding at such time by a fraction the numerator of which is the original net proceeds of such issue and the denominator of which is the original face amount of such issue.

SECTION 43. The department of public works is hereby authorized and directed to expend a sum not to exceed two million eight hundred thousand dollars for a study, and the preparation of plans, if necessary, and construction, reconstruction, alteration and improvements to garages and maintenance shops of said department.

SECTION 44. To meet the expenditures necessary in carrying out the provisions of section forty-three, the state treasurer shall, upon the request of the governor, issue and sell bonds of the commonwealth to an amount specified by the governor from time to time, but not exceeding in the aggregate, the sum of two million dollars. All bonds issued by the commonwealth aforesaid shall be designated on their face the words, Public Works Garage Act, Act of 1983, 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 of the Constitution of the Commonwealth; provided, however, that all such bonds shall be payable not later than June thirtieth, two thousand and eight. All interest and payments on account of principal of such obligations shall be payable from the Highway Fund 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.

Approved December 19, 1983.

Chap. 638. AN ACT AUTHORIZING THE TOWN OF ANDOVER TO SELL AND CONVEY OR LEASE AND LEASE-BACK MEMORIAL HALL LIBRARY IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of sections three,

four, fifteen and fifteen A of chapter forty and section thirty-one of chapter forty-four of the General Laws or any other general or special law to the contrary, the town of Andover is hereby authorized to sell or lease for a term of not more than forty years, including the right to extend or renew such lease, all or a portion of the property now or formerly known as the Memorial Hall library to a purchaser or to a lessee who shall undertake to rehabilitate, remodel and, if required by the town, expand the existing building for public library purposes in accordance with plans and specifications approved on behalf of said town as provided in section four. Said town is also authorized to lease or sublease, as the case may be, from said purchaser or lessee as aforesaid, the property so sold or leased, together with such contiguous property whether or not owned by the town which is necessary or useful to the rehabilitation, remodeling and expansion of the library, for a period not to exceed forty years, including the right to extend or renew such lease or sublease. Such lease or sublease may provide that payments by said town be unconditional and included in the amounts assessed in each year as provided in section twenty-three of chapter fifty-nine of the General Laws, but the obligations represented by such payments shall not be included in any determination of the borrowing capacity of said town under any limitation of its indebtedness.

SECTION 2. Notwithstanding the provisions of section one of this act or any other law to the contrary:

(a) at least thirty days before accepting a proposal for the purchase or lease of the Memorial Hall library and the rehabilitation, remodeling and expansion of said library by the purchaser or lessee thereof, the town of Andover shall seek competitive proposals therefor by advertising in the central register published by the state secretary pursuant to section twenty of chapter nine of the General Laws;

(b) prior to the commencement of any construction work involved in the rehabilitation, remodeling and expansion of said library by or on behalf of the purchaser or lessee selected by the town of Andover, said purchaser or lessee shall solicit sub-bids for the classes of work described in section forty-four C of chapter one hundred and forty-nine of the General Laws and the provisions of sections forty-four A to forty-four J, inclusive, of said chapter one hundred and forty-nine shall apply to sub-bids and subcontracts for such classes of work so far as apt; and

(c) the provisions of sections twenty-six to twenty-seven D, inclusive, of said chapter one hundred and forty-nine, shall apply to the employment of mechanics and apprentices, teamsters,

chauffeurs and laborers in connection with any work undertaken for the rehabilitation, remodeling and expansion of said library.

SECTION 3. The net proceeds of any sale authorized in section one shall be deposited in a special account in the stabilization fund of said town and shall not be withdrawn from said fund for any purpose other than to repurchase the said property except by a two-thirds vote adopted at two separate town meetings held at least six months apart, at least one of which shall be an annual town meeting. Any income from moneys held in said special account or any rent payable to the town may be deemed general revenues of the town and deposited from time to time with the town treasurer.

SECTION 4. Except as provided in sections two and three, actions by or on behalf of the town authorized by this act shall be taken by the board of selectmen.

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

Approved December 19, 1983.

Chap. 639. AN ACT AUTHORIZING THE TOWN OF HOLDEN TO PERMIT THE LATE SUBMISSION OF AN APPLICATION FOR STATUTORY DEFERRAL OF A CERTAIN BETTERMENT ASSESSMENT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section thirteen B of chapter eighty of the General Laws, or any other law to the contrary, the town of Holden is hereby authorized to permit the late submission by Clifford L. Adams and Gunhilde Adams of an application for statutory deferral of betterment assessment in accordance with said section thirteen B of said chapter eighty with regard to real estate owned by said Clifford L. Adams and Gunhilde Adams at 268 Parker avenue, in said town, as shown on assessor's map 215 as parcel 17 and to grant said applicants such deferral if they are eligible therefor and to repay any portion of said betterment assessment which may have been paid and is eligible for such deferral.

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

Approved December 19, 1983.

Chap. 640. AN ACT AUTHORIZING THE TOWN OF HOLDEN TO PERMIT THE LATE SUBMISSION OF AN APPLICATION FOR STATUTORY DEFERRAL OF A CERTAIN BETTERMENT ASSESSMENT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section thirteen B of chapter eighty of the General Laws, or any other law to the contrary, the town of Holden is hereby authorized to permit the late submission by Oscar Bystrom and Bertha M. C. Bystrom of an application for statutory deferral of betterment assessment in accordance with said section thirteen B of said chapter eighty with respect to real estate owned by said Oscar Bystrom and Bertha M. C. Bystrom at 7 Glenwood street, in said town, as shown on assessor's map 228 as parcels 15 and 16, and to grant such applicants such deferral if they are eligible therefor, and to repay any portion of said betterment assessment which may have been paid and is eligible for such deferral.

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

Approved December 19, 1983.

Chap. 641. AN ACT FURTHER REGULATING THE ASSESSMENT OF TAXES IN CITIES AND TOWNS.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (a) of section 21C of chapter 59 of the General Laws, as appearing in section 10 of chapter 782 of the acts of 1981, is hereby amended by striking out the definition of "Total taxes assessed" and inserting in place thereof the following definition:-

"Total taxes assessed", the net amount to be raised by any ad valorem tax levied on the real estate and personal property located within a city or town.

SECTION 1A. Said section 21C of said chapter 59, as most recently amended by said section 10 of said chapter 782, is hereby further amended by striking out paragraph (c).

SECTION 1B. Said section 21C of said chapter 59 is hereby further amended by striking out paragraph (d) and inserting in place thereof the following paragraph:-

(d) Any city or town in which total taxes assessed exceed the

limits set forth in paragraph (b) shall for each successive year until the total taxes assessed shall not exceed said limits, reduce the total taxes assessed by not less than fifteen per cent of the total taxes assessed for the year immediately preceding; provided, however, that the reduction pursuant to this paragraph shall not be so great as to require a reduction below the limits set forth in paragraph (b); and provided, further, that said reduction may be adjusted by those amounts approved in accordance with the applicable provisions of paragraph (e).

SECTION 2. Said section 21C of said chapter 59 is hereby further amended by striking out paragraph (f) and inserting in place thereof the following paragraph:-

(f) In any city or town in which the actual total taxes assessed result in a percentage which is less than or equal to the limits imposed pursuant to paragraph (b), the total taxes assessed for any fiscal year shall not exceed an amount equal to one hundred and two and one-half per cent of the maximum levy limit for the preceding fiscal year as determined by the commissioner of revenue; provided, however, that the total taxes assessed may be further increased by those amounts approved in accordance with the provisions of paragraph (g); and provided, further, that the total amount of taxes assessed for the then current fiscal year may be increased by an amount equal to the tax rate for the preceding fiscal year multiplied by the amount of increase in the assessed valuation of any parcel of real, or article of personal property over the assessed valuation of such property during the prior year which shall become subject to taxation for the first time, as taxed as a separate parcel for the first time during such fiscal year, or which has had an increase in its assessed valuation of no less than fifty per cent over the prior year's valuation unless such increased valuation is due to a certified revaluation of the entire city or town.

SECTION 3. Paragraph (i) of said section 21C of said chapter 59, as appearing in said section 10 of said chapter 782, is hereby amended by adding the following sentence:- The local appropriating authority may also direct that not more than three such questions be placed upon the official ballots for use in the city or town at a biennial state election, by filing with the state secretary not later than the first Wednesday of August preceding that election a copy of its vote attested by the city or town clerk.

SECTION 4. Said section 21C of said chapter 59 is hereby further amended by adding the following three paragraphs:-

(j) The local appropriating authority of any city or town may,

by a two-thirds vote, seek voter approval at a regular or special election to assess taxes in excess of the amount allowed pursuant to this section for the payment of principal and interest on bonds, notes or certificates of indebtedness, excluding tax revenue anticipation notes, issued by the city or town and for the city's or town's apportioned share of the principal and interest on such bonds or notes issued by a regional governmental unit which were outstanding as of November fourth, nineteen hundred and eighty; provided, however, that the question submitted shall be as follows:-

"Shall the (city/town) of be allowed to exempt the total amounts required to pay for bonded indebtedness incurred prior to the passage of proposition two and one-half, so-called, from the (city's/town's) limit?

YES NO ";

and provided, further, that said question shall be deemed approved if a majority of the persons voting thereon shall vote "yes".

(k) The local appropriating authority of any city or town may, by two-thirds vote, seek voter approval at a regular or special election to assess taxes in excess of the amount allowed pursuant to this section for the payment of principal and interest on bonds, notes or certificates of indebtedness, excluding tax revenue anticipation notes, issued by the city or town and for the city's or town's apportioned share of the principal and interest on such bonds or notes issued by a regional governmental unit which were not outstanding as of November fourth, nineteen hundred and eighty; provided, however, that the question submitted shall be as follows:-

"Shall the (city/town) of be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to (state the purpose or purposes for which the monies from the local issue will be used)?

YES NO

and provided, further, that said question shall be deemed approved if a majority of the persons voting thereon shall vote "yes".

(l) Amounts exempted from the tax limit under paragraph (j) or (k) shall not be included in calculating the "total taxes assessed" in paragraph (a) or the maximum levy limit in paragraph (f).

SECTION 5. The second paragraph of section 23 of said chapter 59 is hereby amended by adding the following sentence:- Such amounts of available funds so certified by the director of accounts as available on the July first immediately preceding shall be reported by the assessors to the board of selectmen in a town; to the town council in a town without a town meeting, and the city council in a city, as part of the annual budget.

SECTION 5A. Notwithstanding any general or special law to the contrary, the calculation for the maximum levy limit, as determined in section two of the act, shall begin with the maximum levy limit of the year ending June thirtieth, nineteen hundred and eighty-two, and shall be increased or decreased according to the requirements and options of section twenty-one C of chapter fifty-nine of the General Laws.

SECTION 6. The provisions of sections one, two, three and four of this act shall apply to tax years beginning on or after July first, nineteen hundred and eighty-three. Section one A shall take effect in the fiscal year beginning July first, nineteen hundred and eighty-four. Section five shall take effect for fiscal years beginning on or after July first, nineteen hundred and eighty-four. Section five A shall be effective for all fiscal years prior to fiscal year nineteen hundred and eighty-six.

SECTION 7. Nothing in this act shall invalidate any ballot question voted on prior to February first, nineteen hundred and eighty-four.

Approved December 19, 1983.

EMERGENCY LETTER - December 21, 1983 @ 12:54 P.M.

Chap. 642. AN ACT AUTHORIZING THE WATER RESOURCES COMMISSION TO CONSTRUCT RESERVOIRS AND OTHER WORKS OF IMPROVEMENT FOR FLOOD CONTROL AND RELATED PURPOSES IN THE WATERSHED OF BAITING BROOK IN THE TOWN OF FRAMINGHAM.

Be it enacted, etc., as follows:

Chapter 705 of the acts of 1972 is hereby amended by striking out section 5 and inserting in place thereof the following section:-

Section 5. The commission may, with the approval of the department of environmental management, utilize lands adminis-

tered by the department within Raymond J. Callahan Park, not to exceed eighty acres, as shown on a plan entitled, "Baiting Brook Flood Control Project - Callahan State Park, Framingham" on file with said department. Utilization of said lands within Callahan State Park shall result in suitable improvements to the public conservation and recreational use of the park in a manner agreeable to the department and shall be contained in a formal agreement regarding construction and subsequent maintenance, to be executed between the water resources commission and the division of forests and parks within the department. Upon completion of the works of improvement described in section one, the commission shall assume the responsibility for the operation and maintenance of the works in a manner satisfactory to the department of environmental management. The commission may transfer said works to the department of environmental management to be operated, administered and maintained under the provisions of chapter one hundred and thirty-two A of the General Laws; provided, however, that the commission shall advise the department of environmental management on the operation of the water retention structure.

The department of environmental management, acting for and on behalf of the commonwealth, may acquire by gift, purchase, eminent domain or otherwise, land water rights, rights of way or other easements, public or private, as may be necessary for the project.

Approved December 19, 1983.

Chap. 643. AN ACT RELATING TO BOND PROCEDURES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. This act may be referred to and cited as the "City of Boston Bond and Minibond Procedure Act of 1983".

SECTION 2. For purposes of this act, unless a different meaning clearly appears from the context, the following words shall have the following meanings:

"Bond" or "bonds", bonds, loans, notes, temporary loans, certificates of indebtedness and other obligations or evidences of indebtedness issued or incurred under authority of any bond act.

"Bond act", any provision of general or special law heretofore or hereafter enacted authorizing the city to incur indebtedness, borrow money and issue bonds, including without limitation any

provision of this act but excluding chapter forty D of the General Laws.

"City", the city of Boston.

"Cost", when used in reference to any work or purpose for which the city is authorized to issue bonds, all or any part of the cost of planning, designing, acquiring, constructing, reconstructing, altering, remodeling and otherwise carrying out such work or purpose including, without limitation, costs of labor, materials, machinery and equipment, lands, structures and all rights of any kind in real and personal property, costs of demolitions and relocations, cost of issuance and other financing charges and expenses, reserves for debt service and other capital and current expenses, costs of architectural, engineering, financial, legal and consulting services, costs of plans, specifications, appraisals, surveys, inspections, financial and feasibility studies, and any other costs or expenses authorized herein or in the applicable bond act or necessary or incidental to the planning, acquisition, construction, financing or placing in operation of such work or purpose; if authorized herein or in the applicable bond act, the term "cost" shall also include interest prior to, during and for a reasonable period of time after completion of such work or purpose.

"Cost of issuance", any items of expense payable or reimbursable directly or indirectly by the city and related to the sale and issuance of bonds and the investment of the proceeds thereof and of revenues securing the same including without limitation printing costs, filing and recording fees, fees and charges of trustees, depositories, authenticating agents and paying agents, legal and auditing fees and charges, financial consultant fees, costs of credit ratings, premiums for insurance of the payment of bonds and fees payable for letters or lines of credit or other credit facilities securing bonds, discount payable upon the sale of bonds, fees and charges for execution, transportation and safekeeping of bonds, costs and expenses of refunding and other costs, fees and charges in connection with the foregoing.

"Facility revenues", rates, rents, fees, charges and other receipts and moneys held or to be received by or on behalf of the city from or with respect to the acquisition, financing, operation and disposition of a revenue producing facility and all rights to receive the same including, without limitation, rates, rents, fees, charges and other moneys received for the use or occupancy of the facility or any part thereof or any service provided thereby, repayments of loans made in respect of the facility, proceeds of bonds issued to finance all or a part of the cost of the facility, grants, loans and other contributions from any governmental unit or any other person for or in respect of the facility, investment earnings, proceeds of insurance and

proceeds of the lease, sale or other disposition of the facility or any interest therein; facility revenues shall not include any ad valorem taxes on the real estate and personal property comprising any revenue producing facility.

"Governmental unit", the federal government, the commonwealth and any board, bureau, agency, authority, commission, corporation, department, political subdivision or other instrumentality of either thereof. For purposes of this act, the Boston Redevelopment Authority, the Boston water and sewer commission, the Boston Housing Authority and the Economic Development and Industrial Corporation of Boston shall be deemed to be instrumentalities of the commonwealth.

"Principal amount", when used in reference to a bond, (1) in the case of any bond sold at par, at a premium or at a discount which accrues immediately upon issuance of such bond, an amount equal to the face amount of such bond, (2) in the case of any bond sold at a discount which accrues from time to time on and prior to the maturity date or redemption date of such bond, an amount equal to the net proceeds of such bond, determined by subtracting the discount from the face amount of the bond, plus the discount accrued to the date as of which the principal amount is to be determined, calculated on the basis of semi-annual compounding, and (3) in the case of a bond whose face amount increases over the life of the bond, the face amount of the bond as of the date as of which the principal amount is to be determined; in determining the principal amount of bonds to be outstanding at any future date by reason of such accrual of discount or increase in face amount, there shall be subtracted from the amount of principal, determined as hereinabove provided, the principal which shall have become due prior thereto.

"Revenue", revenue, receipts and other moneys of the city received from or on account of the exercise of its powers and all rights to receive the same including without limitation (1) revenue as defined in section one of chapter forty-four of the General Laws, (2) facility revenues, (3) proceeds of bonds, (4) investment earnings, (5) receipts from any tax, excise or fee heretofore or hereafter imposed by any general or special law all or a part of the receipts from which are payable or distributable to or for the account of the city and (6) receipts, distributions and reimbursements received from the commonwealth under the provisions of chapter fifty-eight of the General Laws and under any other local reimbursement or assistance program described in section twenty-five A of said chapter fifty-eight except such distributions and reimbursements as are required by law to be specifically used for statutorily defined purposes.

"Revenue producing facility", any building, structure, equipment, real or personal property or interest therein, activity or

other work or purpose for the payment of all or any portion of the cost of which the city is authorized under a bond act to incur indebtedness and issue bonds and from or on account of which the city receives or expects to receive facility revenues.

"Two-thirds vote", the vote taken by yeas and nays of two-thirds of all members of the city council of the city in every case subject to the approval of the mayor.

SECTION 3. (a) Notwithstanding the provisions of chapter forty-four of the General Laws or the provisions of any bond act or any other general or special law or ordinance of the city to the contrary, whenever the city of Boston has authorized a debt to be incurred under authority of any bond act, any bonds issued by the city to evidence such debt shall be issued and sold by the city in accordance with, and subject to the limitations of, this act. The provisions of this act shall apply to the issuance and sale of all bonds issued by the city under authority of any bond act heretofore enacted and, unless the applicable bond act expressly provides to the contrary, under authority of any bond act hereafter enacted. Provision in any bond act heretofore or hereafter enacted to the effect that bonds issued thereunder by the city shall be issued subject to or in accordance with chapter forty-four of the General Laws shall, for all purposes of such bond act, mean this act. Notwithstanding the foregoing, nothing herein shall be construed as affecting the manner of voting and other procedures and limitations relating to the authorization of indebtedness of the city by the city council and mayor provided in section two of chapter four hundred and eighty-six of the acts of nineteen hundred and nine, chapter two hundred and six of the acts of eighteen hundred and ninety-one or in any bond act.

(b) Notwithstanding the provisions of section sixteen of chapter forty-four of the General Laws or any provision of any bond act to the contrary, when the city has authorized a debt to be incurred under authority of any bond act, the collector-treasurer of the city, at the request of the mayor, shall issue bonds to evidence such debt in accordance with this act and, where applicable, the bond act. The bonds of each issue shall be dated, may bear interest at such rate or rates, including rates variable from time to time as determined by such index, banker's loan rate or other method of determination as the collector-treasurer shall select, shall mature in such amount or amounts and at such time or times, not later than the maximum dates, if any, provided herein, and may be made redeemable in whole or in part before maturity at the option of the city as provided in section twenty-one of chapter forty-four, or when authorized by a two-thirds vote prior to issuance at the option of the holder of

such debt, at such price or prices and under such terms and conditions as may be fixed by the collector-treasurer with the approval of the mayor prior to the issue of the bonds. The bonds of each issue may be issued as serial bonds or term bonds or any combination thereof with such provision, if any, for sinking funds for the payment of bonds as the collector-treasurer may determine with the approval of the mayor. The collector-treasurer, with the approval of the mayor, shall determine the form of the bonds, and the interest coupons, if any, to be attached thereto, and shall fix the denomination or denominations of bonds and the place or places of payment of the principal, premium, if any, and interest, which may be any bank or trust company within or without the commonwealth.

(c) Bonds of the city issued for different purposes and under different authorizations may be consolidated and issued at the same time or from time to time. The collector-treasurer shall fix the designation of such bonds, which need not refer to any one or more of the purposes for which they are issued or whether such bonds are subject to section ten of chapter forty-four, and shall maintain records showing the portion of each consolidated issue allocable to each authorization, and each such portion shall comply with the maturity requirements applicable thereto as provided in this act.

(d) Bonds of the city shall be signed by the manual or facsimile signatures of the collector-treasurer and city auditor and countersigned by the manual or facsimile signature of the mayor and coupons, if any, appertaining to bonds shall bear the facsimile signature of the collector-treasurer. Except as provided in section six of this act, unless provision is made for the authentication of the bonds of an issue by the manual signature of a trustee or other authenticating agent, each bond shall bear at least one manual signature of the aforementioned officers of the city. Bonds of the city, other than notes, shall bear thereon the seal of the city or a facsimile thereof. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery thereof, such signature or facsimile shall nevertheless be valid and sufficient as if such officer had remained in office until after such delivery.

(e) Bonds may be issued by the city in bearer or in registered form, or both, and, if notes, may be made payable to bearer or to order, as the collector-treasurer and city auditor, with the approval or the mayor, may determine, and provision may be made for the registration of any coupon bonds as to principal or interest or both, for the reconversion into coupon bonds at any time prior to maturity of bonds registered as to both principal and interest and for the interchange of registered

and coupon bonds. In the discretion of the collector-treasurer and city auditor, the city may also establish and maintain a system of registration for any bonds whereby the name of the registered owner, the rights evidenced by the bonds, the transfer of the bonds and such rights and other similar matters are recorded in books or other records maintained by or on behalf of the city and no instrument evidencing such bond or rights need be delivered to the registered owner by the city. A copy of the books or other records of the city pertaining to any bond registered under such registration system, certified as such by the collector-treasurer or by the agent of the city maintaining such system, shall be admissible before any court of record, administrative body or arbitration panel without further authentication. The collector-treasurer, with the approval of the mayor and the city auditor, may adopt regulations with respect to the operation of such system.

(f) Notwithstanding the provisions of section sixteen of chapter forty-four of the General Laws or any provision of any bond act to the contrary, bonds of the city may be sold in such manner, either at public or private sale and with or without public advertisement prior to sale, for such price, at premium or at discount, at such rate or rates of interest, or at such discount in lieu of interest, as the collector-treasurer, with the approval of the mayor, may determine. Notwithstanding the foregoing, no bonds shall be sold at a discount from their face amount greater than twenty per cent unless authorized by a two-thirds vote prior to issue of the bonds. For purposes of section ten of chapter forty-four of the General Laws or any other calculation of authorized indebtedness of the city, the amount of any indebtedness authorized by the city under any order of the city council heretofore or hereafter adopted, or in any bond act, shall be deemed to be the principal amount of such indebtedness as determined in accordance with section two of this act, and the collector-treasurer may, subject to the limitations of this section, issue bonds from time to time under such authorization in an aggregate face amount greater than the amount stated in such authorization provided the principal amount of such bonds calculated on the date of their issuance is no greater than the amount provided in the applicable authorization. For purposes of determining the net indebtedness of the city outstanding at any time under any provision of law, the net indebtedness represented by all bonds of the city outstanding shall be equal to the sum of the principal amounts of such bonds as determined in accordance with section two of this act.

(g) Pending delivery of any bonds duly authorized under any bond act, the collector-treasurer, with the approval of the mayor, may issue interim receipts or temporary bonds, with or

without coupons and in such form as the collector-treasurer may determine, exchangeable for definitive bonds when such bonds shall have been executed and are available for delivery. The collector-treasurer and city auditor may also provide for the replacement of any bonds which have become mutilated or shall have been destroyed, stolen or lost.

(h) The collector-treasurer may, with the approval of the mayor and city auditor, purchase and invite offers to purchase any bonds of the city for the payment of the principal amount of which amounts have been appropriated by the city or are held under a trust or security agreement securing such bonds provided no such purchase shall be made at a price exceeding par or, if such bonds are than subject to redemption, the redemption price thereof unless authorized by a two-thirds vote.

SECTION 4. (a) Notwithstanding the provisions of any bond act to the contrary, debts of the city, except as otherwise provided in this act, issued for any work or purpose, other than as provided in section four of chapter forty-four of the General Laws and section six of chapter one hundred and ninety of the acts of nineteen hundred and eighty-two, shall be payable within a period not exceeding the greater of (1) the period, if any, specified in the applicable bond act or (2) the useful life of the work or purpose financed by such debt, as determined by the city auditor, or, if incurred to finance more than one work or purpose, the average useful life of the works or purposes financed. The determination of the useful life of a work or purpose by the city auditor shall be conclusive evidence of such useful life and shall be based upon the useful life of such work or purpose used in computing the allowance for depreciation for federal income tax purposes or on any such other method of computation which the city auditor may deem more appropriate in the circumstances. Notes of the city issued under authority of section four of chapter forty-four of the General Laws and section six of chapter one hundred and ninety of the acts of nineteen hundred and eighty-two shall be payable within the periods specified in said sections.

(b) Notwithstanding section nineteen of chapter forty-four or any other general or special law to the contrary, debts of the city, except as otherwise provided in this act, shall be payable by such installment or installments, annual or otherwise, as will extinguish the same at maturity as may be determined by the collector-treasurer with the approval of the city auditor. Notwithstanding the foregoing, unless otherwise provided in the applicable bond act, debts of the city shall be payable, whether by maturity, by mandatory redemption or otherwise, in annual installments of principal, the first installment of principal shall

be payable no later than one year after the date of issuance of such debt or one year after the expected completion date of the work or purpose financed by such debt, as determined by the city auditor, whichever date is later, and no installment of principal payable on such debt in any year shall be less than the installment of principal payable on such debt in any subsequent year; provided that the foregoing limitations shall not apply to debt incurred in accordance with section eight of this act or to debt incurred in accordance with paragraph (c) of this section four or in accordance with section ten of this act or to debt incurred under authority of section four of chapter forty-four of the General Laws and section six of chapter one hundred and ninety of the acts of nineteen hundred and eighty-two; and provided, further, that any or all of the foregoing limitations may be waived as to any debt of the city prior to issuance thereof by vote of the emergency finance board existing under section forty-seven of chapter ten of the General Laws.

(c) Notwithstanding anything in sections seventeen and seventeen A of chapter forty-four of the General Laws to the contrary, if the city has authorized the issuance of bonds under any bond act, the collector-treasurer, with the approval of the mayor, may without further authority issue notes in anticipation of the receipt of the proceeds of sale of such bonds. Except as otherwise provided in this act, the maturity date of such notes shall not exceed two years from the date of issue of such notes provided that notes issued for less than two years may be refunded by the issue of other notes maturing no later than two years from the date of issue of the original loan. The second sentence of section seventeen A of said chapter forty-four shall not apply to the city.

SECTION 5. Notwithstanding any other provision of this act or any other law, whenever the city has authorized the issuance of bonds and the collector-treasurer has determined, with the approval of the mayor, to issue and sell all or a portion of such bonds in denominations of less than five thousand dollars (minibonds), the collector-treasurer may without further authority issue and sell such minibonds payable at such time or times and in such manner, at par or at discount, and upon such terms and conditions, not inconsistent with this act, as he shall determine. Each minibond may provide that it shall be redeemed by or on behalf of the city upon due presentation by an appropriate person on any business day at such price as the collector-treasurer, with the approval of the mayor, shall determine according to a schedule established with respect to each issue of minibonds prior to the issuance thereof. Minibonds redeemed by or on behalf of the city prior to maturity may be resold by the

collector-treasurer with the approval of the mayor and city auditor at prices determined according to such schedule. Notwithstanding the foregoing, no minibond shall mature more than five years after its date and no one sale to a purchaser of minibonds, other than banks or other financial institutions underwriting the sale of minibonds, shall be in an aggregate principal amount equal to or greater than five thousand dollars. The city shall not issue minibonds, except minibonds issued under authority of section four of chapter forty-four of the General Laws or section six of chapter one hundred and ninety of the acts of nineteen hundred and eighty-two (mininotes), if following their issuance the aggregate principal amount of all minibonds outstanding, excluding mininotes, would exceed ten per cent of the aggregate principal amount of all bonds of the city outstanding, excluding mininotes and all other temporary loans in anticipation of revenue of the city, calculated as of the date of issue of such minibonds. No more than five million dollars principal amount of minibonds, other than mininotes, shall be issued and sold by the city in any one fiscal year. The aggregate principal amount of mininotes of the city outstanding at any one time shall not exceed five per cent of the real and personal property tax levy for the immediately preceding fiscal year. The collector-treasurer, with the approval of the mayor and city auditor, may adopt regulations with respect to the issuance and sale of minibonds and mininotes. The facsimile signatures of the mayor, collector-treasurer and city auditor on minibonds and mininotes shall have the same validity and effect as their manual signatures and no minibond or mininote need bear the manual signature of such officers or of any trustee or other authenticating agent.

SECTION 6. (a) Except as otherwise provided in section eight of this act or in the applicable bond act, all bonds of the city shall be general obligations of the city for which its full faith and credit are pledged and for the payment of which all taxable property in the city shall be subject to ad valorem taxation without limit as to rate or amount except as otherwise provided by law.

(b) The auditor of the city, in accordance with section sixteen of chapter forty-four of the General Laws, shall annually notify the assessors of the city of the amount of debt and interest charges matured and maturing during the next fiscal year on all debt of the city, other than debt issued in accordance with section eight of this act, and what provision, if any, has been made for the payment of such debt and interest, and said assessors shall include the amount of such debt and interest not otherwise provided for in the tax levy of that year notwithstanding any limit provided by law on the total taxes assessable by

the city for such year; provided inclusion of any such amount in the levy of any year shall not operate to increase the amount otherwise available within any limits thereon to meet other appropriations of the city. The auditor of the city shall also annually notify the assessors of the amount required in the next fiscal year to pay the cost, not otherwise provided for, of the annual audit of the accounts of the city and its related parties in accordance with section fourteen of chapter one hundred and ninety of the acts of nineteen hundred and eighty-two and said assessors shall include the amount of such cost not otherwise provided for in the tax levy of that year. Such authority and obligations imposed on the city auditor under section twenty-three of chapter four hundred and eighty-six of the acts of nineteen hundred and nine shall be applicable to all entities and parties included in the annual audit of the accounts of the city and its related parties in accordance with section fourteen of chapter one hundred and ninety of the acts of nineteen hundred and eighty-two.

SECTION 7. In the discretion of the collector-treasurer and mayor, when authorized by a two-thirds vote, bonds issued by the city under authority of any bond act, including bonds issued in accordance with section eight of this act, may be issued with such terms as will cause the interest thereon to be subject to federal income taxation.

SECTION 8. (a) Notwithstanding the provisions of section six of this act, in the discretion of the collector-treasurer, when authorized by a two-thirds vote, bonds of the city duly authorized in accordance with law to finance all or any part of the cost of any revenue producing facility may be issued and sold by the city as special obligation bonds payable solely from facility revenues pledged to their payment in accordance with section nine of this act. Bonds of the city issued in accordance with this section shall not be deemed to be a pledge of the full faith and credit of the city or payable out of any receipts of real and personal property taxes. Every such bond shall recite on its face that it is a special obligation bond payable solely from facility revenues pledged for its repayment. Such bonds shall not at any time be included in the debt of the city for the purpose of ascertaining its legal borrowing capacity.

(b) Bonds of the city issued in accordance with this section shall bear such terms and conditions and shall be sold in such manner, not inconsistent with this act, as the collector-treasurer and city auditor with the approval of the mayor shall determine. Such bonds shall be payable in such amount or amounts and at such time or times, not in excess of the maximum period provided

in paragraph (a) of section four, as the collector-treasurer and city auditor with the approval of the mayor shall determine.

(c) Notwithstanding the provisions of sections seventeen and seventeen A of chapter forty-four of the General Laws, if the city has authorized the issuance of bonds in accordance with this section, the collector-treasurer and city auditor with the approval of the mayor may without further authority issue notes in anticipation of such bonds pursuant to paragraph (c) of section four of this act. The maturity date of any such notes shall not exceed three years from the date of issue of such notes or six months after the date of completion of the revenue producing facility, as determined by the city auditor, whichever date is later, provided that notes issued to mature earlier than such date may be refunded by other notes maturing no later than three years from the date of issue of the original loan or six months after the completion date of the facility, whichever date is later.

SECTION 9. (a) In the discretion of the collector-treasurer and mayor, when authorized by a two-thirds vote, bonds of the city issued under any bond act may be secured by one or more trust or security agreements between the city and a corporate trustee, which may be any trust company or bank having the powers of a trust company within or without the commonwealth, or directly between the city and the lenders on such bonds. Any such trust or security agreement shall be in such form as determined by the collector-treasurer, with the approval of the mayor, and shall be executed by the collector-treasurer and city auditor and countersigned by the mayor.

(b) Any trust or security agreement directly or indirectly securing bonds, other than bonds issued in accordance with section eight of this act, may, in addition to other security provided by law, pledge or assign, and create a security interest in, all or any part of the revenue of the city. A trust or security agreement securing bonds issued in accordance with section eight of this act may pledge or assign, and create a security interest in, all or any part of the facility revenues derived from the revenue producing facilities finance by such bonds or derived from any other revenue producing facility of the city, but shall not otherwise pledge or assign any other revenues of the city. Any trust or security agreement may contain such provisions for protecting and enforcing the rights, security and remedies of the lenders as may be reasonable and not in violation of law, including, without limitation, provisions defining defaults and providing for remedies in the event thereof, which may include the acceleration of maturities, and covenants setting forth the duties of, and limitations on, the city in relation

to the custody, safeguarding, investment and application of moneys, the issue of additional and refunding bonds, the establishment of reserves, the establishment of sinking funds for the payment of bonds, and the use of surplus bond proceeds and revenues. A trust or security agreement securing bonds issued in accordance with section eight hereof may also include covenants and provisions regarding the acquisition, construction, operation and carrying out of the revenue producing facilities financed by such bonds or the facility revenues from which secure the same, the fixing and collection of facility revenues and the making and amending of contracts relating thereto.

(c) In the discretion of the collector-treasurer and mayor when authorized by a two-thirds vote, bonds issued under any bond act may be issued in the form of lines of credit or other banking arrangements and under such terms and conditions, not inconsistent with this act, and under such agreements with the purchasers or makers thereof, as the collector-treasurer, with the approval of the mayor, may determine. In addition to other security provided herein or otherwise by law, bonds issued by the city under any bond act may be secured, in whole or in part, by insurance or by letters or lines of credit or other credit facilities issued to the city by any bank, trust company or other financial institution, within or without the commonwealth, and the city may pledge or assign any of its revenues or facility revenues, as appropriate, as security for the reimbursement by the city to the issuers of such letters or lines of credit, insurance or credit facilities of any payments made thereunder.

(d) It shall be lawful for any bank or trust company to act as a depository or trustee of the proceeds of bonds, revenue or other moneys under any such trust or security agreement and to furnish such indemnification or to pledge such securities and issue such letters or lines of credit or other credit facilities as may be required by the city. All expenses incurred in carrying out the provisions of such trust or security agreement may be treated as a cost of issuance hereunder. Any such trust or security agreement may set forth the rights and remedies of bondholders and of the trustee and may restrict the individual right of action by bondholders. Any pledge of revenue made by the city under the provisions of this act shall be valid and binding and shall be deemed continuously perfected for the purpose of chapter one hundred and six of the General Laws and other laws from the time when such pledge is made. The revenue, moneys, rights and proceeds so pledged and then held or thereafter acquired or received by the city shall immediately be subject to the lien of such pledge without any physical delivery or segregation thereof or further act, and the lien of any such pledge shall be valid and binding against all parties having

claims of any kind in tort, contract or otherwise against the city, regardless of whether such parties have notice thereof. Neither the trust agreement nor any other agreement by which a pledge is created need be filed or recorded except in the records of the city clerk and no filing need be made under the provisions of said chapter one hundred and six.

(e) Any holder of a bond issued by the city under the provisions of this act or of any of the coupons appertaining thereto and any trustee under a trust or security agreement securing the same, except to the extent the rights herein given may be restricted by such trust agreement, may bring suit upon the bonds or coupons and may, either at law or in equity, by suit, action, mandamus, or other proceeding for legal or equitable relief, including, in the case of bonds issued in accordance with section eight of this act, proceedings for the appointment of a receiver to take possession and control of the revenue producing facilities financed by such bonds or the facility revenues from which secure the same, to operate and maintain the same, to make any necessary repairs, renewals and replacements in respect thereof and to fix, revise and collect fees and charges, protect and enforce any and all rights under the laws of the commonwealth or granted hereunder or under such trust agreement or other agreement, and may enforce and compel the performance of all duties required by this act or by such trust agreement to be performed by the city or by any officer thereof.

(f) A pledge of revenue in accordance with this act shall constitute a sufficient appropriation thereof for the purposes of any provision for appropriation for so long as such pledge shall be in effect and, notwithstanding section thirty-one C of chapter four hundred and eighty-six of the acts of nineteen hundred and nine or any other general or special law to the contrary, such revenues may be applied as required by the pledge and the trust or security agreement evidencing the same without further appropriation.

SECTION 10. Notwithstanding the provisions of section six A of chapter forty-four of the General Laws or section three of chapter seventy-four of the acts of nineteen hundred and forty-five or any other provision of law to the contrary, if the city has an agreement with any governmental unit whereby said governmental unit has agreed to provide to the city a grant or other aid or contribution to defray all or any part of the cost of any work or purpose undertaken by the city, for the purpose of providing the necessary funds to meet such cost prior to receipt of such grant, aid or contribution, the collector-treasurer, with the approval of the mayor and city auditor, may incur debt outside the debt limit of the city and issue notes therefor to an

amount not exceeding the amount of the grant, aid or contribution as shown by the agreement. The issue of such notes shall be governed by the provisions of this act relating to the issue of bonds other than temporary notes as the same may be applicable provided that notes so issued, and renewals thereof, shall mature no later than six months after the expected date of final receipt of such grant, aid or contribution, as determined by the city auditor, but in no event later than five years from their dates. The proceeds of such grant, aid or contribution shall be applied to the discharge of the loan without the necessity of further appropriation.

SECTION 11. (a) In addition to any other authority provided by law, if the city has voted to undertake any work for the payment of all or any part of the cost of which it is authorized by law to incur debt and issue bonds, in lieu of issuing bonds for all or part of such cost, the city, acting by or through the board, commission or other officer of the city having the care, custody or control of such work, may, when authorized by a two-thirds vote, enter into lease, purchase, installment sale, lease-purchase, sale and leaseback or other similar agreements with any person, public or private, in order to acquire or otherwise carry out such work. Any such agreement and the obligations of the city thereunder shall be governed by the provisions of this act relating to bonds as the same may be applicable including, without limitation, the provisions of section eight relative to bonds issued to finance revenue producing facilities. In addition to execution by any other person required by law, any such agreement shall be signed by the collector-treasurer and city auditor and countersigned by the mayor. Notwithstanding the provisions of section three or section four of chapter forty of the General Laws, any such agreement may be for such term and may include such provisions, consistent with this act, as the signing officers may determine, provided that the maximum term of any such agreement, and all renewals thereof, shall not exceed the maximum term permitted by this act for the bonds that could have been issued for the applicable work. In connection with any such agreement the city may also mortgage, grant a security interest in, or otherwise encumber any real or personal property acquired by the city thereunder or leased by the city in accordance with paragraph (b) of this section. The provisions of paragraph (e) of section one of chapter four hundred and seventy-four of the acts of nineteen hundred and forty-six shall not apply to any such agreement or to any lease or sale of real property in connection therewith made in accordance with paragraph (b) of this section. Except as provided in section eight of this act or in the applicable agreement, any

agreement entered into by the city in accordance with this section shall constitute a general obligation of the city for which its full faith and credit are pledged and rentals and other payments to be made by the city thereunder shall for all purposes of law, including without limitation chapter fifty-nine of the General Laws, be treated as payments on a debt of the city.

(b) Notwithstanding the provisions of sections thirty-one, thirty-one A and thirty-one B of chapter four hundred and eighty-six of the acts of nineteen hundred and nine or any other general or special law to the contrary, in connection with any agreement authorized by the city pursuant to this section, the city may, when authorized by a two-thirds vote, lease to the lessor or seller of the work to be provided under such agreement for a term not exceeding the term of such agreement, or sell, transfer or otherwise convey to such person, in either case with or without public auction and for such consideration, if any, as may be provided in such vote, any real property owned by the city, other than parks and playgrounds, or any interest therein or in the air space above, within or contiguous to such real property, whether then used for the same municipal purpose as the work to be provided under such agreement or otherwise and whether then improved or unimproved, provided that any such agreement shall require that upon expiration of such agreement and all renewals thereof title to the real property so leased, sold, transferred or otherwise conveyed, and to all improvements thereon, shall either revert to the city or may be repurchased by the city at its option for a price no greater than the fair market value of such property and improvements at the date of such expiration as determined by independent appraisal of the premises. Any lease, sale, transfer or conveyance of real property in accordance with this section may be made by the city subject to the rights of any lessee or other owner of any interest in the real property or, prior to such lease, sale, transfer or conveyance, the city may acquire such interest and, notwithstanding the provisions of chapter four hundred and seventy-four of the acts of nineteen hundred and forty-six, terminate such rights, by purchase, gift or devise or by the exercise of eminent domain under chapter seventy-nine or chapter eighty A of the General Laws, provided no right or interest of the federal government, the commonwealth, the Boston Redevelopment Authority or the Boston Housing Authority shall be so acquired or terminated without its consent.

SECTION 12. (a) Notwithstanding the provisions of section twenty of chapter forty-four of the General Laws, the proceeds of sale of any bonds of the city, including premiums but excluding accrued interest, shall, subject to any agreement securing

the bonds and except as otherwise provided in the applicable bond act, be applied to the work or purpose for which authorized, including without limitation payment of the costs of such work or purpose, costs of issuance, such reserves as may be required by any agreement securing such bonds and, if such bonds are issued to pay the cost of a revenue producing facility, interest prior to and during the acquisition and construction of the revenue producing facility and for a reasonable time, not in excess of six months, thereafter. Any accrued interest received upon the sale of bonds shall be applied to the first interest payable thereon.

(b) Subject to any agreement securing bonds and except as otherwise provided in the applicable bond act, if any part of the proceeds of sale of any bonds remains unexpended after the work or purpose for which such bonds were issued is completed, or if such work or purpose is not completed and the city by a two-thirds vote has voted to abandon such work or purpose and no liability remains outstanding and unpaid on account thereof, such proceeds may be applied by the collector-treasurer and city auditor, at the direction of the mayor, to any other work or purpose for which a loan has been authorized for a term equal to or longer than the term of such bonds but only to the extent that the loan has not been incurred and provided that the total amount expended pursuant to such loan authorization shall not exceed the amount of the authorization, or may be appropriated by the city to pay the principal, premium or interest on such bonds or on any other debt of the city or to any other purpose for which a loan may be incurred for a term equal to or longer than the term of such bonds, but may not be applied or appropriated to any other purpose.

(c) Subject to any agreement securing bonds, the collector-treasurer and city auditor, when directed by the mayor, may use for any appropriation to be met by a loan not yet incurred any moneys in the city treasury raised by a loan not then required to pay all or any part of the cost of the work or purpose for which borrowed, the moneys so used to be replaced upon the issuance of the loan to fund such appropriation.

SECTION 13. In addition to authority otherwise granted by law, the city may, when authorized by a two-thirds vote, issue refunding bonds for the purpose of paying any of its bonds outstanding under any bond act at or prior to maturity or upon acceleration or redemption. Refunding bonds may be issued at such times prior to the maturity or redemption of the refunded bonds as the collector-treasurer and mayor deem to be in the best interest of the city. The refunding bonds may be issued in sufficient amounts to pay or provide for the principal of the

bonds being refunded, together with any redemption premium thereon, any interest accrued or to accrue to the date of payment of such bonds, the costs of issuance of the refunding bonds, the costs of redeeming the bonds being refunded and such reserves as may be required by any agreement securing the refunding bonds. The issue of refunding bonds, the maturity or maturities and other details thereof, the security therefor, and the rights of the holders thereof, and the rights, duties and obligations of the city in respect of the same shall be governed by the provisions of this act relating to the issue of bonds other than refunding bonds insofar as the same may be applicable; provided that the refunding bonds shall be payable no later than the last date on which any portion of the bonds being refunded are payable or within the remaining useful life of the work or purpose financed by the refunded bonds, as determined by the city auditor, whichever is later. Refunding bonds issued in accordance with this section shall be subject to the same limit of indebtedness, if any, as the bonds refunded; provided, however, that upon the issuance of the refunding bonds the bonds refunded shall no longer be counted in determining any limit of indebtedness of the city. Section twenty-one A of chapter forty-four of the General Laws shall not apply to the city.

SECTION 14. Notwithstanding the provisions of section fifty-five of chapter forty-four of the General Laws or any other general or special law to the contrary, but subject to any agreement securing bonds, funds over which the city has exclusive control, including without limitation the proceeds of bonds, revenues pledged for the payment of bonds and other revenue cash of the city, may be invested by the collector-treasurer in any investments which are legal investments for funds of the commonwealth under chapter twenty-nine or chapter thirty-two of the General Laws. For the purpose of providing for the payment of the principal, premium and interest due on bonds of the city, the city may keep on deposit in any national bank or trust company in any city or town, within or without the commonwealth, where such principal, premium or interest is payable, in addition to any amounts required to be held on deposit therein under any trust or security agreement securing bonds, a sum not exceeding in the aggregate the amount of principal, premium and interest due on such bonds during the next succeeding three months.

SECTION 15. Bonds of the city issued under authority of any bond act are hereby made securities in which all insurance companies, trust companies, banking associations, savings banks, cooperative banks, investment companies, executors, trustees

and other fiduciaries, and all other persons whatsoever who are now or may hereafter be authorized to invest in bonds or notes or other obligations of a similar nature may properly and legally invest funds, including capital, deposits or other funds in their control or belonging to them. Such bonds are hereby made securities which may properly and legally be deposited with and received by any state or municipal officer or any agency or political subdivision of the commonwealth for any purpose for which the deposit of bonds or other obligations of the commonwealth now or may hereafter be authorized by law.

SECTION 16. Bonds of the city issued under authority of any bond act, their transfer and the income therefrom, including any profit made on the sale thereof, shall be at all times free from taxation within the commonwealth whether or not any such bond shall so provide on its face.

SECTION 17. Bonds of the city may be issued under any bond act as herein provided without the consent of any department, division, commission or agency of the commonwealth and without any other proceedings or the happening of any other conditions or things other than those consents, proceedings, conditions or things expressly required therefor herein or in the applicable bond act, and the validity of and security for any such bonds shall not be affected by the existence or nonexistence of any such consent or other proceedings, conditions or things.

SECTION 18. Section seven of chapter four hundred and eighteen of the acts of eighteen hundred and ninety, chapter ninety-three of the acts of eighteen hundred and ninety-one, chapter one hundred and ninety-two of the acts of eighteen hundred and ninety-three, chapter one hundred and sixty-three of the acts of eighteen hundred and ninety-six, chapter four hundred and seventy-one of the acts of eighteen hundred and ninety-eight, chapter one hundred and ninety-one of the acts of nineteen hundred and three, section twenty-six of chapter four hundred and eighty-six of the acts of nineteen hundred and nine, chapter fifty-two of the special acts of nineteen hundred and eighteen, chapter one hundred and seventy-four of the acts of nineteen hundred and twenty-eight and chapter one hundred and seventy-one of the acts of nineteen hundred and thirty-two are hereby repealed.

SECTION 19. The foregoing provisions of this act shall be deemed to provide an additional and alternative means for the doing of things authorized hereby, and shall be regarded as supplemental and additional to, and not in derogation of, powers

conferred upon the city by other laws, provided that if any provision of this act shall be contrary to or conflict with any provision of any other general or special law or any ordinance of the city in any circumstances, the provision of this act shall control in such circumstances.

SECTION 20. The provisions of this act are severable, and if any provision hereof shall be held invalid in any circumstances, such invalidity shall not affect any other provisions or circumstances. This act shall be construed in all respects so as to meet all constitutional requirements. In carrying out the purposes and provisions of this act, all steps shall be taken which are necessary to meet constitutional requirements whether or not such steps are required by statute.

SECTION 21. This act shall take effect as of January second, nineteen hundred and eighty-four.

Approved December 19, 1983.

Chap. 644. AN ACT AUTHORIZING AN ADDITIONAL TIME PERIOD FOR THE TOWN OF WARWICK TO ADD OMITTED PROPERTY TO THE TAX LIST FOR FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-THREE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section seventy-five of chapter fifty-nine of the General Laws or any other general or special law to the contrary, if any portion of the real or personal estate of a person, to an amount not less than one hundred dollars and liable to taxation, has been omitted from the annual assessment of taxes for fiscal year nineteen hundred and eighty-three by the town of Warwick, the assessors for said town shall, at such time as the commissioner of revenue may in writing approve, but not later than December thirtieth, nineteen hundred and eighty-three, assess such person for such estate. Valuations of all or a portion of any estate attributable to clerical or data processing errors shall be construed as omitted assessments and subject to the provisions of this act. The taxes so assessed shall be entered on the fiscal year nineteen hundred and eighty-three tax list of the collector for said town who shall collect and pay over the same. The assessors of said town shall also deliver to the collector their warrants for the collection of all taxes so entered on the tax list. Such additional assessment

shall not render the tax of said town invalid although its amount, in consequence thereof, shall exceed the amount authorized by law to be raised.

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

Approved December 20, 1983.

Chap. 645. AN ACT REQUIRING THE PAYMENT OF INTEREST ON RENT COLLECTED IN ADVANCE FOR THE LAST MONTH OF TENANCY.

Be it enacted, etc., as follows:

SECTION 1. Clause (a) of subsection (2) of section 15B of chapter 186 of the General Laws, as appearing in section 2 of chapter 553 of the acts of 1978, is hereby amended by adding the following ten sentences:- If said rent for the last month of tenancy is held for a period of one year or longer from the commencement of the term of tenancy, then the landlord shall, beginning with the first day of the tenancy, pay interest at the rate of five per cent per year, payable to the tenant at the end of each year of such tenancy. Such interest shall be paid over to the tenant each year as provided in this clause; provided, however, that in the event that the tenancy is terminated before the anniversary date of such tenancy, the tenant shall receive all accrued interest within thirty days of such termination. Interest shall not accrue for the last month for which the rent was paid in advance. Any rent collected in advance by such lessor shall be held in a separate interest-bearing account in a bank located within the commonwealth under such terms which place such rent beyond the claim of creditors of the lessor, including a foreclosing mortgagee or trustee in bankruptcy, and which provides for its transfer to a subsequent owner of said property. A receipt shall be given to the tenant within thirty days after such rent is received by the lessor and such receipt shall contain the name and location of the bank in which such rent has been deposited, the account number and the amount of said rent. Failure to comply with this subsection shall entitle the tenant to immediate return of the rent. At the end of each year of a tenancy, such lessor shall deliver to the tenant from whom rent in advance was collected a statement which shall indicate the name and address of the bank in which said advance payment has been placed, the amount of the deposit, the account number, and the amount of interest payable by such lessor to the tenant. The lessor shall at the same time deliver to each

such tenant the interest which is due or shall notify the tenant that he may deduct the interest from the next rental payment of such tenant. If, after thirty days from the end of each year of the tenancy, the tenant has not received such notice of payment, the tenant may deduct from his next rent payment the interest due. Said rent collected in advance shall continue to be the property of the tenant making such rent payment, shall not be commingled with the assets of the lessor, and shall not be subject to the claims of any creditor of the lessor or of the lessor's successor in interest, including a foreclosing mortgagee or trustee in bankruptcy; provided, however, that the tenant shall be entitled only to such interest as provided in this clause.

SECTION 2. Said section 15B of said chapter 186 is hereby further amended by striking out subsection (5), as so appearing, and inserting in place thereof the following subsection:-

(5) Whenever a lessor who receives a security deposit or rent in advance for the last month of tenancy transfers his interest in the dwelling unit for which the security deposit or rental advance is held, whether by sale, assignment, death, appointment of a receiver or trustee in bankruptcy, or otherwise, the lessor shall transfer such security deposit or rental advance together with any interest which has accrued thereon for the benefit of the tenant who made such security deposit or rental advance to his successor in interest, and said successor in interest shall be liable for the retention and return of said security deposit or rental advance in accordance with the provisions of this section from the date upon which said transfer is made; provided, however, that the granting of a mortgage on such premises shall not be a transfer of interest. The successor in interest shall, within forty-five days from the date of said transfer, notify the tenant who made such security deposit or rental advance that such security deposit or rental advance was transferred to him and that he is holding said security deposit or rental advance. Such notice shall also contain the lessor's name, business address, and business telephone number, and the name, business address, and business telephone number of his agent, if any. Said notice shall be in writing.

Upon such transfer, the lessor or his agent shall continue to be liable with respect to the provisions of this section until:

(a) there has been a transfer of the amount of the security deposit or rental advance so held to the lessor's successor in interest and the tenant has been notified in writing of the transfer and of the successor in interest's name, business address, and business telephone number;

(b) there has been compliance with this clause by the successor in interest; or

(c) the security deposit or rental advance has been returned to the tenant.

In the event that the lessor fails to transfer said security deposit or rental advance to his successor in interest as required by this subsection the successor in interest shall, without regard to the nature of the transfer, assume liability for payment of the security deposit or rental advance to the tenant in accordance with the provisions of this section; provided, however, that if the tenant still occupies the dwelling unit for which the security deposit or rental advance was given, said successor in interest may satisfy such obligation by granting the tenant free occupation and use of the dwelling unit for a period of time equivalent to that period of time for which the dwelling unit could be leased or occupied if the security deposit were deemed to be rent or for a period of one month in the case of a rental advance. The liability imposed by this paragraph shall not apply to a city or town which acquires title to property pursuant to chapter sixty or to a foreclosing mortgagee or a mortgagee in possession which is a financial institution chartered by the commonwealth or the United States. The term "rent", as used in the preceding sentence, shall mean the periodic sum paid by the tenant for the use and occupation of the dwelling unit in accordance with the terms of his lease or other rental agreement.

Approved December 20, 1983.

Chap. 646. AN ACT REQUIRING THAT AT LEAST ONE PERSON REPRESENTING ORGANIZED LABOR BE APPOINTED AS A MEMBER OF THE BOARD OF REGENTS OF HIGHER EDUCATION.

Be it enacted, etc., as follows:

The first paragraph of section 2 of chapter 15A of the General Laws, as appearing in section 112 of chapter 329 of the acts of 1980, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The board of regents of higher education, hereinafter referred to as the board of regents, shall consist of fifteen members appointed by the governor at least one of whom shall be a representative from organized labor.

Approved December 20, 1983.

Chap. 647. AN ACT FURTHER REGULATING THE LICENSING REQUIREMENTS FOR INSURANCE ADVISORS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 177B of chapter 175 of the General Laws, as most recently amended by section 7 of chapter 1000 of the acts of 1977, is hereby further amended by striking out the first two sentences and inserting in place thereof the following seven sentences:- The commissioner, may, upon payment of the fee prescribed by section fourteen, issue to any applicant meeting the following requirements a license to act as an insurance adviser. The applicant for the license shall file with the commissioner a written application upon a form provided by the commissioner, which shall be executed on oath by the applicant and kept on file by the commissioner. The application shall state the name, age, residence and occupation of the applicant at the time of making the application; his residence, occupation and all business affiliations for the ten years next preceding the date of the application that the applicant intends to hold himself out and carry on business in good faith as an insurance adviser; and such other information as the commissioner may require. The application shall also contain a statement as to the trustworthiness and competency of the applicant, signed by at least three reputable citizens of this commonwealth. The applicant shall appear at a time and place designated by the commissioner and take a written examination prepared and administered by the commissioner or an independent testing service designated by the commissioner, under the direction of the commissioner, who shall fix a passing grade which in his judgment indicates the applicant's ability to perform in a satisfactory manner his duties under the license for which he has applied. The commissioner shall determine or approve any charges to be paid by applicants for the services of any independent testing service designated by the commissioner. The commissioner shall schedule such examinations at least semiannually, with a notice being given three months prior to the examination date.

SECTION 2. Said section 177B of said chapter 175 is hereby further amended by striking out the last paragraph, added by section 2 of chapter 635 of the acts of 1941.

Approved December 20, 1983.

Chap. 648. AN ACT AUTHORIZING REINSTATEMENT OF CERTAIN PUBLIC EMPLOYEES REMOVED AT A

MEETING HELD IN VIOLATION OF THE OPEN MEETING LAW.

Be it enacted, etc., as follows:

The thirteenth paragraph of section 23B of chapter 39 of the General Laws, as appearing in section 12 of chapter 372 of the acts of 1975, is hereby amended by adding the following sentence:- Such order may also include reinstatement without loss of compensation, seniority, tenure or other benefits for any employee discharged at a meeting or hearing held in violation of the provisions of this section.

Approved December 20, 1983.

Chap. 649. AN ACT PROVIDING FOR TENANT REPRESENTATION ON HOUSING AUTHORITIES.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 121B of the General Laws is hereby amended by striking out the sixth paragraph, as most recently amended by chapter 707 of the acts of 1979, and inserting in place thereof the following two paragraphs:-

In a city, one of the four members of a housing authority appointed by the mayor shall be a resident of that city and shall be a representative of organized labor who shall be appointed by the mayor from a list of not less than two nor more than five names, representing different unions submitted by the Central Labor Council, AFL-CIO and the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America of the city or of the district within which the city is included. If no such list of names is submitted within sixty days after a vacancy occurs, the mayor may appoint any representative of organized labor of his own choosing to the authority. In a city, one of the four members of a housing authority appointed by the mayor shall be a tenant in a building owned and operated by or on behalf of the local housing authority who shall be appointed by the mayor from lists of names submitted by each duly recognized city-wide and project-wide tenants' organization in the city. A tenants' organization may submit a list which contains not less than two nor more than five names to the mayor who shall make his selection from among the names so submitted; provided that, where no public housing units are owned and operated by the local housing authority and no such units are owned and operated on behalf of the local housing authority, the

mayor shall appoint any tenant of the housing authority from lists submitted in accordance with this section. If no list of names is submitted within sixty days after a vacancy occurs, the mayor shall appoint any tenant of his choosing to the authority.

Vacancies, other than by reason of expiration of terms, shall be filled for the balance of the unexpired term, in the same manner and by the same body, except elected members in towns whose terms shall be filled in accordance with the provisions of section eleven of chapter forty-one. Every member, unless sooner removed, shall serve until the qualification of his successor.

SECTION 2. Section 7 of said chapter 121B is hereby amended by adding the following paragraph:-

Any compensation paid to a tenant member of a housing authority for services as a member shall be included as income in determining rent, and the tenant shall be subject to appropriate rent increases, as provided for in authority policy and as regulated by the department; provided, however, that such compensation shall not be considered income for purposes of determining continued occupancy.

SECTION 3. The tenant representative provided for by section five of chapter one hundred and twenty-one B of the General Laws, shall be appointed to fill the next mayoral appointment following the effective date of this act which is not reserved for the appointment of a representative of organized labor as provided for in said section five; provided, however, that on the effective date of this act, if one of the mayoral appointments which is not reserved for the representative of organized labor is then held by a tenant of a building owned and operated by or on behalf of the local housing authority, the tenant representative as provided for by said section five shall be appointed upon the expiration of the term so held.

Approved December 20, 1983.

EMERGENCY LETTER - December 27, 1983 @ 9:35 A. M.

Chap. 650. AN ACT AUTHORIZING THE ESTABLISHMENT OF AN APPLE PROMOTION PROGRAM IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Chapter 128 of the General Laws is hereby

amended by striking out section 4 and inserting in place thereof the following section:-

Section 4. The department may take, and hold in trust, funds collected pursuant to marketing orders or agreements as set forth in sections one hundred and two through one hundred and fifteen of this chapter, and gifts and bequests to it for promoting agricultural education or the general interests of husbandry.

SECTION 2. Said chapter 128 is hereby amended by inserting after section 101 the following fourteen sections:-

Section 102. It is hereby declared that the marketing of fresh and processed apples in this commonwealth in excess of reasonable and normal market demands therefor, disorderly marketing of such apples, improper preparation for market and lack of uniform grading and classification of such apples, unfair methods of competition in the marketing of such apples and the inability of individual producers to develop new and larger markets for them, result in an unreasonable and unnecessary economic waste of the agricultural wealth of this commonwealth. Such conditions and the accompanying waste jeopardize the future continued production of adequate food supplies for the people of the commonwealth and other states. These conditions vitally concern the health, safety and general welfare of the people of this commonwealth.

It is therefore declared the legislative purpose and the policy of this commonwealth:

(a) to enable apple producers of this commonwealth, with the aid of the commonwealth, more effectively to correlate the marketing of their apples with market demands therefor;

(b) to establish orderly, efficient and equitable marketing of apples;

(c) to provide for uniform grading and proper preparation of apples for market;

(d) to provide methods and means for the development of new and larger markets for fresh and processed apples produced in this commonwealth;

(e) to eliminate or reduce the economic waste in the marketing of fresh and processed apples.

Section 103. The following words as used in sections one hundred and two through one hundred and fifteen of this chapter shall have the following meanings unless the context otherwise requires:

"Apples" means all apples produced within the commonwealth for the purpose of sale.

"Apple Promotion Advisory Board" means the advisory board established pursuant to section one hundred and fourteen of this chapter.

"Distributor" means any person engaged within the commonwealth, in selling, offering for sale, exchange, marketing or distributing fresh or processed apples which he has purchased or acquired from a producer or other person or which he is marketing on behalf of a producer or other person, whether as owner, agent, employee, broker or otherwise, but shall not include a retailer, except such retailer who purchases or acquires from or handles on behalf of any producer or other person, fresh or processed apples subject to regulation by the marketing agreement or order covering such apples.

"Grower" means any producer as defined in this section.

"Handler" means any person engaged in the operation of packing, grading, selling, offering for sale, exchange or marketing any fresh or processed apples, who as owner, agent or otherwise ships or causes such apples to be shipped.

"Marketing agreement" means an agreement entered into, with the approval of the commissioner, by producers with distributors, processors and handlers regulating the preparation, sale and handling of fresh and processed apples.

"Marketing order" means an order issued by the commissioner pursuant to said sections one hundred and two through one hundred and fifteen, prescribing rules and regulations governing the marketing for processing, the distributing, the sale or exchange of, or the handling in any manner of any fresh and processed apples sold in the commonwealth during any specified period or periods.

"Marketing season" means the period beginning July first of any year and extending through June thirtieth of the following year.

"Person" means any individual, firm, corporation, partnership, company or unincorporated association.

"Producer" means any person engaged within the commonwealth in the business of growing apples, or causing apples to be grown for any market.

"Processor" means any person, firm, corporation, partnership, company, or unincorporated association which performs any of the functions or acts of processing as defined herein.

"Processing" and "process" are synonymous terms and mean all operations involved in receiving, grading, packing, canning, freezing, dehydrating, preserving, grinding, crushing, peeling, slicing, concentrating, or in any other way perserving or changing the form of apples, as herein defined for marketing in any form other than for fresh consumption.

Section 104. Pursuant to section two of this chapter, and in order to promote and develop the agricultural resources of the commonwealth and encourage the marketing of fresh and processed apples, and to effectuate the declared policy of this chapter, the

commissioner may, after due notice and opportunity for hearing, approve marketing agreements, which marketing agreements shall thereupon be binding upon the signatories thereto exclusively.

Section 105. The commissioner may make and issue marketing orders, after due notice and opportunity for hearing, subject to

(1) approval of not less than sixty-five per cent of the producers participating in a referendum vote, and having marketed not less than fifty-one per cent of the total quantity of apples marketed in the next preceding marketing season by all producers that voted in the referendum, or

(2) approval of not less than fifty-one per cent of the producers participating in a referendum vote, and having marketed not less than sixty-five per cent of the total quantity of apples marketed in the next preceding marketing season by all producers that voted in the referendum.

The commissioner may, and upon written petition duly signed by at least twenty-five per cent of the affected producers shall amend or terminate such order after due notice and opportunity for hearing, but subject to the approval of at least fifty-one per cent of such producers paticipating in a referendum vote.

Section 106. With respect to any marketing order or marketing agreement implemented under the provisions of sections one hundred and two through one hundred and fifteen of this chapter, the commissioner shall prepare a budget of the administration and operating costs and expenses, including advertising and sales promotion, of such order or agreement, which shall be funded solely by assessments authorized under section one hundred and seven of this chapter. In implementing any such marketing order or agreement, the commissioner shall confer and cooperate with the legally constituted authorities of other states and the federal government involved in the promotion and marketing of apples and apple products.

Section 107. As part of any marketing order or agreement implemented under the provisions of section one hundred and two through one hundred and fifteen of this chapter, the commissioner shall establish and provide for the collection of assessments to be collected once with respect to each apple sold from each person engaged in the production, processing, distribution or handling of any marketable apples produced in the commonwealth and subject to any such order or agreement. Said assessments shall be established in an amount sufficient to fund the necessary costs and expenses involved in the implementation of such order or agreement, but shall in no event exceed five per cent of the gross dollar volume of apple sales or amount of apples handled by the person subject to the assessment. Funds so collected by the commissioner shall be held in trust in accordance with the provisions of section one hundred and thirteen of this chapter

and shall be expended in accordance with the budget adopted by the commissioner under section one hundred and six of this chapter.

Section 108. Any marketing agreement or order issued by the commissioner pursuant to said sections one hundred and two through one hundred and fifteen shall be limited to the following:

(a) provisions for the establishment of uniform grading, standards, and inspection of any apples delivered by producers or other persons to handlers, processors, distributors or others engaging in the handling thereof, and for the establishment of grading or standards of quality, condition, size, maturity or pack for any apples, and the inspection and grading of such apples, in accordance with such grading or standards so established; and for provisions that no producer, handler processor or distributor of any fresher processed apples for which grading or standards are so established may, except as otherwise provided in such marketing agreement or order; sell, offer for sale, process, distribute or otherwise handle any such apples, whether produced within or without this commonwealth, not meeting and complying with such established grading or standards. For the purposes of this article, the federal and state inspection service shall perform all inspections made necessary by such provisions.

(b) provisions for the establishment of research programs designed to benefit apple production, storage, processing, or marketing and sales.

(c) provisions for advertising and sales promotion designed to benefit apple production, processing or marketing and sales.

(d) such other provisions as may be necessary to effectuate the provisions stated in paragraphs (a) through (c) of this section.

Section 109. The commissioner may temporarily suspend the operation of an effective marketing order or agreement for a continuing period of not longer than one growing and marketing season, found by the commissioner after due notice and an opportunity for a hearing to be unnecessary during such season to fulfill the policy and purposes of said sections one hundred and two through one hundred and fifteen.

Section 110. In carrying out the purposes of said sections one hundred and two through one hundred and fifteen, the commissioner may take into consideration any and all facts available to him with respect to the following economic factors:

(a) the quantity of such fresh and processed apples available for distribution;

(b) the quantity of such fresh and processed apples normally required by consumers;

(c) the cost of producing such fresh and processed apples;

(d) the purchasing power of consumers;

(e) the level of prices of commodities, services and articles which the farmers commonly buy;

(f) the level of prices of other commodities which compete with or are utilized as substitutes for such fresh and processed apples.

Section 111. The execution of one or more marketing agreements pursuant to section one hundred and four of this chapter shall in no manner affect the issuance, administration or enforcement of any marketing order provided for in said sections one hundred and two through one hundred and fifteen. The commissioner may issue such marketing order without executing a marketing agreement or may execute a marketing agreement without issuing a marketing order covering the same fresh or processed apples. The commissioner, in his discretion, may hold a concurrent hearing upon a proposed marketing agreement and a proposed marketing order after giving due notice and opportunity for hearing.

Section 112. Prior to the issuance, amendment or termination of any marketing order pursuant to section one hundred and five of this chapter, the commissioner may require the applicants for such issuance, amendment or termination to deposit with him such amount as he may deem necessary to defray the expenses of preparing and making effective, amending or terminating a marketing order. Such funds shall be received, deposited and disbursed by the commissioner in the same manner as assessments received by him under section one hundred and thirteen of this chapter. In the event the application for adoption, amendment or termination of a marketing order is approved in a referendum, the commissioner shall reimburse any such applicant on a pro rata basis, up to the amount of any such deposit, to the extent that any unexpended monies collected under such marketing order remain in the trust fund established under section one hundred and thirteen of this chapter with respect to such order.

Section 113. Any assessments collected by the commissioner pursuant to section one hundred and seven of this chapter shall not be deemed state funds, but shall be deemed to be held pursuant to section four of this chapter by the commissioner, as trustee, in trust for and on behalf of all persons from and on behalf of whom assessments therefor were collected, allocated to each marketing order or agreement under which they are collected, and shall be disbursed by the commissioner only for the necessary expenses incurred by the commissioner with respect to each such separate marketing order or agreement, in accordance with the rules and regulations of the commissioner.

Any moneys remaining in such fund allocable to any assessments for fresh or processed apples affected by a marketing order or agreement may, in the discretion of the commissioner, be refunded

at the close of any marketing season on a pro rata basis to all persons from whom assessments therefor were collected or, whenever the commissioner finds that such moneys may be necessary to defray the cost of operating such marketing order or agreement in a succeeding marketing season, he may carry over all or any portion of such moneys into the next such succeeding season.

Upon the termination by the commissioner of any marketing order or agreement, all moneys remaining and not required by the commissioner to defray the expenses of operating such marketing order or agreement shall be refunded by the commissioner upon a pro rata basis to all persons from whom assessments therefor were collected; provided, however, that if the commissioner finds that the amounts so refundable are so small as to make impracticable the computation and refunding of such refunds, the commissioner may use such moneys to defray the expenses incurred by him in the formulation, issuance, administration or enforcement of any subsequent marketing order or agreement for fresh or processed apples.

The commissioner shall file an annual report with the clerks of the senate and the house of representatives detailing the activities undertaken, assessments collected and expenditures made in the preceding year with respect to any marketing order or agreement implemented under said sections one hundred and two through one hundred and fifteen. All assessments collected and expenditures made with respect to any such marketing order or agreement shall be subject to an annual audit by the auditor of the commonwealth.

Section 114. Any marketing order issued pursuant to said sections one hundred and two through one hundred and fifteen shall provide for the establishment of an advisory board, to consist of not less than five members nor more than nine members, to advise the commissioner in the administration of such marketing order in accordance with its terms and provisions. The members of said board shall be appointed by the commissioner from nominations received from the Massachusetts apple industry, including, without limitation, producers, handlers and processors. Nominating procedures, qualifications, and representation on and size of the advisory board shall be prescribed in each marketing order for which such board is appointed. Each advisory board shall be composed of such producers and handlers or processors as are directly affected by the marketing order in such proportion of representation as the order shall prescribe. The commissioner may appoint one person who is neither a producer nor processor nor other handler to represent the department of food and agriculture or the public generally.

No member of an advisory board shall receive a salary, but

each shall be entitled to reasonable expenses incurred while engaged in performing his duties herein authorized, which shall be paid from the trust fund established with respect to the marketing order under section one hundred and thirteen of this chapter. The duties and responsibilities of the advisory board shall be prescribed by the commissioner, and he may specifically delegate to the advisory board, by inclusion in the marketing order, all or any of the following duties and responsibilities:-

(a) recommending to the commissioner administrative rules and regulations relating to the marketing order;

(b) recommending to the commissioner such amendments to the marketing order as seem advisable;

(c) preparing and submitting to the commissioner the estimated budget required for the proper operation of the marketing order;

(d) recommending to the commissioner methods for assessing members of the industry and methods for collecting the necessary funds;

(e) assisting the commissioner in the collection and assembling of information and data necessary to the proper administration of the order;

(f) performing such other duties in connection with the marketing order as the commissioner shall designate.

Section 115. The commissioner may make and promulgate such rules and regulations as may be necessary to effectuate the provisions and intent of said sections one hundred and two through one hundred and fifteen and to enforce the provision of any marketing agreement or order, all of which shall have the force and effect of law.

The commissioner may institute such action at law or in equity as may appear necessary to enforce compliance with any provision of said sections one hundred and two through one hundred and fifteen or any rule or regulation, marketing agreement or order, committed to his administration, and in addition may apply for relief by injunction if necessary to protect the public interest. Costs incurred by the commissioner in such proceedings shall be paid from the trust fund established under section one hundred and thirteen of this chapter with respect to the marketing order or agreement in the proceedings.

Approved December 20, 1983.

Chap. 651. AN ACT RELATIVE TO THE OFFICE OF THE CHIEF ADMINISTRATIVE JUSTICE.

Be it enacted, etc., as follows:

Section 6 of chapter 211B of the General Laws, as most recently amended by section 110 of chapter 478, is hereby further amended by striking out the last paragraph and inserting in place thereof the following paragraph:-

A chief administrative justice shall hold said office for a term of seven years, and shall be eligible to succeed himself. A justice appointed to the office of chief administrative justice shall retain his commission as associate justice of the trial court, or of a predecessor court to which he was appointed, while serving as chief administrative justice, and shall continue to perform such judicial duties as he may have exercised as associate justice, and such other responsibilities as otherwise provided by law.

Approved December 20, 1983.

Chap. 652. AN ACT PROVIDING FOR THE AWARDING OF INTEREST ON CERTAIN JUDGMENTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 231 of the General Laws is hereby amended by inserting after section 6G the following section:-

Section 6H. In any action in which damages are awarded, but in which interest on said damages is not otherwise provided by law, there shall be added by the clerk of court to the amount of damages interest thereon at the rate provided by section six B to be determined 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 2. Chapter 235 of the General Laws is hereby amended by striking out section 8, as amended by section 219 of chapter 1114 of the acts of 1973, and inserting in place thereof the following section:-

Section 8. When judgment is rendered upon an award of county commissioners, a committee or referees, or upon the report of an auditor or master, or upon the verdict of a jury or the finding of a justice, interest shall be computed upon the amount of the award, report, verdict or finding from the time when made to the time the judgment is entered. Every judgment for the payment of money shall bear interest from the day of its entry at the same rate per annum as provided for prejudgment interest in such award, report, verdict or finding. The warrant or execution issued on a judgment for the payment of money shall specify the day upon which judgment is entered, and shall require the collection or satisfaction thereof with interest from

the day of its entry.

SECTION 3. Section one of this act shall apply to all actions commenced on or after the effective date of this act.

Approved December 20, 1983.

Chap. 653. AN ACT REGULATING THE USE OF COLORED LIGHTS ON CERTAIN MOTOR VEHICLES.

Be it enacted, etc., as follows:

SECTION 1. Section 7 of chapter 90 of the General Laws, as amended by section 2 of chapter 107 of the acts of 1981, is hereby further amended by striking out the fifteenth, sixteenth, and seventeenth sentences and inserting in place thereof the following sentence:- No motor vehicle so operated shall mount or display a flashing, rotating or oscillating light in any direction except pursuant to section seven E of this chapter; provided, however, that this shall not apply to the use of rear directional signals nor to the proper use of vehicle hazard warning signals as provided for by this section.

SECTION 2. Said chapter 90 is hereby further amended by striking out section 7E, as amended by chapter 142 of the acts of 1956, and inserting in place thereof the following section:-

Section 7E. No motor vehicle operated pursuant to section seven other than fire apparatus, ambulances, school buses, vehicles specified in section seven D used for transporting school children, and vehicles specified in section seven I shall mount or display a flashing, rotating or oscillating red light in any direction, except as herein provided; provided, however, that nothing in this section shall prohibit an official police vehicle from displaying a flashing, rotating or oscillating red light in the opposite direction in which the vehicle is proceeding or prohibit fire apparatus from displaying a flashing, rotating or oscillating blue light in the opposite direction in which the vehicle is proceeding.

A vehicle owned and operated by a forest warden, deputy forest warden, a chief or deputy chief of a municipal fire department, a chaplain of a municipal fire department, a member of a fire department of a town or a call member of a fire department or a member or a call member of an emergency medical service may have mounted thereon flashing, rotating or oscillating red lights. Such lights shall only be displayed when such owner or operator is proceeding to a fire or in response to an alarm and

when the official duty of such owner or operator requires him to proceed to said fire or to respond to said alarm, and at no other time.

No such red light shall be mounted or displayed on such vehicle until proper application has been made to the registrar by the head of the fire department and a written permit has been issued and delivered to the owner and operator.

Any person operating a vehicle upon which flashing, rotating or oscillating red lights herein authorized are mounted shall have the permit for said lights upon his person or in the vehicle in some easily accessible place. Upon termination of the duties which warranted the issuance of the permit, the head of the fire department shall immediately notify the registrar who shall forthwith revoke such red light permit. Upon the written request of the chief of police or chief of fire of the town in which such permitted vehicle is registered, the registrar may revoke such permit. The registrar shall revoke such permit for the unauthorized use of such red lights and the owner and operator shall be subject to a fine as hereinafter provided.

Upon revocation, the registrar of motor vehicles shall notify forthwith the owner and operator of the vehicle for which such permit was issued and the head of the police department and fire department of the town in which his original permit was issued.

No motor vehicle except (i) a vehicle used solely for official business by any police department of the commonwealth or its political subdivisions or by any railroad police department or college or university police department whose officers are appointed as special police officers by the commissioner of public safety pursuant to section ten G of chapter one hundred and forty-seven and subject to such special rules and regulations applicable to such college or university police department as the registrar may prescribe, (ii) a vehicle owned and operated by a police officer of any town or any agency of the commonwealth while on official duty and when authorized by the officer's police chief or agency head and only by authority of a permit issued by the registrar, (iii) a vehicle operated by a duly appointed medical examiner or a physician or surgeon attached to a police department of any city or town only while on official duty and only by authority of a permit issued by the registrar, (iv) a vehicle operated by a police commissioner of a police department of any city only while on official duty and only by authority of a permit issued by the registrar, (v) a vehicle actually being used for the transportation of persons who are under arrest, or in lawful custody under authority of any court, or committed to penal or mental institutions, and only by authority of a permit issued by the registrar shall mount or display a flashing, rotating or oscillating blue light in any direction. No motor vehicle, as

hereinbefore provided, requiring a permit from the registrar, shall mount or display a blue light on such vehicle until proper application has been made to the registrar by the head of the police department and such written permit has been issued and delivered to the owner and operator. Such notice shall include the place of residence and address of the owner and operator of the vehicle for which such permit is issued and the name of the make, vehicle identification number and the registration number of the vehicle for which such permit authorizes the display of blue lights. Any person operating a vehicle upon which blue lights have been authorized to be mounted or displayed, by permit, shall carry such permit for said lights upon his person or in the vehicle in some easily accessible place. Upon termination of the duties of such person which warranted the issuance of the permit, the chief of police shall immediately notify the registrar, who shall forthwith revoke such blue light permit. Upon the written request of the chief of police of the town in which such permitted vehicle is registered the registrar may revoke such permit. The registrar shall revoke such permit for the unauthorized use of such blue lights and the owner and operator shall be subject to a fine as hereinafter provided. Upon revocation, the registrar of motor vehicles shall notify forthwith the owner and operator of the vehicle for which such permit was issued and the head of the police department of the city or town in which such permitted vehicle is registered. Upon receipt of his notice of revocation, such owner and operator shall forthwith deliver such blue light permit to the registrar and he shall not be eligible for reissuance of such permit without consent of the head of the police department of the town in which his original permit was issued. Nothing in this section shall authorize any owner or operator to disregard or violate any statute, ordinance, by-law, rule or regulation regarding motor vehicles or their use on ways of the commonwealth. The registrar may also make such rules and regulations governing or prohibiting the display of such other lights on motor vehicles as he may deem necessary for public safety.

Any person who violates any provision of this section for which a penalty is not otherwise provided shall be subject to a fine of not less than one hundred dollars, nor more than three hundred dollars.

SECTION 3. Section 7I of said chapter 90, as amended by chapter 428 of the acts of 1979, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:- Such emergency disaster service vehicles may be equipped with sirens or other audible warning devices and with visible warning devices as provided in section seven E.

Approved December 20, 1983.

Chap. 654. AN ACT PROVIDING PROCEDURES FOR PERSONS ASSERTING A RIGHT TO VOTE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 51 of the General Laws is hereby amended by inserting after section 59 the following section:-

Section 59A. Whenever a person asserting a right to vote in a primary, caucus, preliminary, or other election appears at the polling place for the precinct in which such person resides, but such person is not permitted to vote, such person shall be allowed to deposit an escrow ballot as hereinafter provided. The procedure for challenged voters under section eighty-five of chapter fifty-four shall govern such ballots, provided, however, that the word "escrow" shall be used to describe the cause assigned for challenge and, provided further, that such ballots shall be deposited in an envelope designated for such purpose, and shall be cast or counted in accordance with the provisions of this section at a recount under section one hundred and thirty-five of chapter fifty-four or by an order of court. After the close of the polls, the envelope shall be sealed and any such escrow ballots shall be retained, preserved and destroyed in the same manner as the ballots cast are retained, preserved and destroyed.

After each primary, caucus, preliminary or other election at which an escrow ballot is deposited, and before the city or town clerk certifies the official tally, the registrars of voters shall if the total number of escrow ballots may change the result of the election, in public session, open the envelope containing such escrow ballots and count the votes on any such ballots which the said registrars determine to have been deposited by persons entitled to vote; provided, however, that for the purpose of making such determination, the registrars of voters may summon witnesses, require the production of evidence, and administer oaths. Forthwith, the registrars shall report the number of such votes to the city or town clerk, who shall amend the records of the primary, caucus, preliminary or other election accordingly. Nothing contained herein shall prevent or bar a prospective voter who failed to cast such escrow ballot from maintaining a civil action with regard to such election.

SECTION 2. Chapter 54 of the General Laws is hereby amended by inserting after section 76A the following section:-

Section 76B. Any person desiring to vote who fails to present suitable written identification when so requested by an election officer, shall be permitted to vote; provided, however, that such person's to vote may be challenged under section eighty-five.

SECTION 3. The third paragraph of section 135 of said chapter 54, as appearing in section 1 of chapter 879 of the acts of 1977, is hereby amended by inserting after the word "voters", in line 9, the words:- , and all escrow ballots received in accordance with the provisions of section fifty-nine A of chapter fifty-one.

Approved December 20, 1983.

EMERGENCY LETTER - December 20, 1983 @ 11:14 A.M.

Chap. 655. AN ACT FURTHER REGULATING MEDICAL SERVICE CORPORATIONS TO PROVIDE BENEFITS FOR THE TREATMENT OF CERTAIN WOMEN, INFANTS AND CHILDREN.

Be it enacted, etc., as follows:

SECTION 1. Section 47C of chapter 175 of the General Laws, as amended by section 1 of chapter 196 of the acts of 1975, is hereby further amended by inserting after the third sentence the following sentence:- Such coverage shall also include those special medical formulas which are approved by the commissioner of the department of public health, prescribed by a physician, and are medically necessary for treatment of phenylketonuria, tyrosinemia, homocystinuria, maple syrup urine disease, propionic acidemia, or methylmalonic acidemia in infants and children or medically necessary to protect the unborn fetuses of pregnant women with phenylketonuria.

SECTION 2. Section 8B of chapter 176A of the General Laws, as most recently amended by section 1 of chapter 203 of the acts of 1976, is hereby further amended by inserting after the third sentence the following sentence:- Such coverage shall include also those special medical formulas which are approved by the commissioner of the department of public health, prescribed by a physician, and are medically necessary for treatment of phenylketonuria, tyrosinemia, homocystinuria, maple syrup urine disease, propionic acidemia, or methylmalonic acidemia in infants and children or medically necessary to protect the unborn fetuses of pregnant women with phenylketonuria.

SECTION 3. Section 4C of chapter 176B of the General Laws, as amended by section 2 of chapter 203 of the acts of 1976, is hereby further amended by inserting after the second sentence the following sentence:- Such coverage shall include also those

special medical formulas which are approved by the commissioner of the department of public health, prescribed by a physician, and are medically necessary for treatment of phenylketonuria, tyrosinemia, homocystinuria, maple syrup urine disease, propionic acidemia, or methylmalonic acidemia in infants and children or medically necessary to protect the unborn fetuses of pregnant women with phenylketonuria.

SECTION 4. Section 4 of chapter 176G of the General Laws, as appearing in section 1 of chapter 454 of the acts of 1976, is hereby amended by adding the following sentence:- Such health maintenance contract shall also provide coverage for pregnant women, infants and children as set forth in section forty-seven C of chapter one hundred and seventy-five.

Approved December 20, 1983.

Chap. 656. AN ACT DESIGNATING A CERTAIN SECTION OF THE LAKE QUINSIGAMOND BRIDGE IN THE TOWN OF SHREWSBURY IN HONOR OF KENNETH F. BURNS.

Be it enacted, etc., as follows:

The section of the bridge on Route 9 crossing Lake Quinsigamond in the town of Shrewsbury shall be designated and known as the Kenneth F. Burns Memorial Section in memory of Kenneth F. Burns, a former police chief of the town of Shrewsbury. Suitable markers bearing said designation shall be attached thereto, on the Shrewsbury side of the lake, by said department in compliance with the standards of said department and as authorized by the federal highway administration.

Approved December 20, 1983.

Chap. 657. AN ACT RELATING TO REIMBURSEMENTS TO THE MEMBER TOWNS OF THE TANTASQUA REGIONAL SCHOOL DISTRICT AND OF THE AMHERST-PELHAM REGIONAL SCHOOL DISTRICT ON ACCOUNT OF CERTAIN TRANSPORTATION COSTS.

Be it enacted, etc., as follows:

SECTION 1. The towns of Brimfield, Brookfield, Holland,

Sturbridge and Wales, as member towns of the Tantasqua regional school district, and the towns of Amherst, Leverett, Shutesbury and Pelham, as member towns of the Amherst-Pelham regional school district, shall be reimbursed by the commonwealth under section sixteen C of chapter seventy-one of the general laws for costs incurred by them in transporting pupils in grades seven through twelve to the schools in their respective regional school districts, notwithstanding that the agreements establishing said regional school districts do not provide for furnishing transportation by said districts.

SECTION 2. This act shall apply to reimbursements paid to the towns named in section one for the fiscal year commencing July first, nineteen hundred and eighty-three and for two fiscal years thereafter.

Approved December 20, 1983.

Chap. 658. AN ACT PROTECTING THE CONNECTICUT RIVER.

Be it enacted, etc., as follows:

Chapter 21 of the General Laws is hereby amended by inserting after section 8A the following sections:-

Section 8B. The following words and phrases, as used in this section and sections eight C and eight D, shall have the following meanings:-

"Commission", the water resources commission.

"Interbasin transfer", any transfer of the surface and groundwaters, including wastewater, of the commonwealth outside a river basin. If a city or town partially situated within a river basin takes waters from that basin, extension of water services to a portion of the same city or town outside the basin shall not be deemed an interbasin transfer of water.

"Insignificant increase", an increase insufficient to invoke the provisions of section eight C and eight D as determined by the commission; provided, however, that in no event shall an increase over one million gallons per day be deemed insignificant.

"River basin", a geographic area within the commonwealth determined by a body of water and its surrounding drainage area as delineated by the commission.

Section 8C. Any increase over the present rate of interbasin transfers of the surface or groundwater of the river basin shall require the approval of the commission, notwithstanding the provisions of any law to the contrary to increase a present

interbasin transfer in additional to such other approvals that may be required by law. Said commission shall file a report of its findings, justifications, and decisions in relation to such approval or disapproval, with the clerks of the house of representatives and the senate, and with the state secretary for publication in the Massachusetts register.

Any emergency connections either approved under the provisions of sections forty and forty-one A of chapter forty, or authorized by a law to provide a necessary and adequate water supply shall be exempt from the provisions of this section for a period not to exceed six months of any calendar year, so long as they fulfill the criteria of the division of water supply of the department of environmental quality engineering.

The provisions of this section and section eight D shall not apply to any insignificant increase over the present rate of interbasin transfers of the surface and groundwater of a river basin. The criteria for determining any insignificance shall be established by the commission based upon the impact to the donor basin.

Section 8D. The commission shall promulgate rules and regulations defining and delineating the river basins of the commonwealth, and establish application procedures and criteria upon which the commission shall base its approval or disapproval of any proposed interbasin transfer of waters. Said criteria shall include but not be limited to the following:-

(1) that all reasonable efforts have been made to identify and develop all viable sources in the receiving area of the proposed interbasin transfer,

(2) that all practical measures to conserve water have been taken in the receiving area, including but not limited to the following:

(a) the identification of distribution system sources of lost water, and where cost effective, the implementation of a program of leak detection and repair;

(b) metering of all water users in the receiving area and a program of meter maintenance;

(c) implementation of rate structures which reflect the costs of operation, proper maintenance and water conservation and encourage the same;

(d) public information programs to promote water conservation, including industrial and commercial recycling and reuse; and

(e) contingency plans for limiting use of water during seasonal or drought shortages;

(3) that an environmental review pursuant to section sixty-one and sections sixty-two to sixty-two H, inclusive, of chapter thirty has been complied with for the proposed interbasin transfer,

(4) that a comprehensive forestry management program which balances water yields, wildlife habitat and natural beauty on watershed lands presently serving the receiving area has been implemented,

(5) that reasonable instream flow in the river from which the water is diverted is maintained, said reasonable instream flow shall be determined by the commission in making its determination of applicability of the proposed interbasin transfer of water.

The decision of the commission to approve or deny a proposed interbasin transfer shall be determined after at least two public hearings, one of which shall be held in the proposed donor community and one of which shall be held in the receiving community and which shall take place after compliance with said sections sixty-one and sixty-two to sixty-two H, inclusive, of chapter thirty. All proceedings under sections eight C and eight D shall be subject to the provisions of chapter thirty A.

Approved December 20, 1983.

Chap. 659. AN ACT RELATIVE TO CERTAIN SKELETAL REMAINS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 7 of the General Laws is hereby amended by inserting after section 38 the following section:-

Section 38A. Upon the receipt of the commission of notice under section six C of chapter thirty-eight that a site evaluation will be made to determine if skeletal remains are American Indian, the commission may designate a representative to be present when said site evaluation is made. If the state archaeologist and commission determine that said remains are American Indian, the owner of the land whereon the remains were discovered, the state archaeologist, the commission and other interested parties shall determine whether prudent and feasible alternatives exist to avoid, minimize or mitigate harm to the Indian burial site. If it is not prudent and feasible to preserve the remains in the original Indian burial site then the state archaeologist shall excavate and recover the remains under the supervision of the commission on Indian affairs. The commission and state archaeologist shall then consult to determine how the remains shall be disposed.

The final plan or agreement, which shall be in writing, may include provisions for preservation in situ; or the conducting of additional scientific and archaeological research and investigation with the approval of the commission on Indian affairs, or the immediate reinterment of the remains or with the consent of the

site's owner, or the execution of a preservation restriction pursuant to section thirty-two of chapter one hundred and eighty-four. If it is determined that the remains are to be reinterred it shall be the responsibility of the commission on Indian affairs to conduct the reinterment.

The state archaeologist and commission shall consult to determine whether a skeletal analysis shall be made; said analysis must be completed within one year of the date of approval. If more than one year is required to conduct said analysis, the commission and state archaeologist shall consult to determine whether the one year may be extended. If they fail to agree on whether the skeletal analysis shall be extended for more than one year, they shall each designate three qualified persons who shall meet and make a recommendation to the commission on Indian affairs on whether a skeletal analysis of the remains shall be made. The commission shall make the final decision on whether a skeletal analysis of the remains shall be conducted for longer than one year. It will be the responsibility of the commission on Indian affairs to reinter the remains when the skeletal analysis is completed.

SECTION 2. Paragraph (2) of section 26A of chapter 9 of the General Laws is hereby amended by adding the following sentence:-

In the event that the site being investigated is an American Indian burial site, the survey and investigation shall be conducted in conjunction with the commission on Indian affairs.

SECTION 3. Said section 26A of said chapter 9 is hereby further amended by adding after paragraph (4) the following three paragraphs:-

(5) Notify the commission on Indian affairs, established pursuant to the provisions of section thirty-eight of chapter seven, the discovery of and existence of an information pertaining to all American Indian burial sites in the commonwealth. Records of such sites shall not be made available to the public.

(6) Conduct, within a reasonable time, site evaluations, including limited subsurface testing, in accordance with generally accepted scientific and archaeological standards, of unmarked, human burial and skeletal remains suspected of being one hundred years old or more upon receiving notification pursuant to section six B of chapter thirty-eight, to determine the nature and extent of the site, and the cultural or biological character of the site and remains.

(7) Arrange for the disposition of non-native, human remains, suspected of being one hundred years old or more after conducting a site evaluation pursuant to paragraph six of section twenty-

six A. The state archaeologist shall consult with the site's owner and other interested persons to determine whether prudent and feasible alternatives exist to avoid, minimize or mitigate harm to the burial site. The final plan or agreement which shall be in writing, may include provisions for preservation in situ; the conducting of additional scientific and archaeological research and investigation; and, with the consent of the site's owner, the execution of a preservation restriction pursuant to section thirty-two of chapter one hundred and eighty-four. If no prudent and feasible alternative is agreed to, the state archaeologist or his or her designee may excavate the site and recover the remains in accordance with generally accepted scientific and archaeological standards. The state archaeologist shall dispose of recovered remains and related materials by depositing the remains with a curatorical facility.

SECTION 4. Section twenty-seven C of chapter 9 of the General Laws is hereby amended by adding the following paragraph:-

Any person, corporation, agency or authority of the commonwealth or any of its political subdivisions who shall discover unmarked human burial or skeletal remains suspected of being one hundred years of more pursuant to section six C of chapter thirty-eight, shall immediately cease any activity, including but not limited to, construction and agricultural activity, which would deface, alter, destroy or otherwise impair the integrity of the site until such time as the state archaeologist has completed a site evaluation pursuant to paragraph six of section twenty-six A of chapter nine of the General Laws and until disposition of the remains has been agreed upon pursuant to either section thirty-eight A of chapter seven or pursuant to paragraph seven of section twenty-six A, of chapter nine.

SECTION 5. Chapter 38 of the General Laws is hereby further amended by inserting after section 6A the following two sections:-

Section 6B. It shall be the duty of any person in the commonwealth who discovers unmarked human skeletal remains or who knowingly causes to disturb said remains through construction or agricultural activity, to immediately notify the medical examiner of the district of the county wherein the human skeletal remains are located. The medical examiner shall, pursuant to section six, conduct an inquiry to determine whether the remains are suspected of being one hundred years old or more, in which case he shall immediately notify the state archaeologist.

Section 6C. If, after making inquiry pursuant to section six, the medical examiner determines that skeletal remains are suspected of being one hundred years old or more, he shall

notify the state archaeologist who shall determine if the skeletal remains are American Indian.

If the remains are deemed likely to be American Indian, the state archaeologist shall forthwith notify the commission on Indian affairs that a site evaluation will be made to determine if the place where said remains were found is an Indian burial site.

SECTION 6. Section 17 of chapter 114 of the General Laws is hereby amended by adding the following sentence:-

"Burial place", as referred to in this section, shall include unmarked burial grounds known or suspected to contain the remains of one or more American Indian.

Approved December 20, 1983.

Chap. 660. AN ACT RELATIVE TO MOTOR VEHICLE WINDOWS.

Be it enacted, etc., as follows:

SECTION 1. Section 8C of chapter 90 of the General Laws, inserted by chapter 766 of the acts of 1973, is hereby amended by inserting after the third sentence the following sentence:- Upon receipt of an application for a medical exemption for the benefit of the owner or operator of a motor vehicle whose vision is determined by the board to be light sensitive or photosensitive, said board shall grant an exemption indicating the need for special window treatment as a medical necessity.

SECTION 2. Said chapter 90 is hereby further amended by inserting after section 9C the following section:-

Section 9D. No person shall operate any motor vehicle upon any public way, road or street or upon any way to which the public shall have the right of access with any of the following affixed thereto:

(1) a sign, poster, nontransparent material, window application, reflective film or nonreflective film used in any way to cover or treat the front windshield, the side windows immediately adjacent to the operator's seat and the front passenger seat, the side windows immediately to the rear of the operator's seat and the front passenger's seat and the rear window, so as to make such windshield and window glass areas in any way nontransparent or obscured from either the interior or exterior thereof.

This section shall not apply to:-

(1) motor vehicles manufactured with windshields and window glass areas equipped in accordance with the specifications of

49 Code of Federal Regulations 571.205, as authorized by 15 USC 1407;

(2) the use of draperies, louvers, or other special window treatments, except those specifically designated in this section, on the rear window, or a side window to the rear of the driver if the vehicle is equipped with two outside rearview mirrors, one on each side, adjusted so that the driver has a clear view of the highway behind the vehicle;

(3) signs, stickers, or other materials which are displayed in a seven inch square in the lower corner of the windshield farthest removed from the driver; signs, stickers or other materials which are displayed in a fifty-six square inch area in the lower corner of the rear window farthest removed from the driver; or signs, stickers or other materials which are displayed in a five inch square in the lower corner of the windshield nearest the driver;

(4) a vehicle registered in another state, territory or another country or province;

(5) special window treatment or application determined necessary by a licensed physician, for the protection of the owner or operator of a private passenger motor vehicle who is determined to be light or photosensitive. Applications for such exemption based upon such medical reason or reasons shall be made in writing to the medical advisory board established under section eight C. All applications must be supported by a written attestation of a physician licensed to practice in this commonwealth of the necessity thereof. Upon granting of such exemption by the board, the registrar shall issue a sufficiently noticeable sticker to the applicant which shall be affixed to the side window immediately adjacent to the operator. The registrar shall keep a record of all such exemption stickers so issued.

Violations of any provisions of this section shall be punished by a fine of not more than two hundred and fifty dollars. Upon a third or subsequent conviction of a violation of the provisions of this section, the registrar shall suspend the operator's license of a person so convicted for a period not to exceed ninety days.

For the purposes of this section, the term "non-transparent" shall mean that less than thirty-five per cent of the total visible light falling on the product or material including the glazing, at five hundred and fifty nanometers, is allowed to pass through such product or material including the glazing, or that greater than thirty-five per cent of the total visible light falling on the product or material including the glazing, at five hundred and fifty nanometers, is reflected outward by the product or material.

SECTION 3. On or after January first, nineteen hundred and eighty-five, no person shall manufacture, sell, offer for sale or

trade, equip or operate a motor vehicle in the commonwealth in violation of the provisions of this act provided, however, that nothing in this section shall be construed to prohibit the manufacture or sale of reflective or nonreflective film in the commonwealth.

Approved December 20, 1983.

Chap. 661. AN ACT RELATIVE TO FUNDING AND INVESTMENT POLICIES OF PUBLIC EMPLOYEE RETIREMENT SYSTEMS IN THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately regulate the funding and investment policies of public employee retirement systems in the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 50 of chapter 7 of the General Laws, added by section 2 of chapter 630 of the acts of 1982, is hereby amended by adding the following paragraph:-

There shall be within the division of public employee retirement unit to be known as the pension investment advisory unit. The commissioner of public employee retirement, through the pension investment advisory unit, shall:

(a) advise retirement boards on investments;

(b) prescribe policies concerning personal investments of board members and all employees of the boards to prevent conflict of interest;

(c) establish a formula to measure management performance and return on investment and measure the performance of each system through said formula;

(d) establish fund management policies;

(e) coordinate the participation of boards in combined investment funds;

(f) grant to qualified boards an exemption from certain statutory restrictions on investment;

(g) promulgate rules and regulations governing the sale by the boards of low-yield investments; provided, however, that an amortization loss schedule indicates said sale is beneficial to the system.

Said commissioner shall also promulgate rules and regulations governing said unit, subject to the approval of the commissioner

of administration.

SECTION 2. Paragraph (f) of section 6B of chapter 29 of the General Laws, inserted by section 199 of chapter 351 of the acts of 1981, is hereby amended by inserting, after the word "agency", in line 1, the words:- ; provided, however, that the share of the cost of fringe benefits, so-called, attributable to employee pension costs shall be transferred to the State Employees' Pension Reserve Fund to meet the unfunded pension liability of state employees.

SECTION 3. Section 1 of chapter 32 of the General Laws, as most recently amended by section 9 of chapter 630 of the acts of 1982, is hereby further amended by inserting after the definition of "Pension fund" the following three definitions:-

"Pension reserve fund", the fund established under the provisions of subdivision (6A) of section twenty-two to provide for the reservation of monies for future pension liabilities of a system.

"PRIM board", the pension reserves investment management board established under the provisions of section twenty-three for the purposes of managing and investing monies set aside for the payment of future pension liabilities, including monies in the PRIT Fund.

"PRIT Fund", the Pension Reserves Investment Trust Fund established under the provisions of subdivision (8) of section twenty-two for monies set aside for the payment of future pension liabilities.

SECTION 3A. Subdivision (4) of section 10 of said chapter 32, as appearing in section 1 of chapter 658 of the acts of 1945, is hereby amended by inserting after the word "eleven", in line 12, the words:- including any amounts that have been transferred to the Pension Reserve Fund under the provisions of paragraph (h) of subdivision (1) of section twenty-two, upon his written request thereof on a prescribed form filed with the board on or after the date of his termination of service, except as provided for in section fifteen.

SECTION 4. Paragraph (a) of subdivision (1) of section 11 of said chapter 32, as so appearing, is hereby amended by adding the following four sentences:- For any such member who voluntarily withdraws from service with creditable service of less than sixty months, the rate of regular interest for purposes of calculating accumulated total deductions shall be zero. For any such member who voluntarily withdraws from service with creditable service of less than one hundred and twenty months but equal to

or greater than sixty months, the rate of regular interest for purposes of calculating accumulated total deductions shall be fifty per cent of the rate of regular interest otherwise payable. Any other member entitled to return of his accumulated total deduction shall receive one hundred per cent of the rate of regular interest. The difference between the accumulated total deductions otherwise payable and the reduced accumulated total deductions for such members with creditable service of less than one hundred and twenty months shall be transferred into the Pension Reserve Fund and shall be used to reduce the unfunded pension liability of the system.

SECTION 5. The first paragraph of subdivision (3) of said section 11 of said chapter 32, as appearing in section 1 of chapter 531 of the acts of 1957, is hereby amended by inserting after the word "pension", in line 8, the word:- reserve.

SECTION 6. The second paragraph of said subdivision (3) of section 11 of said chapter 32, as most recently amended by section 8 of chapter 556 of the acts of 1980, is hereby further amended by inserting after the word "pension", in line 19, the word:- reserve.

SECTION 7. The third paragraph of said subdivision (3) of said section 11 of said chapter 32, as appearing in section 1 of chapter 531 of the acts of 1957, is hereby amended by inserting after the word "pension", in lines 4 and 8, in each instance, the word:- reserve.

SECTION 8. Section 22 of said chapter 32 is hereby amended by striking out the first sentence, as appearing in section 1 of chapter 658 of the acts of 1945, and inserting in place thereof the following two sentences:- All the assets of each system as they exist at the commencement of business on January first, nineteen hundred and forty-six, and all the assets of each system received, acquired or held on or after such date shall, subject to the provisions of sections one to twenty-eight, inclusive, be credited according to the purposes for which they are received, acquired or held to one of the six following funds in the system; namely, the Annuity Savings Fund, the Annuity Reserve Fund, the Pension Fund, the Special Fund for Military Service Credit, the Expense Fund, and the Pension Reserve Fund. As provided in subdivision (8), each system may, however, elect to transfer its assets to the PRIT Fund.

SECTION 9. Subdivision (1) of said section 22 of said chapter 32 is hereby amended by striking out paragraph (b), as most

recently amended by chapter 249 of the acts of 1974, and inserting in place thereof the following paragraph:-

(b) The treasurer or other disbursing officer in charge of payroll in any governmental unit to which a system pertains, and the treasurer or other disbursing officer in charge of payrolls in any free public library the employees of which are eligible for membership in a system, shall, upon written notice from the board, withhold on each pay day five per cent of the regular compensation of each employee who is a member in service of the system, which is received on such day by such member on account of service rendered to him on or after January first, nineteen hundred and forty-six, and not later than the date of his attaining the maximum age for his group, in the case of an employee who entered the service of the commonwealth or a political subdivision thereof prior to January first, nineteen hundred and seventy-five; withhold on each pay day seven per cent of the regular compensation of each employee who is a member in service of the system, which is received on such day by such member on account of service rendered by him on or after January first, nineteen hundred and seventy-five, and not later than the date of his attaining the maximum age for his group in the case of an employee who entered the service of the commonwealth or a political subdivision thereof on or after January first, nineteen hundred and seventy-five but prior to January first, nineteen hundred and eighty-four; and withhold on each pay day eight per cent of the regular compensation of each employee who is a member in service of the system, which is received on such day by such member on account of service rendered by him on or after January first, nineteen hundred and eighty-four, and not later than the date of his attaining the maximum age for his group in the case of an employee who entered the service of the commonwealth or a political subdivision thereof on or after January first, nineteen hundred and eighty-four; provided, that in the case of any teacher such withholding shall be made upon written notice from the school committee, board of trustees or other employing authority, to the treasurer or other disbursing officer of the political subdivision by which such teacher is employed.

SECTION 10. Paragraph (h) of said subdivision (1) of said section 22 of said chapter 32, as appearing in section 1 of chapter 658 of the acts of 1945, is hereby amended by adding the following sentence:- In the case of an employee who entered the service of the commonwealth or a political subdivision thereof on or after January first, nineteen hundred and eighty-four, one-eighth of such amounts shall be transferred by the board from the annuity savings fund of such system to the Pension Reserve

Fund for such system and said one-eighth of such amounts shall not be credited to the accounts of such employees in the annuity savings fund.

SECTION 10A. Paragraph (l) of said subdivision (1) of said section twenty-two of said chapter 32, as so appearing, is hereby amended by adding the following paragraph:-

Upon the retirement of any member who entered the service of the commonwealth or any political subdivision on or after January first, nineteen hundred and eighty-four, the total amount of contributions transferred to the Pension Reserve Fund pursuant to paragraph (h) shall be transferred to the Annuity Reserve Fund in accordance with the provisions of this paragraph.

SECTION 11. Paragraph (d) of subdivision (2) of said section 22 of said chapter 32 is hereby further amended by inserting after the word "pension" wherever it appears in the following word:- reserve.

SECTION 12. Paragraph (a) of subdivision (3) of said section 22 of said chapter 32, as so appearing, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- Any balance remaining in the investment income account of the system at the close of business on December thirty-first of any year shall be transferred to the Pension Reserve Fund, and any deficit in such account at such time shall be made up by transfer from the pension fund to such account of an amount equal to such deficit as provided for in clause (iii) of paragraph (a) of subdivision (6).

SECTION 13. Paragraph (a) of subdivision (6) of said section 22 of said chapter 32, as so appearing, is hereby amended by striking out clause (iii) and inserting in place thereof the following clause:-

(iii) Any balance remaining in the investment income account after the transfers heretofore provided for in this paragraph have been made, shall be transferred to the Pension Reserve Fund, and any amount by which such balance is insufficient to carry out the preceding provisions of this paragraph shall be charged to the pension fund and credited to the investment income account for the purpose of making up the deficit.

SECTION 14. Said subdivision (6) of said section 22 of said chapter 32 is hereby further amended by striking out paragraph (b), as amended by section 26 of chapter 630 of the acts of 1982, and inserting in place thereof the following paragraph:-

(b) The phrase "regular interest" as used in sections one to

twenty-eight, inclusive, shall mean the interest credited to any member's account in the Annuity Savings Fund of any system during the period of his membership therein or to his account in the special fund for military service credit during such period. As applied to such interest for any period prior to January first, nineteen hundred and forty-six, "regular interest" shall mean interest at the rate in effect and allowed in such system from time to time during such period. As applied to such interest on balances outstanding in any such accounts as of the commencement of business on January first, nineteen hundred and forty-six, or as applied to such interest credited on regular deductions made on or after such date in the nature of make-up payments, or otherwise, on account of service rendered by any member prior to such date, "regular interest" shall mean interest credited at the rate of three per cent per annum. As applied to such interest credited on all other regular deductions and on all additional deductions made on or after January first, nineteen hundred and forty-six, and on all amounts thereafter transferred from any member's account in the Annuity Savings Fund or from his account in the special fund for military service credit in any contributory retirement system established under the provisions of a special law to his account in the corresponding fund of a system maintained under the provisions of sections one to twenty-eight, inclusive, "regular interest" for the calendar years nineteen hundred and forty-six and nineteen hundred and forty-seven shall mean interest credited at the rate of three per cent per annum. For any calendar year subsequent to nineteen hundred and forty-seven and prior to nineteen hundred and eighty-four, "regular interest" shall mean interest credited at the average earned rate which shall be determined by the actuary from the investment earnings of all systems maintained under the provisions of said sections and which shall be calculated on the basis of data contained in the annual statements of such latter systems filed in the office of the commissioner of insurance for the second calendar year preceding that for which such rate is to be applied. Such average earned rate shall be taken to the nearest tenth of one per cent and shall be obtained from the ratio which the total income derived from the interest and dividends earned on the invested funds of all such systems during the calendar year covered by such annual statements bears to the mean of the total ledger assets of all such systems at the beginning and end of such year. For any calendar year beginning subsequent to December thirty-first, nineteen hundred and eighty-three, "regular interest" shall mean interest credited at a rate established by the commissioner, in consultation with the commissioner of banks. The rate established by the commissioner shall be taken to the nearest tenth of one per cent and shall be

obtained from the average rates paid on individual savings accounts by a representative sample of financial institutions; provided, that said commissioner shall sample no less than ten such financial institutions.

SECTION 15. Said section 22 of said chapter 32 is hereby further amended by inserting after subdivision (6) the following subdivision:-

(6A) Pension Reserve Fund. (a) The Pension Reserve Fund of each system shall be credited all amounts set aside by a system for the purpose of establishing a reserve to meet future pension liabilities. Such amounts shall include the additional employee contribution as provided in paragraph (h) of subdivision (1), the annual balance in the investment income account as provided for in clause (iii) of paragraph (a) of subdivision (6), undistributed accumulated total deductions as provided for in section eleven, and recovered fringe benefits for pension liabilities from federal grants as provided for in paragraph (f) of section six B of chapter twenty-nine. From time to time, a system may credit to the Pension Reserve Fund other amounts appropriated to it or otherwise may be made available by the governmental unit.

(b) Amounts may be transferred to the Pension Fund for the purpose of meeting present pension liabilities in accordance with a schedule developed by the board of each system and approved by the actuary to amortize unfunded pension liabilities. Such schedule of payments shall be designed to maintain pension costs as a fixed ratio of the current and predicted future payroll of the governmental unit. Such schedule shall be adjusted in accordance with any state contributions provided from the PRIT Fund to meet the unfunded pension liability of the system.

SECTION 16. Said section 22 of said chapter 32 is hereby further amended by adding the following subdivision:-

(8) PRIT Fund. (a) There shall be a Pension Reserves Investment Trust Fund administered by the PRIM board established in section twenty-three for the purpose of depositing, investing and dispersing amounts set aside to meet further liabilities of the various systems. The state employees' retirement system and the teachers' retirement system shall participate in the PRIT Fund as follows: All amounts held in the Pension Reserve Fund of said retirement systems prior to January first, nineteen hundred and eighty-four shall be transferred to the PRIT Fund as of January first of said year. For all employees in said retirement systems, the additional employee contribution as provided for in paragraph (h) of subdivision (1) and the undistributed accumulated total deductions as provided for in

section eleven, shall be deposited in the PRIT Fund. All monies recovered for the cost of pension fringe benefits from federal grant funds pursuant to section six B of chapter twenty-nine shall be deposited in the PRIT Fund and shall be used to defray the unfunded liability of the state employees' retirement system. No other monies or assets of the state employees' retirement system and the teachers' retirement system shall be transferred to or deposited in the PRIT Fund as a condition of participating in said fund by said retirement systems.

(b) All amounts which the state may appropriate each year subsequent to January first, nineteen hundred and eighty-four to meet unfunded pension liabilities shall be deposited in the PRIT Fund and credited to the accounts of the state employees' retirement system, the teachers' retirement system, and other participating systems as follows: the amount determined for each system shall be proportionate to the amount of assets of each system participating in the system as of July first for each fiscal year ending the following June thirtieth. The amounts so determined for each participating system and an amount equal to the regular interest on assets in the PRIT fund shall be credited to the several retirement systems.

(c) Systems other than the state employees' retirement system and the teachers' retirement system participating in the PRIT Fund shall transfer ownership and control of all the assets of the systems to the PRIM board. The PRIM board shall hold such assets in trust for the participating systems. The PRIM board shall credit assets and earnings on such assets to the individual systems. The PRIM board shall calculate regular interest as defined in subdivision (6) to allocate earnings among the various funds of each system.

The board of each participating system shall continue to administer the system in accordance with sections one to twenty-eight, inclusive, including the maintenance of accounts in accordance with the funds provided for in this section. The PRIM board shall transfer monies to the various funds of the participating systems to allow them to carry out their duties under this chapter. The boards of participating systems shall notify the PRIM board of the amounts needed for the various funds for the next fiscal year no later than ninety days before the start of the next fiscal year. The PRIM board shall transfer such amounts to such boards no later than thirty days prior to the start of the next fiscal year. Such transfer shall be adjusted by the PRIM board to reflect any projected surplus from transfers made in the current year. From time to time, such boards may make supplemental requests of the PRIM board if the initial request is found to be insufficient. Within thirty days of such a supplemental request, the PRIM board shall approve or deny such

request. Any denial of such a request must be accompanied by a written statement of the reasons therefor.

The procedure for determining participation shall occur as follows: on or before January first of each year, the PRIM board shall notify each system in writing of their option to participate in the PRIT Fund. Such notice shall be accompanied by a financial report and a description of the rights and duties of the PRIM board if a system elects to participate. The decision to participate shall be made by the board of each system, subject to approval of the legislative body and the chief executive officer of each governmental unit. The decision of the board shall be deemed to have been approved unless the legislative body and the chief executive officer act to disapprove such decision by July first of the year in which the decision of such board is made. The board of each system shall notify the PRIM board and the appropriate legislative body and chief executive officer by May first of each year of its decision. After the decision of a board of a system to participate has been approved, the decision to participate may not be revoked for five years. Such revocation shall become effective six months after the PRIM board receives notification of such decision by such board. For purposes of this section, "legislative body" shall mean a town meeting in a town, the city council in a city, the county advisory board in a county, the district members in a district, and the members of an authority in an authority. For purposes of this section, "chief executive officer" shall mean the board of selectmen in a town, the mayor in a city, except in a city with plan D or plan E form of government it shall mean the city manager, municipality with a council form of government, the town manager and the county commissioners in a county. In a district or in an authority, "chief executive officer" shall mean the members of such district or authority. A system may purchase offerings of the PRIT Fund in accordance with clause (vii) of paragraph (b) of subdivision (2) of section twenty-three without becoming a participating system for purposes of this section.

(d) The amounts in the PRIT Fund shall be invested and managed in accordance with the authority of the PRIM board as created in section twenty-three. Amounts in the PRIT Fund shall be transferred back to each system for withdrawal or payment to members as otherwise provided by sections one to twenty-eight, inclusive. All other amounts shall be distributed to each system during such calendar years as the actuary shall determine to be necessary to establish a level annual ratio of the amount to be appropriated in any year to the Pension Fund to the total payroll of the governmental unit covered by the system for such year. Such distributions shall be transferred to the

Pension Fund of each system for such year. On March first, nineteen hundred and eighty-four and each subsequent calendar year, the commissioner of public employee retirement shall publish a report of the projected schedule of distribution of amounts from the PRIT Fund, as developed by the actuary with the assistance of the retirement law commission, and file such report with each system, with the commissioner of administration, and with the house and senate committees on ways and means.

SECTION 16A. Section twenty-two A of said chapter thirty-two is hereby repealed.

SECTION 17. Said chapter 32 is hereby further amended by inserting after section 22A the following section:-

Section 22B. In each fiscal year, the governor shall recommend to the general court an appropriation to be set aside in the PRIT Fund to reduce the unfunded pension liability of retirement systems participating in said fund pursuant to section twenty-two. Such recommendation shall be equal to or greater than one point three per cent of the total amount appropriated for the salaries of permanent and temporary state employees in subsidiary accounts "01" and "02", so called, in such fiscal year.

SECTION 18. Subdivision (1) of section 23 of said chapter 32 is hereby further amended by striking out paragraph (d), as most recently amended by section 2 of chapter 371 of the acts of 1983, and inserting in place thereof the following paragraph:-

(d) Subject in each instance to the approval of the investment committee established under the provisions of paragraph (a), the state treasurer shall invest and reinvest such funds, to the extent not required for current disbursements as much as reasonably possible to benefit and expand the economic climate within the commonwealth so long as such is consistent with sound investment policy and the other requirements of this section provided that:

(i) no funds are to be invested directly in mortgages or in collateral loans;

(ii) after January first, nineteen hundred and eighty-three, no public pension funds under this subsection shall remain invested in any bank or financial institution which directly or through its subsidiaries has outstanding loans to the Republic of South Africa or its instrumentalities, and no assets shall remain invested in the stocks, securities or other obligations of any company doing business in or with the Republic of South Africa. Any proceeds of sales required under this paragraph shall be invested as much as reasonably possible in institutions or companies which invest or conduct business operations in the common-

wealth so long as such use is consistent with sound investment policy;

(iii) After July first, nineteen hundred and eighty-three, no public pension funds under this subsection shall remain invested in any bank or financial institution which directly or through any subsidiary has outstanding loans to any individual or corporation engaged in the manufacture, distribution or sale of firearms, munitions, including rubber or plastic bullets, tear gas, armored vehicles or military air craft for use or deployment in any activity in Northern Ireland, and no assets shall remain invested in the stocks, securities or other obligations of any such company so engaged. Any proceeds from sales required under this paragraph shall be invested as much as reasonably possible in institutions or companies which invest or conduct business operations in the commonwealth so long as such use is consistent with sound investment policy;

(iv) Notwithstanding the provisions of the clauses (ii) and (iii), if sound investment policy so requires, the investment committee may vote to spread the sale of investments described in said clauses over no more than three years, so that no less than one-third the value of said investments is sold in any one year. So long as any funds remain invested in any bank, financial institution or firm so referred to in clause (ii) or (iii), the investment committee shall annually, on or before January thirty-first, file with the clerk of the senate and the clerk of the house of representatives a report listing all such related investments held by the fund and their book value as of the preceding December first.

SECTION 19. Paragraph (b) of subdivision (2) of said section 23 of said chapter 32 is hereby amended by inserting after the word "disbursements", in line 3, as appearing in section 2 of chapter 768 of the acts of 1975, the words:- in the PRIT Fund pursuant to subdivision (8) of section twenty-two, in the PRIT Fund by purchasing shares if authorized pursuant to paragraph (g),.

SECTION 19A. Said paragraph (b) of said subdivision (2) of said section 23 of said chapter 32 is hereby further amended by adding the following clause:-

(vii) in shares of one or more combined investment funds approved by the commissioner of banks which invest in accordance with the provisions of subdivision (3) in stocks, bonds, notes and other interest bearing obligations appearing on the list prepared by the commissioner of banks under section fifteen A of chapter one hundred and sixty-seven.

SECTION 20. Said subdivision (2) of said section 23 of said chapter 32 is hereby further amended by adding the following paragraph:-

(g) Clause (i) to (vii), inclusive, of paragraph (b) shall not apply to the board of any local retirement system which upon application is determined by the commissioner to have a record of investment management which merits broader investment powers; provided, however, that no funds are to be invested directly in mortgages or in collateral loans. In making such determination the commissioner shall consider the diversification of the risk of the investments of such board, the return of the investments of such board, the past performance of the investment portfolio of such board and the extent and quality of professional advice received by such board regarding the investment of funds. Any such board shall invest and reinvest consistent with sound investment policy and the requirements of subdivision (3).

SECTION 21. Said section 23 of said chapter 32 is hereby further amended by inserting after subdivision (2) the following subdivision:-

(2A) Pension Reserves Investment Management Board. (a) There shall be an unpaid pension reserves investment management board which shall have general supervision of the investment and reinvestment of the PRIT Fund established under the provisions of subdivision (8) of section twenty-two.

Such members shall consist of nine members as follows: the governor, ex officio, or his designee, the state treasurer, ex officio, or his designee, who shall serve as chairman of the board, a representative of a public safety union appointed by the governor, a private citizen experienced in the field of investment or financial management appointed by the state treasurer, a member of the board of a participating local retirement system appointed by the governor, an employee or retiree who is a member of the state teachers retirement system who shall be elected by the members in or retired from such a system for a term of three years in such a manner as the commissioner shall determine, a representative of a union which represents among its membership nonpublic safety municipal and state employees appointed by the treasurer, an employee or retiree who is a member of the state employees' retirement system who shall be elected by the members in or retired from such system for a term of three years in such a manner as the commissioner shall determine, and the commissioner of public employee retirement ex officio, the appointed members shall serve for four years, provided that the initial appointments shall be for the following terms. The private citizen appointed by the state treasurer shall serve for one year, the retirement board member appointed

by the governor shall serve two years, the representative of the teacher's union appointed by the governor for three years, the other appointees for a term of four years. Any vacancy among the appointed members that may occur before the expiration of a term shall be filled by an appointment by either the governor or the treasurer, whomever has the right of making the initial appointment. Any appointed member of the board, including members appointed to fill a vacancy shall be eligible for reappointment. Any appointed member may be removed from his appointment for cause by the governor or the treasurer, whomever had the original right of making the appointment.

(b) Five members of the board shall constitute a quorum. The members of the board shall not receive a salary but shall be reimbursed for actual and necessary expenses. The provisions of chapter two hundred and sixty-eight A shall apply to all members of the board; provided, however, that the board may make investments in which a member has an interest or involvement if, however, such interest or involvement is diclosed in advance to the other members of the board and contemporaneously recorded in the minutes of the board; and provided, further, that no member having such an interest or involvement may participate in any particular matter, as defined in section one of chapter two hundred and sixty-eight A, relating to such investment.

(c) The state treasurer shall be treasurer-custodian of the PRIT Fund and shall have the custody of the funds and securities of said Fund.

(d) The PRIM board shall annually on or before May first, file with the clerk of the house of representatives and with the secretary of the retirement board of each system which is a participant in said fund, on a form prescribed by the commissioner, a sworn statement of the financial condition of said fund as of December thirty-first the previous year. The commissioner may for cause shown extend the time for filing any such statement.

(e) The PRIM board shall:

(i) act as trustees for each participating retirement system for which it invests or manages monies in accordance with the standard of care set forth in subdivision (3);

(ii) employ an executive director as provided in paragraph (f);

(iii) employ investment advisors, legal counsel, and consultants as it deems necessary;

(iv) establish a formula to measure the value of the shares in said fund purchased by or held by participating retirement systems and other purchasing retirement systems;

(v) determine and allocate annually to participating and other

purchasing retirement systems earnings on shares owned by said systems;

(vi) assess brokers fees to participating and other purchasing retirement systems for the expenses of the board;

(vii) approve or ratify decisions of the executive director;

(viii) formulate policies and procedures deemed necessary and appropriate to carry out its function;

(ix) maintain a record of its proceedings;

(x) undertake any other activities necessary to implement the duties and powers set forth herein.

(f) The PRIM board shall select an executive director who shall serve at the pleasure of the board. The provisions of sections nine A, forty-five, forty-six and forty-six C of chapter thirty, chapter thirty-one, and chapter one hundred and fifty E shall not apply to the executive director or any other employees of the board.

(g) The executive director, shall with the approval of the board:

(i) plan, direct, coordinate and execute administrative and investment functions in conformity with the policies and directives of the board;

(ii) employ professional and clerical staff as necessary, including staff to advise and assist appointed members of the board; provided that each appointed member may have at his discretion, one such staff person to advise and assist said member;

(iii) report to the board on all operations under his control and supervision;

(iv) require state officials from any department or officials from any participating retirement system to produce and provide access to any financial documents the board deems necessary in the conduct of its investment activities;

(v) undertake any other activities necessary to implement the powers and duties set forth herein.

(h) Subject to the approval or ratification of the PRIM board, the executive director shall invest and reinvest such funds contained in said fund, to the extent not required for current disbursements, as much as reasonably possible to benefit and expand the economic climate within the commonwealth so long as such is consistent with sound investment policy and the other requirements of this section; provided, however, that no funds are to be invested directly in mortgages or in collateral loans; provided, further, that the executive director shall transfer not less than two million dollars of said fund into a fund managed by the Massachusetts Technology Development Corporation on behalf of the board; and provided, further, that said Massachusetts Technology Development Corporation shall manage the fund in accordance with the provisions of section four A of chapter forty G

(i) at least two members of the PRIT board shall be minority people, as set forth in the definition of "Minority" contained in section forty C of chapter seven of the General Laws, as added by section seven of chapter five hundred and seventy-nine of the acts of nineteen hundred and eighty.

SECTION 22. Said section 23 of said chapter 32 is hereby further amended by striking out subdivision (3), added by section 2 of chapter 269 of the acts of 1976, and inserting in place thereof the following subdivision:-

(3) Fiduciary Standards. A fiduciary as defined in section one shall discharge his duties for the exclusive purpose of providing benefits to members and their beneficiaries with the care, skill, prudence and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of a like character and with like aims and by diversifying the investments of the system so as to minimize the risk of large losses unless under the circumstances it is clearly prudent not to do so.

SECTION 23. Chapter 35 of the General Laws is hereby amended by inserting after section 32 the following section:-

Section 32A. In order to offset the anticipated costs for funding for the contributory retirement systems, upon the recommendation of the county retirement board advisory council, a county may appropriate in any year an amount not exceeding five per cent of the amount of county taxes raised in the preceding year by assessment pursuant to paragraph (c) of subdivision (7) of section twenty-two of chapter thirty-two upon the several governmental units participating in the county retirement system. Such amount shall be in addition to that assessed in said section and shall be credited to the Pension Reserve Fund provided for in section twenty-two of said chapter thirty-two. The aggregate amount in such fund at any time shall not exceed ten per cent of the total equalized valuation of such participating cities and towns in the county. Any interest shall be added to and become part of such fund.

All sums in such fund shall be appropriated and used only for the purpose of offsetting the anticipated future cost of funding the contributory retirement system of such county.

The treasurer of the county shall be the custodian of such fund and may deposit the proceeds in national banks or invest the proceeds by deposit in savings banks, co-operative banks or trust companies organized under the laws of the commonwealth, or invest the same in such securities as are legal for the invest-

ment of funds of savings banks under the laws of the commonwealth or in federal savings and loan associations situated in the commonwealth or may participate in the PRIT Fund in accordance with clause (8) of section twenty-two of said chapter thirty-two.

Counties shall establish procedures for the recovery of employee pension costs from federal grant monies. Each spending agency of counties shall, at the commencement of each fiscal year, and no later than July thirty-first, authorize the treasurer to initiate such procedures to transfer to such fund an amount equal to the future pension costs which are incurred because of the federal grant. The cost of the future pension cost liability must be recovered in cash. Expenditures for the payment of salaries to be made from any federal grant shall not be allowed until the full amount of such pension costs are recovered.

SECTION 24. Chapter 40 of the General Laws is hereby amended by striking out section 5D, inserted by chapter 559 of the acts of 1977, and inserting in place thereof the following section:-

Section 5D. In order to offset the anticipated costs for funding the contributory retirement systems, cities, towns, counties and districts may appropriate in any year an amount not exceeding five per cent of the amount raised in the preceding year by taxation of real estate and tangible personal property. Such amounts shall be credited to the Pension Reserve Fund provided for in section twenty-two of chapter thirty-two. The aggregate amount in such fund at any time shall not exceed ten per cent of the equalized valuation of the city or town as defined in section one of chapter forty-four. Any interest shall be added to and become part of such fund.

All sums in such fund shall be appropriated and used only for the purpose of offsetting the anticipated future cost of funding the contributory retirement system of such city, town or district.

The treasurer of the city, town or district shall be the custodian of such fund and may deposit the proceeds in national banks or invest the proceeds by deposit in savings banks, cooperative banks or trust companies organized under the laws of the commonwealth, or invest the same in such securities as are legal for the investment of funds of savings banks under the laws of the commonwealth or in federal savings and loan associations situated in the commonwealth or may participate in the PRIT Fund in accordance with clause (8) of section twenty-two of chapter thirty-two.

Such fund may be appropriated for such purposes in a town at an annual town meeting by a majority vote, in a district at an annual district meeting by a majority vote, and in a city by a majority vote of the city council.

Cities, towns, and districts shall establish procedures for the recovery of employee pension costs from federal grant monies. Each spending agency of cities, towns, and districts shall, at the commencement of each fiscal year, and no later than July thirty-first, authorize the treasurer to initiate such procedures to transfer to such fund an amount equal to the future pension costs which are incurred because of the federal grant. The cost of the future pension cost liability must be recovered in cash. Expenditures for the payment of salaries to be made from any federal grant shall not be allowed until the full amount of such pension costs are recovered.

SECTION 25. Chapter 40G of the General Laws is hereby amended by inserting after section 4 the following section:-

Section 4A. The pension reserve investment manager board shall transfer an amount authorized pursuant to section twenty-three of chapter thirty-two from the Pension Reserve Investment Trust Fund, established by section twenty-two of said chapter thirty-two into a fund managed by the MTDC on behalf of the PRIM board. This fund will be held in an account separate from other funds and accounts of MTDC. Earnings from the investment of the fund shall be credited to it and losses, if any, from such investment shall be charged against it. The assets of this fund may be invested with the assets of other funds owned or managed by MTDC, provided that such investments, and earnings and losses therefrom, are apportioned and accounted to each participating fund in proportion to its share of the total investment. In no event shall losses of the fund be charged against any other funds of MTDC.

MTDC shall invest and reinvest the monies from the PRIT Fund and the income from the PRIT Fund in only two ways: (1) In the purchase of qualified securities issued by enterprises authorized in accordance with the requirements of this chapter; provided, however, that the board need not find as a basis for any such purchase that: (a) MTDC participation is necessary to success of the enterprise because funding for the enterprise is unavailable to the traditional capital markets, or because funding has been offered on terms that would substantially hinder the enterprise; or (b) the enterprise has the reasonable potential to create a substantial amount of primary employment within the commonwealth and this employment, so far as feasible, may be expected to be for residents of target areas as defined in chapter forty F, and offers employment opportunities to unskilled and semiskilled individuals; and provided, further, that such purchases shall not be subject to, and shall not be taken into account in otherwise applying the following limitations on investments under this chapter; (c) not more than twenty per cent of

the assets of the MTDC shall at any time be invested in direct investments; (d) at least fifty per cent of all MTDC investments for the previous year shall be made in enterprises that will locate in target areas as defined in chapter forty F;

(2) In the purchase of such securities as may be lawful investments for fiduciaries in the commonwealth.

In making purchases pursuant to subsection (1), the board of MTDC shall not be subject to any limitations on lawful investments for fiduciaries in the commonwealth or to any provisions of law governing the investment of state pension funds or other public monies; and the final paragraph of section two shall apply in connection with all purchases under this section to all board members, officers and employees of MTDC, including regular compensated employees.

The assets and earnings from monies of the PRIT Fund shall be returned to the PRIT Fund no later than ten years after the assets were first transferred to MTDC.

MTDC will receive a fee for the management of the monies from the PRIT Fund to be agreed upon by the MTDC and the PRIM board, and to be paid out of the earnings of the monies from said fund.

MTDC and the PRIM board shall enter into an agreement governing MTDC's investment of the fund, the rights of the PRIM board governing MTDC's investment of the fund, the rights of the PRIM board, the use of earnings from the investment of the monies from the fund, and such other matters deemed appropriate by MTDC and the PRIM board.

Monies transferred to the MTDC by the PRIM board for the purpose of this section shall not include any amounts transferred to said PRIM board by local retirement systems participating in the PRIT Fund under the provisions of subdivision (8) of section twenty-two, nor shall it include any funds transferred to said PRIM board by local retirement systems for the purpose of purchasing shares in said PRIT Fund.

SECTION 26. Chapter 167 of the General Laws is hereby amended by striking out section 15A, as most recently amended by section 10 of chapter 371 of the acts of 1983, and inserting in place thereof the following section:-

Section 15A. Annually, not later than July first, the commissioner shall prepare a list of all stocks, bonds, notes and other interest-bearing obligations which are then legal investments under any provision of sections forty-two to forty-eight, inclusive, and paragraph six of section forty-nine of chapter one hundred and sixty-eight in effect on June thirtieth, nineteen hundred and eighty-three and section fifteen B of this chapter, provided that all privately placed or held issues may, in the

discretion of the commissioner, be omitted. Such list shall include the name of any investment fund, approved by the commissioner, which invests only in such stocks, bonds, notes and other interest bearing obligations. The shares of any such investment fund so approved shall be legal investments pursuant to this section to the same extent as any such stocks, bonds, notes and other interest bearing obligations. Said list shall at all times be open to public inspection and a copy thereof shall be sent to every state-chartered bank having savings deposit. In the preparation of any list hereunder which the commissioner is required to prepare or furnish, he may employ such expert assistance as he deems proper or may rely upon information contained in publications which he deems authoritative in reference to such matters, and he shall be in no way held responsible or liable for the omission from such list of the name of any state or political subdivision or authority thereof or of any corporation or association the stocks, bonds, notes or other interest bearing obligations of which conform or any investment fund which conforms to this chapter, or for the omission of any of any investment funds, stocks, bonds, notes or other interest bearing obligations which so conform; nor shall he be held responsible or liable for the inclusions in such list of any such names or of any investment funds, stocks, bonds, notes or other interest bearing obligations which do not so conform.

Officers and members of a board of a bank may rely upon the legal list referred to in this section as representing an accurate listing of investment funds, stocks, bonds, notes and other interest bearing obligations eligible for investment by it; and no such officer or member shall be personally liable for any loss incurred by such bank arising from the purchase in good faith of any shares in an investment fund or security appearing on said list at the time of such purchase.

Subsequent to the annual preparation of such list, the commissioner may add the name of any investment fund which meets the requirements of this section.

As used in any general or special law, the term "legal list for savings banks" or "legal investments for savings banks" shall mean the list referred to in this section.

SECTION 27. The second paragraph of section 21 of chapter 171 of the General Laws, as most recently amended by chapter 406 of the acts of 1981, is hereby further amended by adding the following clause:-

(u) In shares of one or more investment funds approved by the commissioner and appearing on the list prepared pursuant to section fifteen A of chapter one hundred and sixty-seven.

SECTION 27A. Chapter 289 of the acts of 1983 is hereby amended by inserting after section 77 the following section:

Section 77A. Notwithstanding the provisions of any law to the contrary, for the state employees' retirement system and the teachers' retirement system, any balance remaining after the transfers required by paragraph (a) of subdivision (6) of section twenty-two of chapter thirty-two of the General Laws, except for transfers required by clause (iii) of said paragraph (a), have taken place, shall be transferred to the PRIT Fund established in subdivision (8) of said section twenty-two. This provision shall apply to said retirement systems for calendar years beginning after December thirty-first, nineteen hundred and eighty-three; provided, however no amount greater than thirty-five million dollars in excess earnings in the state employees' retirement system and no amount greater than twenty-six million dollars in excess earnings in the teachers' retirement system may be used to defray the pension costs for said systems during the state fiscal year ending June thirtieth, nineteen hundred and eighty-four. For purposes of this section, "excess earnings" shall mean any monies transferred from the investment income account to the pension fund of said systems pursuant to clause (iii) of paragraph (a) of subdivision (6) of section twenty-two of chapter thirty-two of the General Laws either in the state fiscal year ending on June thirtieth, nineteen hundred and eighty-four or in any previous fiscal year. Notwithstanding any other law to the contrary, the Treasurer is hereby authorized and directed to transfer any excess earnings in addition to said amounts to the PRIT Fund established in subdivision (8) of section twenty-two of chapter thirty-two of the General Laws.

SECTION 27B. Section 83 of said chapter 289 is hereby amended by inserting after the first sentence the following sentence:- Section seventy-seven A shall become inoperative on June thirtieth, nineteen hundred and eighty-four.

SECTION 28. Notwithstanding the provision of paragraph (a) of subdivision (6) of section twenty-two of chapter thirty-two of the General Laws, as amended by section thirteen of this act, to the contrary, a city, town, or county retirement board may transfer the balance remaining in the investment income account after the transfers provided for in clauses (i) and (ii) of said paragraph (a) into the Pension Fund of the city, town, or county retirement system in calendar years nineteen hundred and eighty-four, nineteen hundred and eighty-five, and nineteen hundred and eighty-six; provided, however, that such transfer into the Pension Fund of such city, town, or county retirement system is authorized and directed by the appropriate legislative

body and chief executive officer of such retirement system; provided, further, that for calendar year nineteen hundred and eighty-five no more than sixty-six and two-thirds per cent of such balance remaining in the investment income account may be transferred to the Pension Fund of such retirement system; and provided, further, in calendar year nineteen hundred and eighty-six no more than thirty-three and one-third per cent of such balance remaining in the investment income account may be transferred to the Pension Fund of such retirement system. For the purposes of this section, "legislative body" shall mean a town meeting in a town, the city council in a city, and the county advisory board in a county. For the purposes of this section, "chief executive officer" shall mean the board of selectmen in a town, the mayor in a city, except in a city with plan D or plan E form of government, it shall mean the city manager, municipality with a town council form of government, the town manager and the county commissioner in a county.

SECTION 29. Sections three, four, seven, eight, ten to seventeen, inclusive, and sections twenty-three and twenty-four shall take effect on January first, nineteen hundred and eighty-four and all other sections shall take effect upon its passage.

Approved December 20, 1983.

Chap. 662. AN ACT RELATIVE TO THE TERMS OF CERTAIN BONDS AND NOTES TO BE ISSUED BY THE COMMONWEALTH.

Whereas, The deferred operation of this act would cause great inconvenience because the issuance of bonds and notes to carry out the purposes of various acts passed during the regular annual legislative sessions of the years nineteen hundred and seventy-five, nineteen hundred and eighty-two and nineteen hundred and eighty-three, therefore it is hereby declared to be an emergency law, necessary for immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section two of chapter two hundred and seventy-one of the acts of nineteen hundred and eighty-two providing funds for disaster relief in certain municipalities shall be issued and may be renewed one or more times for terms not exceeding one

year and the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, nineteen hundred and ninety-seven and the bonds which the state treasurer is authorized to issue under section three of said act providing funds for disaster relief in certain municipalities shall be issued for terms not to exceed ten years; provided, however, that all such bonds shall be payable by June thirtieth, nineteen hundred and ninety-seven, as recommended by the governor in a message to the general court dated June twenty-seventh, nineteen hundred and eighty-three, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 2. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section twenty-one of chapter two hundred and eighty-six of the acts of nineteen hundred and eighty-two providing funds for water pollution control and water conservation shall be issued and may be renewed one or more times for terms not exceeding one year and the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, nineteen hundred and eighty-eight and the bonds which the state treasurer is authorized to issue under section twenty-two of said act providing funds for water pollution control and water conservation shall be issued for terms not to exceed twenty years; provided, however, that all such bonds shall be payable not later than June thirtieth, two thousand and seven, as recommended by the governor in a message to the general court dated June twenty-seventh, nineteen hundred and eighty-three, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 3. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under sections eight and fourteen of chapter three hundred and thirteen of the acts of nineteen hundred and eighty-two providing funds for open space preservation and recreation purposes shall be issued for terms not to exceed twenty years; provided, however, that all such bonds shall be payable not later than June thirtieth, two thousand and five, as recommended by the governor in a message to the general court dated June twenty-seventh, nineteen hundred and eighty-three, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 4. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section three of chapter three hundred and thirty-

five of the acts of nineteen hundred and eighty-two providing funds for highway and bridge construction purposes shall be issued and may be renewed one or more times for terms not exceeding one year and the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, nineteen hundred and ninety-five and the bonds which the state treasurer is authorized to issue under section two of said act providing funds for highway and bridge construction purposes shall be issued for terms not to exceed twenty years; provided, however, that all such bonds shall be payable not later than June thirtieth, two thousand and seven, as recommended by the governor in a message to the general court dated June twenty-seventh, nineteen hundred and eighty-three, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 5. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section four of chapter three hundred and forty-seven of the acts of nineteen hundred and eighty-two providing funds for capital improvements to county correctional facilities and correctional facilities purposes shall be issued and may be renewed one or more times for terms not exceeding one year and the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, nineteen hundred and eighty-seven and the bonds which the state treasurer is authorized to issue under sections three and eight of said act providing funds for capital improvements to county correctional facilities and correctional facilities purposes shall be issued for terms not to exceed twenty years; provided, however, that all such bonds shall be payable not later than June thirtieth, two thousand and seven, as recommended by the governor in a message to the general court dated June twenty-seventh, nineteen hundred and eighty-three, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 6. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section four of chapter five hundred and ninety-eight of the acts of nineteen hundred and eighty-two providing funds for water storage facilities in certain municipalities by the metropolitan district commission shall be issued and may be renewed one or more times for terms not exceeding one year and the final maturities of such notes, whether original or renewal shall not be later than three years from the date of the original issue and the bonds which the state treasurer is authorized to issue under section five of said act providing funds for water

storage facilities in certain municipalities by the metropolitan district commission shall be issued for terms not to exceed thirty years; provided, however, that all such bonds shall be payable not later than June thirtieth, two thousand and eighteen, as recommended by the governor in a message to the general court dated June twenty-seventh, nineteen hundred and eighty-three, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 7. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section four of chapter six hundred and forty-nine of the acts of nineteen hundred and eighty-two providing funds for state armory purposes shall be issued and may be renewed one or more times for terms not exceeding one year and the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, nineteen hundred and ninety-five and the bonds which the state treasurer is authorized to issue under section five of said act providing funds for state armory purposes shall be issued for terms not to exceed twenty years; provided, however, that all such bonds shall be payable not later than June thirtieth, two thousand and five, as recommended by the governor in a message to the general court dated June twenty-seventh, nineteen hundred and eighty-three, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 8. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section three of chapter six hundred and fifty-nine of the acts of nineteen hundred and eighty-two providing funds for a state office building and courthouse in the city of Springfield shall be issued and may be renewed one or more times for terms not exceeding one year and the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, nineteen hundred and ninety and the bonds which the state treasurer is authorized to issue under section four of said act providing funds for a state office building and court house in the city of Springfield shall be issued for terms not to exceed twenty years; provided, however, that all such bonds shall be payable not later than June thirtieth, two thousand and six, as recommended by the governor in a message to the general court dated June twenty-seventh, nineteen hundred and eighty-three, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 9. Notwithstanding any provision of law to the

contrary, the notes which the state treasurer is authorized to issue under section seven of chapter seven of the acts of nineteen hundred and eighty-three providing funds to respond to and prevent oil and hazardous material contamination shall be issued and may be renewed one or more times for terms not exceeding one year and the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, nineteen hundred and ninety and the bonds which the state treasurer is authorized to issue under section eight of said act providing funds to respond to and prevent oil and hazardous material contamination shall be issued for terms not to exceed thirty-five years; provided, however, that all such bonds shall be payable not later than June thirtieth, two thousand and seventeen, as recommended by the governor in a message to the general court dated June twenty-seventh, nineteen hundred and eighty-three, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 10. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section eight of chapter two hundred and twelve of the acts of nineteen hundred and seventy-five providing funds for the government land bank, if issued after January first, nineteen hundred and eighty-three, shall be issued and may be renewed one or more times for terms not exceeding one year, as recommended by the governor in a message to the general court dated June twenty-seventh, nineteen hundred and eighty-three, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

Approved December 20, 1983.

Chap. 663. AN ACT PROVIDING FOR TRANSPORTATION OF CERTAIN SCHOOL PUPILS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide transportation service to private school pupils, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 76 of the General Laws is hereby amended by striking out the second paragraph, as amended by chapter 875 of the acts of 1971, and inserting in

place thereof the following paragraph:-

Except as herein provided, pupils who attend approved private schools of elementary and high school grades shall be entitled to the same rights and privileges as to transportation to and from school as are provided by law for pupils of public schools and shall not be denied such transportation because their attendance is in a school which is conducted under religious auspices or includes religious instruction in its curriculum. Each school committee shall provide transportation for any pupil attending such an approved private school within the boundaries of the school district, provided, however, that the distance between said pupil's residence and the private school said pupil attends exceeds two miles or such other minimum distance as may be established by the school committee for transportation of public school students. Any school committee which is required by law to transport any pupil attending an approved private school beyond the boundaries of the school district shall not be required to do so further than the distance from the residence of such pupil to the public school he is entitled to attend.

SECTION 2. Any school committee which under the provisions of this act is obligated to provide transportation services to nonpublic school pupils who were not receiving such services during the period of the nineteen hundred and eighty-three and nineteen hundred and eighty-four school year prior to the effective date of this act shall submit to the commissioner of education, as soon as possible after January first, nineteen hundred and eighty-four a proposed expenditure plan for additional transportation costs incurred during the nineteen hundred and eighty-three to nineteen hundred and eighty-four school year as a result of this act, including any supporting documentation as requested by said commissioner.

The commissioner of education shall approve the payment of state funds for the costs of such additional transportation services after said commissioner has approved such expenditure plan, and such payment shall be made forthwith and shall be deposited by the city, town or regional school district treasurer in a separate account. The school committee shall expend the funds solely for the purpose of such transportation services without further appropriation. Such funds shall also be deducted from the state aid received by the city, town, or regional school district under the provisions of sections seven A and sixteen C of chapter seventy-one of the General Laws during fiscal year nineteen hundred and eighty-five.

SECTION 3. The provisions of this act which affect any city, town, or regional school district which, on the effective date of

this act, are not providing transportation services to nonpublic school pupils shall take effect on January first, nineteen hundred and eighty-four.

SECTION 4. Notwithstanding the provisions of said section seven A of said chapter seventy-one of the General Laws, the commonwealth shall, for fiscal year nineteen hundred and eighty-four and subject to appropriation, reimburse the costs incurred in the transportation of nonpublic school pupils whose transportation to approved private schools would not have been required but for the passage of this act; provided, however, that the amount of such reimbursement shall not exceed the average per pupil cost incurred by the city, town, or regional school district in the transportation of pupils to public schools; and, provided further, that the commissioner of education may exceed such reimbursement limit for any city or town or regional school district that demonstrates a unique and disproportionate municipal financial burden as a result of this act. The commissioner of education may, upon finding that such a unique and disproportionate financial burden exists, approve the payment of up to one hundred per cent of the cost of such additional transportation services. The commissioner of education shall calculate the amount of reimbursement to which a city, town or regional school district may be entitled under the provisions of this section and shall include such amount in his calculation of transportation expenses under the provisions of section seven A and sixteen C of said chapter seventy-one of the General Laws.

Approved December 20, 1983.

Chap. 664. AN ACT PROVIDING THAT A CERTAIN LICENSE TO MAINTAIN EXISTING FILL OR STRUCTURES IN CERTAIN TIDEWATER OF THE TAUNTON RIVER IN THE CITY OF FALL RIVER BE IRREVOCABLE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately facilitate the redevelopment and renewal of a portion of the land on the Taunton River in the city of Fall River by the Fall River Redevelopment Authority, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of public convenience.

Be it enacted, etc., as follows:

SECTION 1. The general court hereby finds and declares that the land in the city of Fall River in the county of Bristol described in section two consists in part of historic flats and historic submerged lands; as a result of its former tidelands status title to said land is subject to the condition subsequent that it be used for a public purpose; the use of said land described in section three assists the economic revival of the city of Fall River and because of the public access provisions provided therein said use promotes the enjoyment of the waterfront by all citizens of the Commonwealth; the loss of public rights from said use are incidental to the public benefits conferred. Any and all rights of the public and of the Commonwealth in and to the historic flats and submerged land within the boundaries of that parcel of land described in section two of this act are declared relinquished and extinguished subject to compliance to the use and conditions set forth in section three.

SECTION 2. This act pertains to a certain parcel of land located in and owned by the city of Fall River in the county of Bristol and consisting of existing solid fill, riprap, bulkheads, and seawalls, the maintenance of which was authorized in license number nine hundred and ninety-five, issued by the department of environmental quality engineering on October twenty-fifth, nineteen hundred and eighty-three. Said property being shown on license plan number nine hundred and ninety-five, approved by said department on said date, and consisting of:

Areas previously filled under Harbor and Land Commissioner's License Numbers 1871, 1996, 2156, 2157, 2943 and 3526;

An existing filled area having an overall length of approximately 213 feet which extends in a northerly direction from the westerly end of fill previously authorized by Harbor and Land Commissioner's License Number 3526;

An existing filled area having a triangular shape lying eastward of existing boat hoist piers which extend from the northerly face of fill previously authorized by Harbor and Land Commissioner's License Number 1871;

An existing filled area of irregular shape lying at the northerly end of the parcel and southerly of land now or formerly owned by the Point Gloria Building and Development Co.; and

Such existing bulkheads, seawalls, and riprap as are shown on said plan in the areas described above.

SECTION 3. The rights of the public and of the Commonwealth in the parcel of land described in section two are relinquished and extinguished subject to the following conditions:

(a) that said land be used for the construction of facilities for residential, commercial or marina uses as approved by the

Fall River Redevelopment Authority pursuant to the urban renewal plan, known as the "Central Waterfront Project", developed by said Authority;

(b) that prior to completion of construction of the facilities referred to in clause (a) there be constructed, and thereafter maintained in good repair, by the owner or developer of said land a pedestrian walkway which shall be open to the public and located along the perimeter of said land on the Taunton River, said walkway to be of such dimensions and design as are compatible with the wharf walkway associated with the Heritage State Park of Fall River and such dimensions and design and schedule for construction of said walkway to be subject to approval pursuant to an agreement between said owner or developer, the city of Fall River and the department of environmental management;

(c) that the operation of residential, commercial or marina facilities on said land shall not be detrimental to the public navigation and shall not have an adverse environmental impact on the waters of the Taunton River; and

(d) that in no event shall this act be construed to authorize any dredging or filling in the waters of the Taunton River without approval pursuant to the procedures provided in the General Laws for approval of such activities.

In the event that said conditions are not complied with, the title to said lands shall revert to the status held prior to the effective date of this act. This act shall not be construed to extinguish any rights that the Commonwealth or the public may have in lands lying outside of the property described in section two.

SECTION 4. In the event of a taking by the Commonwealth or any of its political subdivisions of the land described in section two and held in compliance with section three, the measure of damages recoverable by reason of such taking shall be determined in accordance with the provisions of chapter seventy-nine of the General Laws.

SECTION 5. Any charges which could have been assessed for tidewater displacement relative to the issuance of license number nine hundred and ninety-five, issued by the department of environmental quality engineering on October twenty-fifth, 1983, are hereby waived.

Approved December 20, 1983.

Chap. 665. AN ACT MAKING AN APPROPRIATION TO FUND A COLLECTIVE BARGAINING AGREEMENT BE-

TWEEN THE MASSACHUSETTS TRIAL COURT ON BEHALF OF THE COMMONWEALTH AND THE OFFICE AND PROFESSIONAL EMPLOYEES INTERNATIONAL UNION, AFL-CIO, LOCAL 6 (CLERICAL UNIT).

Be it enacted, etc., as follows:

SECTION 1. To provide for the cost of salary adjustments and other employee benefits authorized by the collective bargaining agreement between the Massachusetts trial court on behalf of the commonwealth and the Office and Professional Employees International Union AFL-CIO, Local 6 (Clerical Unit), the sum set forth in section two of this act is hereby appropriated, subject to the provisions of law regulating the disbursement of public funds and the conditions pertaining to appropriations in chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three.

SECTION 2.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

Collective Bargaining.

1599-3404 For a reserve to meet the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the Massachusetts trial court on behalf of the Commonwealth and the Office and Professional Employees International Union, AFL-CIO, Local 6 (Clerical Unit), and to meet the cost of salary adjustments and other ecomonic benefits necessary to provide equal salary adjustments or benefits to employees employed in "confidential" positions which would otherwise be covered by this collective bargaining agreement; 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-four such amounts as are necessary to meet the cost of said adjustments and benefits for the fiscal year nineteen hundred and eighty-four where the amounts otherwise available are insufficient for the purpose; and provided, however, 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; 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 with the cost of said adjustments and benefits; and provided, further, that no transfers shall be made without the prior approval of the house and senate committees on ways and means
$1,576,865

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

Approved December 20, 1983.

Chap. 666. AN ACT AUTHORIZING THE CITY OF GARDNER TO CONVEY CERTAIN PARCELS OF PARK LAND, CONSTITUTING AN AREA KNOWN AS DUNN PARK TO THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. The city of Gardner is hereby authorized to convey to the division of capital planning and operations, acting for and on behalf of the commonwealth, for such nominal consideration as agreed to by said city and said division, the following parcels of park land which, taken together, constitute an area in the city of Gardner known as Dunn Park:

Two parcels of land evidenced by a deed from Charles Heywood to John A. Dunn, dated April 30, 1896 and recorded in the Worcester Registry of Deeds in Book 1522, Page 406;

a parcel of land evidenced by a deed from Mary A. Morrell, Guardian, to John A. Dunn, dated June 8, 1896 and recorded in the Worcester Registry of Deeds in Book 1522, Page 408;

a parcel of land evidenced by 4 deeds, to wit, a deed from Nancy D. Spring, Guardian, to John A. Dunn, dated May 9, 1896 and recorded in the Worcester Registry of Deeds in Book 1533, Page 95, and 3 deeds from William C. Wilcox to John A. Dunn, all dated July 23, 1901 and recorded in the Worcester Registry of Deeds in Book 1693 on Pages 353, 391 and 392;

a parcel of land evidenced by a deed from Quimby A. Goodale and Burnett B. Goodale to John A. Dunn, dated May 12, 1903

and recorded in the Worcester Registry of Deeds in Book 1795, Page 535.

The above described parcels contain approximately 135 acres, more or less and were devised to the city of Gardner under the will of said John A. Dunn, Worcester Probate Docket #69574.

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

Approved December 20, 1983.

Chap. 667. AN ACT AUTHORIZING THE APPROPRIATION OF CERTAIN FUNDS OF THE TOWN OF BRIDGEWATER FOR THE CONSTRUCTION OF SEWAGE AND SEWAGE TREATMENT SYSTEMS IN SAID TOWN.

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 town of Bridgewater, by vote of the town meeting, may appropriate the sum of one hundred sixty-two thousand six hundred forty-nine dollars and fifty-nine cents together with the interest accrued thereon, from the proceeds of loans for the construction of the Cottage and Bedford street sewers, the sewerage treatment plant construction and the proceeds of any such loans transferred for the upgrading of the sewerage treatment plant, all in the town of Bridgewater, issued on January fifteenth, nineteen hundred and sixty-eight and May fifteenth, nineteen hundred and seventy-six, for the construction and upgrading of the sewage collection and treatment facilities needed by the town of Bridgewater to abate pollution of surface waters and to protect the public health, including but not limited to, the preparation of final design plans, specifications, contract documents and reports thereon.

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

Approved December 20, 1983.

Chap. 668. AN ACT AUTHORIZING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO CONVEY A PORTION OF MONROE STATE FOREST TO THE TOWN OF MONROE FOR CEMETERY PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The division of capital planning and operations is hereby authorized to grant to the town of Monroe for cemetery purposes, by deed approved as to form by the attorney general, a certain parcel of land in Monroe State Forest, now presently under the control of the department of environmental management more particularly bounded and described as follows:

Beginning at a concrete bound set in the southerly line of Main Road in Monroe, said bound being 1800 feet more or less east of the intersection of South Road with Main Road, and situated at the northeast corner of Monroe West Cemetery and the northwest corner of land to be conveyed;

Thence, easterly 460 feet more or less along the southerly line of Main Road to an iron pin;

Thence, S 20°32'E, 330.95 feet along land of the Commonwealth of Massachusetts to a drill hole in a fast stone;

Thence, S 72°18'W, 435.85 feet along land of the Commonwealth of Massachusetts to an iron pin;

Thence, N 51°15W, 79.50 feet along land of the Commonwealth of Massachusetts to a drill hole in the corner of walls at the southwest corner of Monroe West Cemetery;

Thence N 39°32'E, 126.74 feet along land of Monroe West Cemetery to an iron pin;

Thence N 39°27'W, 189.29 feet along land of Monroe West Cemetery to a concrete bound at the point of beginning.

Containing 3 acres, more or less.

SECTION 2. The town of Monroe in consideration for said conveyance shall transfer to the department of environmental management that portion of South road, presently known as Raycroft road, beginning at Main road in the town of Monroe and ending at the Franklin-Berkshire county line, as shown on a plan of the Monroe state forest on file with the division of forests and parks and dated May, nineteen hundred and seventy-three.

Approved December 20, 1983.

Chap. 669. AN ACT ESTABLISHING THE NANTUCKET ISLANDS LAND BANK.

Be it enacted, etc., as follows:

SECTION 1. For purposes of this act, the words and phrases set forth in this section shall have the following meanings:

"Commission", shall refer to the Nantucket Islands Land Bank Commission, established by section three.

"Fund", shall refer to the Nantucket Islands Land Bank Fund,

established under the provisions of section eight.

"Institutional lender", any bank defined in section one of chapter one hundred and sixty-seven of the General Laws, any insurance company defined in section one of chapter one hundred and seventy-five of the General Laws, and any mortgage company or investment company that made more than twenty mortgages in the calendar year preceding the year of the relevant mortgage for the purposes of subsection (m) of section twelve, and any national bank, federal savings and loan association, federal savings bank, bank holding company, or state or federally chartered credit union.

"Land bank", the Nantucket Islands Land Bank, established by section two.

"Purchaser", the transferee, grantee or recipient of any real property interests.

"Purchase price", all consideration paid or transferred by or on behalf of a purchaser to a seller or his nominee, or for his benefit, for the transfer of any real property interest, and shall include, but not be limited to, all cash or its equivalent so paid or transferred; all cash or other property paid or transferred by or on behalf of the purchaser to discharge or reduce any obligation of the seller; the principal amount of all notes or their equivalent, or other deferred payments, given or promised to be given by or on behalf of the purchaser to the seller or his nominee; the outstanding balance of all obligations of the seller which are assumed by the purchaser or to which the real property interest transferred remains subject after the transfer, determined at the time of transfer, but excluding real estate taxes and other municipal liens or assessments which are not overdue at the time of transfer; and the fair market value, at the time of transfer, of any other consideration or thing of value paid or transferred by or on behalf of the purchaser, including, but not limited to, any property, goods or services paid, transferred or rendered in exchange for such real property interest.

"Real property interest", any present or future legal or equitable interest in or to real property, and any beneficial interest therein, including the interest of any beneficiary in a trust which holds any legal or equitable interest in real property; but shall not include any interest which is limited to any or all of the following: the dominant estate in any easement or right of way; the right to enforce any restriction; any estate at will or at sufferance, and any estate for years having a term of less than thirty years; any reversionary right, condition, or right of entry for condition broken; the interest of a mortgage or other secured party in any mortgage or security agreement; and the interest of a stockholder in a corporation, or a partner in a partnership.

"Seller", the transferor, grantor or immediate former owner of any real property interests.

"Time of transfer", of any real property interest shall mean, the time at which such transfer is legally effective as between the parties thereto, and, in any event, with respect to a transfer evidenced by an instrument recorded with the appropriate registry of deeds or filed with the assistant recorder of the appropriate registry district, not later than the time of such recording or filing.

SECTION 2. There is hereby established a Nantucket Islands Land Bank, to be administered by a commission established by section three, for the purpose of acquiring, holding and managing land and interests in land of the types set forth in section five.

SECTION 3. The land bank shall be administered by a Commission consisting of five persons elected for staggered five-year terms; and provided that the county commissioners of Nantucket county shall appoint the initial five persons forthwith upon acceptance of this act, to serve until the first annual election of the members to be held at the first annual town election following the acceptance of this act. Members shall be legal residents of Nantucket county and shall serve without compensation. The Commission shall elect a chairman and a secretary/treasurer, from among its members, and may adopt reasonable rules and regulations for the conduct of its affairs and the management of its holdings not inconsistent with the provisions of this act. Decisions of the Commission shall be by majority vote of those present and voting and no business shall be transacted without three members present. The Commission shall keep accurate records of its meetings and actions and shall file an annual report which shall be printed in the annual town report.

SECTION 4. The Commission shall, subject to the provisions of this act, have the power and authority to (a) purchase and acquire fee simple interests, and any lesser interests, in any land in Nantucket county, of the types set forth in section five, including any improvements thereon; (b) accept gifts of any such interests in land, or of funds to further the purposes of the Land bank; (c) take any such interests in land by eminent domain pursuant to chapter seventy-nine of the General Laws, and only by a vote of the Commission in which at least four members vote in favor of such taking and further only after having been authorized to do so in each instance by a two-thirds vote of an annual town meeting of the town of Nantucket, and further provided that a reasonable effort shall first be made to

negotiate the acquisition thereof by purchase prior to such taking; (d) dispose of all or any portion of its interests in any land or interests thereon held by it, subject to the provisions of Article XCVII of the articles of amendments to the Constitution of Massachusetts to the extent applicable; (e) incur debt, pledging the full faith and credit of the town of Nantucket or of Nantucket county, or of both, only after having been authorized to do so in each instance by a two-thirds vote of a town meeting of the town of Nantucket; (f) hire such staff and obtain such professional services as are necessary in order to perform its duties; and (g) administer and manage land and interests in land held by it in a manner which allows public use and enjoyment consistent with the natural and scenic resources thereof.

SECTION 5. Land to be acquired and held as a part of the land bank, or interests in which are to be so acquired and held, shall be situated in Nantucket county, and may consist of any of the following types of land and interests therein; (a) ocean, harbor and pond frontage in the form of beaches, dunes and adjoining backlands; (b) barrier beaches; (c) fresh and salt water marshes, estuaries and adjoining uplands; (d) heathland and moors; (e) land providing access to ocean, harbor and pond frontage and land for bicycle paths; (f) land for future public recreational facilities and use; and (g) recreation land to protect existing and future wellfields and aquifer recharge areas.

SECTION 6. The commission shall retain any real property interest relating to land and water areas acquired pursuant to this act predominantly in its natural, scenic or open condition except as provided for by this section. Except upon the approval of the secretary of environmental affairs and where appropriate, subject to the general laws, any special law, or the constitution of Massachusetts, the commission shall not allow (a) construction or placing of buildings, roads, signs, billboards, or other advertising utilities or other structures on or above the surface, (b) dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste or unsightly or offensive materials, (c) removal or destruction of trees, shrubs, or other vegetation, (d) excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other mineral substance in such manner as to affect the surface, (e) surface use except for purposes permitting the land or water area to remain predominantly in its natural condition, (f) activities detrimental to drainage, flood control, water conservation, erosion control, or soil conservation, or (g) other acts or uses detrimental to such retention of land or water areas. In deter-

mining whether or not to approve a request from the commission to use, improve or dispose of any real property interest acquired by said commission in a manner otherwise prohibited by this section, the secretary shall consider whether such request is in the interest of conservation and any natural, state, regional or local program in furtherance thereof, and also any public, state, regional or local comprehensive land use or development plan affecting the land, and any known proposal by a governmental body for use of the land.

SECTION 7. The Commission shall file annually with the secretary of environmental affairs a conservation, public access, and outdoor recreation plan which shall be, as far as possible, consistent with the town master plan and with any regional planning relating to the area. The Commission may, from time to time, amend such plan. The plan shall show all real property interests then currently held by the Commission including a description of the use thereof, and all acquisitions, improvements or dispositions of real property interests held by the Commission at any time during the year preceding each filing, including the reasons for such acquisition, improvement or disposition; the secretary of environmental affairs may require any other information he deems important.

SECTION 8. The Commission shall meet its financial obligations by drawing upon a Nantucket islands land bank fund, to be set up as a revolving or sinking account within the treasury of Nantucket county. Deposits into the fund shall include (a) funds appropriated to be deposited into the fund by vote of the county commissioners of Nantucket county or of a town meeting of the town of Nantucket; (b) voluntary contributions of money and other liquid assets to the fund; (c) revenues from fees imposed upon the transfer of real property interests as set forth in section ten occurring after the effective date of this act as set forth in section fifteen, together with payments of interest and penalties under section thirteen, and (d) proceeds from disposal of real property or interests. All expenses lawfully incurred by the Commission in carrying out the provisions of this act shall be evidenced by proper vouchers and shall be paid by the county treasurer only upon submission of warrants duly approved by the Commission. The county treasurer of said county shall prudently invest available assets of the fund, and all income thereon shall accrue to the fund.

SECTION 9. The Commission shall keep a full and accurate account of its actions including a record as to when, from or to whom, and on what account money has been paid or received

relative to this act, and as to when, from and to whom and for what consideration real property interests have been acquired, improved, or disposed of. Said records and accounts shall be subject to examination by the director of accounts or his agent pursuant to section forty-five of chapter thirty-five of the General Laws.

The county treasurer shall keep a full and accurate account stating when, from or to whom, and on what account money has been paid or received relative to the activities of the commission and the land bank. Said account shall be subject to examination by the director of accounts or his agent pursuant to section forty-four of chapter thirty-five of the General Laws.

SECTION 10. There is hereby imposed a fee equal to two per cent of the purchase price upon the transfer of any real property interest in any real property situated in Nantucket county. Said fee shall be the liability of the purchaser of such real property interest, and any agreement between the purchaser and the seller or any other person with reference to the allocation of the responsibility for bearing said fee shall not affect such liability of the purchaser. The fee shall be paid to the Commission, or its designee, and shall be accompanied by a copy of the deed or other instrument evidencing such transfer, if any, and an affidavit signed under oath or under the pains and penalties of perjury by the purchaser or his legal representative, attesting to the true and complete purchase price and the basis, if any, upon which the transfer is claimed to be exempt in whole or in part from the fee imposed hereby. The Commission, or its designee, shall promptly thereafter execute and issue a certificate indicating that the appropriate fee has been paid or that the transfer is exempt from the fee, stating the basis for the exemption. The register of deeds for Nantucket county, and the assistant recorder for the registry district of Nantucket county, shall not record or register, or receive or accept for recording or registration, any deed, except a mortgage deed, to which has not been affixed such a certificate, executed by the commission or its designee. Failure to comply with this requirement shall not affect the validity of any instrument. The commission shall deposit all fees received hereunder with the county treasurer of Nantucket county, as a part of the fund established by section eight. The fee imposed hereunder shall be due simultaneously with the time of transfer of the transfer upon which it is imposed.

SECTION 11. At any time within seven days following the issuance of the certificate of payment of the fee imposed by section ten, the purchaser or his legal representative may return

said certificate to the Commission or its designee for cancellation, together with an affidavit signed under oath or under the pains and penalties of perjury that the transfer, with respect to which such certificate was issued, has not been consummated, and thereupon the fee paid with respect to such transfer shall be forthwith returned to the purchaser or his legal representative.

SECTION 12. The following transfers of real property interests shall be exempt from the fee established by section ten. Except as otherwise provided, the purchaser shall have the burden of proof that any transfer is exempt hereunder.

(a) Transfers to the government of the United States, the commonwealth, and any of their instrumentalities, agencies or subdivisions.

(b) Transfers which, without additional consideration, confirm, correct, modify or supplement a transfer previously made.

(c) Transfers made as gifts without consideration. In any proceeds to determine the amount of any fee due hereunder, it shall be presumed that any transfer for consideration of less than fair market value of the real property interests transferred was made as a gift without consideration to the extent of the difference between the fair market value of the real property interests transferred and the amount of consideration claimed by the purchaser to have been paid or transferred, if the purchaser shall have been at the time of transfer the spouse, the lineal descendant, or the lineal ancestor of the seller, by blood or adoption, and otherwise it shall be presumed that consideration was paid in an amount equal to the fair market value of the real property interests transferred, at the time of transfer.

(d) Transfer to the trustees of a trust in exchange for a beneficial interest received by the seller in such trust; distributions by the trustees of a trust to the beneficiaries of such trust.

(e) Transfers by operation of law without actual consideration, including but not limited to transfers occurring by virtue of the death or bankruptcy of the owner of a real property interest.

(f) Transfers made in partition of land and improvements thereto, under chapter two hundred and forty-one of the General Laws.

(g) Transfers to any charitable organization as defined in clause Third of section five of chapter fifty-nine of the General Laws, or any religious organization, provided that the real property interests so transferred will be held by the charitable or religious organization solely for its public charitable or religious purposes.

(h) Transfers to a mortgagee in foreclosure of the mortgage held by such mortgagee, and transfers of the property subject to a mortgage to the mortgagee in consideration of the forbearance of the mortgagee from foreclosing said mortgage.

(i) Transfers made to a corporation or partnership at the time of its formation, pursuant to which transfer no gain or loss is recognized under the provisions of section three hundred and fifty-one of the Internal Revenue Code of 1954, as amended.

(j) Transfers made to a stockholder of a corporation in liquidation of the corporation, and transfers made to a partner of a partnership in dissolution of the partnership.

(k) Transfers consisting of the division of marital assets under the provisions of section thirty-four of chapter two hundred and eight of the General Laws or other provisions of law.

(l) Transfers of property consisting in part of real property interests situated in Nantucket county and in part of other property interests, to the extent that the property transferred consists of property other than real property situated in Nantucket county; provided that the purchaser shall furnish the Commission with such information as it shall require or request in support of the claim of exemption and manner of allocation of the consideration for such transfers.

(m) The first one hundred thousand dollars of the purchase price of a transfer made to a purchaser who, or whose spouse at the time of transfer, has at no time prior to said transfer owned or possessed any real property interest as defined in section one either within or without Nantucket county; provided that the purchaser intends to make the real property interest which is the subject of the transfer the purchaser's actual domicile within one year of the time of transfer, with the intention to remain permanently or for an indefinite time and without any certain purpose to return to a former place of abode; provided further that in the event of a subsequent transfer within five years of the transfer exempted from the fee under this subsection, other than the transfer of a mortgage to an institutional lender, the fee exempted shall become due, together with accumulated interest and penalties, and in addition to any fee otherwise due as a result of the subsequent transfer. The purchaser shall certify as to the foregoing, and the Commission shall attach to the deed a certificate which shall recite the fact that there is running with the land a lien equal to the amount of the fee exempted plus accumulated interest and penalties until such time as all conditions of this subsection have been met.

SECTION 13. A purchaser who fails to pay all or any portion of the fee established by section ten on or before the time when the same is due shall be liable for the following additional pay-

ments in addition to said fee:

(a) Interest: The purchaser shall pay interest on the unpaid amount of the fee to be calculated from the time of transfer at a rate equal to fourteen per cent per annum.

(b) Penalties: Any person who, without fraud or willful intent to defeat or evade a fee imposed by this chapter, fails to pay all or a portion of the fee within thirty days after the time of transfer, shall pay a penalty equal to five per cent of the outstanding fee as determined by the Commission for each month or portion thereof thereafter that the fee is not paid in full; provided, however, that in no event shall the amount of any penalty imposed hereunder exceed twenty-five per cent of the unpaid fee due at the time of transfer. Whenever the Commission determines that all or a portion of a fee due under this chapter was unpaid due to fraud with intent to defeat or evade the fee imposed by this chapter, a penalty equal to the amount of said fee as determined by the Commission shall be paid by the purchaser in addition to said fee.

SECTION 14. (a) The Commission shall notify a purchaser by registered or certified mail of any failure to discharge in full the amount of the fee due under this Act and any penalty or interest assessed. The Commission shall grant a hearing on the matter of the imposition of said fee, or of any penalty or interest assessed, if a petition requesting such hearing is received by the Commission within thirty days after the mailing of said notice. The Commission shall notify the purchaser in writing by registered or certified mail of its determination concerning the deficiency, penalty or interest within fifteen days after said hearing. Any party aggrieved by a determination of the Commission concerning a deficiency, penalty or interest may, after payment of said deficiency, appeal to the district or superior court within three months after the mailing of notification of the determination of the Commission. Upon the failure to timely petition for a hearing, or appeal to said courts, within the time limits hereby established, the purchaser shall be bound by the terms of the notification, assessment or determination, as the case may be, and shall be barred from contesting the fee, and any interest and penalty, as determined by the Commission. All decisions of said courts shall be appealable. Every notice to be given under this section by the Commission shall be effective if mailed by certified or registered mail to the purchaser at the address stated in a recorded or registered instrument by virtue of which the purchaser holds any interest in land, the transfer of which gives rise to the fee which is the subject of such notice; and if no such address is stated or if such transfer is not evidenced by an instrument recorded or registered in the

public records in Nantucket county, such notice shall be effective when so mailed to the purchaser in care of any person appearing of record to have a fee interest in such land, at the address of such person as set forth in an instrument recorded or registered in Nantucket county.

(b) All fees, penalties and interest required to be paid pursuant to this chapter shall constitute a personal debt of the purchaser and may be recovered in an action of contract or in any other appropriate action, suit or proceeding brought by the Commission; said action, suit or proceeding shall be subject to the provisions of chapter two hundred and sixty of the General Laws.

(c) If any purchaser liable to pay the fee established by this act neglects or refuses to pay the same, the amount, including any interest and penalty thereon, shall be a lien in favor of the Commission upon all property and rights to property, whether real or personal, belonging to such purchaser. Said lien shall arise at the time of transfer and shall continue until the liability for such amount is satisfied. Said lien shall in any event terminate not later than six years following the time of transfer. Said lien shall not be valid as against any mortgagee, pledgee, purchaser or judgment creditor unless notice thereof has been filed by the Commission (a) with respect to real property or fixtures, in the registry of deeds for Nantucket county, or (b) with respect to personal property, in the office in which a security or financing statement or notice with respect to the property would be filed in order to perfect a nonpossessory security interest belonging to the person named in the relevant notice, subject to the same limitations as set forth in section fifty of chapter sixty-two of the General Laws.

In any case where there has been a refusal or neglect to pay any fee, interest or penalties imposed by this act, whether or not levy has been made, the commission, in addition to other modes of relief, may direct a civil action to be filed in a district or superior court of the commonwealth to enforce the lien of the Commission under this section with respect to such liability or to subject any property of whatever nature, of the delinquent, or in which he has any right, title or interest, to the payment of such liability.

The Commission may issue a waiver or release of any lien imposed by this section. Such waiver or release shall be conclusive evidence that the lien upon the property covered by the waiver or release is extinguished.

SECTION 15. This act shall become effective upon its acceptance by vote of a town meeting of the town of Nantucket on February first, nineteen hundred and eighty-four.

Approved December 20, 1983.

Chap. 670. AN ACT FURTHER REGULATING REAL ESTATE TAX EXEMPTIONS OF HOUSES OF WORSHIP.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 59 of the General Laws is hereby amended by striking out clause Eleventh, as most recently amended by section 1 of chapter 411 of the acts of 1980, and inserting in place thereof the following clause:
Eleventh, Notwithstanding the provisions of any other general or special law to the contrary, houses of religious worship owned by, or held in trust for the use of, any religious organization, and the pews and furniture, and, to an amount not exceeding four hundred thousand dollars for each parsonage so owned, or held in irrevocable trust, for the exclusive benefit of the religious organizations, and including the official residences occupied by district superintendents of the United Methodist Church and the Christian and Missionary Alliance and of the Church of the Nazarene, and by district executives of the Southern New England District of the Assemblies of God, Inc., Unitarian-Universalist Churches and the Baptist General Conference of New England, and the official residence occupied by the president of the New England Synod of the Lutheran Church in America, Inc., and the official residence occupied by a person who has been designated by the congregation of a Hebrew Synagogue or Temple as the rabbi thereof, but such exemption shall not, except as herein provided, extend to any portion of any such house of religious worship appropriated for purposes other than religious worship or instruction. 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. The provisions of this act shall apply to exemptions granted for the fiscal years commencing July first, nineteen hundred and eighty-three and thereafter.

Approved December 20, 1983.

Chap. 671. AN ACT EXEMPTING CERTAIN GREENHOUSES FROM PROVISIONS OF THE STATE BUILDING CODE.

Be it enacted, etc., as follows:

The provisions of the state building code shall not apply to

greenhouses covered exclusively with plastic film; provided, however, that the provisions of chapter forty A of the General Laws shall continue to apply.

Approved December 20, 1983.

Chap. 672. AN ACT AUTHORIZING THE MASSACHUSETTS INDUSTRIAL FINANCE AGENCY TO ADMINISTER A REVOLVING LOAN FUND TO AID THE DEVELOPMENT OF THE MASSACHUSETTS SEAFOOD PROCESSING INDUSTRY.

Be it enacted, etc., as follows:

SECTION 1. The tenth paragraph of 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 striking out, in line 2, the word "thirty-eight" and inserting in place thereof the following word:- thirty-eight C.

SECTION 2. The first paragraph of section 30 of said chapter 23A, as so appearing, is hereby amended by striking out, in line 2, the word "thirty-eight" and inserting in place thereof the word:- thirty-eight C.

SECTION 3. The second paragraph of said section 30 of said chapter 23A, as so appearing, is hereby amended by striking out, in line 2, the word "thirty-eight" and inserting in place thereof the following word:- thirty-eight C.

SECTION 4. The third paragraph of said section 30 of said chapter 23A, as so appearing, is hereby amended by striking out, in lines 1 and 2, the word "thirty-eight" and inserting in place thereof the following word:- thirty-eight C.

SECTION 5. Said chapter 23A is hereby further amended by inserting after section 38, as so appearing, the following three sections:-

Section 38A. There is hereby established the Marine Seafood Processing Revolving Loan Fund which shall be under the control of the Massachusetts Industrial Finance Agency but shall consist of a separate account or accounts segregated from other agency funds, to which shall be credited any appropriations made to the agency for seafood processing industry purposes, together with such other accounts as may become available from any other source. The agency may from time to time withdraw from the

Marine Seafood Processing Loan Fund such amounts as may be necessary to provide funds for the administration of this section and sections thirty-eight B and thirty-eight C. No funds shall be appropriated nor credited to the fund until the advisory council established pursuant to paragraph (a) of section thirty-eight B, has filed an approved, recommended program with the clerks of the senate and the house of representatives and with the commissioner of administration.

Section 38B. The Massachusetts Industrial Finance Agency may establish rules and regulations relative to the Marine Seafood Processing Revolving Loan Fund.

In addition thereto the agency is hereby authorized to:

(a) establish a marine seafood processing loan fund advisory council, which shall consist of seven members, three members to be appointed by the Massachusetts Industrial Finance Agency board of directors, experienced in business and finance, who may also be members of the Massachusetts Industrial Finance Agency board, two members appointed by the commissioner of banks who are experienced in banking or marine financing, and may include the commissioner of banks or his designee, two members appointed by the commissioner of fisheries and wildlife who are experienced in marine food processing or marine affairs, and may include the commissioner or his designees, said council shall act in an advisory capacity to the Massachusetts Industrial Finance Agency board in matters relative to the financing of marine seafood processing loan applications and said council may review and provide technical comments regarding each loan application submitted to the Massachusetts Industrial Finance Agency board for approval.

Said council shall, after providing due notice and opportunity for a hearing, recommend a program to provide sources of funds, including, but not limited to, federal, state or private funding, and issuance of debt or industry assessments for the Marine Seafood Processing Revolving Fund. Such recommended program shall, after approval by the board of directors of Massachusetts Industrial Finance Agency, be filed with the clerks of the senate and the house of representatives and with the commissioner of administration.

(b) upon application of an industrial enterprise engaged in the collection or processing of seafood, make loans of moneys held in the Marine Seafood Processing Loan Fund and provide for the repayment and redeposit of such allocations and loans in the manner hereinafter provided:

(1) not more than two hundred thousand dollars shall be loaned to any one enterprise. If the board determines, after the initial loan by the agency, that additional moneys are required to protect the initial loan of the agency, it may approve an addi-

tional loan not to exceed the amount of the initial loan; the processor may use the proceeds of the loan for the purposes of financing operations, inventory, or such other purposes as may be approved by the board;

(2) upon default, take title by foreclosure proceeding to any marine processing project to recover any loan previously made therefor by the agency and pay all costs arising out of such foreclosure and acquisition from moneys held in the Marine Seafood Processing Loan Fund and sell, transfer and convey any such marine processing project to any responsible buyers in the event such sale, transfer or conveyance cannot be affected within a reasonable time. The agency may lease such facilities to a responsible tenant or tenants to minimize financial losses and sustain employment. The agency shall not lease marine processing facilities except under the conditions and for the purposes cited herein;

(c) finance marine seafood processing projects which shall be in addition to any other power of the agency; provided, however, that nothing with respect to the Marine Seafood Processing Loan Fund shall be construed to limit or otherwise affect any other power of the agency.

Section 38C. The board of directors of the agency may, upon application by a marine seafood processor, grant a loan based upon its finding that it will contribute to the economic stimulation of the company, support the growth of the seafood industry as a whole, and is consistent with the public purpose set forth in section twenty-nine.

Any seafood processor may make an application to the agency in a form approved by the agency which shall contain at least the following:

(a) a general description of the company, including but not limited to, a business plan, corporate history, last audited financial statement and an inventory of equipment owned or to be purchased;

(b) a general description of the number, type and class of employees employed or to be employed in the operation and the total of salary expenditures;

(c) a description of all real estate held or used in conjunction with the applicant's business, including leased facilities and a list of encumbrances thereon;

(d) evidence that the loan will enhance seafood production, and the efficient operation of the facility, and also increase or retain employment;

(e) such other financial information as the agency shall deem necessary including personal financial information of the applicant.

Approved December 20, 1983.

Chap. 673. AN ACT TO ESTABLISH A COMMITTEE FOR PUBLIC COUNSEL SERVICES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately establish a committee for public counsel services, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by inserting after chapter 211C the following chapter:-

CHAPTER 211D.

Section 1. There shall be a committee for public counsel services, hereinafter referred to as the committee, to plan, oversee, and coordinate the delivery of criminal and certain noncriminal legal services by all salaried public counsel, bar advocate and other assigned counsel programs, and private attorneys serving on a per case basis. The committee shall consist of fifteen persons to be appointed for a term of three years by the justices of the supreme judicial court. Said court shall request and give appropriate consideration to nominees for the fifteen positions from the Massachusetts Bar Association, county bar associations, the Boston Bar Association, and other appropriate bar groups including, but not limited to, the Massachusetts Black Lawyers' Association, Women's Bar Association, and the Massachusetts Association of Women Lawyers. Each member of the committee shall serve until his successor in office has been appointed and qualified. Vacancies shall be filled by the justices of the supreme judicial court by appointment to an unexpired term. Members of the committee may be removed by the justices of the supreme judicial court. No member of the committee shall receive any compensation for his services, but each member shall be reimbursed for actual expenses incurred in attending the committee meetings.

The provisions of chapter two hundred and sixty-eight A shall apply to all members, officers and employees of the committee, except that the committee may provide representation or enter into a contract pursuant to the provisions of sections three or six although a member of the committee may have an interest or involvement in any such matter; provided, however, that such interest and involvement is disclosed in advance to the other members of the committee and recorded in the minutes of the committee; and provided, further, that no member having an interest or involvement in any contract under section three may

participate in any particular matter, as defined in section one of chapter two hundred and sixty-eight A, relating to such contract.

Section 2. The committee for public counsel shall establish a definition of "indigency" for the purposes of this chapter and uniform standards and procedures for the determination by the courts of the commonwealth that (1) a person is indigent and is unable to obtain counsel or (2) said indigent person has the ability to pay a reduced fee for the appointment of counsel. Said definition and standards, and any amendments thereto, shall be subject to the approval of the supreme judicial court and shall be used by the courts of the commonwealth in determining assignment of cases to the committee pursuant to section five. In the formulation of said definition, standards, and procedures, the committee shall consider the reporting system operated by the commissioner of revenue for the purpose of verifying financial eligibility of participants in state or federally funded programs, and its potential applicability to the provision of legal services for indigent defendants. Payment of any reduced fee by an indigent person for the appointment of counsel shall be made to the probation department of the appointing court, and shall be forwarded to the state treasurer who shall deposit such in the general fund.

SECTION 2. Chapter 211D of the General Laws, inserted by section 2 of this act, is hereby amended by adding the following thirteen sections:-

Section 3. Said committee may accept gifts, grants or contributions from any source, whether public or private, and may enter into contracts to provide or receive services with any federal, state, county or municipal entity, with any group or individual, whether profit or nonprofit, or with any nonprofit or voluntary charitable group, corporation, association or organization, including any bar association or bar advocate group.

Section 4. Said committee shall adopt such rules and regulations as may be necessary for the conduct of its affairs and may from time to time amend or revise the same. The committee shall prepare an annual report which shall be a public document. The committee shall establish standards and guidelines for the training, qualification and removal of counsel in the public and private counsel divisions who accept its appointments, and shall provide pre-service and in-service training for both private counsel who accept assignments and salaried public counsel. The committee may establish a rotating appointment mechanism that will encourage open access among attorneys participating within the private counsel division.

Section 5. Said committee shall establish, supervise and

maintain a system for the appointment or assignment of counsel at any stage of a proceeding, either criminal or noncriminal in nature, provided, however, that the laws of the commonwealth or the rules of the supreme judicial court require that a person in such proceeding be represented by counsel; and, provided further, that such person is unable to obtain counsel by reason of his indigency. The committee may also establish a system for the provision of counsel in any pre-arraignment procedure. A justice or associate justice shall assign a case to the committee, as hereafter provided, after receiving from the probation officer a written report containing the probation officer's opinion as to the defendant's ability to pay for counsel, based on the standards and procedures provided for in section two.

Section 6. In carrying out its duties as prescribed in section five, the committee shall:

(a) Utilize its staff of attorneys, which shall be known hereafter as the "public counsel division". Said division shall include a unit to be known as the Roxbury defenders unit, which shall represent clients as assigned pursuant to this chapter in the Roxbury division of the district court department. Said division shall be assigned to represent indigent defendants in all criminal cases, except that:

(i) said division shall not be assigned to represent more than one defendant in any matter before any court on the same case or arising out of the same incident;

(ii) said division shall not be assigned to represent a defendant in any case in which there is a conflict of interest with any of its clients;

(iii) said division shall not be assigned to a case where a person is before the probate and family court department or the housing court department for criminal contempt or in such other proceeding in said departments in which such person is entitled to be represented by counsel;

(iv) said division shall not be assigned to represent any child alleged to be delinquent, except in such cases which may result in transfer hearings under section sixty-one of chapter one hundred and nineteen, and except in the Boston and Bristol county divisions of the juvenile court department or in the Roxbury division of the district court department;

(v) said division shall not be assigned to represent any person charged with a misdemeanor unless said misdemeanor is in conjunction with a felony charge for which said division has been assigned.

(b) Establish, supervise, and maintain a system for the appointment of private counsel, hereafter called the "private counsel division". The committee shall give preference to providing such counsel by entering into contractual agreements with

any state, county or local bar association or voluntary charitable group, corporation or association, including bar advocate groups. Said committee may also contract with such other organized groups of attorneys as may be formed to afford representation to indigent defendants and may appoint and compensate private attorneys, on a case-by-case basis, as counsel for indigents entitled to representation. Neither individuals nor members nor participants in any group, corporation or association with whom the committee may contract under this paragraph shall be considered to be or have any rights as state employees.

(i) Said division shall be assigned for all persons accused of crimes entitled to counsel who, through their inability to pay for counsel, must have counsel appointed to them, but who, pursuant to the provisions of subparagraph (a) of this section are not to be represented by the public counsel division.

(ii) Said division shall be assigned to represent a person who is before the probate and family court department or the housing court department in a criminal contempt proceeding or in such other proceeding in said departments in which a person is entitled to be represented by counsel.

(iii) Said division shall also be assigned to represent persons in such other proceedings as the chief counsel shall determine to be necessary.

Section 7. Said divisions shall be assigned to represent persons charged in the district court department with concurrent felonies under section twenty-six of chapter two hundred and eighteen as further defined by the committee.

Section 8. Upon a determination by a court that a person accused of murder in the first or second degree is indigent, the chief counsel or his designee may assign the case to either the public counsel division or the private counsel division, subject to the approval of the justice making the determination of indigency.

Section 9. The committee shall establish standards for the public counsel division and the private counsel division which shall include but not be limited to:

(a) vertical or continuous representation at the pre-trial and trial stages by the attorney either assigned or appointed, whenever possible;

(b) required participation by each attorney in an approved course of training in the fundamentals of criminal trial practice, unless the attorney has a level of ability which makes such participation unnecessary;

(c) specified caseload limitation levels;

(d) investigative services;

(e) a method for the provision of social services or social service referrals;

(f) availability of expert witnesses to participating counsel;

(g) clerical assistance, interview facilities, and the availability of a law library and model forms to participating counsel; and

(h) adequate supervision provided by experienced attorneys who shall be available to less experienced attorneys.

Section 10. The committee shall monitor and evaluate compliance with the standards and the performance of counsel in its divisions in order to insure competent representation of defendants in all courts of the commonwealth and shall establish a procedure for the review and disposition of client complaints.

Section 11. The committee shall establish rates of compensation payable, subject to appropriation, to all counsel who are appointed or assigned to represent indigents within the private counsel division in accordance with the provisions of paragraph (b) of section six. Such rates of compensation shall be reviewed periodically at public hearings held by the committee at appropriate locations throughout the state, and notice shall be given to all state, county and local bar associations and other interested groups, of such hearings by letter and publication in advance of such hearings. Such periodic review shall take place not less than once every two years.

Section 12. All invoices regarding the services of counsel from the private counsel division, when counsel is to be compensated at an hourly rate of payment, shall be duly certified by the justice hearing a particular matter. The committee shall establish policies and procedures to provide fair compensation to private counsel, which shall include a remedy for any private attorney aggrieved by the amount of payment certified by any justice. All invoices shall be processed for payment within thirty days of receipt by the chief counsel. The committee may further prescribe such policies and procedures for payment as it deems appropriate.

Section 13. The committee shall appoint a chief counsel, whose responsibilities and duties shall be defined by the committee and shall include, but not be limited to, the overall supervision of the workings of the various divisions of the committee. The committee shall further appoint two deputy chief counsel, with duties defined by the committee, one of whom shall supervise the public counsel division, and the other shall supervise the private counsel division. The committee shall also prescribe the procedures for the appointment of all legal and nonlegal staff of the public counsel division and for the procurement of office space as may be required. The chief counsel shall authorize the certification of all payments under section twenty-seven G of chapter two hundred and sixty-one and section twenty of chapter twenty-nine. All legal and nonlegal staff of the public

counsel division shall be full time and shall devote their entire time during ordinary business hours to their duties and shall neither directly or indirectly engage in the private practice of law. The chief counsel and deputy chief counsels shall likewise devote full time to their duties. The chief counsel shall be paid a salary comparable to the salary paid to a district attorney. The salaries of the deputy chief counsels shall be established by the committee. All other legal staff of the public counsel division shall be paid at salaries comparable to the salary paid to an attorney employed in a district attorney's office.

The counsel and other employees appointed by the committee shall not be subject to the provisions of chapter thirty-one.

Section 14. The public counsel division, except in cases of conflict of interest, shall represent indigent defendants in all appeals and related post-conviction remedies. In the case of a conflict of interest, the assignment shall be to the private counsel division.

Section 15. The committee shall consult regularly with a community advisory board appointed by the committee to represent the greater Roxbury community. Members of the community advisory board shall not receive compensation or reimbursement for expenses.

SECTION 3. Section thirty-four D of chapter two hundred and twenty-one of the General Laws is hereby repealed.

SECTION 4. For the purposes of planning and implementing the provisions of chapter two hundred and eleven D of the General Laws, the committee established in section one of said chapter one hundred and eleven D shall be appointed forthwith. Five members shall be appointed for a term of one year, five for a term of two years, and five for a term of three years. Furthermore, the personnel employed by Roxbury Defenders Committee, Inc., a Massachusetts not for profit corporation, and all resources of said corporation which are attributable to state or federal funds, shall also be transferred to said division, if the board of directors of said corporation consents to such a transfer, and in that case said personnel shall be the initial employees of the Roxbury defenders unit required by said section, at salaries not less than those paid such employees by the Roxbury Defenders Committee, Inc. immediately prior to the effective date of this section. The committee is authorized to accept as a gift or to lease any other resources, including real property, from said corporation, and to become the successor to said corporation in any other respects which are mutually agreeable to the committee and the board of directors of said corporation. If said board does not consent to the transfer of person-

nel and of resources attributable to state or federal funds, the committee is not required to create a Roxbury defenders unit pursuant to said section, notwithstanding the provisions of said section. Thereafter, each member shall be appointed for a term of three years, pursuant to the provisions of section one.

SECTION 5. In the creation of the public counsel division set forth in section five of chapter two hundred and eleven D of the General Laws, all personnel, title to all real and personal property, all legally valid and enforceable claims and obligations, all facilities, and all other resources of the Massachusetts defenders committee shall be transferred to said division. The committee shall ensure the continued and uninterrupted representation by said division of any indigent client being represented by the Massachusetts defenders committee Roxbury Defenders Committee, Inc. at the time of said transfer.

SECTION 6. The provisions of sections two, three, and five of this act shall take effect July first, nineteen hundred and eighty-four.

Approved December 20, 1983.

Chap. 674. AN ACT RELATIVE TO THE PROCEDURE FOR RECORDING OR FILING FEDERAL TAX LIENS ON PERSONAL PROPERTY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately repeal certain provisions of law relative to recording or filing federal tax liens on personal 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 thirty-nine B of chapter two hundred and fifty-five of the General Laws is hereby repealed.

Approved December 21, 1983.

Chap. 675. AN ACT AUTHORIZING AND DIRECTING THE STATE TREASURER TO PAY A CERTAIN SUM OF MONEY TO THE CITY OF MEDFORD TO ENABLE SAID CITY TO SATISFY AN OUTSTANDING JUDGEMENT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately enable the state treasurer to pay a certain sum of money to the city of Medford, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of enabling the city of Medford to satisfy an outstanding judgement, the state treasurer is hereby authorized and directed to pay to said city the sum of two million eight hundred thousand dollars, which shall be in addition to all other sums said city shall be entitled to receive from the commonwealth. Said amount shall be repaid to the commonwealth in equal installments of two hundred and eighty thousand dollars over a period of ten years commencing with fiscal year nineteen hundred and eighty-five by way of a deduction of said amount from the first local aid distribution said city is entitled to receive in each of said years.

SECTION 2. For the purpose of carrying out the provisions of section one, two million eight hundred thousand dollars is hereby appropriated from the Local Aid Fund.

Approved December 21, 1983.

Chap. 676. AN ACT AUTHORIZING LICENSED PSYCHOLOGISTS TO PERFORM CERTAIN GUARDIANSHIP EVALUATIONS.

Be it enacted, etc., as follows:

Section 6 of chapter 201 of the General Laws is hereby amended by striking out the third sentence, as appearing in section 2 of chapter 314 of the acts of 1956, and inserting in place thereof the following two sentences:- The court may require additional medical or psychological testimony as to the mental condition of the person alleged to be mentally ill and may require him to submit to examination. It may also appoint one or more physicians, or licensed pshchologists, expert in mental illness, to examine such person and report their conclusions to the court.

Approved December 21, 1983.

Chap. 677. AN ACT PROVIDING FOR DAY CARE FACILITIES.

Be it enacted, etc., as follows:

The fifth paragraph of section 40F of chapter 7 of the General Laws, as amended by section 15 of chapter [636] of the acts of 1983, is hereby further amended by adding the following three sentences:- In assigning the use of such space, the deputy commissioner shall, notwithstanding the provisions of this section and sections forty M and forty-three I, provide suitable space in the John W. McCormack state office building and, where available, in other state facilities throughout the commonwealth to be used as day care centers for children of state employees, provided, that: (1) documentation is furnished that each such center is desired and needed for no less than seven children of said employees; (2) economic feasibility of each such center is substantiated; (3) all such centers shall meet the licensing requirements of the office for children; and (4) an operator for each such center has been identified, who shall pay rent to the commonwealth and shall reimburse the commonwealth for any additional expenses for utilities and custodial services which may be incurred as a result of the operation of such center. Said deputy commissioner shall inform state agencies of the provisions of this section and shall publish a list of day care centers established in state facilities. State agencies shall furnish such information to their employees and employee organizations.

Approved December 21, 1983.

Chap. 678. AN ACT RELATIVE TO THE PREVENTION OF FAMILY ABUSE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 208 of the General Laws is hereby amended by striking out section 34C, inserted by section 1 of chapter 447 of the acts of 1978, and inserting in place thereof the following section:-

Section 34C. Whenever the superior court department or a division of the probate and family court department issues an order to vacate under the provisions of section thirty-four B, or an order prohibiting a person from imposing any restraint on the personal liberty of another person under section eighteen or under the provisions of section thirty-two of chapter two hundred and nine, the register or clerk-magistrate shall transmit two certified copies of each order forthwith to the appropriate

law enforcement agency which shall serve one copy of each such order upon the defendant. Unless otherwise ordered by the court, service shall be by delivering a copy in hand to the defendant. Law enforcement officers shall use every reasonable means to enforce such order. Law enforcement agencies shall establish procedures adequate to insure that an officer at the scene of an alleged violation of such order may be informed of the existence and terms of such order.

The court shall notify the appropriate law enforcement agency in writing whenever any such order is vacated by the court and shall direct the agency to destroy all records of such vacated order and such agency shall comply with such directive.

Any violation of such order shall be punishable by a fine of not more than five thousand dollars or by imprisonment for not more than two and one-half years in the house of correction, or both such fine and imprisonment. Each such order issued shall contain the following statement: VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE.

Any such violation may be enforced in the superior or district or Boston municipal court departments. Criminal remedies provided herein are not exclusive and do not preclude any other available civil or criminal remedies. The superior, probate and family, district and Boston municipal court departments may each enforce by civil contempt procedure a violation of its own court order.

SECTION 2. Section 1 of chapter 209A of the General Laws, as appearing in section 2 of chapter 447 of the acts of 1978, is hereby amended by striking out the definition of "Court" and inserting in place thereof the following definition:-

"Court", the superior, probate and family, district or Boston municipal court departments of the trial court.

SECTION 3. Said chapter 209A is hereby further amended by striking out section 2, as so appearing, and inserting in place thereof the following section:-

Section 2. Proceedings under this chapter shall be filed, heard and determined in the superior court department or the Boston municipal court department or respective divisions of the probate and family or district court departments having venue over the plaintiff's residence. If the plaintiff has left a residence or household to avoid abuse, such plaintiff shall have the option of commencing an action in the court having venue over such prior residence or household, or in the court having venue over the present residence or household.

SECTION 4. Said chapter 209A is hereby further amended by

striking out sections 3 to 6, inclusive, as so appearing and inserting in place thereof the following four sections:-

Section 3. A person suffering from abuse from an adult or minor family or household member may file a complaint in the court requesting protection from such abuse, including, but not limited to, the following orders:-

(a) ordering the defendant to refrain from abusing the plaintiff whether the defendant is an adult or minor;

(b) ordering the defendant to vacate forthwith the household. Notwithstanding the provisions of section thirty-four B of chapter two hundred and eight, an order to vacate shall be for a fixed period of time, not to exceed one year, at the expiration of which time the court may extend any such order upon motion of the plaintiff for such additional times as it deems necessary to protect the plaintiff from abuse;

(c) awarding the plaintiff, in the case of husband and wife, temporary custody of a minor child;

(d) ordering the defendant to pay temporary support for the plaintiff or any child in the plaintiff's custody or both, when the defendant has a legal obligation to support such a person;

(e) ordering the defendant to pay to the person abused monetary compensation for losses suffered as a direct result of such abuse. Compensatory losses shall include, but not be limited to, loss of earnings or support, out-of-pocket losses for injuries sustained, medical and moving expenses and reasonable attorneys' fees;

(f) ordering the plaintiff's address to be impounded as provided in section eight.

No filing fee shall be charged for the filing of the complaint. The plaintiff shall not be charged for copies of orders entered by the court.

Any relief granted by the court shall be for a fixed period of time not to exceed one year, at the expiration of which time the court may extend any order, upon motion of the plaintiff, for such additional time as it deems necessary to protect the plaintiff from abuse. The court may modify its order at any subsequent time upon motion by either party.

No order under this chapter shall in any manner affect title to real property.

Any action commenced under the provisions of this chapter shall not preclude any other civil or criminal remedies. A party filing a complaint under this chapter shall be required to disclose any prior or pending actions for divorce under chapter two hundred and eight, separate support under two hundred and nine, or abuse prevention under this chapter.

If there is a prior or pending order from the probate and family court department of the trial court for divorce under

chapter two hundred and eight, or separate support under chapter two hundred and nine, an order issued in the district court or Boston municipal court departments pursuant to this chapter shall be restricted to ordering the defendant to refrain from abusing the plaintiff whether the defendant is an adult or minor, or ordering the defendant to vacate forthwith the household.

If the parties to a proceeding under this chapter are parties in a subsequent proceeding for divorce under chapter two hundred and eight or for separate support under chapter two hundred and nine, any custody or support order or judgment issued in the divorce or separate support proceeding shall supersede any prior custody or support order under this chapter.

Section 4. Upon the filing of a complaint under this chapter, the court may enter such temporary orders as it deems necessary to protect a plaintiff from abuse, including relief as provided in section three. Such relief shall not be contingent upon the filing of a complaint for divorce or separate support.

If the plaintiff demonstrates a substantial likelihood of immediate danger of abuse, the court may enter such temporary orders without notice as it deems necessary to protect the plaintiff from abuse and shall immediately thereafter notify the defendant that the temporary orders have issued. Notice shall be made by the appropriate law enforcement agency as provided in section seven. The court shall give the defendant an opportunity to be heard on the question of continuing the temporary order no later than five days after such orders are entered. If the defendant does not appear at such subsequent hearing the temporary orders shall continue in effect without further order of the court.

Section 5. When the court is closed for business, any justice of the superior, probate and family, district or Boston municipal court departments may grant relief to the plaintiff as provided under section four if the plaintiff demonstrates a substantial likelihood of immediate danger of abuse. If relief has been granted without the filing of a complaint pursuant to this section of this chapter, then the plaintiff shall appear in court on the next available business day to file said complaint. Notice to the plaintiff and defendant and an opportunity for the defendant to be heard shall be given as provided in said section four.

Any order issued under this section and any documentation in support thereof shall be certified on the next court day by the clerk-magistrate of the court issuing such order to the court having venue and jurisdiction over the matter. Such certification to the court shall have the effect of commencing proceedings under this chapter and invoking the other provisions of this chapter but shall not be deemed necessary for an emergency

order issued under this section to take effect.

Section 6. Whenever any law officer has reason to believe that a family or household member has been abused or is in danger of being abused, such officer shall use all reasonable means to prevent further abuse, including: (1) remaining on the scene as long as there is immediate danger to the physical safety of such person without the presence of a law officer, including but not limited to staying in the dwelling unit for a reasonable period of time; (2) assisting such person in obtaining medical treatment necessitated by an assault, which may include driving the victim to the emergency room of the nearest hospital, or arranging for appropriate transportation to a health care facility, any law to the contrary notwithstanding; (3) giving such person immediate and adequate notice of his or her rights; (4) arresting any person whom the officer has probable cause to believe has committed a felony; (5) arresting any person who has committed, in the officer's presence, a misdemeanor which involves abuse; (6) arresting any person whom the officer has probable cause to believe has committed a misdemeanor pursuant to section thirty-four C of chapter two hundred and eight or section seven of chapter two hundred and nine A.

The notice as required in clause (3) of section six shall consist of handing such person a copy of the following statement written in English and Spanish and reading the same to such person in English.

"You have the right to go to the superior, probate, and family, district or Boston municipal court if you reside within the appropriate jurisdiction, and file a complaint requesting any of the following applicable orders; (a) an order restraining your attacker from abusing you; (b) an order directing your attacker to leave your household; (c) an order awarding you custody of a minor child; (d) an order directing your attacker to pay support for you or any minor child in your custody if the attacker has a legal obligation to support them; and (e) an order directing your attacker to pay you for losses suffered as a result of the abuse, including medical and moving expenses, loss of earnings or support, attorneys fees and other out-of-pocket losses for injuries sustained."

For an emergency on weekends, holidays or weeknights, you should contact the police, who will refer you to a justice of the superior, probate and family, district or Boston municipal court departments.

"You have the right to go to the appropriate district court or the Boston municipal court and seek a criminal complaint for threats, assault and battery, assault with a deadly weapon, assault with intent to kill or other related offenses.

"If you are in need of medical treatment, you have the right

to request that the officer present drive you to the nearest hospital or otherwise assist you in obtaining medical treatment.

"If you believe that police protection is needed for your physical safety, you have the right to request that the officer present remain at the scene until you and your children can leave or until your safety is otherwise insured".

SECTION 5. Said chapter 209A is hereby further amended by adding the following three sections:-

Section 7. Whenever the court orders the defendant to refrain from abusing the plaintiff or orders the defendant to vacate the household under section three or four, the register or clerk-magistrate shall transmit two certified copies of each such order and one copy of the complaint and summons forthwith to the appropriate law enforcement agency which shall serve one copy of each order upon the defendant, together with a copy of the complaint and summons. Unless otherwise ordered by the court, service shall be by delivering a copy in hand to the defendant. Law enforcement officers shall use every reasonable means to enforce such orders. Law enforcement agencies shall establish procedures adequate to insure that an officer on the scene of an alleged violation of such order may be informed of the existence and terms of such order. The court shall notify the appropriate law enforcement agency in writing whenever any such order is vacated and shall direct the agency to destroy all record of such vacated order and such agency shall comply with such directive.

Any violation of such order shall be punishable by a fine of not more than five thousand dollars or by imprisonment for not more than two and one-half years in a house of correction or both such fine and imprisonment. Each such order issued shall contain the following statement: VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE.

Any such violation may be enforced in the superior, the district or Boston municipal court departments. Criminal remedies provided herein are not exclusive and do not preclude any other available civil or criminal remedies. The superior, probate and family, district and Boston municipal court departments may each enforce by civil contempt procedure a violation of its own court order.

Section 8. Upon the request of the plaintiff, the court shall impound the plaintiff's address by excluding same from the complaint and from all other court documents which are available for public inspection, and shall ensure that the address is kept confidential from the defendant and defendant's attorney.

The records of cases arising out of an action brought under the provisions of this chapter where the plaintiff or defendant is a minor shall be withheld from public inspection except by order

of the court; provided, that such records shall be open, at all reasonable times, to the inspection of the minor, said minor's parent, guardian, attorney, and to the plaintiff and the plaintiff's attorney, or any of them.

Section 9. The administrative justices of the superior court, probate and family court, district court, and the Boston municipal court departments shall jointly promulgate a form of complaint for use under this chapter which shall be in such form and language to permit a plaintiff to prepare and file such complaint pro se.

SECTION 6. Section 120 of chapter 266 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 3 of chapter 447 of the acts of 1978, and inserting in place thereof the following sentence:- Whoever, without right enters or remains in or upon the dwelling house, buildings, boats or improved or enclosed land, wharf, or pier of another, after having been forbidden so to do by the person who has lawful control of said premises, whether directly or by notice posted thereon, or in violation of a court order pursuant to section thirty-four B of chapter two hundred and eight or section three or four of chapter two hundred and nine A, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days or both such fine and imprisonment.

SECTION 7. Section 28 of chapter 276 of the General Laws is hereby amended by striking out the first sentence, as amended by section 4 of said chapter 447, and inserting in place thereof the following sentence:- Any officer authorized to serve criminal process may arrest, without a warrant, and detain a person found in the act of stealing property in the presence of the officer regardless of the value of the property stolen and may arrest, without a warrant, and detain a person whom the officer has probable cause to believe has committed a misdemeanor by violating an order to vacate under section thirty-four B of chapter two hundred and eight or section three or four of chapter two hundred and nine A; or a temporary restraining order under section eighteen of chapter two hundred and eight or section thirty-two of chapter two hundred and nine or section three or four of chapter two hundred and nine A.

Approved December 21, 1983.

Chap. 679. AN ACT RELATIVE TO CERTAIN TIDE WATERS IN THE CITY OF NEW BEDFORD AND THE RIGHTS OF THE COMMONWEALTH OF MASSACHUSETTS THEREIN.

Be it enacted, etc., as follows:

SECTION 1. The general court hereby finds and declares that the land in the City of New Bedford in the County of Bristol described in Section 2 of this act consists in part of historic flats and historic submerged lands; as a result of its former tide lands status title to said land is subject to the condition subsequent that it be used for a public purpose; the use of said land described in Section 3 of this act assists the economic revival of the City of New Bedford and because of the public access provisions provided therein said use promotes the enjoyment of the waterfront by all citizens of the Commonwealth; the loss of public rights from said use are incidental to the public benefits conferred. Any and all rights of the public and of the Commonwealth in and to the flats and submerged land within the boundaries of that certain parcel of land described in Section 2 of this act are declared relinquished and extinguished subject to compliance to the use and conditions set forth in Section 3 of this act.

SECTION 2. This act pertains to a certain parcel of land in New Bedford, Bristol County, Massachusetts, owned by said city and bounded and described as follows:
Being a certain parcel of land in New Bedford, Bristol County (S.D.), Massachusetts, and also being a portion of the parcel shown on a plan entitled "Corrective Plan, Steamship Wharf, Coal Pocket Pier, Belonging to the City of New Bedford," Scale 1"=60', dated June 1, 1979, Recorded in the Bristol County Registry of Deeds (S.D.), bounded and described as follows:
Beginning at a point in the Easterly line of MacArthur Drive.
Thence running North 81°-39'-17" East in the line of land now or formerly of the Commonwealth of Massachusetts, 99.08 feet to a point on Steamship Wharf;
Thence turning and running South 8°-15'-00" East across said Wharf about 39 feet to the high water line of the Acushnet River at said wharf as shown on the above mentioned plan.
Thence turning and running Westerly by the high water line and said Wharf about 42 feet to a point;
Thence turning and running Southerly, Easterly, and Southerly by the high water line about 205 feet to Coal Pocket Pier.
Thence continuing Southerly across said Pier about 38 feet to a point in the line of land now or formerly of the New Bedford Redevelopment Authority;
Thence turning and running South 81°-28'-18" West in the line of last-named land about 5 feet to a point;
Thence turning and running North 66°-38'-18" West in the line of land now or formerly of Aiello Bros., Inc., 30.29 feet to a

point;
Thence turning and running South 81°-28'-18" West in the line of last named land, 82.00 feet to a point;
Thence turning and running North 87°-36'-52" West in the line of land now or formerly of Thomas Coucci and Sebastian T. Aiello, 63.42 feet to the Easterly line of MacArthur Drive;
Thence turning and running North 8°-31'-52" West in the Easterly line of MacArthur Drive, 8.01 feet to a point;
Thence turning and running by a curve to the right of radius, 4.00 feet in the Easterly line of MacArthur Drive an arc length of 7.36 feet to a point;
Thence turning and running North 6°-50'-22" East in the Easterly line of MacArthur Drive, 164.41 feet to the point of beginning.

SECTION 3. The rights of the public and of the Commonwealth in the parcel of land described in Section 2 of this act are relinquished and extinguished subject to the following conditions:

(a) that said land be used for the construction of residential condominiums, apartments, and retail commerce; and

(b) that there be constructed and maintained by the owner or developer a pedestrian walkway around the waterfront perimeter of said land no less than 200 feet long and 8 feet wide open to the public; and

(c) that the operation of said condominium, apartment, and retail commercial space shall not be detrimental to the public navigation of the remaining waters of the Commonwealth or the Acushnet River; and

(d) that in no event shall this act be construed to authorize any dredging or filling in the waters of the Acushnet river without approval pursuant to the procedures provided in the General Laws for approval of such activities.

In the event that these conditions are not complied with, the title to said lands shall revert to the status held prior to the effective date of this act. This act shall not be construed to extinguish any rights that the Commonwealth or the public may have in lands lying outside of the property described in Section two.

SECTION 4. In the event of a taking by the Commonwealth or any of its political subdivisions of the land described in section two and in compliance with section three, the measure of damages recoverable by reason of such taking shall be determined in accordance with the provisions of chapter seventy-nine of the general laws.

Approved December 21, 1983.

Chap. 680. AN ACT RELATIVE TO INTERSTATE CHILD CUSTODY PROCEEDINGS.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by inserting after chapter 209A the following chapter:-

CHAPTER 209B.

MASSACHUSETTS CHILD CUSTODY JURISDICTION ACT.

Section 1. As used in this chapter the following words, unless the context requires otherwise, shall have the following meanings:-

"Contestant", a person who claims a legal right to custody or visitation with respect to a child;

"Custody determination", any court order, instruction or judgment, whether temporary or final, providing for the custody of or visitation rights with a child; it shall not be deemed to include any order or judgment concerning other child-related matters except to the extent such order of judgment contains a custody determination as above-stated;

"Custody proceeding", includes proceedings in which a custody determination is one of several issues presented for resolution, such as an action for divorce or separation, guardianship, and care and protection;

"Judgment" or "Custody judgment", a custody determination made in a custody proceeding, and includes an initial judgment and a modification judgment;

"Home state", the state in which the child immediately preceding the date of commencement of the custody proceeding resided with his parents, a parent, or a person acting as parent, for at least 6 consecutive months, and in the case of a child less than 6 months old the state in which the child lived from birth with any of the persons mentioned. Periods of temporary absence of any of the named persons are counted as part of the 6-month or other period;

"Initial judgment", the first custody determination concerning a particular child;

"Modification judgment", a custody determination which modifies or replaces a prior custody determination, whether made by the court which rendered the prior determination or by another court;

"Physical custody", actual possession and control of a child;

"Person acting as parent", a person other than a parent who has physical custody of a child and who has either been awarded custody of a child or claims a legal right to custody and includes an authorized social service agency exercising legal or physical custody of a child; and

"Parent", a biological, foster, or adoptive parent whose parental rights have not previously been terminated;

"State", any state, territory, or possession of the United States, the Commonwealth of Puerto Rico, and the District of Columbia.

Section 2. (a) Any court which is competent to decide child custody matters has jurisdiction to make a custody determination by initial or modification judgment if:

(1) the commonwealth (i) is the home state of the child on the commencement of the custody proceeding, or (ii) had been the child's home state within six months before the date of the commencement of the proceeding and the child is absent from the commonwealth beacuse of his or her removal or retention by a person claiming his or her custody or for other reasons, and a parent or person acting as parent continues to reside in the commonwealth; or

(2) it appears that no other state would have jurisdiction under paragraph (1) and it is in the best interest of the child that a court of the commonwealth assume jurisdiction because (i) the child and his or her parents, or the child and at least one contestant, have a significant connection with the commonwealth, and (ii) there is available in the commonwealth substantial evidence concerning the child's present or future care, protection, training, and personal relationships; or

(3) the child is physically present in the commonwealth and (i) the child has been abandoned or (ii) it is necessary in an emergency to protect the child from abuse or neglect or for other good cause shown, provided that in the event that jurisdictional prerequisites are not established pursuant to any other paragraph of this subsection and a court of another state shall be entitled to assert jurisdiction under any other subparagraph of this paragraph then a court exercising jurisdiction pursuant to this clause of paragraph (3) may do so only by entering such temporary order or orders as it deems necessary unless the court of the other state has declined to exercise jurisdiction, has stayed its proceedings or has otherwise deferred to the jurisdiction of a court of the commonwealth; or

(4) (i) it appears that no other state would have jurisdiction under prerequisites substantially in accordance with paragraph (1), (2) or (3), or another state has declined to exercise jurisdiction on the ground that the commonwealth is the more appropriate forum to determine the custody of the child, and (ii) it is in the best interest of the child that a court of the commonwealth assume jurisdiction.

(b) Except under subparagraphs (3) and (4) of paragraph (a), physical presence in the commonwealth of the child or of the child and one of the contestants, is not alone sufficient to

confer jurisdiction on a court of the commonwealth to make a custody determination.

(c) Physical presence of the child, while desirable, is not a prerequisite for jurisdiction to make a custody determination.

(d) A court of the commonwealth shall not exercise jurisdiction in any custody proceeding commenced during the pendency of a proceeding in a court of another state where such court of that state is exercising jurisdiction consistently with the provisions of this section for the purpose of making a custody determination, except in accordance with paragraph (3) of subsection (a), unless the court of the other state shall decline jurisdiction pursuant to paragraph (4) of subsection (a) or shall stay its proceedings or otherwise defer to the jurisdiction of a court of the commonwealth.

(e) If a court of another state has made a custody determination in substantial conformity with this chapter, a court of the commonwealth shall not modify that determination unless (1) it appears to the court of the commonwealth that the court which made the custody determination does not now have jurisdiction under jurisdictional prerequisites substantially in accordance with this chapter or that such court has declined to assume jurisdiction to modify its determination and (2) a court of the commonwealth now has jurisdiction pursuant to this chapter.

Section 3. (a) Every party in any custody proceeding shall state in an affidavit which shall be filed together with his first pleading the following information:-

(1) the child's present address of residence;

(2) each address at which the child has resided during the two years immediately prior to the filing of the instant custody proceeding;

(3) the names and, if known, the current residential addresses or, if unknown, the last and usual residential addresses, of all persons who have been parties to any custody proceedings involving the child during the said two-year period, other than any person whose rights have been terminated in any parental rights termination proceeding, and any other persons who, according to the knowledge and belief of the affiant, claim a legal right to the custody or physical possession of the child; and

(4) whether or not the party knows of or has participated in any prior custody proceeding involving the child in the commonwealth or in any other jurisdiction and the nature of his participation, as party, witness, or in any other capacity, in such prior proceeding.

(b) Unless the same have already been filed by another party, every party in any custody proceeding shall attach to the affidavit a certified copy of each pleading and of any determina-

tion entered in any custody proceeding he knows of or has participated in involving the child in the commonwealth or in any other jurisdiction.

(c) The court may examine any one or more of the parties under oath concerning the information required to be furnished under this section and concerning other matters pertinent to any jurisdictional or other issues before the court.

(d) Each party shall amend the affidavit at any time after filing to inform the court of any custody proceeding filed in any jurisdiction after the date of filing of the instant custody proceeding of which the affiant becomes aware after filing the affidavit and shall further amend the affidavit to include the names and addresses, in conformity with paragraph (3) of subsection (a), of any person of whom the affiant becomes aware after filing the affidavit who claims a legal right to the custody or physical possession of the child.

(e) Notwithstanding the provisions of this section, a court may waive disclosure of the present or prior address of the child or of a contestant when such waiver is necessary to protect the child or the contestant from physical or emotional abuse. Application for an order waiving disclosure under this paragraph shall be made upon such notice as the court shall prescribe. The court shall waive disclosure whenever the present or prior address of the child or of a contestant is a shelter for battered persons and their dependent children. The reasons for waiver of any disclosure requirement of this section shall be stated by the court in the record of the custody proceeding.

(f) The court may impose sanctions against any party who fails to act in conformity with this section without leave of court granted for good cause shown.

Section 4. (a) After examination of the pleadings, affidavits, certified copies of the documentation relative to other custody proceedings and such oral testimony as it may require, the court shall determine the proper parties to the custody proceeding.

(b) During the pendency of the proceeding, the court may require the joinder of additional parties and in that event, the court shall specify that such additional parties be served with process in accordance with section five or six, as applicable, or that they be otherwise notified in such manner as the court shall determine.

Section 5. (a) Reasonable notice in conformity with section six and an opportunity to be heard shall be given to the contestants, to any parent whose parental rights have not been previously terminated, to any person acting as parent, and to any other persons designated proper parties by the court pursuant to section four, provided that in the event a court of the commonwealth assumes jurisdiction pursuant to clause (ii) of

paragraph (3) of subsection (a) of section two, then the court may waive such notice requirement for such period as may be allowed under applicable court rules.

(b) Any notice shall include the nature of the action, copies of all pleadings filed with the court, and the statement that any person so notified may apply to the court concerning allocation of the costs of those reasonable and necessary expenses to be incurred in connection with the custody proceeding in accordance with applicable sections of this chapter.

Section 6. (a) Notice to a person in the commonwealth shall be given in accordance with the applicable Massachusetts rules of court or in such other manner as is prescribed by law.

(b) Notice required for the exercise of jurisdiction over a person outside the commonwealth shall be given in accordance with the applicable Massachusetts Rules of Court or statute or, in the discretion of the court, in the manner prescribed by the law of the place in which the service is made concerning service of process in an action of its court of general jurisdiction, provided, however, that in no event shall notice under this paragraph be served, mailed, delivered or last published less than twenty days before any custody determination is made in this state, other than a determination made pursuant to clause (ii) of paragraph (3) of subsection (a) of section two.

(c) Proof of service outside the commonwealth may be made by affidavit of the individual who made the service, in accordance with the applicable law or the Massachusetts rules of court, in accordance with the order pursuant to which the service is made, or, in the discretion of the court, otherwise in accordance with the law of the place in which the service is made.

(d) Notice is not required to be given to a contestant who submits to the jurisdiction of the court.

Section 7. (a) A court which has jurisdiction pursuant to section two may decline to exercise its jurisdiction at any time prior to making a custody determination upon finding that its assumption of jurisdiction would be (i) violative of the purposes of this chapter; or (ii) would be based upon the illegal or otherwise wrongful conduct of a party; or (iii) would constitute an inconvenient forum and that a court of another state would constitute a more convenient forum.

(b) A court may decline jurisdiction for any of the reasons set forth in paragraph (a) upon motion of a party or of any representative of the child entitled to appear before the court or upon the court's own motion.

(c) In order to determine whether it is the appropriate forum, a court of the commonwealth may, in its discretion, at any time during the pendency of the custody proceeding, communicate and exchange information with a court or courts of any

other relevant jurisdiction.

(d) For the purposes of this section, a court may consider the following factors:

(1) whether another state is or recently was the child's home state;

(2) whether another state has a closer connection with the child and his family or with the child and one or more of the contestants;

(3) whether more substantial evidence concerning the child's present or future care, protection, training, and personal relationships is available or whether such evidence is more readily available in another state;

(4) whether the parties have agreed on another forum which is not less appropriate; and

(5) whether the exercise of jurisdiction by a court of the commonwealth would contravene any of the purposes of this chapter.

(e) If a court shall find that a court of another jurisdiction is or may be a more appropriate forum under the terms of this chapter for the adjudication of the custody proceeding, it may do one or more of the following:

(1) dismiss the proceeding with or without prejudice;

(2) vacate any order or judgment already entered;

(3) stay the proceeding upon condition that a custody proceeding be intitiated or prosecuted in another state in a timely manner or upon any other condition that the court might deem just;

(4) retain jurisdiction over any action to which the custody proceeding is incident, while declining to render a custody determination;

(5) enter such temporary order or orders as may be required, in the court's discretion, pursuant to clause (ii) of paragraph (3) of section two;

(6) assess any or all of the costs of the custody proceeding in this state, having due regard for the purposes of this chapter, including the reasonable travel and other expenses of any party and his or her witnesses, the reasonable attorneys' fees of any party, the costs of the court's communications and information exchanges with other courts and the fees and costs of any person entitled to appear before the court as the representative of a child;

(7) assess sanctions against any party whom the court finds has engaged in illegal or otherwise wrongful conduct;

(8) enter any other order or judgment which may be meet and just under the circumstances of the case.

(f) A court shall communicate to the court of any other relevant jurisdiction any determination or finding made pursuant

to this section.

Section 8. (a) The court may order any party to the proceeding who is in the commonwealth to appear personally before the court. If that party has physical custody of the child the court may order that he or she appear personally with the child.

(b) If a party to the proceeding whose presence is desired by the court is outside the commonwealth with or without the child, the court may order that the notice given under section five include a statement directing the party to appear personally with or without the child and declaring that failure to appear may result in a decision adverse to that party.

(c) If a party to the proceeding who is outside the commonwealth is directed to appear under paragraph (b) or desires to appear personally before the court with or without the child, the court may require another party to pay to the clerk or register of the court travel and other necessary expenses of the party so appearing and of the child if this is just and proper under the circumstances.

Section 9. In addition to other procedural devices available to a party, any party to the proceeding or a guardian ad litem or other representative of the child may adduce testimony of witnesses, including parties and the child, by deposition or otherwise, in another state. The court on its own motion may direct that the testimony of a person be taken in another state and may prescribe the manner in which and the terms upon which the testimony shall be taken.

Section 10. (a) A court of the commonwealth may request the appropriate court of another state to hold a hearing to adduce evidence, to order a party to produce or give evidence under other procedures of that state, or to have an investigation made with respect to the custody of a child involved in proceedings pending in the court of the commonwealth; and to forward to the court of the commonwealth certified copies of the transcript of the record of the hearing, the evidence otherwise adduced, or any investigation prepared in compliance with the request. The cost of these services may be assessed against the parties.

(b) A court of the commonwealth may request the appropriate court of another state to order a party to custody proceedings pending in the court of the commonwealth to appear in the proceedings, and if that party has physical custody of the child, to appear with the child. The request may state that travel and other reasonable and necessary expenses of the party and of the child whose appearance is desired may be assessed against another party or may otherwise be paid.

Section 11. (a) Upon request of the court of another state the courts of the commonwealth which are competent to hear custody matters may order a person in the commonwealth to

appear at a hearing to adduce evidence or to produce or give evidence under other procedures available in the commonwealth or may order investigations to be made for use in a custody proceeding in another state. A certified copy of the transcript of the record of the hearing or the evidence otherwise adduced and of any investigation shall be forwarded by the clerk or register of the court to the requesting court.

(b). Upon request of the court of another state a competent court of the commonwealth may order a person in the commonwealth to appear alone or with the child in a custody proceeding in another state. The court may condition compliance with the request upon assurance by the other state that travel and other necessary expenses will be advanced or reimbursed.

Section 12. (a) A certified copy of a custody judgment of another state may be filed in the office of the clerk or register of any court of competent jurisdiction in the commonwealth. The clerk or register shall treat the judgment in the same manner as a custody judgment of a court of the commonwealth. A custody judgment so filed has the same effect and shall be enforced in like manner as a custody judgment rendered by a court of the commonwealth.

(b) A person violating a custody judgment of another state the violation of which makes it necessary to enforce the judgment in the commonwealth may be required to pay the reasonable and necessary travel, witness and other expenses, including attorneys' fees, incurred by the party entitled to custody of the child.

Section 13. In any custody proceeding in the commonwealth the court shall preserve the pleadings, orders and judgments and any record that has been made of its hearings, investigations and other pertinent documents until the child reaches eighteen years of age. Upon appropriate request of the court of another state and receipt of payment therefor the court shall forward to the other court certified copies of any or all of such documents.

Section 14. To the extent that the legal institutions of other nations have rendered custody determinations in substantial conformity with the provisions of this chapter, the courts of the commonwealth shall grant due recognition to such determinations.

SECTION 2. (a) The general purposes of this act are to:

(1) avoid jurisdictional competition and conflict with courts of other states in matters of child custody which have in the past resulted in the shifting of children from state to state with harmful effects on their well-being;

(2) promote cooperation with the courts of other states to the end that a custody judgment is rendered in that state which can

best decide the case in the interest of the child;

(3) assure that litigation concerning the custody of a child takes place ordinarily in the state with which the child and his or her family have the closest connection and where significant evidence concerning the child's care, protection, training, and personal relationships is most readily available, and that courts of the commonwealth decline the exercise of jurisdiction when the child and his family have a closer connection with another state;

(4) discourage continuing controversies over child custody in the interest of greater stability of home environment and of secure family relationships for the child;

(5) deter abductions and other unilateral removals of children undertaken to obtain custody awards;

(6) avoid relitigation of custody decisions of other states in the commonwealth insofar as feasible;

(7) facilitate the enforcement of custody decrees of other states rendered in substantial conformity with this act;

(8) promote and expand the exchange of information and other forms of mutual assistance between the courts of the commonwealth and those of other states concerned with the same child; and

(9) increase the uniform application of law with respect to the subject of this act;

(b) This act shall be construed to promote the general purposes stated in this section.

Approved December 21, 1983.

Chap. 681. AN ACT RELATIVE TO THE TAXATION OF CONCRETE MIXING UNITS.

Be it enacted, etc., as follows:

Section 6 of chapter 64H of the General Laws is hereby amended by striking out paragraph (y), inserted by section 45A of chapter 555 of the acts of 1971, and inserting in place thereof the following paragraph:-

(y) Sales of concrete mixing units or replacement parts thereof, to be mounted on truck chassis; provided, however, that sales of truck chassis shall not be exempt under this paragraph.

Approved December 21, 1983.

Chap. 682. AN ACT PROVIDING THAT CERTAIN CIVIL SERVICE APPOINTMENTS BE BASED UPON SPECIAL STATE OR FEDERAL TRAINING PROGRAMS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 31 of the General Laws is hereby amended by inserting after section 47 the following section:-

Section 47A. Notwithstanding the provisions of sections six and twenty-eight, an appointment to a position subject to this chapter may be made to a position in the lowest title in a series as determined by the personnel administrator; provided, however, that the appointee has successfully completed a certified work-training program for disadvantaged persons. The executive office of manpower affairs shall be responsible for certifying programs that are state-administered, federally-funded employment and training programs, except for such programs in the employment and training program administered by the department of public welfare which shall be certified by said department, the department of personnel administration shall be responsible for certifying inservice state agency programs; the board of regents shall be responsible for certifying two-year and four-year college training education programs, and the department of education shall be responsible for certifying secondary public schools, vocational schools and other certified education facilities that are work training programs which meet the qualifications and work specifications of the positions and prepare the trainee to perform the duties of said positions, and shall furnish a list of such programs to the personnel administrator; and provided, further 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, persons so trained shall take an examination for the position administered by the personnel administrator. If more than one person, eligible for an appointment, satisfactorily completes such examination, the names of such disadvantaged persons shall be placed in the order of their passing grade, subject to the provisions of section twenty-six or twenty-eight, for labor service, an eligible list, hereinafter referred to as a special eligible list.

When an eligible list exists for the position for which such examination has been given, the personnel administrator shall certify names alternately from such eligible list and such special

eligible list; provided, however, that persons on such list shall be grouped according to the provisions of this chapter; and, provided further, that nothing in this section shall be construed to affect other provisions of this chapter concerning promotional examinations. Names from a departmental promotional list shall be certified before names from a special eligible list.

For the purpose of this section a disadvantaged person shall be a person whose annual family net income, in relation to 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 who is forty-five years of age or older, or is handicapped; provided, however, 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 or other similarly enacted federally sponsored training programs, shall not be barred from consideration as a disadvantaged person by reason of the amount of his salary.

The provisions of this section shall not apply to positions in the police or fire services.

The department of personnel administration shall assist in establishing training programs for disadvantaged persons to meet stated specifications of the positions referred to in this chapter.

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

Approved December 21, 1983.

Chap. 683. AN ACT ESTABLISHING THE DIVISION OF ADMINISTRATIVE LAW APPEALS.

Be it enacted, etc., as follows:

Chapter 7 of the General Laws is hereby amended by striking out section 4H, as most recently amended by section 2 of chapter 767 of the acts of 1981, and inserting in place thereof the following section:-

Section 4H. There shall be within the executive office for administration and finance a division of administrative law appeals under the direction of a chief administrative magistrate who

shall be appointed by the secretary of the executive office for administration and finance with the approval of the governor. Said chief administrative magistrate, shall be a resident of the commonwealth at the time of his appointment, shall be a person with substantial experience as a trial attorney, shall devote full time to the duties of his office, and shall have no financial interest in any provider of services on which he shall make a rate determination. He shall hear, or assign for hearing, appeals filed pursuant to section thirty-six of chapter six A and shall make available not less than three full-time administrative magistrates or the equivalent thereof, to hear appeals assigned pursuant to sections forty-two and forty-three of chapter thirty-one. Said administrative magistrate shall serve under the direction, supervision and control of the commission and shall be utilized to expedite appeals of the commission. Any officer or agency of the commonwealth authorized to conduct adjudicatory proceedings or to hear appeals from such proceedings may, subject to the approval of the secretary of the executive office within which such officer is employed or such agency is located, request the division to conduct one or more classes of such proceedings or appeals on behalf of the officer or agency. The chief administrative magistrate may, subject to the approval of the secretary of administration and finance, grant any such request but shall, when necessary, promulgate regulations governing the additional class or classes of proceedings or appeals to be so conducted or heard prior to conducting or hearing any such proceedings or appeals.

It shall be the responsibility of said chief administrative magistrate to organize his division to provide speedy and fair disposition of all appeals and to establish policies that will encourage and aid parties in limiting and consolidating issues and pleadings to the superior court. Subject to appropriation he may employ such persons as may be required to discharge the responsibilities of the division, including administrative magistrates who shall be members of the bar of the commonwealth and who shall have had trial experience. Administrative magistrates 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 administrative magistrates may be hired either as regular employees of the division or on a consultant basis.

No administrative magistrate, including the chief administrative magistrate, shall be subject to the provisions of chapter thirty-one or section nine A of chapter thirty.

The division may summon witnesses, administer oath and require the production of books, records and papers at any hearing before the division, upon any matter within its jurisdiction.

Witnesses may be summoned by any party to the proceeding in the same manner, be paid the same fees and be subject to the same penalties as witnesses in civil cases before the courts of the commonwealth.

Approved December 21, 1983.

Chap. 684. AN ACT TO PROVIDE FOR FULL REIMBURSEMENT BY THE COMMONWEALTH FOR THE COSTS OF EDUCATING FOSTER CARE CHILDREN.

Be it enacted, etc., as follows:

SECTION 1. Section 7 of chapter 76 of the General Laws, as most recently amended by sections 26 and 27 of chapter 552 of the acts of 1978, is hereby further amended by inserting after the word "shall" in the first sentence the word "fully".

SECTION 2. This act shall take effect as of July 1, 1983.

Approved December 21, 1983.

Chap. 685. AN ACT PROVIDING FOR EQUAL OPPORTUNITY FOR CERTAIN DISPLACED HOMEMAKERS.

Be it enacted, etc., as follows:

SECTION 1. Sections eleven P to eleven S, inclusive, of chapter twenty-three of the General Laws are hereby repealed.

SECTION 2. Chapter 401 of the General Laws is hereby amended by inserting after section 7 the following five sections:-

Section 7A. As used in sections seven B to seven D, 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.

Section 7B. The chairperson of the Bay State Skills Corpora-

tion board of directors, hereafter referred to as the chairperson, shall appoint members of a state-wide advisory council on displaced homemakers hereafter referred to as the advisory council established for the purposes of making recommendations relative to the implementation and monitoring of a state-wide plan for displaced homemakers. The advisory council, from time to time, shall suggest to said chairperson new programs for displaced homemakers and report its evaluations of existing displaced homemaker programs, services and activities together with recommendations for any necessary changes for the purpose of assisting said chairperson in coordinating, promoting and establishing a state plan for displaced homemakers. The advisory council shall provide the chairperson with recommendations regarding the funding and emergency assistance of regional multi-purpose service centers; shall provide the chairperson with recommendations regarding the coordination of state, the division of occupational education, the job training partnership act and other available funding.

The advisory council shall be composed of representatives from social service agencies, community based organizations, education, business and training agencies. Membership should also include displaced homemakers, ethnic minorities and a geographic distribution. The executive director of the Bay State Skills Corporation or his designee shall be the executive secretary of said advisory council and is a non-voting member.

Section 7C. The chairperson with input from the displaced homemaker advisory council shall provide for the establishment of not less than five multi-purpose service centers, designed to meet the demographic and geographic needs of the displaced homemaker population. These multi-purpose service centers shall provide services including but not limited to:

(1) job counseling services specifically designated for a person seeking employment after a number of years as a homemaker and shall operate to counsel displaced homemakers with respect to appropriate job opportunities including crisis intervention, peer support, life skills training such as confidence building, problem solving and decision making.

(2) job training referrals, career counseling, job placement services developed by working with government agencies and private employers; training and placement programs for jobs in the public and private sectors; assistance to displaced homemakers in gaining admission to existing public and private job training programs and opportunities.

(3) prevocational training and educational services including outreach and information about such other programs which are determined to be of interest and benefit to such displaced homemakers by the advisory council.

(4) outreach and information services with respect to government employment, education, health, legal and unemployment assistance programs which the advisory council determines would be of interest and benefit to such displaced homemakers.

(5) a clearinghouse providing resource libraries including films and books; area program planning; in-service training for center staff and directories of existing counseling, educational and job training programs.

Supervisory, technical and administrative positions relating to multi-purpose service centers established under this act shall, to the extent feasible, be filled by such displaced homemakers.

Section 7D. The executive director of the Bay State Skills Corporation with input of the advisory council shall appoint a coordinator who shall report to the executive director, keep advisory council records and gather information regarding funding sources including the commonwealth, the division of occupational education, the Job Training Partnership Act and other funding sources identified for displaced homemakers, and coordination thereof.

Section 7E. The chairperson shall report annually to the governor and file a copy thereof with the clerk of the house of representatives and the clerk of the senate and the advisory council on the work of the program. Such report shall include the number of people served at each center, the type of services received, the number of people placed in employment, training and educational programs and follow-up data on such programs, and the cost effectiveness of center programs.

SECTION 3. Section three of chapter four hundred and eighty-three of the acts of nineteen hundred and seventy-eight is hereby repealed.

Approved December 21, 1983.

Chap. 686. AN ACT VALIDATING CERTAIN PROCEEDINGS OF THE CITY OF QUINCY AND AUTHORIZING THE CITY TO BORROW MONEY FOR THE PURPOSE OF MAKING CERTAIN PAYMENTS TO GENERAL DYNAMICS CORPORATION RELATING TO OVERPAYMENTS OF TAXES BY SUCH CORPORATION.

Be it enacted, etc., as follows:

SECTION 1. The city of Quincy, for the purposes specified in section three of this act, may borrow, at one time or from time to time, a sum in the aggregate not exceeding nineteen million

twenty-nine thousand dollars, and may issue and sell bonds or notes of said city therefor as provided herein. When authorized by a two-thirds vote as defined in section one of chapter forty-four of the General Laws, bonds and notes may be issued hereunder by the treasurer of said city with the approval of the mayor. Notwithstanding sections sixteen and nineteen of said chapter forty-four, bonds and notes may be issued hereunder as serial bonds or term bonds or any combination thereof, may be dated and bear interest from such date, not earlier than August first, nineteen hundred and eighty-three, may mature, subject to the provisions of this act, on such date or dates and in such amounts, may be redeemable prior to maturity at the option of said city with or without premium, may be in such form, either bearer or registered, may be issued in such denominations, and may be sold in such manner, either at public or private sale, and for such price, as the treasurer of said city, with the approval of the mayor, shall determine to be reasonable and proper.

SECTION 2. Bonds and notes issued under this act shall bear on their face the words, City of Quincy Tax Abatement Funding Loan, Act of 1983. Each issue shall constitute a separate loan and such loans shall be payable in not more than twelve years from their dates. Notwithstanding any general or special law to the contrary, the initial payment of principal of each loan shall be made not later than two years from the date of the loan and all or any part of the interest accruing on such loan from the date thereof to and including the date of the first payment of principal thereon may, in the discretion of the city treasurer and the mayor, be added to the principal amount of such loan, payable, with interest thereon at the rate or rates provided in such loan, on such date or dates and in such amounts as the city treasurer, with the approval of the mayor, shall determine; provided, however, that no such deferral of interest payments on any loan issued hereunder shall cause the aggregate principal amount of all loans issued hereunder to exceed the amount provided in section one of this act or extend the period within which all such loans must be payable as provided herein.

The maturities of each loan issued in accordance with this act shall be arranged so that, commencing with the first year in which a principal payment is required hereunder, the amounts payable in the several years for principal and interest combined shall be as nearly equal as it is practicable to make them in the opinion of the city treasurer and mayor or, in the alternative, in accordance with a schedule providing a more rapid amortization of principal.

All bonds and notes issued by the city under authority of

section one of this act shall be general obligations of the city for the payment of the principal of the interest on which the full faith and credit of the city are pledged and each such bond and note shall contain a statement to that effect.

Indebtedness incurred under authority of section one shall not be included in determining the statutory limit of indebtedness of the city prescribed by section ten of chapter forty-four of the General Laws, but, except as provided herein, shall be subject to the provisions of the city charter of the city applicable to the issuance of bonds and notes and to all other applicable provisions of said chapter forty-four. The holder of any bond or note issued under this act may apply any amount then due and payable thereon to the payment of any real or personal property taxes payable to the city and each such bond or note shall contain a statement to that effect. The expenses relating to the issue of any bonds or notes under this act may be paid from any available city funds without appropriation. Any expenses so paid shall be reported by the city auditor to the assessors, who shall include the amount so reported in the aggregate appropriations assessed in the determination of the next subsequent tax levy, unless the city has otherwise made provision therefor.

SECTION 3. Proceeds of bonds or notes issued under section one shall be expended by the city solely for the purpose of making payments to General Dynamics Corporation on account of refunds and other recoveries of taxes arising from overpayments by said corporation of real estate and personal property taxes to the city, including interest with respect to such overpayments for fiscal years prior to and including the fiscal year ending June thirtieth, nineteen hundred and eighty-three, pursuant to any court order or as a settlement of any court or appellate tax board or abatement proceeding relating to such overpayments, and for the provision for capitalized interest on such bonds or notes. In lieu of receiving money upon the issuance of any bonds or notes under this act, the city may issue such bonds or notes to General Dynamics Corporation as evidence of its obligation to make the payments described above to said corporation. In the case of such issuance to General Dynamics Corporation no accrued interest from the date of the bonds or notes to the date of delivery thereof need be paid to the city, provided, however, that the delivery date is no more than six months later than the date of the bonds or notes.

SECTION 4. In the discretion of the treasurer and mayor of the city, bonds and notes issued under authority of section one of this act may be issued under and pursuant to a trust, fiscal agency or other security agreement between the city and any

trust company or bank having the powers of a trust company within or without the commonwealth. Any such trust, fiscal agency or other security agreement may be in such form as determined by the city treasurer and mayor, shall be executed by the city treasurer and city auditor and countersigned by the mayor, and may contain such covenants and provisions establishing the duties and obligations of any trustee, paying agent, fiscal agent, registrar or transfer agent for the bonds and notes issued thereunder, and for protecting and enforcing the rights, security and remedies of the bond and note holders, as may, in the discretion of the city treasurer and mayor, be resonable and proper and not in violation of law including, without limiting the generality of the foregoing, provisions defining defaults and providing for remedies in the event thereof, including the acceleration of maturities; provided, however, that such trust, fiscal agency or other security agreement shall not pledge or create a security interest in any of the property, funds or other revenues of the city except to the extent otherwise permitted by general law. Any such trust, fiscal agency or other security agreement may set forth the rights and remedies of the bond and note holders thereunder, and of any trustee, paying agent, fiscal agent, registrar or transfer agent for such bonds and notes, and may restrict the individual rights of bond and note holders. All expenses incurred by the city in carrying out the provisions of such trust, fiscal agency or other security agreement shall be paid from any available city funds without appropriation. Any such expenses so paid shall be reported by the city auditor to the assessors, who shall include the amount so reported in the aggregate appropriations assessed in the determination of the next subsequent tax tevy, unless the city has otherwise made provision therefor.

Any holder of bonds or notes issued by the city under authority of section one of this act or the trustee or fiscal agent under any trust, fiscal agency or other securtity agreement under which the same are issued, except to the extent the rights herein given may be restricted by such agreement, may bring suit upon the bonds or notes and may, either at law or in equity, by suit, action, mandamus or other proceedings, protect and enforce any and all rights under the laws of the commonwealth or granted hereunder or under such trust, fiscal agency or other security agreement, and may enforce and compel the performance of all duties required by this act and any such agreement to be performed by the city or by any officer thereof.

SECTION 5. Bonds and notes issued under authority of section one are hereby made securities in which all insurance companies, trust companies, banking associations, savings banks,

cooperative banks, investment companies, executors, trustees and other fiduciaries, and all other persons whatsoever who are now or may hereafter be authorized to invest in bonds or notes or other obligations of a similar nature may properly and legally invest funds, including capital, deposits or other funds in their control or belonging to them. Such bonds and notes are hereby made securities which may properly and legally be deposited with and received by any state or municipal officer or any agency or political subdivision of the commonwealth for any purpose for which the deposit of bonds or other obligations of the commonwealth now or may hereafter be authorized by law. Notwithstanding any of the provisions of this act or the form of, or any recitals in, any of the bonds or notes issued hereunder, all such bonds and notes shall be deemed to be fully negotiable investment securities under chapter one hundred and six of the General Laws.

SECTION 6. The order passed by a two-thirds vote of the city council of the city of Quincy and approved by the mayor on November twenty-second, nineteen hundred and eighty-three, appropriating and authorizing the borrowing of the sum of nineteen million twenty-nine thousand dollars for the purposes set for in section three of this act is hereby validated, ratified and confirmed in all respects. Said order shall constitute full authorization for the issuance by the city treasurer and mayor of bonds or notes under authority of section one of this act and no further order shall be required for such issuance.

SECTION 7. The provisions of this act are severable and if any of its provisions shall be held invalid in any circumstances, such invalidity shall not affect any other provisions or circumstances.

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

Approved December 21, 1983.

Chap. 687. AN ACT FURTHER REGULATING THE RATE OF REIMBURSEMENT TO REST HOMES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately regulate the rate of reimbursement to rest homes, therefore 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 32 of chapter 6A of the General Laws is hereby amended by striking out the fourth paragraph, as appearing in section 2 of chapter 1229 of the acts of 1973, and inserting in place thereof the following paragraph:-

In determining rates to be paid by governmental units to providers of services, the commission shall include as an operating expense of a provider of services any contribution made in lieu of taxes by such provider of services to a city or town, and shall establish by regulation those expenses treated as business deductions under the Internal Revenue Code which shall be included as allowable operating expenses in determining rates of reimbursement. Except for ceilings or maximum rates of reimbursement which are determined in accordance with rate determination methods imposed on nursing homes, any ceiling or maximum imposed by the rate setting commission upon the rate of reimbursement to be paid to rest homes shall reflect the actual costs of rest home providers and shall not prevent any such rest home provider from receiving full payment for costs necessarily incurred in the provision of services in compliance with federal or state regulations and requirements.

SECTION 2. The rate setting commission shall redetermine and recertify the rate of payment which has been established, as of the effective date of this act, for every provider of rest home services where the rate initially determined for said provider was limited by a ceiling on rest home rates adopted by the commission by regulation and where the actual costs to said provider were in excess of said ceiling. The provisions of this section shall apply only to rates in effect subsequent to December thirty-first, nineteen hundred and eighty-three.

Approved December 21, 1983.

Chap. 688. AN ACT PROVIDING FOR CONTINUITY OF SERVICES TO DEVELOPMENTALLY DISABLED PERSONS WHOSE AGE NO LONGER ENTITLES THEM TO SERVICES UNDER SPECIAL EDUCATION PROGRAMS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 71B of the General Laws is hereby amended by inserting after section 12 the following three sections:-

Section 12A. For the purposes of sections twelve A to twelve C, inclusive, the following words shall have the following meanings:

"Disabled person", a person who is unable to engage in substantial gainful activity by reason of medically determinable physical or mental impairment which can be expected to result in death or be of at least twelve months' duration; provided, however, that such impairment is of such severity that such individual is unable to do his previous work, if any, and, considering his age, education, and work experience, cannot engage in substantial gainful activity.

"Education authority", the school committee or other education provider responsible for the provision of special education pursuant to the provisions of this chapter.

"Habilitative services", services directed toward the alleviation of limitations on major life activities of a disabled person, including diagnosis, evaluation, treatment, personal care, daycare, respite care, home care, residential care, group care in a community residence, special living arrangements, training, education, sheltered employment, supported work, recreation, counseling, protective and social services, legal services, information and referral services, and transportation services.

"Major life activity", self-care, including personal hygiene, dressing and eating; communication and language skills, including reception and expression; learning; mobility; capacity for independent living; and economic self-sufficiency.

"Substantial gainful activity", the performance of a task for at least twenty hours per week for which a disabled person receives compensation either in currency or in-kind; provided, however, that such activity shall not include sheltered workshops, supported work, occupational therapy or any other work activity supported by the federal, state, or local governments for the purpose of assisting such disabled person to participate in such activity.

"Transitional plan", a plan for a program of habilitative services for disabled person whose entitlement to services under special education programs has terminated or will terminate as a result of such person's graduation from high school or attainment of age twenty-two.

Section 12B. There shall be within the executive office of human services a bureau of transitional planning. There is also hereby established within the executive office of human services a committee, to be known as the transitional advisory committee, which shall meet on a regular and periodic basis for the purpose of reviewing and approving transitional plans for disabled persons whose entitlement to services under special education programs has terminated or will terminate within two years. The

committee shall consist of by the secretary of the executive office of human services who shall be chairman, or his designee, and one representative from each of the following agencies: the executive office of manpower affairs, the department of mental health, the department of social services, the department of public welfare, the department of public health, the Massachusetts rehabilitation commission, the Massachusetts office of deafness, the Massachusetts commission for the blind and the department of education. Said representatives shall be designated by the executive secretary, commissioner or department head whose agency they shall represent. The committee shall adopt rules and procedures governing its proceedings. Members of the committee shall not be compensated for service on said committee.

Section 12C. A disabled person who has been receiving special education under the provisions of this chapter shall be eligible, subject to appropriation, upon graduation from high school or upon attaining the age of twenty-two, whichever occurs first, to receive habilitative services in the manner hereinafter provided. The education authority which is responsible for the education of a person with special needs shall, with the consent of such person or his parent or guardian, at least two years before such person attains the age of twenty-two or at least two years before such person's graduation, whichever first occurs, determine whether such person may need continuing habilitative services and notify the bureau of transitional planning of the name and address of such person, the record of the special education services being provided to such person, and the expected date of termination of such services. Within thirty days of such notification, said bureau will begin to prepare a case file on such person consisting of all available information relevant to the questions of whether such person is a disabled person within the meaning of section twelve A and which habilitative services may be necessary or appropriate to assist such person in realizing his potential for self-sufficiency in major life activities. The education authority shall, with the consent of such person or his parent or guardian, provide said bureau with copies of relevant portions of record of such person, which shall be included in such person's case file. Said bureau shall also provide an opportunity for the submission by or on behalf of such person, of information relative to such person's special needs, and all information so provided shall be included in such person's case file.

If at the time of said notification to said bureau, such person has been determined to be eligible for disability benefits under Title II or Title XVI of the United States Social Security Act, such person shall be deemed to be a disabled person within the

meaning of section twelve A, and said bureau shall make a preliminary determination of the agency or agencies which shall develop a transitional plan for such person. If at such time such person has not been determined to be eligible for such benefits, said bureau shall refer such person to the Massachusetts rehabilitation commission for a determination whether he is a disabled person within the meaning of section twelve A. As a condition of such referral, said bureau may require that an application be submitted forthwith on behalf of such person for such benefits.

With respect to each such person referred to it under the preceding paragraph, the Massachusetts rehabilitation commission shall provide written notice to said bureau and to such person or his parent or guardian of its determination whether such person is a disabled person. If such person is determined by the commission to be disabled, then his case file shall be referred to said bureau for the preliminary determination of the agency or agencies which shall develop a transitional plan. In addition to any appeal rights under Titles II and XVI of the Social Security Act, a finding by the commission that such person is not disabled may be appealed by requesting review by the secretary of human services within sixty days after the date of issuance of the commission's determination. The secretary shall approve, disapprove, or remand to said commission for further consideration any such request within ninety days of its receipt by said secretary.

Upon receipt of a case file of a disabled person said bureau shall make a preliminary determination of the agency which shall develop a transitional plan for such individual.

If such preliminary determination is approved by the transitional advisory committee, such agency shall, in accordance with its usual planning procedures, except as modified by the provisions of this section, in cooperation with said bureau, and such person, develop a transitional plan for such person. The parent or guardian may participate in the development of the transitional plan unless such participation is objected to by the disabled person. Said transitional plan shall include, but not be limited to, the following information: the habilitative services found by the committee to be necessary or appropriate to assist such person in realizing his potential for self-sufficiency in major life activities; the agencies responsible for the provision of such services; the location in the least restrictive environment at which such services will be provided; and the expected duration for the provision of such services. Each transitional plan shall be submitted to the transitional advisory committee for its approval no later than six months prior to the date each disabled person attains age twenty-two or graduates, whichever occurs

first. The committee shall meet at least once a month for the purpose of considering the approval of such transitional plans.

Said committee shall provide the person and his parent or guardian with a written copy of an approved transitional plan developed for such person. If the plan calls for the provision of services by an agency in the executive office of human services or in the executive office of manpower affairs, the secretaries of such executive offices shall also be provided with a written copy of the plan. Each respective secretary shall review the portion of such plan which calls for the provision of services by an agency within his executive office and may, after consultation with such agency and written notification to such person or his parent or guardian, make such modifications to such portion of said plan as are necessary or appropriate. Any plan which has not been so modified by the executive secretary within sixty days of its submission to the secretary shall be deemed to be approved in the form submitted.

After a transitional plan for a disabled person has been approved and after said individual attains the age of twenty-two or graduates, whichever first occurs, habilitative services shall be provided to such person in accordance with the transitional plan. The secretary of human services shall promulgate rules and regulations for the modification, extension, termination, or appeal of the transitional plan by such person, his parent or guardian, or any agency responsible for the provision of services pursuant to such plan.

SECTION 2. Section fifteen of chapter seventy-one B of the General Laws is hereby repealed.

Approved December 21, 1983.

Chap. 689. AN ACT RELATIVE TO THE PRACTICE OF PODIATRY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 176G of the General Laws is hereby amended by striking out section 1, as appearing in section 1 of chapter 454 of the acts of 1976, and inserting in place thereof the following section:-

Section 1. The following words as used in this chapter shall, unless the context clearly requires otherwise, have the following meanings:

"Carrier", an insurance company authorized to provide accident and health insurance under chapter one hundred and

seventy-five, a nonprofit hospital service corporation authorized under chapter one hundred and seventy-six A, or a nonprofit medical service corporation authorized under chapter one hundred and seventy-six B.

"Commissioner", the commissioner of insurance.

"Company", a corporation, a partnership, a business trust, an association, an organized group of persons whether incorporated or not, or any line of business division, department, subsidiary or affiliate of any thereof and any receiver, trustee or other liquidating agent of any of the foregoing while acting in such capacity.

"Evidence of coverage", any certificate, contract or agreement issued to a member stating the health services and any other benefits to which the member is entitled.

"Group health maintenance contract", any health maintenance contract with any group of five or more persons, or the employer or representative of a group of five or more persons; provided, that twenty-five per cent or more of those eligible in a group of fifty or more persons and seventy-five per cent or more of those eligible in a group of less than fifty persons, are group contract enrollees; provided futher, that, for the purposes of computing the percentage of group contract enrollment under this definition, persons in a group who are subscribers to a general or blanket policy of insurance issued pursuant to section one hundred and ten of chapter one hundred and seventy-five, or to a group hospital service plan issued pursuant to section ten of chapter one hundred and seventy-six A, or to a group medical service plan issued pursuant to chapter one hundred and seventy-six B, shall be considered to be group contract enrollees.

"Health maintenance contract", any contract entered into by a health maintenance organization or a carrier, or both with a member or group of members whereby the health maintenance organization agrees to provide health services on a nondiscriminatory basis.

"Health maintenance organization", a company organized under the laws of the commonwealth, or organized under the laws of another state and qualified to do business in the commonwealth, which:

(1) provides or arranges for the provision of health services to voluntarily enrolled members in exchange primarily for a prepaid per capita or aggregate fixed sum.

(2) demonstrates to the satisfaction of the commissioner proof of its capability to provide its members protection against loss of prepaid fees or unavailability of covered health services resulting from its insolvency or bankruptcy or from other financial impairment of its obligations to its members.

"Health services", at least reasonably comprehensive physician services on a nondiscriminatory basis, inpatient and outpatient services, emergency health services, and may include chiropractic services, optometric services and podiatric services.

"Member", any individual who has entered into a health maintenance contract, or on whose behalf such an arrangement has been made, with a health maintenance organization or carrier or both for health services and any dependent of such individual who is covered by the same contract.

"Nondiscriminatory", any individual who has entered into a group health maintenance contract that provides for any podiatric medical or surgical service which is within the lawful scope of practice of a licensed podiatrist, shall be entitled to such services whether the service is performed by a physician or licensed podiatrist, including authorized referral services on a nondiscriminatory basis.

SECTION 2. Section 6 of said chapter 176G, as so appearing, is hereby amended by inserting after the word "services", in line 5, the words:- on a nondiscriminatory basis.

SECTION 3. Section 7 of said chapter 176G, as so appearing, is hereby amended by striking out clause (1) and inserting in place thereof the following clause:-

(1) the health services and any other benefits to which the member is entitled on a nondiscriminatory basis.

Approved December 21, 1983.

Chap. 690. AN ACT AUTHORIZING AND DIRECTING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO SELL AND CONVEY A CERTAIN PARCEL OF LAND, UNDER THE CONTROL OF THE DEPARTMENT OF MENTAL HEALTH, IN THE TOWN OF NORTON FOR INDUSTRIAL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The division of capital planning and operations, acting for and on behalf of the commonwealth, is hereby authorized to sell and convey to the town of Norton, by deed, approved as to form by the attorney general, all of the right, title, and interest of the commonwealth in and to a certain parcel of land in the town of Norton, under the control of the department of mental health, for industrial development by the town or a successor in title to the town, said parcel consisting of one

hundred eighty-three and twenty-two one hundredths acres located wholly within the confines of the Paul A. Dever state school, and shown on a plan entitled "Plan of Land in Norton, Mass. Prepared for Norton Industrial Commission" Scale 1 in.= 200 ft. dated February 26, 1982 made by BSC Engineering, a division of Boston Survey Consultants Inc. Said parcel of land is more particularly bounded and described as follows:- A certain tract or parcel of land situated on the Easterly side of Hill street and the Southerly side of South Washington street in Norton, Massachusetts containing 183.22 acres and bounded and described as follows:- Beginning at a cement bound in the Northerly boundary of land of the town of Mansfield (Waste Water Treatment Plant) as shown on said plan; thence running North 12° 50' 31" East, 3583.82 feet to a cement bound in the Southerly side line of South Washington Street, as shown on said plan; thence by the Southerly side line of said South Washington Street, as shown on said plan, the following courses and distances: South 55° 30' 10" East, 426.88 feet, South 49° 40' 20" East, 517.99 feet, South 52° 07' 08" East, 402.26 feet, South 55° 35' 31" East, 237.98 feet, South 55° 24' 12" East, 60.93 feet to a cement bound; thence turning and continuing along the Southerly side line of South Washington Street, as shown on said plan, North 60° 39' 49" East, 1019.05 feet; thence continuing easterly by the Southerly side line of said South Washington Street by a curve, to the right, of which the radius is 1768.22 feet a distance of 905.30 feet; thence by said Southerly side line of South Washington Street, North 89° 59' 53" East, 389.82 feet to the Norton-Taunton Town and City Boundary Line; thence South 37° 21' 22" West, by said said town and city boundary line, as shown on said plan, to the Easterly boundary of Hill Street, as shown on said plan, by seven (7) courses measuring respectively, 714.09 feet, 518.76 feet, 652.40 feet, 499.92 feet, 606.44 feet, 2130.69 feet and 751.51 feet; thence by the Easterly side line of Hill Street, as shown on said plan, the following courses and distances, North 29° 44' 53" West, 162.04 feet, North 19° 39' 03" West, 209.82 feet, North 21° 38' 26" West, 161.45 feet; thence turning and running North 21° 22' 55" East, 139.25 feet to a point; thence North 64° 20' 12" West, 82.69 feet; thence North 40° 48' 54" West by a stone wall, as shown on said plan, 142.52 feet; thence South 50° 54' 17" West by a stone wall, as shown on said plan, 80.97 feet to the Easterly side line of Hill Street, as shown on said plan; thence North 40° 28" 37" West by the Easterly side line of said street, 182.22 feet to a cement bound at land of the Town of Mansfield (Waste Water Treatment Plant), as shown on said plan; thence North 58° 34' 40" East by said Mansfield land 960.26 feet to a cement bound; thence South 31° 25' 20" East by said Town of Mansfield land

520.91 feet to a cement bound; thence North 32° 39' 16" East by said Mansfield land 648.53 feet to a cement bound, as shown on said plan; thence North 31° 25' 20" West by said Town of Mansfield land 836.45 feet to a cement bound; thence South 58° 34' 40" West by said Town of Mansfield land 1387.46 feet to a cement bound as shown on said plan and the point of beginning.

SECTION 2. Said conveyance shall 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.

The consideration for said conveyance shall be the average of the full and fair market value of the land as determined by three independent appraisers approved by the commissioner of administration, paid in ten equal annual installments.

It is further provided that title to the aforesaid parcel shall revert to the commonwealth if the land is not used for industrial development purposes within five years from the effective date of this act and if such land reverts to the commonwealth the consideration paid therefor shall be reimbursed to said town. The within condition shall be deemed satisfied if within said five year period a subdivision plan of the contemplated industrial park on the site has been prepared and filed for approval with the planning board of the town of Norton, a marketing program of the sites within the industrial park is being pursued by the town or any private developers to which the town has conveyed the premises, and industrial development has commenced upon said land.

Approved December 21, 1983.

Chap. 691. AN ACT REORGANIZING THE DEPARTMENT OF FOOD AND AGRICULTURE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 20 of the General Laws is hereby amended by striking out section 1, as most recently amended by section 28 of chapter 706 of the acts of 1975, and inserting in place thereof the following section:-

Section 1. There shall be a department of food and agriculture under the supervision and control of a board of food and agriculture, hereinafter called the board, consisting of seven members each of whom shall be from a different county, to be appointed by the governor. At least four members of the board

shall be farmers whose principal vocation is the production of food and fiber. Upon the expiration of the term of office of a member of the board, his successor shall be appointed by the governor for a term of seven years, or until qualification of his successor.

The board shall meet not less than six times a year or at the call of the chairman and at such times as shall be determined by its rules or at the request of the commissioner or the call of any three members. The chairman shall be annually appointed by a majority of said board present and voting thereon. Board members shall receive fifty dollars for each day or portion thereof spent in the discharge of their official duties not to exceed six hundred dollars per year and shall be reimbursed for the travel to and from official board meetings and other expenses necessary to conduct such meetings.

There shall be a commissioner of food and agriculture shall be appointed and may be removed by the secretary of environmental affairs with the approval of the governor. Said commissioner shall have charge of the administration of the department. The department may expend for traveling expenses of its employees incurred in the performance of their official duties and for other necessary expenses of the department, such sums as may be appropriated.

SECTION 2. Section 6 of said chapter 20, as most recently amended by section 254 of chapter 351 of the acts of 1981, is hereby further amended by striking out the first three sentences and inserting in place thereof the following five sentences:- The commissioner shall organize the department in divisions and bureaus including a division of regulatory services, a division of administration, a division of fairs, a division of animal health, a division of agricultural development, a division of equine programs, and such other divisions as he may from time to time determine, and shall assign to said divisions their functions. The division of regulatory services shall include but not be limited to, a pesticide bureau, a bureau of dairying, a bureau of milk marketing, a bureau of farm products, and a bureau of plant pest control. The division of agricultural development shall include, but not be limited to, a bureau of markets and a bureau of land use. The bureau of land use shall include the agricultural preservation restriction program established pursuant to section eleven A of chapter one hundred and thirty-two A, and other such programs and projects relative to the preservation of agricultural lands. The division of equine programs shall include, but not be limited to, a bureau of standardbred breeding and a bureau of thoroughbred breeding. The commissioner with the approval of the board of food and agriculture shall

appoint a director of the division of equine programs and a chief of the bureau of standardbred breeding and a chief of the bureau of thoroughbred breeding and may appoint such other assistants as he may deem necessary for the administration of the division.

SECTION 3. Sections seven, eight and nine of said chapter twenty are hereby repealed.

SECTION 4. Said chapter 20 is hereby further amended by striking out section 14, as most recently amended by section 256 of chapter 351 of the acts of 1981, and inserting in place thereof the following section:-

Section 14. Any person may make application to the bureau of land use on a form to be furnished by the bureau for a permit to use available vacant public land for garden, arbor, or farm purposes. Applicants shall submit a plan for said use and shall agree to maintain the land in a condition consistent with said land use plan, and shall agree to abide by the rules and regulations promulgated by said bureau. Failure to carry out the conditions of agreement shall result in the forfeiture of the garden, arbor or farm permit. Any person who is granted the use of garden, arbor, or farm land shall indemnify and save harmless the commonwealth, the department of food and 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 5. Said chapter 20 is hereby further amended by striking out section 16, as most recently amended by section 257 of said chapter 351, and inserting in place thereof the following section:-

Section 16. The bureau shall, with the cooperation of other state agencies and cities and towns, compile a list of all vacant land, that in the opinion of the said agencies and cities and towns, can be feasibly used for gardening, arbor culture or farming. The bureau shall, by letters of agreement, contract with such agencies or cities and towns for the use of said vacant land. Contracts may contain a termination date. If no date is determined, either party may terminate the contract by written notice given within sixty days; provided, however, that no contract may be terminated until the end of the harvest season. The bureau shall notify the gardeners of farmers of said notice of termination.

SECTION 6. Section 8 of chapter 21A of the General Laws is hereby amended by striking out the third paragraph, as amend-

ed by section 259 of said chapter 351, and inserting in place thereof the following paragraph:-

The department of food and agriculture shall include the department of food and agriculture, the board of food and agriculture, the pesticide board, the state reclamation board, the Massachusetts standardbred and breeding fund committee and any divisions or bureaus created under said department pursuant to section six of chapter twenty.

SECTION 6A. Section 1 of chapter 94 of the General Laws is hereby amended by striking out the definition of "director", as appearing in section 1 of chapter 795 of the acts of 1971, and inserting in place thereof the following definition:- "director", in sections twenty-five to thirty-one, inclusive, the chief of the bureau of milk marketing within the department of food and agriculture.

SECTION 7. Section 27 of chapter 94 of the General Laws, as appearing in section 1 of chapter 1066 of the acts of 1971, is hereby amended by striking out, in lines 4 and 5 and in line 14 the words, "director of milk control" and inserting in place thereof, in each instance, the following words:- chief of the bureau of milk marketing created under the provisions of section six of chapter twenty.

SECTION 8. Section 27A of said chapter 94, as so appearing, is hereby amended by striking out, in lines 11 and 12, the words "director of milk control" and inserting in place thereof the following word:- said chief of the bureau of milk marketing.

SECTION 9. Said chapter 94 is hereby further amended by striking out section 28, as most recently amended by section 67 of chapter 572 of the acts of 1980, and inserting in place thereof the following section:-

Section 28. Said chief of the bureau of milk marketing or his agent shall, upon application on a form provided by him, issue a license to operate to any person holding a certificate of competency obtained as provided in section twenty-seven and dated within thirty days of the date of application. The license fee shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven payable to the chief of the bureau of milk marketing. Said chief may revoke or suspend such license at any time for violation of any of the provisions of sections twenty-five to thirty, inclusive, or of the rules and regulations made thereunder, and may reinstate such license upon his determination that the cause for revocation or suspension has been removed. An additional

fee to be determined under the provisions of said section three B of said chapter seven shall be paid to said chief of the bureau of milk marketing for reinstatement of a license which has been revoked. Names of licensees and notice of any suspension, revocation or reinstatement shall be furnished to the director.

SECTION 10. Said chapter 94 is hereby further amended by striking out section 28A, as most recently amended by section 69 of said chapter 572, and inserting in place thereof the following section:-

Section 28A. Said chief of the bureau of milk marketing or his agent shall, upon application on a form provided by him, issue a license to receive raw milk at dairy farms to any person holding a certificate of competency obtained as provided in section twenty-seven A and dated within thirty days of the date of application. He may also, without prior evidence of competency and upon application by telephone or otherwise, issue such a license on a temporary basis not to exceed thirty days; provided, however, that he deems such action to be required because of emergency conditions to assure the uninterrupted collection of raw milk from dairy farms. No temporary license shall be renewed or extended except upon submission by the licensee of a certificate of competency obtained as hereinabove provided. The license fee in either case shall be determined annually by the commissioner of administration under the provision of said section three B of said chapter seven payable to the chief of the bureau of milk marketing. Said chief may at any time revoke or suspend a license issued under this section for violation of any of the provisions of sections twenty-five to thirty, inclusive, or of the rules and regulations made thereunder, and may reinstate such license upon his determination that the cause for revocation or suspension has been removed. An additional fee to be determined also under the provisons of said section three B of said chapter seven shall be paid to the chief of milk marketing for reinstatement of a license which has been revoked. Names of licensees and notice of any suspension, revocation or reinstatement shall be furnished to the director.

SECTION 11. Section 29 of said chapter 94, as appearing in section 1 of chapter 1066 of the acts of 1971, is hereby amended by striking out, in line 12, the words "director of milk control" and inserting in place thereof the following words:- said chief of the bureau of milk marketing.

SECTION 12. Said chapter 94 is hereby further amended by striking out section 29A, as so appearing, and inserting in place thereof the following section:-

Section 29A. Said chief of the bureau of milk marketing shall, after reasonable notice to all interested parties and a hearing, prescribe, and may from time to time in like manner modify or amend, rules and regulations to govern the methods and frequency of making tests for determining the milk-fat or other component content of milk or cream for purposes of inspection or as a basis for payment in buying or selling and to govern the procedures for determining the proper basis for payment by the measuring, sampling and accepting of raw milk at dairy farms for inclusion in bulk tank trucks.

SECTION 13. Section 30 of said chapter 94, as so appearing, is hereby amended by striking out, in line 1, and in lines 4 and 5, the words "director of milk control" and inserting in place thereof, in each instance, the following words:- said chief of the bureau of milk marketing.

SECTION 14. Said chapter 94 is hereby amended by striking out section 31, as so appearing, and inserting in place thereof the following section:-

Section 31. Whoever hinders or obstructs the director or the said chief of the bureau of milk marketing, or any agent of either said person, in the discharge of any authority or duty imposed upon him by any provision of sections twenty-five to thirty, inclusive, whoever violates any provision of said sections, and whoever knowingly violates any provisions of the rules and regulations made thereunder, shall be punished by a fine of not less than twenty-five nor more than fifty dollars.

SECTION 15. Chapter 94A of the General Laws is hereby amended by striking out section 1, as most recently amended by section 1 of chapter 768 of the acts of 1967, and inserting in place thereof the following section:-

Section 1. The following words as used in this chapter and in sections seven to nine, inclusive, of chapter twenty, unless the context otherwise requires, shall have the following meanings:

"Affiliate", any person, or any subsidiary thereof, having either directly or indirectly, actual or legal control of or over a milk dealer, whether by stock ownership or in any other manner.

"Books and records", books, records, accounts, contracts, memoranda, documents, papers, correspondence or other data pertaining to the business of the person in question.

"Chief", the chief of the bureau of milk marketing in the department.

"Commissioner", the commissioner of food and agriculture.

"Consumer", any person, other than a milk dealer, who purchases milk for consumption.

"Co-operative Association", a co-operative association, corporation or sales agency.

"Costs", includes, but shall not be limited to, the Class I price, payable under either state or federal milk marketing order, for the raw milk product F.O.B. the market and all costs for the following: acquiring; assembling; transporting; receiving; cooling; pasteurizing; clarifying; separating or standardizing; packaging; refrigerating; storing; all other phases of handling and processing; advertising; selling; trading stamps; delivery; sanitation and inspection; equipment and supplies, including containers and ingredients; taxes; licenses; insurance; rent; depreciation; maintenance; power; light; administration and all other overhead; excises or assessments made by statute or by provisions of a federal milk marketing order; labor, including salaries, wages, commissions and all fringe benefits; and interest paid or accrued on indebtedness.

"Department", the department of food and agriculture.

"Director", the chief of the bureau of milk marketing within the department of food and agriculture.

"Fluid milk", any milk, other than cream, which is sold, distributed or used for any purpose other than manufacture of cream, ice cream, butter or cheese; or, in any market for which the board has by order, rule or regulation, established classification on the basis of use, such portion thereof as may from time to time be classified by such order, rule or regulation within the highest use classification for the market concerned.

"Licensee", a milk dealer licensed under any provision of this chapter or of similar provisions of earlier law.

"Market", one or more cities or towns, or any portion thereof, designated by the commissioner as a natural milk marketing area within the commonwealth.

"Milk", includes whole milk and cream, fresh, sour or storage; skimmed milk and buttermilk; irrespective of whether or not any such milk is flavored.

"Milk dealer", any person, irrespective of whether such person is also a producer or an association of producers, who, on his own account or on behalf of producers, is engaged within the commonwealth in the business of receiving, purchasing, pasteurizing, bottling, processing, distributing or otherwise handling milk. No owner or operator of a hotel or restaurant who sells milk consumed on the premises where sold, and does not purchase or receive milk from producers, and no producer who delivers raw milk only to a milk dealer, shall be deemed a milk dealer for the purposes of this chapter.

"Person", any individual, partnership, association, corporation or other business entity, or a subsidiary or affiliate thereof.

"Producer", a person producing milk.

"Store", includes a grocery store, dairy products store or any similar mercantile establishment at which milk is sold for consumption off the premises.

"Subsidiary", any person of or over whom a milk dealer or an affiliate of a milk dealer has, or several milk dealers and their respective affiliates, or any of them collectively have, either directly or indirectly, actual or legal control, whether by stock ownership or in any other manner.

SECTION 16. Said chapter 94A is hereby further amended by striking out section 2, as amended by section 3 of chapter 604 of the acts of 1953, and inserting in place thereof the following section:-

Section 2. No provision of this chapter conferring a general power upon the commissioner shall be deemed to be impaired or qualified by the granting to the commissioner of any specific power or powers. Nothing in this chapter shall be construed to empower or authorize the adoption and enforcement of any public health rule or regulation by the commissioner.

The commissioner shall have the following powers and duties, in addition to any others granted to him by any provision of this chapter:

(1) To designate and establish as markets the several natural milk marketing areas of the commonwealth; to supervise and regulate the milk industry of the commonwealth, including the production, purchase, receipt, sale, payment and distribution of milk within the commonwealth and the control of unreasonable and burdensome surplus of milk in any market coming from either within or without the commonwealth; to prescribe such regulations as shall tend (a) equitably to apportion the total value of the milk purchased or received by any dealer, or by all dealers in any market, among the producers delivering to such dealer or dealers, on the basis of their marketings of milk during a prior representative period, and (b) to encourage the production of a regular, continuous and adequate supply for such market or markets of fresh fluid milk conforming to law; and to promote programs designed to increase the consumption of milk;

(2) To investigate and regulate, as conditions permit and the purposes of this chapter require, all matters pertaining to markets, to the production, manufacture, processing, storage, transportation, disposal, distribution and sale of milk within the commonwealth, and to the establishment and maintenance of reasonable trade practices relative to milk;

(3) The commissioner may, after examination and investigation, and after hearing held after due notice, adopt all orders, rules and regulations, not inconsistent with law, which he deems

necessary or desirable to administer or effectuate any of the purposes of this chapter. In the administration and enforcement of this section, said commissioner may appoint and consult and advise with representative committees and groups in the milk industry, which persons shall serve voluntarily and without compensation.

(4) To act as mediator and arbitrator in any controversy or issue among or between producers and milk dealers either as individuals or as groups, associations or corporations.

SECTION 17. Said chapter 94A is hereby further amended by striking out section 3, as amended by said section 3 of said chapter 604, and inserting in place thereof the following section:-

Section 3. Subject to the supervision and control of the commissioner, the chief shall enforce the provisions of this chapter and all orders, rules and regulations adopted thereunder.

SECTION 18. Section 4 of said chapter 94A, as amended by said section 3 of said chapter 604, is hereby further amended by striking out subsection (b) and inserting in place thereof the following subsection:-

(b) The commissioner, provided he shall first determine that such action will not adversely affect market conditions relative to milk, may by its order exempt from the operation of all or any portion of this chapter any milk dealer who purchases milk only from a licensed milk dealer, and whose only sales of milk are at a store.

SECTION 19. Said section 4 of said chapter 94A is hereby further amended by striking out subsection (d) and inserting in place thereof the following subsection:-

(d) Any school, hospital, infirmary or other like charitable institution, located within the commonwealth and wholly supported by funds of the United States or of the commonwealth, or of any county, city, town or legally organized district within the commonwealth, and which purchases or receives from producers raw milk delivered in containers holding not less than twenty quarts each, and, on the premises of said institution, pasteurizes or otherwise processes the same for consumption on said premises, or uses the same in the manufacture of milk products for use or consumption on said premises, or proposes so to do, may make application, in the manner provided in section five, for a milk dealer license, which the commissioner is hereby authorized to grant.

SECTION 20. Said chapter 94A is hereby further amended by striking out section 5, as most recently amended by chapter 14 of the acts of 1978, and inserting in place thereof the following section:-

Section 5. Each person, before engaging in business as a milk dealer, shall make application to the commissioner for a license hereunder, which the commissioner is hereby authorized to grant. Such application shall state the nature of the business to be conducted, the name and principal business address in the commonwealth of the applicant, and, if a firm or association, the name and address of each member thereof, or if a corporation, the names and addresses of all officers and directors thereof, and the name of each municipality in which business is to be conducted, and such other facts with respect to the business of the applicant as may be required by the commissioner. Licenses issued hereunder shall expire twelve months from the effective date of said license. Any licensee whose application for renewal is made on or before the fifteenth day prior to the expiration date may continue to engage in the milk business pending the action of the commissioner on such application. Every application for a license made by a person other than a licensee shall be acted upon by the commissioner within thirty days after his receipt thereof. Every license issued under any provision of this chapter shall state that it is subject to this chapter and the original license or a certified copy thereof shall be conspicuously displayed by the licensee in each place of business conducted by him in this commonwealth.

SECTION 21. Said chapter 94A is hereby further amended by striking out section 6, as amended by section 3 of chapter 604 of the acts of 1953, and inserting in place thereof the following section:-

Section 6. The commissioner may decline to grant or renew a license, or may suspend or revoke a license already granted, or may grant a conditional or temporary license, upon due notice and hearing to the applicant or licensee; except that the commissioner may without hearing to the applicant or licensee, but upon due notice, cancel a conditional license for breach of a condition thereof, or may decline to grant or renew a license, where the license of the applicant or licensee has been refused or revoked or a conditional license has been issued for cause within the same or the next preceding license year. The commissioner may decline to grant or renew a license or may suspend or revoke a license already granted, or grant a conditional license upon due notice and hearing to the applicant or licensee, when it is satisfied of the existence of any of the following

reasons:

(1) That he has without reasonable cause refused to accept or refused to pay for milk purchased or received by him from a producer, or has without reasonable cause or without reasonable notice refused to accept or to pay for milk delivered or tendered to him by or on behalf of a producer in ordinary continuance of a previous course of dealing, except where such course of dealing is terminated in accordance with an express contract existing between the milk dealer and such producer with respect to the time and method of termination;

(2) That in any instance he has failed without reasonable cause to account and make payment when due for milk purchased or received by him;

(3) That he has committed any act or engaged in any course of conduct tending to reduce the price of pure, fresh milk to such an extent as to interfere with the supply thereof produced in the commonwealth, which supply is hereby declared to be necessary for the public health, public welfare and trade and commerce;

(4) That he has engaged in a course of action which, in the opinion of the commissioner, indicates his inability or unwillingness properly to conduct the business of a milk dealer;

(5) That he has been, or is, a party to a combination to fix or maintain prices contrary to law;

(6) That he has engaged in a course of action such as to satisfy the commissioner of an intent on his part to deceive or defraud customers, producers or consumers;

(7) That he has failed to keep, at his place of business within the commonwealth, minimum records required by order, rule or regulation of the commissioner as presently or previously constituted, or has failed to furnish the statements or information required by the commissioner under this chapter or required legally under similar provisions of earlier law, or has kept false records, or furnished false statements with respect to such information;

(8) That any statement made by him in reliance upon which to any degree, his license as a milk dealer was granted, renewed or restored, was false or fraudulent in any material particular;

(9) That such applicant or licensee, or that any person owning any substantial interest in or having any power or control in the milk business conducted or to be conducted by the applicant or licensee, or that any person formerly owning any such interest or having any such power or control in a milk business in the commonwealth, who is, or is to be, employed by the applicant or licensee in said business, has within three years been responsible, in whole or in part, for any act on account of which a license might be denied, suspended or revoked pursuant

to any provision of this chapter or any similar provision of earlier laws;

(10) That the bond or other evidence of financial responsibility required of an applicant is unsatisfactory to the commissioner;

(11) That he knowingly purchased, received, processed or handled milk, excluding cream, for sale within the commonwealth obtained from a dairy farm or has knowingly purchased, received, processed, or handled milk, including cream, for sale within the commonwealth obtained from a dealer not registered under sections sixteen A to sixteen G, inclusive, of chapter ninety-four or from a dealer not licensed under section forty-one of said chapter or from an operator of a milk plant or manufactory not licensed under section forty-two A of said chapter, or sold milk to or processed or handled milk for a dealer not so registered, or not so licensed under said section forty-one;

(12) That he knowingly purchased, received, processed, sold or otherwise handled milk within the commonwealth in violation of any of the applicable laws, or of the rules, regulations and requirements of the commissioner; or

(13) That he has violated any provision of this chapter or of similar provisions of earlier laws, or of an order, rule or regulation of the commissioner.

SECTION 22. Said chapter 94A is hereby further amended by striking out section 7, as amended by section 3 of chapter 604 of the acts of 1953, and inserting in place thereof the following section:-

Section 7. (a) Before declining to grant a license of any type, or suspending or revoking a license, the commissioner shall hold a hearing and grant the applicant or licensee an opportunity to be heard in person or by attorney. A duly attested copy of the order of the commissioner upon such hearing shall be served upon the applicant or the licensee in the manner provided by section nineteen.

(b) Any licensee whose license has been revoked or cancelled shall upon notice thereof forthwith deliver and return said license to the commissioner or to any authorized representative of the commissioner.

SECTION 23. Said chapter 94A is hereby further amended by striking out section 8, as amended by said section 3 of said chapter 604, and inserting in place thereof the following section:-

Section 8. An applicant or licensee aggrieved by any decision of the commissioner may appeal therefrom by filing a petition in the superior court within twenty days after notice of such deci-

sion has been given under section nineteen. Upon such appeal, said court may revise or reverse such decision if such action, in its opinion, is warranted by the evidence.

SECTION 24. Said chapter 94A is hereby further amended by striking out section 9, as most recently amended by section 80 of chapter 572 of the acts of 1980, and inserting in place thereof the following section:-

Section 9. (a) Each milk dealer required to be licensed under this chapter shall pay an annual license fee, as determined annually by the commissioner of administration under the provision of section three B of chapter seven, which shall accompany his application for license; provided, however, that each store, as defined in section one of this chapter, shall be issued a license which shall expire thirty-six months from the effective date of said license.

SECTION 25. Said chapter 94A is hereby further amended by striking out section 10, as amended by said section 3 of said chapter 604, and inserting in place thereof the following section:-

Section 10. The commissioner shall ascertain, by such examination or investigation as the situation may permit or warrant, and after a general public hearing held after due notice, what prices, terms and conditions relative to milk in the several localities and markets in the commonwealth, under the varying conditions therein, will be most beneficial to the public interest and will best protect the milk industry.

In every such examination or investigation and hearing, the commissioner shall take into consideration all the conditions affecting the milk industry, including the amount necessary to yield a reasonable return to the producer and to the milk dealer. In establishing minimum prices for milk under this chapter the commissioner shall cause said prices to be fair, just and reasonable, and, to accomplish that end, shall take into consideration and be guided by costs of production, hauling, handling, processing, storage, distribution and other cost factors involved in the production and marketing of milk, including compliance with all sanitary regulations, and shall consider the balance between the supply of milk and the consumption of the same, the purchasing power of consumers as evidenced by available indices of income and general business and industrial activity, and other economic conditions affecting the milk supply and demand for milk and shall consider the prices for milk in the different markets of the commonwealth which will best protect the milk industry in the commonwealth and insure a supply of pure, fresh milk adequate to cover consumer needs.

SECTION 26. Said chapter 94A is hereby further amended by striking out section 11, as amended by section 3 of said chapter 604, and inserting in place thereof the following section:-

Section 11. (a) The commissioner, after making an examination and investigation authorized by this chapter and after hearing held after due notice, shall by his order fix the minimum prices paid by milk dealers to other milk dealers, and to producers and consumers for milk received, purchased, stored, manufactured, processed, sold, distributed or otherwise handled within the commonwealth and the terms and conditions under and times at which such prices are to be paid.

(b) Orders relative to such minimum prices shall apply to the locality in which the milk in question is produced or to the market in which such milk is sold, or to both, and may vary in different localities or markets according to the varying and differing conditions therein. Any such order may classify such milk by such forms, classes, grades or uses as the commissioner may deem advisable and may specify the minimum prices therefor, and may require that producers of milk purchased or received under such provisions shall be paid for all such milk on the basis of the class, grade or use in which it is ultimately sold by milk dealers.

(c) Each such order may provide rules and regulations for the sharing of the value of milk sold, used or disposed of in each class, grade or use, between milk dealers who are also producers, and the producers from whom milk is received or purchased by such dealers, in proportion, to their respective deliveries of milk.

SECTION 27. Said chapter 94A is hereby further amended by striking out section 12, as most recently amended by section 4 of said chapter 604, and inserting in place thereof the following section:-

Section 12. Upon petition in writing, with an affidavit that it is signed by not less than twenty-five per cent of the Massachusetts producers who, during the month of April in the license year next preceding that in which such petition is filed, produced and delivered milk for sale or distribution as fluid milk in any particular market the boundaries and limits of which shall be set forth in said petition, and which said petition alleges that the price to the producer established under authority of this chapter or by any agreement, license, regulation or order made or issued pursuant to any federal law cannot otherwise be maintained, and further alleging that the maintenance of such price is necessary in order to secure a regular, continuous and adequate supply of fresh, pure milk sufficient to meet the requirements of the market named in said petition and to protect the

public health therein, and which petition requests the commissioner to establish minimum prices, wholesale or retail, or both, for milk for such market, and if after making such examination and investigation as is authorized by this chapter or is necessary to ascertain the facts, and after public hearing held after due notice, the commissioner finds at the close of such hearing and investigation that such petition is signed by not less than twenty-five per cent of such producers who, during said month or such subsequent month as the commissioner may find is a more representative period, produced and delivered milk for sale or distribution as fluid milk in said market, that the price to the producer established under authority of this chapter or by any agreement, license, regulation or order made or issued pursuant to any federal law, cannot otherwise be maintained, and that the maintenance of such price is necessary in order to insure a regular, continuous and adequate supply of fresh, pure milk sufficient to meet the requirements of said market and to protect the public health therein, the commissioner may declare that a state of emergency exists. The commissioner is thereupon authorized to issue such orders, rules and regulations as may be necessary, including the fixing by official order of minimum wholesale or retail prices, or both, for milk sold within the market affected, irrespective of where such milk is produced. The commissioner may in like manner at any time alter, revise, amend or rescind the prices so fixed. Any such action taken by the commissioner shall be reviewed by the commissioner at least once in each year thereafter, and, if not thus reviewed, the orders issued shall terminate upon the expiration of the period of one year after the date of the issuance of such orders, and any action may likewise at any time be thus reviewed on the order of the governor. Due notice shall be given of any such review. Any price fixed pursuant to this section, and any alteration, revision or amendment thereof shall be fair, just and reasonable and shall be published as provided in section nineteen.

SECTION 28. Said chapter 94A is hereby further amended by striking out section 12A, as amended by section 3 of said chapter 604, and inserting in place thereof the following section:-

Section 12A. If any producer is paid by a milk dealer less than the minimum price for the sale or delivery of milk, as fixed by official order or orders of the commissioner, such producer may recover in a civil action against such milk dealer the full amount that would have been due him for such milk at the minimum price as so fixed, less the amount actually paid him for said milk, together with costs and such reasonable attorney's fees as may be allowed by the court, and any agreement between such

producer and such milk dealer to sell or deliver milk for less than such minimum price shall be no defence to such action. At the written request of any such producer paid less than the minimum price for such sale or delivery of milk to which such producer is entitled under the provisions of the official order or orders of the commissioner, the commissioner may take an assignment of such claim in trust for the assigning producer and may bring an action to collect such claim, and such milk dealer shall be required to pay the costs and such reasonable attorney's fees as may be allowed by the court. The commissioner shall not be required to pay any entry fee in connection with any such court action.

SECTION 29. Said chapter 94A is hereby further amended by striking out section 13, as most recently amended by said section 3 of said chapter 604, and inserting in place thereof the following section:-

Section 13. (a) For the purpose of administering this chapter, the commissioner or any employee or other representative designated by the commissioner for the purpose, may enter, at all reasonable hours, every place where milk is being produced, stored, bottled or otherwise packaged, processed, sold or otherwise handled for sale or distribution. Any such person may also, at all reasonable hours, inspect and verify by reference to the actual operations and transactions all books and records relating to milk in any place within the commonwealth for the purpose of ascertaining facts required for proper administration of this chapter.

(b) All milk dealers required to be licensed under this chapter, their affiliates and subsidiaries shall from time to time furnish to the commissioner such information as he may by order, rule or regulation require, upon and in conformity to forms or reports approved and supplied by him for the purpose of enabling him to administer and enforce this chapter and the orders, rules and regulations made thereunder. All such reports shall be on oath or made under the penalties of perjury.

(c) Each milk dealer required to be licensed under this chapter shall permit any member, the commissioner or any representative designated for the purpose by him, at all reasonable hours, to enter any place occupied or controlled by such milk dealer where milk is produced, stored, bottled or otherwise packaged, pasteurized, processed, sold or otherwise handled. Each such dealer shall at all reasonable hours identify and make available to any such person all books and records relating to milk or to such milk dealer's business which are in his possession or custody or under his control, and permit such person to inspect and verify the same as provided in subsection (a).

(d) The information obtained by any inspection authorized or reports required by this chapter or by similar provisions of earlier law shall be treated as confidential and shall not be disclosed by any person except as may be required in the proper administration of this chapter; provided, however, that the commissioner may use such information together with other similiar information, for compilation and publication of statistics of the milk industry in this commonwealth. Such statistics shall not contain the name of, or disclose, by inference or otherwise, information obtained from the books and records of any milk dealer.

(e) Except as to markets in which there is in operation and effect an order or regulation issued by the legally constituted authorities of the United States regulating the marketing of milk in such markets, and except as to markets in which there is in operation and effect an order issued by the commissioner regulating the marketing of milk in such markets upon a market-wide pool basis, each milk dealer required to be licensed under this chapter, except a milk dealer eligible for exemption under subsection (b) of section four, and except a milk dealer who is also a producer selling to consumers not more than fifty quarts of milk daily, shall, within such period as the commissioner by order, rule or regulation requires, but not later than ten days after the close of each delivery period with respect to milk or cream received by such milk dealer, file with the director, in detail and form approved by the commissioner, a report as follows:-

(1) The receipts at each plant from producers, including the quantity, if any, of his own production;

(2) The receipts at each plant from any other milk dealer, including a milk dealer who is also a producer;

(3) The respective quantities of milk which were sold, distributed or used within each market, including sales to other milk dealers, in each use classification established by the commission.

The commissioner shall compute for each such milk dealer who purchases or receives milk from producers on the composite or on a base rating plan the percentage of milk sold, distributed or used by him in each such use classification and, notwithstanding the provisions of subsection (d), shall announce by mail, postage prepaid, to all such milk dealers and to all milk producers associations within the commonwealth the results of such computation, and the minimum composite price, or minimum base and excess prices which on the basis of said report such milk dealer, pursuant to the orders, rules and regulations of the commissioner, is required to pay per hundredweight of milk containing three and seven-tenths per cent butter fat content, delivered to the plant of such milk dealer by producers during each delivery

period.

Such announcement shall be made on or before the fifteenth day after the end of each delivery period. If any such milk dealer receives milk from producers at more than one plant subject to the provisions of this subsection, such percentage and such minimum price or prices shall be separately computed and announced by the director for each such plant.

The words "delivery period", as used in this subsection, shall mean, with respect to milk dealers who buy no milk from producers, a monthly period beginning on the first day of each month and, with respect to all other milk dealers, the delivery period applicable to such milk dealers as determined by order of the commissioner. The composite plan and base rating plan referred to in this subsection shall mean the composite plan and base rating plan as determined by order of the commissioner.

(f) Subsection (e) shall be construed as being in addition to and in no way limiting the power and authority of the commissioner under subsection (b).

SECTION 30. Section 14 of said chapter 94A, as amended by said section 3 of said chapter 604, is hereby further amended by striking out subsections (a), (b) and (c) and inserting in place thereof the following three subsections:-

(a) No milk dealer shall distribute or sell in any market within the commonwealth milk obtained from a producer or from another milk dealer if such milk was acquired from the producer within the commonwealth at a cost less than the price fixed by the commissioner to be paid for milk so aquired and distributed.

(b) Any sale within the commonwealth, by any milk dealer licensed or required to be licensed under this chapter, of any milk produced within the commonwealth or received from any other source at a price less than the minimum price fixed by the commissioner for such milk shall be a violation of this chapter.

(c) After the commissioner shall have fixed the price to be charged or paid for milk, whether by form, class, grade or use, no milk dealer shall purchase, receive, sell or distribute or offer to purchase, receive, sell or distribute milk at any price less than such price as shall have been made applicable to the particular transaction; and no method or device shall be lawful whereby milk is purchased, received, sold or distributed, or offered to be purchased, received, sold or distributed, at a price less than such price whether by discount, rebate, free service, advertising allowance, or by a combined price for such milk together with another commodity or service, as a result of which the total price for the milk and such other commodity or service is less than the aggregate of the prices for the same when sold or offered for sale or performed separately, or other-

wise.

SECTION 31. Said chapter 94A is hereby amended by striking out section 14A, inserted by chapter 108 of the acts of 1972, and inserting in place thereof the following section:-

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

If a contract so awarded provides for supplying milk containing a greater percentage of milk fat or milk solids, not fat, or both, than the minimum percentages prescribed by section twelve of chapter ninety-four, the commissioner or his agent shall, from time to time during the life of such contract, take representative samples of such milk and test the same, or cause them to be tested, in an approved laboratory by officially recognized methods of analysis to determine the milkfat and milk solids not fat content thereof. The results of such tests shall be reported to the awarding institution and, if the same indicate any violation of said section twelve, to the commissioner of public health. If, in the course of sampling and testing as above described, the commissioner or his agent has reason to believe that the net quantity of milk per container is less than the quantity required to be disclosed pursuant to section one hundred and eighty-one of said chapter ninety-four, the awarding institution and the director of standards shall be so advised.

SECTION 32. Said chapter 94A is hereby further amended by striking out section 15, as amended by said section 3 of said chapter 604, and inserting in place thereof the following section:-

Section 15. (a) No sale of milk by a co-operative association to a milk dealer in any market shall be made at less than the applicable minimum prices, terms and conditions of sale as set forth in the orders of the commissioner for milk bought directly from producers who are nonmembers of a co-operative association.

(b) When the net return to be made for milk by a co-operative association to its members is below the net applicable return for milk as fixed by the orders of the commissioner for a nonmember of a co-operative association, said co-operative association shall submit in writing to the commission a full and complete statement in detail, setting forth the amount of the deductions which have been made from the fixed minimum prices of the commissioner and, in addition, a detailed statement of such deductions shall accompany every such payment to the member.

SECTION 33. Said chapter 94A is hereby further amended by striking out section 16, as amended by said section 3 of said chapter 604, and inserting in place thereof the following section:-

Section 16. (a) The commissioner or his authorized agent, may hold any examination or investigation, or any general or special hearing required or authorized under this chapter, at such places and at such times as the commissioner deems necessary for the proper administration of this chapter.

(b) Before adopting, altering or rescinding any general order, rule or regulation, the commissioner shall hold a general hearing upon the subject matter thereof, and afford all persons interested an opportunity to offer evidence pertinent thereto.

(c) Before declining to grant a license, or granting a conditional or limited license, or suspending or revoking a license, or adopting any other special order, rule or regulation applying only to one or more persons named therein, the commissioner shall hold a special hearing, and afford to the applicant or licensee, or such person or persons, opportunity to appear and be heard with respect thereto.

Each such applicant, milk dealer or person may be so heard in person or by attorney, and may offer evidence pertinent to the subject of the hearing, and to that end may request the commissioner to exercise its powers with respect to the compulsory attendance of witnesses and the production of books and records.

SECTION 34. Said chapter 94A is hereby further amended by striking out section 17, as amended by said section 3 of said chapter 604, and inserting in place thereof the following section:-

Section 17. (a) Seven days at least before any general hearing, the commissioner shall cause a notice containing a brief but sufficient statement of the subject matter of such hearing to be published as provided in subsection (a) of section nineteen.

(b) Three days at least before any general order, rule or regulation adopted by the commissioner shall become effective, such order shall be published as provided in subsection (a) of section nineteen.

(c) Three days at least before any special hearing, the

commissioner shall cause a notice containing a brief but sufficient statement of the acts, facts or circumstances alleged to constitute reason for denial, suspension or revocation of license, or for adoption of any other special order, rule or regulation applying only to one or more persons named therein, and specifying the time and place of such hearing, to be served upon the applicant, licensee or other person or persons concerned, in a manner provided in subsection (c) of section nineteen.

(d) Three days at least before any special order, rule or regulation applying only to one or more persons named therein shall become effective, such order, rule or regulation shall be served on such person or persons in a manner provided in subsection (c) of section nineteen.

(e) Except as otherwise expressly provided, three days' notice shall constitute reasonable notice of any action by, or in any proceedings had before, the commissioner. In computing a period of notice required or authorized under this chapter, Sundays and legal holidays shall be excluded.

SECTION 35. Said chapter 94A is hereby further amended by striking out section 18, as amended by said section 3 of said chapter 604, and inserting in place thereof the following section:-

Section 18. (a) The commissioner may compel the attendance and testimony of witnesses and the production of books and records or any other evidence that relates to the subject matter of any examination, investigation or hearing held under authority of this chapter or of similar provisions of earlier law. The commissioner, the chief, or any hearing agent designated by the commissioner, or any employee designated by the commissioner as clerk, may administer oaths to any witness at any examination, investigation or hearing held under authority of the chapter or of similar provisions of earlier law. Any subpoena issued by the commissioner may require such attendance of witnesses and the production of evidence from any place within the commonwealth, at any designated place of hearing, and may be served in any manner provided in subsection (c) of section nineteen.

(b) In case of contumacy or refusal to obey a subpoena issued to any person, the superior court, upon application by the commissioner, shall have jurisdiction to issue an order requiring such person to appear before the commissioner or his agent to produce evidence, if so ordered, or to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

(c) No person shall be excused from attending and testifying or from producing books and records or other evidence in obedience to the subpoena of the commissioner, on the ground that

the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

(d) Witnesses summoned before the commissioner or his agent, shall be paid the same fees and mileage as witnesses before the courts, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like service in the courts.

SECTION 36. Said chapter 94A is hereby further amended by striking out section 19, as amended by said section 3 of said chapter 604, and inserting in place thereof the following section:-

Section 19. (a) Each notice of a general hearing and each general order, rule or regulation adopted by the commissioner, shall be published by

(1) Posting a copy thereof for public inspection in the main office of the commissioner;

(2) Mailing a copy thereof, postage prepaid, addressed to each licensee deemed by the commissioner to be affected thereby at his principal business address in the commonwealth as appearing in the records of the commissioner, and to the clerk of each city and town, and to the county agricultural agent, if any, of each county, deemed by the commissioner to be affected thereby;

(3) Mailing a copy thereof, postage prepaid, addressed to each person who has filed with the commission a written request, upon a form approved by the commissioner and supplied by the director, that a copy of each notice of general hearing and of each general order, rule or regulation affecting a specified market or markets be mailed to him at an address given in such form of request; and

(4) Mailing, postage postpaid, or delivering a copy thereof, and in the case of an order, rule or regulation, a copy of a release relative thereto, to: state house press room, state house news service, any news reporting service which has filed with the commissioner written request for a copy of each notice of general hearing and general order, rule or regulation issued by the commissioner, and such other newspaper or newspapers published or circulating in the market or markets affected as in the judgment of the commissioner will afford sufficient notice and publicity thereof; and

(5) In the case of each notice of general hearing, also by

advertisement in such newspaper or newspapers as, in the judgment of the commission, will afford sufficient notice to the public thereof.

(b) A general order, rule or regulation duly adopted by the commission, posted and published as provided by subsection (a) of this section shall, upon being filed with the state secretary as required by section thirty-seven of chapter thirty, have the force and effect of law. A copy of any such general order, rule or regulation certified by the state secretary to have been filed in his office shall be received in proceedings before any court or before the commissioner as prima facie evidence that such order, rule or regulation was duly adopted, posted, published and filed as required by law.

(c) Each notice of a special hearing, each subpoena and each special order, rule or regulation applying only to one or more persons named therein, issued by the commissioner, shall be served on the person or persons affected, by

(1) Mailing by registered mail, postage prepaid, an attested copy thereof addressed to each applicant or licensee affected, at his principal business address in the commonwealth as appearing in the records of the commissioner, and to each other person affected thereby at his last known address; or

(2) Delivering such a copy in hand to, or leaving such a copy at the last and usual place of abode in the commonwealth of, each individual affected thereby, and, in the case of service of a notice or special order, rule or regulation on a corporation, by delivering such a copy to the president, treasurer, clerk, cashier, secretary, agent or other officer in charge of its business, or, if no such officer is found, by leaving such a copy at its principal office or place of business within the commonwealth.

(d) Service by delivery of an attested copy pursuant to subsection (c) of this section may be made by any employee of the department, at any place within the commonwealth, or by any constable or other officer authorized to serve civil process at the place of delivery, or, in the case of a subpoena, by any disinterested person. The verified return by the individual delivering any such copy setting forth the manner of such service, or the return post office receipt therefore when mailed by registered mail shall be proof of service of the same.

SECTION 37. Section twenty of said chapter ninety-four A is hereby repealed.

SECTION 38. Said chapter 94A is hereby further amended by striking out section 21, as amended by section 3 of chapter 604 of the acts of 1953, and inserting in place thereof the following section:-

Section 21. Any person aggrieved by any order, rule or regulation adopted by, or other decision of, the commissioner may, by petition filed within twenty days after the publication or service of such order, rule, regulation or decision, obtain a review by the superior court of the proceedings of the commissioner on which such order, rule, regulation or decision was based. A copy of such petition, attested by the clerk of the court, shall be forthwith served upon the commissioner. The petitioner shall file in the court a transcript of the entire record in the proceedings, certified by the commissioner, including the notice, the testimony received and the findings and order or decision of the commissioner. The order, rule, regulation or decision of the commissioner shall be reviewed in accordance with the standards for review provided in paragraph (8) of section fourteen of chapter thirty A. No objection not urged before the commissioner shall be considered in review. The court may, in its discretion, remit the record to the commissioner for the correction of errors or for the taking of additional evidence. Prior to the entry of a decree of revision or reversal, no order shall be made to stay or supersede any order, rule, regulation or decision of the commissioner, nor shall any court in any proceeding restrain or enjoin the commissioner or restrain or enjoin enforcement of an order, rule, regulation or decision adopted by the commissioner, except after a hearing of which the commissioner shall have received not less than two days' notice in writing.

SECTION 39. Said chapter 94A is hereby further amended by striking out section 22, as amended by said section 3 of said chapter 604, and inserting in place thereof the following section:-

Section 22. Whoever violates any provision of this chapter or of any effective rule, regulation or order of the commissioner made under this chapter or adopted by the former milk control board under any similar provision of earlier law, except as herein otherwise expressly provided, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than one year, or both, and such fine may be imposed for each day during which such violation shall continue. A violation of any provision of this chapter or of any effective rule, regulation or order so made or adopted may be reported by any person to the commissioner, who shall investigate such complaint and may institute such action at law or in equity in any court of competent jurisdiction as may be necessary to enforce compliance with any provision of this chapter or of any effective rule, regulation or order so made or adopted, and, in addition to any other remedy, may seek relief by injunction, if in the opinion of the commissioner it is necessary to protect the public interest,

without being compelled to allege or prove that an adequate remedy at law does not exist.

SECTION 40. Said chapter 94A is hereby further amended by striking out section 24, as amended by said section 3 of said chapter 604, and inserting in place thereof the following section:-

Section 24. (a) The commissioner may confer with legally constituted authorities of other states and of the United States with respect to uniform milk control within and among such states; may join in conducting joint investigations, holding joint hearings and issuing joint or concurrent orders; and may enter into one or more compacts for such uniform milk control, subject to such federal approval as may be authorized or required by law.

(b) In order to promote such uniform milk control with respect to milk delivered for sale, distribution or use in any market located partly or wholly in this or any other state, the milk supply of which is at the time drawn in part from this commonwealth and in part from any other state, the commissioner, after examination and investigation and after hearing held after due notice, may, if it finds that such action is beneficial to the public interest and will promote one or more of the purposes of this chapter, join, in fixing, or fix, by such joint or concurrent and complementary order minimum prices to be paid by milk dealers to other milk dealers, producers or other persons for milk purchased, received, pasteurized, bottled or otherwise packaged, processed, or otherwise handled within the commonwealth for sale, distribution or disposal in any such market or natural marketing area; and may, if it finds such action beneficial to the public interest, in or in connection with any such order, include or adopt:

(1) Any provision, term or condition which the commissioner is by any other provision of this chapter empowered to include or adopt with reference to milk similarly purchased, received, pasteurized, bottled or otherwise packaged, processed, or otherwise handled, for sale, distribution or disposal in a market located in and drawing its milk supply wholly from within the commonwealth.

(2) Provisions whereby the commissioner may join in the appointment of a joint market administrator or other joint agency, and defining his or its powers and duties which shall include only the following powers:

(i) to administer such joint order or concurrent and complementary orders, in accordance with its or their terms and provisions;

(ii) to make rules and regulations to effectuate said terms and provisions;

(iii) to receive, investigate and report complaints of violations of said order or orders.

(3) Provisions that each milk dealer subject to such order or orders shall pay to said joint market administrator or other agency such handler's pro rata share, as approved by the commissioner, of such expenses as the commissioner finds will be necessarily incurred by such administrator or agency in administering said order or orders.

(4) Provisions for the joint calculation and announcement of

(i) Basic production averages for all producers delivering milk for sale or distribution as fluid milk in said market;

(ii) A common uniform price for all milk delivered to all milk dealers selling or distributing, or otherwise handling, milk in said market, or common uniform prices for all milk delivered by producers to each such milk dealer; subject in either case to adjustments for grade, quality, test or location, or to a further adjustment to make uniform the returns to all such producers for milk delivered within their basic production averages.

(c) The purpose of this section is to promote co-operation with the legally constituted authorities of other states and of the United States with respect to uniform milk control. This section and the orders, rules and regulations of the commissioner issued under authority thereof shall be interpreted and construed, together with any joint or concurrent and complementary orders of the legally constituted authorities of the United States or of other states, in such manner as to effectuate the general purpose to make uniform the effect of the orders, rules and regulations of the commissioner and of said authorities of the United States or of other states, regulating the interstate and intrastate transactions of milk dealers in or with respect to milk sold, distributed or disposed of in any such market.

SECTION 41. Section 11B of chapter 132A of the General Laws, inserted by section 1 of chapter 780 of the acts of 1977, is hereby amended by inserting after the first sentence the following sentence:- Members appointed by the governor shall receive fifty dollars for each day or portion thereof spent in discharge of their official duties not to exceed six hundred dollars annually and shall be reimbursed for the necessary expenses incurred.

SECTION 42. Said section 11B of said chapter 132A is hereby further amended by adding the following paragraph:-

Each member of the committee appointed by the governor shall be appointed for a term of four years, and until his successor is qualified. Of the first such members appointed, one shall serve for a term of one year; one shall serve for a term of two years;

one shall serve for a term of three years; one shall serve for a term of four years. A person appointed to fill a vacancy shall serve for the unexpired term of such vacancy. Any member may be eligible for reappointment.

SECTION 43. After the effective date of this act, the director of milk control and all other persons who are employed by the milk control commission immediately prior to the effective date of this act shall continue in the employ of the department of food and agriculture, and nothing in this act shall be construed to alter or modify the term tenure, civil service, seniority, retirement or other rights of said director or any such person in such employment.

SECTION 44. All powers and duties of the division of milk control, as existing immediately prior to the effective date of this act, shall continue to be exercised and performed by the department of food and agriculture and all powers and duties of the milk control commission with respect to said division, as so existing, shall be transferred to the commissioner of food and agriculture. The phrase "division of milk control", or any words connoting the same, when used in any special act, order, rule or regulation, shall mean the agency in the department of food and agriculture performing functions of the former division of milk control unless a contrary intent clearly appears.

SECTION 45. All orders, rules and regulations duly made by the milk control commission with reference to the functions of the division of milk control which are in force immediately prior to the effective date of this act shall continue in force, and, to the extent that the power to make such orders, rules and regulations is transferred by this act to the commissioner of food and agriculture, they shall thereafter be enforced until superseded, revised, and rescinded or cancelled in accordance with the law by said commissioner, unless a contrary intent clearly appears.

All orders, rules and regulations duly made by the division of milk control or any person holding an office therein which are in force immediately prior to said effective date shall thereafter be enforced, until superseded, revised, rescinded or cancelled in accordance with the law, by the department of food and agriculture.

SECTION 46. All petitions, hearings and other proceedings duly brought before and all proceedings and legal and other procedures duly begun by the milk control commission with reference to the functions of the division of milk control which are pending immediately prior to the effective date of this act

shall continue unabated and remain in force notwithstanding the passage of this act, and, to the intent that the power to determine or bring such proceedings is transferred by this act to the commissioner of food and agriculture, they shall be completed before or by said commissioner unless a contrary intent clearly appears. All petitions, hearings and other proceedings duly brought before and all prosecutions and legal or other proceedings duly begun by the division of milk control, or any person holding an office therein, which are pending immediately prior to said effective date shall continue unabated and remain in force notwithstanding the passage of this act, and shall be completed before or by the department of food and agriculture unless a contrary intent clearly appears.

SECTION 47. All orders, rules and regulations adopted, and licenses, permits and certificates issued by the department of food and agriculture and including, but not limited to, the division of dairying and animal husbandry, the division of animal husbandry, the division of markets, the division of poultry, and in force immediately prior to the effective date of this act, shall continue in force after said effective date unless and until suspended, revised, rescinded, cancelled or revoked by the commissioner of food and agriculture, or the director of animal health, or the director of regulatory services pursuant to the provisions of the General Laws. Any form approved by the aforesaid department and divisions prior to said effective date may be continued in use after said effective date. The use of the name of any of the aforesaid divisions in any such order, rule, regulation, or form so continued in force after said effective date shall be considered to mean, except when the context otherwise requires, the appropriate division in the department of food and agriculture.

SECTION 48. After the effective date of this act, all persons who are employed by the department of food and agriculture immediately prior to the effective date of this act shall continue in the employ of said department, and nothing in this act shall be construed to alter or modify the term, tenure, civil service status, seniority, retirement or other rights of any such person in such employment.

Approved December 21, 1983.

Chap. 692. AUTHORIZING THE DEPARTMENT OF VETERANS' SERVICES TO PAY A CERTAIN SUM OF MONEY TO THE TOWN OF WHITMAN FOR CERTAIN VETERANS' BENEFITS PAID BY SAID TOWN.

Be it enacted, etc., as follows:

There shall be allowed and paid out of the state treasury to the town of Whitman, subject to appropriation and subject to the approval of the commissioner of veterans' services, a sum not exceeding seventy thousand dollars, as reimbursement, under the provisions of section six of chapter one hundred and fifteen of the General Laws, for veterans' benefits paid by said town in the years July through December, nineteen hundred and seventy-nine, January through December, nineteen hundred and eighty, January through December, nineteen hundred and eighty-one and January through December, nineteen hundred and eighty-two. Said reimbursement not being made because of a failure of said town to make a proper and seasonable report thereof to said commissioner.

Approved December 21, 1983.

Chap. 693. RELATIVE TO FUNDING FOR ORGAN DONATIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 10 of the General Laws is hereby amended by inserting after section 35D the following section:-

Section 35E. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Organ Transplant Fund, to assist residents of the commonwealth in paying all or part of any costs associated with a medically required organ transplant. Said fund shall consist of all revenues received by the commonwealth: (1) under the provisions of section six E of chapter sixty-two; (2) from public and private sources as gifts, grants, and donations to further such human organ transplant programs; and (3) from the federal government as reimbursements, grants-in-aid or other receipts on account of such transplant operations.

All revenues credited under this section shall remain in said Organ Transplant Fund, not subject to appropriation, to assist residents of the commonwealth in paying all or part of any costs associated with a medically required organ transplant. The state treasurer shall not deposit said revenues in or transfer said revenues to the General Fund or any other fund other than the Organ Transplant Fund.

The state treasurer shall deposit the fund in accordance with the provisions of sections thirty-four and thirty-four A of chapter twenty-nine in such manner as will secure the highest in-

terest rate available consistent with safety of the fund and with the requirement that all amounts on deposit be available for immediate withdrawal at any time. The fund shall be expended only for the purposes stated above at the direction of the commissioner of public health and any unexpended balances shall be redeposited, as herein provided, for future use consistent with this section.

SECTION 2. The first paragraph of section 4 of chapter 17 of the General Laws is hereby amended by striking out the first sentence and inserting in place thereof the following:-

There shall be in the department a division of sanatoria, a division of communicable and venereal diseases, a division of food and drugs, a division of alcoholism, a division of drug rehabilitation, a division of organ transplants and such other divisions as the commissioner, with the approval of the public health council, may from time to time determine.

SECTION 3. Chapter 17 of the General Laws is hereby amended by adding after section 14 the following new section:-

Section 15. There shall be an advisory council on organ transplants consisting of the commissioner of public health, the commissioner of social services, the president of the Massachusetts Medical Society, and six persons experienced in the field of organ donations or transplants to be appointed by the governor, of whom at least one shall be a recipient of a donated organ. Upon the expiration of the term of any appointive member, a successor shall be appointed in like manner for a term of three years. The term of all appointive members shall be three years and no such member shall be appointed to serve more than two consective terms.

The governor shall annually designate the chairman of the council from among its members. The council shall meet at least four times each year, and shall convene special meetings at the call of the chairman, a majority of the members of the council, the commissioner of public health, or the director of the division of organ transplants. The director of the division of organ transplants shall serve as the executive secretary of the council and shall attend all meetings. The council shall make an annual report to the governor, and shall file a copy of said report with the state secretary, the clerk of the senate and the clerk of the house of representatives. Members of the council shall serve without compensation but shall be reimbursed for their expenses actually and necessarily incurred in the discharge of their duties.

Said advisory council shall (a) assist the commissioner of public health and the director of the division of organ trans-

plants in coordinating the efforts of all public and private agencies within the commonwealth concerned with the donation and transplantation of human organs, (b) advise the said commissioner and said director on policy and priorities of need in the commonwealth for a comprehensive program relative to organ donations and transplants, (c) review the annual plans, the proposed annual budget and the programs and services of the division and make recommendations to the commissioner, including approval, modification, or disapproval in regard thereto, and (d) assist the director of the division of organ transplants to establish regulations which shall set forth standards and guidelines by which said director shall both select individuals who shall receive funds from the Organ Transplant Fund, established pursuant to section thirty-five E of chapter ten, and determine the amount each such individual shall receive.

SECTION 4. Said chapter 62 is hereby further amended by inserting after section 6D the following section:-

Section 6E. Every individual who files a separate return and every husband and wife filing a return jointly may voluntarily contribute all or part of any refund to which they are entitled or may voluntarily add an amount onto any amount due to be credited to the Organ Transplant Fund, established pursuant to section thirty-five E of chapter ten.

A contribution made under this section may be made with respect to any taxable year at the time of filing a return of the tax imposed by this chapter for such taxable year; provided, however, that the commissioner shall prescribe the manner in which such contribution shall be made on the face of the return required by section five of chapter sixty-two C.

The commissioner shall annually report the total amount designated under this section to the state treasurer who shall credit such amount to said Organ Transplant Fund.

SECTION 5. Section six E of chapter sixty-two of the General Laws, inserted by section four of this act, shall apply to taxable years commencing on and after January first, nineteen hundred and eighty-four.

Approved December 21, 1983.

Chap. 694. ESTABLISHING CERTAIN RIGHTS OF VICTIMS OF CRIMES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 10 of the General Laws is hereby amended by adding the following section:-

Section 49. There shall be established upon the books of the commonwealth a separate fund to be known as the Victim and Witness Assistance Fund, consisting of revenues received under the provisions of chapter two hundred and fifty-eight B, and all other monies credited or transferred thereto from any other fund or source pursuant to law.

The state treasurer shall receive, deposit, and invest all monies transmitted to him under the provisions of this section in such manner that will insure the highest interest rate available consistent with safety of the fund and with the requirement that monies transmitted to the state treasurer pursuant to section eight of said chapter two hundred and fifty-eight B be available for immediate withdrawal for payment to any person who has paid an assessment to a court pursuant to said section eight and whose appeal has been upheld.

SECTION 2. The General Laws are hereby amended by inserting after chapter 258A the following chapter:-

CHAPTER 258B.

RIGHTS OF VICTIMS AND WITNESSES OF CRIME.

Section 1. The following words as used in this chapter shall have the following meanings, unless the context otherwise requires:-

"Board", the victim and witness assistance board as established in section four;

"Court", a forum established under the general laws for the adjudication of criminal complaints or indictments;

"Crime", an act committed in the commonwealth which would constitute a crime if committed by a competent adult including any act which may result in an adjudication of delinquency;

"Disposition", the sentencing or determination of penalty or punishment to be imposed upon a person convicted of a crime or found delinquent or against whom a finding of sufficient facts for conviction or finding of delinquency is made;

"Family member", a spouse, child, sibling, parent, or legal guardian of a victim;

"Restitution", money or services which a court orders a defendant to pay or render to a victim as part of the disposition;

"Victim", a natural person who suffers direct or threatened physical, emotional or financial harm as the result of the commission or attempted commission of a crime and shall also include the family members of a minor, incompetent or a homicide victim.

"Witness", any person who has been or is expected to be summoned to testify for the prosecution whether or not any

action or proceeding has yet been commenced.

Section 2. A victim has the rights and is eligible for the services set forth under this chapter only if such victim reported the crime to law enforcement authorities within five days of its occurrence or discovery, unless the district attorney finds that a good cause existed for not having done so.

Section 3. To the extent possible and subject to the available resources, victims and witnesses of crime, or in the case of a homicide, the family members of the victim whether or not such members are witnesses in any criminal proceeding, shall be afforded the following rights where applicable:

(a) for victims and witnesses to be informed by the prosecutor of the final disposition of the case and shall, at their request, be informed by the appropriate custodial authority whenever the defendant receives a temporary, provisional or final release from custody or whenever the defendant escapes from custody. Those persons requesting such notice must provide the appropriate authority with current information as to address and telephone number;

(b) for victims and witnesses, to be notified by the district attorney, in a timely manner, when a court proceeding to which they have been summoned will not go on as scheduled;

(c) for victims and witnesses, to be provided with information by the district attorney as to the level of protection available and to receive protection from the local law enforcement agencies from harm and threats of harm arising out of their cooperation with law enforcement and prosecution efforts;

(d) for victims and witnesses, to be informed by the district attorney of financial assistance and other social services available to victims or witnesses of a crime, including information relative to applying for such assistance or services;

(e) for victims, to be informed by the district attorney of the right to request that restitution be an element of the final disposition of a case and to obtain assistance in the documentation of the victim's losses;

(f) for victims and witnesses, to be informed by the court and the district attorney of procedures to be followed in order to apply for and receive any witness fee to which they are entitled;

(g) for victims, family members, and witnesses, to be provided a secure waiting area or room during court proceedings by the district attorney;

(h) for victims to have the opportunity to inform the court of the impact of the crime pursuant to section four A of chapter two hundred and seventy-nine;

(i) for victims to have any personal property that was stolen or taken for evidentiary purposes, except contraband, property

subject to evidentiary analysis, and property the ownership of which is disputed, returned by the court, the district attorney, or law enforcement agencies within ten days of its taking or recovery if it is not needed for law enforcement or prosecution purposes or as expeditiously as possible when said property is no longer needed for law enforcement or prosecution purposes;

(j) for victims and witnesses, to be provided, where appropriate, with employer and creditor intercession services by the district attorney to seek employer cooperation in minimizing employees' loss of pay and other benefits resulting from their participation in the criminal justice process, and to seek consideration from creditors if the victim is unable, temporarily, to continue payments.

(k) for victims and witnesses, to a prompt disposition of the case in which they are involved as a victim or a witness.

Section 4. There is hereby established a victim and witness assistance board, to consist of five members who shall serve without compensation. Notwithstanding any provision of section six of chapter two hundred and sixty-eight A to the contrary, the board shall consist of the attorney general or his designee who shall be chairman, two district attorneys who shall be appointed by the governor, and two members of the public who shall be appointed by the governor, of whom one shall be a victim. The members of the board first appointed shall serve as follows: of the district attorneys appointed by the governor, one shall serve for three years, and one shall serve for one year, of the members of the public appointed by the governor, one shall serve for three years and one shall serve for two years. The successor of each such member shall serve for a term of three years and until his successor is duly appointed and qualified, except that any person appointed to fill a vacancy shall serve only for the unexpired term. Any member of the board shall be eligible for reappointment.

The board shall by majority vote of its members, appoint an executive director who shall serve, subject to appropriation, at such rate of compensation as the board directs for a term of three years unless removed for cause by a vote of four members of the board. The executive director, subject to appropriation, shall have the power to hire such staff, subject to the approval of the board, as is needed to fulfill the powers and duties of the board. The executive director shall have such other powers and duties as the board may delegate to him.

The provisions of chapter thirty-one shall not apply to the excutive director or any employee of the board.

The board shall review and approve program plans, annual reports, and the implementation and operation of programs as described in this chapter. The board shall, subject to appro-

priation, and from the funds made available from the Victim and Witness Assistance Fund, as established in section nine of this chapter or from funds made available from any other public or private source, provide funding for the preparation, submission and approval of plans required under section six and for the operation of approved comprehensive victim and witness assistance programs pursuant to section five, as the board deems appropriate. Administrative costs related to the operation of the board including compensation for the executive director and staff, subject to appropriation, shall be paid from the Victim and Witness Assistance Fund.

The board shall promulgate rules for the preparation, review, approval, and implementation of program plans and annual reports, and for the administration and operation of programs approved under this section. Said rules shall include criteria to guide district attorneys in determining, for purposes of this chapter, whether a particular crime has a victim and who is the victim of such crime.

In addition to the foregoing, the board shall:

(a) have printed and shall make available to social service agencies, medical facilities, and law enforcement agencies, cards, posters, brochures or other materials explaining the victim and witness rights and services established under this chapter and the victim compensation program as provided under chapter two hundred and fifty-eight A;

(b) assist hospitals, clinics and other medical facilities, whether public or private, in disseminating information giving notice of the rights established under this chapter and the availability of compensation to victims of crime pursuant to said chapter two hundred and fifty-eight A. This assistance may include providing informational materials including posters suitable to be displayed in emergency and waiting rooms;

(c) assist law enforcement agencies in familiarizing all of their officers and employees with the crime victims' rights as provided under this chapter, as well as victim compensation available under said chapter two hundred and fifty-eight A. This assistance may include supplying informational literature on this subject to be utilized as part of the training curriculum for all trainee officers; and

(d) assist all local law enforcement agencies in establishing procedures whereby expedient notification is given to victims and witnesses, as defined under this chapter, of the rights provided under this chapter, as well as the compensation services provided under said chapter two hundred and fifty-eight A. In municipalities which do not have a local law enforcement agency, the board shall establish procedures whereby it, in cooperation with the state police, shall give notice to victims of crimes as

provided in this section.

Section 5. Each district attorney shall create and maintain, to the extent reasonably possible and subject to the available resources, a program to afford victims and witnesses of crimes the rights and services described in this chapter. Those services shall include but not be limited to the following:

(a) court appearance notification services, including cancellations of appearances;

(b) informational services relative to the availability and collection of witness fees, victim compensation and restitution;

(c) escort and other transportation services related to the investigation or prosecution of the case, if necessary;

(d) case process notification services;

(e) employer intercession services;

(f) expedited return of property services;

(g) protection services;

(h) family support services including child and other dependent care services;

(i) waiting facilities; and

(j) social service referrals.

Section 6. Each district attorney shall submit annually to the board a program plan to be implemented within the district attorney's jurisdiction. The program plan shall include but not be limited to: a description of the services to be provided to victims and witnesses in each judicial district within the district attorney's jurisdiction; the personnel or agencies responsible for providing individual services and related administrative programs; proposed staffing for the program; proposed education, training and experience requirements for program staff and, where appropriate, the staff of agencies providing individual services and related administrative services; and a proposed budget for implementing the program. The district attorney shall include in the annual program plan a detailed report on the operation of the program during the preceding year.

Section 7. The district attorney, local law enforcement agencies, local social service agencies, and court shall cooperate to afford victims and witnesses of crimes, the rights and services described in this chapter.

Section 8. The court shall impose an assessment of twenty-five dollars against any person who has attained the age of seventeen years and who is convicted of a felony or against whom a finding of sufficient facts for a conviction is made on a complaint charging a felony. The court shall impose an assessment of fifteen dollars against any person who has attained the age of seventeen and who is convicted of a misdemeanor or against whom a finding of sufficient facts for a conviction is made on a complaint charging a misdemeanor. The court shall

impose an assessment of fifteen dollars against any person who has attained the age of fourteen years and who is adjudicated a delinquent child or against whom a finding of sufficient facts for a finding of delinquency is made. When multiple offenses arising from a single incident are charged, the total assessment shall not exceed twenty-five dollars, provided however, that the total assessment against a person who has not attained seventeen years shall not exceed fifteen dollars. In the discretion of the court, any assessment imposed pursuant to this section which would cause the person against whom the assessment is imposed severe financial hardship, may be reduced or waived.

All such assessments made shall be collected by the court and shall be transmitted monthly to the state treasurer. The assessment from any conviction or adjudication of delinquency which is subsequently overturned on appeal shall be refunded by the court to the person whose conviction or adjudication of delinquency is overturned. Said court shall deduct such funds from the assessments transmitted to the state treasurer. Assessments pursuant to this section shall be in addition to any other fines or restitution imposed in any disposition.

Section 9. Any assessment imposed pursuant to section eight shall be deposited in the Victim and Witness Assistance Fund, established by section forty-nine of chapter ten. The proceeds of the fund shall be made available, except as provided in said section forty-nine and, subject to appropriation, to the board which shall determine the amounts to be disbursed to the public programs described in section five and approved by the board which provide comprehensive services to victims and witnesses of all types of crimes and do not restrict services to victims and witnesses of a particular type of crime.

Section 10. Nothing in this chapter shall be construed as creating a cause of action on behalf of any person against any public employee, public agency, the commonwealth or any agency responsible for the enforcement of rights and provision of services set forth in this chapter.

SECTION 3. Chapter 279 of the General Laws is hereby amended by inserting after section 4A the following section:-

Section 4B. Before disposition in any case where a defendant has been found guilty of the provisions of paragraph (b) of section twenty-four G of chapter ninety or any felony, excluding any crime for which a sentence of death may be imposed, and which involves an identified victim whose whereabouts are known, the district attorney shall give the victim actual notice of the time and place of sentencing and of the victim's right to make a statement to the court, orally or in writing at the victim's option, as to the impact of the crime and as to a recom-

mended sentence. Before disposition, the court shall allow any victim who elects to make such an oral statement the opportunity to do so in the presence of the defendant. Before disposition, the district attorney shall file any such written statement with the court and shall make it available to the defendant.

If the victim is unable to make an oral or written statement because of his mental, emotional, or physical incapacity or his age, his attorney or a designated family member shall be provided the notice and the opportunity to make a statement prescribed in this paragraph.

Before said disposition the office of the district attorney shall cause to be prepared a written statement as to the impact of the crime on the victim, which shall be filed with the court as part of the presentence report and made available to the defendant. The statement shall include the following: (1) the name of the victim; (2) documentation of the net financial loss, if any, suffered by the victim or a family member as a result of the crime; (3) in cases where the crime has had an impact on the victim's personal welfare or family relationship or has had a psychological impact on the victim or his family, a statement of such impact.

The court shall allow the defendant to have the opportunity to rebut the victim's oral or written statement and the district attorney's written statement if the court decides to rely upon such statements or parts thereof in imposing sentence.

No sentence shall be invalidated because of failure to comply with the provisions of this section. This section shall not be construed to create any cause of action or any right of appeal on behalf of any person.

SECTION 4. Each district attorney shall submit a program plan to the victim and witness assistance board pursuant to section six of chapter two hundred and fifty-eight B of the General Laws on or before August first, of nineteen hundred and eighty-four and of every year thereafter.

SECTION 5. A special commission, to consist of three members of the senate, five members of the house of representatives, a justice of the district court department of the trial court to be appointed by the chief justice, a justice of the Boston municipal court department of the trial court to be appointed by the chief justice, a justice of the superior court department of the trial court to be appointed by the chief justice and five persons to be appointed by the governor, one of whom shall be a district attorney, one of whom shall be a law enforcement officer, and one of whom shall be a person who has been a victim of a violent crime is hereby established for the purpose of making an investi-

gation and study of the effects of crime on the victims thereof. Said investigation shall include, but not be limited to, the adequacy and efficiency of: the programs of services to the victims and witnesses of crimes, as provided under the provisions of chapter two hundred and fifty-eight B of the General Laws; the programs of public information relative to victims and witnesses rights; the programs for victim restitution and compensation and the availability and sufficiency of funding mechanisms for said programs. The chairman of said commission shall be elected by a majority vote of the members. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect by filing the same with the clerk of the house of representatives on or before the last Wednesday in December, nineteen hundred and eighty-four.

Approved December 21, 1983.

Chap. 695. PROVIDING FOR SHARED LEGAL CUSTODY IN CERTAIN ACTION RELATIVE TO CUSTODY OF MINOR CHILDREN.

Be it enacted, etc., as follows:

Section 31 of chapter 208 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by chapter 252 of the acts of 1982, and inserting in place thereof the following paragraph:-

In making an order or judgment relative to the custody of children pending a controversy between their parents, or relative to their final possession, the rights of the parents shall, in the absence of misconduct, be held to be equal, and the happiness and welfare of the children shall determine their custody or possession.

Upon the filing of an action in accordance with the provisions of this section, section twenty-eight of this chapter or section thirty-two of chapter two hundred and nine and until a judgment on the merits is rendered, absent emergency conditions, abuse or neglect, the parents shall have shared legal custody of any minor child of the marriage; provided, however, that the judge may enter an order for temporary legal custody for one parent if written findings are made that such shared custody would not be in the best interest of the child and that the parties do not have a history of being able and willing to cooperate in matters concerning the child. The court shall require the parents to submit

a plan in writing to the court within thirty days of the entry of the temporary custody order setting forth the details of shared legal custody including but not limited to procedures for resolving disputes between the parties with respect to child raising decisions and duties. If at the time of the hearing on the merits the parties have filed such a plan with respect to shared legal custody, and the court determines that the plan has made proper provisions in the best interest of the child, and that the parties have carried out the provisions of the plan in the best interest of the child, both parties shall continue to have shared legal custody of the child. The court may modify the plan with the agreement of both parties and shall review this operation of the plan within one year of the date of its adoption, if a hearing on the merits has not been held within such time. Nothing herein shall be construed to limit the power of the court at such time or any any time thereafter to make any order relative to the custody of the child, including an order for shared legal custody, if it determines it to be in the child's best interest. When considering the happiness and welfare of the child the court may consider whether or not the child's present or past living conditions adversely affects his physical, mental, moral or emotional health when making an order or judgment relative to the custody of said child. For purposes of this section, shared legal custody shall be defined as a continued mutual responsibility and involvement by both parents in decisions regarding the child's welfare in matters of education, medical care, emotional, moral and religious development.

Approved December 21, 1983.

Chap. 696. AN ACT RELATIVE TO PAYMENT FOR SERVICES UNDER THE MEDICAL ASSISTANCE PROGRAM FOR THE BLIND.

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

Be it enacted, etc., as follows:

SECTION 1. Item 4110-1020 of section 2 of chapter 289 of the acts of 1983 is hereby amended by inserting after the word "blind", in line 1, the words:- , including previous fiscal years.

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

Approved December 22, 1983.

Chap. 697. FURTHER REGULATING THE DEPARTMENT OF COMMUNITY AFFAIRS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provision of any law to the contrary, the provision of Article 17 in the standard contract for financial assistance between the commonwealth, acting by and through the department of community affairs, and the housing authority of the town of Winthrop regarding project # 667-4/705-1 shall not be applicable.

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

Approved December 22, 1983.

Chap. 698. EXEMPTING THE POSITION OF CHIEF OF POLICE IN THE TOWN OF FALMOUTH FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The position of chief of police in the town of Falmouth 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 holding the position of chief of police in the town of Falmouth on the effective date of this act.

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

Approved December 22, 1983.

Chap. 699. RELATIVE TO EARLY CHILDHOOD INTERVENTION SERVICES.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by inserting after Chapter 111E the following chapter:-

Chapter 111F

Section 1. For the purposes of this chapter, the following words shall have the following meanings unless the context or subject matter clearly requires otherwise:-

"Advisory Committee", the committee established pursuant to section three;

"Commissioner", the commissioner of the department of public health;

"Department", the department of public health;

"Division", the division of family health services which is an administrative division within the department of public health;

"Early intervention services", services provided to children and the families of children, who are between birth and three years of age and who have identified handicapping conditions or who are at risk for developmental delays due to biological, established, or environmental factors. Such services are for the purpose of minimizing the potential for developmental delay and for preventing the institutionalization of such children and shall be developmental services, including but not limited to speech, occupational and physical therapy, social work, psychological, educational, and nursing services.

Section 2. The department shall establish a state wide system of programs providing early intervention services. The department shall be the sole source of state funds for early intervention services; provided, however, that reimbursement for such services shall be allowed pursuant to section six of chapter one hundred and eighteen E. The department shall be the lead agency for the coordination of all governmental funding, both state and federal, for such programs.

Such programs shall be located within the division of family health services. The division shall be responsible for implementing and administering such programs.

The division shall develop and promulgate uniform rules and regulations for the provision of early intervention services. The division may contract with any agencies, individuals or groups for the provision of such services, subject to appropriation.

Section 3. The commissioner shall appoint an advisory committee which shall consist of fifteen members, including one representative from each of the following state agencies: the department of public health, the department of mental health, the department of education, the department of public welfare, the department of social services, and the office for children; one representative of the Massachusetts Early Intervention Consortium; at least three of whom shall represent program consumers; at least three of whom shall represent program pro-

viders; and at least one of whom shall represent the collective bargaining unit which represents state employees who provide early intervention services. Said committee shall advise the division relative the development of program standards, the gathering of statistical and assessment data, the coordination of state agencies, the resolution of administrative and collective bargaining issues, the promotion of early intervention services, and coordination and planning to maximize resources.

Section 4. The division, with the advice of the advisory committee, shall investigate alternative revenue sources for early intervention services. A system of payments by families shall be established which promotes accessibility to services to all families in need of such services. This system may include a schedule of sliding fees developed in accordance with applicable state and federal law.

The division shall develop a donated funds program to encourage the development of funds other than state appropriations for early intervention services. Such sources of funds may include private donations or monies from city, town, or county governments but shall not include funds from other state agencies. The state shall provide two dollars for each dollar of donated funds which have been committed from such non-state source.

Section 5. The division shall monitor and assess the effectiveness of early intervention services. Programs which are in receipt of state or federal funding for early intervention services shall report such information relative to program models, characteristics of clients, expenditures, and other material information as the division, with the advice of the advisory committee, shall request for the purpose of monitoring and assessing the effectiveness of such programs.

Section 6. Whenever transportation to early intervention services is required, the department shall notify the department of education, which shall provide transportation services as provided in section thirteen of chapter seventy-one B.

SECTION 2. Section 6 of chapter 118E of the General Laws, as most recently amended by section 182 of chapter 351 of the acts of 1981, is hereby further amended by inserting at the end thereof the following sentence:-

Notwithstanding the foregoing provisions of this section, the department shall provide reimbursement for early intervention services as defined in section one of chapter one hundred and eleven F which may be reimbursable under said Title XIX, including any provisions allowing for waiver of any statutes or regulations relating thereto, for persons who are financially and categorically eligible for medical assistance under said Title XIX.

SECTION 3. All employees of the department of mental health from which powers and duties are transferred to the department of public health by this act or by section thirty-six of chapter one hundred and ninety-one of the acts of nineteen hundred and eighty-two, who, immediately prior to the effective date of such acts, hold positions related to the exercise of such powers or the performance of such duties and either hold permanent appointment in positions classified under chapter thirty-one of the General Laws or have tenure in their positions by reason of section nine A of chapter thirty of the General Laws are hereby transferred to the department of public health, every such transfer to be without impairment of civil service status, seniority, retirement or other rights of the employee and without interruption of service within the means of said chapter thirty-one or said section nine D of chapter thirty of the General Laws and without reduction in compensation or salary grade notwithstanding any change in title or duties resulting from such transfer, subject to the provisions of said chapter thirty-one and the rules and regulations adopted thereunder.

All employees of the department of mental health who, immediately prior to said effective dates, hold positions related to the exercise of such powers or the performance of such duties but neither hold permanent appointments in such positions nor have such tenure, are hereby transferred to the department of public health, every such transfer to be without impairment of seniority, retirement and other rights of the employee, and without interruption of service within the meaning of said section nine A of chapter thirty of the General Laws and without reduction in compensation of salary grade, notwithstanding any change in title or duties resulting from such transfer.

Nothing in this section shall be construed to confer upon any employee any right not held immediately prior to the effective date of such acts or to prohibit any reduction of salary or grade, transfer, reassignment, suspension, discharge, layoff, or abolition of position not prohibited prior to said effective dates.

The status of the incumbent of any office or position placed within the classified civil service by this act shall be determined pursuant to the provisions of section fifty-six of said chapter thirty-one.

SECTION 4. Notwithstanding the provisions of any other law to the contrary, the department of public health may, subject to appropriation, enter into agreements for the provision of early intervention services as defined in section one of chapter one hundred and eleven F of the General Laws with non-profit charitable corporations, partnerships or collaboratives, so-called, and other partnership clinics providing mental health services with

the department of mental health, all of which shall be licensed by the department of public health pursuant to section fifty-one of chapter one hundred and eleven of the General Laws, or pursuant to said chapter one hundred and eleven F of the General Laws. Such agreements may provide for the retention of all revenues resulting from all billings and third party reimbursements by the nonprofit charitable corporations, partnerships or collaboratives and other partnership clinics providing mental health services with the department of mental health so licensed by the department of public health; provided, however, that the expenditure of such funds is made in conformance with applicable state and federal law and subject to the approval of the commissioner of public health. All revenues relating to the provision of early intervention services received by the community mental health centers operated by the Commonwealth in state-owned premises by and through community mental health centers including reimbursements under Titles XVIII and XIX of the Social Security Act shall be deposited in one or more trust funds in the state treasury of which the commissioner of public health shall be trustee and may be expended by the department of public health for the operation, maintenance, management, stabilization, and delivery of early intervention services by and through such community mental health centers and its other affiliated services providing agencies; provided, that all expenditures from said trust funds so made shall conform to standard state accounting procedures and such further requirements as prescribed by the comptroller provided further, that the commissioner of public health in his capacity as trustee shall report monthly to the commissioner of administration and to the house and senate committees on ways and means such revenues and reimbursements received and expenditures made; and provided further, that whenever any such trust fund ceases to be operative, all monies remaining in such fund shall accrue to the General Fund.

SECTION 5. The provisions of sections three and four of this act shall be effective July first, nineteen hundred and eighty-four.

SECTION 6. Chapter seventy-one B of the General Laws is hereby amended by striking out section thirteen, as most recently amended by section four of chapter 607 of the Acts of 1982, and inserting in place thereof the following section:-

Section 13. The department shall establish, maintain and operate a program of transportation services for children of preschool age who attend programs of the department of mental health or the department of public health pursuant to the provi-

sions of section twenty-seven of chapter nineteen, for children who attend early intervention programs of the department of public health pursuant to chapter one hundred and eleven F, and for mentally retarded persons who attend educational, habilitational or day care programs or facilities of the department of mental health under the provisions of said chapter nineteen, on such days as such facility of school is in session.

In transporting children who attend early intervention programs as defined in section one of chapter one hundred and eleven F, the department shall take appropriate steps to ensure the safety of said children. If the Department determines that said children cannot be transported safely without the assistance of monitors, said transportation services shall include provision of monitors. Nothing in this section shall preclude the ability of parents to serve as unpaid monitors when their children are being transported.

SECTION 7. The advisory committee, appointed pursuant to section three of chapter one hundred eleven F as created in section one of this act, shall make an investigation and study relative to the feasibility and wisdom of requiring state licensure of all early intervention programs operating in the Commonwealth. The committee shall submit such study and any recommended legislation pertaining thereto, to the House and Senate Committees on Ways and Means on or before July first, nineteen hundred and eighty-four.

Approved December 22, 1983.

Chap. 700. PROVIDING FOR A CAPITAL OUTLAY FOR ENERGY RELATED PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 25A of the General Laws is hereby amended by striking out section 5, as appearing in section 4 of chapter 796 of the acts of 1979, and inserting in place thereof the following section:-

Section 5. The secretary of energy resources shall file an annual report with the joint committee on energy and the house and senate committees on ways and means: (a) listing the number of employees of the executive office of energy resources, the salaries and titles of each employee, the source of funding for the salaries of said employees and the projected date when federal funds for such positions are expected to terminate; (b) listing and describing grant programs of the executive

office funded by the federal government, including the amount of funding by grant; (c) listing and describing other programs of the executive office, including the amount and source of funding by program; and (d) describing the energy audit, energy conservation and alternative energy bond programs by categories of projects prospective grantees under each category, if known, and amounts to be spent by category and grantee. Such reports shall be filed annually on or before December thirty-first and shall refer to activities planned for the subsequent calendar year. The secretary shall also file with said committees an annual report detailing all expenditures under each program administered by the executive office, including the energy audit, energy conservation and alternative energy bond programs, identified by categories of projects and grantees under each category, together with all available documentation of energy savings resulting from such expenditures. Such reports shall be filed on or before March first of each year and shall refer to activities in the preceding calendar year.

SECTION 2. Section 11 of said chapter 25A, as so appearing, is hereby amended by inserting after the third paragraph the following paragraph:-

With respect to any grants of funds of the commonwealth made to, or grant agreements involving funds of the commonwealth entered into with any city, town, or regional school district after January first, nineteen hundred and eighty-four, the secretary shall require that a portion of such grant be repaid to the commonwealth. The required repayment amount shall not be less than thirty per cent of the amount of any such grant and the time period allowed for such repayment shall not exceed ten years from the date of such grant. To facilitate repayment of any grant amount the secretary may require the city, town, or regional school district to authorize the commissioner of revenue to deduct the amount of its repayment due in each fiscal year from any local aid distribution, grant or appropriation made to the city, town or regional school district. Any amounts so deducted shall be paid into the General Fund.

SECTION 3. In addition to funds which may be otherwise appropriated or provided from any source, and in addition to funds provided for in sections twenty-eight to thirty-two, inclusive, of chapter seven hundred and ninety-six of the acts of nineteen hundred and seventy-nine, the secretary of energy resources is hereby authorized to expend a sum not to exceed twenty-five million dollars in the aggregate for the purpose of contracts to be entered into and grants to be awarded pursuant to section eleven of chapter twenty-five A of the General Laws.

Except as otherwise determined by the general court, said sum shall be allocated from time to time by the secretary of energy resources among the energy audit program and the energy conservation improvement program in a sum not to exceed twenty million dollars and the alternative energy program in a sum not to exceed five million dollars. When expending such funds, the secretary shall take into consideration, among other relevant factors, the amount of available state and federal financial resources, the needs of each program with respect to state buildings and facilities, the volume of requests or expected requests from other entities for assistance pursuant to each program, the expected costs and public benefits of each program and, after information has become available from the energy audit program, the priorities and needs indicated by that information.

An amount not to exceed twelve million dollars of the said twenty million dollars may be expended on the buildings and facilities owned by: (a) the commonwealth; (b) public authorities and instrumentalities of the commonwealth, including but not limited to, housing authorities; and an amount not to exceed eight million of said twenty million dollars may be expended on the buildings and facilities owned by cities, towns, and regional school districts in the commonwealth.

SECTION 4. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary for the purpose of meeting payments authorized by section three 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 fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, but the final maturities of such notes whether original or renewal, shall not be later than three years after the date of debt represented by the date that renewable notes were originally incurred. Notes and interest thereon issued under the authority of this section, notwithstanding any other provisions of this act, shall be general obligations of the commonwealth.

SECTION 5. To meet the expenditures necessary in carrying out the provisions of section three of this act or to refinance notes issued as provided in section four, 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-five million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face "Energy Conservation Bond, Act of 1983" 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 be payable no later than June thirtieth, two thousand and eight. The bonds and interest thereon issued under the authority of this section, notwithstanding any other provision of this act, shall be general obligations of the commonwealth.

Approved December 22, 1983.

Chap. 701. REQUIRING BIDDERS FOR CONTRACTS WITH CERTAIN PUBLIC BODIES TO CERTIFY THAT BIDS ARE BONA FIDE, FAIR AND MADE WITHOUT COLLUSION OR FRAUD AND TO PROVIDE BID AND SUBCONTRACT FORMS FOR BUILDING CONSTRUCTION WORK.

Be it enacted, etc., as follows:

SECTION 1. Section 22 of chapter 7 of the General Laws is hereby amended by adding the following clause:-

(20) Any person submitting a proposal for the sale, lease or provision of supplies, equipment or other property shall certify as follows:

The undersigned certifies under the penalties of perjury that this bid is in all respects bona fide, fair and made without collusion of fraud with any other person. As used in this clause the word "person" shall mean any natural person, joint venture, partnership, corporation, or other business or legal entity.

SECTION 2. Paragraph (a) of section 39M of chapter 30 of the General Laws is hereby amended by inserting after the third sentence, inserted by section 2 of chapter 506 of the acts of 1976, the following:- Any person submitting a bid under this section shall, on such bid, certify as follows:

The undersigned certifies under penalties of perjury that this bid is in all respects bona fide, fair and made without collusion or fraud with any other person. As used in this paragraph the word "person" shall mean any natural person, joint venture, partnership, corporation or other business or legal entity.

_____

(Name of person signing bid)

(Company)

SECTION 3. Chapter 40 of the General Laws is hereby amended by inserting after section 4B the following section:-

Section 4B1/2. Any person submitting a proposal for the sale, lease or provision of equipment, supplies or materials or services to any governmental unit as defined in section four A shall, on such proposal, certify as follows:-

The undersigned certifies under penalties of perjury that this bid is in all respects bona fide, fair and made without collusion or fraud with any other person. As used in this section the word "person" shall mean any natural person, joint venture, partnership, corporation, or other business or legal entity.

(Name of person signing bid)

(Company)

SECTION 4. Chapter 43 of the General Laws is hereby amended by inserting after section 28 the following section:-

Section 28A. Any person submitting a proposal under section twenty-eight for the sale of equipment, supplies, materials for repairs or construction or for construction work, shall, on such proposal, certify as follows:

The undersigned certifies under penalties of perjury that this bid is in all respects bona fide, fair and made without collusion or fraud with any other person. As used in this section the word "person" shall mean any natural person, joint venture, partnership, corporation or other business or legal entity.

(Name of person signing bid)

(Company)

SECTION 5. Section 11 of chapter 93 of the General Laws, as appearing in section 1 of chapter 459 of the acts of 1978, is hereby amended by adding the following sentence:- If a final judgment or decree is rendered in any civil or criminal proceeding brought by the attorney general under this chapter to the effect that a defendant has violated section four, the commonwealth or any city or town may void, rescind or cancel any contract to which the violation pertains or relates, and which was entered into with said defendant.

SECTION 5A. Section 44A of Chapter 149 of the General Laws, inserted by chapter five hundred and seventy-nine of the Acts of nineteen hundred and eighty is hereby further amended by striking out subsection (3) and inserting in place thereof the following subsection:-

(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 bid and furnish a performance bond and also a labor and materials or payment bond as stated in his 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 to forty-four H, inclusive, of this chapter. 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.

SECTION 6. Paragraph (b) of subsection (1) of section 44D of chapter 149 of the General Laws, as appearing in section 55 of chapter 579 of the acts of 1980, is hereby amended by striking out the third sentence and inserting in place thereof the following two sentences:- 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 financial position or business organization other than those changes noted within the application since the applicant's most recent prequalification statement and that the bid to be made will be in all respects bona fide, fair and made without collusion or fraud with any other person. As used in this paragraph the word "person" shall mean any natural person, joint venture, partnership, corporation or other business or legal entity.

SECTION 7. Section 44E of said chapter 149, as so appearing, is hereby amended by striking out subsection (2) and inserting in place thereof the following subsection:-

(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 and containing the following provisions:

FORM FOR GENERAL BID

To the Awarding Authority:

A. The Undersigned proposes to furnish all labor and materials required for _____ (project) in _____,

Massachusetts, in accordance with the accompanying plans and specifications prepared by _____ (name of architect or engineer) for the contract price specified below, subject to additions and deductions according to the terms of the specifications.

B. This bid includes addenda numbered _____

C. The proposed contract price is _____ dollars ($_____).

For alternate No._____ Add $_____; Subtract $_____
(Repeat preceding line for each alternate)

D. The subdivision of the proposed contract price is as follows:

Item 1. The work of the general contractor, being all work other than that covered by Item 2. $_____

Item 2. Sub-bids as follows:-

Sub-trade	Name of Sub-bidder	Amount	Bonds required, indicated by "Yes" or "No"
_____	_____	$_____	_____
_____	_____	$_____	_____
Total of Item 2		$_____	

The undersigned agrees that each of the above named sub-bidders will be used for the work indicated at the amount stated, unless a substitution is made. The undersigned 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 is included in the amount set forth in Item 1 of this bid.

The undersigned agrees that if he is selected as general contractor, 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 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. The undersigned agrees that, if he is selected as general contractor, he 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 this bid and furnish a performance bond 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 are included in the contract price.

The undersigned hereby certifies that 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 and that he will comply fully with all laws and regulations applicable to awards made subject to section forty-four A.

The undersigned further certifies under the penalties of perjury that this bid is in all respects bona fide, fair and made without collusion or fraud with any other person. As used in this subsection the word "person" shall mean any natural person, joint venture, partnership, corporation or other business or legal entity.

Date_____

_____
(Name of General Bidder)

By_____
(Name of Person Signing Bid and Title)

_____
(Business Address)

_____
(City and State)

SECTION 8. Section 44F of said chapter 149, as so appearing, is hereby amended by striking out subsection (2) and inserting in place thereof the following subsection:-

(2) Every sub-bid submitted in connection with a contract subject to section forty-four A for a sub-trade designated in item 2 of the general bid form pursuant to section forty-four F shall be submitted on a form furnished by the awarding au-

thority and containing the following provisions:

FORM FOR SUB-BID

To all General Bidders Except those Excluded:

A. The undersigned proposes to furnish all labor and materials required for completing, in accordance with the hereinafter described plans, specifications and addenda, all the work specified in Section No. _____ of the specifications and in any plans specified in such section, prepared by _____ for _____
(name of architect or engineer) (project)
in _____, Massachusetts, for the
(city or town)
contract sum of _____ dollars ($_____).

For Alternate No. _____; Add $_____ Subtract $_____
[Repeat preceding line for each alternate]

B. This sub-bid includes addenda numbered _____

C. This sub-bid

□ may be used by any general bidder except:

_____

_____

□ may only be used by the following general bidders:

_____

_____

[To exclude general bidders, insert "X" in one box only and fill in blank following that box. Do not answer C if no general bidders are excluded.]

D. The undersigned agrees that, if he is selected as a sub-bidder, he will, within five days, Saturdays, Sundays and legal holidays excluded, after presentation of a subcontract by the general bidder selected as the general contractor, execute with such general bidder a subcontract in accordance with the terms of this sub-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 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 subcontract price.

E. The names of all persons, firms and corporations furnishing to the undersigned 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 in this paragraph, including the undersigned if custom-

arily furnished by persons on his own payroll and in the absence of a contrary provisions in the specifications, the name of each such class of work or part thereto and the bid price for such class of work or part thereof are:

Name	Class of Work	Bid price

[Do not give bid price for any class or part thereof furnished by undersigned.]

F. The undersigned agrees that the above list of bids to the undersigned represents bona fide bids based on the hereinbefore described plans, specifications and addenda and that, if the undersigned is awarded the contract, they will be used for the work indicated at the amounts stated, if satisfactory to the awarding authority.

G. The undersigned further agrees to be bound to the general contractor by the terms of the hereinbefore 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. The undersigned offers the following information as evidence of his qualifications to perform the work as bid upon according to all the requirements of the plans and specifications:-

1. Have been in business under present business name _____ years.

2. Ever failed to complete any work awarded?_____

3. List one or more recent buildings with names of the general contractor and architect on which you served as a subcontractor for work of similar character as required for the above-named building.

Building	Architect	General Contractor	Amount of Contract
(a)_____	_____	_____	_____
(b)_____	_____	_____	_____
(c)_____	_____	_____	_____

4. Bank reference _____

I. The undersigned hereby certifies that 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 and that he will comply

fully with all laws and regulations applicable to awards of subcontracts subject to section forty-four F.

The undersigned further certifies under penalties of perjury that this sub-bid is in all respects bona fide, fair and made without collusion or fraud with any other person. As used in this subsection the word "person" shall mean any natural person, joint venture, partnership, corporation or other business or legal entity.

Date_____

_____
(Name of Sub-bidder)

By_____
(Title and Name of Person Signing Bid)

_____
(Business Address)

_____
(City and State)

SECTION 9. Paragraph (c) of subsection (4) of said section 44F of said chapter 149, as so appearing, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

The subcontract shall be in the following form:

SUBCONTRACT

THIS AGREEMENT MADE THIS _____ DAY OF _____ 19_____, by and between _____ a corporation organized and existing under the laws of _____ an individual doing business as _____ hereinafter called the "Contractor" and _____ a corporation organized and existing under the laws of _____ an individual doing business as _____ hereinafter called the "Subcontractor".

WITNESSETH that the Contractor and the Subcontractor for the considerations hereafter named, agree as follows:

1. The Subcontractor agrees to furnish all labor and materials required for the completion of all work specified in Section No._____of the specifications for _____
(Name of Sub-Trade)
and the plans referred to therein and addenda No._____,_____,_____, and_____for the

_____

_____
(complete title of the project and the project number taken from the title page of the specifications)

all as prepared by_____
(Name of Architect or Engineer)

for the sum of_____ ($_____) and the Contractor agrees to pay the Subcontractor said sum for said work. This price includes the following alternates (and other items set forth in the sub-bid): Alternate No(s). _____, _____, _____, _____, _____, _____, _____, _____, _____, _____, _____, _____, _____, _____

(a) The Subcontractor agrees to be bound to the Contractor by the terms of the hereinbefore described plans; specifications (including all general conditions stated therein) and addenda No._____, and_____, and _____, and to assume to the Contractor all the obligations and responsibilities that the Contractor by those documents assumes to the _____
(Awarding Authority)
hereinafter called the "Awarding Authority", except to the extent that provisions contained therein are by their terms or by law applicable only to the Contractor.

(b) The Contractor agrees to be bound to the Subcontractor by the terms of the hereinbefore described doucments and to assume to the Subcontractor all the obligations and responsibilities that the Awarding Authority by the terms of the hereinbefore described documents assumes to the Contractor, except to the extent that provisions contained therein are by their terms or by law applicable only to the Awarding Authority.

2. The Contractor agrees to begin, prosecute and complete the entire work specified by the Awarding Authority in an orderly manner so that the Subcontractor will be able to begin, prosecute and complete the work described in this subcontract; and, in consideration thereof, upon notice from the Contractor, either oral or in writing, the Subcontractor agrees to begin, prosecute and complete the work described in this Subcontract in an orderly manner and with due consideration to the date or time specified by the Awarding Authority for the completion of the entire work.

3. The Subcontractor agrees to furnish to the Contractor within a reasonable time after the execution of this subcontract, evidence of workmen's compensation insurance as required by law and evidence of public liability and property damage insurance of the type and in limits required to be furnished to the Awarding Authority by the Contractor.

4. The Contractor agrees that no claim for services rendered or materials furnished by the Contractor to the Subcontractor shall be valid unless written notice thereof is given by the

Contractor to the Subcontractor during the first ten (10) days of the calendar month following that in which the claim originated.

5. This agreement is contingent upon the execution of a general contract between the Contractor and the Awarding Authority for the complete work.

IN WITNESS WHEREOF, the parties hereto have executed this agreement the date and year first above-written.

SEAL
ATTEST_____ _____
(Name of Subcontractor)

By _____

SEAL
ATTEST_____ _____
(Name of Contractor)

By _____

Approved December 22, 1983.

Chap. 702. INCREASING THE DUTIES OF CLERK MAGISTRATES.

Be it enacted, etc., as follows:

The first paragraph of section 62C of chapter 221 of the General Laws, as amended by section 3 of chapter 586 of the acts of 1982, is hereby further amended by adding the following clause:-

(h) set bail on arraignments during the normal court day, when a justice is unavailable.

Approved December 22, 1983.

Chap. 703. PROVIDING FOR THE SUSPENSION OF MOTOR VEHICLE LICENSES AFTER THE ASSESSMENT OF A CERTAIN NUMBER OF MERIT RATING SURCHARGES.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 183 of chapter 6 of the General Laws is hereby amended by striking out the

second sentence, as appearing in section 2 of chapter 365 of the acts of 1977, and inserting in place thereof the following sentence:- Such records and data disseminated by such plan shall be used exclusively for motor vehicle insurance purposes and criminal law enforcement purposes.

SECTION 2. The sixth paragraph of section 113B of chapter 175 of the General Laws, as appearing in chapter 241 of the acts of 1983, is hereby amended by striking out the first sentence and inserting in place thereof the following three sentences:- In so fixing and establishing classifications of risks under this section, the commissioner shall establish a safe driver insurance plan to equitably reflect the driving records of insureds. Such plan shall reflect an adjustment of insurance premium based on at-fault accidents, convictions of moving violations of motor vehicle laws, including payments pursuant to chapter ninety C and assignments to driver alcohol education programs under the provisions of section twenty-four D of chapter ninety, or any combination thereof; and based on four or more comprehensive claims totalling two thousand dollars or more unless fire, theft, comprehensive and collision coverages are not purchased by the insured; as compiled and recorded by the motor vehicle insurance merit rating board establishment pursuant to section one hundred and eighty-three of chapter six. Upon receiving notification from said merit rating board that a person has received seven at-fault accidents or convictions of moving violations of motor vehicle laws, including payments pursuant to chapter ninety C and assignments to driver alcohol education programs under the provisions of section twenty-four D of chapter ninety, during any three year period, the registrar shall, after a hearing based solely on the accuracy of said merit rating board's records, suspend the license or right to operate a motor vehicle for sixty days. The cost of any hearings required by the provisions of this section shall be assumed by the merit rating board.

Approved December 22, 1983.

Chap. 704. PROVIDING THAT CERTAIN TIDEWATERS LICENSES GRANTED OR TO BE GRANTED TO PLACE AND MAINTAIN FILL AND STRUCTURES ON ATLANTIC AVENUE IN THE CITY OF BOSTON BE MADE IRREVOCABLE, AND RELATING TO TITLE TO CERTAIN LAND ON ATLANTIC AVENUE IN THE CITY OF BOSTON LYING LANDWARD AND SEAWARD OF THE PRIMITIVE LOW WATER LINE.

Be it enacted, etc., as follows:

SECTION 1. As used in this act, the following terms shall have the following meanings:-

(a) "Site", a certain parcel of land in the city of Boston in Suffolk county, commonly known as Rowes Wharf and Fosters Wharf, more particularly bounded and described as follows:

Beginning at a point on the easterly sideline of Atlantic Avenue, said point being the northwest corner of the property to be described, said property being now or formerly of the Boston Redevelopment Authority, said point of beginning having a Massachusetts Coordinate System value of X=721,346.69 and Y=494,815.18;

Thence running N 71° 12' 21" E along land now or formerly of First City Developments Corp. of Boston - Harbor Towers II, a distance of six hundred forty-six and 50/100 (646.50) feet to a point on the United States Pierhead & Bulkhead Line established by the War Department on April 24, 1940;

Thence turning and running S 28° 55' 55" W along said United States Pierhead & Bulkhead Line a distance of eight hundred fifty and 39/100 (850.39) feet to a point;

Thence turning and running N 69° 05' 34" W along a line perpendicular to the Harbor Line in Boston Harbor established by Chapter 170 of the Acts of 1880 a distance of thirty-two and 99/100 (32.99) feet to a point;

Thence turning and running N 78° 07' 05" W along land now or formerly of Atlantic Avenue Limited Partnership, a distance of two hundred one and 29/100 (201.29) feet to a point;

Thence turning and running N 9° 10' 35" E, along the easterly sideline of said Atlantic Avenue, a distance of two hundred thirty-one and 25/100 (231.25) feet to a point;

Thence turning and running N 2° 11' 11" W along the easterly sideline of said Atlantic Avenue, a distance of two hundred fifty-four and 65/100 (254.65) feet to the point of beginning,

said parcel containing 234,298 square feet, more or less.

(b) "Primitive low water line", the low water mark on the site as determined in eighteen hundred and forty-six by George Baldwin pursuant to appointment by the supreme judicial court of the commonwealth, or such more seaward line as may hereafter be established by the commonwealth in substitution for said low water mark as determined by George Baldwin.

(c) "Maritime facilities", the following facilities to be constructed on portions of the site as part of the project: a ferry dock and passenger waiting area for use by commercial passenger ferries; a dock for use by dinghies, rowboats and similar small craft which shall be available for use by the transient general boating public on the same terms and conditions as the

owner, lessee or other person having an interest in or management control of the site, or of the maritime facilities, as the case may be, may establish from time to time for users of such dock who are residents or occupants of the project; and a pleasure boat marina in which at least fifty per cent of the slips shall be available for use by the transient general boating public on the same terms and conditions as the owner, lessee or other person having an interest in or management control of the site, as the case may be, may establish from time to time for users of such marina who are residents or occupants of the project.

(d) "Project", a mixed use development of the site to be undertaken by one or more developers who are purchasers from or lessees of the Boston Redevelopment Authority including the placing and maintenance of fill and the construction and maintenance of: wharves and piers; the maritime facilities; one or more buildings for residential use, including rental apartments, condominiums or cooperatives, hotel use, retail use, restaurant use, and office and commercial use, or any combination of two or more of such uses, and a continuous pedestrian walkway commencing at the northerly sideline of the site and continuing along the seaward edge of such wharves, piers and buildings to the southerly sideline of the site, which walkway shall be accessible to the general public under such reasonable rules and regulations as the owner, lessee or other person having an interest in or management control of the site, as the case may be, may establish from time to time.

(e) "Residual rights", all right, title and interest of the commonwealth or the people of the commonwealth, whether by way of retained fee or easement, public trust, implied condition or otherwise, subject only to the expressed condition set out in clause (b) of section five of this act.

SECTION 2. The general court hereby declares and finds that the site consists in part of historic flats and in part of submerged land; that the site bears a resulting cloud on title which causes serious impediments to the redevelopment of the site; that existing structures on the site, erected pursuant to licenses granted by the board of harbor and land commissioners have deteriorated and fallen into disrepair and are presently blighted and unsafe, and prevent the public's use and enjoyment of Boston Harbor; that the site is within the boundaries of the area described in and subject to the provisions of chapter six hundred and sixty-three of the acts of nineteen hundred and sixty-four; that the Boston Redevelopment Authority desires to sell a portion of the site and lease a portion of the site for development of the project; that development of the site for the project will serve a proper public purpose by redeveloping a blighted

open area and assisting the economic revival of the city of Boston, and will assure public access to and enjoyment of Boston Harbor; that the project can be developed and financed only if said cloud on title is removed; and that the undertaking of the Project and any filling of or construction in flats or submerged lands necessary to the undertaking of the project will not be detrimental to the public navigation and will have a de minimis effect upon the remaining waters of Boston Harbor.

SECTION 3. Any and all licenses heretofore granted by the board of harbor and land commissioners or by any agency, department or commission of the commonwealth for the filling of flats or submerged lands, for the maintenance of fill, or for the construction or maintenance of wharves, piers or other structures on any portions of the site lying landward of the primitive low water line shall be irrevocable and, notwithstanding the purpose for which any such license was issued or the terms or conditions of any such license, shall authorize filling or the maintenance of fill or the erection or maintenance of structures for the project. Any and all licenses heretofore granted by the board of harbor and land commissioners or by any agency, department or commission of the commonwealth for the filling of flats or submerged lands, for the maintenance of fill, or for the construction or maintenance of wharves, piers or other structures on any of the site lying seaward of the primitive low water line shall, notwithstanding the purpose for which any such license was issued or the terms or conditions of any such license, authorize filling or the maintenance of fill or the erection or maintenance of structures for the project and shall be irrevocable for so long as the maritime facilities shall exist on the site; provided, however, that this provision shall not be deemed to impose any obligation on any owner, lessee or other person having any interest in or management control of the site or any portion thereof to operate any or all of the maritime facilities.

SECTION 4. Any and all licenses hereafter granted by any agency, department or commission of the commonwealth, including without limitation licenses issued by the department of environmental quality engineering pursuant to chapter ninety-one of the General Laws, for the filling of flats or submerged lands, for the maintenance of fill, or for the construction of wharves, piers or other structures on any portions of the site lying landward of the primitive low water line shall be irrevocable and shall authorize filling or the maintenance of fill or the erection or maintenance of structures for the project. Any and all licenses hereafter granted for the filling of flats or submerged lands, for the maintenance of fill or for the construction of wharves, piers

or other structures on any portions of the site lying seaward of the primitive low water line shall authorize filling or the maintenance of fill or the erection or maintenance of structures for the project and shall be irrevocable for so long as the maritime facilities shall exist on the site; provided, however, that this provision shall not be deemed to impose any obligation on any owner, lessee or other person having any interest in or manangement control of the site or any portion thereof to operate any or all of the maritime facilities.

SECTION 5. In furtherance and not in derogation of chapter six hundred and sixty-three of the acts of nineteen hundred and sixty-four, and notwithstanding the provisions of any other general or special law to the contrary:

(a) to the extent that the site consists of flats or submerged lands lying landward of the primitive low water line, the commonwealth relinquishes its residual rights in the site to the Boston Redevelopment Authority and its successors in title and assigns;

(b) to the extent that the site consists of flats or submerged lands lying seaward of the primitive low water line, the commonwealth relinquishes its residual right in the site to the Boston Redevelopment Authority and its successors in title and assigns for so long as the maritime facilities shall exist on the site; provided, however, that this provision shall not be deemed to impose any obligation on any owner, lessee or other person having any interest in or management control of the site or any portion thereof to operate any or all of the maritime facilities.

SECTION 6. Prior to the exercise by the commonwealth or by any agency, department or commission of the commonwealth, of any right retained hereunder to revoke any license to fill or maintain fill or to construct or maintain any wharves, piers or other structures, or to the exercise by the commonwealth of any right to re-enter the site, by reason of the fact that the maritime facilities no long exist on the site, the commonwealth or any such agency, department or commission of the commonwealth, shall give written notice to the owner or owners of record of the site or any portion thereof, and to the record holders of any mortgages upon the site or any portion thereof, of its or their intention to exercise any such right and shall afford to such owner or owners, and to any such mortgagees, a period of one year to reconstruct or repair the maritime facilities, or such longer period as may be necessary to so reconstruct or repair the maritime facilities if such reconstruction or repair shall commence within such one year period and thereafter be diligently pursued to completion.

Approved December 22, 1983.

Chap. 705. RELATIVE TO ECONOMIC OPPORTUNITY FOR LOW INCOME CITIZENS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 23B of the General Laws is hereby amended by striking out section 24, added by chapter 1179 of the acts of 1973, and inserting in place thereof the following section:-

Section 24. As used in this section the following words, unless the context requires otherwise, shall have the following meaning:

"Community action agency", a nonprofit agency which has previously been designated and authorized to accept funds from the federal Community Services Administration for community action agencies under the federal Economic Opportunity Act of 1964, unless such designation is rescinded by the secretary in accordance with the provisions of this section, or any agency formed as may be designated as a community action agency by the secretary to succeed any agency that the secretary determines fails to meet federal requirements, or fair and reasonable requirements established by the secretary, or any agency designated as a community action agency by the secretary to serve previously unserved areas in accordance with the provisions of this section.

"Community services block grant", funds designated to ameliorate the causes of poverty in communities within the commonwealth, distributed by the federal government to the commonwealth pursuant to section 672(a) et. seq. of the Omnibus Budget Reconciliation Act of 1981, or its successor.

"Density of poverty", percentage of total population in area to be served representing persons at one hundred per cent of poverty as defined by the United States Office of Management and Budget.

A community action agency shall maintain a board structure which consists of the following:

(i) one-third of the members shall be elected public officials, currently, holding office, or their representatives, except that if the number of elected officials reasonably available and willing to serve is less than one-third of the membership on the board, membership on the board of appointive public officials may be counted in meeting such one-third requirement; (ii) at least one-third of the members shall be persons chosen in accordance with democratic selection procedures adequate to assure that they are representative of the poor in the area served; and (iii) the remainder of the members shall be officials or members of the business, industry, labor, religious, welfare, education, or other major groups and interests in the community.

In order to qualify as a community action agency, such agency must be one which is community based and operated as set forth in this section and which:-

(i) is designed to provide a range of services and activities having a measurable and potentially major impact on causes of poverty in the community or those areas of the community where poverty is a particularly acute problem; (ii) has been developed and has organized and combined projects and activities undertaken by the agency in a manner appropriate to carry out all the purposes of this section; and (iii) includes programs to assist low income participants, including the elderly poor, such as programs to: secure and maintain meaningful employment, attain an adequate education; provide and maintain adequate housing and a suitable living environment; receive energy assistance and weatherization services; obtain emergency assistance through loans or grants to meet immediate and urgent individual and family needs, including the need for health services, nutritious food, housing and employment-related assistance; remove obstacles and solve personal and family problems which block the achievement of self-sufficiency; and achieve greater participation in the affairs of the community.

The commonwealth, acting by and through the secretary, may enter into contracts with community action agencies, and such other organizations as the secretary determines, to provide services consistent with the purposes of this section. Any such agency shall comply with such requirements as the secretary may establish by regulation or otherwise, including, but not limited to, reporting and monitoring requirements, and evaluation procedures, and, in the case of community action agencies, procedures for the designation and the suspension or recision of designation as a community action agency. Procedures for the suspension or recision of designation as a community action agency shall include adequate notice and an opportunity for a hearing.

The secretary may designate an agency as a community action agency to serve a previously unserved area, if the secretary finds that: there are sufficient additional community services block grant funds appropriated to provide for the addition and continuing operation of such agency, and that such agency will serve an area having a population in excess of seventy-five thousand and a density of poverty which exceeds seven per cent.

The provisions of this section shall be applicable to the awarding of contracts by the secretary under the federal community services block grant program. Not less than ninety per cent of the total of any such community services block grant funds

received by the commonwealth during any fiscal federal year shall be contracted directly with community action agencies in existence at the beginning of such fiscal year. Not more than five per cent of the total of any such community services block grant funds received by the commonwealth shall be allocated to the secretary for administrative expenses. Not more than five per cent of the total of any such community services block grant funds received by the commonwealth shall be awarded by the secretary for innovative anti-poverty projects or programs operated by nonprofit organizations.

The commonwealth, acting by and through the secretary, may, subject to appropriation, provide supplementary funds to community action agencies in accordance with the provisions of this section.

Recognition of a community action agency by the secretary shall not preclude the agency from receiving other grants or contracts from federal or local agencies, private organizations, or individuals or state agencies to pay the cost of providing services to the poor.

Approved December 22, 1983.

Chap. 706. ESTABLISHING A MILK PRODUCERS SECURITY FUND IN THE DEPARTMENT OF FOOD AND AGRICULTURE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 10 of the General Laws is hereby amended by adding the following section:-

Section 49. There shall be established upon the books of the commonwealth a separate fund to be known as the Milk Producers Security Fund, consisting of revenues received under the provisions of section twenty of chapter twenty, and all other monies credited or transferred thereto from any other fund or source pursuant to law.

The state treasurer shall receive, deposit, and invest all monies transmitted to him under the provisions of said section twenty in such manner that will insure the highest interest rate available consistent with safety of the fund and with the requirement that all deposits be available for immediate withdrawal for payment to milk producers upon receipt of notice, certified by the commissioner of food and agriculture, that these amounts are due them.

SECTION 2. Chapter 20 of the General Laws is hereby amend-

ed by adding the following two sections:-

Section 20. There shall be a milk producers security fund set up in the department of food and agriculture for the purpose of reimbursing Massachusetts producers who sold milk to a dealer and said dealer has defaulted in the timely payment for said milk under the provisions of chapter ninety-four A, or orders, rules or regulations issued under the authority thereof, or of a federal milk marketing order. Each such producer shall notify the commissioner in writing of any default in such payment within ninety days after the date on which payment of milk is regularly due. If there is reason to believe that the dealer is in arrears in his payments to producers for milk received by him, the commissioner shall give notice to all producers so affected to file verified claims with the commissioner. The commissioner shall examine all claims so filed and shall certify the amounts determined to be due thereon, and transmit the same for payment to the state treasurer under the provisions of section forty-nine of chapter ten.

Section 21. The dealer of milk in the commonwealth who first received milk from Massachusetts producers, shall pay on or before the due date of payment to the producers, the amount of five cents per hundred weight on the volume of all the milk purchased from said producers and such payments shall be deposited with the state treasurer in the milk producers security fund established by section forty-nine of chapter ten. Payment as provided in this section shall be made for all milk shipped to a dealer by a producer who is not a member of a cooperative association which guarantees payment where there is a default in the payment for milk. Payment shall be deducted by the dealer from monies owned by the dealer to the producers in the amount of five cents per hundred weight.

Approved December 22, 1983.

Chap. 707. AUTHORIZING THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT WITH THE APPROVAL OF THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO GRANT A PIPELINE EASEMENT AND TO LEASE LAND TO THE TOWN OF CARVER.

Be it enacted, etc., as follows:

SECTION 1. The department of environmental management with the approval of the division of capital planning and operations is hereby authorized to grant, to the town of Carver, by

deed approved as to form by the attorney general, an easement for the purpose of constructing a pipeline in certain land situated in Myles Standish state forest, for water supply and distribution purposes, said land being bounded and described as follows:

A certain 20 foot wide parcel of land situated in the Town of Carver, Plymouth County, Massachusetts, being described as follows:

Beginning at a point on the easterly side of Dunham Road which point is 800 feet more or less northerly of the intersection of Wayne Stiles Road and said Dunham Road;

thence, SOUTHERLY along the easterly 20 feet of said Dunham Road to the southerly side of Halfway Pond Road;

thence, WESTERLY along the southerly 20 feet of said Halfway Pond Road to the easterly side of West Line Road;

thence, SOUTHERLY along the easterly 20 feet of said West Line Road to the northerly line of Cranberry Road and the end of said 20 foot wide parcel.

SECTION 2. The department of environmental management with the approval of the division of capital planning and operations, is hereby authorized to enter into a five year renewable lease with the town of Carver, of land situated in Myles Standish state forest, for water supply and distribution purposes. Said land is bound and described as follows:

Beginning at a point on the easterly side of Dunham Road which point is the intersection of the sidelines of Dunham Road and Wayne Stiles Road at the northeasterly quadrant:

thence NORTHERLY by said Dunham Road 1270 feet to a point;

thence turning 90 degrees to the right and running EASTERLY 1190 feet to a point;

thence turning 90 degrees to the right and running SOUTHERLY 1330 feet to a point on the northerly side of Wayne Stiles Road;

thence turning to the right and running WESTERLY 1200 feet by said Wayne Stiles Road to the point of beginning.

Said parcel being as shown on a plan entitled "Sketch of Proposed Land Acquisition" as revised on March first, nineteen hundred and eighty-three, by GHR Engineering Corporation, and containing thirty-four and seven-tenths acres more or less.

SECTION 3. The consideration for the easement described in section one and the lease described in section two shall be subject to an agreement between the department of environmental management and the town of Carver which shall be approved by the division of capital planning and operations.

Approved December 22, 1983.

Chap. 708. FURTHER REGULATING THE BORROWING POWER AND CERTAIN OTHER POWERS OF THE UNIVERSITY OF MASSACHUSETTS BUILDING AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 773 of the acts of 1960 is hereby amended by striking out paragraph (g) and inserting in place thereof the following paragraph:-

(g) The word "trustees" shall mean the board of trustees established under section nine of chapter fifteen A of the General Laws for the university, or if such board of trustees shall hereafter be abolished, the board, body or commission succeeding to the principal functions thereof or to which the powers given by said chapter fifteen A with respect to the university shall be given by law.

SECTION 2. Said chapter 773 is hereby further amended by striking out section 3, as most recently amended by chapter 868 of the acts of 1975, and inserting in place thereof the following section:-

Section 3. The Authority is created for the general purposes of aiding and contributing to the performance of the educational and other purposes of the university by providing dormitories, dining commons and other buildings and structures for the use of the university, its students, staff and their dependents and for lease to or use by an organization or association, in any form, of students or others the activities of which are a part of the activities at the university and subject to regulation by the trustees, a research foundation or other research organization the operation of which in conjunction with the university is approved by the trustees or any other entity the activities of which are approved by the trustees as furthering the purposes of the university. The Authority shall not initiate any project except upon request made by authority of the trustees and upon written approval from the commissioner of administration and the chancellor of the board of regents of higher education.

SECTION 3. Section 4 of said chapter 773 is hereby amended by striking out clause (g) and inserting in place thereof the following clause:-

(g) To borrow from time to time to achieve any one or more of its corporate purposes and to refund obligations earlier incurred for any such purpose and for refunding, and to sell its bonds and notes therefor, payable solely from its revenues, as provided in section seven.

SECTION 4. Said Section 4 of said chapter 773 is hereby further amended by striking out clause (i) and inserting in place thereof the following clause:-

(i) To acquire real and personal property by lease, purchase or otherwise, provided that the Authority shall have no power to acquire property by any eminent domain proceedings and to hold and dispose of real and personal property in the exercise of its powers and the performance of its duties under this act.

SECTION 5. Said section 4 of said chapter 773 is hereby further amended by striking out clause (n) and inserting in place thereof the following clause:-

(n) To invest any funds held by it pending disbursement, which investment may be made in any one or more of the following:

(i) direct obligations of, or obligations the payment of the principal of and interest on which are unconditionally guaranteed by, the United States of America;

(ii) obligations of the Federal National Mortgage Association, the Government National Mortgage Association, the Federal Financing Bank, the Federal Intermediate Credit Banks, Federal Banks for Cooperatives, Federal Land Banks, Federal Home Loan Banks, Farmers Home Administration and 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 thereof;

(iii) 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 subclauses (i) and (ii) having a market value, exclusive of accrued interest, at least equal to the aggregate amount of such deposits and certificates; or

(iv) any of the securities described in subclauses (i) and (ii) 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.

SECTION 6. Clause (a) of section 5 of said chapter 773, as amended by section 8 of chapter 684 of the acts of 1963, is hereby further amended by striking out, in line 2, the words "in Amherst or Hadley".

SECTION 6A. Section 6 of said chapter 773 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The Authority shall keep an accurate account of all of its activities and of all its receipts and expen-

ditures and shall annually in the month of January make a report thereof to the trustees, the governor, the state auditor, the clerks of the senate and the house of representatives, the senate and house committees on ways and means, and to the joint committee on education for the senate and house of representatives, such reports to be in a form prescribed by the trustees, with the written approval of said auditor.

SECTION 7. Section 7 of said chapter 773 is hereby amended by striking out the first paragraph, as most recently amended by section 1 of chapter 400 of the acts of 1968, and inserting in place thereof the following paragraph:-

The Authority is hereby authorized to provide by resolution at one time or from time to time for the issue of bonds of the Authority for achieving any of its corporate purposes or for the purpose of refunding outstanding indebtedness of the Authority incurred under this act or any other authority, including the payment of all or any part of the cost of projects, the payment of interest on notes and bonds of the Authority, the establishment of reserves to secure such bonds and notes, including the reserve funds created pursuant to section ten, and the payment of all other expenditures of the Authority incident to and necessary or convenient to carry out its corporate purposes and powers and any refunding; provided, that the Authority shall not issue bonds the principal amount of which, when added to the principal amount of bonds and notes theretofore issued and then outstanding hereunder, excluding bonds and notes previously refunded or being or to be refunded thereby, shall exceed one hundred million dollars; and provided, further, that the Authority shall not issue notes or bonds for the purpose of refunding bonds theretofore issued and then outstanding hereunder except with the prior written approval of the trustees of such refunding issue, which approval need not be of the interest rate, the maturity or any of the other terms thereof.

SECTION 8. Said section 7 of said chapter 773, as most recently amended by section 2 of chapter 868 of the acts of 1975, is hereby further amended by striking out the third and fourth paragraphs and inserting in place thereof the following two paragraphs:-

The Authority is further authorized to provide by resolution at one time or from time to time for the issue of interest-bearing or discounted notes for the purposes and in the amounts that bonds may be issued as provided above. Such notes shall be payable within five years from their respective dates, but the principal of and any interest on notes issued for such period or for a shorter period may be renewed or paid from time to time by the

issue of other notes hereunder; provided, that the period from the date of an original note to the maturity of any note issued to renew or pay the same debt or the interest thereon shall not exceed ten years.

The principal and interest of any bonds or notes issued hereunder shall be payable solely from the funds herein provided for such payment. The bonds of each issue shall be dated, shall bear interest at such rates, shall mature at such time or times not exceeding fifty years from their date or dates as may be determined by the Authority, and may be made redeemable before maturity, at the option of the Authority, at such price or prices and under such terms and conditions as may be fixed by the Authority prior to the issuance of any such bonds. The bonds may be issued as serial bonds with maturities in such years as the Authority may determine or as term bonds or as a combination of both.

SECTION 9. The fifth paragraph of said section 7 of said chapter 773, as most recently amended by section 3 of said chapter 868, is hereby further amended by striking out from the fifth and sixth sentences.

SECTION 10. The sixth paragraph of said section 7 of said chapter 773, as appearing in section 11 of chapter 684 of the acts of 1963, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The proceeds of such bonds and notes shall be used solely for the purposes for which they are issued and shall be disbursed in such manner and under such restrictions, if any, as the Authority may provide in the resolution authorizing the issuance thereof or in the trust agreement securing the same.

SECTION 11. Said chapter 773 is hereby further amended by striking out section 10, as most recently amended by section 5 of chapter 868 of the acts of 1975, and inserting in place thereof the following section:-

Section 10. The commonwealth, acting by and through the trustees, may enter into a contract or contracts with the Authority for state financial assistance in the form of a guaranty by the commonwealth of bonds of the Authority issued to achieve any of its corporate purposes or to refund outstanding indebtedeness of the Authority incurred under this act or any other authority for any such purpose. Such guaranty shall be executed on each bond by an officer of the trustees. Each such contract shall contain such limitations as to the cost of any project or projects to be financed by the bonds to be guaranteed pursuant thereto and current operating and administrative ex-

penses of the Authority to be allocated thereto, and such other provisions, as the trustees may require.

The Authority shall create a reserve for principal and interest on all bonds with respect to which such a contract or contracts shall have been executed and which are secured by a single trust agreement and shall make deposits in such reserve as hereinafter provided. For the purposes of this paragraph the term "annual series requirement" shall mean one-twelfth of the largest amount of principal and interest payments due in any year on any one issue or series of bonds secured by a single trust agreement and the term "year" shall mean a calendar year. Such annual series requirement shall be in effect as to any such issue or series of bonds for and only for the twelve years succeeding the next year in which the same was issued. At the time of initial issue of any issue or series of bonds the Authority may deposit in such reserve an amount, from the proceeds of such bonds or from other available funds of the Authority, not greater than the aggregate of the annual series requirements in respect of such issue. If the amount of such deposit is less than such aggregate, the Authority shall, at the time such deposit is made, designate to which of such annual series requirements such deposit shall apply. In each year commencing with the first year succeeding the year in which the initial such issue or series of bonds shall be issued the Authority shall deposit in such reserve an amount equal to the aggregate of the annual series requirements in effect for such year in respect of all such issues or series of bonds bonds of which are outstanding on the first day of such year plus or, at the option of the Authority, minus, as the case may be, the deficiency or excess of the amount on deposit in such reserve on such first day, including in such amount interest accrued but unpaid on obligations in which such amount may then be invested, under or over the aggregate of all annual series requirements in effect for prior years in respect of all such issues or series of bonds bonds of which are outstanding on such first day; provided, however, that if there shall be any application of such reserve or any portion thereof to the payment of principal or interest on bonds, the amount of any deficiency in the amount thereafter on deposit in such reserve resulting from such application shall be taken into account in computing the amount required to be deposited in such reserve in any year thereafter only to the extent that it is practicable to do so. The principal and interest payments due in any year on any issue or series of bonds shall be determined in accordance with the following when applicable: (1) the principal of bonds for the payment, prepayment, redemption or refunding of which funds are held in trust by the trustee appointed pursuant to the trust agreement under which

such bonds were issued shall be treated as not outstanding, and after notice of any prepayment, redemption or refunding of bonds has been given in accordance with such trust agreement, all interest accruing on such bonds after the date with respect to which the requirements of such trust agreement for prepayment, redemption or refund thereof have been fulfilled shall be treated as not due, and (2) if the Authority shall establish a sinking fund for the payment of the principal of bonds at or prior to maturity, such principal amount of bonds as will be paid or prepaid from any deposit required to be made into such sinking fund shall be treated as if it matured on the date of such deposit and not on the maturity date of such bonds. Unless the trust agreement or a resolution of the Authority shall otherwise provide, all amounts required to be deposited into a reserve under any trust agreement shall be held for the equal benefit and security of all issues and series of bonds issued under such trust agreement. Any reserve may be used whenever necessary to pay principal or interest on bonds of any such issue or series of bonds, but such reserve shall be restored to the required level as soon as practicable. At any time when the amount on deposit in any reserve equals or exceeds (a) the aggregate of the twelve annual series requirements to be in effect with respect to any particular such issue or series of bonds bonds of which are then outstanding plus (b) all annual series requirements in effect for all prior years and for the then current year with respect to all other such issues or series of bonds bonds of which are then outstanding, and when such aggregate plus any other funds of the Authority available for the purpose shall equal or exceed the aggregate amount required to pay in full the principal and redemption price of and interest on all bonds of such particular issue or series then outstanding, the Authority may apply to such payment an amount from such reserve not exceeding such aggregate. If on the first day of any year the amount on deposit in any reserve equals or exceeds the sum of (i) the aggregate of all annual series requirements in effect for prior years plus (ii) the annual series requirements for such year, in each case in respect of all such issues or series of bonds bonds of which are outstanding on such first day, the Authority shall not be obliged to make a deposit in such reserve in respect of such year, and, if such amount on deposit exceeds such sum but the conditions for application of the preceding sentence are not then met, the Authority may apply such excess to the payment of interest coming due in such year on bonds of such issues or series.

Any such contract may provide for the guaranty by the commonwealth of notes of the Authority issued under section seven, the total amount of which shall not exceed the amount specified

in the contract for state financial assistance.

The guaranty of the commonwealth provided pursuant to such contract shall be of the payment of the principal of, and interest on, all such notes and bonds as the same become due and payable, and the full faith and credit of the commonwealth is hereby pledged for any such guaranty; provided, that the total amount of notes and bonds so guaranteed and outstanding at any one time shall not exceed one hundred million dollars in the aggregate, exclusive of bonds and notes refunded or being refunded thereby.

SECTION 12. In addition to the right of University of Massachusetts Building Authority pursuant to the trust agreement dated as of October thirty-first, nineteen hundred and sixty-five between said Authority and The First National Bank of Boston, as Trustee, and to the resolution of said Authority adopted April twelfth, nineteen hundred and seventy-six to redeem certain of the Dormitory or Other Facility Revenue Bonds, Series 1976-A, dated May first, nineteen hundred and seventy-six of said Authority, said Authority may at any time on or after May first, nineteen hundred and eighty-three call for redemption all, but not less than all, of said bonds stated to mature May first in the years nineteen hundred and eighty-four, nineteen hundred and eighty-five and nineteen hundred and eighty-six. Upon such call and notice of such redemption given in accordance with section three hundred and two of said trust agreement and deposit with said trustee of sufficient moneys for the purpose of paying the whole amount of the principal and the interest due and payable upon all of such bonds stated to mature as aforesaid, the provisions of section one thousand two hundred and one of said trust agreement shall thereupon have effect provided that on or before the date upon which occurs the last to occur of said call, the giving of such notice or such deposit said Authority shall also have called for redemption all other bonds then outstanding under said Trust Agreement, notice of such redemption shall have been given in accordance with section three hundred and two of said trust agreement and the Authority shall have deposited with the Trustee sufficient moneys to cause the moneys then held by the trustee and available for the purpose to be sufficient for the purpose of paying the whole amount of the principal and the interest and the premium, if any, due and payable upon all of such bonds at or before the date at which such bonds shall be redeemed pursuant to said trust agreement, said resolution and said call.

Approved December 22, 1983.

Chap. 709. FURTHER REGULATING THE ASSESSMENT OF CERTAIN FARMLAND.

Be it enacted, etc., as follows:

Section 10 of chapter 61A of the General Laws, as appearing in section 1 of chapter 1118 of the acts of 1973, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- Said board, in establishing the use value of such land, shall use the list of ranges published pursuant to section eleven and its personal knowledge, judgment and experience as to such agricultural land values.

Approved December 22, 1983.

Chap. 710. MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THE THIRTIETH, NINETEEN HUNDRED AND EIGHTY-FOUR 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 two hundred and eighty-nine of the acts of nineteen hundred and eighty-three, for the fiscal year ending June thirtieth, nineteen hundred and eighty-four 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 Human Services.
Department of Public Welfare.

4400-1200	Food Stamp Program	$261,000
1599-3412	For the payment of a moral obligation to an individual pursuant to chapter four of the resolves of nineteen hundred and eighty-three	$520
4400-1400	Project Good Health	$300,000

Department of Public Health.

4513-1000 Family Health Services	$2,815,000

SECTION 3. Chapter 22 of the General Laws is hereby amended by striking Section 9T, as enacted by Chapter 655 of the Acts of 1979, in its entirety, and inserting therefor the following new language:

Provisions of Sections 45 and 46 of Chapter 30 of the General Laws notwithstanding, each commissioned officer in the Division of State Police shall receive a base salary nine per cent greater than his base salary immediately prior to his promotion date. Upon completion of one year of service in such pay grade, each commissioned officer shall have his base salary adjusted, if necessary, to reflect a pay differential of nine per cent greater than the highest rate in the next subordinate grade. The commissioner of public safety shall establish procedures for an annual review of said salary scale and shall submit recommendations for adjustments in subsequent years to the House and Senate Committees on Ways and Means.

SECTION 4. The Secretary of Human Services in cooperation with the Commissioners of Public Health and Public Welfare shall prepare a comprehensive report outlining the expenditure of the funds appropriated in this act. Said report shall include but not be limited to a complete accounting of the number of new employees, contracted services, contracted personnel, cost and location of any new state offices, impact on benefit payments, caseload, and any other statistical information that may be necessary to make a complete assessment of the impact of this act. The Secretary of Human Services shall submit said report to the House Committee on Ways and Means on or before March 31, 1984.

SECTION 5. Chapter 265 of the Acts of 1978, as most recently amended by Chapter 654 of the Acts of 1982 is hereby further amended by striking out section 2 and inserting in place thereof the following section:

Section 2. This act shall expire on January first, nineteen hundred and eighty-five.

This bill was returned December 22, 1983 by the Governor to the House of Representatives, the branch in which said bill originated, with his objections in writing to Section 3.

The remainder of this bill was approved by the Governor December 22, 1983.

Chap. 711. AUTHORIZING THE TOWN OF SHEFFIELD TO ADD OMITTED PROPERTY TO THE TAX LIST FOR FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-THREE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section seventy-five of chapter fifty-nine of the General Laws or any other general or special law to the contrary, if any portion of the real or personal estate of a person, to an amount not less than one hundred dollars and liable to taxation, has been omitted from the annual assessment of taxes for fiscal year nineteen hundred and eighty-three by the town of Sheffield the assessors for said town shall, at such time as the commissioner may in writing approve, but not later than December twenty-eighth, nineteen hundred and eighty-three, assess such person for such estate. Valuations of all or a portion of any estate attributable to clerical or data processing errors shall be construed as omitted assessments and subject to the provisions of this section. The taxes so assessed shall be entered on the fiscal year nineteen hundred and eighty-three tax list of the collector for said town who shall collect and pay over the same. The assessors of said town shall also deliver to the collector their warrants for the collection of all taxes so entered on the tax list. Such additional assessment shall not render the tax of said town invalid although its amount, in consequence thereof, shall exceed the amount authorized by law to be raised.

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

Approved December 28, 1983.

Chap. 712. AUTHORIZING THE TOWN OF NORWOOD AND THE COUNTY COMMISSIONERS OF NORFOLK COUNTY TO RELOCATE AND CONSTRUCT AN EXTENSION OF UNIVERSITY AVENUE IN THE TOWN OF NORWOOD.

Be it enacted, etc., as follows:

SECTION 1. The town of Norwood and the county commissioners of Norfolk county are hereby authorized to make a taking of parcel A as shown on said plan referred to in section seven and including a temporary easement of fifteen feet, also shown on said plan, for the purpose of widening and construction

University avenue. Said parcel A is wellfield land, owned by the town of Norwood, and is bounded and described as follows:-

Beginning at a point at station 65 + 13.30 on the easterly side of University Avenue (Town Layout of October 27, 1966), thence running northwesterly by a curve radius 970.00 feet a distance of 533.40 feet; thence running N45-36-00W a distance of 3.71 feet to a concrete bound, thence running N45-52-00W a distance of 52.01 feet, thence running along the side line of University Avenue by a curve of radius 770.00 feet, a distance of 458.33 feet, thence running along the side line of University Avenue S34-54-48E a distance of 129.88 feet to a point, said point being the terminus of the lines of this taking and said point being the same as the beginning point of the lines of this taking, said parcel containing 12,586 square feet, more or less.

SECTION 2. The town of Norwood and the county commissioners of Norfolk county are hereby authorized to transfer to William J. Walker and Francis J. Perry, as they are trustees of the Everett Street Trust, or their successors in title, that portion of Everett street in said town, which will be abandoned upon the relocation of said street, and a certain parcel of land shown as parcel C. Said parcel C is wellfield land and is bounded and described as follows:-

Beginning at a point at station 18 + 96.16 on the southerly side of Everett Street (County layout of March 8, 1955); thence running along the side line of Everett Street S71-35-30E a distance of 122.93 feet, thence along the side line of Everett Street southeasterly by a curve of radius 1460.00 feet a distance of 6.62 feet, thence running southwesterly by a curve of radius 846.00 feet a distance of 18.26 feet, thence running southwesterly, westerly and northwesterly by a curve of radius 100.00 feet a distance of 97.32 feet, thence running northwesterly by a curve of radius 1032.00 feet a distance of 22.25 feet to a point, said point being the terminus of the lines of this taking and said point being the same as the beginning point of the lines of this taking, containing 1,763 square feet, more or less. Said transfer is to be in lieu of damages for the taking of Parcel 1, containing 19,663 square feet, and Parcel 2, containing 18,909 square feet, both parcels being shown on the plan which is a part of the said petition of John F. Kinnaly and both parcels are needed for the widening of said Everett Street between University Avenue and U.S. Route 1, also known as the Blue Star Memorial Highway.

SECTION 3. The town of Norwood and the county commissioners of Norfolk county are hereby authorized to make a taking of parcel D as shown on said plan referred to in section seven

of this act, including a temporary easement of fifteen feet which is also shown on said plans, for the layout and construction of the relocations of Everett street and University avenue. Said parcel D is wellfield land, owned by the town of Norwood and is bound and described as follows:-

Beginning at a point at station 20 + 66.40 on the southerly side of Everett Street (County layout of March 8, 1955), thence running along the side line of Everett Street S71-35-30E a distance of 170.24 feet; thence running southeasterly by a curve of radius 1032.00 feet a distance of 22.25 feet; thence running southeasterly, easterly and northeasterly by a curve of radius 100.00 feet a distance of 97.32 feet, thence running northeasterly by a curve of radius 846.00 feet a distance of 18.26 feet; thence running along the side line of Everett Street southeasterly by a curve of radius 1460.00 feet a distance of 40.78 feet; thence running along the side line of American Drive southeasterly by a curve of radius 42.00 feet a distance of 10.76 feet; thence running S62-43-07W a distance of 155.35 feet; thence running northwesterly by a curve of radius 970.00 feet a distance of 267.92 feet to a point, said point being the terminus of the lines of this taking and said point being the same as the beginning point of the lines of this taking, said parcel containing 16,189 square feet, more or less.

SECTION 4. The town of Norwood is hereby authorized to transfer to Steel Sales Realty Company that parcel of land, shown as parcel E on said plan referred to in section one of this act. Said Parcel E is wellfield land and is bounded and described as follows:-

Beginning at a point at Station 20 + 73.40 on the southerly side of Everett Street (County layout of March 8, 1955); thence running along the side line of Everett Street S71-35-30E a distance of 7.00 feet, thence running southeasterly by a curve of radius 970.00 feet a distance of 267.92 feet; thence running S62-43-07W a distance of 119.62 feet, thence running northwesterly by a curve of radius 400.00 feet a distance of 262.41 feet to a point, said point being the terminus of the lines of this taking, and said point being the same as the beginning point of the lines of this taking, said parcel containing 13,695 square feet, more or less.

Said transfer is to be made in lieu of damages for the taking by the town of Norwood of certain land, owned by Steel Sales Realty Company, bounded and described as follows:-

Beginning at a point on the westerly side of American Drive, said point being southwesterly a distance of 10.76 feet by a radius of 42.00 feet from station 17 + 26.80 (County layout of March 8, 1955) on the southerly side of Everett Street; thence

running southeasterly, southerly and southwesterly by a curve of radius 42.00 feet a distance of 51.10 feet; thence running S10-55-50W a distance of 119.68 feet, thence running southwesterly, southerly and southeasterly by a curve of radius 250.00 feet a distance of 165.81 feet; thence running S27-04-10E a distance of 209.91 feet; thence running southeasterly by a curve of a radius 600.00 feet a distance of 133.00 feet; thence running S80-45-56W a distance of 10.39 feet; thence running northwesterly by a curve of radius 970.00 feet a distance of 195.17 feet; thence running N27-04-10W a distance of 239.45 feet; thence running northwesterly by a curve of radius 970.00 feet a distance 202.37 feet; thence running N62-43-07E a distance of 155.35 feet to a point, said point being the terminus of the lines of this taking and said point being the same as the beginning point of the lines of this taking, said parcel containing 22,669 square feet more or less is shown as parcel 8.

SECTION 5. The order of taking by a town of Norwood for the layout of American Drive, also known as University Avenue, dated November 29, 1966 and recorded in the Norfolk county registry of deeds in Book 4402, Page 515, and as Document NO. 279417 in the registry district of the land court in Dedham and shown on Plans 1230 through 1232, inclusive, in Plan Book 221 in said Norfolk county registry of deeds, and the laying out and acceptance of said University avenue, including the taking, layout and acceptance of Parcel B on said plans, are hereby ratified and confirmed insofar as may be necessary above and beyond the ratification granted by chapter six hundred and nineteen of the acts of nineteen hundred and eighty-one, insofar as it relates to the wellfields in said town of Norwood. Said Parcel B is wellfield land and is bounded and described as follows:-

Beginning at a point at station 65 + 50.00 on the easterly side of University Avenue (Town Layout of October 27, 1966), thence running N34-54-48W a distance of 93.18 feet; thence running northwesterly by a curve of radius 770.00 feet a distance of 458.33 feet, thence running N45-52-00W a distance 81.91 feet; thence running southeasterly by a curve of radius 830.00 feet a distance of 551.96 feet, thence running S34-54-48E a distance of 93.18 feet, thence running N55-05-12E a distance of 60.00 feet to a point, said point being the terminus of the lines of this taking and said point being the same as the beginning point of the lines of this taking, said parcel containing 35,918 square feet, more or less.

SECTION 6. Said town of Norwood and the said county commissioners of Norfolk county are hereby authorized to do any

and all other things reasonably necessary for the laying out, relocation and construction of University avenue as well as the laying out, relocation and construction of Everett street as shown on said plan referred to in section seven of this act.

SECTION 7. The parcels A,B,C,D,E, and 8 referred to hereinafter are those shown on the plan being a part of the "Petition of John F. Kinnaly and others, petitioners for the relocation of Everett Street, American Drive and University Avenue, Norwood, Massachusetts", which petition was received by said county commissioners on September 14, 1981, under Docket No. 1700.

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

Approved December 29, 1983.

Chap. 713. RELATIVE TO THE INTERMENT OF CERTAIN PERSONS.

Be it enacted etc., as follows:

Section 38 of chapter 7 of the General Laws, as most recently amended by chapter 697 of the acts of 1974, is hereby further amended by adding the following paragraph:-

Said commission shall provide for the burial expenses, up to three hundred dollars, for the remains of any person whose previously unknown grave has been disturbed, forcing its relocation, and whose identity has been determined by the state archaeologist to be that of an American Indian.

Approved December 29, 1983.

Chap. 714. AN ACT AUTHORIZING THE COMMISSIONER OF ADMINISTRATION TO SET FEES AND CHARGES PAID TO THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize the Commissioner of Administration to set fees and charges paid to the Commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of chapter 572 of the acts of 1980 or any other general or special law to the contrary, the commissioner of administration shall, not less than thirty days prior to setting any new fees and or charges, provide public notice of any increase in the fees to be charged by the commonwealth for each service of any kind performed by any state personnel or agency and shall consider any and all written comments received and shall conduct a public hearing on any proposed increase in said fees and/or charges.

SECTION 2. Said chapter 572, as amended by Section 2 of chapter 602 of the acts of 1982, is further amended by striking out section 417 and inserting in place thereof the following section:-

Section 417. This act shall expire on June thirtieth, nineteen hundred and eighty-five.

SECTION 3. Notwithstanding the provisions of said chapter 572, any subsequent increase made in accordance with the provisions of said chapter 572 in the amount charged for professional or occupational licensure, registration, regulation permit or other public function performed by state personnel shall not be applicable to any person 65 years of age or older on or after the effective date of this act.

SECTION 4. The last paragraph of section 3B of chapter 7 of the General Laws, as amended by section 1 of said chapter 602 is hereby further amended by striking out, in lines 2 and 3, the words: "December thirty-first, nineteen hundred and eighty-three" and inserting in place thereof the words:- "June thirtieth, nineteen hundred and eighty-five."

SECTION 5. Said chapter 572, as amended by said chapter 602, is hereby further amended by adding the following section:-

Section 417B. In no instance shall a fee or charge set by the secretary of administration under the provisions of this section exceed the fee or charge in effect on the effective date of this section, unless it is reported to, and approved by a vote of a general court.

Approved December 30, 1983.

Chap. 715. AN ACT RELATIVE TO THE SALARY OF COMMISSIONED OFFICERS IN THE DIVISION OF STATE POLICE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide for the establishment of a new salary structure for commissioned officers, therefore 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 22 of the General Laws is hereby amended by striking out section 9T, inserted by section 1 of chapter 655 of the acts of 1979, and inserting in place thereof the following section:-

Section 9T. Notwithstanding the provisions of sections forty-five and forty-six of chapter thirty, each commissioned officer in the division of state police shall receive a base salary nine per cent greater than the regular salary payable to the next subordinate grade in accordance with a schedule submitted by the commissioner of administration to the house and senate committees on ways and means. The commissioner of administration in consultation with the commissioner of public safety shall establish procedures for a review of said salary schedule and shall submit recommendations for adjustments in subsequent years in the house and senate committees on ways and means.

Approved January 4, 1984.

Chap. 716. AN ACT PROVIDING CERTAIN EDUCATIONAL BENEFITS FOR VIETNAM VETERANS.

Be it enacted, etc., as follows:

SECTION 1. Section 16 of chapter 15A of the General Laws, as appearing in section 112 of chapter 329 of the acts of 1980, is hereby amended by adding the following sentence:- Policies regarding tuition waivers and exhaustion of federal educational benefits for Vietnam veterans attending such summer sessions or evening classes shall be consistent with those policies for veterans enrolled in full-time programs.

SECTION 2. Section 7 of chapter 69 of the General Laws, as most recently amended by section 113 of said chapter 329, is hereby further amended by striking out the second sentence and inserting in place thereof the following two sentences:- Said board may offer correspondence courses, free of charge, to inmates of county and state hospitals and sanatoria, municipal sanatoria and tuberculosis divisions and tuberculosis wards of municipal hospitals, county and state correctional institutions,

the Tewksbury hospital, and federal hospitals situated within the commonwealth, and to blind persons who have resided in the commonwealth at least one year immediately prior to the taking of such course, and may permit university extension courses to be taken, free of charge, by such blind persons. The board shall permit disabled veterans, as defined in section one of chapter thirty-one, to take free of charge correspondence courses and university extension courses offered by any institution of public higher education in the commonwealth.

SECTION 3. Section 2 of chapter 601 of the acts of 1966, as most recently amended by chapter 804 of the acts of 1981, is hereby further amended by striking out the first sentence.

SECTION 4. Said chapter 601 is hereby further amended by adding the following section:-

Section 4. The board of regents shall establish policies regarding tuition waivers and exhaustion of federal educational benefits for Vietnam veterans which shall be consistent for all such veterans, whether enrolled in full-time or part-time programs, continuing education courses or university extension courses.

SECTION 5. Chapter 1189 of the acts of 1973 is hereby amended by striking out section 3 and inserting in place thereof the following section:-

Section 3. Policies regarding tuition waivers and exhaustion of federal educational benefits for Vietnam veterans attending summer sessions or evening classes at any state college shall be consistent with those policies for veterans enrolled in full-time programs.

SECTION 6. This act shall take effect upon its passage.

Approved January 10, 1984.

Chap. 717. AN ACT RELATIVE TO THE EMPLOYMENT OF DATA PROCESSING PROFESSIONALS BY THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately encourage the employment of data processing professionals in the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.___

Be it enacted, etc., as follows:

SECTION 1. Paragraph (9) of section 45 of chapter 30 of the General Laws, as most recently amended by section 72 of chapter 699 of the acts of 1981, is hereby further amended by inserting after the definition of "Position reallocation" the following definition:-

"Professional data processing positions", classes of positions the duties of which require the incumbent thereof to have obtained through advanced technical training and education knowledge of the design, internal functions and characteristics of computers and computer software in order that he can perform the data processing functions necessary for implementation of any data processing automation plans or classes of positions the duties of which require the incumbent thereof to have obtained through advanced technical training and education the ability to enhance, modify, or add to the functions of computer operating systems.

SECTION 2. Section 46 of said chapter 30 is hereby amended by inserting after paragraph (5A) the following paragraph:-

(5B) The said administrator shall, with the approval of the commissioner of administration, designate certain classes of nonmanagerial positions as professional data processing positions, as defined in paragraph (9) of section forty-five, and he shall submit, in writing, to the budget director and the house and senate committees on ways and means a list of classes so designated. Appointments to such positions shall not be subject to the provisions of section nine A, section forty-five, and chapter thirty-one. The salaries of such positions shall be determined annually by the commissioner of administration on or before June first after recommendation by the personnel administrator, who shall make such recommendation annually on or before May first after having conducted an analysis of salaries for the same or similar types of positions paid by other governments and by private employers with which the commonwealth competes in securing qualified applicants for such positions. Any person transferred or promoted to any such position from a position in which he had rights or tenure under section nine A, chapter thirty-one, or any other general or special law, shall, upon termination of his services in such professional data processing position, if he so requests, be restored to the position from which he was transferred or promoted, or to a position equivalent thereto in salary grade in the same agency, without impairment of his tenure, seniority, retirement and other rights to which uninterrupted service in such position would have entitled him; provided, however, that if his service in such professional

data processing position shall have been terminated for cause, his right to be so restored shall be determined by the civil service commission in accordance with the standards applied by the said commission in administering chapter thirty-one.

SECTION 3. The commissioner of administration shall establish a training program for employees of the commonwealth for the purposes of training employees to obtain knowledge of the design, internal functions and characteristics of computers and computer software, so that such employees may qualify for a professional data processing position, as defined in paragraph (9) of section forty-five of chapter thirty of the General Laws.

SECTION 4. The commissioner of administration shall seek to obtain the voluntary assistance of computer and high technology firms located in the commonwealth to assist in establishing, organizing, and funding of said training program described in section three of this act.

Approved January 10, 1984.

Chap. 718. AN ACT AUTHORIZING THE DEPARTMENT OF SOCIAL SERVICES TO PAY CERTAIN BILLS FOR SOCIAL SERVICES.

Whereas, The deferred operation of this act would defeat its purpose, which is to authorize the department of social services to pay immediately certain bills for social services, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding any other provision of law to the contrary, the department of social services is hereby authorized to charge certain unpaid bills for social services rendered to the region four and region five offices of said department during the fiscal year nineteen hundred and eighty-three and classified under object codes three hundred and ninety-three and three hundred and ninety-four of the expenditure code manual to the unexpended balance of funds encumbered against fiscal year '83 appropriation item 4806-0200 for subsidiary 07; provided, however that the department shall file all forms required by regulation for the expenditure of such funds.

Approved January 10, 1984.

Chap. 719. AN ACT FURTHER REGULATING THE URBAN JOBS INCENTIVE BUREAU.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately regulate the urban jobs incentive bureau, therefore 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 15 of chapter 23B of the General Laws is hereby further amended by adding, immediately following subsection (g), the following subsection:-

(H) Notwithstanding any provision of general or special law to the contrary, a corporation which has been granted a certificate as an eligible business facility, pursuant to this section, prior to March twenty-third nineteen hundred and eighty-three shall not be denied a renewal or extension of such certificate because the eligible business facility ceases to conform with subsection two of section thirteen provided that all other conditions for the renewal and extension of certificate of eligible business facility are met.

SECTION 2. Chapter 63 of the General Laws is hereby amended by striking out section 38F, as most recently amended by section 2 of chapter 69 of the acts of 1978, and inserting in place thereof the following section:-

Section 38F. In determining the net income subject to tax under this chapter, a domestic or foreign corporation may deduct, in addition to any other allowable deduction under this chapter, an amount equal to twenty-five per cent of the compensation paid during the taxable year to individuals employed in an eligible business facility, as defined in section eleven of chapter twenty-three B, and either:

(i) domiciled in an eligible section of substantial poverty as defined in section eleven of chapter twenty-three B; or

(ii) domiciled in an area which had been certified as such an eligible section of substantial poverty when the corporation first received a certificate of eligibility; provided, however, such individuals still live in the same city or town;

and provided further such corporation has a certificate of eligibility with respect to such facility for the taxable year issued by the urban jobs incentive bureau of the department of commerce and development. No deduction under this section shall exceed five thousand dollars for any qualifying individual.

SECTION 3. Sections one through three, inclusive, shall

apply to taxable years commencing on or after January first, nineteen hundred and seventy-eight.

SECTION 4. Section four of chapter two hundred and thirty-three of the acts of nineteen hundred and eighty-three shall apply to taxable years commencing on or after January first, nineteen hundred and seventy-eight.

Approved January 10, 1984.

Chap. 720. AN ACT PREVENTING UNNECESSARY INSTITUTIONALIZATION OF THE ELDERLY AND DISABLED.

Be it enacted, etc., as follows:

SECTION 1. Chapter 118E of the General Laws is hereby amended by inserting after section 10 the following section:-

Section 10A. Subject to the availability of federal financial participation, the department shall promulgate regulations for determining eligibility for benefits under this chapter so that the recipient or beneficiary shall be liable to pay the provider of medical care or service an amount which shall be equal to the excess income for a period of one month for the individuals described below:

(1) severely physically disabled individuals who are independent living program participants and are able to avoid institutional care through the use of personal care attendants;

(2) individuals classified by the department as being in long-term institutional care;

(3) other classifications of individuals as determined by the department, who have difficulty becoming eligible for such benefits under a six month spend-down, and who each month incur predictable and consistently high medical expenses through use of one particular program or service, such as participants of adult foster care, and private duty nursing patients;

(4) other individuals who have been determined by the department to be at risk of institutionalization, but capable of maintaining themselves in the community with the use of in-home health services or other health support services and who each month incur predictable and consistently high medical expenses.

The department shall pay the provider at the medical assistance rates for that portion of expenses which is the obligation of the department as determined under this section. Expenses which are the obligation of the applicant or recipient shall be computed at the rates of the provider.

SECTION 2. The department of public welfare shall apply for any waiver from the federal government necessary to implement the provisions of this act within ninety days of the effective date of this act.

Approved January 10, 1984.

Chap. 721. AN ACT FURTHER REGULATING THE TRANSPORTATION OF CERTAIN PRISONERS BY SHERIFFS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 37 of the General Laws is hereby amended by striking out section 21, as amended by section 1 of chapter 159 of the acts of 1943, and inserting in place thereof the following section:-

Section 21. The sheriff of Nantucket county shall be entitled to receive from the county his actual traveling expenses incurred in the transportation of prisoners to and from jails and other penal institutions; and the sheriff of each other county, except Suffolk, shall be entitled to receive from the county his actual traveling expenses incurred in the performance of his official duties, exclusive of expenses incurred in the transportation of persons pursuant to section twenty-four.

SECTION 2. Said chapter 37 is hereby further amended by adding the following two sections:-

Section 24. The sheriffs of the several counties, exclusive of Nantucket, and their respective deputies, shall be responsible under the provisions of this section for the transportation of prisoners or other persons in their custody including, but not limited to, the following:-

(a) prisoners or other persons in their custody to and from the several divisions or departments of the trial court,

(b) prisoners or other persons placed in their custody by any of the several divisions or departments of the trial court under the provisions of chapter two hundred and seventy-nine,

(c) prisoners or other persons placed in their custody by any of the several divisions or departments of the trial court to be remanded to any noncorrectional facility for the purpose of receiving medical, social, psychological and other related services,

(d) persons under the age of seventeen years placed in their custody by any of the several divisions or departments of the trial court under any of the provisions of chapter one hundred and nineteen, and

(e) prisoners or other persons required to be returned from out of the commonwealth for trial or confinement under the provisions of sections eleven to twenty R, inclusive, of chapter two hundred and seventy-six.

Any person placed in the custody of a sheriff who has been transported to a division or department of the trial court shall, upon the completion of such transportation, be transferred into the custody of such court.

Section 25. The cost of transportation required by section twenty-four shall be borne by the commonwealth. The secretary of administration and finance shall make an annual request for an appropriation for the purpose of funding said section twenty-four and, subject to such appropriation, said funds shall be paid to the treasurer of each county who shall place said funds in a separate account within the treasury of each county. All funds deposited in said accounts and any interest accruing thereto shall be used solely for the purposes set forth in said section twenty-four. No later than March first of each year, the treasurer of each county receiving funds under this section shall file a written report with the house and senate committees on ways and means detailing expenditures made from such accounts in the preceding calendar year.

SECTION 3. Section one hundred and twenty-two of chapter one hundred and twenty-seven of the General Laws is hereby repealed.

SECTION 4. All equipment, furnishings, uniforms, supplies and motor vehicles purchased by the commonwealth and presently in the custody of the sheriffs of the several counties for use in the transportation of prisoners under the provisions of item 1599-3315 of section two of chapter one hundred and ninety-one of the acts of nineteen hundred and eighty-two shall become the property of the respective counties wherein they are being used upon the effective date of this act.

Approved January 9, 1984.

EMERGENCY LETTER - January 10, 1984 @ 4:32 P.M.

Chap. 722. AN ACT RELATING TO REINSTATEMENT OF DENEHY J. HANDLIN IN THE STATE POLICE.

Be it enacted, etc., as follows:

Notwithstanding any general or special law, rule or regulation

to the contrary, the Commissioner of Public Safety shall reinstate Denehy J. Handlin of Falmouth as a member of the State Police. Said individual shall be granted creditable service for retirement purposes for any prior service; provided, that he shall pay into the Annuity Savings Fund of the state retirement system in one make-up sum, or in installments upon conditions as the retirement board of said system may prescribe, an amount equal to the accumulated regular dedutions withdrawn by him, together with the regular interest to the date of reinstatement; provided further, that seniority, vacation leave and sick leave shall be computed from the date of such reinstatement.

Approved January 12, 1984.

EMERGENCY LETTER - January 12, 1984 @ 3:56 P.M.

THE COMMONWEALTH OF MASSACHUSETTS
ADVANCE COPY 1983 ACTS AND RESOLVES
MICHAEL JOSEPH CONNOLLY, SECRETARY OF STATE

Chap. 723. AN ACT PROVIDING FOR A CAPITAL OUTLAY PROGRAM FOR THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. To provide for a program of studies, preparation of plans, construction, reconstruction, alteration and improvement of various state institutions and properties, and for the purchase of certain property, including the purchase of furnishings, equipment and motor vehicles, the sums set forth in sections two to eight, inclusive, nine to nine I, inclusive, ten, ten B, and thirteen to thirteen B, inclusive, of this act, for the several purposes and subject to the conditions specified under the provisions of this act in sections two to forty-nine, 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.	
0330-8841	For emergency renovations and alterations to the Suffolk county courthouses, including but not limited to mechanical and electrical changes; provided that notwithstanding any general or special law to the contrary, that such expenditures shall be determined by the chief administrative justice of the trial court; and provided, further, that the chief administrative justice shall notify, in writing, the house and senate committees on ways and means of the type, location, and cost of the emergency repairs within thirty days of the repairs	$ 500,000
	EXECUTIVE OFFICE OF ADMINISTRATION AND FINANCE.	
	Central Services Division.	
	Division of Capital Planning and Operations.	
1102-7840	For studies, and the preparation of plans, if necessary, and for the retrofitting of water fixtures in state owned buildings with water conserving devices	750,000
1102-7842	For studies, and the preparation of plans, if necessary, and for fire protection improvements in accordance with the recommendations of the department of public safety to comply with the provisions of chapter one hundred 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 deputy commissioner of capital planning and operations and approved by the commissioner of administration; provided, that a list of said studies, including cost	

	estimates upon completion, shall be submitted to the house and senate committees on ways and means	$ 2,900,000
1102-7843	For studies, and the preparation of plans, if necessary, and for the removal and/or encapsulating of asbestos materials in certain facilities of the commonwealth; provided, that a list of said studies, including cost estimates upon completion, shall be submitted to the house and senate committees on ways and means	3,000,000
1102-7844	For studies, and the preparation of plans, if necessary, and for the removal of toxic substances in certain electrical equipment of the commonwealth; provided, that a list of said studies, including cost estimates upon completion, shall be submitted to the house and senate committees on ways and means	2,000,000
1102-7846	For studies, and the preparation of plans, if necessary, and for renovations to state owned buildings to make said facilities functional for the physically handicapped in accordance with the provisions of section thirteen A of chapter twenty-two of the General Laws; provided, that a list of said studies, including cost estimates upon completion, shall be submitted to the house and senate committees on ways and means	1,500,000
1102-7847	For studies, and the preparation of plans, if necessary, and for renovations for energy conservation at various facilities of the commonwealth, including, but not limited to, the state house, McCormack, Saltonstall, Lindemann and Hurley buildings, provided that a list of said studies, including cost estimates upon completion, shall be submitted to the house and senate committees on ways and means	1,500,000
1102-7848	For studies, and the preparation of plans, if necessary, and for construction of certain air pollution abatement projects at various institutions of the commonwealth; provided, that a list of said studies, including cost estimates upon completion, shall be submitted to the house and senate committees on ways and means	1,100,000
1102-7849	For studies, and the preparation of plans, if necessary, and for renovations and improvements to 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 the federal reimbursements for allowable federal costs for any expenditures for projects at Medfield state hospital and Walter E. Fernald state school, Templeton Colony, shall be a maximum of seventy-five per cent of such expenditures; provided, that expenditures from this item other than for the cost of preliminary plans shall be contingent upon assurance by proper federal authorities that the federal allocation for the	

	cost of the project will not be less than the amount authorized under 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 deputy commissioner of capital planning and operations; provided, that a list of said studies, including cost estimates upon completion, shall be submitted to the house and senate committees on ways and means	$ 3,000,000
1102-8842	For studies, and the preparation of plans, if necessary, and for certain repairs, renovations and upgrading of the state house exterior building structure, building support systems, public and office spaces, and to improve the site and landscape; including the cost of furnishings and equipment; provided that no funds shall be expended for furnishings or renovation to the house committee on ways and means	28,000,000
1102-8843	For a study, and the preparation of plans, if necessary, and for repairs and recaulking of the plaza area, the installation of fencing, and the installation of a drainage system and the resurfacing of the parking area of the Hurley-Lindemann complex	350,000
1102-8844	For a study, and the preparation of plans, if necessary, and for the repair and restoration of walls, partitions, ceilings, and flooring of the Saltonstall and McCormack buildings	475,000
1102-8845	For a study, and the preparation of plans, if necessary, and for certain renovations and improvements to the Pittsfield state office building-Madonna Hall, including the cost of furnishings and equipment	3,630,000
1102-8846	For emergency repair projects of state owned property provided that the house and senate committees on ways and means be notified within thirty days of the expenditure of any funds under the provisions of this item	500,000
1102-8847	For studies, and the preparation of plans, if necessary, and for the repair, renovation and maintenance, including certain contingencies, of state owned property, to prevent deterioration or costly future repairs; provided, that a list of said studies, including cost estimates upon completion, shall be submitted to the house and senate committees on ways and means; and provided, further, that no funds shall be expended for repairs, renovations or maintenance except as approved by the house and senate committees on ways and means subsequent to the receipt of said list of studies, including cost estimates	10,000,000
1102-9843	For a reserve to fund studies, and the preparation of plans, if necessary, and for renovations of certain court facilities used by state agencies other than the trial court	150,000

1102-9844	For the purchase of kitchen equipment for the completion of the Ludlow Senior Center and the establishment of an elderly nutrition program for the town of Ludlow	$ 22,000
1102-9845	For repairs and improvements to state facilities to achieve environmental protection, including studies, plans and construction	3,000,000

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.

Ernestina Schooner Commission.

2000-9840	For repairs and restoration of the schooner Ernestina including the cost of furnishings and equipment including nautical supplies and equipment	400,000

Department of Environmental Management.

2120-7840	For a study, and the preparation of plans, if necessary, and for the restoration and improvements at Horn Pond in the city of Woburn	500,000
2121-8842	For the construction of a rock riprap revetment to repair and stabilize a severely eroding river bank on the Green River in Williamstown adjacent to the Williamstown interceptor sewer	175,000
2150-6842	For riprapping and general stream repair and bank stabilization on the Blackstone River in the town of Northbridge	20,000
2150-6843	For a study, and the preparation of plans, if necessary, for a flood control and dredging project on the Congamond Lakes in Southwick	225,000
2150-6844	For the dredging of the Essex River in the town of Essex	300,000
2150-6845	For the dredging of the Podick Brook in the town of Amherst up to Route 116; provided, that the funds appropriated herein may be expended without further appropriation subject to schedules approved by the house and senate committees on ways and means	15,000
2150-6846	For a study, and the preparation of plans, if necessary, and for the dredging of the Squantum-Wollaston Channel in the city of Quincy	350,000
2150-6847	For the purpose of dredging in Cohasset and Hingham harbors	700,000
2150-6848	For study and the preparation of plans for the extension of the North Terminal Bulkhead in the city of New Bedford	50,000
2150-6849	To provide for the dredging of Madeket Harbor in the town of Nantucket	350,000

2150-7840	For a study and preparation of plans, if necessary and the construction or reconstruction of sluiceways and the control structure on Monomonac Lake in the town of Winchendon	$ 200,000
2150-7841	For the removal of sludge from the Assabet River in the towns of Maynard and Acton	100,000
2150-7842	For evaluation, study and, if necessary, repairs involving potentially unsafe dams, pursuant to General Laws chapter 253, sections 44 through 47 inclusive	500,000
2150-8840	For a study, and the preparation of plans, if necessary, for the emergency reconstruction and safety device installation at the Fenwick Street Dams in the town of Framingham; provided that there is completed a study and preparation of plans for the project; provided, further, that copies of said studies, including cost estimates, upon completion, shall be submitted to the house and senate committees on ways and means; and provided, further, that no funds shall be expended for the development of plans except as approved by the house and senate committees on ways and means subsequent to the receipt of said studies, including cost estimates	350,000
2150-8841	For the Briggsville Dam, Hoosac River North Branch Stream and river bank projects in the town of Clarksburg, including rock and debris removal	50,000
2150-8842	For a study, and the preparation of plans, if necessary, of the dredging, outflow control, riprapping and stream bank erosion control of the Mill River at Spindleville Pond in the town of Hopedale	25,000
2150-8843	For a study, and the preparation of plans, if necessary, and reconstruction of the Leeds Reservoir Dam in the city of Northampton	850,000
2150-8844	For a study, and the preparation of plans, if necessary, and for drainage improvements, including the construction of a culvert at the Union Street Brook in the town of North Adams	171,500
2150-8845	For a study, and the preparation of plans, if necessary, and for the dredging of Meadow Brook from Lake Nipmuc in the town of Mendon to the wetland outlet, installation of culvert, drop inlet, headway and channel rehabilitation, the replacement of the Pleasant Street culvert, including the preparation of construction documents and other required permits	160,000
2150-8846	For a study, and the preparation of plans, if necessary, and for improvements to the East Boat Basin in the town of Sandwich	600,000
2150-8848	For a study, and the preparation of plans, if necessary, and construction of	

	drainage improvements along Mill Creek in the cities of Chelsea and Revere	$ 2,000,000
2150-8849	For the design and repair of the Perryville Pond Dam in the town of Rehoboth	100,000
2150-9841	For a study, and the preparation of plans, if necessary, and construction of a bulkhead in the town of Chilmark	500,000
2150-9842	For a study, and the preparation of plans, if necessary, and construction of a bulkhead in the town of Gay Head	265,000
2150-9843	For a study, and the preparation of plans, if necessary, and construction of a seawall in the town of Oak Bluffs	500,000
2150-9844	For the cleanup and dredging of Sugden Lake in the town of Spencer	35,358
2150-9845	For a study, and the preparation of plans, if necessary, and for the reconstruction and maintenance of a bulkhead and pier in the town of Wellfleet	250,000
2150-9846	For the maintenance and repair of the Wildwood Lake Dam in the town of Upton	25,000
2150-9847	For the design of phase I of the Godfrey Brook in the town of Milford	25,000
2150-9848	For a study, and the preparation of plans, if necessary, and rehabilitation of the Ellis Pond Dam in the town of Norwood	450,000
	Department of Fisheries, Wildlife and Recreational Vehicles. Public Access Board.	
2320-8841	For the construction of a comfort station at the state boat ramp at Long Pond in the town of Plymouth	15,000
2320-8842	For the construction of a boat ramp at Lake Quinsigamond in the town of Shrewsbury including the paving of a parking lot, restoration of rest-rooms and land-scaping	100,000
2320-8843	For a study, and the preparation of plans, if necessary, and for the maintenance and construction of various facilities for the public access board	746,300
2320-8844	For the acquisition of land and for the design and construction of a boat launching facility, parking lot and ancillary facilities on Riverside drive along the Merrimack River in the town of Methuen; provided, however, that notwithstanding the provisions of section seventeen A of chapter twenty-one of the General Laws the public access board may enter into an agreement with the town of Methuen for the construction of the boat launching facility, parking lot and ancillary facilities	200,000

EXECUTIVE OFFICE OF HUMAN SERVICES.

Soldiers' Home in Massachusetts.

4180-8841	For a study, and the preparation of plans, if necessary, for the addition and renovation to Quigley Memorial Hospital and the relocation of the out-patient department; provided, that copies of said study, including cost estimates upon completion, shall be submitted to the house and senate committees on ways and means; provided, further, that an application be submitted for maximum reimbursement from the United States Veteran's Administration	$ 130,000

DEPARTMENT OF YOUTH SERVICES.

4200-8841	For a reserve for the provision of repairs, renovations, certain equipment, and maintenance at various secure facilities in the department of youth services, provided, that the expenditure of funds appropriated herein shall be subject to the approval of the commissioner of administration and pursuant to schedules approved by the house and senate committees on ways and means	200,000
4238-8841	For a study, and the preparation of plans, if necessary, and for the construction of a Department of Youth Services Facility, including the cost of furnishings and equipment, provided that no funds shall be expended for the purposes of this item at the East Employee's building at Boston State Hospital, and provided further that no funds shall be expended for the purposes of this item except pursuant to schedules submitted by the commissioner of administration and approved by the house and senate committees on ways and means	3,508,000

DEPARTMENT OF CORRECTION.

MCI Bridgewater.

4312-8841	For a study, and the preparation of plans, if necessary, and for the removal of the existing security screens and the installation of stainless steel security screens on all windows throughout the institution	425,000
4312-8842	For a study, and the preparation of plans, if necessary, and for certain improvements to the water storage capacity, construction of a water treatment facility, and testing for a new water supply source	4,438,000
4312-8843	For a study, and the preparation of plans, if necessary, and for certain improvements, renovations, and additions to the waste water treatment facilities	4,361,000

MCI Walpole.

4313-8841	For a study, and the preparation of plans, if necessary, and for certain renovations and improvements to the heating and ventilating systems in Essex I, Bristol I, and Suffolk I housing units and the hospital and receiving sections	$ 1,150,000

Northeastern Correctional Center.

4314-8841) 4314-8811)	For replacement, renovations and improvements to farm buildings including plumbing, ventilation, and additional office space; to be in addition to the amount appropriated in item 4314-8811 of section two of chapter five hundred and seventy-eight of the acts of nineteen hundred and eighty	85,000

MCI Norfolk.

4316-8841	For a study, and the preparation of plans, if necessary, and for certain renovations and improvements to existing inmate housing units, including the cost of furnishings and equipment	2,000,000
4316-8843	For a study, and the preparation of plans, if necessary, and for renovations and improvements to the main line kitchen, and food service areas in the eighteen inmate housing units, including the replacement of certain kitchen equipment and the cost of furnishings and equipment	585,000
4316-8844	For a study, and the preparation of plans, if necessary, and for certain improvements, renovations, and additions to the waste water treatment facilities	2,744,000

DEPARTMENT OF PUBLIC HEALTH.

Massachusetts Hospital School.

4533-8841	For the replacement of roofing of the high school building	325,000
4533-8842	For a study to determine the feasibility of installing a turbine for co-generation of electricity	30,000

Tewksbury Hospital.

4536-8841	For a study to upgrade facilities to comply with physically handicapped requirements	10,000
4536-8842	For a study, and the preparation of plans, if necessary, and for the repair, renovation, installation, improvement, and modification of the sewerage	

and metering systems, including, but not limited to, necessary reimbursement to the town of Tewksbury, and including necessary linkages and purchase of materials $ 75,000

4536-8843 For a study, and the preparation of plans, if necessary, and for the repair and modification, including the expansion of existing parking facilities to accommodate additional cars 120,000

Western Massachusetts Hospital.

4537-8841 For a study, and the preparation of plans, if necessary, and for the replacement of single pane steel casement windows, including necessary purchases 584,000

DEPARTMENT OF MENTAL HEALTH.

Admininistration.

5011-8841 For the renovation, construction, or improvement of state schools for the mentally retarded, including the cost of furnishings and equipment; provided that a maximum residential area capacity of three hundred and fifty-six beds is authorized to be renovated, constructed, or improved from the monies appropriated herein; provided, further, that no monies may be expended on any particular residential area until the department of mental health determines that there exists a sufficient number of clients to fill to substantial capacity such particular residential area; provided, further, that in making such determination said department shall consider only such clients that are residing as of the effective date of this act in what it deems as inappropriate beds in any state institution operated by said department for whom the beds to be renovated, constructed, or improved will be more appropriate placements, and for whom there does not exist other appropriate beds within such facilities; provided, further, that the relative appropriateness of any placement shall be determined by the department with reference to individual service plans of such clients; provided, further, that if there are a substantial number of clients for whom a particular residential area is not most appropriate, but an appropriate placement in the community will not be available within a reasonable period of time for such clients, said department may proceed with the expenditure; provided, further, for the renovation, construction, or improvement of program space and utilities at the state schools for the mentally retarded, including the cost of furnishings and equipment, provided that not less than three million six hundred thousand dollars is expended for utility and energy conservation repairs and renovations; provided, further, 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 department of mental health shall file reports quarterly with the house and senate committees on ways and means relative to the status of each construction or renovation project at each such facility including the stage of completion of each such project, the number of clients to be served, and the relationship between the individual service plans of the clients and the projects for which expenditures are being made $63,355,000

Administration.

5011-8844 For the repair and repainting of various water tanks located on the grounds of the Taunton state hospital, Worcester state hospital, Dever state school and Wrentham state school 454,000

Region II.

Irving A. Glavin Regional Center.

5271-8841 For the replacement of roofing and the restoration of the masonry of certain buildings 250,000

Monson Developmental.

5283-8841 For the replacement of electrical distribution feeders, including poles, crossarms, insulators, wiring and underground line 365,000

5283-8842 For the replacement of the roof of the power plant and the attached storehouse, and the repair or removal of the parapet walls of said building 300,000

Worcester State Hospital.

5295-8841 For a study and the preparation of plans, if necessary, for renovations and repairs, including furniture and equipment, to correct life safety code deficiencies and to bring up to the standards required by Title XIX of the Social Security Act of nineteen hundred and sixty-seven as amended by Public Law 92-603, including, but not limited to, smoke dampers, privacy petitions, handicapped baths, fire hoses, mixing valves 2,500,000

Region III.

Charles V. Hogan Regional Center/
John T. Berry Rehabilitation Center.

5377-8841 For a study, and the preparation of plans, if necessary, and for the renovations of the adult and adolescent units, including the costs of furnishings and equipment; provided that any expenditure from this

	item shall be contingent upon the prior approval and assurance of the secretary of human services that not less than the maximum per cent of such expenditures are eligible for federal reimbursement under Title XIX of the Social Security Act of nineteen hundred and sixty-seven as amended by Public Law 92-603	$ 5,248,600
5377-8842	For a study, and the preparation of plans, if necessary, and for the renovation and expansion of the present kitchen facilities	1,120,000

Region V.

John C. Corrigan Mental Health Center.

5541-8841	For a study, and the preparation of plans, if necessary, and for the restoration of the multi-purpose room destroyed by fire in November of nineteen hundred and eighty, including the cost of furnishings and equipment	110,000

Region VI.

Massachusetts Mental Health Center.

5651-8841	For a study, and the preparation of plans, if necessary, and the installation of a sprinkler system and a fire resistive finish to the attic areas	460,000

Dorchester Mental Health Center.
Boston State Hospital.

5655-8841) 5642-8811) 8074-28)	For a study, and the preparation of plans, if necessary, and for the renovations and improvements to the IRR building, including an independent heating system and the cost of furnishings and equipment, to be in addition to amounts appropriated in item 8074-28 of chapter one thousand one hundred and eighty of the acts of nineteen hundred and seventythree, as amended by item 5642-8811 in chapter five hundred and seventy-eight of the acts of nineteen hundred and eighty	1,545,000

Region IV B.

Medfield State Hospital.

5895-8841	For a study, and the preparation of plans, if necessary, and for the renovations and improvements of the Clark building to correct life safety code deficiencies and to bring said building up to the standards required by Title XIX of the Social Security Act of nineteen hundred and sixty-seven as amended by Public Law 92-603, including, but not limited to, new partitions, doors, hardware, fire dampers, fire detectors and alarm systems, and emergency lighting and power systems	445,000

EDUCATION.

Bridgewater State College.

7109-8841	For a study, and the preparation of plans, if necessary, and repairs and renovations for maintenance, storage and receiving facilities of Bridgewater State College	$ 200,000
7109-8842	For a study, and the preparation of plans, if necessary, and construction and renovation of the Grove Street Building of Bridgewater State College	100,000
7109-8843	For a study, and the preparation of plans, if necessary, and construction and renovation to the Burrill Avenue Classroom Complex of Bridgewater State College	200,000
7109-8844	For a study, and the preparation of plans, if necessary, and construction and renovation to the Physical Education Building of Bridgewater State College	100,000
7109-8847	For the preparation of plans and the reconstruction, including drainage, of Burrill Avenue in Bridgewater to provide access to the Great Hill area of the college property including the Burnell Laboratory School, the Great Hill dormitories and the parking facilities; provided, that said plans shall be approved by the board of selectmen in the town of Bridgewater prior to said reconstruction	250,000
7109-8848	For a study, and the preparation of plans, if necessary, for repairs, improvements and deferred maintenance of the facilities at Bridgewater State College	1,150,000

Fitchburg State College.

7110-8842	For the preparation of a study, and for the preparation of plans, and construction for certain repairs and renovations including but not limited to roofing replacements, masonary repairs, and waterproofing, improvement of accessibility, and improvements for public safety and building code requirements	850,000

Framingham State College.

7112-8843	For a study, and the preparation of plans, if necessary, for repairs, improvements and deferred maintenance of the facilities at Framingham State College	1,050,000

North Adams State College.

7113-8842	For a study, and the preparation of plans, if necessary, and renovations for energy conservation at North Adams State College	400,000

Salem State College.

7114-8842	For a study, and the preparation of plans, if necessary, for repairs, improvements and deferred maintenance of the facilities at Salem State College	$ 1,150,000

Westfield State College.

7115-8841	For a study, and the preparation of plans, if necessary, and repairs, renovations and construction, including purchase and installation of furnishings and equipment at Westfield State College	1,900,000

Worcester State College.

7116-8842	For a study, and the preparation of plans, if necessary, for repairs, improvements and deferred maintenance of the facilities at Worcester State College	850,000

University of Lowell.

7220-8841	For a study, and the preparation of plans, if necessary, and removal or encapsulating of asbestos materials at the University of Lowell	700,000
7220-8842) 8067-20)	For a study, and the preparation of plans, if necessary, and construction, reconstruction, repairs, renovations and improvements to the Quadrangle Buildings, socalled, at the University of Lowell, to be in addition to the amount appropriated in item 8067-20 of chapter five hundred and ninety of the acts of nineteen hundred and sixty-six	319,027
7220-8843) 8071-55)	For a study, and the preparation of plans, if necessary, and construction of a parking facility on the North Campus of the University of Lowell, to be in addition to the amount appropriated in item 8071-55 of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy	390,000
7220-8844) 8072-45)	For a study, and the preparation of plans, if necessary, and construction, reconstruction, repairs, renovations and improvements to the Fine Arts Building at the University of Lowell, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8072-45 of chapter nine hundred and seventy-six of the acts of nineteen hundred and seventy-one, as amended	87,000
7220-8845	For the study, and the preparation of plans, if necessary, for the repair and replacement of the roofs on the buildings of the north and south campuses	800,000
7220-8847	For the study and plans, if necessary, for the repair and renovation of the Tully Forum at the University of Lowell including construction of parking facilities	500,000

Southeastern Massachusetts University.

7310-8841	For a study, and the preparation of plans, if necessary, and construction, reconstruction, repairs, renovations and improvements to the utility distribution system of Southeastern Massachusetts University	$ 1,850,000

University of Massachusetts-Amherst.

7410-8842	For a study, and the preparation of plans, if necessary, and repairs, replacement, construction, reconstruction and improvements and preparation of utility distribution master plan of the high pressure steam service to the Southwest dormitory complex at the University of Masschusetts Amherst and other utility systems; provided, that copies of said study, including cost estimates upon completion, shall be submitted to the house and senate committees on ways and means	6,000,000
7410-8844	For a study, and the preparation of plans, if necessary, and construction and installation of pollution control systems at the University of Massachusetts at Amherst	2,500,000
7410-8845)) 7410-8801)	For a study, and the preparation of plans, if necessary, for renovations and repairs to various buildings and facilities at the University of Massachusetts at Amherst and University field stations to be in addition to the amount appropriated in item 7410-8801 of section two of chapter seven hundred and ninety-eight of the acts of nineteen hundred and seventy-nine	5,000,000
7410-8846	For a study, and the preparation of plans, if necessary, for renovations and improvements of various academic and support buildings, including Marshall Hall, at the University of Massachusetts at Amherst; provided, that copies of said study, including cost estimates upon completion, shall be submitted to the house and senate committees on ways and means	330,000
7410-8849	For a study, and the preparation of plans, if necessary, and renovations for energy conservation at the University of Massachusetts at Amherst	500,000

University of Massachusetts-Worcester.

7411-8841	For a study, and the preparation of plans, if necessary, and construction and renovations to the existing double-duct air handling system at the University of Massachusetts at Worcester	2,400,000
7411-8842	For a study, and the preparation of plans, if necessary, and construction and renovations to roadways and walkways at the University of Massachusetts at Worcester	450,000

University of Massachusetts-Boston.

7452-8841	For a study, and the preparation of plans, if necessary, and renovations and improvements to certain buildings of the Harbor Campus at the University of Massachusetts at Boston, including furnishings and equipment; provided, that copies of said study, including cost estimates upon completion, shall be submitted to the house and senate committees on ways and means	$ 2,645,000
7452-8842	For a study, and the preparation of plans, if necessary, and for the repairs and renovations of the exterior of the Library Building 090 at the Harbor Campus of the University of Massachusetts at Boston	1,340,000
7452-8844	For a study, and the preparation of plans, if necessary, and construction, renovations and improvements to the Catherine Forbes Clark Athletic and Recreation Center at the University of Massachusetts at Boston	300,000

Berkshire Community College.

7502-8841	For a study, and the preparation of plans, if necessary, and repair of certain flat roofs including flashing	1,600,000
7502-8842	For a study, and the preparation of plans, if necessary, and the renovation of various laboratories and classrooms	490,000

Cape Cod Community College.

7504-8841	For a study, and the preparation of plans, if necessary, and construction, reconstruction, repairs, renovations and improvements to the heating, ventilation and air conditioning systems of Cape Cod Community College	258,000
7504-8842	For a study, and the preparation of plans, if necessary, and construction, reconstruction, repairs, renovations and improvements of certain campus improvements of Cape Cod Community College	1,422,000

Greenfield Community College.

7505-8842	For a study, and the preparation of plans, if necessary, and certain renovations and improvements, including furnishings and equipment, at Greenfield Community College	132,000

Mount Wachusett Community College.

7509-8841	For a study, and the preparation of plans, if necessary, for roof repairs, including renovations, improvements and replacement, at Mount Wachusett Community College	480,050

Northern Essex Community College.

7510-8842	For a study, and the preparation of plans, if necessary, for roof repairs of Northern Essex Community College	$ 400,000

Springfield Technical Community College.

7514-8842	For a study, and the preparation of plans, if necessary, for the installation and renovations of elevators, stairwells, and egresses of various buildings at Springfield Technical Community College	1,096,200
7514-8843	For the study, and the preparation of plans, if necessary, for repairs and improvements to the utility distribution system	200,000

Middlesex Community College.

7516-8841) 7516-8811)	For a study, and the preparation of plans, if necessary, and repairs, renovations and improvements to various buildings on the North Campus of Middlesex Community College, and the development of parking and site improvements, including furnishings and equipment; to be in addition to the amount appropriated in item 7516-8811 of section two of chapter five hundred and seventy-eight of the acts of nineteen hundred and eighty	3,900,000
7516-8842	For a study, and the preparation of plans, if necessary, for the repairs and improvements to the Burlington campus, including the construction of a parking facility at Middlesex Community College	625,000

Bunker Hill Community College.

7518-8842	For a study, and the preparation of plans, if necessary, for the repair and construction of parking facilities at Bunker Hill Community College	392,000

SECTION 2A.

SECRETARY OF THE COMMONWEALTH.

0511-8841	For the purchase and installation, if necessary, of special equipment to microfilm public records	228,062

EXECUTIVE OFFICE OF ADMINISTRATION AND FINANCE.
Fiscal Affairs Division.

1101-8841	For a reserve for the purchase and installation, if necessary, of computer equipment for certain district attorney offices to be allocated on schedules approved by the commissioner of administration and finance and filed with the house and senate committees on ways and means	2,513,600

1101-8842 *For a reserve to fund the purchase* of certain word and data processing equipment, provided that the commissioner of administration is authorized to transfer funds herein appropriated to other accounts within other state agencies for expenditures for said purposes; and provided, further, that on or before the tenth day of each month said commissioner shall file with the house and senate committees on ways and means a report detailing by agency the amount expended from this item during the previous month and the specific equipment purchased. Notwithstanding the provisions of any general or special law to the contrary no expenditure may be made from funds herein appropriated unless prescribed in schedules submitted by said commissioner and approved by the house and senate committees on ways and means. If, within thirty days of *receipt of said* schedules for approval, no action has been taken by either the house or senate committee on ways and means, expenditures pursuant to said schedules may proceed $30,000,000

Central Services Division.
Motor Vehicle Management Bureau.

1102-9842 For the purchase of heavy automotive equipment including but not limited to trucks, tractors, bulldozers, and plows to replace existing equipment and to provide additional vehicles; provided that the use of any such heavy equipment by the metropolitan district commission shall include improvements to and maintenance of the boat ramps at the Quabbin *Reservoir, and; provided that* the expenditure of funds for the purpose of this item shall be based upon schedules submitted by the commissioner of administration to the house and senate committees on ways and means. If within thirty days of receipt of said schedules no action has been taken by either the house or senate committees on ways and means expenditures pursuant to said schedules may proceed 6,272,850

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.

Department of Environmental Management.

2120-9845 For a study, and the preparation of plans, if necessary, and for the *purchase of furnishings and equipment* for the Urban Heritage State Parks; provided that the expenditure of funds for the purpose of this item shall be 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 finance 1,500,000

EXECUTIVE OFFICE OF HUMAN SERVICES.

Soldiers' Home in Massachusetts.

4180-8842 For a reserve for the purchase of various X-ray equipment and patient and

dormitory furniture; provided, that no funds shall be expended for the purposes of this item except pursuant to schedules submitted by the commissioner of administration and approved by the house and senate committees on ways and means $ 350,000

DEPARTMENT OF YOUTH SERVICES.

4238-8842 For a reserve for the purchase and installation, if necessary, of special equipment for the Western Youth Service Center; provided, that no funds shall be expended for the purposes of this item except pursuant to schedules submitted by the commissioner of administration and approved by the house and senate committees on ways and means 125,000

DEPARTMENT OF CORRECTION.

4311-8842 For a reserve for the purchase and installation, if necessary, of special equipment for the department of correction; provided, that no funds shall be expended for the purposes of this item except pursuant to schedules submitted by the commissioner of administration and approved by the house and senate committees on ways and means 255,000

MCI Bridgewater.

4312-8844 For a reserve for the purchase and installation, if necessary, of certain laundry equipment for MCI Bridgewater 50,000

MCI Lancaster.

4316-8845 For the purchase of a ladder truck for the Lancaster fire department for the protection of MCI Lancaster 185,000

DEPARTMENT OF PUBLIC HEALTH.

4510-8841 For a reserve for the purchase and installation, if necessary, of special equipment for the department of public health; provided, that not less than three hundred and fifty thousand dollars shall be expended for the purchase of equipment for the state laboratory; and provided further, that no funds shall be expended for the purposes of this item except pursuant to schedules submitted by the commissioner of administration and approved by the house and senate committees on ways and means 486,000

Lemuel Shattuck Hospital.

4532-8841 For a reserve for the purchase, including the replacement of existing equipment, and installation, if necessary, of special equipment, including but not limited to, laboratory, medical, and surgical equipment, for the Lemuel Shattuck Hospital, within the depart-

ment of public health; provided, that no funds shall be expended for the purposes of this item except pursuant to schedules submitted by the commissioner of administration and approved by the house and senate committees on ways and means $ 1,500,000

Massachusetts Hospital School.

4533-8843 For fire apparatus to be used in the protection of the Massachusetts Hospital School 125,000

Western Massachusetts Hospital.

4537-8842) For a study, and the preparation of plans, if necessary, and for the
) construction of new low pressure satellite heating boilers in selected
4537-8792) buildings, including the cost of modifications to heating systems, domestic hot water systems, and including the cost of fuel tanks, chimneys, furnishings and equipment, to be in addition to the sum appropriated in item 4537-8792 of chapter five hundred and thirteen of the acts of nineteen hundred and seventy-eight 2,500,000

4537-8843 For the purchase of an aerial ladder truck to be under the custody, control and maintenance of the city of Westfield for the protection of state property 225,000

DEPARTMENT OF MENTAL HEALTH.

Administration.

5011-8843 For the purchase and installation of special equipment for the department of mental health's consolidated laundry program 500,000

Region III.

Charles V. Hogan Regional Center/
John T. Berry Rehabilitation Center.

5377-8843) For a study, and the preparation of plans, if necessary, and for the
) replacement of the existing high pressure boilers with low pressure
5471-8801) boilers, to be in addition to the amount appropriated in item 5471-8801 of section two of chapter seven hundred and ninety-eight of the acts of nineteen hundred and seventy-nine 390,000

Danvers State Hospital.

5395-8841 For the purchase and installation of a fence on the hospital grounds 25,000

Region V.

Corrigan Mental Health Center.

5541-8842	For the purchase and installation of an emergency generator	$ 35,000

Department of Education.

7010-8841	For the purchase of a fire apparatus truck to be under the custody, control and maintenance of the town of West Springfield for the protection of state property	225,000

Board of Regents.

7066-8841	For a reserve for the purchase and installation, if necessary, of special equipment including furnishings and equipment for certain institutions of the system of higher education; provided, that no funds shall be expended for the purposes of this item except pursuant to schedules submitted by the commissioner of administration and approved by the house and senate committees on ways and means	1,273,383
7066-8842	For a reserve for the purchase and installation, if necessary, of special equipment including furnishings and equipment for the institutions of the system of higher education; provided, that no funds shall be expended for the purposes of this item except pursuant to schedules submitted by the commissioner of administration and approved by the house and senate committees on ways and means	2,000,000
7066-8843	For a reserve for the purchase of existing data processing leases or the purchase of data processing equipment including microprocessors and peripherals; provided, that all expenditures for the purpose of this item shall be in accordance with schedules established by the board of regents and approved by the house and senate committees on ways and means	2,000,000

State College Computer Network.

7105-8841	For a reserve for the purchase of the existing leases and for the upgrade of the computing systems at the State College Computer Network	1,349,000

Bridgewater State College.

7109-8845	For a reserve for the purchase and installation, if necessary, of heavy equipment for the Bridgewater State College Student Union; provided, that no funds shall be expended for the purposes of this item except pursuant to schedules submitted by the commissioner of administration and approved by the house and senate committees on ways and means	500,000

Worcester State College.

7116-8841	For a reserve for the purchase and installation, if necessary, of special equipment for a supplemental heating system in the student union building at Worcester State College; provided, that no funds shall be expended for the purposes of this item except pursuant to schedules submitted by the commissioner of administration and approved by the house and senate committees on ways and means	$ 210,000

Massachusetts College of Art.

7117-8841	For a reserve for the purchase and installation, if necessary, of furnishings and equipment for the Massachusetts College of Art; provided, that no funds shall be expended for the purposes of this item except pursuant to schedules submitted by the commissioner of administration and approved by the house and senate committees on ways and means	1,700,000

Massachusetts Maritime Academy.

7118-8842	For a reserve for the purchase and installation, if necessary, of special equipment at Massachusetts Maritime Academy, provided, that no funds shall be expended for the purposes of this item except pursuant to schedules submitted by the commissioner of administration and approved by the house and senate committees on ways and means	35,000

University of Lowell.

7220-8846	For a reserve for the purchase of the existing leases and for the upgrade of the computing system at the University of Lowell	830,000

University of Massachusetts-Amherst.

7410-8840	For a reserve for the purchase and installation, if necessary, of equipment; provided, that no funds shall be expended for the purpose of this item except pursuant to schedules submitted by the commissioner of administration and approved by the house and senate committees on ways and means	1,000,000
7410-8843	For a reserve for the purchase and installation, if necessary, of coal fired boilers for the University of Massachusetts at Amherst; provided, that no funds shall be expended for the purposes of this item except pursuant to schedules submitted by the commissioner of administration and approved by the house and senate committees on ways and means	375,000
7410-8850	For a reserve for the purchase of the existing lease and for the upgrade of the administrative computing system at the University of Massachusetts at Amherst	1,063,000

University of Massachusetts-Boston.

7452-8845	For a reserve for the purchase of the lease and for the upgrade of the computing system at the University of Massachusetts at Boston	$ 1,200,000
7452-8846	For the purchase of equipment for the environmental science program at the University of Massachusetts at Boston to provide the necessary services on matters of water quality in Boston Harbor; *provided, that for the* purpose of this item, all expenditures shall be in accordance with schedules established by the commissioner of administration and approved by the house and senate committees on ways and means	365,000

Massachusetts Bay Community College.

7507-8841	For a study, and the preparation of plans, if necessary, and renovations and installation of an audio-visual and television center at Massachusetts Bay Community College	198,000

Massasoit Community College.

7508-8842	For a reserve for the purchase and installation, if necessary, of special equipment for Massasoit Community College	350,000

North Shore Community College.

7511-8842) 7511-8801) 7511-8751)	For a study, and the preparation of plans, if necessary, for the acquisition of land with buildings thereon, site preparation and construction and renovations for an Educational Center in the city of Lynn, including the cost of furnishings and equipment, to be in addition to the amounts *appropriated in item 7511-8751 in section two of chapter four hundred and* forty-two of the acts of nineteen hundred and seventy-eight and item 7511-8801 of section two of chapter seven hundred and ninety-eight of the acts of nineteen hundred and seventy-nine	3,000,000

Roxbury Community College.

7515-8841	For a reserve for the purchase and installation, if necessary, of furnishings and equipment for Roxbury Community College; provided, that no funds shall be expended for the purpose of this item except pursuant to schedules submitted by the commissioner of administration and approved by the *house and senate committees on* ways and means	250,000

SECTION 2B.

JUDICIARY.

0331-8842	For certain renovations, repairs and alterations including but not limited to	

space and/or partition changes, mechanical and electrical changes, including the cost of furnishings and equipment for the Essex county superior courthouse at Lawrence $ 750,000

0332-8838 For a study, and the preparation of plans, if necessary, and construction of a courthouse which may include the proposed consolidation of the Amesbury and Newburyport district courts 1,000,000

0333-8841 For a study, and the preparation of plans, if necessary, and for certain renovations of the old third district court building in the city of New Bedford for the relocation of the Bristol division of the probate court department, provided that no funds shall be expended from this item unless and until the Bristol county commissioners transfer all right, title, and interest in said old third district court building to the commonwealth; in consideration of payment of one dollar 1,000,000

EXECUTIVE OFFICE OF ADMINISTRATION AND FINANCE.

Central Services Division.
Division of Capital Planning and Operations.

1102-7841 For project programming, studies and environmental impact reports if necessary, including cost estimates, for state agencies, excluding counties; provided, that said studies shall be pursuant to schedules submitted by the commissioner of administration and approved by the house and senate committees on ways and means; and provided, further, that a list of said studies, including cost estimates, upon completion, shall be submitted to the house and senate committees on ways and means; and provided, further, that copies of said studies, upon completion, shall be submitted to the house or senate committee on ways and means upon the request of either committee 4,000,000

1102-7845 To cover unexpected contingencies in the cost of certain projects authorized under the provisions of this act, other than the acquisition of land; provided that, the allocation to any project shall not exceed a percentage of the total amount appropriated for the project in this act, said percentage to be not more than three 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 in no event shall the cumulative amount allocated from this account to any one capital facility project exceed ten per cent of the total cost specified by the appropriation authorized for that project 6,000,000

1102-8841 For studies, and the preparation of plans, if necessary, and for the demolition of certain structures including relocation and protection of utilities at various facilities of the commonwealth; provided, that a list of said

studies, including cost estimates upon completion, shall be submitted to *the house and* senate committees on ways and means; and provided, further, that copies of said studies, upon *completion, shall* be submitted to the house or senate committee on ways and means upon the request of either committee; and provided, further, that no funds shall be expended for the purposes of this item except pursuant to schedules submitted by the commissioner of administration and approved by the house and senate committees on ways and means $ 500,000

1102-8848 For a direct grant to the town of Arlington for the renovation of a town owned building for the purpose of establishing a Senior Citizens Center 400,000

1102-8849 For a direct grant to the town of West Springfield for the funding of a town owned building for the purpose of a Senior Citizens Center 800,000

1102-9841 For a study, and the preparation of plans, if necessary, and for the rehabilitation of the building located at 100 Nashua Street in the city of Boston including moving expenses 987,000

DEPARTMENT OF REVENUE.

1201-8841 For a reserve for the purchase and installation, if necessary, of a chilled water system, including chillers, water pumps, tower, piping and alterations to the Saltonstall building 960,000

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.

Department of Environmental Management.

2120-8844) For the preparation of plans, acquisition of land, development and
) associated costs in connection with the continuation of the Urban
2120-9801) Heritage State Park program in the cities of North Adams, Fall River, Gardner, Holyoke, Lawrence, Lynn, Lowell, Marlborough, Springfield, and Waltham, in the Turners Falls district of the town of Montague, in the Dorchester, Roxbury, and Allston-Brighton districts of the city of Boston, and in the Blackstone River and Canal Heritage State Park, provided that said funds be expended pursuant to chapter five hundred and twelve of the acts of nineteen hundred and eighty; provided, that a sum of not less than one million six hundred thousand dollars be expended for the Fall River Urban Heritage Park; provided further that the department of environmental management file biannual progress reports detailing the status of each park, expenditures to date, types of expenditures and projected costs of completion with the house and senate committees on ways and means. Said reports to be filed on or before the first of April and the first of October commencing in the calendar year nineteen hundred and eighty-four. Construction and improvements to be in addition to the amount appropriated in item 2120-9801 in section two of

chapter seven hundred and ninety-eight of the acts of nineteen hundred and seventy-nine $30,800,000

Department of Fisheries, Wildlife and Recreational Vehicles.
Division of Marine Fisheries.

2330-8842 For a study, and the preparation of plans, if necessary, and construction of a marine research and management station, in Bourne or Sandwich to consist of a single story wood shingled building with offices, laboratories and restrooms on the first floor and storage in the attic and in the unattached wood shingled workshop/garage 75,000

EXECUTIVE OFFICE OF COMMUNITIES AND DEVELOPMENT.

Division of Community Development.

3722-8846 For state financial assistance in the form of a grant by the commonwealth acting by and through the department of community affairs; provided, that said department shall enter into contracts with housing authorities for the development costs including studies, the preparation of plans and designs, if necessary, acquisition of lands or land and buildings thereon, the renovation and upgrading of facilities and the construction, including furnishings and equipment, of alternative model community residences for handicapped persons of low income or families of low income of which one or more persons is handicapped pursuant to the provisions of section forty-one A of chapter one hundred and twenty-one B of the General Laws; provided, however, that said department shall have the authority to act as a housing authority in accordance with the provisions of said chapter one hundred and twenty-one B and chapter five hundred and seventy-nine of the acts of nineteen hundred and eighty and may enter into contracts with nonprofit organizations in areas of the state where no housing authority chooses to enter into such contracts for the development and management of such community residences; provided, further, that such community residences shall be the property of the commonwealth in the event that such contract is with such a nonprofit organization; provided, further, that such community residences constructed pursuant to this item shall be utilized by such handicapped persons who are clients living in Belchertown state school, Monson developmental center, Walter E. Fernald state school, Paul A. Dever state school, or Wrentham state school and who are plaintiff class members of certain consent decrees relative to such institutions and by other appropriate handicapped persons who are not class clients; provided, further, that said department and the department of mental health shall develop a community living plan for said handicapped persons; provided, however, that no funds shall be expended from the sum appropriated herein for such community residences, including intermediate care facilities, except in accordance with said plan; provided, further that not less than thirty per cent of the funds

appropriated herein shall be expended for the construction of such suitable property presently owned by the commonwealth in accordance with said plan; provided, further that the department of mental health shall provide the funding for the operation of all community residences constructed with state funds appropriated herein through contract agreements with private service providers or with state employees; provided, however, that not less than sixty per cent of the funds appropriated herein shall be expended for such community residences to be operated by state employees; provided, further that the amounts appropriated herein shall be in addition to any other amounts available for housing grants under said section forty-one A of said chapter one hundred and twenty-one B; provided, however that nothing herein shall be construed to prevent said handicapped persons from becoming residents in other housing units constructed pursuant to other monies available pursuant to said chapter forty-one A of said chapter one hundred and twenty-one B; provided, however, that housing authorities shall be required to repay the department of community affairs to the maximum extent possible for grants received herein in a schedule which seeks to amortize such payment over a twenty year period of time; provided, further, that such housing authorities are hereby authorized to charge sponsors operating such community residences an amount equal to the payments which may be required under such amortization schedule, in addition to a reasonable charges for overhead and maintenance; provided, however, if such community residences are operated by state employees, such charges shall be the responsibility of the department of mental health; and provided, further, that such charges shall be included in rates established by the rate setting commission for purposes of reimbursement under Title XIX of the Social Security Act; provided further, than any expenditure from this item shall be contingent upon the prior approval and assurance by the secretary of human services that not less than the maximum percentage of such expenditures are eligible for federal reimbursement under Title XIX of the Social of the Social Security Act of nineteen hundred and sixty-seven as amended by Public Law 92-603; provided further, that copies of said community living plan, including cost estimates upon completion, the location of all new residences, and the number of clients to be served, shall be submitted to the secretary of human services; provided further, that the secretary of human services shall submit to the house and senate committees on ways and means a copy of said community living plan including estimated cost, location, and number to be served; and provided, further that the provisions of this item as they relate to the percentage of the sum appropriated herein to be used for specific purposes may be waived on the grounds that the percentage is either unfeasible or impracticable, pursuant to a schedule, with the justification, submitted by the department of community affairs and approved by the house and senate committees on ways and means $18,030,000

DEPARTMENT OF CORRECTION.

4311-8841 For a study, and the preparation of plans, if necessary, and the rehabilitation of existing facilities, including additions and the utilization of modular units to house driving under the influence offenders, including the cost of furnishings and equipment; provided that expenditures from this account shall be made in accordance with the provisions of section seven K of chapter twenty-nine of the General Laws; and provided, further, that amounts and sites shall be approved on a schedule submitted to the house and senate committees on ways and means $ 5,000,000

MCI Framingham.

4315-8841 For a study, and the preparation of plans, if necessary, and for the demolition and alterations of certain buildings and the construction of certain replacement facilities, including the cost of furnishings and equipment; provided, that no funds shall be expended for the purpose of this item except pursuant to schedules submitted by the commissioner of administration and approved by the house and senate committees on ways and means 12,252,336

MCI Norfolk.

4316-8842 For a study, and the preparation of plans, if necessary, and for the construction of a recreational building at MCI Norfolk, including the cost of furnishings and equipment 4,719,000

Boston State Hospital.

4342-8841) For a study, and the preparation of plans, if necessary, and for certain
4342-8831) renovations and improvements necessary for the relocation of the Boston
4342-8801) State Pre-Release Center from the west side of the Boston State Hospital campus, including the cost of furnishings and equipment; to be in addition to the amounts appropriated in item 4342-8801 of section two of chapter seven hundred and ninety-eight of the acts of nineteen hundred and seventy-nine and item 4342-8831 of section two of chapter three hundred and forty-seven of the acts of nineteen hundred and eighty-two; provided, that copies of said study, including cost estimates upon completion, shall be submitted to the house and senate committees on ways and means; and provided, further, that no funds shall be expended for the development of plans except as approved by the house and senate committees on ways and means subsequent to the receipt of said study, including cost estimates 3,544,000

Southeastern Correctional Center.

4344-8841) For the construction of a two hundred bed addition to the new medium

4344-8811) security prison including the cost of furnishings and equipment; to be in addition to the amount appropriated in item 4344-8831 of section two of chapter three hundred and forty-seven of the acts of nineteen hundred and eighty-two $ 9,000,000

DEPARTMENT OF PUBLIC HEALTH.

Western Massachusetts Hospital.

4537-8844 For a study, topographical survey, and preliminary building plans for the expansion of the Kamp for Kids facilities to include the development of a year round center 15,000

DEPARTMENT OF MENTAL HEALTH.

Administration.

5011-8842 For studies, the preparation of plans and designs, if necessary, the acquisition of lands or land and buildings thereon, the renovation and upgrading of facilities, and the construction, including furnishings and equipment, of alternative model community residences for the residents of the state schools for the mentally retarded; provided, that not less than sixty per cent of the funds appropriated herein shall be expended for the construction of such residences on suitable property presently owned by the commonwealth; provided further, that all residences constructed with funds appropriated herein on presently owned state land shall be operated by the department of mental health utilizing state employees; provided further, that any expenditure from this item shall be contingent upon the prior approval and assurance by the secretary of human services that not less than the maximum percentage of such expenditures are eligible for federal reimbursement under Title XIX of the Social Security Act of nineteen hundred and sixty-seven as amended by Public Law 92-603; provided further, that copies of said studies, including cost estimates upon completion, the location of all new residences, and the number of clients to be served, shall be submitted to the secretary of human services; provided further, that the secretary of human services shall submit to the house and senate committees on ways and means a list of said studies, including estimated cost, location, and number to be served, and shall upon the request of either of said committees, submit copies of such studies as are requested to said committee; provided further, that no funds shall be expended for the development of plans except as approved by the secretary of human services and the commissioner of administration; and provided further, that the provisions of this item as they relate to the percentage of the sum appropriated herein to be used for specific purposes may be waived on the grounds that the percentage is either unfeasible or impracticable, pursuant to a schedule,

	with justification, submitted by the commissioner of administration and approved by the house and senate committees on ways and means	$16,190,000
5011-8845	For a study, and the preparation of plans, designs, and specifications, for a new inpatient unit to be located in Northampton, to replace the inpatient units at Northampton State Hospital; provided further, that the secretary of human services shall submit to the house and senate committees on ways and means any studies or plans, including cost estimates, location, and the number of clients to be served	450,000
	Region Three.	
5352-8841	For the study, and preparation of plans for a comprehensive mental health facility in the Cape Ann area	50,000
	EDUCATION.	
	Department of Education.	
7000-8841	For a study, the preparation of plans, if necessary, and construction, reconstruction, and furnishings and equipment, if necessary, for a fire fighting academy in the town of Stow provided, that copies of said study, including cost estimates upon completion, shall be submitted to the house and senate committees on ways and means	4,985,000
7000-8842	For a study, if necessary, and for the acquisition of the Horse Pond Road school including land in the town of Sudbury	170,000
	Bridgewater State College.	
7109-8846	For the study, if necessary, and for the acquisition of land for Bridgewater State College, including the McNeeland property on Plymouth Street in the town of Bridgewater and the John Chuckran property formerly known as the Grain Mill property, on Plymouth Street in the town of Bridgewater	325,000
	Fitchburg State College.	
7110-8841	For a study, and the preparation of plans, if necessary, and construction of a physical education facility, including the acquisition of land and existing facilities if necessary, at Fitchburg State College including the cost of furnishings and equipment	975,000
	Framingham State College.	
7112-8841	For a study, and the preparation of plans, if necessary, and for the construction, repairs and renovations including the expansion of a physical fitness facility and the cost of furnishings and equipment,	

	if necessary, for Dwight Hall of Framingham State College	$ 25,000
7112-8842	For the study, if necessary, and the acquisition of land for a parking facility for Framingham State College	750,000
	North Adams State College.	
7113-8841	For a study, and the preparation of plans, if necessary, for the acquisition of land with buildings thereon, by purchase or by eminent domain, and construction and renovations thereon, including the costs of furnishings and equipment for North Adams State College	2,400,000
	Salem State College.	
7114-8841	For a study, and the preparation of plans, if necessary, and the construction of paved parking facilities at Salem State College on property owned by the college prior to September first, nineteen hundred and eighty-three, including but not limited to site preparation, demolition of existing buildings, fill drainage, lighting, curbing, fencing, equipment and all other costs incidental to construction, provided, however, that nothing herein shall be construed to authorize the college to acquire by eminent domain any land adjacent to the college	450,000
	Westfield State College.	
7115-8842	For a study, and the preparation of plans, if necessary, and purchase, construction and installation of stadium bleachers at Westfield State College	240,000
7115-8843	For a study, and the preparation of plans, if necessary, and construction, including purchase and installation of furnishings and equipment for the Dining Commons at Westfield State College	3,900,000
	Massachusetts College of Art.	
7117-8842	For the construction of a new facility and renovations to the existing facilities at the Huntington Avenue campus; provided, that all funds appropriated herein shall be in addition to item 7117-8771 of section two of chapter four hundred and eighty-one of the acts of nineteen hundred and seventy-six as amended	3,000,000
	Massachusetts Maritime Academy.	
7118-8841	For a study, and the preparation of plans, if necessary, and construction and renovation to the existing dining hall commons at Massachusetts Maritime Academy, including the cost of furnishings and equipment	175,000
7118-8843	For a study, and the preparation of plans, if necessary, for the construction	

of a diesel and marine laboratory at Massachusetts Maritime Academy, including site preparation and the cost of furnishings and equipment; provided, that copies of said study, including cost estimates upon completion, shall be submitted to the house and senate committees on ways and means $ 225,000

Southeastern Massachusetts University.

7310-8842) For a study, and the preparation of plans, if necessary, and construction
) of a science and engineering building at Southeastern Massachusetts
7310-8791) University, including furnishings and equipment; to be in addition to the amount appropriated in item 7310-8791 of section two of chapter five hundred and thirteen of the acts of nineteen hundred and seventy-eight 5,360,000

University of Massachusetts-Amherst.

7410-8841 For a study, and the preparation of plans, if necessary, and construction of a multipurpose sports arena including ice facilities at the University of Massachusetts at Amherst, including the cost of furnishings and equipment; and provided further that notwithstanding any special or general law to the contrary the board of regents shall promulgate a fee schedule setting fees to be collected for uses other than uses by enrolled students or any other excluded from recreational fees set by the board of regents in order to offset the costs and provide maintenance of said ice hockey rink 3,000,000

University of Massachusetts-Amherst.

7410-8848 For a study, preparation of plans, if necessary, for the repair and renovation of existing facilities and the construction of a new facility, including furnishings and equipment, for the establishment of a polymer science research institute at the University of Massachusetts at Amherst, provided, that all funds appropriated herein shall be used in conjunction with any federal funds available for said purpose 6,000,000

University of Massachusetts-Boston.

7452-8843 For a study, and the preparation of plans, if necessary, and construction of a bus terminal at the Harbor Campus of the University of Massachusetts at Boston 403,000

Berkshire Community College.

7502-8840 For a study, and the preparation of plans, if necessary, for a permanent enclosure for the existing swimming pool; provided, however, that said enclosure shall be energy self-sufficient, as nearly as possible,

	using state of the art solar technology or alternative energy saving devices including insulation, and the investigation as to the feasibility of the utilization of flat-plate collectors or photovoltaic cells; provided that copies of said studies, including cost estimates upon completion, shall be submitted to the house and senate committees on ways and means; and provided, further, that no funds shall be expended for the development of plans except as approved by the house and senate committees on ways and means subsequent to the receipt of said studies	$ 95,000
7502-8843	For a study, and the preparation of plans, if necessary, and for the construction of additional parking facilities	230,000
	Bristol Community College.	
7503-8841	For a study, and the preparation of plans, if necessary, and construction of a business technology building at Bristol Community College including furnishings and equipment	5,100,000
	Greenfield Community College.	
7505-8841	For a study, and the preparation of plans, if necessary, and construction of a sidewalk-bikeway and relocation of athletic fields, including the installation of a chain link fence, at Greenfield Community College	100,000
7505-8843	For a study, the preparation of plans, if necessary, and construction of an activities center at Greenfield Community College	360,000
	Holyoke Community College.	
7506-8841	For a study and appraisal, if necessary, for the acquisition of approximately forty-six acres of land on Homestead Avenue in the city of Holyoke for Holyoke Community College	200,000
	Massasoit Community College.	
7508-8841	For a study, and the preparation of plans, if necessary, and construction of a parking lot at Massasoit Community College	180,000
	Northern Essex Community College.	
7510-8841	For a study, and the preparation of plans, if necessary, and renovations and improvements to a parking lot at Northern Essex Community College	510,000
7510-8843	For a study, and the preparation of plans, if necessary, and design, construction and site preparation of a high technology building at Northern Essex Community College	500,000

North Shore Community College.

7511-8841	For a study, and the preparation of plans, if necessary, and construction of a community college to include but not limited to general and all purpose classrooms, library, gym, administrative and high technology areas, including the cost of furnishings and equipment; provided, that all funds appropriated herein shall be in addition to item 7511-8802 of section two of chapter seven hundred and ninety-eight of the acts of nineteen hundred and seventy-nine	$37,050,000

Quinsigamond Community College.

7512-8843	For the preparation of a master plan; and for the preparation of project studies, including a new Learning Resource and Student Center; and the renovation of the Administration Building; and, in addition, a study, and the preparation of plans for the immediate repair of the Administration Building	250,000

Springfield Technical Community College.

7514-8841) 7514-8752)	For a study, and the preparation of plans, if necessary, and construction of a biological science building, including the cost of furnishings and equipment, at Springfield Technical Community College to be in addition to the amount appropriated in item 7514-8752 of section two of chapter five hundred and nineteen of the acts of nineteen hundred and seventy-four	9,412,000

Roxbury Community College.

7515-8842	For the study, and the preparation of plans for the construction of a physical education facility	500,000

Middlesex Community College.

7516-8843	For a study, and the preparation of plans, if necessary, and construction of a multi-purpose educational building for Middlesex Community College, including but not limited to site preparation, parking facilities, and furnishings and equipment	14,500,000

Bunker Hill Community College.

7518-8841	For a study, and the preparation of plans, if necessary, for the construction of playing fields and a physical education facility at Bunker Hill Community College, including furnishings and equipment	2,600,000

SECTION 3.

EXECUTIVE OFFICE OF TRANSPORTATION AND CONSTRUCTION.

6020-8842	For a study, and the preparation of plans, if necessary, and certain repairs and renovations to certain buildings under the jurisdiction of the department of public works	$ 646,000
6020-8843	For a study, and the preparation of plans, if necessary, and certain repairs and renovations to the maintenance and traffic depot building in Wellesley	74,000
6020-8847	For the study and preparation of plans, if necessary, and the construction, reconstruction, improvements and necessary repairs to Mountain Road, Route 141 in the town of Easthampton; provided that copies of said study, including cost estimates upon completion, shall be submitted to the house and senate committees on ways and means and, provided further, that no funds shall be expended for the development of plans except as approved by the house and senate committees on ways and means subsequent to the receipts of said study	130,000

EXECUTIVE OFFICE OF PUBLIC SAFETY.

8000-8842	For the study, and preparation of plans, if necessary, and construction, reconstruction, repairs, renovations and improvements to the Northeast Regional Police Institute located on the grounds of the Tewksbury State Hospital in the town of Tewksbury	150,000

Massachusetts Criminal Justice Training Council.

8200-8841) 8200-8801)	For a study, and the preparation of plans, if necessary, and the renovation to the Feeding Hills training school for use as the western Massachusetts law enforcement academy including the cost of furnishings and equipment, to be in addition to item 8200-8801 of chapter seven hundred and ninety-eight of the acts of nineteen hundred and seventy-nine	850,000

Registry of Motor Vehicles.

8400-8841	For a study, and the preparation of plans, if necessary, and the renovation of the registry of motor vehicles branch office in Norwood	100,000

SECTION 3A.

EXECUTIVE OFFICE OF TRANSPORTATION AND CONSTRUCTION.

Department of Public Works.

6020-8844	For a reserve for the purchase and installation, if necessary, of an	

exhaust hood at the Wellesley Laboratory of the department of public works $ 175,000

6020-8845 For furnishings and equipment necessary for the completion of the microwave base station network 250,000

SECTION 3B.

EXECUTIVE OFFICE OF TRANSPORTATION AND CONSTRUCTION.

6000-8841) 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
1100-8811) and equipment; and for relocating equipment of state agencies which will occupy the building; to be in addition to the amount appropriated in item 1100-8811 of section two of chapter five hundred and seventy-eight of the acts of nineteen hundred and eighty; provided that no funds shall be expended for the purposes of this item except pursuant to schedules submitted by the commissioner of administration and approved by the house and senate committees on ways and means 1,500,000

6020-8848 For a study, and preparation of plans, if necessary, and construction, reconstruction, purchase and installation of traffic signals on Route 6 in the town of Westport, including but not limited to curbing and crosswalks, if necessary 40,000

6030-8841 For a study for flood control and drainage improvements at Cunningham Brook in the city of Quincy 74,000

EXECUTIVE OFFICE OF PUBLIC SAFETY.

8000-8841 For a study, and the preparation of plans, if necessary, and the construction of a facility to house the Eastern Massachusetts Medical Examiner and the State Crime Laboratory at the Institute of Laboratories, including the cost of furnishings and equipment 9,000,000

Criminal Justice Training Council.

8200-8842 For a study, and the preparation of plans, if necessary, acquisition of land, if needed, and renovation and construction to provide facilities for a new Criminal Justice Training Center, provided, to properly effect this training, the facility should have a minimum of four, thirty capacity classrooms, a gymnasium, appropriate shower and locker facilities, a dining area teen individuals, parking for a minimum of sixty vehicles, and athletic fields and a running track, or space, for construction of same 3,600,000

Division of State Police.

8312-8841	For a study, and the preparation of plans, if necessary, and for the construction of a state police station in Springfield, including the cost of furnishings and equipment	$ 850,000
8312-8842	For a study, and the preparation of plans, if necessary, and for the construction of a state police station in Dartmouth, including the cost of furnishings and equipment	850,000
8312-8843	For a study, and the preparation of plans, if necessary, and for the construction of a state police station in Cheshire, including the cost of furnishings and equipment	850,000
8312-8844	For a study, and the preparation of plans, if necessary, and for the construction of a state police station in Newbury, including the cost of furnishings and equipment	850,000
8312-8845	For the preparation of plans concerning the renovation and expansion of the state police headquarters building in the town of Framingham	275,000

SECTION 4.

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.

Department of Environmental Management.

2120-7842	For a study, and the preparation of plans, if necessary, and for road and parking lot rehabilitation, including resurfacing, reconstruction, culvert and guardrail replacement in the division of forests and parks	500,000
2120-7844	For the construction of four contact stations, including parking, landscaping and aesthetic improvements and replacement of a bathhouse and comfort stations; including the cost of furnishings and equipment at Hampton Ponds in the city of Westfield	500,000
2120-7845	For a study, and the preparation of plans, if necessary, and for the construction and development of recreational facilities in the northern tip of Plum Island in the city of Newburyport, including the installation of fences and gates, dune restoration, signage and restoration of a fishing pier	200,000
2120-7846	For a study, and the preparation of plans, if necessary, and for the acquisition and development of coastal land to initiate a long term program for public access to remaining undeveloped beaches	2,000,000
2120-7848	For a study, and the preparation of plans, if necessary, of the Standish	

	Monument in the town of South Duxbury including the restoration of the monument observation area and stairway, rebuild existing comfort station and install new ventilation system	$ 300,000
2120-7849	For a study, and the preparation of plans, if necessary, and for general renovations and improvements to the various inland and coastal waterways of the commonwealth, including participation with federal coastal waterway improvement programs	3,000,000
2120-8840	For a study, comprehensive management planning and preliminary design of recreational improvements at the Daughters of the American Revolution (D.A.R.) State Forest, in Goshen, including, but not limited to, day use and beach improvements at Upper Highland Lake, Bridge and Dam Repair Lower Highland Lake, General Road and Utility improvements and Administrative Headquarters, siting and construction	35,000
2120-8841	For a study, and the preparation of plans, if necessary, and for the rehabilitation and restoration of the Olmsted parks in the commonwealth including, the Olmsted park system in the city of Boston and the town of Brookline including, Franklin Park, Olmsted Park and Jamaica Pond, the Riverway and the Back Bay Fens; the Kennedy Park in the city of Fall River; the Lynn Woods and High Rock Reservation in the city of Lynn; Forest Park in the city of Springfield; D.W. Field Park in the city of Brockton; Buttonwood Park in the city of New Bedford; and Elm Park in the city of Worcester	13,000,000
2120-8842	For a study and reconstruction of a summit access road and day use facilities on the Adams side of Greylock Reservation, to include Old Adams Road, Susan B. Anthony Park and Anthony's Pond, so-called in the town of Adams including, the acquisition of land with buildings thereon, by purchase or by eminent domain, provided that no payment shall be made for the purchase of said property until an independent appraisal of the value of the property has been made by a qualified disinterested appraiser, and for the preparation of a feasibility study to repair and renovate the purchased facilities, including such additional new construction as the feasibility study shall indicate, and for the preparation of plans and construction in accordance with the prepared study	1,000,000
2120-9841	For a study, and the preparation of plans, if necessary, and for the rehabilitation of the North Adams entrance roads and summit area located in the town of Adams at the Mount Greylock State Reservation, including the installation of a dehumidifier in the Veteran's Memorial Tower	500,000
2120-9843	For a study, and the preparation of plans, if necessary, and for the acquisition and rehabilitation of land adjacent to Wompatuck State Park; including utility systems repair, water tower repair, refurbishing of a maintenance depot, and the preparation of an environmental impact study; including the cost of furnishings and equipment	240,000

2120-9844	For a study, and the preparation of plans, if necessary, and for the renovations and improvements of utilities including relocation and improvements of the contact station access points and parking areas at Salisbury beach and for certain beach improvements at Fort Phoenix beach	$ 1,000,000
2120-9846	For a study, and the preparation of plans, if necessary, for a tramway to the summit of Mount Holyoke Range State Park	50,000
2120-9847) 2120-8794) 2120-8801)	For a study, and the preparation of plans, if necessary, and for the rehabilitation and improvement of existing recreational facilities including utility systems such as wells, pumps, water lines and comfort stations, to be in addition to amounts appropriated in item 2120-8794 of section four of chapter five hundred and thirteen of the acts of nineteen hundred and seventy-eight and item 2120-8801 of section three of chapter nine hundred and seventy-eight of the acts of nineteen hundred and seventy-nine	1,000,000
2120-9848)) 2120-8811)	For the acquisition of approximately eighty-nine acres of land now or previously owned by Camp Monomy, Camp Seascape, Steven Hopkins and others including approximately five thousand one hundred feet of beach frontage in the town of Brewster to be in addition to amounts appropriated in item 2120-8811 of section three of chapter five hundred and seventy-eight of the acts of nineteen hundred and eighty	3,000,000
2121-8841	For a study, and the preparation of plans, if necessary, and for the restoration and improvements of recreation areas at Walden Pond, including the stabilization of eroding banks	600,000
2121-8844	For a study for the improvements of the recreation areas at Moore State Park in the town of Paxton, including the restoration of the historic saw mill to working condition	50,000
2121-8845	For design, reconstruction and other improvements to Trotting Park Road in the city of Lowell and the towns of Dracut and Tyngsboro to a community owned road leading to and passing through the Lowell, Dracut, Tyngsboro state forest	260,000

SECTION 4A.

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.

Department of Environmental Management.

2120-8846) 2121-8792) 2120-8783)	For the development of various natural resource interpretive exhibits at the regional office facility in Pittsfield, including the cost of furnishings and equipment to be in addition to the amount appropriated	

in item 2121-8792 of section four of chapter five hundred and thirteen of the acts of nineteen hundred and seventy-eight and item 2120-8783 of section five of chapter nine hundred and twenty of the acts of nineteen hundred and seventy-seven $ 115,000

SECTION 4B.

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.

Department of Environmental Management.

2120-8843) For the construction of a waterfront park on the west bank of the Acushnet
) River in the Ward II area in the city of New Bedford; to be in addi-
2270-8802) tion 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; provided, however, that the sum of thirty thousand dollars shall be used for the design and engineering of the Pope's Island marina and the city of New Bedford and, provided further, that the sum of fifty-seven thousand seven hundred dollars shall be used to design and construct a scale model of the Multi-Sports Arena Complex and the physical aspects of the waterfront park complex in the north end of the city of New Bedford 87,700

2120-8845 For a study, and the preparation of plans, if necessary, and for the design and construction of a visitor's center at Borderland State Park and the rehabilitation of the Tisdale House, including the cost of furnishings and equipment 350,000

2120-8847) For the design and construction of a skating rink in central Hampshire
2120-8798) county, to be in addition to the amounts appropriated in item 2630-8752
2630-8752) of section four of chapter five hundred and nineteen of the acts of nineteen hundred and seventy-four, and item 2120-8798 of section four of chapter five hundred and thirteen of the acts of nineteen hundred and seventy-eight; and provided further that notwithstanding any special or general law to the contrary the commissioner of the division of parks and forests shall promulgate a fee schedule setting fees to be collected in order to offset the costs and provide maintenance of said ice hockey rink 500,000

2120-8848 For a study, and the preparation of plans, if necessary, and for the construction of a recreational area at Halibut Point in Rockport, including but not limited to foot trails, restrooms, picnic areas and administrative complex, a visitor's center and parking; including the cost of furnishings and equipment 300,000

2120-8849 For a study, and the preparation of plans, if necessary, and for the construction of a new fire and observation tower in the Myles Standish State Forest in the town of Carver 150,000

2120-9842	For a study, and the preparation of plans, if necessary, and construction of a bathhouse/visitor center, parking facilities, management area, nature trails and resurfacing of the access road at South Cape Beach, in Mashpee, including the cost of furnishings and equipment	$ 6,130,000

SECTION 5.

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.

Metropolitan District Commission.
Water Division.

2420-8841)) 2420-8812)	For a study, and the preparation of plans, if necessary, and for the purchasing and installation of new meters and equipment for remote monitoring and rehabilitation of the existing system to be *in addition* to item 2420-8812 of chapter five hundred and seventy-eight of the acts of nineteen hundred and eighty	4,677,000
2420-8842)) 2420-8803)	For a study, and the preparation of plans, if necessary, and construction of certain pipeline improvements to various water mains including new pumps and altitude valves to be in addition to item 2420-8803 of chapter seven hundred and ninety-eight of the acts of *nineteen hundred* and seventy-nine	6,500,000
2420-8845	For a study, and the preparation of plans, if necessary, and for the provisions of repairs and renovations and improvements to water supply facilities, including roof, window and masonry repairs; including the replacement of certain operational equipment; based on schedules prepared by the commissioner of *the metropolitan district commission* and approved by the secretary of environmental affairs; said schedules to be filed with the house and senate committees on ways and means	1,138,700

SECTION 5A.

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.

Metropolitan District Commission.
Water Division.

2420-8844	For a study, and the preparation of plans, if necessary, and the construction of a building to house chlorination facilities including employee office and work areas and a garage at Norumbega Reservoir	500,000

SECTION 6.

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.

Metropolitan District Commission.

Sewer Division.

2430-8841	For a study, and the preparation of plans, if necessary, and for construction of a gravity sewer line, pump station, and a force main serving Ashland, Framingham and Natick	$17,500,000
2430-8842	For a study, and the preparation of plans, if necessary, and for the construction of the Millbrook Valley Relief Sewer in Lexington	8,000,000
2430-8843	For a study, and the preparation of plans, if necessary, and construction of a chlorine storage and handling facility at the Nut Island Sewerage Treatment Plant, including the costs of furnishings and equipment, to be in addition to the amounts appropriated in chapter eight hundred and three of the acts of nineteen hundred and seventy-two	2,000,000
2430-8844	For maintenance and upgrading of drainage and flood control projects	100,000

SECTION 7.

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.

Metropolitan District Commission.
Parks Division.

2440-7848	For the cost of certain repairs and renovations to the John P. Metropolis Rink in the town of Canton	75,000
2440-7849	For a study, the preparation of plans, if necessary and for the rehabilitation and restoration of certain structures and facilities located in the Blue Hills reservation in the towns of Canton and Milton including the Weather Observatory, the Redman House, the refreshment pavillion at Houghtons Pond, the Blue Hill observation tower, the Blue Hill MDC Police Headquarters, the MDC Police stable and shed, the Ponkapoag board walk and the Chickatawbut observation tower and adjacent building	2,370,000
2440-8842) 2440-8801)	For a study, and the preparation of plans, if necessary, repairs and improvements to existing facilities, including, but not limited to the Blue Hills Reservation, metropolitan district commission swimming pool in the town of Watertown and Phase II of Belle Island in the East Boston section of the city of Boston. Funds approved herein shall be in addition to amounts appropriated in item 2440-8801 of section two of chapter seven hundred and ninety-eight of the acts of nineteen hundred and seventy-nine	2,500,000

2440-8843	For the replacement of sand at Savin Hill beach in the Dorchester section of the city of Boston	$ 75,000
2440-8844) to 2440-8814)	For a study, and the preparation of plans, if necessary, and for the replacement of the existing ammonia refrigeration systems, providing necessary room enlargement where required and installing new freon refrigeration equipment, to be in addition to amounts appropriated in item 2440-8814 of section two of chapter five hundred and seventy-eight of the acts of nineteen hundred and eighty	750,000
2440-8846) to 2440-8784)	For a study, and the preparation of plans, and for repairs and renovations to the Amelia Earhart Dam, including but not limited to the lock gates, structure control system, culverts and mechanical systems, to be in addition to the amount appropriated in item 2440-8784 of section six of chapter nine hundred and twenty of the acts of nineteen hundred and seventy-seven	600,000
2440-8848	For a study, and the preparation of plans, if necessary, and for general restoration, rehabilitation and landscaping of metropolitan district commission parklands, parks and playgrounds, including erosion control, ground improvements, parking lot improvements, construction of shelters, dock and float repairs at the Boston Harbor Islands, Mystic Lakes and Middlesex Fells Reservations	2,575,000
2440-8849	For a study, and the preparation of plans, if necessary, and for the rehabilitation of buildings and structures at the Boston Harbor Islands, Mystic Lakes Reservation, Blue Hills Ski Area and Middlesex Fells Reservation	250,000
2440-9841	For a study, and the preparation of plans, if necessary, and for the rehabilitation of rinks and pools throughout the metropolitan district commission parks district, including filter and chlorination systems replacement; sandblasting and painting; plumbing replacement in pools; dasher board replacement and repair; upgrading heating and lighting systems in rinks	800,000
2440-9842	For a study, and the preparation of plans, if necessary, and for the renovation of various maritime work at Victory Road Park in South Boston, including, but not limited to paving, regrading of embankments, roadway and fencing work and for the continued construction for the seawall project	1,500,000
2440-9843	For a study, and the preparation of plans, if necessary, and for the rehabilitation of ski slopes at the Blue Hills Reservation, including the cost of certain operational equipment	500,000
2440-9844	For a study, and the preparation of plans, if necessary, and for the installation of subdrainage on four holes at the Ponkapoag Golf Course in Canton	500,000

2440-9845	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 guardrails, 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
2440-9846	For a study, and the preparation of plans, if necessary, to repair, rehabilitate and improve Dilboy and Foss Park in Somerville	1,500,000
2440-9848) 2440-8795) 2440-9034)	For the construction of a stone groin and installation of additional sand at Lynn and Nahant beach including necessary seawall repairs, surface drain extension, sidewalk repairs and general restoration of grounds, to be in addition to item 2440-8795 of chapter five hundred and thirteen of the acts of nineteen hundred and seventy-eight and item 2440-9034 of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy; provided, however, that the expenditure of funds for the purpose of this item shall be 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 finance	5,000,000
2444-8842) 2449-7070) 2490-0001) 2440-8818)	For a study and the preparation of plans, if necessary, to meet the costs of the South West Corridor Park System including the acquisition of land, to be in addition to any other state or federal funds or assistance which may be available for the purpose of said act; 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 and item 2440-8818 of chapter five hundred and seventy-eight of the acts of nineteen hundred and eighty are hereby transferred and made available for this purpose; and provided, further, that no funds, shall be expended for the development of plans except as approved by the house and senate committees on ways and means subsequent to the receipt of said study.	
2444-8843	For repairs, renovations and maintenance of the Community Boat Club facility located at the Esplanade area of the Charles river lower basin in the city of Boston	600,000

SECTION 7A.

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.

Metropolitan District Commission.
Parks Division.

2440-8847	For the purchase and installation of a police communication system	2,500,000

2440-9847 For a reserve for the purchase of special equipment for the metropolitan district commission police division including, underwater recovery gear and equipment; ice rescue equipment; flotation rescue suits; Boston Whaler, twenty feet with one hundred and fifty horsepower motor and trailer with equipment; digital fully automated breathalizers; specially equipped surveillance van; video cameras and equipment; conventional photographic equipment; special night infra-red scopes; eight specially designed and manufactured transport units for prisoners; provided, that no funds shall be expended for the purposes of this item except pursuant to schedules submitted by the commissioner of administration and finance approved by the house and senate committees on ways and means $ 292,500

2440-9849 For a reserve for the purchase of equipment for the metropolitan district commission mounted police including but not limited to tow vehicles, radio equipment, tack, saddles and horses; provided that the expenditure of funds for the purpose of this item shall be 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 finance 100,000

SECTION 7B.

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.

Metropolitan District Commission.
Parks Division.

2440-8840 For the acquisition of land and for the construction of flood control improvements and developments to provide local flood protection to the Town Brook Basin in the city of Quincy; provided, however, that of the sum appropriated herein, not less than one million one hundred and ten thousand dollars be expended for the replacement and construction of culverts in the town of Braintree 4,000,000

2440-8845) For the construction of the Franklin Park Zoo, including exhibit buildings,
) utilities, service buildings, exhibit site work and interior exhibits;
2440-8813) provided that the acquisition and fabrication of animal, educational, and plant exhibits shall be exempt from the provisions of G.L. chapter one hundred and forty-nine sections forty-four A through forty-four H inclusive and chapter thirty, section fifty-two to be in addition to amounts appropriated in chapter eight hundred and three of the acts of nineteen hundred and eighty and item 2440-8813 of section two of chapter five hundred and seventy-eight of the acts of nineteen hundred and eighty 7,987,000

SECTION 8. The board of trustees of Westfield State College is hereby authorized and directed to

expend a sum not exceeding three million dollars for preparation of plans, renovations, construction and enlargement of the gymnasium, student center, ice rink and certain other facilities located, or to be located, on the campus of Westfield State College. The president of Westfield State College with the prior approval of the board of trustees of Westfield State College shall designate the facilities to be included in the aforesaid projects. The board of trustees of said college shall not expend the funds herein authorized until said board shall have entered into an agreement with the commissioner of administration to allocate all or a portion of the additional tuition authorized by section eight C of this act toward the payment of debt service on notes or bonds issued to finance the aforesaid projects as provided in this act. Said agreement shall provide that all or a portion of such tuition revenues shall be remitted to the commonwealth semiannually, as needed, for such purpose.

SECTION 8A. To meet the expenditures necessary in carrying out the provisions of section eight of this act, the state treasurer shall, upon the 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 dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Westfield State College Loan, Act of 1983, 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 eight. Bonds and the interest thereon issued under the authority of this section, notwithstanding any other provisions of this act, shall be general obligations of the commonwealth.

SECTION 8B. 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 section eight 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 fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, but the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, nineteen hundred and ninety-four. 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.

SECTION 8C. Notwithstanding the provisions of any general or special law to the contrary, during fiscal years nineteen hundred and eighty-four through two thousand and eight, inclusive, the board of trustees of Westfield State College is hereby authorized to increase the level of tuition at said college by no more than fifteen per cent in excess of the present levels of tuition as established pursuant to section five of chapter fifteen A of the General Laws; provided, however, that such increase in tuition shall be implemented only after a majority vote to do so by said board and a majority vote to do so by the board of regents of higher education. The board of trustees of Westfield State College after implementing such increase shall file a detailed expenditure analysis on a quarterly basis with the board of regents of higher education and the house and senate committees on ways and means. The revenues generated by the tuition increase authorized herein shall be placed into the tuition retention fund authorized by section eight D of this act.

SECTION 8D. Notwithstanding the provisions of any general or special law to the contrary, the board of trustees at Westfield State College is hereby authorized to establish a tuition retention fund, hereinafter

In this section referred to as the fund, for the collection and deposit of any tuition revenue that is generated by increasing the present level of tuition consistent with the provisions of section eight C of this act. Said fund shall be subject to the control and authority of the board of trustees of Westfield State College; provided, however, that said college shall prepare a spending plan for the uses of the fund, subject to the approval of the board of trustees. Each such spending plan shall provide for expenditures of the fund by said college for academic purposes, including, but not limited to construction, repair, and maintenance of academic facilities, and payment of debt service on bonds or notes of the commonwealth issued to finance the same, along with educational programs or purchases designed specifically to enhance and improve the quality of education at said college. Upon approval of a spending plan, the board of trustees shall file a copy of said plan with the house and senate committees on ways and means.

SECTION 8E. Any action taken by the board of trustees or the board of regents of higher education pursuant to sections forty-nine and fifty of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three prior to the effective date of this act shall be deemed as actions authorized herein.

SECTION 8F. Notwithstanding the provisions of any general or special law to the contrary, the president of Westfield State College, acting in the name of and on behalf of the commonwealth, is hereby authorized and empowered to:

(a) Lease to any individual, partnership, corporation or joint venture, for a period terminating not later than June thirtieth, two thousand and eight, and subject to such further conditions, covenants and provisions as such president may deem necessary or advisable, all or such portion of the real estate described below as such president deems necessary or advisable for the purpose of having such individual, partnership, corporation or joint venture construct or otherwise provide additional student housing facilities for Westfield State College on such leased premises:

Beginning at an iron pipe located northeasterly from Western Avenue at the southwesterly corner of land now or formerly of The Westfield State College Foundation, Inc., as shown on a plan recorded in Plan Book 201 Page 121, Hampden County Registry of Deeds;

Thence N 57°-33'-44" W along land now or formerly of the Commonwealth of Massachusetts, Westfield State College 190.00 feet;

Thence N 32°-26'-16" E along last named land, 383.89 feet;

Thence S 53°-49'-02" E along land now or formerly of A. Stanley and Emma Rzewski, 189.90 feet to a concrete bound;

Thence N 37°-14'-35" E along last named land, 15.86 feet to a granite bound;

Thence S 72°-57'-55" E along last named land, 76.18 feet;

Thence S 83°-28'-40" E along last named land, 134.45 feet;

Thence N 86°-07'-25" E along last named land 67.00 feet;

Thence along land now or formerly of the Commonwealth of Massachusetts, Westfield State College by the following courses and distances:

S 35°-58'-45" W 140.00 feet
S 54°-01'-15" E 405.42 feet
S 34°-23'-57" W 452.80 feet
N 55°-12'-01" W 175.00 feet
N 34°-31'-11" W 266.06 feet
N 57°-33'-44" W 140.00 feet to an iron pipe;

Thence N 32°-26'-16" E along land now or formerly of the Westfield State College Foundation, Inc., 90.00 feet to an iron pipe;

Thence N 57°-33'-44" W along last named land 70.00 feet to an iron pipe;
Thence S 32°-26'-16" W along last named land 90.00 feet to the iron pipe at the place of beginning;
Containing an area of approximately 7.879 acres.

(b) Lease such student housing facilities and lease-back all or any portion of such real estate from such individual, partnership, corporation or joint venture, subject to such conditions, covenants and provisions as such president may deem necessary or advisable;

(c) Sell, grant, or transfer to such individual, partnership, corporation or joint venture, subject to such conditions, covenants and provisions as such president may deem necessary or advisable, any rights of way, franchises, easements or other similar interests in or to all or any portion of the above-described real estate as such president may deem advisable or necessary in connection with any lease referred to in paragraph (a), provided that such right of way, franchises, easements and other similar interests shall terminate no later than June thirtieth, two thousand and eight;

(d) Purchase, during the term of the lease referred to in paragraph (a), any or all right, title and interest of such individual, partnership, corporation, or joint venture in or to any or all such facilities at such price as may be considered by such president to be advisable, and take title to such property in connection with such purchase;

(e) Terminate, upon the purchase of all such right, title and interest as provided under paragraph (d), any and all leases authorized by paragraph (a) or paragraph (b), and if such purchase does not occur before the termination of such leases, whether by expiration or otherwise, all right, title and interest of such individual, partnership, corporation or joint venture in the above described real estate and in any buildings, structures, facilities, paving, plantings, fixtures and other improvements, including without limitation any student housing facilities, located in or on, or attached to, such real estate shall pass to, and shall be deemed transferred and conveyed to, the commonwealth for the use of Westfield State College; and

(f) Take such action and do such things, including without limitation the execution and delivery of any and all leases, bills of sale, grants, easements, franchises, purchase contracts, transfers, conveyances, documents, instruments and certificates, and the retention of such legal counsel and technical services, as such president shall deem necessary or advisable in connection with exercising the powers of such president which are expressly granted or necessarily implied in section eight F of this act.

SECTION 8G. Notwithstanding the provisions of any special or general law to the contrary, so long as the designated facilities leased as provided in paragraph (b) of section eight F of this act are located on land owned, legally or beneficially or both, by the commonwealth, Westfield State College or any authority, agency or instrumentality of the commonwealth, and not less than an aggregate of one hundred per cent of the useful space of such facilities is leased, pursuant to a lease described in paragraph (b) of said section eight F, to, and occupied or used by, the commonwealth, Westfield State College, or any authority, agency or instrumentality of the commonwealth, such facilities shall be exempt from the property taxation imposed by chapter fifty-nine of the General Laws.

SECTION 8H. Payments under or with respect to any lease referred to in paragraph (a) of section eight F of this act, or any sales, grants or transfers referred to in paragraph (c) of said section eight F, or constituting any rents, fees, charges, or any other amounts received with respect to such student housing facilities from students or other occupants of such facilities, shall be held in trust by the board of trustees of Westfield State College and used by such board to pay any or all costs, obligations and liabilities incurred in connection with or arising from (i) the maintenance, repair, and operation of such student housing facilities, (ii) the lease referred to in paragraph (b) of said section eight F of this act or (iii) the purchase referred to in paragraph (d) of said section eight F. Said board is hereby authorized

and empowered to establish such funds, reserves and deposits as said board may deem advisable in connection with such trust, and is further authorized and empowered to invest any or all of the corpus and earnings, including, without limitation, interest earnings, of such trust, in such investments as may be lawful for fiduciaries in the commonwealth. Said board may combine any or all of such corpus and earnings with that of another trust for the sole purpose of investment. No part of such corpus and earnings shall be appropriated for general use by the Westfield State College or the commonwealth; and no such appropriation shall be necessary in connection with the use or application of such corpus and earnings for the purposes set forth in clauses (i), (ii) and (iii) of this section.

SECTION 8I. Notwithstanding the provisions of section eight F of this act, the president of Westfield State College shall not execute any lease, sale, grant, transfer or purchase referred to in said section eight F without first receiving:

(a) The approval of the board of regents of higher education, and the board of trustees of Westfield State College, of such lease, sale, grant, transfer or purchase; and

(b) A finding by the deputy commissioner of the division of capital planning and operations to the effect that (i) the term of any lease to be executed under paragraph (a) of said section eight F does not exceed the time limitation set forth in such section; (ii) the respective terms of any rights of way, franchises, easements or other similar interests to be granted, transferred or sold under paragraph (c) of said section eight F do not exceed the time limitation set forth in such section; and (iii) the instruments effecting any lease, sale, grant or transfer to be entered into pursuant to paragraph (a) or paragraph (c) of said section eight F include the purchase option set forth in paragraph (d) of said section eight F; and, following the completion of such student housing facilities, the board of trustees of Westfield State College shall determine, on an annual basis, the dormitory housing fees to be charged to students and other occupants of such student housing facilities such that the aggregate of such fees will, on an annual basis, be no less than the sum of the maintenance costs of such facilities plus the rents and other amounts required to be paid with respect to such facilities under the lease referred to in paragraph (b) of said section eight F.

SECTION 9. The secretary of environmental affairs is hereby authorized to expend a sum not exceeding ten million dollars for assistance to cities and towns in the acquisition of land pursuant to the provision of section eleven of chapter one hundred and thirty-two A of the General Laws. The amount hereby appropriated shall be in addition to any funds previously appropriated for this purpose.

SECTION 9A. The secretary of environmental affairs is hereby authorized to expend a sum not exceeding six million dollars for the acquisition and associated costs of land fronting on rivers and streams to include but not be limited to acquisitions on the Charles, Millers, Nashua, Squannacook, Assabet, Housatonic, Shawsheen, Merrimack and Spicket rivers for conservation and recreation purposes, provided that the comptroller shall allocate amounts herein appropriated to either the department of environmental management and the department of fisheries, wildlife and recreational vehicles pursuant to schedules filed by the secretary of environmental affairs with the comptroller.

SECTION 9B. The secretary of environmental affairs is hereby authorized to expend a sum not exceeding two million dollars for the acquisition and associated costs of land fronting on the Connecticut River for conservation and recreation purposes, provided that the comptroller shall allocate amounts herein appropriated to either the department of environmental management and the division of fisheries and wildlife and recreational vehicles pursuant to schedules filed by the secretary of environmental affairs with the comptroller.

SECTION 9C. The secretary of environmental affairs is hereby authorized to expend a sum not exceeding six million dollars for the acquisition of land and of certain property rights in the Sudbury River watershed, Sudbury Valley, and Nobscot areas located in the cities and towns of Framingham, Marlborough, Sudbury and Wayland to be allocated by the comptroller among the department of environmental management, the department of fisheries, wildlife and recreational vehicles, and the above named cities and towns pursuant to schedules filed by the secretary of environmental affairs with the comptroller.

SECTION 9D. The secretary of environmental affairs is hereby authorized to expend a sum not exceeding five million dollars for assistance to cities and towns in the acquisition of land pursuant to the provisions of chapter nine hundred and thirty-three of the acts of nineteen hundred and seventy-seven.

SECTION 9E. The secretary of environmental affairs is hereby authorized to expend a sum not exceeding three million dollars for the acquisition of property and associated costs within or adjacent to state owned property in the Quabbin Reservoir district, the Wachusett Reservoir district and the Ware River watershed, for the continuation of the Quabbin Wilderness area and the protection of the water resources of the commonwealth. Said funds to be allocated by the comptroller to the department of environmental management, the department of fisheries and wildlife and recreational vehicles and the metropolitan district commission pursuant to schedules filed by the secretary of environmental affairs with the comptroller.

SECTION 9F. The commissioner of the department of environmental management is hereby authorized to expend a sum not exceeding seven million dollars for a program of grants to cities and towns for the purpose of planning, design, acquisition, development and associated costs in connection with the rehabilitation and restoration of commons and squares in city and town centers, provided, however, that a sum not exceeding two million dollars be expended for the purpose of land acquisition; provided, further that a sum not exceeding five million dollars be expended for the purposes of development and rehabilitation of said commons.

SECTION 9G. The commissioner of the department of environmental quality engineering is hereby authorized to expend a sum not exceeding four million dollars for the acquisition of lands and waters and easements by cities, towns and districts to protect and conserve groundwater aquifers and recharge areas, and surface or underground lands adjacent to such aquifers and recharge areas, for the protection of groundwater.

SECTION 9H. The commissioner of the department of environmental quality engineering is hereby authorized to expend a sum not exceeding ten million dollars for a program of grants to cities, towns and solid waste disposal districts for the purpose of planning, design, and construction of projects for the closure, in an environmentally-sound manner of publicly-owned landfills. Such grants shall not exceed eighty per cent of the eligible costs of said planning, design and construction projects, as determined by the department of environmental quality engineering, and shall be made on the basis of criteria, standards and a system of priority established in regulations adopted by said department in accordance with chapter thirty A of the General Laws provided that any landfill closed pursuant to this act shall be used solely for the purposes of active and passive recreation.

SECTION 9I. The commissioner of the department of fisheries, wildlife and recreational vehicles is hereby authorized to expend a sum not exceeding four million dollars for the preservation and associated

costs of land along the Farmington River for the purposes of preservation and continuation of a wilderness corridor, provided that a sum not exceeding two million dollars may be transferred to the department of environmental management for acquisition of land pursuant to schedules filed by the secretary of environmental affairs with the comptroller.

SECTION 9J. The commissioner of the department of fisheries, wildlife and recreational vehicles is hereby authorized to expend a sum not exceeding four million dollars for acquisition of properties identified as rare and endangered species habitats. Said land to contain rare and uncommon wildlife and wild plants, communities of plants and animals and their habitats.

SECTION 9K. The commissioner of the department of fisheries, wildlife and recreational vehicles is hereby authorized to expend a sum not exceeding five hundred thousand dollars for acquisition of parcels of land on lake, pond, saltwater and riverfront property for the purpose of providing public access.

SECTION 9L. The commissioner of the department of food and agriculture is hereby authorized to expend a sum not exceeding fifteen million dollars for a program to acquire agricultural preservation restrictions pursuant to sections eleven A through eleven D of chapter one hundred and thirty-two A of the General Laws. The amount hereby appropriated shall be in addition to any funds previously appropriated for this purpose.

SECTION 9M. The commissioner of the department of environmental management is hereby authorized to expend a sum not exceeding twelve million dollars for the acquisition of land and the associated costs in connection herewith to continue a program for the protection and enhancement of the state park system. Acquisitions shall be determined by the commissioner of the department of environmental management and shall include but not be limited to inland property in the counties of Barnstable, Nantucket and Dukes. Said property shall be held by the department of environmental management for the purpose of conservation and recreation under the provisions of chapter one hundred and thirty-two A of the General Laws.

SECTION 9N. The commissioner of the department of environmental management is hereby authorized to expend a sum not exceeding seven million dollars for the acquisition of lands within or adjacent to existing state parks, state forests and state reservations and other such protected lands for the protection of the state park system and other protected lands permanently open to the public.

SECTION 9 O. The commissioner of the department of environmental management is hereby authorized to expend a sum not exceeding two million dollars for a study, and the preparation of plans, if necessary, and for recreational trail acquisition and development statewide for nonautomatic activities, except snowmobiles; provided that an environmental impact report shall be submitted by the department of environmental management on the use of snowmobiles on such trails, including in such report the adverse affects, if any, on wildlife in such areas; provided, however, that such report shall be filed with the commissioner of the department of fisheries, wildlife and recreational vehicles and the house and senate committees on ways and means; provided, further, that such nonautomatic activities shall include bicycling, horseback riding, jogging, cross-country skiing and walking.

SECTION 9P. The commissioner of the department of environmental management is hereby authorized to expend a sum not exceeding two million dollars for the purposes of acquisition, development and redevelopment of freshwater swimming areas. Said funds to be used for acquisition by the department of environmental management and for grants to cities and towns for such purposes.

SECTION 9Q. The commissioner of the department of environmental management is hereby authorized to expend a sum not exceeding two million five hundred thousand dollars for the acquisition and associated costs of land fronting on the Merrimack River for conservation and recreation purposes.

SECTION 9R. The commissioner of the department of fisheries, wildlife and recreational vehicles is hereby authorized to expend a sum not exceeding four million dollars for the acquisition and associated costs of cold water streams for conservation and recreation purposes.

SECTION 9S. The commissioner of the department of fisheries, wildlife and recreational vehicles is hereby authorized to expend a sum not exceeding seven million five hundred thousand dollars for acquisition and associated costs of land within or adjacent to existing wildlife management areas for the protection and continuation of wildlife areas.

SECTION 9T. The commissioner of the metropolitan district commission is hereby authorized to expend a sum not exceeding twelve million seven hundred thousand dollars for the acquisition of land and associated costs connected therewith in the metropolitan parks district. Said lands to include but not be limited to land within, abutting or adjacent to the Blue Hills reservation, the Breakheart reservation, and the Middlesex Fells.

SECTION 9U. Any municipality is hereby authorized to receive and accept funds from the department of environmental management for the purpose of acquisition, planning, design, development and associated costs in connection with the rehabilitation, restoration and construction of commons and squares in city and town centers subject to an agreement between the department and such municipality relative to the use of such funds. All such transferred 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 nine W, 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 pursuant to such agreement, without further authorization.

SECTION 9V. A portion of the funds provided in sections nine to nine T, inclusive, of this act, not to exceed six per cent of any line item, may be used for the costs associated with the acquisition and development of property. Such associated costs may include the cost of legal services, appraisals, design, engineering, and planning. No amounts authorized in sections nine to nine T, inclusive of this act shall be used for the payment of any salaries of permanent or temporary employees of the commonwealth.

SECTION 9W. The secretary of environmental affairs on behalf of the metropolitan district commission and the department of environmental management, environmental quality engineering, and fisheries, wildlife and recreational vehicles and the public institutions of higher education are hereby authorized to enter into cooperative agreements to further the program established and funded under sections nine to nine T, inclusive, of this act. Such cooperative agreements may provide for planning, design, environmental, engineering, landscape architecture and other related services to be supplied by the institutions of higher learning and the involved agencies to provide research, internship, and training opportunities for the students and faculty of participating institutions. The costs of any cooperative agreements shall not be included in the associated costs of property acquisition except as provided for in a schedule submitted by said secretary and approved by the house and senate committees on ways and means.

SECTION 9X. Notwithstanding the provisions of section fourteen of chapter twenty-nine of the General Laws, appropriations made pursuant to sections nine to nine T, inclusive, of this act shall be available for expenditure until June thirtieth, nineteen hundred and ninety-three.

SECTION 10. The secretary of human services, hereinafter called the secretary, is hereby authorized and directed to provide grant funds in an amount not to exceed one million dollars to counties for the purpose of undertaking feasibility studies, preliminary plans, and designs. Such feasibility studies, preliminary plans, and designs shall be for the purposes of expanding, reconstructing, constructing, rehabilitating, renovating, modernizing, or finishing a jail, a house of correction, or any other correctional facility. The secretary shall file a copy of an interim plan regarding county jails and houses of correction by February first, nineteen hundred and eighty-four with the house and senate committees on ways and means. The secretary shall file a master plan regarding county jails and houses of correction by October first, nineteen hundred and eighty-four with the house and senate committees on ways and means. Said grants shall be awarded in accordance with the rules and regulations promulgated under the provisions of chapter three hundred and forty-seven of the acts of nineteen hundred and eighty-two.

SECTION 10A. Pursuant to the provisions of section five of chapter three hundred and forty-seven of the acts of nineteen hundred and eighty-two, as amended by section three of chapter five hundred and eighty-five of the acts of nineteen hundred and eighty-two, the secretary of human services shall make a grant to Bristol county in an amount not to exceed eleven million dollars in capital outlay loan-county correctional facilities bonds provided in section eight of said chapter three hundred and forty-seven for use in preparing plans and designs, acquiring land, and constructing an interceptor sewer and treatment plant in the town of Dartmouth for a new Bristol county house of correction. The total amount granted by said secretary for said interceptor sewer and said treatment plant under this section and under said section five of said chapter three hundred and forty-seven shall not exceed eight million four hundred thousand dollars.

SECTION 10B. The secretary of human services is hereby authorized and directed to make a grant to Norfolk county for a study and the preparation of plans, if necessary, and for the construction of three stair towers and for the replacement of sixty toilets at the Norfolk county house of correction. There is hereby appropriated from the General Fund two hundred and fifty-eight thousand dollars for the purpose of this section.

SECTION 11. To meet the expenditures necessary in carrying out the provisions of section two of this act, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth to an amount to be specified by the governor from time to time, not exceeding in the aggregate, the sum of two hundred fifteen million nine hundred nine thousand thirty-five dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Capital Outlay Repair Loan, Act of 1983, and shall be issued for such maximum term of years not exceeding ten years, as the governor may recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth; provided, however, that all such bonds shall be payable not later than June thirtieth, nineteen hundred and ninety-eight. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 11A. To meet the expenditures necessary in carrying out the provisions of section two A 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, not exceeding in the aggregate, the sum of sixty-five million one hundred eighty-eight thousand eight hundred ninety-five dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Capital Outlay Equipment Loan, Act of 1983, and shall be issued for such maximum term of years not exceeding seven 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, nineteen hundred and ninety-five. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 11B. To meet the expenditures necessary in carrying out the provisions of section two B 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, not exceeding in the aggregate, the sum of two hundred million four hundred ninety-two thousand three hundred thirty-six dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Capital Outlay Loan, Act of 1983, 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 eight. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 11C. 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, not exceeding in the aggregate, the sum of one million nine hundred fifty thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Highway Improvement Repair Loan, Act of 1983, and shall be issued for such maximum term of years not exceeding ten years, as the governor may recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth; provided, however, that all such bonds shall be payable not later than June thirtieth, nineteen hundred and ninety-eight. All interest and payments 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 provision of this act, be general obligations of the commonwealth.

SECTION 11D. To meet the expenditures necessary in carrying out the provisions of section three A 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, not exceeding in the aggregate, the sum of four hundred twenty-five thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Highway Improvement Equipment Loan, Act of 1983, and shall be issued for such maximum term of years not exceeding seven 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, nineteen hundred and ninety-five. All interest and payments 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 provision of this act, be general obligations of the commonwealth.

SECTION 11E. To meet the expenditures necessary in carrying out the provisions of section three B 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, not exceeding in the aggregate, the sum of seventeen million eight hundred eighty-nine thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Highway Improvement Loan, Act of 1983, 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 eight. All interest and payments 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 provision of this act, be general obligations of the commonwealth.

SECTION 11F. 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, not exceeding in the aggregate, the sum of twenty-seven million two hundred thirty-five thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, State Recreation Areas Repair Loan, Act of 1983, and shall be issued for such maximum term of years not exceeding ten years, as the governor may recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth; provided, however, that all such bonds shall be payable not later than June thirtieth, nineteen hundred and ninety-eight. All interest and payments on account of principal of such obligations shall be payable from the State Recreation Areas Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 11G. To meet the expenditures necessary in carrying out the provisions of section four A 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, not exceeding in the aggregate, the sum of one hundred fifteen thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, State Recreation Areas Equipment Loan, Act of 1983, and shall be issued for such maximum term of years not exceeding seven 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, nineteen hundred and ninety-five. All interest and payments on account of principal of such obligations shall be payable from the State Recreation Areas Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 11H. To meet the expenditures necessary in carrying out the provisions of section four B 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, not exceeding in the aggregate, the sum of seven million five hundred seventeen thousand seven hundred dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, State Recreation Areas Loan, Act of 1983, 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 eight. All interest and payments on account of principal of such obligations shall be payable from the State Recreation Areas Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 11I. 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, not exceeding in the aggregate, the sum of twelve million three hundred fifteen thousand seven hundred dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Metropolitan Water District Repairs Loan, Act of 1983, and shall be issued for such maximum term of years not exceeding ten years, as the governor may recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth; provided, however, that all such bonds shall be payable not later than June thirtieth, nineteen hundred and ninety-eight. All interest and payments on account of principal of such obligations shall be payable from the Metropolitan Water District Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 11J. To meet the expenditures necessary in carrying out the provisions of section five A 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, not exceeding in the aggregate, the sum of five hundred thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Metropolitan Water District Loan, Act of 1983, 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 eight. All interest and payments on account of principal of such obligations shall be payable from the Metropolitan Water District Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 11K. 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, not exceeding in the aggregate, the sum of twenty-seven million six hundred thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Metropolitan Sewerage District Loan, Act of 1983, 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 eight. All interest and payments on account of principal of such obligations shall be payable from the Metropolitan Sewerage District Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 11L. To meet the expenditures necessary in carrying out the provisions of section seven of this act, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth to an amount to be specified by the governor from time to time, not exceeding in the aggregate, the sum of twenty-two million ninety-five thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Metropolitan Parks District Repairs Loan,

Act of 1983, and shall be issued for such maximum term of years not exceeding ten years, as the governor may recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth; provided, however, that all such bonds shall be payable not later than June thirtieth, nineteen hundred and ninety-eight. All interest and payments on account of principal of such obligations shall be payable from the Metropolitan Parks District Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 11M. To meet the expenditures necessary in carrying out the provisions of section seven A 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, not exceeding in the aggregate, the sum of two million eight hundred ninety-two thousand five hundred dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Metropolitan Parks District Equipment Loan, Act of 1983, and shall be issued for such maximum term of years not exceeding seven 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, nineteen hundred and ninety-five. All interest and payments on account of principal of such obligations shall be payable from the Metropolitan Parks District Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 11N. To meet the 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 bonds of the commonwealth to an amount to be specified by the governor from time to time, not exceeding in the aggregate, the sum of eleven million nine hundred eighty-seven thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Metropolitan Parks District Loan, Act of 1983, 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 eight. All interest and payments on account of principal of such obligations shall be payable from the Metropolitan Parks District Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 11 O. To meet the expenditures necessary in carrying out the provisions of sections nine to nine L, inclusive, 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, not exceeding in the aggregate, the sum of seventy-six million five hundred thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Land Acquisition Loan, Act of 1983, 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 thirteen. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 11P. To meet the expenditures necessary in carrying out the provisions of sections nine M to nine Q, inclusive, 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, not exceeding in the aggregate, the sum of twenty-five million five hundred thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, State Recreation Areas Land Acquisition Loan, Act of 1983, 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 thirteen. All interest and payments on account of principal of such obligations shall be payable from the State Recreation Areas Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 11Q. To meet the expenditures necessary in carrying out the provisions of sections nine R and nine S 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, not exceeding in the aggregate, the sum of eleven million five hundred thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Inland Fish and Game Land Acquisition Loan, Act of 1983, 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 thirteen. All interest and payments on account of principal of such obligations shall be payable from the Inland Fish and Game Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 11R. To meet the expenditures necessary in carrying out the provisions of section nine T 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, not exceeding in the aggregate, the sum of twelve million seven hundred thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Metropolitan Parks District Land Acquisition Loan, Act of 1983, 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 thirteen. All interest and payments on account of principal of such obligations shall be payable from the Metropolitan Parks District Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 11S. To meet the expenditures necessary in carrying out the provisions of section ten of this act, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth to an amount to be specified by the governor from time to time, not exceeding in the aggregate, the sum of one million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Capital Outlay Loan - County Correctional Facilities, Act of 1983, and shall be issued for such maximum term of years not exceeding seven 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, nineteen hundred and ninety-five. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 11T. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary for the purpose of meeting payments authorized by this act and may issue and renew from time to time notes of the commonwealth therefor, bearing interest payable at such time and at such rates as shall be fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, but the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, nineteen hundred and ninety-three. Notes and interest thereon issued under the authority of this section, notwithstanding any other provisions of this act, shall be general obligations of the commonwealth.

SECTION 12. Of the monies appropriated in section two B, except items 3722-8846 and 5011-8842 of said section, and sections three B, four B, five A, six and seven B of this act, not more than fifty million five hundred thousand dollars shall be allotted in any fiscal year by the governor or the commissioner of administration pursuant to the provisions of section nine B of chapter twenty-nine of the General Laws.

Sums made available by appropriation or otherwise to such offices, departments or undertakings for studies, plans, designs, construction, acquisition, purchase or repair of capital facilities, of highway improvement facilities, such as a highway, bridge or tunnel, and of transportation improvement facilities, such as a mass transportation or other public transit facility, shall be expended only in such amounts as may be allotted from time to time by the governor, the said commissioner when so designated or his approved designee. The officer in charge of each such office, department or undertaking shall submit to the said commissioner, in such form and at such times as he shall prescribe, such information as may be required by the governor or him for making such allotments; provided that before any such information relating to an office, department or undertaking within any of the executive offices established by chapter six A of the General Laws has been so submitted, it shall first be submitted to the secretary having charge of such executive office, who shall review the same and make such additions thereto, deletions therefrom and modifications therein as he deems appropriate.

Requests for capital outlay authorized and appropriated under sections two to two B, inclusive, of this act and submitted by the board of regents pursuant to section six of chapter fifteen A of the General Laws shall be subject to the provisions of sections seven A to seven K, inclusive, of chapter twenty-nine of the General Laws.

The commissioner of administration is hereby authorized and directed to issue directives governing expenditure from bond authorizations; such directives shall include, but not be limited to, the following: (1) such measures as determined by said commissioner to be necessary to regulate the rate of expenditure from any or all bond authorizations, and (2) such measures as determined by said secretary to be necessary to ensure compliance with such directives, including requiring prior written approval of said commissioner before the award of contracts or grants.

SECTION 12A. Prior to the allotment pursuant to the provisions of section twelve of this act or of section nine B of chapter twenty-nine of the General Laws of any monies appropriated by section two B, except items 3722-8846 and 5011-8842 of said section, and sections three B, four B, five A, six and seven B of this act the governor or the commissioner of administration shall file with the clerks of the house of representatives and the senate and the house and senate committees on ways and means a report, containing a detailed explanation by line item, of the portion of any appropriations to be allotted. No appropriation shall be allotted until forty-five days after the filing of said report.

SECTION 12B. Prior to the construction of any project authorized by section two B, except items

3722-8846 and 5011-8842 of said section, and sections three B, four B, five A, six and seven B, the state agency, as defined by section thirty-nine A of chapter seven, administering the project shall file with the clerks of the general court and with the house and senate ways and means committees, any environmental impact statement submitted to the secretary of environmental affairs under the provisions of sections sixty-two to sixty-two H, inclusive, of chapter thirty, and a financial impact statement which shall include, but not be limited to, an estimate of the total construction cost of said project, and the effect of the project on the agency's annual operating costs, including, but not limited to, operating costs associated with personnel, energy and maintenance services; and shall include projections of any cost savings resulting from the construction of said project, including, but not limited to, savings associated with rental, energy, personnel, or maintenance costs of said agency. Said financial impact statement also shall include an estimate by the commissioner of administration as to the annual debt service costs associated with such project, including the fiscal year such expenses shall commence and the fiscal year they shall terminate.

SECTION 13. The division of capital planning and operations in the executive office of administration and finance is hereby authorized to expend a sum not to exceed four hundred thirty-five thousand dollars for payment of certain outstanding court ordered judgments including interest thereon against the commonwealth resulting from Franchi Construction Co., Inc. vs. Commonwealth of Massachusetts entered in Suffolk superior court, docket number 28861. There is hereby appropriated four hundred thirty-five thousand dollars from the General Fund for the purposes of this section.

SECTION 13A. The division of water resources in the department of environmental management is hereby authorized to expend a sum not exceeding thirty-three thousand dollars for payment of certain outstanding court ordered judgments, including interest thereon; entered against the commonwealth and resulting from land damage claims relative to property in the towns of Berlin and Northborough and the city of Marlborough, including but not limited to the judgment entered in the case Griefen, et. al vs. Commonwealth of Massachusetts, Middlesex-Superior Court Docket No. 75-4642, and for land acquisition to complete the final phase of the SUASCO watershed project. There is hereby appropriated from the General Fund thirty-three thousand dollars for the purposes of this section.

SECTION 13B. The metropolitan district commission is hereby authorized to expend a sum not exceeding four million one hundred thousand dollars for the payment of certain court ordered judgments relating to the taking of Peddocks Island and entered in the following cases: Plymouth superior court docket Number 59039, Norfolk superior court docket Number 119887 and Middlesex superior court docket Number 775287. There is hereby appropriated four million one hundred thousand dollars from the Metropolitan Parks District Fund for the purposes of this section.

SECTION 14. The comptroller is hereby directed to file with the commissioner of administration, the clerk of the house of representatives and the clerk of the senate, and the house and senate committees on ways and means a report listing those appropriations financed by bonds or notes which if unexpended will revert on June thirtieth, nineteen hundred and eighty-four. Said report shall list appropriations by line item as appearing in the records of the comptroller and shall cite the chapter of the acts and resolves which authorized the appropriation. Said report shall be filed on or before March first, nineteen hundred and eighty-four.

SECTION 15. Notwithstanding the provisions of any general or special law to the contrary, the department of public welfare, in cooperation with the department of mental health, is hereby authorized

and directed to request an expansion of a waiver for community-based services reimbursement pursuant to Title XIX of the Social Security Act as provided for under Title XXI of the Omnibus Budget Reconciliation Act of nineteen hundred and eighty-one (P.L. 97-35). Said request shall seek a waiver for the reimbursement of community-based services to plaintiff class members of certain consent decrees entered in the United States district court of Massachusetts relative to the five state schools for retarded individuals in the commonwealth. Said waiver shall be effective on a state-wide basis for said class members. Said departments shall request the waiver expansion within sixty days of the effective date of this act.

SECTION 16. The division of capital planning and operations is hereby authorized and directed to transfer control of the pumping station at Belle Isle Inlet in the city of Revere constructed pursuant to funds provided in item 2270-8772 of section two of chapter four hundred and eighty-one of the acts of nineteen hundred and seventy-six, and the land on which it is located from the division of waterways to the metropolitan district commission. Upon transfer of the facility, the metropolitan district commission shall be responsible for the maintenance and operation of the facility. Said commission shall not begin the operation of said pumping station until an environmental impact statement relative to the operation of said pumping station is completed and submitted to the secretary of environmental affairs under the provisions of sections sixty-one to sixty-two H, inclusive, of chapter thirty of the General Laws.

The secretary of environmental affairs shall certify in writing to the clerk of the house of representatives and the clerk of the senate that all practicable procedures to avoid environmental damage to the Belle Isle Marsh and Inlet have been employed.

SECTION 17. Notwithstanding the provisions of section twenty-nine A of chapter twenty-nine of the General Laws or any other general or special law to the contrary, a payment in an amount not to exceed six thousand five hundred dollars for services rendered to the Massachusetts Maritime Academy during fiscal year nineteen hundred and eighty-three may be paid from item 7100-0100 of section two of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three.

SECTION 18. None of the funds authorized for expenditure by the metropolitan district commission under sections seven, seven A and seven B of this act shall be expended until sixty days after the governor submits to the clerk of the senate, the clerk of the house of representatives, the senate committee on ways and means, the house committee on ways and means, the joint committee on housing and urban development, and the inspector general a report which describes the improvements made in the commission's management capabilities, in accordance with a comprehensive improvement plan, and which demonstrates that the commission has the necessary technical, managerial, and financial capability to execute one or more projects to be funded under this act and to maintain such projects in good repair. Within thirty days after receiving said report, the inspector general shall provide his written comments thereon to the clerk of the senate, the clerk of the house of representatives, the senate committee on ways and means, the house committee on ways and means, and the joint committee on housing and urban development.

SECTION 19. The Community Development Finance Corporation, established pursuant to chapter eight hundred and sixty-six of the acts of nineteen hundred and seventy-five and hereinafter referred to as the CDFC, is hereby authorized to undertake a study, and the preparation of plans, if necessary, and a demonstration project for the construction of an industrial building on publicly owned land in the northwestern part of the commonwealth to foster the creation of industrially based jobs and expand the local economy of said area; provided, however, that the said CDFC shall determine that said industrial building will be for a public purpose and benefit and may reasonably be expected to create new

employment opportunities in the area, that the proposed site for the building is on adequate and suitable land owned or controlled by a public or nonprofit corporation or by a local government, that adequate access roads or ways are provided to the site along with utilities such as water, sewer and power, that a depressed economic condition, to be evaluated on the basis that evidence exists as to the persistent unemployment and historical wage trends for industrially based jobs, exists in the region and cannot be corrected by the ordinary operation of private enterprise, that significant disinvestment or a lack of significant private industrial development or investment exists in the immediate geographical area, that the local industrial development sponsor demonstrates the feasibility of the site as a location for industry and provides additional evidence that an adequate supply of labor is available.

In order to carry out the purposes of the first paragraph of this section, the said CDFC is hereby authorized to expend an amount not to exceed seven hundred and fifty thousand dollars from its investment earnings for the costs of such demonstration project.

On or before December first, nineteen hundred and eighty-four, the said CDFC shall file with the clerks of the house of representatives and senate and with the house and senate committees on ways and means a report including but not limited to the following information:

(1) studies or plans for such demonstration project,

(2) estimated completion date, and

(3) plans and recommendations for the project.

SECTION 20. The governor shall file a message with the clerk of the house of representatives detailing by bond fund, line item, agency, and project, those authorized but unissued borrowing authorizations and related capital outlay appropriations which the governor recommends should be repealed or reduced. The authorizations listed in said message shall not be less than three hundred million dollars in the aggregate. Said message shall be filed no later than sixty days after the effective date of this act.

SECTION 21. Notwithstanding any special or general law to the contrary, the secretary of human services and the commissioner of mental health, under circumstances deemed appropriate by the attorney general, shall seek relief in the United States District Court for the District of Massachusetts in connection with the consent decree cases governing Belchertown, Fernald, Dever, and Wrentham State Schools for the mentally retarded, as well as the Monson Developmental Center. Such relief shall seek the specific terms that must be taken by the defendants in said cases to have fulfilled their substantive obligations under said consent decrees.

SECTION 22. Notwithstanding any appropriation or authorization to borrow under this act, no funds shall be borrowed or expended for anything, except studies and the preparation of plans, which has a useful life, as defined under the Internal Revenue Code, of less than seven years.

SECTION 23. Section 2 of chapter 834 of the acts of 1969 is hereby amended by striking out, in line 9, the word "ten" and inserting in place thereof the word:- eight.

SECTION 24. Section 2A of chapter 834 of the acts of 1969 is hereby amended by striking out, in line 2, as appearing in section 2 of chapter 1023 of the acts of 1971, the word "ten" and inserting in place thereof the word:- eight.

SECTION 25. 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 five 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 26. The first paragraph of section 1 of chapter 745 of the acts of 1970, as amended by section 1 of chapter 425 of the acts of 1976, is hereby further amended by inserting after the word "Quincy", in line 26, the words:- and one million one hundred thousand dollars shall be allocated for the Sales Creek flood control project in the city of Revere; provided, however, that no monies appropriated herein shall be expended for the construction of said Sales Creek project until an environmental impact statement relative to said project is completed and submitted to the secretary of environmental affairs under the provisions of sections sixty-one to sixty-two H, inclusive, of chapter thirty of the General Laws. The secretary of environmental affairs shall certify in writing to the clerk of the house of representatives and the clerk of the senate that all practicable procedures to avoid environmental damage to the Belle Isle Marsh and Inlet have been employed.

SECTION 27. Item 8072-39 of section 2 of chapter 976 of the acts of 1971, as amended by item 8072-39 of section 2 of chapter 860 of the acts of 1975, is hereby further amended by inserting after the word "complex", in line 2, the words:- and for the preparation of plans and construction for the provision of paved parking facilities, including lighting and drainage, and repair of existing parking facilities and for the reconstruction and repair of outdoor physical education facilities including design and relocation, if necessary, provided, further that item 7109-8721 shall be extended to and shall expire on June thirtieth, nineteen hundred and eighty-seven.

SECTION 28. Item 7514-8752 of section 2 of chapter 519 of the acts of 1974 is hereby amended by striking out, in lines 2 and 3, the words "total project cost not to exceed eight million dollars".

SECTION 29. Item 7117-8771 of section 2 of chapter 481 of the acts of 1976, as most recently amended by item 7117-8781 of section 3 of chapter 920 of the acts of 1977, is hereby further amended by striking out the wording and inserting in place thereof the following:-

For the development of a master plan, including a feasibility study of optional sites, preparation of environmental impact reports, and for the preparation of phase I plans and construction, including moving costs associated with relocation, and further, including furnishings and equipment and other related facilities as required for the complete relocation of the college; provided, that the unexpended balances remaining in item 7117-8781 of section two of chapter nine hundred and twenty of the acts of nineteen hundred and seventy-seven and item 7117-8791 of section two of chapter five hundred and thirteen of the acts of nineteen hundred and seventy-eight are hereby transferred and made available for this purpose; and provided further that such funds are available for expenditure until June thirtieth, nineteen hundred and eighty-eight.

SECTION 30. Item 7506-8771 of section 2 of chapter 481 of the acts of 1976, as amended by item 7506-8771 of section 2 of chapter 300 of the acts of 1977 is hereby further amended by inserting after the word "equipment", in line 2, the words:- including a study, if necessary, and the preparation of plans and construction for a physical education facility; and provided, further, that the unexpended balances remaining in item 8071-68 of chapter six hundred and thirty-three of the acts of nineteen hundred and

seventy and the unexpended balances remaining in items 8072-79 and 8072-80 of chapter nine hundred and seventy-six of the acts of nineteen hundred and seventy-one are made available for this purpose.

SECTION 31. Chapter 933 of the acts of 1977 is hereby amended by striking out section 1 and inserting in place thereof the following section:-

Section 1. The secretary of environmental affairs shall establish a program to assist the cities in the commonwealth and towns with populations greater than thirty-five thousand inhabitants which have established park or recreation commissions and conservation commissions under section eight C of chapter forty of the General Laws in acquiring land for municipal park and recreation purposes and for the restoration and rehabilitation of such municipal park and recreation lands. Said secretary may, from funds appropriated, reimburse any city or town for money expended by it in establishing an approved project under said program in such amount as he shall determine to be equitable in consideration of anticipated benefits from such project, but in no event shall the amount of such reimbursement exceed ninety per cent of the cost of such project. No reimbursement shall be made hereunder to such city or town unless a project application is filed by such city or town with the secretary setting forth such plans and information as the secretary may require and approved by him, nor until such city or town shall have appropriated, transferred from available funds or have voted to expend from its conservation fund, under clause (51) of section five of chapter forty of the General Laws, an amount equal to the total cost of the project, nor until the project has been completed to the satisfaction of the secretary, in accordance with said approved plans. Any reimbursement received by a city or town under this act shall be applied to the payment of indebtedness, if any, incurred in acquiring land for such conservation or recreation projects. For the purposes of this act the words "cities and towns" shall mean all cities, and towns with a population in excess of thirty-five thousand inhabitants. The secretary of environmental affairs may waive the requirement that a town have a population of thirty-five thousand to receive a grant whenever the purpose of the grant is to provide a facility with regional or statewide usage. The director of conservation services, subject to approval of the secretary, shall establish rules and regulations for the management of such program. This act shall not apply to lands already acquired under section eleven of chapter one hundred and thirty-two A of the General Laws or to a project if it is in competition with a funding request under said section eleven.

SECTION 32. Chapter 406 of the acts of 1978 is hereby amended by striking out section 1, as most recently amended by section 23 of chapter 286 of the acts of 1982, and inserting in place thereof the following section:-

Section 1. The department of environmental quality engineering is hereby authorized and directed to expend a sum not to exceed eighty million dollars for the purpose of carry out the provisions of sections one hundred and fifty-nine, one hundred and sixty and one hundred and sixty-two of chapter one hundred and eleven of the General Laws as relate to the construction, commenced after January first, nineteen hundred and seventy-eight, of drinking water filtration plants for the treatment of public water supplies; provided, however, that said construction grant shall not exceed fifty per cent of the total cost of said construction project; and provided further, that said construction grants shall be made available to cities, towns and districts for drinking water filtration plants for water supply systems which they own; and provided further, that said construction grants shall be made available only for drinking water filtration plants that filter water not provided by the metropolitan district commission.

SECTION 33. Section 3 of said chapter 406 is hereby amended by striking out the first paragraph, as amended by said section 23 of said chapter 286, and inserting in place thereof the following paragraph:-

To meet a portion of the expenditures necessary in carrying out the provisions of section one of this

act, or to refinance notes issued as provided in section two of this act, the state treasurer shall, upon request of the commissioner of the department of environmental quality engineering and 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 the state treasurer may deem best, to an amount to be specified by the governor from time to time but no later than June thirtieth, nineteen hundred and ninety-three; provided, that in no event shall the amount of bonds authorized under this section exceed, in the aggregate, the sum of eighty million dollars.

SECTION 33A. Item 2120-8792 of section 4 of chapter 513 of the acts of 1978, as amended by item 2120-9815 of section 3 of chapter 578 of the acts of 1980, is hereby further amended by inserting after the word "mainland", in line 4, the words:- ; provided that, notwithstanding any provision of law to the contrary, the department may expend a sum not to exceed one hundred and fifty-seven thousand dollars in advance to acquire a leasehold interest in Spectacle Island and Rainsford Island in Boston Harbor for a term of not less than fifty years.

SECTION 34. Section 2 of chapter 798 of the acts of 1979 is hereby amended by striking out item 2120-9801, as amended by section 1 of chapter 512 of the acts of 1980, and inserting in place thereof the following item:-

For acquisition and development and associated costs in connection with the establishment of Urban Heritage State Parks in the cities of Fall River, North Adams, Gardner, Holyoke, Lawrence, Lynn, Marlborough, Springfield, and Waltham, in the Turners Falls district of the town of Montague, in the Dorchester, Roxbury, and Allston-Brighton districts of the city of Boston, and in the Blackstone River and Canal Heritage State Park, including the cost 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 $22,000,000

SECTION 35. Item 2320-9812 of section 2 of chapter 578 of the acts of 1980 is hereby amended by striking out the wording and inserting in place thereof the following:-

For the acquisition of a parcel of land in the town of Cheshire located at the south end of Cheshire Lake and for the acquisition of Cheshire Lake, and for the design and construction of a public access boat launching ramp, access road and parking area.

SECTION 36. Item 7504-8811 of said section 2 of said chapter 578 is hereby amended by striking out the wording and inserting in place thereof the following:-

For renovation including the cost of furnishings and equipment at existing campus for a lecture/demonstration kitchen facility.

SECTION 37. Item 7515-8811 (8081-80) of said section 2 of said chapter 578 is hereby amended by striking out the wording and inserting in place thereof the following:-

For the acquisition of certain land or land with buildings thereon in the southwest corridor site of the Roxbury section of the city of Boston by purchase or by eminent domain under chapter seventy-nine of the General Laws for the development of the campus for the Roxbury Community College, provided that no payment shall be made for the purchase of said property until an independent appraisal of the value of the property has been made by a qualified disinterested appraiser and including the relocation of owners and occupants thereon and the demolition of certain buildings and for the preparation of plans and the construction of college campus facilities; including the cost of furnishings and equipment; provided, further, that the unexpended balances remaining in item 8071-75 (7515-8711) of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy is hereby transferred and made available for this purpose; and provided, further, that such funds are available for expenditure until June thirtieth, nineteen hundred and eighty-eight.

SECTION 38. Section 5 of said chapter 578 is hereby amended by striking out item 2440-6811.

SECTION 39. Section 12 of said chapter 578 if hereby amended by striking out, in line 4, the words "twenty million" and inserting in place thereof the words:- seventeen million five hundred.

SECTION 40. Chapter seven hundred and thirty-six of the acts of nineteen hundred and eighty-one is hereby repealed.

SECTION 41. Chapter 789 of the acts of 1981 is hereby amended by inserting after section 15 the following section:-

Section 15A. Pursuant to the program established by section five of this act the department of community affairs is hereby directed to grant the city of Springfield a sum not to exceed one million three hundred thousand dollars for the purpose of improving the sewerage system of said city, and is hereby further directed to grant the city of Woburn a sum not to exceed three hundred twenty-five thousand dollars for the purpose of improving the water delivery system of said city.

SECTION 42. The second paragraph of section 20 of said chapter 789 is hereby amended by striking out, in line 2, the word "fifty" and inserting in place thereof the word:- thirty.

SECTION 43. The first paragraph of section 21 of said chapter 789 is hereby amended by striking out, in line 6, the word "fifty" and inserting in place thereof the word:- thirty.

SECTION 44. Item 2270-0503 of section 2 of chapter 191 of the acts of 1982, as amended by section 17 of chapter 204 of the acts of 1983, is hereby further amended by striking out the wording and inserting in place thereof the following wording:-

For a continuous program of cleaning of harbors and inland waterways, as authorized by chapter eight hundred and seventy-eight of the acts of nineteen hundred and seventy, provided, that a sum not exceeding four hundred and seventy-five thousand dollars, to be in addition to any amounts deposited with the state treasurer pursuant to section four D of chapter forty of the General Laws, shall be expended to clear and dredge Wellfleet Harbor in the town of Wellfleet and to monitor the dredge disposal site and develop a generic environmental impact report on the designation of a regional disposal site for dredged material in Cape Cod Bay; provided, however, that a sum not exceeding thirty-five thousand dollars shall be used to repair and reconstruct the automatic tidal gate located at the headwaters of Straits Pond at the boundaries of the towns of Cohasset, Hingham, and Hull; provided, further, that a sum not exceeding one hundred and 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 two hundred thousand dollars shall be expended to clear and dredge the Hoosic River and a portion of Kitchen Brook in the town of Cheshire, for stream clearance, and selective excavation and improvements; provided, further, that a sum not exceeding thirty thousand dollars shall be used for the design of flood control and erosion control improvements to a section of the Green River in the town of Williamstown.

SECTION 45. Section 1 of chapter 606 of the acts of 1982 is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- The divisions of capital planning and operations is hereby authorized to convey and transfer the title of said property referred to in section two of this chapter to the city known as the town of Methuen.

SECTION 46. Item 0431-8833 of section 2 of chapter 649 of the acts of 1982 is hereby amended by striking out the figure "10,000,000" and inserting in place thereof the figure:- 16,000,000.

SECTION 47. Section 3 of chapter 325 of the acts of 1983 is hereby amended by striking out the words "three hundred seventy thousand five hundred and nine" and inserting in place thereof the words:- five hundred thirty-six thousand four hundred and seventy-nine.

SECTION 48. Section 48A of chapter 29 of the General Laws, as most recently amended by section 3 of chapter 336 of the acts of 1977, is hereby further amended by striking out the third sentence and inserting in place thereof the following sentence:- If any officer whose signature or a facsimile of whose signature appears on any notes, bonds or coupons shall cease to be such officer before the delivery of, and receipt of proceeds from the borrowing evidenced by, such notes or bonds, 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 and receipt of proceeds.

SECTION 49. Section 49 of said chapter 29, as most recently amended by section 1 of chapter 34 of the acts of 1982, is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

Bonds of the commonwealth may be issued as registered bonds or as bearer bonds, with or without coupons, as the state treasurer may deem best. Such bonds shall bear interest at such rate or rates as the state treasurer, with the approval of the governor, shall fix. The provisions of this paragraph shall apply to any bonds issued after January first, nineteen hundred and eighty-two unless the act authorizing such issue expressly states that the provisions of this paragraph shall not apply.

This bill was returned January 12, 1984 by the Governor to the House of Representatives, the branch in which said Bill originated, with his objections in writing as follows:

I disapprove line items 1102-8849, 1102-9844, 2150-9842, 2320-8841, 4316-8845, 4536-8841, 4537-8843, 4536-8842, 4533-8843, 5395-8841, 6020-8847, 6020-8848, 7010-8841, 7109-8842, 7109-8844, 7109-8847, 7410-8844, and 8400-8841.

I reduce line items 2000-9840 to $200,000, 2120-8845 to $250,000, 2120-8842 to $100,000, 4532-8841 to $940,000, 7113-8841 to $100,000, and 7510-8843 to $50,000.

I disapprove section 8C, 8D, 8E, 8F, 8G, 8H, 8I, 9D, 9G, 23, 24, 32, 33 and 41.

I reduce section 9L to $5,000,000.

The remainder of this Bill was approved January 12, 1984.

EMERGENCY LETTER - January 12, 1984 @ 4:39 P.M.

Chap. 1. RESOLVE PROVIDING FOR PUBLICATION OF A NINETEEN HUNDRED AND EIGHTY-THREE EDITION OF THE GENERAL LAWS AND FOR MONTHLY PUBLICATION OF AMENDMENTS DURING NINETEEN HUNDRED AND EIGHTY-FOUR, NINETEEN HUNDRED AND EIGHTY-FIVE AND NINETEEN HUNDRED AND EIGHTY-SIX.

RESOLVED, That counsel to the senate and counsel to the house of representatives be directed to prepare and contract for publication of a new edition of the General Laws which may be referred to as the 1983 Edition of the General Laws. Said edition shall preserve the present chapter and section numbers of the General Laws, and the numbers of inserted chapters and sections, and shall include all amendments and additions to the General Laws enacted on or after January first, nineteen hundred and thirty-two, including those enacted during the session of nineteen hundred and eighty-three. Said edition shall include a table of contents, section headings, text of the General Laws, text of the Constitutions of the Commonwealth and the United States and an index. Said counsel shall also prepare and contract for monthly publication, in General Law format and sequence, of all amendments to the General Laws enacted during the sessions of nineteen hundred and eighty-four, nineteen hundred and eighty-five and nineteen hundred and eighty-six. Publication of the 1983 Edition of the General Laws and said amendments shall be at the risk, expense and profit of the publisher provided that said counsel may contract with the publisher to return a portion of the publication proceeds to the commonwealth to cover the cost of preparing copy for publication and may grant the publisher an option to extend the contract to include publication of a 1986 Edition of the General Laws and monthly publication of amendments to the General Laws enacted during the sessions of nineteen hundred and eighty-seven and nineteen hundred and eighty-eight. Said counsel may also contract with the Massachusetts Bar Association to co-sponsor or otherwise promote publication of the General Laws.

Approved June 30, 1983.

Chap. 2. RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE QUALITY AND CONDUCT OF THE DISABILITY DETERMINATION SERVICE OF THE MASSACHUSETTS REHABILITATION COMMISSION.

RESOLVED, That the special commission established by chapter eleven of the resolves of nineteen hundred and eighty-two is hereby revived and continued. Said commission shall file its report on or before the last Wednesday of May, nineteen hundred and eighty-four.

Approved September 28, 1983.

Chap. 3. RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSIONS ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO HAZARDOUS AND SOLID WASTES.

RESOLVED, That the special commissions, established by section 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 until the last Wednesday in December, nineteen hundred and eighty-four.

Approved November 18, 1983.

Chap. 4. RESOLVE IN FAVOR OF ALLEN AGHOIAN.

RESOLVED, That notwithstanding the provisions of any general or special law to the contrary and for the purpose of discharging a moral obligation, there shall be allowed and paid out of the state treasury, subject to appropriation, to Allen Aghoian of the city known as the town of Methuen the sum of five hundred nineteen dollars and thirty-five cents in reimbursement for the damage to his motor vehicle and other expenses incurred when said motor vehicle was struck and damaged by an expansion joint which lifted out of the bridge on interstate highway route 93 over the state highway route 110 and state highway route 113 rotary in said city known as the town of Methuen.

Approved November 18, 1983.

Chap. 5. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ADEQUACY OF EXISTING RULES AND REGULATIONS AFFECTING THE SOFT-SHELLED CLAM INDUSTRY.

RESOLVED, That a special commission, to consist of three members of the senate, six members of the house of representa-

tives and two persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to the adequacy of existing rules and regulations affecting the soft-shelled clam industry. Said commission may travel without the commonwealth.

Approved November 29, 1983.

Chap. 6. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO ESTABLISHING A SUITABLE MEMORIAL TO PRESIDENT JOHN F. KENNEDY.

RESOLVED, That a special commission, to consist of four members of the senate, seven members of the house of representatives, the secretary of state or his designee, and seven persons to be appointed by the governor, one of whom shall represent the John Fitzgerald Kennedy Library, is hereby established for the purpose of developing plans to promote through public subscription the establishing of an appropriate memorial to the late President John F. Kennedy. Such commission may receive and expend such funds as may be donated to it for its purposes.

Said commission shall report to the house of representatives the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday in December, nineteen hundred and eighty-four.

Approved December 6, 1983.

Chap. 7. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO PLANNING APPROPRIATE EVENTS TO COMMEMORATE THE THREE HUNDRED AND FIFTIETH ANNIVERSARY OF THE ARRIVAL OF THE FIRST GROUP OF AFRICANS TO MASSACHUSETTS IN FEBRUARY, SIXTEEN HUNDRED AND THIRTY-EIGHT.

RESOLVED, That a special commission, to consist of three members of the senate, three members of the house of representatives, the executive director of the Massachusetts council of the arts and humanities or his designee, the executive director of the Massachusetts historical commission or his designee, the

director of the national center of Afro-American artists or his designee, the director of the museum of Afro-American history or his designee, the director of the Boston African-American national historic site or his designee, and ten persons to be appointed by the governor, five of whom shall be recognized scholars or educators or professionals in the areas of African and African-American history and culture, is hereby established for the purpose of planning appropriate events throughout the commonwealth in order to commemorate the three hundred and fiftieth anniversary of the arrival of the first group of Africans to Massachusetts in February, sixteen hundred and thirty-eight. Said commission shall report to the house of representatives the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday in March, nineteen hundred and eighty-eight.

Approved December 16, 1983.

Chap. 8. RESOLVE IN FAVOR OF ALAN KINDELL.

RESOLVED, That for the purpose of discharging a moral obligation of the commonwealth, there shall be allowed and paid out of the state treasury, subject to appropriation, to Alan Kindell, the sum of two thousand two hundred dollars for property damage sustained by him on May twenty-ninth, nineteen hundred and eighty-one, as a result of a motor vehicle accident involving a state motor vehicle operated by a state employee of Boston state hospital.

Approved December 17, 1983.

Chap. 9. RESOLVE IN FAVOR OF THE NOTRE DAME CHURCH OF THE CITY OF FALL RIVER.

RESOLVED, That, for the purpose of discharging a moral obligation of the commonwealth, there shall be allowed and paid out of the state treasury, subject to appropriation, to the Notre Dame Church of the city of Fall River, the sum of three thousand fifty-one dollars and fifty-five cents for the purpose of reimbursing such church for money expended on certain Massachusetts state lottery commission tickets which were destroyed in a fire.

Approved December 17, 1983.

Chap. 10. RESOLVE IN FAVOR OF FRANK J. LAMBIASE.

RESOLVED, That for the purpose of discharging a moral obligation of the commonwealth and after appropriation has been made therefor, there shall be allowed and paid out of the state treasury to Frank J. Lambiase of the town of Pembroke, a statistical research consultant, the sum of nine hundred and forty-five dollars for work performed by him for the office of inspector general between the dates of May thirteenth, nineteen hundred and eighty-two and June twenty-second, nineteen hundred and eighty-two.

Approved December 19, 1983.

Chap. 11. RESOLVE ESTABLISHING THE CARL J. GILBERT MATCHING SCHOLARSHIP GRANT PROGRAM.

RESOLVED, That the program of matching scholarship grants established under the provisions of item 7070-0060 of section two of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three shall be known as the Carl J. Gilbert matching scholarship grant program.

Approved January 12, 1984.

AGGREGATE OF VOTES ON AMENDMENTS TO THE CONSTITUTION AND LAWS SUBMITTED TO THE PEOPLE AT THE NOVEMBER 2, 1982 ELECTION

Qestion No. 1

To permit use of public funds to aid or maintain private primary or secondary schools.

Yes	No	Blanks
708,034	1,160,130	235,616

Question No. 2

To provide that no provision of the state constitution may be construed to prohibit laws imposing the death penalty.

Yes	No	Blanks
1,131,668	748,549	223,563

Question No. 3

To require certain preconditions for the construction and operation of any new nuclear power plant or low-level radioactive waste disposal or storage facility.

Yes	No	Blanks
1,249,462	602,955	251,363

Question No. 4

To require that a refundable deposit be paid for certain beverage containers sold in Massachusetts.

Yes	No	Blanks
1,143,956	791,846	167,978

NUMBER OF ACTS AND RESOLVES APPROVED, APPROVAL WITHHELD, ACTS VETOED BY THE GOVERNOR, PASSED OVER HIS VETO AND ACTS DECLARED EMERGENCY LAWS BY THE GOVERNOR UNDER AUTHORITY OF THE CONSTITUTION.

The General Court during its first session held in 1983 passed 723 Acts and 11 Resolves of which 721 Acts and 11 Resolves received executive approval. Two Acts which executive approval was withheld became law by virtue of Chapter 1, Section 1, Article II of the Constitution of the Commonwealth.

Chapters 182 and 413 were passed, but failed to received executive approval; as, however they were not returned, with objections thereto, within ten days after they had been received in the executive department, the General Court not having been dissolved in the meantime, said Acts have the force of law, under the provisions of the Consitution governing such cases and have been so certified.

Fifty-seven Acts 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; respectively Chapters 8, 19, 21, 26, 31, 34, 63, 77, 92, 96, 99, 105, 109, 112, 119, 141, 159, 165, 175, 189, 192, 221, 233, 242, 296, 303, 317, 344, 363, 364, 365, 389, 400, 420, 439, 440, 449, 450, 495, 527, 535, 537, 542, 571, 574, 580, 587, 609, 614, 623, 624, 629, 641, 649, 654, 722 and 723.

The General Court was dissolved on Tuesday, January 3, 1984 at twelve o'clock midnight, the session having occupied 364 days.

June 22, 1984

MICHAEL JOSEPH CONNOLLY
Secretary of State

OFFICE OF THE SECRETARY, BOSTON, June 22, 1984

I hereby certify that the acts and resolves contained in these volumes are true copies of the originals on file in this department.

I further certify that the table of contents and index contained in this volume have bben prepared under the direction of the Committee 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 table of changes has been prepared by George V. Kenneally, Jr., Esq., associate 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.

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TABLE OF CHANGES

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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-THREE.*†

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; third sentence revised, 1981, 760 § 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).

*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).

SECT. 18 added, 1981, 106 (designating babingtonite as the mineral or mineral emblem of the commonwealth).

SECT. 19 added, 1981, 383 § 2(designating the song "All Hail to Massachusetts" as the song of the commonwealth).

SECT. 20 added, 1981, 383 § 2 (designating the song "Massachusetts" as the folk song of the commonwealth).

SECT. 21 added, 1981, 402 (designating the poem, "Blue Hills of Massachusetts" as the official state poem of the common wealth).

SECT. 22 added, 1983, 115 (designating the Roxbury Pudding Stone as the rock or rock emblem of the commonwealth).

SECT. 23 added, 1983, 115 (designating Plymouth Rock in the town of Plymouth as the historical rock of the commonwealth).

SECT. 24 added, 1983, 115 (designating Dighton Rock as the explorer rock of the commonwealth).

SECT. 25 added, 1983, 115 (designating granite as the building and monument stone of the commonwealth).

SECT. 26 added, 1983, 310 § 1 (designating Deborah Samson as the official heroine 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; act of 1979 submitted upon referendum after passage and repealed by the people at the state election on November 4, 1980. This action revived section as most recently amended by 1979, 159; first paragraph, fifth sentence revised, 1981, 808 § 20. (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; 1981, 808 § 35.) For temporary act see 1965, 271 § 1; 1966, 441 § 2; 688 § 2; section revised, 1982, 455 § 1; fifth and sixth sentences stricken out and one sentence inserted, 1982, 519 § 1. (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; 1982, 455 § 12; 519 § 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; third paragraph revised, 1981, 68. (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; 1981, 69. (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; second paragraph stricken out, 1983, 132.

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); section revised, 1981, 575.

SECTS. 63-64 added, under caption, 1971, 1008 § 1 (establishing a legislative post audit and oversight bureau).

SECT. 63, second paragraph revised, 1972, 243; section revised, 1981, 351 § 282. (See 1981, 351 § 299.)

SECT. 65 added, 1972, 462 (establishing a senate art committee); revised, 1981, 351 § 282. (See 1981, 351 § 299.)

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; section repealed, 1981, 782 § 1. (See 1979, 518 § 2; 1980, 80 § 3.)

SECT. 4B added, 1980, 580 § 5 (providing for the revocation of certain statutes by cities and towns); revised, 1981, 782 § 2.

SECT. 5 revised, 1935, 69.

SECT. 6, clause Tenth added, 1967, 867 § 1; paragraph Eleventh added, 1983, 210.

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; subclause (*j*) added, 1982, 189 § 2; subclause (*k*) added, 1983, 113; 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); sentence added, 1983, 457. (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; act submitted upon referendum after passage and repealed by the people at state election on November 4, 1980. This action revived section as most recently amended by 1969, 835 § 1. (See 1963, 744 § 8; 1969, 835 § 7.)

SECT. 2 amended, 1946, 591 § 2; 1949, 722; 1955, 730 § 1; 1963, 744 § 2; 1965, 844 § 1; 1969, 835 § 2; 1976, 480 § 22; section revised, 1979, 677 § 3; act submitted upon referendum after passage and repealed by the people at state election on November 4, 1980. This action revived section as most recently amended by 1976, 480 § 22; section revised, 1982, 455 § 2. (See 1955, 730 § 43; 1963, 744 § 8; 1969, 835 § 7; 1976, 480 § 27; 1982, 455 § 12.)

SECT. 2 revised, 1982, 455 § 3. (See 1982, 455 § 12.)

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); section revised, 1981, 102 § 1; 1982, 182; 1983, 53. (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. 12EE added, 1981, 102 § 2 (providing for the annual observance of Grandparents' Day).

SECT. 12FF added, 1982, 310 § 2 (relative to Deborah Samson);

SECT. 12FF added, 1983, 373 (providing for the annual observance of Lithuanian Independence Day).

SECT. 14B added, 1964, 291 (providing for the annual observance of October twenty-fifth as State Constitution Day).

SECT. 14C added, 1971, 70 (providing for the annual observance

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); section revised, 1981, 90.

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. 15QQ added, 1982, 82 (relative to the annual observance of parliamentary law month).

SECT. 15RR added, 1983, 13 (relative to the annual observance of Greek Independence Day).

SECT. 15SS added, 1983, 65 (relative to the annual observance of Massachusetts hospice week).

SECT. 15TT added, 1983, 263 (relative to the annual observance of Public Employees Appreciation 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; 1981, 351 § 286; 808 § 21. (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; 1981, 351 § 299; 808 § 35.)

SECT. 17A added, under caption, 1969, 704 § 1 (establishing a governor's cabinet); amended, 1970, 862 § 1; 1980, 329 § 104; revised, 1982, 668 § 1; revised, 1983, 623 § 1. (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; revised, 1981, 699 § 1; 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; 1981, 699 § 97.)

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. 35 revised, 1981, 699 § 2.

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; 1981, 699 § 3. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198; 739 § 2; 872, § 204; 1981, 699 § 97.)

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; first paragraph, first two sentences stricken out, one sentence added, 1983, 594 § 1; third paragraph, first sentence amended, 1977, 234 §§ 13-15; 872 §§ 10-12; revised, 1981, 699 § 4; 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; 1981, 699 § 97.)

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; thirdparagraph, 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; third paragraph, first sentence revised, 1981, 699 § 5. (See 1950, 479 §§ 6, 7; 1963, 719 § 2; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1981, 699 § 97.)

SECTS. 57-59 added, 1946, 583 § 1 (relative to the Massachusetts Aeronautics Commission). (See G.L. 90 §§ 36-38, repealed by 1946, 583 § 2. See also 1946, 583 § 4.)

SECT. 57, first paragraph amended, 1963, 801 § 6; 1967, 844 § 3; third paragraph revised, 1971, 808; paragraph added, 1971, 841.

SECTS. 58A-59C added, 1948, 637 § 2 (establishing the State Airport Management Board). (See 1948, 638 §§ 4-9, 13, 663 § 4.)

SECT. 58, first sentence revised, 1981, 699 § 6. (See 1981, 699 § 97.)

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; paragraph added, 1983, 233 § 1. (See 1952, 605 §§ 19-21; 1969, 704 § 60;) 1983, 233 § 101.

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). (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; 1981, 699 § 7; 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; 1981, 699 § 97.)

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. 74-84 stricken out and twelve sections inserted, 1980, 513.

SECTS. 84A-84H added, 1974, 805 § 1 (establishing an office of deafness in the Massachusetts Rehabilitation Commission);

SECTS. 84A, amended, 1983, 585 § 1. section 84E, fitst sentence revised, 1983, 585 § 1A.

SECTS. 84I, added, 1983, 585 § 2.

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); second paragraph, third sentence revised, 1981, 699 § 8. (See 1981, 699 § 97.)

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.

SECT. 119, last sentence revised, 1981, 699 § 9. (See 1981, 699 § 97.)

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; revised, 1981, 699 § 10. (See 1973, 774 § 7; 1974, 422 § 54; 1977, 234 § 198, 872 § 204; 1981, 699 § 97.)

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; section revised, 1981, 699 § 11; 1982, 644 § 1. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50, 1210 § 39; 1974, 422 § 54; 1977, 234 § 198; 872 § 204; 1981, 699 § 97.)

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; second paragraph, last sentence stricken out, 1982, 644 § 2; last paragraph revised, 1971, 775; amended, 1973, 1210 § 4; first sentence revised, 1983, 633 § 1. (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. 131B amended, 1982, 644 § 3.

SECT. 131C amended, 1982, 644 § 4.

SECT. 131D amended, 1982, 644 § 5;

SECT. 131F amended, 1982, 634 § 1.

SECT. 131J amended, 1982, 644 § 6.

SECT. 133 revised, 1982, 568; amended, 1982, 644 § 7.

SECTS. 133A-133F added, 1982, 568.

SECTS. 133E-133F stricken out, sections 133D-133E added, 1983, 636, § 1.

SECT. 134 amended, 1982, 644 § 8.

SECT. 135, third sentence stricken out, 1973, 1210 § 6; sentence added, 1976, 144 § 1; section amended, 1982, 644 § 9; paragraph added, 1982, 644 § 10. (See 1973, 1210 § 39.)

SECT. 136, paragraph added, 1982, 644 § 11.

SECT. 137 revised, 1973, 1210 § 7. (See 1973, 1210 § 39.)

SECT. 143, two paragraphs inserted after first paragraph, 1982, 644 § 12.

SECT. 145, paragraphs (*a*) and (*b*) revised, 1982, 644 § 13.

SECT. 146 revised, 1982, 644 § 14.

SECT. 147 revised, 1982, 644 § 15.

SECT. 148 amended, 1982, 644 § 16.

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; section revised, 1981, 555 § 1; amended, 1982, 20 § 1. (See 1981, 555 § 2.)

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); sentence inserted after second sentence, 1981, 367 § 1. (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 stricken out 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; amended, 1982, 31.

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); first paragraph, last sentence revised, 1983, 241 § 1; second paragraph, second sentence revised, 1977, 365 § 2; 1983,596 § 1; 703, § 1; last paragraph, last sentence stricken out and four sentences inserted, 1983, 233 § 1. (See 1976, 266 § 23; 1977, 365 § 9; 1983, 241 § 25, 1983, 233 § 101.

SECT. 184 added, 1977, 941 § 1 (establishing the committee on medicolegal investigation); first two paragraphs revised, 1981, 773 § 1.

SECTS. 185-189 added, under caption, 1981, 351 § 289 (establishing the office of handicapped affairs). (See 1981, 351 § 299.)

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; section revised, 1982, 668 § 2; 1983, 623 § 2. See 1970, 862 § 6; 1973, 1168 § 40; 1979, 796 § 35; 1980, 329 § 134.)

SECT. 3, two sentences added, 1981, 699 § 12; last two sentences revised, 1982, 44 § 3. (See 1981, 699 § 97; 1982, 44 § 16.)

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; revised, 1983, 623 § 3. (See 1974, 806 § 41.)

SECTS. 9A-9B added, 1973, 1224 § 1 (providing for the payment of certain expenses of the attorney general and the department of public utilities);

SECT. 9A, first sentence revised, 1974, 691; 1976, 266 § 2; revised, 1983, 623 § 4. first paragraph revised, 1983, 626. second paragraph, three sentences added, 1981, 375 § 1; (See 1976, 266 § 23.)

SECT. 9B revised, 1981, 795 § 1; revised, 1983, 623 § 5.

SECT. 10 revised, 1983, 623 § 6.

SECT. 14, first paragraph amended, 1977, 565, § 1. section repealed, 1980, 329 § 107. (See 1980, 329 § 134.)

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; act submitted upon referendum after passage and repealed by the people at state election om November 4, 1980. This action revived section as most recently amended by 1978, 552 § 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. 17 revised, 1982, 668 § 4.

SECT. 17A added, 1974, 692 (establishing a service unit within the executive office of manpower affairs).

SECTS. 17B-17E added, 1982, 668 § 3 (relative to the secretary of labor).

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; 1982, 372 § 1; first paragraph amended, 1983, 462 § 1. (See 1982, 372 § 10.)

SECT. 32, second paragraph amended 1977, 234 §§ 25-27; 872 §§ 19-21; revised, 1981, 699 § 13; third paragraph, clause (6) revised, 1979, 567; third paragraph revised, 1981, 776 § 1; fourth paragraph revised, 1983,

687 § 1; paragraph inserted after fourth paragraph, 1979, 675 § 1. fifth paragraph revised, 1981, 776 § 2; paragraph added, 1982, 553 § 1. (See 1977, 234 § 198; 872 § 204; 1981, 699 § 97.)

SECT. 32A added, 1981, 528 § 1 (further regulating long term care facilities).

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); section revised, 1982, 372 § 1A. (See 1982, 372 § 10.)

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, first paragraph amended, 1983, 636 § 2; paragraph added after first paragraph, 1980, 329 § 55; second paragraph amended, 1983, 636 § 3; paragraph added after second paragraph, 1979, 675 § 2; amended, 1982, 553 § 2; third paragraph amended, 1983, 636 § 4. (See 1980, 329 § 134.)

SECT. 38 first paragraph amended, 1983, 636 § 5; second paragraph amended, 1983, 636 § 6.

SECT. 39, revised, 1983, 636 § 7.

SECT. 41, first paragraph amended, 1983, 636 § 8.

SECT. 42, amended, 1983, 636 § 9.

SECT. 43, amended, 1983, 636 § 10.

SECT. 44, amended, 1983, 636 § 11.

SECT. 45, amended, 1983, 636 § 12.

SECT. 46, revised, 1983, 636 § 13.

SECT. 47-48, added, 1980, 287, (further regulating certain procedures of the rate setting commission); revised, 1983, 636 § 14.

SECT. 47, amended, 1982, 634 § 2.

SECT. 49, added, 1981, 785(relative to drugs dispensed to certain industrial accident patients.); stricken out, 1983, 636 § 2.

SECTS. 50-72 added, 1982, 372 § 1B (relative to rates in acute care hospitals.)

SECTS. 51A revised, 1983, 389 § 1.

SECTS. 54 revised, 1983, 389 § 2. (See 1982, 372 § 10.)

SECTS. 55 sentence added, 1983, 389 § 3.

SECTS. 57 revised, 1983, 389 § 4.

SECT. 58, first paragraph revised, 1982, 518; fifth paragraph, first sentence revised, 1983, 389 § 5.

SECT. 65, paragraph added, 1983, 233 § § 2. (See 1983, 233 § 101.)

SECT. 68, subsection B, two paragraphs added, 1983, 389 § 6; subsection C, paragraphs (b) and (c) revised, 1983, 389 § 7; subsections E and F revised, 1983, 389 § 8; subsection G, added, 1983, 389 § 9.

SECT. 73, added, 1983, 462 § 2.

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; last paragraph amended, 1982, 602 § 1. (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; further amended, 1983, 714 § 4. (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.)

SECT. 4A, first paragraph, first sentence stricken out and three sentences inserted, 1982, 630 § 1. (See 1982, 630 § 56.)

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; act submitted upon referendum after passage and repealed by the people at state election on November 4, 1980. This action revived section as most recently amended by 1978, 514 § 1B; 1980, 579 § 1; sentence inserted after first sentence, 1980, 579 § 3; two sentences added, 1980, 579 § 2; first paragraph amended, 1981, 699 § 14; 767 § 1; 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; 1981, 699 § 97.)

SECT. 4B amended, 1968, 492 § 1; revised, 1974, 835 § 6; 1979, 677 § 6; act submitted upon referendum after passage and repealed by the people at stae election on November 4, 1980. This action revived section as most recently amended by 1974, 835 § 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; act submitted upon referendum after passage and repealed by the people at state election on November 4, 1980. This action revived section as most recently amended by 1969, 704 § 7; first paragraph revised, 1982, 44 § 3A. (See 1969, 704 § 60; 1982, 44 § 16.)

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; section revised, 1981, 351 § 287. (See 1974, 835 § 185; 1978, 514 § 287; 1980, 329 § 134; 1981, 351 § 299.)

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; first paragraph, third sentence stricken out and two sentences inserted, 1981, 767 § 2; second paragraph amended, 1980, 579 § 60; fourth sentence revised, 1981, 699 § 15. revised, 1983, 683. (See 1973, 1229 § 13; 1978, 393 § 45; 1980, 579 § 66; 1981, 699 § 97.)

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. section revised, 1981, 767 § 3. (See 1975, 358 § 8; 1977, 234 § 198; 872 § 204.)

SECT. 4J, first three sentences stricken out and ten sentences inserted, 1981, 767 § 4.

SECT. 4K, seventh sentence revised, 1981, 767 § 5.

SECT. 4L added, 1981, 808 § 21A. (See 1981, 808 § 35.)

SECT. 5 amended, 1979, 677 § 8; act submitted upon referendum after passage and repealed by the people at state election on November 4, 1980. This action revived the first sentence as appearing in 1962, 757 § 4; first sentence stricken out and two sentences inserted, 1982, 44 § 4. (See 1982, 44 § 16.)

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); section revised, 1981, 767 § 6.

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; clause (20) added, 1983, 701 § 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; revised, 1982, 357 § 1 third paragraph amended, 1955, 643 § 7; 1962, 757 § 22; fourth paragraph amended, 1962, 757 § 22; section amended, 1974, 835 § 10; paragraph inserted after fourth paragraph, 1981, 699 § 16; fifth paragraph stricken out and two paragraphs inserted, 1981, 767 § 7. (See 1955, 643 § 12; 1973, 1078 § 8; 1974. 835 § 185; 1981, 699 § 97; 1982, 357 § 21.)

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; third sentence revised, 1981, 699 § 21; paragraph inserted after first paragraph, 1981, 699 § 17; 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; 1981, 699 § 97.)

SECT. 28B added, 1979, 775 (establishing a certain employee assistance program).

SECT. 29 amended, 1945, 580 § 4; revised, 1982, 357 § 2. (See 1945, 580 § 9; 1982, 357 § 21.)

SECT. 30 amended, 1952, 144; 1962, 757 § 23; revised, 1974, 835 § 14; first sentence revised, 1981, 767 § 8. (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; 1981, 805. (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); paragraph added, 1983, 713.

SECT. 38A added, 1983, 659 § 1.

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 sections 39A, 39B, 39C, 40A, 40B, 40C, 40D inserted, 1980, 579 § 7. (See 1980, 579 § 66.)

SECTS. 40E-42K added, 1980, 579 § 12 (improving the system of public construction); section 40F, fifth paragraph amended, 1983, 636 § 15; three sentences added, 1983, 677; (See 1980, 579 § 66.)

SECT. 41, second paragraph, fourth sentence revised, 1981, 699 § 15; 1982, 324 § 1. (See 1981, 699 § 97; 1982, 324 § 2.)

SECTS. 43A-43G added, 1980, 579 § 15 (improving the system of public construction). (See 1980, 579 § 66.)

SECTS. 43H-43I added, 1982, 357 § 3 (relative to state-owned or state-occupied facilities). (See 1982, 357 § 21.)

SECTS. 49-50 added, 1982, 630 § 2 (relative to the division of public employee retirement administration). pargaraph added, 1983, 661 § 1; (See 1983, 661 § 29.)

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; first sentence revised, 1982, 488. (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; 1982, 455 § 4; act submitted upon referendum after passage and repealed by the people at state elecion on November 4, 1980. This action revived third sentence as most recently amended by 1976, 480 § 23. (See 1949, 789 § 5; 1944, 730 § 43; 1963, 744 § 8; 1969, 835 § 7; See 1976, 480 § 27; 1982, 455 § 12.)

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); last paragraph revised, 1981, 808 § 22. section stricken out and Section 20A inserted, 1982, 634 § 3. (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; sentence inserted after fifth sentence, 1982, 152 § 1. (See 1975, 706 § 312.)

SECTS. 26A AND 26B added, 1973, 1155 § 2 (relative to the duties of the state archeologist).

SECT. 26A, paragraph (1) revised, 1982, 152 § 2; paragraph (2) sentence added, 1983, 6592 § 2. paragraphs (5), (6), and (7) added 1983, 659 § 3.

SECT. 26B revised, 1982, 152 § 3.

SECT. 26C added, 1982, 152 § 4 (establishing a state register of historic places).

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); two paragraphs inserted before first paragraph, 1982, 152 § 5; paragraph added, 1982, 152 § 6. paragraph added, 1983, 659 § 4.

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; 1982, 455 § 5; act submitted upon referendum after passage and repealed by the people at state election November 4, 1980. This action revived the second sentence as most recently amended by 1976, 480 § 24. (See 1976, 480 § 27.) (See 1949, 789 § 5; 1955, 730 § 43; 1963, 744 § 8; 1969, 835 § 7; 1982, 455 § 12.)

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. second sentence revised, 1983, 635; paragraph added, 1979, 790 § 1; revised, 1981, 351 § 293. (See 1981, 351 § 299.)

SECT. 26 amended, 1972, 192; 1973, 1002 § 1.

tSECT. 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); stricken out and sections 35A, 35B and 35C inserted, 1981, 351 § 294. (See 1981, 351 § 299.)

SECT. 35B revised, 1983, 289 § 70. (See 1983, 289 § 83.)

SECT. 35D added, 1983, 330 § 1.

SECT. 35E added, 1983, 693 § 1. (See 1983, 693 § 5.)

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, first paragraph amended, 1973, 1002 § 6; second paragraph, first sentence amended, 1980, 572 § 3; fourth paragraph revised, 1973, 944 § 1; 1982, 207; fifth paragraph revised, 1973, 1165 § 1; 1974 244 § 1; amended 1977, 845 paragraph added, after twelfth paragraph 1983, 619. (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); section revised, 1981, 782 § 3. (See 1981, 782 § 16.)

SECT. 49 added, 1983, 694 § 1.

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; 1982, 455 § 6; act submitted upon referendum after passage and repealed by the people at state election on November 4, 1980. This action revived the second sentence as most recently amended by 1976, 480 § 25. (See 1949, 789 § 5; 1955, 730 § 43; 1963, 744 § 8; 1969, 835 § 7; 1976, 480 § 27; 1982, 455 § 12.)

SECT. 2, first sentence revised, 1941, 596 § 5. second paragraph, sentence inserted after first sentence, 1981, 684 § 12.

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. 6B added, 1981, 795 § 2(corrective change).

SECT. 7 added, 1980, 580 § 4 (relative to the duties and responsibilities of the division of local mandates); four sentences inserted after third sentence, 1981, 556. section stricken out, 1981, 795 § 1 (corrective change).

SECT. 12 revised, 1962, 733; amended, 1971, 943 § 5; 1975, 270; second sentence stricken out, 1978, 201; four sentences inserted after third sentence, 1981, 556; fifth and sixth sentences revised, 1979, 760; tenth sentence revised, 1982, 555.

SECT. 13 added, 1976, 502 (authorizing the state auditor to enter into certain agreements or audit purposes); amended, 1981, 700 § 2.

SECT. 26F added, 1981, 705 (relative to public notification of certain chemicals in a city or town water supply).

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; 1982, 455 § 7; act submitted upon referendum after passage and repealed by the people at state election on November 4, 1980. This action revived the second sentence as most recently amended by 1978, 442 § 14B. (See 1949, 789 § 5; 1955, 730 § 43; 1963, 744 § 8; 1969, 835 § 7; 1976, 480 § 27; 1982, 455 § 12.)

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); revised, 1982, 299 § 1.

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); last sentence revised, 1982, 634 § 4.

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; 1982, 645 § 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; 1982, 645 § 5.)

SECT. 16, paragraph in lines 9-11 revised, 1935, 433 § 2; section revised, 1935, 458 § 3; paragraph in lines 23 and 24 revised, 1937, 279 § 2; next to last paragraph revised, 1941, 470 § 2; section revised, 1947, 675 § 2; paragraph added at end, 1948, 239 § 2; section revised, 1948, 423 § 4; fifth paragraph revised, 1951, 432 § 2; ninth paragraph revised, 1949, 680; section revised, 1951, 804 § 2; amended, 1954, 488 § 2; second paragraph revised, 1955, 582 § 2; 1956, 271 § 2; ninth paragraph revised, 1955, 678 § 2; section revised, 1956, 686 § 1; second paragraph revised, 1957, 185 § 2; fourth paragraph revised, 1960, 799 § 3; fifth paragraph revised, 1960, 741 § 3; eighth paragraph revised, 1959, 500; 1962, 694 § 3; ninth paragraph revised, 1960, 742 § 3; tenth paragraph revised, 1963, 553 § 2; section revised, 1963, 743 § 2; third paragraph revised, 1965, 603 § 2; sixth paragraph revised, 1964, 473 § 2; section revised, 1966, 662 § 2; second paragraph revised, 1967, 897; sixth paragraph revised, 1967, 880 § 2; seventh paragraph revised, 1967, 861 § 2; section revised, 1969, 769 § 2; 1971, 1117 § 2; 1972, 696 § 2; amended, 1972, 744 § 4; revised, 1974, 809 § 1; 1975, 835 § 2; 1976, 313 § 1; 542 § 2; 1974, 659 § 2; 1977, 995 § 2; 1978, 367 § 61, 61A; amended,1979, 393 § 61; revised, 1980, 261 § 33; 525 § 2; amended, 1980, 534 § 2. revised, 1982, 645 § 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; 1982, 645 § 5.)

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; 1982, 645 § 3. (See 1947, 675 § 4; 1951, 804 § 4; 1956, 686 § 3; 1963, 743 § 4; 1969, 769 § 4; 1982, 645 § 5.)

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;

SECTS. 22-25A revised, 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.

SECT. 2, second sentence revised, 1981, 7.

SECT. 7 revised, 1982, 277 § 1.

SECT. 9, first paragraph amended, 1982, 277 § 2; second paragraph amended, 1982, 277 § 3.

SECT.10, first paragraph, first sentence revised, 1981, 374.

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; 1981, 699 § 18; 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; 1981, 699 § 97.)

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. 11A added, 1982, 667 § 1 (providing for the licensing of practitioners of certain allied health professions.)

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; first two sentences stricken out and three sentences inserted, 1982, 452.

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; 1983, 160.

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; section revised, 1981, 351 § 253. second sentence revised, 1981, 699 § 19. (See 1938, 337 § 2; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 98; 872 § 204; 1981, 351 § 299; 1981, 699 § 97.)

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. revised, 1981, 699 § 20. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198; 872 § 204; 1981, 699 § 97.)

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; third sentence revised, 1981, 182.

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; section repealed, 1983, 606 § 1.

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).

SECTS. 85-87 added under caption, 1982, 666 § 1 (establishing the board of registration for speech-language pathology and audiology).

Chapter 14. — Department of Corporations and Taxation.

Chapter stricken out and new chapter 14 inserted, 1953, 654 § 1. (See 1953, 654 §§ 103-109.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 14, as so inserted:

SECT. 1, sentence added, 1954, 429.

SECT. 2, first paragraph amended, 1967, 844 § 8; third paragraph amended, 1963, 801 § 32; second sentence revised, 1969, 766 § 16; amended, 1971, 116 § 16; 1972, 300 § 15; 1973, 426 § 16; 1974, 422 § 17;

1977, 234 §§ 46-48; 872 §§ 40-42. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198; 872 § 204;

SECT. 3, second paragraph amended, 1964, 460 § 1.

SECT. 4, second paragraph amended, 1954, 681 § 3; 1975, 684 § 28. (See 1954, 681 §§ 20, 22; 1975, 684 § 97.)

SECT. 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 stricken out and new chapter 14 inserted, 1978, 514 § 5. (See 1978, 514 § 287.)

The following references are to chapter 14, as so inserted:

SECT. 2, second sentence stricken out, 1979, 677 § 13; act submitted upon referendum after passage and repealed by the people at state election on November 4, 1980. This action strikes out the second sentence as appearing in 1978, 514 § 5B.

SECT. 3, paragraph added, 1980, 27 § 1.

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; 1981, 699 § 21; second paragraph revised, 1971, 964; 1973, 847 § 2; second sentence revised, 1981, 699 § 22; 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; 1981, 699 § 97.)

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; thirteenth paragraph revised, 1981, 795 § 2A; 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; third paragraph amended, 1981, 708 § 1. (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).

SECT. 41, first sentence stricken out and two sentences inserted, 1981, 699 § 23. (See 1981, 699 § 97.)

SECT. 43 amended, 1981, 808 § 23. (See 1981, 808 § 35.)

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.)

SECT. 2 first paragraph, fist sentence revised, 1983, 646.

SECT. 4 amended, 1981, 699 § 23A. (See 1981, 699 § 97.)

SECT. 5 amended 1983, 123 clause (*e*) revised, 1983, 123; clause (*f*) revised, 1983, 344 § 1.

SECT. 7, first paragraph, second sentence amended, 1981, 351 § 190; fifth paragraph revised, 1981, 689 § 1. (See 1981, 351 § 299.)

SECT. 9, first paragraph, first sentence stricken out and seven sentences inserted, 1981, 496. first sentence amended, 1982, 402.

SECT. 10, clause (*h*) revised, 1983, 344 § 2.

SECT. 12, sentence added 1983, 555.

SECT. 13, first paragraph, first sentence amended, 1981, 746 § 10; second paragraph amended, 1981, 746 § 11. (See 1981, 746 § 13.)

SECT. 16, sentence added, 1983, 716 § 1. (See 1983, 716 § 6.)

SECT. 18 added, 1982, 212 § 1 (relative to the expenditure of certain funds through the Massachusetts college system and universities).

SECT. 19 added, 1983, 344 § 3.

Chapter 15B — THE NEW ENGLAND EDUCATIONAL LOAN MARKETING CORPORATION ACT.

New chapter inserted, 1981, 351 §191.

(See 1981, 351 § 299.)

Chapter repealed, 1982, 356 § 2. (See 1982, 357 § 27.)

Chapter 15C. — MASSACHUSETTS COLLEGE STUDENT LOAN AUTHORITY.

New chapter inserted, 1981, 803.

SECT. 3 revised, 1982, 356 § 13. (See 1982, 356 § 27.)

SECT. 4, paragraph (*h*) added, 1982, 356 § 14. (See 1982, 356 § 27.)

SECT. 5, paragraph (*j*) added, 1982, 356 § 15; paragraph (*l*) stricken out and paragraphs (*l*) and (*l½*) added, 1982, 356 § 16. (See 1982, 356 § 27.)

SECT. 10, paragraph (*c*, second sentence revised, 1982, 356 § 17; paragraph (*d*), clause (1) revised, 1982, 356 § 18; clause (10) revised, 1982, 356 § 19. (See 1982, 356 § 27.)

SECT. 11, second sentence stricken out, 1982, 356 § 20. (See 1982, 356 § 27.)

SECT. 13, first two sentences stricken out and sentence inserted, 1982, 356 § 21; third sentence amended, 1982, 356 § 22. (See 1982, 356 § 27.)

SECT. 18 amended, 1982, 356 § 23. (See 1982, 356 § 27.)

SECT. 20, first and second sentences stricken out and one sentence inserted, 1982, 356 § 24. (See 1982, 356 § 27.)

SECT. 22, second paragraph amended, 1982, 356 § 25. (See 1982, 356 § 27.)

SECTS. 27-28 added, 1982, 356 § 26 (relative to College Student Loan Authority dissolution, liquidation or other termination). (See 1982, 356 § 27.)

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. revised, 1981, 699 § 24. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198; 872 § 204; 1981, 699 § 97.)

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; revised, 1981, 699 § 25. (See 1969, 704 § 60; 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198; 872 § 204; 1981, 699 § 97.)

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; revised, 1981, 699 § 26; 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; 1981, 699 § 97.)

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); section revised, 1982, 551. (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. revised, 1981, 699 § 27. (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; 1981, 699 § 97.)

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; revised, 1981, 704 § 4; first sentence revised, 1983, 693 § 2; paragraph inserted after first paragraph, 1974, 409 § 2; 1976, 486 § 3; second paragraph revised, 1959, 611 § 3; amended, 1963, 527; revised, 1964, 477 § 1; six sentences added, 1981, 684 § 1. (See 1941, 725 §§ 4-6; 1958, 612 § 2; 1964, 477 § 3; 1976, 486 § 31; 1983, 693 § 5.)

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. 7A added, 1983, 526 § 1.

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; section revised, 1982, 38.

SECT. 15 revised, 1983, 693 § 3. (See 1983, 693 § 5.)

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; clause (*h*) added, 1982, 422 § 1; subsection (C) added, 1973, 1168 § 12; subsection (D) added, 1979, 393 § 62; second paragraph revised, 1979, 765 § 3; subsection (D) stricken out, 1981, 795 § 3; subsection (D) revised, 1983, 450 § 1. (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; 1981, 699 § 28. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198, 872 § 204; 1981, 699 § 97.)

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; 1981, 699 § 29; fifth sentence amended, 1977, 234 §§ 70A, 71A, 72A, 872 §§ 67-69; 1981, 699 § 30. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198, 872 § 204; 1981, 699 § 97.)

SECT. 5, second paragraph amended, 1974, 752 § 2; third paragraph amended, 1974, 752 § 3; fourth paragraph revised, 1969, 885 § 4; amended, 1974, 752 § 4; revised, 1982, 420 § 1; 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; amended, 1982, 440.

SECT. 5C revised, 1970, 701 § 1. (See 1970, 701 § 3.)

SECT. 5D revised, 1980, 524 § 2; amended, 1981, 67.

SECT. 5G added, 1977, 363A § 52; first paragraph stricken out and three paragraphs inserted, 1982, 430 § 1. (See 1977, 363A § 76.)

SECT. 5H added, 1982, 367 (relative to third party recovery by the department of public welfare).

SECT. 6 revised, 1969, 885 § 7; amended, 1973, 1210 § 11; first paragraph revised, 1977, 953 § 1; third paragraph amended, 1974, 752 § 6; first sentence revised, 1982, 420 § 2; 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; second paragraph amended, 1982, 422 § 2.

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; 1983, 450 § 2. (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; 1981, 699 § 31. (See

1972, 300 § 44; 1973, 426 § 50; 1974, 855 § 8; 1977, 234 § 198, 872 § 204; 1981, 699 § 97.)

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. 2, amemded 1983, 450 § 3, clause (16) added, 1983, 450 § 3.

SECT. 4 revised, 1979, 795 § 1.

SECT. 6, third sentence revised, 1981, 699 § 32. (See 1981, 699 § 97.)

SECT. 7, subsection (*k*) added, 1983, 450 § 4.

SECT. 8, first sentence stricken out and two sentences inserted, 1981, 699 § 33. (See 1981, 699 § 97.)

SECT. 9, second pragraph, second sentence revised, 1981, 699 § 34. (See 1981, 699 § 97.)

SECT. 20 added, 1979, 795 § 2 (relative to the advancement of certain funds).

SECT. 21 added, 1982, 540 § 1 (authorizing the department of social services to establish an adoption subsidy program).

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; paragraph revised, 1981, 699 § 35. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198, 872 § 204; 1981, 699 § 97.)

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; 1981, 351 § 166; second paragraph revised, 1969, 647 § 2; amended, 1971, 1000 § 2. (See 1980, 329 § 134; 1981, 351 § 299.)

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; 1981, 351 § 165. (See 1973, 1210 § 39; 1978, 367 § 72; 1980, 329 § 134; 1981, 351 § 299.)

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. 14G added, 1982, 357 § 4 (relative to the collection of veterans' benefits). (See 1982, 357 § 21.)

SECT. 15, first sentence revised, 1977, 864 § 7; section revised, 1980, 329 § 87; amended, 1981, 351 § 167. (See 1980, 329 § 134; 1981, 351 § 299.)

SECT. 17, paragraph added, 1981, 808 § 24. (See 1981, 808 § 35.)

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; third paragraph, two sentences added before first sentence, 1983, 450 § 5; 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, second paragraph revised, 1982, 607 § 1; fourth paragraph amended, 1973, 1194; fifth paragraph stricken out, 1982, 607 § 2. (See 1982, 607 § 7.

SECT. 28 revised, 1982, 607 § 3. (See 1982, 607 § 7.)

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. 4A added, 1982, 357 § 5 (relative to a sliding fee scale for home care services). (See 1982, 357 § 21.)

SECT. 13, clause (2) amended, 1980, 566.

SECTS. 14-26 added, 1982, 604 § 1 (providing further protection of elderly persons).

SECTS. 27-35 added, 1983, 544.

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; section revised, 1983, 691 § 1. (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 §§ 76-78; section revised, 1981, 699 § 36. (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; 1981, 699 § 97.)

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; section revised, 1981, 699 § 37. (See 1969, 766 § 48; 1971, 116 § 45; 1971, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198, 872 § 204; 1981, 699 § 97.)

SECT. 6, first sentence revised, 1965, 678 § 1; 1967, 347 § 1; 1974, 654 § 1; second sentence revised, 1975, 706 § 31; section revised, 1981, 351 § 254; first three sentence stricken out, five sentences added, 1983, 691 § 2. (See 1975, 706 § 312; 1981, 351 § 299.)

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; section repealed, 1983, 691 § 3. (See 1945, 497 § 2; 1953, 604 §§ 6, 8; 1969, 704 § 60.)

SECT. 8 revised, 1953, 604 § 1; repealed, 1983, 691 § 3.

SECT. 9 revised, 1953, 604 § 1; repealed, 1983, 691 § 3.

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; definitions of "Director" and "Division" stricken out and definitions of "Bureau" and "Chief" inserted, 1981, 351 § 255. (See 1981, 351 § 299.)

SECT. 14, first sentence revised, 1980, 378 § 2; fourth sentence revised, 1980, 378 § 3; revised, 1983, 691 § 4.

SECT. 15 revised, 1980, 378 § 4.

SECT. 16 amended, 1981, 351 § 257; revised, 1983, 691 § 5. (See 1981, 351 § 299.)

SECT. 17 amended, 1981, 351 § 258. (See 1981, 351 § 299.)

SECT. 20, added, 1983, 706 § 2.

SECT. 21, added, 1983, 706 § 2.

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. fiee 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; 1981, 699 § 38; last sentence revised, 1981, 351 § 135. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1975, 706 § 312; 1977, 234 § 198; 872 § 204; 1981, 351 § 299; 699 § 97.)

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; section revised, 1981, 760 § 2. (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; section revised, 1981, 760 § 3. (See 1975, 706 § 312.)

SECT. 6C revised, 1964, 524 § 3; second paragraph amended, 1975, 706 § 53; 1981, 760 § 4. (See 1975, 706 § 312.)

SECT. 6D revised, 1964, 524 § 4; amended, 1975, 706 § 54; section revised, 1981, 760 § 5. (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; revised 1981, 760 § 6; 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; eighth paragraph revised, 1975, 706 § 77; revised, 1983, 589 § 1;(See 1975, 706 § 312.)

SECT. 8A added, 1979, 800 § 1 (relative to the cooperative survey program for groundwater assessments); repealed, 1983, 589 § 2.

SECT. 8B-8D, added, 1983, 658.

SECT. 9, first paragraph, first sentence revised, 1975, 706 § 61; paragraph inserted after first paragraph, 1964, 646 § 1;. revised, 1983, 589 § 3. (See 1975, 706 § 312.)

SECT. 9A added, 1970, 767 § 1 (authorizing the water resources commission to acquire water impoundment sites); three paragraphs added, 1983, 167 § 1.

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. 15, revised 1983, 589 § 10.

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; 1983, 589 § 11; 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; two paragraphs added, 1982, 349. (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 "abatement facilities" added, 1983, 606 § 2; definition of "Board" added, 1983, 606 § 2; definition of "Commissioner" inserted, 1980, 511 § 2. definition of "Hazardous material" inserted, 1979, 705 § 1; stricken out, 1983, 7 § 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. stricken out, 1983, 7 § 2.

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; amended, 1982, 286 § 1, 2; sixth sentence revised, 1982, 441. second paragraph, first sentence stricken out, 1983, 167 § 2.

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; second paragraph stricken out and two paragraphs inserted, 1982, 286 § 3.

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. 34A-34C, added 1983, 606 § 3.

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; stricken out, 1982, 297.

SECT. 37A added, 1981, 628 § 1 (providing fo a Massachusetts clean lakes and great ponds program); first paragraph amended, 1983, 534 § 1.

SECT. 38 revised, 1967, 873 § 9; first paragraph amended, 1970, 692 § 1; sentence added, 1972, 678; section revised, 1982, 286 § 4.

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; last paragraph stricken out, 1983, 7 § 3.

SECT. 42, first sentence amended, 1970, 704 § 2; sentence added, 1967, 873 § 11; section revised, 1973, 546 § 8; first paragraph, sentence added, 1983, 606 § 4.

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 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. fiee 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; 1981, 699 § 38; last sentence revised, 1981, 351 § 135. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1975, 706 § 312; 1977, 234 § 198; 872 § 204; 1981, 351 § 299; 699 § 97.)

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; section revised, 1981, 760 § 2. (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; section revised, 1981, 760 § 3. (See 1975, 706 § 312.)

SECT. 6C revised, 1964, 524 § 3; second paragraph amended, 1975, 706 § 53; 1981, 760 § 4. (See 1975, 706 § 312.)

SECT. 6D revised, 1964, 524 § 4; amended, 1975, 706 § 54; section revised, 1981, 760 § 5. (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; revised 1981, 760 § 6; 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; eighth paragraph revised, 1975, 706 § 77; revised, 1983, 589 § 1;(See 1975, 706 § 312.)

SECT. 8A added, 1979, 800 § 1 (relative to the cooperative survey program for groundwater assessments); repealed, 1983, 589 § 2.

SECT. 8B-8D, added, 1983, 658.

SECT. 9, first paragraph, first sentence revised, 1975, 706 § 61; paragraph inserted after first paragraph, 1964, 646 § 1;. revised, 1983, 589 § 3. (See 1975, 706 § 312.)

SECT. 9A added, 1970, 767 § 1 (authorizing the water resources commission to acquire water impoundment sites); three paragraphs added, 1983, 167 § 1.

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. 15, revised 1983, 589 § 10.

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; 1983, 589 § 11; 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; two paragraphs added, 1982, 349. (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; stricken out, 1983, 7 § 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. stricken out, 1983, 7 § 2.

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; amended, 1982, 286 § 1, 2; sixth sentence revised, 1982, 441. second paragraph, first sentence stricken out, 1983, 167 § 2.

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; second paragraph stricken out and two paragraphs inserted, 1982, 286 § 3.

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; stricken out, 1982, 297.

SECT. 37A added, 1981, 628 § 1 (providing fo a Massachusetts clean lakes and great ponds program); first paragraph amended, 1983, 534 § 1.

SECT. 38 revised, 1967, 873 § 9; first paragraph amended, 1970, 692 § 1; sentence added, 1972, 678; section revised, 1982, 286 § 4.

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; last paragraph stricken out, 1983, 7 § 3.

SECT. 42, first sentence amended, 1970, 704 § 2; sentence added, 1967, 873 § 11; section revised, 1973, 546 § 8; first paragraph, sentence added, 1983, 606 § 4.

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. 2, first paragraph clauses (29) added, 1983, 589 § 12.

SECT. 4A, added, 1983, 589 § 13.

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; 1981, 351 § 134. 699 § 39. (See 1975, 706 § 312; 1977, 872 § 204; 1980, 354 § 23; 1981, 351 § 299; 699 § 97.)

SECT. 7A added, 1977, 969 § 1A (further regulating the appointment and removal of certain employees in the department of public works); revised, 1983, 589 § 14. (See 1977, 969, § 2.)

SECT. 8, first paragraph revised, 1975, 706 § 76; first sentence revised, 1983, 589 § 15; two sentences added, 1982, 565 § 1; second paragraph revised, 1983, 589 § 16; third paragraph revised, 1981, 351 § 259; revised, 1983, 691 § 6; fourth paragraph, first sentence revised, 1981, 760 § 7; eighth paragraph revised, 1976, 706 § 77; 1981, 760 § 8; 1983, 589 § 17; (See 1975, 706 § 312; 1981, 351 § 299.)

SECTS. 8A-8F, added 1983, 589 § 18.

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; third paragraph, two sentences inserted after second sentence, 1982, 232 § 1; paragraph inserted after sixth paragraph, 1983, 7 § 4. 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 21E.—MASSACHUSETTS OIL AND HAZARDOUS MATERIAL RELEASE PREVENTION AND RESPONSE ACT

New chapter inserted, 1983, 7 § 5.

SECT. 2, definition of "Owner" or "Operator" revised, 1983, 573 § 1; definition of "Statement of claim" or "statement" added, 1983, 572 § 2. (See 1983, 573 § 4.)

SECT. 13, revised 1983, 573 § 3. (See 1983, 573 § 4.)

Chapter 21F —"Coastal Facilities Improvement".

new chapter added, 1983, 589 § 19.

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; 1981, 699 § 40. (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; 1981, 699 § 97.)

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; 1981, 699 § 41; second paragraph amended, 1974, 541 § 1. (See 1948, 634 § 3; 1972, 802 § 77; 1974, 541 § 24; 1977, 872 § 204; 1981, 699 § 97.)

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. revised, 1983, 213.

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). revised, 1983, 715.

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; last sentence stricken out and two paragraphs added, 1983, 552 § 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; 1981, 346 § 1. (See 1971, 827 § 2.)

SECT. 14 added, 1945, 710 § 1 (establishing within the department of public safety a board of fire prevention regulations); first paragraph revised, 1960, 674; amended, 1971, 580; fourth paragraph revised, 1955, 730 § 31; 1963, 801 § 52; section revised, 1980, 462 § 1; first pargraph amended, 1983, 188; (See 1945, 710 § 18; 1955, 730 § 43.)

Chapter 23. — Department of Labor and Industries.

SECT. 1 revised, 1977, 864 § 8; amended, 1981, 351 § 230. 1982, 668 § 9. (See 1981, 351 § 299.)

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; 1981, 351 § 231; second sentence revised, 1981, 699 § 42. (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; 1981, 351 § 299; 1981, 699 § 97.)

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; last two sentences revised, 1981, 351 § 233. (See 1935, 479 § 7; 1969, 704 § 7; 1969, 704 § 60; 1981, 351 § 299.)

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; 1981, 351 § 232; fifth sentence revised, 1979, 374 § 2; section amended, 1981, 351 § 249. (See 1939, 261 § 25; 1969, 704 § 60; 1981, 351 § 299.)

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; section repealed, 1981, 351 § 234. (See 1979, 393 § 73; 1981, 351 § 299.)

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; 1982, 668 § 5.

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; subsection (a), first sentence revised, 1982, 668 § 7; 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; 1981, 699 § 43. (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; 1981, 699 § 97.)

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; 1981, 699 § 44. (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; 1981, 699 § 97.)

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. 9O, subsection (a), first sentence amended, 1982, 668 § 8.

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; revised, 1981, 699 § 45; 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; 1981, 699 § 97.)

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. 11P-11S repealed, 1983, 685 § 1.

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. second paragraph, first sentence revised, 1981, 699 § 46; (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; 1981, 699 § 97.)

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; revised, 1981, 699 § 47. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198; 872 § 204; 1981, 699 § 97.)

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. 4A, added 1983, 618.

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; 1982, 419.

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; tenth paragraph amended, 1983, 672 § 1.

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; amended, 1983, 672 § 2; paragraph inserted after first paragraph, 1980, 490 § 16; second paragraph amended, 1983, 672 § 3; third paragraph amended, 1983, 672 § 4.

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.

SECTS. 38A-38C added, 1983, 672 § 5.

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; amended 1983, 450 § 6. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54.)

SECT. 2 revised, 1975, 163 § 1.

SECT. 3, first paragraph amended, 1983, 450 § 6;

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; added, 1982, 658 § 1. (See 1982, 658 § 10.) clause (*5*) added, 1982, 658 § 1; amended, 1983, 233 § 3. (See 1983, 233 § 101.)

SECT. 13A, added, 1983, 233 § 4 (determination of the Bureau with reference to an application for a renewal or extension of a certificate). (See 1983, 233 § 101;719 § 4.)

SECT. 15, clause (*a*) amended, 1978, 499 § 5; clause (*e*) amended, 1978, 514 § 7; clause (*f*) amended, 1978, 514 § 8; subsection H added, 1983, 719 § 1. (See 1978, 514 § 287;1983, 719 § 3.)

SECTS. 16-23 added, 1972, 802 § 1 (establishing a state building code commission).

SECT. 16, first paragraph, third sentence amended, 1975, 163 § 9; eighth paragraph amended, 1974, 541 § 2; 1975, 163 § 10.

SECT. 17, clause (*a*) amended, 1973, 1233 § 1; 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); revised, 1983, 705.

SECTS. 25-27, added, 1983, 574 § 7.

Chapter 23C. — BOARD OF CONCILIATION AND ARBITRATION. New chapter inserted, 1981, 351 § 235. (See 1981, 351 § 299.)

SECT. 2, first sentence amended, 1982, 668 § 6.

SECT. 3, revised 1983, 584.

SECT. 2, first sentence amended, 1982, 668 § 6.

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; 1981, 699 § 48. (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; 1981, 699 § 97.)

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. 5B added, 1981, 375 § 2 (relative to rules and regulations of the department).

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.

SECT. 12M added, 1981, 375 § 3 (establishing a fuel charge monitoring bureau).

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; revised, 1983, 233 § 5; (See 1978, 514 § 287; 1983, 233 § 101.)

SECT. 18 added, 1975, 684 § 90 (authorizing the imposition of assessments on certain companies). paragraph inserted after first paragraph, 1979, 796 § 3; last paragraph revised, 1983, 44. (See 1975, 684 § 97; 1979, 796 § 35.) last paragraph revised, 1983, 44.

Chapter 25A. — Executive Office Of Energy Resources

New Chapter inserted, 1979, 796 § 4. (See 1979, 796 § 35.)

SECT. 5 revised, 1983, 700 § 1.

SECT. 11 paragraph added after third paragraph, 1984, 700 § 2.

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; 1981, 699 § 49. (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; 1981, 699 § 97.)

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; 1981, 699 § 50. (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; 1981, 699 § 97.)

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). second paragraph third sentence stricken out, and fourth sentences added, 1983, 233 § 6. (See 1983, 233 § 101.)

SECT. 8F added, 1976, 266 § 4 (relative to annual assessments against insurance companies). revised, 1983, 233 § 7. (See 1976, 266 § 23; 1983, 233 § 101.)

SECT. 8G added, 1981, 775 § 1 (licensing motor vehicle examiners); (See 1981, 775 § 4.)

SECT. 8G added, 1981, 797 § 1 (aurhorizing the insurance commissioner to make certain assessments against insurance companies); section stricken out, 1982, 634 § 5.

SECT. 8H added, 1982, 634 § 5 (authorizing the commissioner of insurance to make certain assessments).

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; 1981, 699 § 51; 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; 1981, 699 § 97.)

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; 1977, 872 § 117; revised 1981, 699 § 52; 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; 1981, 699 § 53. last sentence revised, 1983, 502 (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; 1981, 699 § 97.)

SECT. 5 revised, 1960, 765 § 2; first paragraph amended, 1972, 777 § 2; second paragraph revised, 1981, 282; 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; revised, 1981, 699 § 54. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44; 1973, 426 § 50; 1974, 422 § 54; 1977, 234 § 198; 872 § 204; 1981, 699 § 97.)

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. 3, third sentence revised, 1981, 699 § 55. (See 1981, 699 § 97.)

SECT. 6A, added, 1983, 288 § 1.

SECT. 9, definition of "After school program" inserted, 1981, 726 § 1; 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; first sentence amended, 1981, 726 § 2; paragraph (*b*) amended, 1981, 726 § 3; paragraph (*c*) amended, 1981, 726 § 4.

SECT. 11 revised, 1974, 682 § 3; paragraph (*a*) amended, 1981, 726 § 5; subsection (*c*) added, 1975, 858 § 4.

SECT. 11A added, 1975, 858 § 5 (authorizing certain requests for information on prospective adoptive families).

SECT. 14 added, 1983, 311; revised, 1983, 311.

SECT. 12 amended, 1981, 723 § 6.

Chapter 29. — State Finance.

For temporary legislation as to emergency state financing, see 1933, 49, 104, 307, 341, 365, 367, 368; 1934, 41, 66, 313, 335; 1935, 221, 300, 380, 392, 456; 1936, 309, 1937, 338; 1938, 20, 57, 481, 501 § 3; 1939, 288, 417, 418, 496; 1941, 129; 1943, 413; 1945, 324; 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; section revised, 1981, 351 § 198. (See 1969, 704 § 60; 1979, 393 § 73; 1981, 351 § 299.)

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; revised, 1983, 611. (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. 6B added, 1981, 351 § 199 (relative to federal grant funds); paragraph (*f*) amended, 1983, 661 § 2. (See 1981, 351 § 299; 1983, 661 § 29.)

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.)

SECTS. 7E, revised 1983, 636 § 16.

SECTS. 7F added, 1983, 636 § 16;

SECT. 7L added, 1981, 690 (providing that alaw appropriating money for the expenses of the commonwealth shall not contain provisions onany other subject matter).

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.)

SECTS. 12A-12B added, 1982, 357 § 6 (relative to certain obligations for items or services). (See 1982, 356 § 21.)

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. 19A added, 1982, 357 § 7 (relative to transfers of a specific sum). (See 1982, 357 § 21.)

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; second sentence revised, 1982, 357 § 8; last sentence amended, 1962, 757 § 48. (See 1941, 656 § 17; 1982, 357 § 21.)

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); subsection (*a*) amended, 1981, 782 § 4; subsection (*b*) amended, 1981, 782 § 5; subsection (*c*) amended, 1981, 782 § 6; subsection (*g*) added, 1981, 767 § 9. (See 1981, 782 § 16.)

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; third sentence revised, 1981, 767 § 9. (See 1969, 704 § 60; 1975, 684 § 97; 1976, 283 § 34; 1981, 767 § 30.)

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; third sentence revised, 1981, 767 § 9. (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; paragraph (d) added, 1981, 699 § 56. (See 1974, 835 § 185; 1980, 354 § 22C; 1981, 699 § 97.)

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. first paragraph revised, 1981, 539.

SECT. 34A added, 1960, 230 (relative to deposits of public moneys and funds in co-operative banks); revised, 1961, 135; 1966, 139; 1975, 784; revised, 1983, 371 § 1. (See 1983, 371 § 105.)

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; 1981, 710. (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; third sentence revised, 1983 723 § 48.

SECT. 49, first paragraph revised, 1980, 578 § 16; first sentence revised, 1981 13 § 68; second paragraph revised, 1983, 723 § 49; paragraph added, 1965, 633; 1977, 336 § 4; two paragraphs added, 1978, 513 § 21; paragraph added, 1982, 34 § 1; (See 1980, 578 § 53.)

SECT. 49A added, 1978, 513 § 17 (providing for the issuance of minibonds); clause (1) revised, 1979, 519; sentence inserted after penultimate sentence, 1981, 110.

SECT. 49B added, 1981, 695 § 2 (relative to commercial paper). second paragraph amended, 1983, 289 § 73. (See 1981, 695 § 3; 1983, 289 § 83.)

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; 1981, 695 § 1; sentence added, 1982, 34 § 1A. (See 1981, 695 § 3.)

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; paragraph added, 1981, 697; section revised, 1981, 731 § 1.

SECT. 64A added, 1981, 731 § 1 (further regulating public employees deferred compensation programs).

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; third sentence stricken out, 1982, 253. (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. 25, paragraph added, 1982, 357 § 9. (See 1982, 357 § 21.)

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; first sentence revised, 1982, 29.

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; after third sentence, sentence added, 1983, 701 § 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. 39R, subsection (*f*) added, 1982, 593 § 1.

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 (3) amended, 1981, 699 § 57; paragraph (4A) inserted, 1982, 357 § 10; paragraph (9) added, 1956, 729 § 4; amended, 1957, 648 § 2; definition of "Class allocation" revised, 1981, 699 § 65; definition of "Class relocation" revised, 1981, 699 § 66; definition of "Employee" revised, 1981, 699 § 67; definition of "Increment" revised, 1981, 699 § 68; definition of "Job group" amended, 1981, 699 § 69; definition of"Manager" inserted, 1981, 699 § 70; definition of "Position" revised, 1981, 699 § 71; definition of "Professioal data processing position" inserted 1983, 717 § 1; definition of "Step-in-range" revised, 1981, 699 § 72. (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; 1981, 699 § 97; 1982, 357 § 21.)

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; 1981, 699 §§ 58, 60, 61, 62; paragraph inserted after salary schedule, 1971, 66 § 1; 1981, 699 § 59; 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 (5B) added, 1983, 717 § 2; 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; paragraph (12) inserted, 1981, 293 § 5. (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; 1981, 293 § 7; 699 § 97.)

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.)

SECTS. 46C-46H added, 1981, 699 § 73. (See 1981, 699 § 97.)

SECT. 46C, paragraph (1), salary schedule revised, 1981, 699 §§ 74-76; paragraph (5A) added, 1983, 526 § 2. (See 1981, 699 § 97.)

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. 1B added, 1982, 341 (relative to the department of youth services).

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. 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. 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 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 prior changes see Table of Changes contained in Acts and Resolves of 1977.

The following references are to Chapter 31, as so inserted.

SECT. 1, definition of "Seasonal position" amended, 1979, 77 § 1; second sentence amended, 1979, 577 § 1; section revised, 1981, 767 § 10. (See 1979 77 § 2; 1979, 577 § 2; 1981, 767 § 30.)

SECT. 2 revised, 1981, 767 § 11. (See 1981, 767 § 30.)

SECT. 3 revised, 1981, 767 § 12. (See 1981, 767 § 30.)

SECT. 4 revised, 1981, 767 § 13. (See 1981, 767 § 30.)

SECT. 5, paragraph (*l*) stricken out and paragraphs (*l*)-(*p*) inserted, 1981, 767 § 14. (See 1981, 767 § 30.)

SECTS. 6A, 6B, 6C inserted, 1981, 767 § 15. (See 1981, 767 § 30.)

SECT. 16 revised, 1981, 767 § 16. (See 1981, 767 § 30.)

SECT. 18, second paragraph amended, 1979, 543.

SECT. 20 amended, 1981, 351 § 133. (See 1981, 351 § 299.)

SECT. 24 revised, 1981, 767 § 17. (See 1981, 767 § 30.)

SECT. 26, paragraph added, 1979, 265; revised, 1979, 554.

SECT. 33, paragraph added, 1982, 571.

SECT. 34, paragraph inserted after first paragraph, 1981, 767 § 18. (See 1981, 767 § 30.)

SECT. 39, paragraph inserted after second paragraph, 1982, 630 § 3. (See 1982, 630 § 56).

SECT. 41A, added, 1983, 431.

SECT. 42,second paragraph, sentence inserted after first sentence, 1981, 767 § 19. (See 1981, 767 § 30.)

SECT. 43 revised, 1981, 767 § 20. (See 1981, 767 § 30.)

SECT. 46 amended, 1982, 630 § 4. (See 1982, 630 § 56.)

SECT. 47A added, 1983, 682 § 1.

SECT. 48, third paragraph, clause inserted after second clause, 1980, 536; clause inserted after twenty-fourth clause, 1980, 329 § 63. section revised, 1981, 767 § 21. (See 1980, 329 § 134; 1981, 767 § 30.)

SECT. 48A, second sentence revised, 1978, 409 § 1.

SECT. 48A added, 1981, 767 § 22 (relative to a career management service program for state service). (See 1981, 767 § 30.)

SECT. 62, paragraph added, 1979, 648 § 1.

SECT. 62A added, 1979, 648 § 2 (relative to punishment duty for police officers and firefighters).

SECT. 69 revised, 1981, 767 § 23. (See 1981, 767 § 30.)

Chapter 31A. — MUNICIPAL PERSONNEL SYSTEMS.

New chapter inserted, 1981, 767 § 24. (See 1981, 767 § 30.)

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 "Actuary" revised, 1982, 630 § 5; definition of "Annual gross earned income" inserted, 1982, 630 § 6; definition of "Beneficiary" revised, 1949, 618 § 1; definition of "Commissioner" inserted,

1982, 630 § 7; definition of "District" amended, 1953, 583 § 1; 1956, 306 § 1; revised, 1981, 701 § 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; 1983, 364 § 1 sentence added, 1978, 487 § 1; 1982, 364 § 1; definition amended, 1980, 556 § 1;556 § 2; first sentence revised, 1981, 701 § 2; definition of "Employer" inserted, 1982, 630 § 8; 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; 1983, 364 § 2 definition of "Pension fund" 1983, 661 § 3; definition of "PRIT Fund and PRIM Board added, 1983, 661 § 3; definition of "Political subdivision" revised, 1948, 507 § 1; 1967, 597 § 4;amended; 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; 1983, 364 § 3; definition of "Regional medical panel" inserted, 1982, 630 § 9; 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; 1983, 364 § 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; 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; 1982, 630 § 56; 1983, 661 § 29.)

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; revised, 1983, 364 § 5; 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; 1981, 351 § 168; 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; revised, 1981, 760 § 9; amended, 1983, 613; 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; first sentence revised, 1982, 339; 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; subdivision (6), paragraph (*c*) revised, 1982, 630 § 10; subdivision (7), paragraph (*b*), sentence inserted after second sentence 1982, 630 § 11. (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; 1981, 351 § 299; 1982, 630 § 56.)

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 (*a*), first sentence revised, 1982, 630 § 12; paragraph (*b*) revised, 1946, 403 § 4; amended, 1964, 125; revised, 1964, 738; 1965, 73; 1966, 509 § 1; first sentence revised, 1982, 630 § 13; paragraph (*c*) revised, 1946, 403 § 5; amended, 1952, 524 § 4; 1954, 684 § 6; revised, 1955, 695 § 6; 1961, 494; subdivision (4), second sentence stricken out and two sentences inserted, 1982, 630 § 14. (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; 1982, 630 § 56.)

SECT. 5, subdivision (1), paragraph (*a*), first sentence amended, 1947, 388 § 4; 1958, 321 § 4; 1967, 826 § 4; revised, 1982, 630 § 15; 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; paragraph (*d*) added, 1982, 630 § 16. (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; 1982, 630 § 56.)

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; section revised, 1982, 630 § 17. (See 1982, 630 § 56.)

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; 1980, 556 § 7; subdivision (5) added, 1949, 618 § 5; section revised, 1982, 630 § 18. 1983, 364 § 6; (See 1948, 446 § 5; 1974, 459 § 4; 1982, 630 § 56.)

SECT. 8, subdivision (1), paragraph (b) amended, 1947, 667 § 6; section revised, 1982, 630 § 19. (See 1982, 630 § 56.)

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; subdivision (4) amended, 1983, 661 § 3A. (See 1949, 491 § 2; 1951, 784 § 3; 1957, 661 § 4; 1962, 516 §§ 2, 3; 1973, 928 § 2; 1983, 661 § 29.

SECT. 11, subdivision (2), paragraph (a) amended, 1950, 670 § 1; 1965, 857 § 1; subdivision (1), paragraph (a) four sentence added, 1983, 661 § 4; 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; first paragraph amended, 1983, 661 § 5; second paragraph revised, 1967, 597 § 10; 1973, 1003 § 9; 1978, 487 § 7; 1980, 556 § 8; 1983, 364 § 7; second paragraph amended, 1983, 661 § 6; third paragraph amended, 1983, 661 § 7. (See 1950, 670 § 3; 1978, 566 § 6; 1983, 661 § 29; 1983, 661 § 29.)

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; 1983, 364 § 8; 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; 1983, 364 § 9; subdivision (3A) inserted, 1982, 630 § 20. (See 1982, 630 § 56.)

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; section revised, 1982, 630 § 21. (See 1951, 784 § 3; 1977, 363A § 76; 1978, 514 § 287; 1980, 329 § 134; 1982, 630 § 56.)

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; paragraph added, 1981, 428 § 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 revised, 1982, 630 § 22; 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 (4 ⅞C added, 1983, 364 § 10;subdivision (5), paragraph (b) amended, 1956, 422 § 2; paragraph (e) revised, 1956, 609 § 3; paragraph (*g*) revised, 1982, 630 § 23; paragraph (*h*) amended, 1979, 267 § 1; revised, 1982, 630 § 24; 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; sentence inserted, 1983, 364 § 11; paragraph (j) added, 1948, 488 § 1 (See 1948, 488 § 2, 508 § 2; 1954, 642 § 2; 1978, 566 § 6; 1979, 136 § 2; 1982, 630 § 56.)

SECT. 20A added, 1982, 641 (relative to indemnification of members of retirement boards.)

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; 1983, 364 § 12; 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; section revised, 1982, 630 § 25. subdivision (2) sentence added 1983, 364 § 13;

SECT. 22, first sentence stricken out and two sentences added 1983, 661 § 8; subdivision (1), paragraph (b) amended, 1947, 617; revised, 1983, 661 § 9; first sentence stricken out, two sentence added, 1983, 661 § 8; subdivision (1) paragraph (1) pargraph added, 1983, 661 § 10A; 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; stricken out and two sentences inserted, 1954, 656 § 1; paragraph (*h*), sentence added, 1983, 661 § 10; subdivision (2) paragraph (*d*), amended 1983, 661 § 11; subdivision (3) paragraph (*a*), second sentence revised, 1983, 661 § 12; 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 (6) paragraph (*a*) clause (iii) revised, 1983, 661 § 13; subdivision (6), paragraph (*b*) amended, 1982, 630 § 26; revised, 1983, 661 § 14; subdivision (6A) added, 1983, 661 § 15; 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; paragraph (k) added, 1983 364 § 14; subdivision (8) added, 1983, 412; (See 1949, 560 § 3; 1954, 656 § 2;661 §16 1956, 409; 1957, 516 § 4; 1969, 849 § 79; 1978, 566 § 6; 1979, 393 § 73; 1982, 630 § 56; 1983, 661 § 29.)

SECT. 22A, added 1983, 289 § 77; repealed 1983, 661 § 16A. (See 1983, 661 § 29.)

SECT. 22B, added 1983, 661 § 17. (See 1983, 661 § 29.)

SECT. 23, subdivision (1), paragraph (b), second sentence revised, 1957, 533; stricken out, 1961, 441 § 1; paragraph amended, 1975, 487; 768 § 1; paragraph (d), clause (i), and subclause (D) revised, 1983, 371 § 2; paragraph (*c*) amended, 1979, 267 § 2; revised, 1982, 630 § 27; paragraph (d) added, 1961, 441 § 2; revised, 1983, 661 § 18; introductory paragraph amended, 1979, 342 § 18; clause (i) revised, 1972, 343 § 1; clause (*v*) inserted, 1980, 491 § 1; first paragraph, sentence added, 1981, 781 § 1; fourth paragraph amended, 1981, 795 § 4; clause (*vi*) added, 1981, 781 § 3; clauses (*vi*)-(*vii*) added, 1982, 669; clauses (*ix*)-(*x*) added, 1983, 36; subdivision (2), paragraph (a), first sentence revised, 1967, 597 § 19; 1971, 1012 § 11; 1973, 1003 § 16; 1978, 487 § 15; 1980, 556 § 17; 1983, 364 § 15; subdivision (2), paragraph (b), clause (i) and subclause (D) revised, 1983, 371 § 3; paragraph (b) amended, 1975, 768 § 2; 1983, 661 § 19; clause (vii) added 1983, 661 § 19A; 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; first paragraph, sentence added, 1981, 781 § 2; clause (*vi*) added, 1981, 781 § 4; paragraph (c) amended, 1960, 744 § 1; three sentences inserted after third sentence, 1977, 369; paragraph (*d*) revised, 1982, 630 § 28; paragraph (*e*) amended, 1979, 267 § 3; revised, 1982, 630 § 29; paragraph (f) added, 1960, 744 § 2; paragraph (g) added, 1983, 661 § 20; subdivision (2A) added, 1983, 661 § 21;subdivision (3) added, 1976, 269 § 2; revised, 1983, 661 § 22. (See 1978, 566 § 6; 1979, 342 § 19; 1982, 630 § 56; 1983, 371 § 105; 1983, 661 § 29.)

SECT. 23A added, 1982, 357 § 11 (relative to appropriation for the purpose of accumulating assets).(See 1982, 357 § 21.)

SECT. 24, subdivision (1), first sentence revised, 1967, 597 § 20; 1978, 487 § 16; amended, 1971, 1012 § 12; revised, 1973, 1003 § 17; 1980, 556 § 18; revised, 1982, 630 § 30. (1) first sentence revised, 1983, 364 § 16; (See 1978, 566 § 6; 1982, 630 § 56.)

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; 1983, 364 § 17; 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 (*b*), third sentence revised, 1982, 630 § 31; paragraph (f) added, 1946, 166 § 2; paragraph (g) added, 1946, 403 § 8; paragraph (h) added, 1946, 603 § 3; revised, 1982, 630 § 32; subdivision (3), paragraph (a) revised, 1946, 166 § 3; last sentence amended, 1946, 403 § 9; paragraph (*a*) revised, 1982, 630 § 33; subdivision (4), paragraph (*a*) amended, 1964, 532 § 3; 1953, 583 § 2; 1956, 306 § 4; fourth and fifth sentences revised, 1981, 701 § 3; paragraph revised, 1982, 630 § 34; paragraph added, 1968, 593; subdivision (5) added, 1948, 507 § 2; amended, 1957, 150 § 2, 415; paragraph (a) amended, 1969, 751 § 9; revised, 1982, 630 § 35; paragraph (c) added, 1967, 158; subdivision (6) added, 1967, 597 § 22; paragraph (*a*) revised, 1982, 630 § 36; subdivision (7) added, under caption, 1971, 1012 § 14; paragraph (*a*) revised, 1982, 630 § 37; subdivision (8) added, 1973, 1003 § 19; paragraph (*a*) revised, 1982, 630 § 38. (See 1953, 583 § 3; 1982, 630 § 56.)

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. 28L added, 1982, 637 (relative to retirement rights of certain employees of the department of correction).

SECT. 39, sentence added, 1948, 207.

SECT. 40 amended, 1967, 155; revised, 1982, 630 § 39. (See 1982, 630 § 56.)

SECT. 41 amended, 1971, 555 § 2; paragraph added, 1981, 428 § 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; second paragraph revised, 1982, 630 § 40. (See 1982, 630 § 56.)

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; second paragraph revised, 1982, 630 § 41; 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; 1982, 630 § 56.)

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); section revised, 1982, 630 § 42. (See 1968, 601 § 2; 1982, 630 § 56.)

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; section revised, 1982, 630 § 43. (See 1960, 724 § 2; 1963, 571 § 2; 1964, 464 § 2; 1969, 30 § 3; 1970, 738 § 2; 1982, 630 § 43.)

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; section revised, 1982, 630 § 43; (See 1978, 393 § 45; 1982, 630 § 56.)

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; second paragraph, third sentence revised, 1982, 630 § 44. (See 1957, 750 § 2; 1982, 630 § 56.)

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; third paragraph revised, 1982, 630 § 45.(See 1961, 71 § 2; 1982, 630 § 56.)

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; paragraph (*b*) amended, 1981, 711; paragraph (*c*) revised, 1983, 636 § 17. (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); stricken out, 1983, 636 § 18.

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; revised, 1982, 630 § 46; stricken out, 1983, 636 § 18.

SECT. 91B added, 1982, 630 § 46 (relative to the filing of certain statements).

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. 95B added, 1981, 681 (increasing the maximum pensions payable to certain widows).

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 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; 1983, 364 § 18; 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; revised, 1982, 615 § 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; 1982, 436.

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; 1982, 615 § 2; paragraph added, 1982, 357 § 12. (See 1982, 357 § 21.)

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; 1983, 371 § 4; tenth sentence revised, 1971, 432 § 2. (See 1983, 371 § 105.)

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; second paragraph, first sentence revised, 1982, 648 § 1; fifth paragraph revised, 1969, 229; 1982, 648 § 2. (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; section revised, 1983, 562. (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).

SECT. 16 added, 1981, 392 § 20 (relative to the certain additional right of an employee to insurance coverages). (See 1981, 392 § 24.)

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; section revised, 1982, 615 § 3.

SECT. 2, paragraph (g) revised, 1958, 136 § 2; section revised, 1958, 536; paragraph (*a*) revised, 1982, 615 § 4; paragraph (b) revised, 1960, 214 § 1; paragraph (d) revised, 1958, 580; sentence added, 1982, 615 § 5; paragraph (g) revised, 1958, 558 § 3; 1982, 615 § 6; 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; section amended, 1982, 615 § 7.

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. 6 revised, 1981, 271.

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; amended, 1982, 615 § 8.

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; fifth paragraph amended, 1982, 615 § 9.

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; section revised, 1982, 615 § 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; 1982, 615 § 11.

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; paragraph revised, 1982, 615 § 12.

SECT. 9D ½ added, 1978, 260 (relative to insurance coverage of the surviving spouse of an employee or retired employee of certain governmental units); section amended, 1982, 615 § 13.

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; section amended, 1982, 615 § 14.

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; section amended, 1982, 615 § 15.

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; amended, 1982, 615 § 16.

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; section revised, 1982, 615 § 17.

SECT. 10A added, 1975, 806 § 19 (authorizing group dental insurance coverage for certain persons); first paragraph amended, 1982, 615 § 18; second paragraph, two sentences added, 1982, 615 § 19.

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; section revised, 1982, 615 § 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; first paragraph, schedule revised, 1981, 578 § 1; fourth paragraph revised, 1981, 578 § 2; sixth paragraph revised, 1971, 167; seventh paragraph amended, 1973, 843 § 4; sentence added, 1982, 615 § 21; eighth paragraph amended, 1982, 615 § 22.

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; tenth paragraph amended, 1982, 615 § 23.

SECT. 11E added, 1970, 626 § 3 (relative to payment of certain costs for group life and health insurance coverage for retired teachers); first paragraph amended, 1982, 615 § 24; 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; second paragraph amended, 1982, 615 § 25.

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); sentence added, 1982, 615 § 26.

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; seventh paragraph amended, 1982, 615 § 27.

SECT. 17 added, 1981. 392 § 22 (relative to extension of coverages to certain employees). (See 1981, 392 § 24.)

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 (*b*), fifth paragraph, sentence added, 1982, 188; 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. 33 amended, 1983, 233 § 82. (See 1983, 233 § 101.)

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. 81 revised, 1981, 141.

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; 1981, 351 § 140; last sentence amended, 1947, 58; two sentences added, 1979, 325. (See 1981, 351 § 299.)

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; first four sentences revised, 1983, 480. 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; two paragraphs added, 1981, 293 § 6. (See 1981, 293 § 7.)

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; section 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; section revised, 1981, 45.

SECT. 25 amended, 1933, 175 § 1; first sentence revised, 1969, 849 § 7; second sentence revised, 1981, 351 § 141. (See 1969, 849 § 79; 1981, 351 § 299.)

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). stricken out, 1983, 636 § 19.

SECT. 26A added, 1983, 636 § 19. (See 1980, 579 § 66.)

SECT. 27 amended, 1933, 175 § 2; 1969, 849 § 9; revised, 1981, 351 § 142. (See 1969, 849 § 79; 1981, 351 § 299.)

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; subsection (b), last sentence revised, 1983, 121 § 1; subsection (g), last sentence revised, 1983, 121 § 2; (See 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.)

SECTS. 28-28A stricken out and section 28 inserted, 1981, 351 § 143. (See 1981, 351 § 299.)

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; section revised, 1981, 351 § 144; subsection (*a*) revised, 1981, 806 § 1; subsection (*d*) revised, 1981, 806 § 2; last sentence revised, 1982, 244 § 3; subsection (*g*) last sentence revised, 1983, 121 § 2; (See 1973, 1166 § 2; 1980, 579 § 66; 1981, 351 § 299; 1982, 244 § 4.)

SECT. 28C added, 1974, 659 (requiring public hearings on county revenue sharing allotments from the federal government); section repealed, 1981, 351 § 145. (See 1981, 351 § 299.)

SECT. 29 revised, 1939, 501 § 2; amended, 1945, 158 § 2; 1969, 849 § 13; second sentence revised, 1978, 15; section repealed, 1981, 351 § 145A. (See 1969, 849 § 79; 1981, 351 § 299.)

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; section revised, 1981, 351 § 146. (See 1969, 849 § 79; 1981, 351 § 299.)

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; amended, 1981, 351 § 147. (See 1970, 147 § 2; 1981, 351 § 299.)

SECT. 32A, added 1983, 661 § 23. (See 1983, 661 § 29.)

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; section amended, 1981, 351 § 148. (See 1948, 591 §§ 4-7; 1969, 849 § 79; 1978, 478 § 343; 1981, 351 § 299.)

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; two sentences added, 1981, 351 § 149. (See 1981, 351 § 299.)

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; 1981, 200 § 1; paragraph (1A) added, 1977, 233 § 2; three salary schedules revised, 1978, 375 § 2; 1981, 200 § 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; 1981 200 § 7.)

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; 1981, 731 § 2.

SECT. 57A added, 1981, 731 § 2 (relative to Individual Retirement Accounts for public employees).

Chapter 36. — Registers of Deeds.

SECT. 2 revised, 1982, 33 § 1.

SECT. 3 revised, 1937, 219 § 1; 1939, 214 § 3; 1982, 33 § 2.

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; section revised, 1983, 278 § 1. (See, 1983, 278 § 6.)

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. 30 amended, 1981, 351 § 150. (See 1981, 351 § 299.)

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; second paragraph revised, 1981, 788 § 1. (See 1970, 769 § 4; 1981, 788 § 2.)

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; revised, 1983, 721 § 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.

SECT. 24 added, 1983, 721 § 2.

SECT. 25 added, 1983, 721 § 2.

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; section amended, 1981, 773 § 2. (See 1966, 278 § 2.)

SECT. 1A added, 1975, 829 (creating the office of forensic dental examiner).

SECTS. 1B AND 1C added, 1977, 941 § 4 (relative to the office of medicolegal investigation).

SECT. 1B revised, 1981, 773 § 3.

SECT. 1C amended, 1981, 773 § 4.

SECT. 2, last sentence stricken out and two sentences inserted, 1945, 632 § 1; last sentence stricken out and paragraph added, 1977, 941 § 5; section amended, 1981, 773 § 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; amended, 1981, 773 § 6.

SECT. 6A added, 1972, 180 (requiring medical examiners to take blood samples in certain motor vehicle accident death cases).

SECT. 6B added, 1983, 659 § 5.

SECT. 6 added, 1983, 659 § 5.

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; third sentence stricken out, and two sentence inserted, +1983, 124@; (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 sentence revised, 1976, 272 § 1; 1981, 34; 386 § 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; thirteenth paragraph, sentence added, 1983, 648. YSM (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; revised, 1981, 496; second paragraph, last sentence revised, 1982, 634 § 6.

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 1981, 628 § 2; 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; last paragraph stricken out and two paragraphs inserted, 1981 307; paragraph added, 1981, 351 § 119. (See 1932, 271 § 7; 1951, 798 § 8; 1957, 227 § 2; 1969, 849 § 79; 1979, 796 § 35; 1981, 351 § 299.)

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; 1982, 24. (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. 4B½ added, 1983, 701 § 3.

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; two sentences added, 1981 132 § 1; third and fourth sentences stricken out and one sentence inserted, 1978, 481 § 2; two paragraphs added, 1978, 481 § 3; paragraph added, 1978, 481 § 4. (See 1981 132 § 2.)

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 (36C) added, 1981 302 (relative to mosquito control); 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 revised, 1983, 56; (authorizing the reimbursement for certain property loss or damage). clause (72) added, 1978, 581 § 1 (authorizing a municipal waterways improvement and maintenance fund); clause (73) added, 1981, 351 § 120 (relative to parking and moving motor vehicle violations). (See 1938, 142 § 2; 1954, 627 §§ 65, 67; 1969, 849 § 79;1973, 1210 § 39; 1975, 706 § 312; 1978, 581 § 8; 1981, 351 § 299.)

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); revised, 1983, 661 § 24. (See 1983, 661 § 29.)

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. 8J added, 1983, 75 (related to municipal handicapped commissions).

SECT. 9 amended, 1933, 245 § 3; 1935, 305; 1936, 271; first paragraph revised, 1946, 51, 209 § 2, 409 § 3; 1947, 468 § 3, 671; amended, 1949, 118 § 3; revised, 1949, 343 § 1; paragraph added, 1937, 255; section revised, 1949, 563 § 1; first sentence amended, 1950, 303; 1952, 115, 443; 1953, 469; revised, 1959, 59 § 3; amended, 1960, 203, 626 § 4; revised, 1961, 57; amended, 1964, 5; 1974, 6; sentence inserted after first sentence, 1953, 175; last sentence amended, 1969, 849 § 31; section revised, 1982, 187. (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; second sentence revised, 1981, 109; 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. clauses (23)-(24) added, 1981, 644 § 1; (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; first sentence revised, 1981, 644 § 2; 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; stricken out, 1981, 644 § 3.

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); first sentence revised, 1981, 644 § 4; fourth sentence revised, 1968, 369; amended, 1971, 438; revised, 1982, 333 § 1.

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. second sentence stricken out and two sentences inserted, 1981 38. (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; first paragraph revised, 1981, 419; 1982, 369 § 1; first sentence revise, 1983, 79; third paragraph revised, 1982, 369 § 2;. (See, 1983, 79 § 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. 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, first paragraph revised, 1982, 40; paragraph added, 1977, 860; 1983, 91;

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; fifth paragraph amended, 1982, 185.

SECT. 9, third paragraph amended, 1977, 829 § 3E; fifth paragraph amended, 1977, 829 § 4A; paragraph inserted after sixth paragraph, 1982, 344; seventh paragraph, third sentence stricken out, 1977, 829 § 3F. paragraph added, 1980, 508 § 5;

SECT. 9A added, 1982, 603 § 1 (relative to adult book stores or adult motion picture theaters). (See 1982, 603 § 9.)

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; first sentence revised, 1982, 533 § 1. (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; second sentence revised, 1983, 349 § 1.

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; first paragraph, first sentence revised, 1983, 349 § 2; fourth paragraph revised, 1983, 349 § 3; eighth paragraph revised, 1973, 257.

SECT. 18, first paragraph amended, 1969, 849 § 37; third paragraph, first sentence revised, 1969, 849 § 38; second sentence revised, 1983, 349 § 3; 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. section revised, 1983, 85 § 1; (See 1975, 706 § 312; 1983, 85 § 4.)

SECT. 25, first paragraph revised, 1983, 85 § 2. (See, 1983, 85 § 4.)

SECT. 26 amended, 1973, 215.

SECT. 28, first paragraph revised, 1975, 368. third and fourth sentences revised, 1983, 85 § 3. (See, 1983, 85 § 4.)

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. 5, amended, 1983, 429 § 1.

SECT. 12 stricken out and sections 12-12A inserted, 1974, 168. amended, 1983, 429 § 2.

SECT. 12A revised, 1983, 429 § 3.

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; sentence revised, 1983, 473 § 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 (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 (3) revised, 1977, 232 § 2; clause (3B) added, 1979, 796 § 6; revised, 1981, 101; 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; clause (27) added, 1981, 628 § 3; clauses (28) and (29) added, 1982, 98; clauses (30) added, 1983, 88. (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; 1981, 191 § 1; clause (3A) added, 1981, 191 § 2; clause (4) revised, 1958, 383 § 1; 1963, 82; 1965, 68; 1981, 191 § 3; clause (4A) added, 1966, 60; amended, 1978, 119 § 4; revised, 1981, 191 § 4; clause (5) revised, 1941, 83; amended, 1952, 123 § 1; revised, 1958, 383 § 2; 1981, 191 § 5; clause (6) amended, 1952, 123 § 2; 1970, 55; revised, 1981, 191 § 6; clause (7) revised, 1981, 191 § 7; clause (7A) added, 1957, 224; revised, 1967, 31; clause (7B) added, 1962, 672 § 2; clause (7C) added, 1981, 191 § 8; 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; two sentences added, 1982, 22 § 1; clause (9A) added, 1983, 83. 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; revised, 1981, 439.

SECT. 19A added, 1981, 782 § 8 (relative to overdue payments of certain bonds, notes and certificates). (See 1981, 782 § 16.)

SECT. 20 amended, 1946, 358 § 21; revised, 1947, 60; sentence added, 1949, 403; section revised, 1966, 61; 1979, 191; 1981, 439.

SECT. 21 amended, 1946, 358 § 22; revised, 1980, 521; 578 § 38; 1982, 23. (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. 27A added, 1983, 473 § 2.

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; 1982, 22 § 2; 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; first sentence revised, 1983, 331.

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; second paragraph, first sentence stricken out and two sentences inserted, 1982, 70.

SECT. 53D added, 1977, 665 (permitting cities and towns to establish recreation and park funds).

SECT. 53E added, 1981, 339 § 1 (relative to allocating certain anticipated receipts).

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; section revised, 1982, 52.

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; fourth sentence revised, 1982, 134.

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. section revised, +1983, 72@ § 1. (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; 1981, 731 § 3.

SECT. 67A added, 1981, 731 § 3 (relative to deferred compensation).

SECT. 68 added, 1973, 47 (authorizing cities, towns and districts to pay salary increases retroactively).

SECT. 69 added, 1981, 87 (providing a penalty for tendering an insufficient funds check in payment of certain municipal fees).

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; 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; paragraph (*e*) amended, 1981, 777 § 1; paragraph (1) amended, 1981, 778; revised, 1981, 777 § 2; revised, 1983, 560; paragraph (*l*) revised, 1979, 787 § 2.

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; sixth sentence revised, 1981, 80 § 1. (See 1980, 80 § 12.)

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, second sentence revised, 1981, 777 § 3; third sentence stricken out, 1979, 787 § 3; last sentence revised, 1981, 777 § 4.

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; amended, 1981, 80 § 2. (See 1981, 80 § 12.)

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. 4A, added, 1983, 661 § 25. (See 1983, 661 § 29.)
SECT. 5A added, 1980, 561 § 2 (authorizing the Massachusetts Technology Development Corporation to receive certain federal funds).
SECT. 6, sentence added, 1981, 247 § 5. (See 1981, 247 § 7.)
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 40I. — THE BAY STATE SKILLS CORPORATION ACT.

New chapter inserted, 1981, 351 § 192. (See 1981, 351 § 193.)
SECT. 4, two definitions inserted after definition of "Program of skill training or education consistent with employment need", 1982 44 § 5.

SECT. 6, clause (6), paragraph (B) amended, 1982, 44 § 6.
SECTS. 7-7E added 1983, 685 § 2.

Chapter 40J — Massachusetts Technology Park Corporation.

New chapter inserted, 1982, 312 § 1.

SECT. 3, second paragaraph revised, 1982, 451.
SECT. 11, added 1983, 32, (relative to the operation of the Massachusetts Technology Park Corporation).

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; first sentence stricken out and two sentences inserted, 1981, 386 § 2.
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; fifth sentence revised 1983, 582; 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; 1981, 386 § 3. 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; third sentence amended, 1981, 459; two sentencesinserted 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; revised, 1981, 421 § 1; seventh paragraph revised, 1981, 421 § 2; eighth paragraph amended, 1965, 62; 1963, 299; paragraph inserted after eighth paragraph, 1967, 567. stricken out, 1981, 421 § 3. (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; first sentence revised, 1982, 533 § 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; amended, 1981, 760 § 10. (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. 97E added, 1981, 94 (authorizing municipal police chiefs to attend certain conventions).

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. amended, 1981, 446.

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; 1982, 584. (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; first sentence revised,1982, 226. (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. 108N added, 1982, 279 (authorizing cities and towns to contract with an executive or administrative officer relative to conditions of employment).

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. 111M added, 1982, 203 (relative to leaves without loss of pay for certain medical technicians).

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 3A added, 1936, 149 § 2; revised 1938, 125 § 1; clause (d) revised 1980, 367 § 1; clauses (f) to (i) added, 1983, 245 § 1; paragraph added 1956, 324 § 7;amended 1983, 245 § 2.

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. 28A added, 1983, 701 § 4.

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; first paragraph, second sentence revised, 1983, 27;

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; sentence revised, 1983, 473 § 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 (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 (9A) added, 1983, 83; 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 (3) revised, 1977, 232 § 2; clause (3B) added, 1979, 796 § 6; revised, 1981, 101; 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; clause (27) added, 1981, 628 § 3; clauses (28) and (29) added, 1982, 98; clauses (30) added, 1983, 88. (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; 1983 578, §1; clause (3) revised, 1938, 172 § 5; 1981, 191 § 1; clause (3A) added, 1981, 191 § 2; clause (4) revised, 1958, 383 § 1; 1963, 82; 1965, 68; 1981, 191 § 3; clause (4A) added, 1966, 60; amended, 1978, 119 § 4; revised, 1981, 191 § 4; clause (5) revised, 1941, 83; amended, 1952, 123 § 1; revised, 1958, 383 § 2; 1981, 191 § 5; clause (6) amended, 1952, 123 § 2; 1970, 55; revised, 1981, 191 § 6; clause (7) revised, 1981, 191 § 7; clause (7A) added, 1957, 224; revised, 1967, 31; clause (7B) added, 1962, 672 § 2; clause (7C) added, 1981, 191 § 8; 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; two sentences added, 1982, 22 § 1; clause (9A) added, 1983, 83. 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; 1983, 578 § 2;

SECT. 17A added, 1975, 869 § 1 (relative to the refunding of bond anticipation note issues); first sentence revised 1983, 578 § 3; (See 1975, 869 § 2.)

SECT. 18 amended, 1946, 358 § 19.

SECT. 19 amended, 1946, 358 § 20; revised, 1981, 439.

SECT. 19A added, 1981, 782 § 8 (relative to overdue payments of certain bonds, notes and certificates). (See 1981, 782 § 16.)

SECT. 20 amended, 1946, 358 § 21; revised, 1947, 60; sentence added, 1949, 403; section revised, 1966, 61; 1979, 191; 1981, 439.

SECT. 21 amended, 1946, 358 § 22; revised, 1980, 521; 578 § 38; 1982, 23. (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. 27A added, 1983, 473 § 2.

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; 1982, 22 § 2; 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; first sentence revised, 1983, 331; 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; second paragraph, first sentence stricken out and two sentences inserted, 1982, 70.

SECT. 53D added, 1977, 665 (permitting cities and towns to establish recreation and park funds).

SECT. 53E added, 1981, 339 § 1 (relative to allocating certain anticipated receipts).

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; section revised, 1982, 52.

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; fourth sentence revised, 1982, 134.

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; amended, 1983, 398.

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. section revised, 1983, 72 § 1. (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; 1981, 731 § 3.

SECT. 67A added, 1981, 731 § 3 (relative to deferred compensation).

SECT. 68 added, 1973, 47 (authorizing cities, towns and districts to pay salary increases retroactively).

SECT. 69 added, 1981, 87 (providing a penalty for tendering an insufficient funds check in payment of certain municipal fees).

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; first and second paragraphs revised, 1981, 684 § 2; 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. 1D added, 1977, 869 § 2.

SECT. 1E added, 1981, 684 § 3 (further regulating the registration of births, deaths, marriages and divorce records or reports).

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;

SECT. 3 amended, 1968, 358 § 2; second paragraph amended, 1976, 486 § 5; section revised, 1981, 684 § 4. (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; last sentence stricken out and seven sentences inserted, 1981, 684 § 5. (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; 1981, 684 § 6. (See 1968, 84 § 6.)

SECT. 4B added, 1981, 684 § 7 (relative to artificial insemination).

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, 1972, 260; section revised, 1981, 684 § 8. (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; revised, 1981, 684 § 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; first four paragraphs stricken out and six paragraphs inserted, 1981, 684 § 10. (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; sentence inserted after first sentence, 1981, 684 § 11.

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; sentence added, 1981, 322.

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 REPEALED, 1983, 631 § 1; (See 1983, 631 § 10.)

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; first paragraph revised, 1981, 198. (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; first sentence revised, 1981, 386 § 4; 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; last sentence revised, 1982, 222. (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; first paragraph, second sentence amended, 1983, 216; 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; 1981, 386 § 5.

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; paragraph added after first paragraph, 1983, 233 §8. second paragraph revised, 1975, 367 § 2; paragraph added, 1974, 776; paragraph added, 1983, 233 § 9. (See 1933, 254 § 66; 1973, 1137 § 11; +1983, 233@ § 101.)

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. first and second paragraphs revised, 1983, 445 § 1; (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; sentence inserted after first sentence, 1981, 216.

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; 1981, 239 § 1. (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. 56 repealed, 1981, 143 § 1.

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. 59A added 1983, 654 § 1.

SECT. 60, first sentence revised, 1962, 437 § 27.

SECT. 61 amended, 1937, 21 § 1; first paragraph revised, 1981, 143 § 2; 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; revised, 1981, 386 § 6.

SECT. 6 revised, 1957, 38.

SECT. 9 revised, 1941, 337 § 1; first sentence revised, 1953, 406 § 1; second sentence revised, 1975, 600 § 6; 1979, 664 § 1; third sentence revised, 1971, 920 § 1; second and third sentences revised, 1981, 167; (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; first three sentences revised, 1981, 386 § 7; 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; second paragraph, first sentence revised, 1982, 283 § 1; 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; amended, 1983, 216; revised, 1983, 542 § 1; 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; revised, 1983, 503 § 1. (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; second sentence amended, 1977, 136; third sentence amended, 1966, 335 § 1; stricken out and two sentences inserted, 1976, 47. third sentence revised, 1981, 278 § 1; (See 1937, 384, 435.)

SECT. 45 amended, 1932, 310 § 13; first paragraph amended, 1936, 22; 1938, 84; section revised, 1938, 473 § 13; amended, 1941, 337 § 7; first paragraph amended, 1947, 338 § 1; 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 sentence revised, 1981, 172; 1982, 151; 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, first sentence revised, 1982, 283 § 2; 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; sentence inserted after first sentence, 1981, 131; 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.

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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; second paragraph stricken out, 1981, 143 § 3; 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; revised, 1981, 278 §2. (See 1935, 257 § 12.)

SECT. 63, first sentence stricken out and four sentences inserted, 1981, 244.

SECT. 64, second paragraph amended, 1967, 247 § 1; third paragraph revised, 1949, 109 § 2; 1972, 395 § 1; 1983, 503 § 2; fourth paragraph amended, 1967, 386; last paragraph amended, 1934, 39 § 5; last paragraph stricken out and two paragraphs inserted, 1967, 247 § 2; last paragraph amended, 1969, 203; 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. third sentence stricken out, 1981, 143 § 4.

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. 76B added, 1983, 654 § 2.

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; 1981, 386 § 8; 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; clause (2) revised, 1981, 386 § 9; 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; subsections (*b*) to (*f*) stricken out and subsections (*b*), (*c*) and (*d*) inserted, 1983, 445 § 4.

SECT. 89 revised, 1936, 404 § 3; second sentence amended, 1965, 329 § 1; 1966, 368 § 2; sentence inserted after second sentence, 1960, 16; 1963, 111; revised, 1974, 197; 1981, 386 § 10; 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. eighth sentence revised, 1981, 386 § 11; last sentence revised, 1983, 445 § 3.

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; first paragraph, sentence added, 1983, 445 § 4; 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; revised, 1981, 239 § 2.

SECT. 103C amended, 1976, 420 § 2; revised, 1981, 239 § 3.

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; subsection (*b½*)amended, 1981, 386 § 12; paragraph (f) revised, 1969, 205 § 5; section revised, 1983, 445 § 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; paragraph inserted after fourth paragraph, 1981, 193.

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. 111 revised, 1982, 94 § 1.

SECT. 112 amended, 1935, 257 § 6; 1939, 31 § 3; first sentence revised, 1946, 130 § 2; 1981, 278 § 3; second sentence revised, 1982, 94 § 2. (See 1935, 237 § 12.)

SECT. 115, second sentence revised, 1952, 207.

SECT. 116, first sentence revised, 1946, 130 § 3.

SECT. 116A added, 1981, 386 § 13 (relative to the filing of a statement of financial interest by certain persons).

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; third paragraph amended 1983, 654 § 3; 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. 135B added, 1967, 564 § 16.

SECT. 137 revised, 1935, 55; first and second sentences revised, 1982, 94 § 3.

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. 142 revised, 1981, 278 § 4.

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. 156 revised, 1981, 278 § 5.

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, first paragraph, sentence added, 1981, 699 § 78; fourth paragraph first sentence revised, 1977, 234 §§ 126A-126C; 872 §§ 121-123; stricken out and two sentences inserted, 1981, 699 § 79; fifth paragraph revised, 1978, 204. (See 1977, 234 § 198; 872 § 204; 1981, 699 § 97.)
SECT. 5 added, 1983, 286; paragraph added, after third paragraph, 1983, 286.
SECT. 6 revised, 1975, 774 § 2; third paragraph revised, 1982, 59. (See 1975, 774 § 5.)
SECT. 7, added, 1983, 233 § 10; paragraph added, 1983, 233 § 10; (See 1983, 233 § 101.)
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 (*a*), first sentence revised, 1981, 278 § 6; 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; second sentence revised, 1982, 80. (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; 1981, 630 § 1. (See 1967, 816 § 2; 1981, 630 § 3.)

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.)

SECT. 7 paragraph added, 1983, 233 § 10. (See 1983, 233 § 101.)

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; section revised, 1982, 47 § 1.

SECT. 10B, first sentence revised, 1979, 283 § 2; 1982, 47 § 2; third sentence revised, 1982, 47 § 3.

SECT. 10C, first sentence revised, 1982, 47 § 4; two sentences inserted after first sentence, 1980, 456 § 1; second sentence stricken out, two sentences inserted, 1980, 403 § 1; second sentence revised, 1982, 47 § 5; paragraph added, 1979, 383 § 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; revised, 1981, 506. (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. 18D added, 1981, 558 § 5 (relative to the distribution of the commonwealth's share of pari-mutuel wagers); section revised, 1982, 549; 1983, 594 § 2.

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; revised, 1981, 699 § 80; 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; 1981, 699 § 97.)

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; eleventh sentence revised, 1983, 72 § 2; 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; definition of "Class one residential" amended, 1982, 369 § 3; 1982, 661;definition of "Class two, open-space" revised, 1982, 369 § 4; 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, introductory clause amended, 1963, 160 § 8; 1970, 270 § 1; revised, 1974, 831 § 1; amended, 1975, 734 § 1; 1978, 435 § 1; revised, 1982, 653 § 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 Fourth A revised, 1981, 138; 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; 1983, 670 § 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 revised, 1983, 670 § 1; clause Twelfth revised, 1966, 262; clause Sixteenth revised, 1936, 362 § 1 (see 1936, 362 §§ 4, 8); 1941, 467; amended, 1949, 732; 1952, 232 § 1 (see 1952, 232 § 2); 1953, 654 § 28; 1954, 435 § 1 (see 1954, 435 § 2); revised, 1957, 541; paragraph (1A) inserted after paragraph (1), 1969, 884 § 4; 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 Seventeenth C added, 1981, 743 § 1; last sentence revised, 1982, 653 § 2;(see 1981, 743 § 2.) 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; 1982, 319; 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-seventh A added, 1982, 258; revised, 1982, 634 § 7;653 § 3;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; paragraph added, 1982, 653 § 4; clause Forty-first B added, 1982, 653 § 5; 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 sentence added, 1983 540 § 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). clause Forty-ninth added, 1983, 72 § 3;

*See 1971, 1110 § 11; 1982, 653 § 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. 5C, first and second sentences revised, 1982, 369 § 5.

SECT. 5D, first paragraph, sentence inserted after first sentence, 1982, 657 § 1. (See 1982, 657 § 3.)

SECT. 5F, first paragraph, sentence inserted after second sentence, 1982 657 § 2. (See 1982, 657 § 3.)

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, charges and fees on cities and towns); section revised, 1981, 782 § 9; 1982, 550 § 1. (See 1981, 782 § 16; 1982, 550 § 2.)

SECT. 20B added, 1982, 550 § 1 (relative to assessment limi tations of regional water and regional sewer districts). (See 1982, 550 § 2.)

SECT. 21 revised, 1933, 254 § 33; 1936, 376 § 2; second sentence amended, 1945, 624 § 7; first three sentences stricken out and five sentences inserted, 1946, 432 § 2; section revised, 1971, 766 § 19. (See 1933, 254 § 66.)

SECT. 21A added, 1971, 889 (providing for additional compensation for assessors and assistant assessors who have completed certain courses of study).

SECT. 21B added, 1971, 895 § 2 (requiring assessors to attend certain training programs).

SECT. 21C added, 1980, 580 § 1 (limiting state and local taxation and expenditures); section revised, 1981, 782 § 10; paragraph (*a*) definition "Total taxes assessed" revised, 1983, 641 § 1; paragraph (*c*) stricken out, 1983, 641 § 2A; paragraph (*d*) revised, 1983, 641 § 1B; paragraph (*f*) revised, 1983, 641 § 2; paragraph (*i*) sentence added, 1983, 641 § 3; paragraph (*j*), (*k*) and (*l*) added, 1983, 641 § 4; (See 1981, 782 § 16; 1983, 641 § 6.)

SECT. 21D added, 1981, 782 § 11 (further regulating 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; first sentence revised, 1981, 339 § 2; third sentence revised, 1981, 461; second paragraph sentence added, 1983, 641 § 5; paragraph inserted after second paragraph, 1975, 375 § 3; fourth paragraph revised, 1976, 393; paragraph added, 1980, 413 § 1. (See 1980, 413 § 2; 1983, 641 § 6.) 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. 27C added, 1980, 580 § 2 (limiting state and local taxation and expenditures).

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 taxationof 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; second paragraph, first and second sentences revised, 1981, 111 § 1; 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. first paragraph, second and third sentences revised, 1981, 111 § 2. (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; revised, 1982, 653 § 6; 1943, 248; revised, 1956, 544; second paragraph seventh sentence revised, 1965, 597 § 2; 1983, 72 §. (See 1937, 400 §§ 1-5, 7; 1965, 597 § 4; 1973, 664 § 2; 1975, 677 § 5; 1978, 580 § 40; 1982, 653 § 11.)

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). second sentence revised, 1983, 72 § 5;

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.)

SECT. 42 revised, 1979, 578 § 1.

Chapter repealed, 1980, 261 § 16.

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); amended, 1981, 429.

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; 1983, 72 § 6; 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. paragraph added, 1983, 244; (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; 1983, 189; clause 11 revised, 1971, 273 § 2; 1980, 64 § 1; 1983, 189; 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; first sentence revised, 1981, 145 § 2; 1983, 332; 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; stricken out, 1981, 303.

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. third paragraph, first sentence revised, 1981, 340 § 1. (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); section revised, 1981, 340 § 2.

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; fifth paragraph, two sentences inserted after first sentence, 1982, 597 § 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; third sentence revised, 1982, 117 § 1; sentence inserted after sixth sentence, 1982, 117 § 2; ninth sentence revised, 1981, 170; 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.)

SECT. 2 paragraph (h) revised, 1983, 251.

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 61inserted, 1981, 768, § 1.

For prior changes see Table of Changes contained in Acts and Resolves of 1980.

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. 10, second sentence revised, 1983, 709.

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; 1983, 233 § 11; 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; 1983, 233 § 101;

SECT. 2, subsection (a) of paragraph (1) subsection (*a*), paragraph (2), subparagraph (F) revised, 1977, 599 § 2; subparagraph (G) added, 1979, 796 § 8; 1983, 233 § 12; subparagraph (G) added, 1983, 233 § 12;subparagraph (H) added, 1983, 233 § 13; subsection (*c*), paragraph (3)added, 1979, 409 § 2; revised, 1983, 233 § 14; subsection (*d*), paragraph (3) revised, 1977, 599 § 3; paragraphs (9)-(11) added, 1977, 599 § 4; paragraph (12) added, 1983, 233 § 15; paragraph (13) added, 1983, 233 § 16; (See 1977, 599 § 11; 1979, 409 § 7; 1979, 796 § 35; 1983, 233 § 101.)

SECT. 3 revised, 1943, 45 § 1; subsection B, paragraph (*a*); subparagraph (3) sentence added, 1983, 233 § 17; subparagraph (4) revised, 1983, 233 § 18; (5) stricken out, 1977, 599 § 5; subparagraph (7) revised, 1977, 599 § 6; 1983, 233 § 19; subparagraph (8), third sentence revised, 1977, 599 § 7; subparagraph (9) added 1980, 580 § 11 (allowing a tax deduction for rent of a residence). 1981, 782 §§ 12-13; paragraph (*b*) subparagraph (5) revised, 1977, 599 § 8; paragraph revised, 1979, 409 § 3; subparagraph (2), paragraph (b) subsection (A) revised, 1979, 409 § 6; 1983, 233 § 20; subparagraphs (1), (2) and (3) revised, 1982, 377 § 1. (See 1977, 599 § 11; 1979, 409 § 7; 1981, 782 § 16; 1982, 377 § 2; 1983, 233 § 101.)

SECT. 5 amended, 1966, 698 § 4; first sentence of subsection (a) revised, 1954, 679 § 3; 1966, 698 § 5; 183, 233 § 21, 22, 23; 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; 1983, 233 § 101.

SECT. 5A added, 1955, 780 § 1 (relative to the taxation of income earned in the commonwealth by nonresidents); subsection (a), third sentence revised, 1983, 233 § 24; 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; 1983, 233 § 101.)

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 stricken out, 1983, 233 § 25; subsection (*d*) added, 1979, 796 § 9; first paragraph amended, 1983, 518 § 2; 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; 1983, 233 §101.)

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. 6C added, 1975, 774 § 4. amended, 1983, 330 § 2.

SECT. 6D added; added, 1983, 330 § 3. (See 1981, 808 § 35; 1983, 330 § 8.)

SECT. 6E added, 1983, 693 § 4; (See 1981, 808 § 1983, 693 § 5.)

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 (*b*) amended, 1983, 636 § 20; 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 (*a*) amended, 1981, 781 § 5; subsection (*b*) amended, 1981, 781 § 6; 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. 8, paragraph (*a*) amended, 1981, 781 § 5; paragraph (*b*) amended, 1981, 781 § 6; 1983, 636 § 20;

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; 1983, 233 § 26. (See 1963, 714 § 10; 1978, 514 § 287; 1983, 233 § 101.)

SECT. 2, first sentence amended, 1966, 698 § 33; revised, 1978, 514 § 100; fourth paragraph amended, 1978, 514 § 101; fifth paragraph amended, 1978, 514 § 102; paragraph added, 1983, 233 § 27. (See 1978, 514 § 287; 1983, 233 § 101.)

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; paragraph (*f*) added, 1983, 233 § 28. (See 1971, 555 § 67; 1978, 514 § 287; 1983, 233 § 101.)

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; repealed, 1983, 233 § 29. (See 1968, 408 § 2; 1976, 415 § 116; 1983, 233 § 101.)

SECT. 11A, added, 1983, 233 § 30 (relative to penaltys imposed concerning false statements made by individuals). (See 1983, 233 § 101.)

SECT. 12A added 1983, 233 § 31. (See 1983, 233 § 101.)

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; 1983, 233 § 32; paragraph (*b*) amended, 1966, 698 § 43; paragraph (*d*) amended, 1966, 698 § 44. (See 1969, 536 § 3; 1980, 27 § 11; 1983, 233 § 101.)

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 "Code" revised, 1983, 233 § 33; 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;1983, 233 § 101.)

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; 1982, 352 § 1; paragraph (*b*) amended, 1978, 514 § 117; stricken out, 1980, 403 § 3; paragraphs (*e*) and (*f*) revised, 1982, 352 § 2; 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); section repealed, 1982, 352 § 3.

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) amended, 1981, 801; clause (9) inserted 1978, 543; stricken out 1980, 403 § 5; clause (11) added, 1980, 403 § 5; amended, 1982, 301. clause (12) added, 1982, 581 § 2; (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; last paragraph revised, 1983, 233 § 34. (See 1980, 27 § 11; 1983, 233 § 101.)

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. 45B added, 1982, 567 (authorizing estimated tax payments to be made to certain banks).

SECT. 47A added, 1983, 233 § 35. (See 1983, 233 § 101.)

SECT. 49A added, 1983, 233 § 36. (See 1983, 233 § 101.)

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. 62C added, 1982, 567 (relative to estimated income tax payments).

SECT. 64, subsection (*a*) revised, 1978, 514 § 138. (See 1977, 514 § 287.)

SECT. 65 revised, 1983, 233 § 37. (See 1983, 233 § 101.)

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. 67B added, 1983, 233 § 38. (See 1983, 233 § 101.)

SECT. 69 amended, 1978, 514 § 140. (See 1978, 514 § 287.)

SECT. 67C added, 1983, 233 § 39. (See 1983, 233 § 101.)

SECT. 70 amended, 1978, 514 § 141. (See 1978, 514 § 287.)

SECT. 71 amended, 1978, 514 § 142. (See 1978, 514 § 287.)

SECT. 72 revised, 1983, 233 § 40. (See 1983, 233 § 101.)

SECT. 73 amended, 1978, 514 § 143; section revised, 1983, 233 § 41. (See 1978, 514 § 287;1983, 233 § 101.)

SECT. 76 amended, 1980, 395 § 5.

SECT. 78 added, 1979, 277.

SECT. 79 added, 1980, 27 § 7. (See 1980, 27 § 11.)

Chapter 62D. — SET-OFF DEBT COLLECTION.

New chapter inserted, 1982, 581 § 1.

SECT. 6D added, 1983, 330 § 3.

Chapter 62.—WAGE REPORTING SYSTEM.

New chapter inserted 1982, 643.

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; 1983, 233 § 42. (See 1959, 456 § 5; 1971, 555 § 67; 1975, 684 § 97; 1983, 233 § 101.)

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; sentence added, 1983, 636 § 21; last sentence stricken out, 1983, 636 § 22; 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; first sentence revised, 1982, 658 § 2; 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; 1982, 658 § 10.)

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); subsection (*a*), second and third sentences revised, 1982, 658 § 3; paragraph (*f*) added, 1973, 752 § 3; paragraph (*g*) added, 1977, 919 § 1. (See 1970, 634 § 7; 1973, 752 § 12; 1977, 919 § 3; 1982, 658 § 10.)

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. 32C added, 1983, 233 § 43. (See 1983, 233 § 101.)

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; second sentence revised, 1982, 658 § 4; subsection (*e*) revised, 1973, 752 § 6; subparagraph (ii), first sentence revised, 1982, 658 § 5; subsection (*f*), clause 2 revised, 1970, 562; 1972, 748 § 1; subsection amended, 1973, 752 § 7; added, 1983, 233 § 44; 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; 1982, 658 § 10; 1983, 233 § 101.)

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; 1983, 719 § 2. (See 1978, 69 § 3;1983, 719 § 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.)

SECTS. 38I-38J added, 1982, 658 § 6 (relative to certain allowable deductions). (See 1982, 658 § 10.)

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; 1983, 233 § 46; 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; 1983, 233 § 101.)

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; 1983, 21 § 1; paragraph (*c*) revised, 1957, 617 § 1; paragraph (*d*) revised, 1936, 357 § 1;

amended, 1948, 492 § 1; revised, 1951, 414 § 1; definition of "Special fuels" stricken out, 1956, 619 § 4; sentence defining "Diesel engine fuel" added, 1947, 666 § 1; paragraph (*e*) revised, 1957, 617 § 2; paragraph (*f*) revised, 1957, 617 § 3; paragraph (*g*) amended, 1941, 490 § 16; paragraph (*i*) added, 1957, 617 § 4; paragraph (*j*) added, 1976, 415 § 46; paragraphs (*k*) and (*l*) added, 1980, 577 § 5; revised, 1982, 352 § 4; paragraph (*b*) revised, 1983, 21 § 1. (See 1936, 357 § 3; 1947, 666 §§ 2A, 4; 1956, 619 § 6; 1957, 617 § 13; 1976, 415 § 116; 1978, 514 § 287; 1983, 21 § 3.)

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; section stricken out and sections 3and 3A inserted, 1982, 352 § 5. (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; 1982, 352 § 6. (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. first two sentences revised, 1983, 233 § 47;. (See 1957, 617 § 13; 1976, 415 § 116; 1983, 233 § 101.)

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; first sentence revised, 1982, 352 § 7; 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; 1982, 352 § 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; 1983, 233 § 47; (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; 1983, 233 § 101.)

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; last paragraph amended, 1983, 233 § 48. (See 1976, 415 § 116; 1983, 233 § 101.)

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; revised, 1983, 233 § 49. (See 1976, 415 § 116; 1983, 233 § 101.)

SECT. 35 revised, 1983, 233 § 50. (See 1983, 233 § 101.)

SECT. 38A added, 1983, 233 § 51. (See 1983, 233 § 101.)

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; stricken out and paragraph (*k*) inserted, 1982, 352 § 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; four sentences added, 1983, 146 § 1; (See 1975, 819 § 7; 1976, 415 § 116; 1980, 544 § 2.)

SECT. 3, last paragraph revised, 1957, 382 § 1. section revised, 1982, 352 § 10 (errorin General Laws chapter refer ence).(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; 1982, 352 § 11; 1983, 21 § 2. (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; 1983, 21 § 3.)

SECT. 5 revised, 1957, 382 § 2, 728 § 2; amended, 1978, 514 § 165; paragraph added, 1982, 352 § 12. (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; revised,1983, 146 § 2. (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; revised, 1982, 352 § 13; 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; 1982, 352 § 14. (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 (*b*) revised, 1981, 553; paragraph (*c*) amended, 1970, 566 § 7; paragraph (*e*) amended, 1968, 341; sentence added, 1983, 233 § 52; 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; 1982, 429 § 1; paragraph (*q*) revised, 1981, 571 § 1; paragraphs (*r*)-(*s*) revised, 1971, 555 § 45; paragraph (*r*) second sentence revised, 1977, 363A § 48; paragraph amended, 1977, 620 § 1; 1982, 429 § 2; paragraph (*s*) amended, 1977, 620 § 2; 1982, 429 § 3; 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; revised, 1983, 681; 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; paragraph (*gg*) added, 1979, 757; revised, 1982, 655 § 1; paragraph (*gg*) added, 1979, 796 § 11. stricken out and paragraph (*hh*) inserted, 1980, 261 § 22; paragraph (*ii*) added, 1982, 429 § 4; paragraph (*jj*) added, 1983, 233 § 53 (See 1968, 87 § 2; 1971, 555 § 67; 1975, 684 § 97; 1978, 367 § 72, 514 § 287; 1979, 796 § 35; 1982, 655 § 2; 1983, 233 § 101.)

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; paragraph (*e*) stricken out, 1983, 233 § 54; paragraph (*i*) stricken out, 1983, 233 § 54A. (See 1968, 89 § 3; 1983, 233 § 101.)

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. 25B added, 1983, 233 § 55 (relating to (See 1983, 233 § 101.)

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; paragraph (*e*) stricken out, 1983, 233 § 56; paragraph (*f*) stricken out, 1983, 233 § 57. (See 1968, 89 § 3; 1983, 233 § 101.)

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. 4A added, 1983 233 § 58. (See 1983, 233 § 101.)
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; amended 1982, 83.
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; sentence added, 1982, 477; paragraph (*d*) added 1983, 15; paragraph (*b*) revised, 1976, 438 § 2; paragraph added, 1982, 189 § 1. (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; revised, 1982, 581 § 3. (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. 1981, 345 § 1.

SECT. 21, subsection (*c*) amended, 1972, 613, § 1. paragraph added, 1981, 345 § 2.

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; second sentence stricken out and two sentences added, 1983, 716 § 2. (See 1978, 393 § 45; 1980, 329 § 133; 1983, 716 § 2.)

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); section revised, 1981, 675.

SECT. 7H added, 1981, 707 § 1(establishing certain scholar ships for American Indians attending certain institutions).

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); section repealed, 1981, 689 § 2. (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).

SECT. 36 added, under caption, 1981, 772 § 1 (promotong the use of outside educational resources by public and private schools and community organizations).

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 § 70C. (See 1978, 367 § 72; 1980, 261 § 35.)

SECT. 2, paragraph (*a*) amended, 1978, 514 § 186. (See 1978, 514 § 287.)

SECT. 2A, first paragraph, clauses (3)-(6) stricken out and clauses (3)-(5) inserted, 1981, 351 § 122. (See 1981, 351 § 299.)

SECT. 5 amended, 1978, 514 § 187. (See 1978, 514 § 287.)

SECT. 7, last paragraph revised, 1983, 289 § 37. (See 1983, 289 § 83.)

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; third sentence revised, 1981, 310; 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; first sentence revised, 1981, 662.

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-13C 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 14, 14A, 14B, 15, 16, 16A to16I 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. paragraph added, 1983, 149.

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; section revised, 1981, 744; paragraph inserted after fouth paragraph, 1982, 148. (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. 16D½ added, 1983, 340.

SECT. 16F. See 1952, 601.

SECT. 17 revised, 1973, 298.

SECT. 17A added, 1981, 236 (establishing a revolving fund for the culinary arts program in public high schools).

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; two sentences added, 1981, 471; paragraph added, 1981, 782 § 14. (See 1981. 782 § 16.)

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; sentence added, 1981, 460 § 1.

SECT. 34E added, 1973, 785 (providing for parental inspection or inspection by a pupil over eighteen of certain records of such pupil); revised, 1981, 460 § 2.

SECT. 34F added, 1974, 677 (providing for regulations relative to the retention, duplication, storage, and destruction of school records); repealed, 1976, 50 § 2.

SECT. 34G added, 1983, 235 § 1 (relative to the transfer of certain school records of private school students to the department of education.

SECT. 37A added, 1958, 119 (authorizing school committees to accept and disburse grants and gifts for educational purposes from charitable foundations and private corporations); first sentence revised, 1981, 134.

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; sentence inserted after fifth sentence, 1981, 112 § 1.

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); revised, 1982, 303.

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. 37I, paragraph inserted after third paragraph, 1981, 708 § 2.

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; amended, 1981, 96; 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; fifth sentence revised, 1982, 49.

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; fifth sentence revised, 1982, 173.

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; first sentence revised, 1982, 296.

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; second paragraph amended, 1983, 114.

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, 1954, 378; 1958, 15; first paragraph revised, 1977, 67 § 1; fourth paragraph revised, 1977, 67 § 2; section revised, 1981, 85.

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; 1981, 83; 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. 71F added, 1982, 43 (establishing separate accounts for nonresident students tuition in certain cities and towns).

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, first paragraph revised, 1981, 351 § 123; 1982, 314; second paragraph revised, 1973, 318 § 1. (See 1981, 351 § 299.)

SECT. 5A added, 1981, 351 § 124 (relative to cost of certain special needs programs). (See 1981, 351 § 299.)

SECT. 8, second sentence revised, 1978, 367 § 70H. (See 1978, 367 § 72.)

SECT. 10 amended, 1978, 552 § 21.

SECT. 12A-12C, added, 1983, 688 § 1;

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; section revised, 1982, 607 § 4; revised, 1983, 699 § 6. (See 1978, 367 § 72; 1982, 607 § 7; 1984, 699 § 5.)

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.)

SECT. 15 added, 1982, 357 § 13 (relative to reports concerning special education of mentally retarded persons); repealed 1983, 688 § 2. (See 1982, 357 § 21.)

Chapter 72. — School Registers and Returns.

SECT. 2, sentence inserted after first sentence, 1966, 14 § 62.

SECT. 2A added, 1966, 14 § 63 (providing for the filing by superintendents of schools of certain reports of student enrollment); first paragraph amended, 1973, 925 § 8C; paragraph added, 1972, 100 § 2; amended, 1973, 925 § 8D; section revised, 1977, 367 § 3. (See 1973, 925 § 84.)

SECT. 3, paragraph in lines 6-10 revised, 1939, 461 § 2; section revised, 1966, 14 § 64.

SECT. 6, revised, 1962, 410.

SECT. 8, first two sentences stricken out and one sentence inserted, 1957, 290; first paragraph amended, 1954, 231 § 1; fourth sentence revised, 1966, 14 § 65; 1973, 1073 § 1A; paragraph added, 1959, 321.

Chapter 73. — State Colleges and Community Colleges (former title, State Teachers Colleges and Community Colleges).

Title changed, 1932, 127 § 9; 1948, 620 § 1; 1960, 403 § 5.

SECT. 1 amended, 1932, 127 § 10; revised, 1948, 620 § 2; 1952, 585 § 9; amended, 1952, 618 § 1; revised, 1959, 246 § 2; paragraph added, 1960, 284; section revised, 1960, 403 § 6; five paragraphs added, 1962, 553; section revised, 1963, 642 § 5; first sentence revised, 1964, 561 § 7; first paragraph stricken out and two paragraphs inserted, 1965, 572 § 18; three paragraphs added, 1964, 561 § 8. (See 1948, 620 § 6; 1952, 618 §§ 4-12.)

SECT. 1A added, 1952, 499 § 1 (relative to the increase of fees and charges for services rendered by the department of education); amended, 1959, 246 § 3; revised, 1960, 403 § 7; amended, 1963, 642 § 6.

SECT. 1B added, 1961, 434 (authorizing the board of education to establish activity fees in state colleges); first sentence amended, 1963, 642 § 7; revised, 1964, 561 § 9.

SECTS. 1C AND 1D added, 1963, 642 § 8.

SECT. 1E added, 1973, 1089 § 2 (allowing the location of banks at state and community colleges).

SECT. 1F added, 1982, 212 § 2. (See 1982, 212 § 7.)

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. 14A added, 1982, 357 § 14 (relative to the transfer of certain monies to the General Fund). (See 1982, 357 § 21.)

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; section repealed, 1981, 808 § 26. (See 1981, 808 § 35.)

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. 11A added, 1982, 212 § 3 (prohibiting certain assessments on student tuition bills). (See 1982, 212 § 7.)

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. 36B added, 1981, 700 § 1 (providing for analysis of narcotic drugs at the universityof Massachusetts medical school).

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. 9 revised, 1982, 357 § 15. (See 1982, 357 § 21.)

SECT. 11 amended, 1974, 835 § 145. (See 1974, 835 § 185.)

SECT. 16, third sentence revised, 1974, 520 § 3.

SECT. 17 revised, 1974, 520 § 4.

SECT. 24 added, 1982, 212 § 4 (relative to student tuition bills). (See 1982, 212 § 7.)

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).

SECT. 18 added, 1982, 212 § 5 (relative to student tuition bills). (See 1982, 212 § 7.)

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); second paragraph revised, 1982, 610 § 1. (See 1982, 610 § 11.)

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. 6 amended, 1982, 610 § 2. (See 1982, 610 § 11.)

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; section revised, 1982, 360. (See 1980, 572 § 417.)

SECT. 3, second paragraph amended, 1973, 737; revised, 1977, 826 § 6; 1982, 610 § 3. (See 1982, 610 § 11.)

SECT. 4, fourth paragraph revised, 1982, 610 § 4. (See 1982, 610 § 11.)

SECT. 5 amended, 1982, 610 § 5. (See 1982, 610 § 11.)

SECT. 7, second paragraph, second sentence revised, 1980, 572 § 31. fourth paragraph revised, 1977, 826 § 7; 1982, 610 § 6. (See 1980, 572 § 417; 1982, 610 § 11.)

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; second paragraph revised, 1983, 663 § 1. (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; amended 1983, 684 § 1; third paragraph revised, 1978, 552 § 27. (See 1977, 363A § 76; 1978, 367 § 72; 1983, 684 § 2.)

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; clauses (3) and (4) revised, 1981, 351 § 278. (See 1981, 351 § 299.)

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; 1981, 351 § 278. clause (4) revised, 1983, 289 § 74; (See 1981, 351 § 299; 1983, 289 § 83.)

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).

SECTS. 33-34 added, 1982, 322 § 1 (further regulating certain free public libraries).

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; third sentence revised, 1981, 800 § 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; first paragraph amended, 1982, 248 § 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; 1981, 476; last sentence revised, 1981, 795 § 5; section revised, 1981, 800 § 2; last sentence revised, 1982, 634 § 8.

SECT. 34 amended, 1952, 633.

SECT. 35 revised 1983 227; 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; section revised, 1981, 800 § 3. (See 1963, 793 § 3; 1965, 653 § 2.)

SECT. 39, sentence added, 1955, 242; section revised, 1959, 626 § 5; sentence added, 1964, 548 § 3; revised, 1981, 800 § 4. (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; amended, 1982, 50.

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. 32A added, 1983, 136 (regulating to the procedures for abandoning certain municipal ways). revised, 1983, 136.

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. 32C added, 1981, 270 (authorizing cities and towns to take certain easements for erecting snow fences).

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; revised, 1983, 353.

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. 16A, first sentence revised, 1981, 440.

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; sentence added, 1982, 257.

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; last sentence revised, 1981, 351 § 41; second paragraph revised, 1961, 518 § 3. (See 1961, 518 § 5; 1981, 351 § 299.)

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; clauses (8) and (9) revised, 1983, 274; (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; section revised, 1982, 217.

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; paragraph added, 1981, 42.

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; section revised, 1982, 122.

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; amended, 1981, 43; revised, 1981, 372; amended, 1982, 221. (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 "Child passenger restraint" inserted, 1981, 680 § 1. revised, 1982, 634 § 9; 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 "motorcycle split service brake system" inserted, 1981, 107 § 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; 1982, 470 § 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; 1981, 625 § 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; 1981, 107 § 3; 1981, 680 § 4.)

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; sentence inserted after third sentence, 1982, 597 § 2; 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. 2D added, 1982, 266 (providing for the issuance of temporary registration plates).

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; amended, 1982, 470 § 2; 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; ninth sentence stricken out and two sentences inserted, 1981, 107 § 2; 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. fifteenth, sixteenth and seventeenth sentences stricken out, one sentence added, 1983, 653 § 1;

(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; 1981, 107 § 3.)

SECT. 7A revised, 1932, 41, 271 § 2; fifth paragraph revised, 1983, 233 § 59; sixth paragraph revised, 1983, 289 § 6. (See 1983, 233 § 101; 1983, 289 § 83.)

SECT. 7B added, 1932, 271 § 3 (prerequisites to operation of school bus).

SECT. 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; clauses (7) first two sentence stricken out, four sentences inserted, 1983, 454; 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. clause (7) revised, 1981, 62; first two sentences stricken out and four sentences inserted, 1983, 454; paragraph added, 1981, 519. (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. 7D½ added, 1981, 625 § 2 (relative to the transportation of certain vocational school students).

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; revised, 1983, 653 § 2.

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; second sentence revised, 1983, 653 § 3.

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. 7N ½ added, 1983, 395. (See 1983, 395 § 2.)

SECT. 7O added, 1970, 840 (prohibiting removal of pollution emission reduction devices).

SECT. 7P added, 1973, 188 (regulating the changing of the height of motor vehicles).

SECT. 7P added, 1973, 301 (prohibiting the operation of motor vehicles failing to comply with certain thread depth regulations); section renumbered to read section 7Q, 1973, 798 § 1. (See 1974, 798 § 2.)

SECT. 7R added, 1977, 417 (requiring that certain motor vehicles display vehicle identification numbers).

SECTS. 7S-7U added, 1979, 579 § 1 (regulating motorcycle sound emission levels). (See 1979, 579 § 2.)

SECTS. 7V-7Z added, 1979, 761 § 4; paragraph (*a* revised, 1983, 104; (See 1979, 761 § 8;) (See 1979, 761 § 8;) (See 1979, 761 § 8.)

SECT. 7AA added, 1981, 680 § 2 (relative to child passenger restraints). (See 1981, 680 § 4.)

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; sentence added, 1968, 551; section revised, 1973 361 § 1; fifth paragraph, two sentences added, 1980, 110; last paragraph stricken out, 1982, 90. (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 sentence revised, 1983, 193; third paragraph amended, 1966, 522 § 1; last sentence revised, 1967, 624; section revised, 1975, 261 § 5; revised, 1983, 448. (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); after third sentence, sentence added, 1983, 660 § 1.

SECT. 8D added, 1975, 879 § 1 (relative to anatomical donor cards); paragraph added, 1981, 119 § 1. (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, second sentence revised, 1982, 100; 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; sentences added, 1983, 465 § 1. (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); paragraph inserted, after second paragraph, 1983, 111; (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; first sentence amended, 1983, 108; 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; fourth sentence stricken out and two sentences added, 1983, 414; 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; 1982, 142; 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; first paragraph revised, 1981, 755 § 1. (See 1975, 494 § 15; 1977, 427 § 2; 1981, 755 § 3.)

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; first paragraph, last sentence revised, 1981, 489; first paragraph stricken out, four paragraphs inserted, 1983, 233 § 60; paragraph inserted after first paragraph, 1979, 761 § 5.

last paragraph stricken out, 1983, 233 § 61; (See 1975, 494 § 15; 1977, 427 § 2; 1979, 761 § 8; 1983, 233 § 101.)

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; 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.

SECTS. 20A-20E stricken out and sections 20A, 20A½, 20C, 20D and 20E inserted, 1981, 351 § 115. (See 1981, 351 § 298.)

SECT. 20A, first three paragraphs revised, 1981, 746 § 1; third paragraph, first sentence stricken out and two sentences inserted, 1983, 459 § 1; fourth paragraph, first sentence revised, 1981, 746 § 2; last two sentences stricken out, 1981, 746 § 3; fifth and sixth paragraphs revised, 1981, 746 § 4; seventh and eighth paragraphs revised, 1981, 746 § 5. seventh paragraph, first two sentences revised, 1983, 233 § 62; (See 1981, 746 § 13;1983,233 § 101;459 § 3.)

SECT. 20A ½, first paragraph, third sentence revised, 1981, 746 § 6; third paragraph revised, 1981, 746 § 6A; third paragraph first sentence stricken out two sentences inserted, 1983, 459 § 2; first sentence stricken out, two sentences added, 1983, 459 § 2; seventh and eighth paragraphs stricken out and three paragraphs inserted 1981, 746 § 7; eighth paragraph, first two sentences revised, 1983, 233 § 63; tenth paragraph amended, 1981, 746 § 8; (See 1981, 746 § 13; 1983, 233 § 101; 459 § 3.)

SECT. 20E, clauses (*d*) and (*e*) revised, 1981, 746 § 9. (See 1981, 746 § 13.)

SECT. 20F added, 1978, 478 § 41 (providing for non-criminal disposition of certain motor vehicle offenses). section repealed, 1982, 586 § 1. (See 1978, 478 § 343; 1982, 586 § 4.)

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 inserted after first paragraph, 1982, 373 § 1; paragraph added, 1933, 69. (See 1971, 1033 § 4; 1982, 373 § 20.)

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 revised, 1982, 373 § 2; paragraph (*b*) revised, 1964, 200 § 1; 1982, 373

§ 3; paragraph (*c*) revised, 1939, 82; amended, 1955, 198 § 1; revised, 1964, 200 § 2; 1970, 253; amended, 1974, 647 § 2; revised, 1982, 373 § 4; 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; paragraph (*h*)added, 1982, 373 § 5; 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; 1982, 373 § 20.)

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; section revised, 1982, 373 § 6. (See 1982, 373 § 20.)

SECT. 24E revised, 1975, 505 § 2; first paragraph revised, 1982, 373 § 7; fifth, sixth and seventh paragraphs stricken out and two paragraphs inserted, 1982, 373 § 8. (See 1982, 373 § 20.)

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); section revised, 1982, 373 § 9; subsection (*a*) amended, 1982, 376 § 1; subsection (*b*) revised, 1982, 376 § 2. (See 1982, 373 § 20.)

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).

SECTS. 24I-24J added, 1982, 373 § 10 (relative to operating a motor vehicle while drinking alcoholic beverages from an open container). (See 1982, 373 § 20.)

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; section amended, 1982, 81.

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; amended, 1981, 351 § 116. (See 1953, 319 §§ 39, 40; 1981, 351 § 298.)

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; eighth sentence revised, 1982, 262; 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; eighth paragraph revised, 1983, 152; eleventh paragraph revised, 1956, 383 § 2; paragraph added,

1962, 415; last paragraph revised, 1983, 228; 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. paragraph inserted after twenty-second paragraph, 1982, 597 § 3; (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; clause (2), subdivision (*a*) revised, 1962, 603 § 1; section amended, 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; first sentence revised, 1983, 465 § 2.

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; paragraph three, subparagraph (1) amended, 1983, 241 § 3; third paragraph stricken out and two paragraphs inserted, 1973, 953 § 1; third paragraph amended, 1983, 241 § 2; second sentence revised, 1983, 241 § 4; fifth paragraph, subparagraph (2) revised, 1983, 241 § 5; seventh paragraph revised, 1973, 917 § 1; eighth paragraph amended, 1983, 241 § 6; 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; tenth paragraph, sentence added, 1981, 607; 775 § 2; twelth paragraph amended, 1983, 241 § 7; (See 1971, 978 § 2; 1973, 917 § 2, 953 § 2; 1975, 707 § 9; 1976, 1 § 5; 266 § 23; 1981, 775 § 4; 1983, 241 § 25;

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; second paragraph revised, 1981, 732 § 1. (See 1946, 583 § 5; 1948, 637 §§ 4-9, 13, 663 § 4; 1981, 732 § 38.)

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 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 "Child passenger restraint" inserted, 1981, 680 § 1. revised, 1982, 634 § 9; 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 "motorcycle split service brake system" inserted, 1981, 107 § 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; 1982, 470 § 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; 1981, 625 § 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; 1981, 107 § 3; 1981, 680 § 4.)

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; sentence inserted after third sentence, 1982, 597 § 2; 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. 2D added, 1982, 266 (providing for the issuance of temporary registration plates).

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; amended, 1982, 470 § 2; 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; ninth sentence stricken out and two sentences inserted, 1981, 107 § 2; 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; 1981, 107 § 3.)

SECT. 7A revised, 1932, 41, 271 § 2; fifth paragraph revised, 1983, 233 § 59; sixth paragraph revised, 1983, 289 § 6. (See 1983, 233 § 101; 289 § 83.)

SECT. 7B added, 1932, 271 § 3 (prerequisites to operation of school bus).

SECT. 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. clause (7) revised, 1981, 62; first two sentences stricken out and four sentences inserted, 1983, 454; paragraph added, 1981, 519. (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. 7D½ added, 1981, 625 § 2 (relative to the transportation of certain vocational school students).

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. 7N ½ added, 1983, 395. (See 1983, 395 § 2.)

SECT. 7O added, 1970, 840 (prohibiting removal of pollution emission reduction devices).

SECT. 7P added, 1973, 188 (regulating the changing of the height of motor vehicles).

SECT. 7P added, 1973, 301 (prohibiting the operation of motor vehicles failing to comply with certain thread depth regulations); section renumbered to read section 7Q, 1973, 798 § 1. (See 1974, 798 § 2.)

SECT. 7R added, 1977, 417 (requiring that certain motor vehicles display vehicle identification numbers).

SECTS. 7S-7U added, 1979, 579 § 1 (regulating motorcycle sound emission levels). (See 1979, 579 § 2.)

SECTS. 7V-7Z added, 1979, 761 § 4; paragraph (*a* revised, 1983, 104; (See 1979, 761 § 8;) (See 1979, 761 § 8;) (See 1979, 761 § 8.)

SECT. 7AA added, 1981, 680 § 2 (relative to child passenger restraints). (See 1981, 680 § 4.)

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; sentence added, 1968, 551; section revised, 1973 361 § 1; fifth paragraph, two sentences added, 1980, 110; last paragraph stricken out, 1982, 90. (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 sentence revised, 1983, 193; third paragraph amended, 1966, 522 § 1; last sentence revised, 1967, 624; section revised, 1975, 261 § 5; revised, 1983, 448. (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); paragraph added, 1981, 119 § 1. (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, second sentence revised, 1982, 100; 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; sentences added, 1983, 465 § 1. (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); paragraph inserted, after second paragraph, 1983, 111; (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; first sentence amended, 1983, 108; 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; fourth sentence stricken out and two sentences added, 1983, 414; 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; 1982, 142; 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; first paragraph revised, 1981, 755 § 1. (See 1975, 494 § 15; 1977, 427 § 2; 1981, 755 § 3.)

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; first paragraph, last sentence revised, 1981, 489; paragraph inserted after first paragraph, 1979, 761 § 5. first paragraph stricken out, four paragraphs inserted, 1983, 233 § 60; last paragraph stricken out, 1983, 233 § 61; (See 1975, 494 § 15; 1977, 427 § 2; 1979, 761 § 8; 1983, 233 § 101.)

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; 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.

SECTS. 20A-20E stricken out and sections 20A, 20A½, 20C, 20D and 20E inserted, 1981, 351 § 115. (See 1981, 351 § 298.)

SECT. 20A, first three paragraphs revised, 1981, 746 § 1; third paragraph, first sentence stricken out and two sentences inserted, 1983, 459 § 1; fourth paragraph, first sentence revised, 1981, 746 § 2; last two sentences stricken out, 1981, 746 § 3; fifth and sixth paragraphs revised, 1981, 746 § 4; seventh and eighth paragraphs revised, 1981, 746 § 5. seventh paragraph, first two sentences revised, 1983, 233 § 62; (See 1981, 746 § 13;1983, 233 § 101;459 § 3.)

SECT. 20A ½, first paragraph, third sentence revised, 1981, 746 § 6; third paragraph revised, 1981, 746 § 6A; first sentence stricken out, two sentences added, 1983, 459 § 2; seventh and eighth paragraphs stricken out and three paragraphs inserted; eighth paragraph, first two sentences revised, 1983, 233 § 63; tenth paragraph stricken out, 1981, 746 § 8; (See 1981, 746 § 13; 1983, 233 § 101; 459 § 3.)

SECT. 20E, clauses (*d*) and (*e*) revised, 1981, 746 § 9. (See 1981, 746 § 13.)

SECT. 20F added, 1978, 478 § 41 (providing for non-criminal disposition of certain motor vehicle offenses). section repealed, 1982, 586 § 1. (See 1978, 478 § 343; 1982, 586 § 4.)

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 inserted after first paragraph, 1982, 373 § 1; paragraph added, 1933, 69. (See 1971, 1033 § 4; 1982, 373 § 20.)

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 revised, 1982, 373 § 2; paragraph (*b*) revised, 1964, 200 § 1; 1982, 373 § 3; paragraph (*c*) revised, 1939, 82; amended, 1955, 198 § 1; revised, 1964, 200 § 2; 1970, 253; amended, 1974, 647 § 2; revised, 1982, 373 § 4; 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; paragraph (*h*)added, 1982, 373 § 5; 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; 1982, 373 § 20.)

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; section revised, 1982, 373 § 6. (See 1982, 373 § 20.)

SECT. 24E revised, 1975, 505 § 2; first paragraph revised, 1982, 373 § 7; fifth, sixth and seventh paragraphs stricken out and two paragraphs inserted, 1982, 373 § 8. (See 1982, 373 § 20.)

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); section revised, 1982, 373 § 9; subsection (*a*) amended, 1982, 376 § 1; subsection (*b*) revised, 1982, 376 § 2. (See 1982, 373 § 20.)

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).

SECTS. 24I-24J added, 1982, 373 § 10 (relative to operating a motor vehicle while drinking alcoholic beverages from an open container). (See 1982, 373 § 20.)

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; section amended, 1982, 81.

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; amended, 1981, 351 § 116. (See 1953, 319 §§ 39, 40; 1981, 351 § 298.)

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; eighth sentence revised, 1982, 262; 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; eighth paragraph revised, 1983, 152; eleventh paragraph revised, 1956, 383 § 2; paragraph added, 1962, 415; last paragraph revised, 1983, 228; 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. paragraph inserted after twenty-second paragraph, 1982, 597 § 3; (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; clause (2), subdivision (*a*) revised, 1962, 603 § 1; section amended, 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; first sentence revised, 1983, 465 § 2.

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; paragraph three, subparagraph (1) amended,

1983, 241 § 3; third paragraph stricken out and two paragraphs inserted, 1973, 953 § 1; third paragraph amended, 1983, 241 § 2; second sentence revised, 1983, 241 § 4; fifth paragraph, subparagraph (2) revised, 1983, 241 § 5; seventh paragraph revised, 1973, 917 § 1; eighth paragraph amended, 1983, 241 § 6; 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; tenth paragraph, sentence added, 1981, 607; 775 § 2; twelfth paragraph amended, 1983, 241 § 7; (See 1971, 978 § 2; 1973, 917 § 2, 953 § 2; 1975, 707 § 9; 1976, 1 § 5; 266 § 23; 1981, 775 § 4; 1983, 241 § 25;

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; second paragraph revised, 1981, 732 § 1. (See 1946, 583 § 5; 1948, 637 §§ 4-9, 13, 663 § 4; 1981, 732 § 38.)

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 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 "Actuary" revised, 1982, 630 § 5; definition of "Annual gross earned income" inserted, 1982, 630 § 6; definition of "Beneficiary" revised, 1949, 618 § 1; definition of "Commissioner" inserted, 1982, 630 § 7; definition of "District" amended, 1953, 583 § 1; 1956, 306 § 1; revised, 1981, 701 § 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; 1983, 364 § 1; sentence added, 1978, 487 § 1; 1982, 364 § 1; definition amended, 1980, 556 § 1;556 § 2; first sentence revised, 1981, 701 § 2; definition of "Employer" inserted, 1982, 630 § 8; 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; 1983, 364 § 2; definition of "Political subdivision" revised, 1948, 507 § 1; 1967,

597 § 4; 1983, 364 § 3 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 "Regional medical panel" inserted, 1982, 630 § 9; 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; 1983, 364 § 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; 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; 1982, 630 § 56.)

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; first paragraph, fourth sentence revised, 1983, 364 § 5. (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; 1981, 351 § 168; 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; revised, 1981, 760 § 9; 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; first sentence revised, 1982, 339; 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; subdivision (6), paragraph (*c*) revised, 1982, 630 § 10; subdivision (7), paragraph (*b*), sentence inserted after second sentence 1982, 630 § 11. (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; 1981, 351 § 299; 1982, 630 § 56.)

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 (*a*), first sentence revised, 1982, 630 § 12; paragraph (*b*) revised, 1946, 403 § 4; amended, 1964, 125; revised, 1964, 738; 1965, 73; 1966, 509 § 1; first sentence revised, 1982, 630 § 13; paragraph (*c*) revised, 1946, 403 § 5; amended, 1952, 524 § 4; 1954, 684 § 6; revised, 1955, 695 § 6; 1961, 494; subdivision (4), second sentence stricken out and two sentences inserted, 1982, 630 § 14. (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; 1982, 630 § 56.)

SECT. 5, subdivision (1), paragraph (*a*), first sentence amended, 1947, 388 § 4; 1958, 321 § 4; 1967, 826 § 4; revised, 1982, 630 § 15; 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; paragraph (*d*) added, 1982, 630 § 16. (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; 1982, 630 § 56.)

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; section revised, 1982, 630 § 17. (See 1982, 630 § 56.)

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; 1983, 364 § 6; last sentence revised, 1980, 556 § 7; subdivision (5) added, 1949, 618 § 5; section revised, 1982, 630 § 18. (See 1948, 446 § 5; 1974, 459 § 4; 1982, 630 § 56.)

SECT. 8, subdivision (1), paragraph (b) amended, 1947, 667 § 6; section revised, 1982, 630 § 19. (See 1982, 630 § 56.)

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; 1983, 364 § 7. (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; 1983, 364 § 8; 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; 1983, 364 § 9; subdivision (3A) inserted, 1982, 630 § 20. (See 1982, 630 § 56.)

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; section revised, 1982, 630 § 21. (See 1951, 784 § 3; 1977, 363A § 76; 1978, 514 § 287; 1980, 329 § 134; 1982, 630 § 56.)

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; paragraph added, 1981, 428 § 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 revised, 1982, 630 § 22; 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 (4 ⅞C (*a*) added, 1983, 364 § 10;subdivision (5), paragraph (b) amended, 1956, 422 § 2; paragraph (e) revised, 1956, 609 § 3; paragraph (*g*) revised, 1982, 630 § 23; paragraph (*h*) amended, 1979, 267 § 1; revised, 1982, 630 § 24; 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; sentence inserted, 1983, 364 § 11; paragraph (j) added, 1948, 488 § 1 (See 1948, 488 § 2, 508 § 2; 1954, 642 § 2; 1978, 566 § 6; 1979, 136 § 2; 1982, 630 § 56.)

SECT. 20A added, 1982, 641 (relative to indemnification of members of retirement boards.)

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; 1983, 364 § 12; 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; 1983, 364 § 13; two sentences added 1980, 556 § 15; subsection 4, paragraph added, 1980, 329 § 64; section revised, 1982, 630 § 25. (See 1978, 566 § 6; 1980, 329 § 134; 1982, 630 § 56.)

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 (6), paragraph (*b*) amended, 1982, 630 § 26; 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; paragraph (k) added, 1983 364 § 14; subdivision (8) added, 1983, 412. (See 1949, 560 § 3; 1954, 656 § 2; 1956, 409; 1957, 516 § 4; 1969, 849 § 79; 1978, 566 § 6; 1979, 393 § 73; 1982, 630 § 56.)

SECT. 23, subdivision (1), paragraph (b), second sentence revised, 1957, 533; stricken out, 1961, 441 § 1; paragraph amended, 1975, 487; 768 § 1; subdivision (1), paragraph (d), clause (i), and subclause (D) revised, 1983, 371 § 2; paragraph (*c*) amended, 1979, 267 § 2; revised, 1982, 630 § 27; paragraph (d) added, 1961, 441 § 2; introductory paragraph amended, 1979, 342 § 18; clause (i) revised, 1972, 343 § 1; clause (*v*) inserted, 1980, 491 § 1; first paragraph, sentence added, 1981, 781 § 1; fourth paragraph amended, 1981, 795 § 4; clause (*vi*) added, 1981, 781 § 3; clauses (*vi*)-(*vii*) added, 1982, 669; clauses (*ix*)-(*x*) added, 1983, 36; subdivision (2), paragraph (a), first sentence revised, 1967, 597 § 19; 1971, 1012 § 11; 1973, 1003 § 16; 1978, 487 § 15; 1980, 556 § 17; 1983, 364 § 15; subdivision (2), paragraph (b), clause (i) and subclause (D) revised, 1983, 371 § 3; 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; first paragraph, sentence added, 1981, 781 § 2; clause (*vii*) added, 1981, 781 § 4; paragraph (c) amended, 1960, 744 § 1; three sentences inserted after third sentence, 1977, 369; paragraph (*d*) revised, 1982, 630 § 28; paragraph (*e*) amended, 1979, 267 § 3; revised, 1982, 630 § 29; paragraph (f) added, 1960, 744 § 2; subdivision (3) added, 1976, 269 § 2. (See 1978, 566 § 6; 1979, 342 § 19; 1982, 630 § 56; 1983, 371 § 105.)

SECT. 22A added 1983, 289 § 77(relative to "regular interest"). (See 1983, 289, § 83.)

SECT. 23A added, 1982, 357 § 11 (relative to appropriation for the purpose of accumulating assets).(See 1982, 357 § 21.)

SECT. 24, subdivision (1), first sentence revised, 1967, 597 § 20; 1978, 487 § 16; amended, 1971, 1012 § 12; revised, 1973, 1003 § 17; 1983, 364 § 16; 1980, 556 § 18; subdivision revised, 1982, 630 § 30. (See 1978, 566 § 6; 1982, 630 § 56.)

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; 1983, 364 § 17;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 (*b*), third sentence revised, 1982, 630 § 31; paragraph (f) added, 1946, 166 § 2; paragraph (g) added, 1946, 403 § 8; paragraph (h) added, 1946, 603 § 3; revised, 1982, 630 § 32; subdivision (3), paragraph (a) revised, 1946, 166 § 3; last sentence amended, 1946, 403 § 9; paragraph (*a*) revised, 1982, 630 § 33; subdivision (4), paragraph (*a*) amended, 1964, 532 § 3; 1953, 583 § 2; 1956, 306 § 4; fourth and fifth sentences revised, 1981, 701 § 3; paragraph revised, 1982, 630 § 34; paragraph added, 1968, 593; subdivision (5) added, 1948, 507 § 2; amended, 1957, 150 § 2, 415; paragraph (a) amended, 1969, 751 § 9; revised, 1982, 630 § 35; paragraph (c) added, 1967, 158; subdivision (6) added, 1967, 597 § 22; paragraph (*a*) revised, 1982, 630 § 36; subdivision (7) added, under caption, 1971, 1012 § 14; paragraph (*a*) revised, 1982, 630 § 37; subdivision (8) added, 1973, 1003 § 19; paragraph (*a*) revised, 1982, 630 § 38. (See 1953, 583 § 3; 1982, 630 § 56.)

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. 28L added, 1982, 637 (relative to retirement rights of certain employees of the department of correction).

SECT. 39, sentence added, 1948, 207.

SECT. 40 amended, 1967, 155; revised, 1982, 630 § 39. (See 1982, 630 § 56.)

SECT. 41 amended, 1971, 555 § 2; paragraph added, 1981, 428 § 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; second paragraph revised, 1982, 630 § 40. (See 1982, 630 § 56.)

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; second paragraph revised, 1982, 630 § 41; 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; 1982, 630 § 56.)

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); section revised, 1982, 630 § 42. (See 1968, 601 § 2; 1982, 630 § 56.)

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; section revised, 1982, 630 § 43. (See 1960, 724 § 2; 1963, 571 § 2; 1964, 464 § 2; 1969, 30 § 3; 1970, 738 § 2; 1982, 630 § 43.)

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; section revised, 1982, 630 § 43; (See 1978, 393 § 45; 1982, 630 § 56.)

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; second paragraph, third sentence revised, 1982, 630 § 44. (See 1957, 750 § 2; 1982, 630 § 56.)

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; third paragraph revised, 1982, 630 § 45.(See 1961, 71 § 2; 1982, 630 § 56.)

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; paragraph (*b*) amended, 1981, 711. (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; revised, 1982, 630 § 46.

SECT. 91B added, 1982, 630 § 46 (relative to the filing of certain statements).

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. 95B added, 1981, 681 (increasing the maximum pensions payable to certain widows).

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 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; 1983, 364 § 18; 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 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; clauses (4) and (5) revised, 1982, 115.

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; revised, 1981, 760 § 11. (See 1975, 706 § 312.)

SECT. 12A added, 1983, 417 § 1.

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; 1983, 417 § 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; revised, 1981, 760 § 12; 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; section revised, 1982, 433. (See 1980, 572 § 417.)

SECT. 32, first sentence amended, 1975, 706 § 122; revised, 1981, 760 § 13;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; 1981, 517; 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. 3, second paragraph, first sentence revised, 1981, 114.

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. section revised, 1981, 351 § 117. first paragraph, first sentence revised, 1981, 746 § 9A. (See 1964, 626 § 2; 1974, 424 § 5; 1978, 478 § 343; 1981, 351 § 298; 746 § 13.)

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 stricken out and new chapter inserted, 1982, 586 § 2. (See 1982, 586 § 4.)

For prior changes see Table of Changes contained in Acts and Resolves of 1954.

SECT. 7 first sentence revised, 1983, 636 § 23.

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; section revised, 1982, 307.

SECT. 2, paragraph (*a*) amended, 1972, 117; 1973, 81 § 1; clause (3) revised, 1975, 392 § 2; clause (12) added, 1981, 144; 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. 15, paragraph (*a*) revised, 1981, 259 § 1.

SECT. 15A added, 1981, 640 § 1 (providing for pre sumption of joint ownership of certain motor vehicles upon the death of a spouse). (See 1981, 640 § 2.)

SECT. 16, paragraph (*a*) amended, 1975, 392 § 7.

SECT. 17, paragraph (*d*) added, 1975, 392 § 8.

SECT. 19, paragraph (*c*) revised, 1981, 259 § 2.

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; revised, 1983, 589 § 20. definitions of "Tidelands", "Commonwealth tidelands", "Pravate tidelands", and "Water-dependent uses" added 1983, 589 § 21. (See 1975, 706 § 312.)

SECT. 2, two paragraphs added, 1983, 589 § 22.

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. 10 added sentence, 1983, 589 § 23.

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. 10C added, 1983, 428.

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; paragraph added, 1983, 589 § 24. (See 1975, 706 § 312.)

SECT. 15 revised, 1983, 589 § 25.

SECT. 16 amended, 1954, 568 § 3.

SECT. 18, second sentence amended, 1956, 528; revised, 1983, 589 § 26.

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; 1983, 589 § 27.

SECT. 22 revised, 1983, 589 § 27. (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. 6B second paragraph stricken out 1983, 177;

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; paragraphs (7) and (8) stricken out and paragraph (7) inserted, 1981, 382 § 1; paragraph (10) amended, 1946, 243, 549 § 5; 1953, 373; 1974, 835 § 147; paragraphs (10) and (11) stricken out, 1981, 382 § 2; 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. 16 revised, 1981, 382 § 3.

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. 27A added, 1982, 25 (relative to certain abandoned sources of water supply).

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.)

SECT. 103 added, 1982, 507 § 1 (relative to surveys, soundings and drillings). (See 1982, 507 § 2.)

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).

SECT. 11 sentence added, 1983, 701 § 5.

SECT. 14 amended, 1981, 351 § 127. (See 1981, 351 § 299.)

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); second paragraph revised, 1982, 610 § 7. (See 1982, 610 § 11.)

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; section amended, 1982, 610 § 8. (See 1980, 572 § 417; 1982, 610 § 11.)

SECT. 21C amended and sentence added, 1954, 681 § 6. (See 1954, 681 §§ 20, 22.)

SECT. 21D amended, 1954, 257 § 4; revised, 1955, 371 § 4; repealed, 1977, 826 § 12.

SECTS. 21E-21G added, 1977, 826 § 13 (further regulating private trade schools).

SECT. 21E, third paragraph, second sentence revised, 1980, 572 § 58; last paragraph revised, 1982, 610 § 9. (See 1980, 572 § 417; 1982, 610 § 11.)

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; 1981, 463 § 1.

SECT. 28B stricken out, 1953, 164 § 2.

SECT. 28C repealed, 1981, 463 § 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; first paragraph, last sentence revised, 1983, 371 § 5. 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; (See 1983, 371 § 105.)

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); paragraph added 1983, 292.

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 G, H and I added, 1975, 90

§ 3; subsections J and K added, 1981, 235 § 1; subsection K revised, 1982, 332 § 1;

SECT. 49 added, 1970, 883 § 1 (prohibiting certain collection practices); first paragraph revised, 1975, 155; subparagraph (*a*) revised, 1980, 172; 1981, 795 § 6.

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.

SECT. 76 added, 1982, 544 (regulating certain leases in nursing homes, retirement homes and homes for the aged).

Chapter 93A. — Regulation of Business Practices for Consumers Protection.

New chapter inserted, 1967, 813 § 1.

SECT. 1, clause (*d*) 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. section revised, 1983, 242;

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 (*g*) revised, 1982, 91 § 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).

SECT. 15 added, 1982, 91 § 2 (further regulating business practices of certain distributors of motor vehicles).

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; definition of "Bakery" revised, 1981, 469; definitions of "cosmetic" and "device" inserted, 1961, 600 § 1; definition of "Director" revised, 1971, 795 § 1; revised, 1983, 691 § 6A; definition of "Food" revised, 1983, 99 § 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; clause (*b*) revised, 1982, 106. (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. 27 amended, 1983, 691 § 7.

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); amended, 1983, 691 § 8.

SECT. 28A added, 1961, 561 § 2; sentence inserted after first sentence, 1966, 128.

SECT. 29 amended, 1983, 691 § 11.

SECT. 29A revised, 1933, 253; 1946, 447 § 1; revised, 1983, 691 § 12.

SECT. 30 revised, 1933, 253; 1946, 447 § 2; first sentence revised, 1961, 561 § 3; amended, 1983, 691 § 13.

SECT. 31 revised, 1933, 253; 1946, 447 § 3; section, 1983, 691 § 14.

SECTS. 25-31 revised, 1971, 1066 § 1.

SECT. 28 second sentence amended, 1980, 572 § 66; fourth sentence amended, 1980, 572 § 67; revised, 1983, 691 § 9; (See 1980, 572 § 417.)

SECT. 28A fourth sentence amended, 1980, 572 § 68; penultimate sentence amended, 1980, 572 § 69; revised, 1983, 691 § 10; (See 1980, 572 § 417.)

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; 1981, 351 § 260. (See 1975, 706 § 312;1981, 351 § 299.)

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; first sentence revised, 1981, 351 § 43; third sentence revised, 1976, 136 § 3. (1981, 351 § 299.)

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; stricken out, 1981, 351 § 261. (See 1975, 706 § 312; 1981, 351 § 299.)

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, first paragraph, third sentence revised, 1981, 351 § 44; third paragraph revised, 1976, 136 § 5. (See 1981, 351 § 299.)

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); revised, 1983, 90.

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.)

SECT. 141 revised, 1981, 351 § 46. (See 1981, 351 § 299.)

SECTS. 143B AND 143C added, 1956, 693 (permitting the manufacture of sausage contained in colored casings and regulating the sale thereof);

SECTS. 143B AND 143C repealed, 1982, 216.

SECTS. 144-145 repealed, 1973, 383.

SECT. 146, first paragraph amended, 1934, 340 § 6; 1943, 508 § 3; sentence inserted after first sentence, 1981, 351 § 47; fourth sentence revised, 1975, 706 § 156; second paragraph amended, 1952, 387. (See 1934, 340 § 18; 1975, 706 § 312; 1981, 351 § 299.)

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; 1981, 351 § 262. (See 1975, 706 § 312; 1981, 351 § 299.)

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. 241, last sentence revised, 1981, 86.

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; paragraph added, 1981, 269. (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; second sentence revised, 1981, 351 § 48; third sentence amended, 1980, 572 § 77. (See 1980, 572 § 417; 1981, 351 § 299.)

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); section revised, 1981, 724 § 1.

SECTS. 321-327 added, 1981, 571 § 2 (relative to used beverage containers). (See 1981, 571 § 5.)

SECT. 322, first sentence revised, 1983, 96 § 1.

SECT. 323, paragraph (*d*) revised, 1983, 96 § 2; paragraph (g) added, 1983, 233 § 64. (See 1983, 233 § 111.)

SECT. 325, paragraph (*a*) revised, 1983, 96 § 3.

SECT. 328, added, 1983, 99 § 2.

Chapter 94A. — Milk Control.

New chapter inserted, 1941, 691 § 2. (See 1941, 691 §§ 3-6.)

For prior temporary legislation establishing within the department of agriculture a milk control board, and defining its powers and duties, see 1934, 376; term of office of said board extended, 1936, 300; 1938, 334; 1939, 413; 1941, 418 § 1, 631 § 1; legislation amended, 1937, 428; 1938, 279; 1939, 302.

SECT. 1, paragraph defining "Board" stricken out and definition of "Commission" inserted, 1953, 604 § 2; definition of "costs" added, 1967, 768 § 1; revised, 1983, 691 § 15.

SECTS. 2-11 amended, 1953, 604 § 3.

SECT. 2, subsection (3) amended, 1955, 757 § 9; section revised, 1983, 691 § 16.

SECT. 3 revised, 1983, 691 § 17.

SECT. 4 subsection (*b*) revised, 1983, 691 § 18; subsection (*d*) revised, 1983, 691 § 19.

SECT. 5 third and fourth sentences revised, 1978, 14; section revised, 1983, 691 § 20.

SECT. 6 revised, 1983, 691 § 21.

SECT. 7 revised, 1983, 691 § 22.

SECT. 8 revised, 1983, 691 § 23.

SECT. 9, paragraph (*a*) and (*b*) revised, 1955, 757 § 10; paragraph (*a*) amended, 1980, 572 § 80; section revised, 1983, 691 § 24. (See 1980, 572 § 417.)

SECT. 10 revised, 1983, 691 § 25.

SECT. 11 revised, 1983, 691 § 26.

SECT. 12 revised, 1950, 756; amended, 1953, 604 § 4; section revised, 1983, 691 § 27.

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; section revised, 1983, 691 § 28.

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; revised, 1983, 691 § 29. (See 1945, 409.)

SECTS. 14-21 amended, 1953, 604 § 3.

SECT. 14, (*e*); added, 1967, 768 § 2, subsection (*d*) strickenout and subsections (*d*); subsections (*a*), (*b*) and (*c*) revised, 1983, 691 § 30.

SECT. 14A added, 1972, 108 (requiring certain institutions to provide the milk control commission with certain bidding information); revised, 1983, 691 § 31.

SECT. 15 revised, 1983, 691 § 32.

SECT. 16 revised, 1983, 691 § 33.

SECT. 17 revised, 1983, 691 § 34.

SECT. 18 revised, 1983, 691 § 35.

SECT. 19 revised, 1983, 691 § 36.

SECT. 20 repealed, 1983, 691 § 37.

SECT. 21, fourth sentence revised and seventh sentence stricken out, 1954, 681 § 7; section revised, 1983, 691 § 38. (See 1954, 681 §§ 20-22.)

SECT. 22 revised, 1943, 164; amended, 1953, 604 § 5; section revised, 1983, 691 § 39.

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; section revised, 1983, 691 § 40.

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; definition of "Dispense" amended, 1972, 806 § 3; definition of "Drug paraphernalia" inserted, 1981, 669 § 1; 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; definition of "Nurse practioner" 1983, 565 § 1; definition of "Pharmacy" 1983, 565 § 2; definition of "Physician assistant" 1983, 565 § 2; 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; paragraph added, 1983, 565 § 3. (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. section revised, 1983, 565 § 4.

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 (*a*) amended, 1982, 650 § 1; paragraph (*c*) revised, 1972, 806 § 15.

SECT. 21 revised, 1976, 110; amended, 1983, 282 § 1.

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; 1982, 554 § 1; subsection (*b*) amended, 1973, 1190 § 16; 1982, 554 § 2; 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; 1982, 554 § 8.)

SECT. 30, paragraph (*b*) amended, 1972, 806 § 21.

SECT. 31,Class A, paragraph (*c*) added, 1980, 436 § 1; stricken out, 1982, 650 § 2; first paragraph, Class B, subsection (*b*), clause (22) added, 1980, 241 § 1;. clause stricken out, 1982, 650 § 3; paragraph (*d*) amended, 1973, 459 § 1; paragraph (*e*) added, 1982, 650 § 3A; 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; clauses (1)-(7) stricken out and clauses (1)-(15) inserted, 1982, 650 § 4 paragraph (*c*) amended, 1972, 806 § 22; paragraph (*e*) clause (17) added, 1977, 824; clauses (18) and (19) added, 1980, 436 § 3; clauses (1)-(19) stricken out and clauses (1)-(16)inserted, 1982, 650 § 5; Class D, paragraph (*b*), clauses (2), (3) and (4) added 1979, 379.

SECT. 32 revised, 1980, 436 § 4; paragraph (*a*) revised, 1982, 458; paragraph (*b*) revised, 1982, 650 § 6; revised, 1983, 571 § 1.

SECTS. 32A-32H added, 1980, 436 § 4.

SECT. 32A, paragraph (*c*) added, 1981, 522; section revised, 1982, 650 § 7; paragraph (*b*) revised, 1983 571 § 2.

SECT. 32B revised, 1982, 650 § 8.

SECT. 32C revised, 1982, 650 § 9.

SECT. 32D revised, 1982, 650 § 10.

SECT. 32E revised, 1982, 650 § 11.

SECT. 32F 1983, 571 § 3.

SECT. 32G 1983, 571 § 4.

SECT. 32H revised, 1982, 650 § 14.

SECT. 32I added, 1981, 669 § 2 (relative to the possession and sale of drug paraphernalia).

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; revised, 1982, 650 § 15.

SECT. 44 revised, 1973, 533 § 1.

SECT. 46 repealed, 1978, 508 § 1.

SECT. 47, subsection (*a*), subparagraph (3) amended, 1982, 650 § 16; subparagraph (5) added, 1977, 556 § 1; subparagraph (6) added, 1981, 669 § 3; subparagraph (7) added, 1982, 132 § 1; subsection (*b*) first sentence revised, 1977, 556 § 2; 1982, 650 § 17; subsection (*d*) revised, 1977, 556 § 3; subsection (*e*) revised, 1972, 806 § 31. (See 1982, 132 § 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. section and third paragraph stricken out and four paragraphs added, 1983, 184 § 1.

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; first sentence revised, 1981, 351 § 49. (See 1937, 305 § 2; 1949, 34 § 2; 1977, 338 § 2; 1981, 351 § 299.)
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).
SECT. 57 revised, 1983, 5.

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; 1981, 351 § 51. (See 1948, 493 § 5; 1980, 572 § 417; 1981, 351 § 299.)

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. sentence added, 1981, 351 § 52. (See 1981, 351 § 299.)

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. 5 amended, 1981, 215.

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; first paragraph revised, 1982, 93 § 1; 93 § 2. (See 1973, 229 § 2; 1976, 19 § 2; 1978, 222 § 2; 1982, 93 § 3.)

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 (5) revised, 1983, 522 § 1; subsection (9) revised, 1979, 512 § 2; subsection (14) revised, 1983, 522 § 2; subsection (20) revised, 1983, 522 § 3; 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; 1983, 522 § 24.)

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; revised, 1983, 522 § 4. (See 1979, 512 § 16; 1983, 522 § 24.)

SECT. 5-114, subsection (2) revised;

SECT. 6 — 102, subsection (3) revised, 1981, 349.

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.
ARTICLE 8 revised, 1983, 522 § 4. (See 1983, 522 § 24.)
SECT. 9 — 103, subsection (2) amended, 1963, 188 § 21; subsection (5) added, 1963, 188 § 22; subsection (6) added, 1983, 522 § 7; subsection (3) paragraph (*a*) revised, 1983, 522 § 6; (See 1983, 522 § 24.)
SECT. 9 — 104, clause (*e*) revised, 1980, 261 § 23.
SECT. 9 — 105, subsection (2) amended, 1958, 542 § 10; subsection (1) paragraph (*i*)revised, 1983, 522 § 8. (See 1983, 522 § 24.)
SECT. 9 — 206, subsection (1) revised, 1963, 188 § 23. subsection (1) revised, 1983, 522 § 9. (See 1983, 522 § 24.)
SECT. 9 — 207 revised, 1959, 580 § 8.
SECT. 9 — 301, subsection (2) amended, 1959, 580 § 9. subsection (1) paragraph (*f*) revised, 1983, 522 § 10; (See 1983, 522 § 24.)
SECT. 9 — 310 amended, 1958, 542 § 11; subsection (1) revised, 1983, 522 § 11; subsection (4) revised, 1983, 522 § 12; subsection (5) revised, 1983, 522 § 13; revised, 1983, 522 § 14; revised, 1983, 522 § 15. (See 1983, 522 § 24.)
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; subsection (7) revised, 1983, 522 § 16. (See 1983 522 § 24.)
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; revised, 1981, 351 § 53. (See 1972, 684 § 136; 1981, 351 § 299.)

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; revised, 1981, 351 § 54. (See 1972, 684 § 136; 1981, 351 § 299.)

SECT. 9 — 405 revised, 1959, 580 § 12; subsection (1) amended, 1961, 131 § 4; 1972, 684 § 127; revised, 1981, 351 § 55; subsection (2) amended, 1961, 131 § 5; 1972, 684 § 128. (See 1972, 684 § 136; 1981, 351 § 299.)

SECT. 9 — 406 amended, 1961, 131 § 6; 1972, 684 § 129; fifth sentence revised, 1981, 351 § 56. (See 1972, 684 § 136; 1981, 351 § 299.)

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 stricken out and new chapter 109 (with new title) inserted, 1982, 202 § 1. (See 1982, 202 § 3-4.)

SECT. 20 subsection (a) clause (2) revised, 1983, 206 § 1. (See 1983, 206 § 6.)

SECT. 22 revised, 1983, 206 § 2. (See 1983, 206 § 6.)

SECT. 53 amended, 1983, 206 § 3. (See 1983, 206 § 6.)

SECT. 54 first sentence revised, 1983, 206 § 4. (See 1983, 206 § 6.)

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. 6 revised, 1983, 229.

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 (*a*) sentence added, 1981, 444 § 1; paragraph (*b*) amended, 1973, 430 § 8; revised, 1975, 149 § 1; paragraph (*e*) added, 1975, 149 § 2.

SECT. 204, subsection (*a*) amended, 1981, 444 § 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; clause (12)amended, 1982, 104 § 1; 1983, 574 § 8. (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.

SECT. 1, definition of Take-over bid" revised, 1981, 508 § 1; definition of "Target company" revised, 1981, 508 § 2.

SECT. 2 revised, 1981, 508 § 3.

SECT. 4, paragraph added, 1981, 508 § 4.

SECTS. 5-6 revised, 1981, 508 § 5.

SECT. 7, second and third paragraphs revised, 1981, 508 § 6.

SECT. 9, paragraph (*e*) revised, 1981, 508 § 7; paragraphs (*i*)-(*j*) added, 1981, 508 § 8.

SECT. 10 revised, 1981, 508 § 9.

Chapter 111. — Public Health.

For temporary legislation providing for a dental research program for the training of feminine personnel, see 1949, 473; repealed, 1950, 667.

SECT. 1, paragraph added, 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; second paragraph revised, 1976, 486 § 17; sentence inserted after first sentence, 1981, 684 § 12. (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.)

SECTS. 4K-4L added, 1981, 734 § 1 (establishing a public in formation program relative to diethylstilbestrol).

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. 6D added, 1981, 756 (providing for an investigation and study of heredo-familial neuronal degenerations).

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, first sentence amended, 1981, 700 § 2; last sentence revised, 1943, 331 § 2; sentence added, 1977, 128; third and fourth sentences revised, 1982, 650 § 18.

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; 1981, 670 § 1; 1982, 553 § 3; definition of "Substantial change in services" revised, 1980, 541 § 3; 1981, 670 § 2; 1982, 553 § 4. (See 1975, 881 § 4; 1980, 541 § 11.)

SECT. 25C, first paragraph revised, 1977, 945 § 3; 1980, 541 § 4; four sentences added, 1981, 717 § 1; stricken out, 1981, 717 § 2;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; fifth paragraph revised, 1982, 553 § 5; paragraph added, 1973, 1168 § 21; sixth paragraph revised, 1982, 553 § 6. (See 1973, 1168 § 40; 1977, 945 § 7; 1980, 541 § 11; 1981, 717 § 3.)

SECT. 25C ½ added, 1980, 541 § 8 (relative to the determination of need for certain medical facilities). (See 1980, 541 § 11.)

SECT. 25E, second paragraph, sentence added, 1981, 367 § 2.

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. 26F added, 1981, 705.

SECT. 27A revised, 1932, 209; first sentence revised, 1963, 145; seventh sentence revised, 1963, 145; eighth sentence revised, 1982, 124.

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; 1982, 96; paragraph added, 1982, 565 § 2.

SECT. 31A stricken out, and new sections 31A and 31B inserted, 1937, 282.

SECT. 31A, first sentence revised, 1983, 563; 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. 31E added 1983, 536;

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; first sentence revised, 1982, 591 § 1; second paragraph amended, 1980, 541 § 10; third paragraph revised, 1977, 868 § 1; revised, 1983, 461; 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. 51C added, 1981, 720 (relative to staff membership in certain hospitals).

SECT. 52 revised, 1967, 891 § 2; paragraph added, 1973, 1186 § 3; definition of "Clinic" revised, 1979, 674 § 1; last sentence revised, 1982, 591 § 2; 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. 69K added, 1982, 357 § 16 (relative to patients eligible for federal veterans' benefits). (See 1982, 357 § 21.)

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; section revised, 1981, 495 § 1.

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; fifth paragraph, clause (*m*) revised, 1983, 295.

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; sixth paragraph amended, 1983, 627 § 1; seventh paragraph, sentence added after first sentence, 1983, 627 § 2; eighth paragraph amended, 1983, 627 § 3; twelfth paragraph amended, 1980, 572 § 95; thirteenth paragraph amended, 1981, 423; sixteenth paragraph revised, 1979, 773 § 2; amended, 1983, 627 § 4; 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. 71A added, 1982, 357 § 17; stricken out 1983, 639 § 24. (See 1982, 357 § 21.)

SECT. 71A½ added, 1983, 639 § 24.

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; first and second paragraph revised, 1979, 571 § 2. paragraph added, 1975, 877 § 1; paragraph added, 1981, 528 § 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; 1982, 64.

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).

SECTS. 72M-72U added, 1981, 528 § 3 (further regulating long term care facilities).

SECT 72V added, 1982, 74 (providing certain security protection for nursing home residents).

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; first sentence revised, 1981, 806 § 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; section revised, 1982, 236 § 3. (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; 1983, 38.

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; 1983, 84 § 1; paragraph added, 1971, 261. (See 1975, 706 § 312; 1983, 84 § 8.)

SECT. 127B, first paragraph amended, 1966, 78; 1973, 295; first paragraph, first sentence amended, 1983, 84 § 2; first sentence revised, 1978, 104 § 2; eighth sentence revised, 1972, 522; fifth paragraph amended, 1978, 104 § 3; 1983, 84 § 3; paragraph added, 1973, 920; amended, 1974, 298. (See 1983, 84 § 8.)

SECT. 127C, first paragraph amended, 1978, 104 § 4; 1983, 84 § 4; paragraph added, 1969, 242; (See 1983, 84 § 8.)

SECT. 127E amended, 1978, 104 § 5; 1983, 84 § 5; (See 1983, 84 § 8.)

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; last sentence revised, 1983, 575 § 5. (See 1971, 843 § 27; 1973, 591 § 22; 1983, 575 § 13.)

SECT. 127H, first paragraph, third sentence revised, 1972, 201; amended, 1978, 104 § 6; 1983, 84 § 6; third paragraph, clause (*b*) revised, 1975, 467 § 2. (See 1983, 84 § 8.)

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. 127P added, 1981, 750 § 1 (relative to the effect of the state environmental code on certain subdivision plans). (See 1981, 750 § 2.)

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, repealed, 1963, 390 § 2.

SECT. 128G added, 1967, 718 § 5 (relative to inspection of farm labor camps). (See 1967, 718 § 10.)

SECT. 128H added, 1967, 718 § 5A (relative to educational and recreational opportunities at farm labor camps); amended, 1971, 373. (See 1967, 718 § 10.)

SECT. 137 revised, 1961, 326.

SECT. 141 revised, 1937, 278.

SECTS. 132-142, inclusive, repealed, 1982, 95.

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; fourth paragraph revised, 1982, 232 § 2; 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); fourth paragraph revised, 1982, 232 § 3.

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; seventh sentence revised, 1981, 351 § 57; eighth sentence revised, 1967, 347 § 5. (1981, 351 § 299.)

SECT. 155, sentence inserted after first sentence, 1981, 351 § 58. (See 1981, 351 § 299.)

SECT. 158, sentence inserted after first sentence, 1981, 351 § 59. (See 1981, 351 § 299.)

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; paragraph added, 1982, 286 § 5.

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; section revised, 1981, 580.

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; definition of "Treatment program unit" added, 1982, 617 § 1. (See 1973, 1040 § 3.)

SECT. 5 amended, 1973, 1229 § 4J. 1981, 535. (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. 6B added, 1982, 617 § 2 (relative to licensing treatment program units).

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. 2, clause (1) amended, 1983, 419 § 1; clause (6) revised, 1983, 419 § 2.

SECT. 3, fourth paragraph, last sentence revised, 1981, 516.

SECT. 6, first paragraph sentnece added, 1983, 419 § 3. paragraph added, 1974, 795 § 2;

SECT. 14 added, 1977, 649 (providing immunity from liability for certain persons aiding injured or incapacitated persons).

Chapter 111D. — Clinical Laboratories.

New chapter inserted, 1975, 881 § 1.) (See 1975, 881 § 4;1981, 704 § 2.)

SECT. 8, clause (14) added, 1982 § 1.

SECT. 13, first sentence revised, 1982, 215 § 2.

Chapter 111E. — DRUG REHABILITATION.

(tNew chapter inserted, 1981, 704 § 3.) (See 1981, 704 § 2.)

Chapter 111F.—

New chapter inserted, 1983, 470. (See 1983, 470 5.)

New chapter inserted, 1983, 699§ 1. (See 1983, 699 § 5.)

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; second sentence revised, 1981, 639. (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); after second paragraph, insert paragraph, 1983, 565 § 5. (See 1973, 937 § 4.)

SECT. 9E paragraph added after second paragraph 1983, 565 § 5.

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; 1982, 218.

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; amended, 1981, 495 § 2.

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; revised, 1981, 472; 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. 17B added, 1983, 251 (regulating to the board of registration in podiatry).

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.)

SECTS. 23A-23P revised, 1982, 667 § 2.

SECT. 24 amended, 1932, 227; 1933, 126; 1937, 343 § 1; revised, 1941, 52 § 1; amended, 1945, 502 § 1; 1952, 585 § 23; revised, 1957, 463; amended, 1972, 684 § 22; 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; paragraph added, 1982, 619 § 1. (See 1945, 502 § 4; 1972, 684 § 136; 1980, 572 § 417; 1982, 619 § 2.)

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. 31 repealed, 1983, 282.

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); third paragraph revised, 1981, 706.

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; 1983, 199.

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. 52E added, 1983, 284 (relative to the powers of the board of registration in dentistry).

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; sentence added, 1983, 86;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; revised, 1981,576 § 1; sentence added 1983, 86; 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. 55A added, 1981, 576 § 2 (relative to the registration of certain veterinarians).

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; 1981, 576 § 3.

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. 56E added, 1981, 485 (providing clinical training opportunity for veterinarian students).

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; third paragraph, clause 10 added, 1975, 451 § 5; clause (11) added, 1981, 576 § 4.

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; section 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); second sentence revised, 1981, 211. (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. 74D added, 1983, 50 § 1(relative to prohibiting certain restrictive covenants upon nurses and practical nurses). (See 1983, 50 § 2.)

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; section revised, 1982, 170. (See 1957, 595 § 8.)

SECT. 80A revised, 1953, 350 § 9; 1957, 595 § 3; section revised, 1982, 170. (See 1957, §§ 7, 8; 1958, 354 §§ 1-4.)

SECT. 80B added, 1957, 595 § 4 (defining "Professional Nursing"); definitio of "Professional nursing" revised, 1975, 864 § 2; definition "Professional Nursing" amended, 1983, 565 § 6; third paragraph clause (5) amended, 1963, 811 § 1; revised, 1964, 428; third paragraph clause (5) revised, 1967, 299; clause (7) added, 1963, 811 § 2; (See 1957, 595 § 8.)

SECT. 80C added, 1977, 129 (providing for the practice of nurse midwifery); revised, 1981, 524.

SECT. 80D added, 1977, 129 (relative to the advisory committee of nurse-midwifery).

SECT. 80E added, 1983, 565 § 8.

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; section revised, 1981, 524.

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). two sentences added, 1983, 125;

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 (*b*) revised, 1982, 366 § 1; 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; section 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; second paragraph revised, 1982, 72. (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. 87DDD½ added, 1982, 21 § 1 (further regulating the licensing of real estate salesmenand brokers).

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. 87HHH, first paragraph, third sentence revised, 1981, 351 § 60. (See 1981, 351 § 299.)

SECT. 87KKK revised, 1978, 508 § 8.

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; repealed, 1983, 606 § 5. (See 1980, 572 § 417.)

SECT. 87BBBB, 1983, 606 § 6.

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, 1966, 409 § 2 (establishing a board of registration of chiropractors). (See 1966, 409 § 3.)

SECT. 89, definition of "License renewal certificate" added, 1972, 447 § 1. definition of "Chiropractic", sentence added, 1982, 154.

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; second sentence stricken out and two sentences inserted, 1981, 285.

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. 135, clauses (*d*) and (*e*) added, 1981, 91 § 1.

SECT. 136, second paragraph, first sentence amended, 1980, 572 § 224. (See 1980, 572 § 417.)

SECTS. 138-147 added under caption, 1982, 666 § 2.

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; introductory paragraph amended, 1983, 496 § 1.

SECT. 7, introductory paragraph amended 1983, 496 § 1; paragraph (*e*) revised, 1981, 119 § 2.

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.

SECT. 14 added, 1983, 496 § 2.

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. 17, sentence added, 1983, 659 § 6.

SECT. 19 revised, 1948, 550 § 48; 1981, 565. (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; first paragraph, sentence added, 1981, 351 § 61; last paragraph amended, 1939, 160 § 3. (See 1936, 407 §§ 5-8; 1981, 351 § 299.)

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. 4, paragraph added, 1982, 357 § 18. (See 1982, 357 § 21.)

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; paragraph added, 1981, 351 § 159. (See 1951, 590 §§ 7, 8; 1954, 627 §§ 38, 65, 67; 1965, 793 § 9; 1974, 623 § 4; 1981, 351 § 299.)

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; first sentence revised, 1983, 633 § 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. first paragraph stricken out and two paragraphs inserted, 1981, 208.

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; paragraph *(b)* revised, 1983, 450 § 7. (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. 5 amended, 1982, 422 § 3.

SECT. 5A added 1980, 36 § 2 (relative to an application for assistance). (See 1980, 36 § 3).

SECT. 8, second paragraph stricken out, 1982, 430 § 2.

SECT. 9 revised, 1973, 925 § 36; 1974, 787 § 1. (See 1973, 925 § 84.)

SECT. 10 amended, 1973, 1210 § 20. (See 1973, 1210 § 39.)

SECT. 18 third sentence revised 1983, 633 § 3.

SECT. 19 revised 1983, 633 § 4.

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; definition of "Dependent child" revised, 1981, 351 § 171; 1982, 424 § 1. (See 1981, 351 § 299.)

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; first paragraph, first sentence revised, 1981, 351 § 174; third paragraph revised 1983, 633 § 5; 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; 1981, 351 § 299.)

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; paragraph inserted after second paragraph, 1981, 351 § 163; section amended, 1982, 422 § 4. (See 1973, 1210 § 39; 1979, 393 § 73; 1981, 351 § 299.)

SECT. 3A added, 1982, 301 § 2 (relative to locating absent parents and enforcing certain child support orders).

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. 4B added, 1981, 351 § 175 (relative to residents at the New Chardon street shelter in the city of Boston). (See 1981, 351 § 299.)

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; stricken out, 1982, 430 § 3; 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.)

SECT. 7 third and fourth sentences revised 1983, 633 § 6.

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; section revised, 1981, 351 § 172. (See 1973, 925 § 84, 1210 § 39; 1981, 351 § 299.)

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; two sentences adde, 1981, 351 § 182; sentence added, 1983, 699 § 2; (See 1975, 684 § 97; 1976, 283 § 34; 1981, 351 § 299; 1983, 699 § 2.)

SECT. 6A added, 1980, 329 § 38.

SECT. 7, paragraph inserted after first paragraph, 1971, 1084 § 3.

SECT. 9, first paragraph amended, 1982, 422 § 5. paragraph added, 1973, 1210 § 27. (See 1973, 1210 § 39.)

SECT. 10, paragraph (1) revised, 1972, 745; paragraph (7) added, 1972, 779; paragraphs (8) and (9) added, 1982, 241 § 5; fifth paragraph revised, 1973, 925 § 39; 1977, 825 § 3. (See 1973, 925 § 84; 1982, 241 § 27.)

SECT. 10A added 1983, 720 § 1.

SECT. 13 revised, 1971, 826. sentence added, 1980, 329 § 44; section amended, 1981, 351 § 183; two sentences inserted after first sentence, 1981, 351 § 184; section revised, 1982, 611 § 1. (See 1981, 351 § 299; 1982, 611 § 5.)

SECT. 14 revised, 1973, 1210 § 28. (See 1973, 1210 § 39.)

SECT. 16, second paragraph stricken out, 1982, 430 § 4.

SECT. 17, second paragraph stricken out, 1982, 430 § 5.

SECT. 17A added, 1981, 351 § 185 (relative to unauthorized medical claims). (See 1981, 351 § 299.)

SECT. 18 revised, 1983, 287.

SECT. 19 revised, 1983, 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; first paragraph, two sentences added, 1982, 357 § 19; paragraph inserted after first paragraph, 1982, 368; second paragraph, sixth sentence stricken out two sentences added, 1983, 408. paragraph added, 1981, 351 § 279. (See 1970, 701 § 4; 1975, 684 § 97; 1976, 283 § 34; 1981, 351 § 299; 1982, 357 § 21.)

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; first sentence amended, 1982, 422 § 6; 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. 26, paragraph added, 1981, 770.

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; definition of"Child in need of services" inserted, 1973, 1073 § 3; section amended, 1973, 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; subsection F added, 1970, 825; amended, 1973, 433; section revised, 1973, 925 § 40; amended, 1973, 1073 § 4; subsection D amended, 1975, 276 § 1; subsection E amended, 1975, 276 § 2; subsection G added, 1974, 682 § 4; subsection H added, 1980, 478; revised 1983, 633 § 7. (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; 1983, 182; two sentences inserted after second sentence, 1977, 799; third sentence amended, 1973, 1076 § 2; sentence added, 1978, 478 § 50; section revised 1983, 182. (See 1978, 478 § 343.)

SECT. 26 amended, 1973, 925 § 41, 1076 § 3; subsection (2), subparagraph (iii) amended, 1978, 552 § 29. last paragraph revised, 1983, 117; (See 1973, 925 § 84.)

SECT. 27, sentence added, 1973, 1005; revised, 1978, 478 § 51; 1981, 715 § 1; 119, 314; 1983, 314; (See 1978, 478 § 343.)

SECT. 29 revised, 1973, 1076 § 4; 1978, 501. second sentence stricken out, five sentences inserted, 1983, 517.

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; fifth paragraph revised, 1981, 91 § 2; sixth paragraph revised, 1983, 222; (See 1978, 215 § 3; 1979, 312 § 2.)

SECT. 51B, clauses (1), (2), and (3) revised, 1978, 131. clauses (4), (5), (6), and (7) stricken out, 1983, 288 § 2; clauses (4) and (8) added, 1983, 288 § 2.

SECT. 51D, first sentence revised, 1978, 552 § 32; revised, 1983, 288 § 3.

SECT. 51E, amended 1983, 391 § 1; paragraph inserted after first paragraph, 1975, 528 § 1.

SECT. 51F, amended 1983, 391 § 2; 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 noncriminal 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 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; definition of"Child in need of services" inserted, 1973, 1073 § 3; section amended, 1973, 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; subsection F added, 1970, 825; amended, 1973, 433; section revised, 1973, 925 § 40; amended, 1973, 1073 § 4; 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; 1983, 182; 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. last paragraph revised, 1983, 117; (See 1973, 925 § 84.)

SECT. 27, sentence added, 1973, 1005; revised, 1978, 478 § 51; 1981, 715 § 1; 119, 314; (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; fifth paragraph revised, 1981, 91 § 2; sixth paragraph revised, 1983, 222; (See 1978, 215 § 3; 1979, 312 § 2.)

SECT. 51B, clauses (1), (2), and (3) revised, 1978, 131. clauses (4), (5), (6), and (7) stricken out, 1983, 288 § 2; five clauses added, 1983, 288 § 2.

SECT. 51D, first sentence revised, 1978, 552 § 32; revised, 1983, 288 § 3.

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 noncriminal 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.)

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; third paragraph, fourth sentence revised, 1983, 371 § 6. (See 1983, 371 § 105.)

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 "Community development project" inserted, 1981, 789 § 1; 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. (See 1981, 789 § 22.)

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; sixth paragraph stricken out, two paragraphs added, 1983, 649 § 1.

SECT. 7 paragraph added, 1983, 649 § 2.

SECT. 11, paragraph (*m*) stricken out and paragraphs (*m*) and (*n*) inserted, 1970, 851 § 2.

SECT. 12, third paragraph amended, 1978, 393 § 33. (See 1978, 393 § 45.)

SECT. 13, first paragraph, second sentence revised, 1983, 246.

SECT. 15, sentence inserted after fifth sentence, 1970, 359 § 1.

SECT. 16, paragraph inserted after first paragraph, 1981, 552; last paragraph amended, 1982, 620.

SECT. 21 amended, 1973, 834; second sentence revised, 1975, 641.

SECT. 26 amended, 1970, 694 § 2; clause (*j*) revised, 1976, 477 § 5; amended, 1981, 789 § 2; 808 § 27; clause (*k*) added, 1973, 884 § 1; paragraph (5) revised, 1981, 789 § 3; clause (*l*) added, 1974, 698 § 5; clause (*m*) added, 1978, 578. (See 1981, 789 § 22; 808 § 35.)

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; paragraph

added, 1981, 351 § 136; sixth paragraph, four sentences added, 1981, 510. (See 1973, 925 § 84; 1981, 351 § 299.)

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; revised, 1983, 574 § 9; 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; sentence added, 1981, 789 § 4. (See 1981, 789 § 22.)

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; revised, 1983, 574 § 10.

SECT. 41A added, 1975, 825 § 2; section revised, 1976, 4 § 7; second sentence revised, 1979, 714 § 3; fourth sentence revised, 1979, 714 § 4; revised, 1983, 574 § 11.

SECT. 42-44 revised, 1983, 574 § 12.

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. 57A added, 1981, 789 § 5 (relative to grants for certain community development projects). (See 1981, 789 § 22.)

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; paragraphs (*a*) and (*b*) revised, 1982, 614. 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; paragraph added, 1982, 357 § 20; revised, 1982, 611 § 2. (See 1973, 925 § 84, 1229 § 13; 1980, 329 § 48; 1982, 357 § 21; 1982, 611 § 5.)

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. section stricken out, 1982, 611 § 3. (See 1973, 925 § 84; 1980, 329 § 134; 1982, 611 § 5.)

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.

SECTS. 38-55 stricken out, 1981, 704 § 1.

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. 12, two sentences added, 1981, 761.

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; 1982, 108 § 1.

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; first paragraph revised, 1983, 399 § 1; second paragraph, third sentence revised, 1983, 399 § 2; third paragraph revised, 1983, 399 § 3. (See 1955, 770 §§ 117, 123.)

SECT. 49A stricken out and sections 49-49A inserted, 1972, 777 § 13 (relative to prisoner participation in education, training and employment programs); second paragraph revised, 1983, 399 § 4; third paragraph, third sentence revised, 1983, 399 § 5.

SECT. 49B added, 1973, 717 (relative to the employment of prisoners on state property); first two sentences revised, 1978, 79.

SECT. 49C added, 1983, 181(relative to the employment of prisoners of county correctional institutions on municipal properties within the county).

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. 86H-86I added, 1983, 261 (relative to certain inmates to address public gatherings outside a correction facility).

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; repealed, 1983, 721 § 3. (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; sentence added,1982, 437. (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; first sentence revised, 1981, 181.

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; second paragraph revised, 1982, 108 § 2; 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; paragraph (*c*) amended, 1983, 212. (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; paragraph inserted, after fourth paragraph, 1983, 120. (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 "Director" revised, 1981, 351 § 263; definition of "Riding school operator" inserted, 1972, 717 § 1; definition of "Trustees" revised, 1973, 43 § 1. (See 1975, 706 § 312; 1981, 351 § 299.)

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; 1981, 351 § 264; 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; revised, 1981, 558 § 6; paragraph (*h*) added, 1971, 987 § 2; revised, 1973, 1066; paragraph added, 1975, 619; amended, 1981, 351 § 265; last sentence revised, 1981, 558 § 7. (See 1981, 351 § 299.)

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. 4 revised, 1983, 650 § 1.

SECT. 5 revised, 1981, 351 § 266. (See 1981, 351 § 299.)

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. 12, first sentence revised, 1981, 351 § 267. (See 1981, 351 § 299.)

SECT. 13 amended, 1934, 340 § 11; revised, 1967, 347 § 7; amended, 1981, 351 § 268. (See 1934, 340 § 18; 1981, 351 § 299.)

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; section revised, 1981, 351 § 269. (See 1981, 351 § 299.)

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.

SECT. 32, sentence inserted before first sentence, 1982, 664.

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. 36C added, 1982, 103 § 1 (regulating the sale of maple syrup). revised, 1983, 285.

SECT. 38, paragraph added, 1982, 103 § 2.

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.

SECT. 102-115 added, 1983, 650 § 2.

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; sentence added, 1981, 783 § 1; fourth paragraph, third sentence stricken out, 1983, 594 § 3; fifth paragraph revised, 1971, 542. (See 1935, 571 § 2; 1939, 505 § 3; 1964, 686 § 2; 1975, 706 § 312.)

SECT. 4, first paragraph revised, 1981, 558 § 8; 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; stricken out, two sentences added, 1983, 105 § 1; 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); paragraph (b) second sentence revised, 1983, 233 § 65. (See 1983, 233 § 101.)

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 "Guard Dog Business" inserted, 1981, 774 § 1; definitions of "Hearing dog" and "Hearing dog business" added, 1983, 585 § 3; 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; 1981, 774 § 2; revised, 1983, 585 § 4;

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. 14E added, 1983, 293 § 1 (relative to

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; 1983, 293 § 2; last two sentences revised, 1965, 72 § 1; 1966, 91 § 1. (See 1956, 527 § 5.)

SECT. 36C added, 1938, 386 (regulating the transportation of neat cattle); repealed, 1941, 607 § 2.

SECTS. 36D AND 36E added, 1954, 647 § 3 (prohibiting the importation or transportation of certain cattle unless tested and vaccinated for brucellosis); (See 1954, 647 § 4; 1956, 527 §§ 5, 6.)

SECT. 36D revised, 1956, 527 § 3; amended, 1960, 371; revised, 1965, 72 § 2; amended, 1966, 91 § 2; revised, 1978, 485 § 2; second sentence revised, 1983, 293 § 3.

SECT. 36E revised, 1956, 527 § 3; 1978, 485 § 2; 1981, 59; 1983, 293 § 4. (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. 39B added, 1981, 774 § 3 (relative to the licensing of guard dog businesses).

SECT. 39C-39D added, 1983, 585 § 5.

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 "Registered under the laws of the state" inserted, 1981, 336 § 1; definition of "Scallop" revised, 1971, 133 § 1; definition of "Shellfish" inserted, 1963, 131; last paragraph revised, 1945, 98 § 2; 1981, 336 § 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; section revised, 1982, 131 § 1. (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; third paragraph 1983, 118; fourth paragraph, first sentence revised, 1977, 69 § 1; 1982, 131 § 2. (See 1943, 533 § 2; 1983, 118 § 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; 1982, 131 § 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; second paragraph revised, 1981, 769. (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; revised, 1982, 131 § 4.

SECT. 41A added, 1970, 779 § 2 (relative to penalties for possession of female lobsters from which eggs have been removed); first sentence revised, 1982, 131 § 5.

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; 1982, 131 § 6.

SECT. 49 revised, 1982, 131 § 7.

SECT. 51 second sentence revised, 1982, 131 § 8.

SECT. 52, first paragraph, sentence added, 1970, 236; fourth paragraph, two sentences inserted after first sentence, 1972, 33; last paragraph revised, 1977, 447 § 2; paragraph added, 1982, 363.

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 "Falcon" and "Falconry" inserted, 1973, 496 § 1; definition of "Loaded Shotgun or rifle" revised, 1975, 162; definition of "Management" added, 1981, 808 § 28; definition of"Nongame wildlife added, 1981, 808 § 29; revised, 1983, 330 § 4; definition of "Raptors" inserted, 1973, 496 § 2. (See 1975, 706 § 312; 1981, 808 § 35.)

SECT. 2 amended, 1983, 330 § 5.

SECT. 2A added, 1981, 808 § 31. (See 1981, 808 § 35.)

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; second paragraph revised, 1981, 661 § 1. (See 1973, 1071 § 11; 1975, 706 § 312; 1980, 572 § 417; 1981, 661 § 1.)

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. 5A added, 1981, 808 § 32. (See 1981, 808 § 35.)

SECT. 5B added, 1983, 330 § 6.

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. 11A added, 1981, 808 § 33. (See 1981, 808 § 35.)

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. 17 revised 1981 351 §62; amended, 1981, 758.

SECT. 17A added, 1981, 808 § 34. (See 1981, 808 § 35.)

SECT. 18, fifth sentence revised, 1983, 538.

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; sentence added 1983, 255; 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. 69, paragraph added, 1982, 39.

SECT. 70, paragraph added, 1981, 661 § 2. (See 1981, 661 § 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.

SECT. 40 revised, 1982, 592 § 1.

SECT. 41 revised, 1982, 592 § 2.

SECTS. 42, 43 AND 44 revised, 1952, 427.

SECT. 42, two sentences added, 1977, 566; section revised, 1982, 592 § 3.

SECT. 43 amended, 1970, 756 § 1; section revised, 1982, 592 § 4.

SECT. 44 revised, 1982, 592 § 5.

SECT. 45 revised, 1970, 756 § 2; 1982, 592 § 6.

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; section revised, 1982, 592 § 7. (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; second sentence revised, 1981, 149; 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

SECT. 11B amended 1983, 691 § 41; paragraph added 1983, 691 § 42.

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.

SECT. 6B added, 1981, 722 (regulating the application of herbicides).

SECT. 11B after first sentence sentence added, 1983, 691 § 41; paragraph added, 1983, 691 § 42.

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 (4) revised, 1981, 351 § 63; paragraph (6) revised, 1982, 534. paragraph (7) amended, 1964, 456; revised, 1973, 944 § 2; 1974, 117; paragraph (8) added, 1968, 448; paragraph (9) added, 1973, 1000 § 3. (See 1981, 351 § 299.)

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 (31) revised, 1981, 563; 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; revised, 1982, 556; amended, 1983, 8 § 1.

SECT. 7, first paragraph revised, 1964, 384 § 1; second paragraph revised, 1978, 378 § 1; sentence added, 1981, 351 § 64. (See 1981, 351 § 299.)

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; sentence added, 1981, 351 § 65. (See 1968, 24 § 7; 1981, 351 § 299.)

SECT. 15 amended, 1964, 384 § 2; 1970, 734 § 2; first paragraph, sentence added, 1981, 351 § 66; third paragraph revised, 1978, 378 § 2. (See 1981, 351 § 299.)

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; definitions of "Farmer brewer" and "Farmer brewery" inserted, 1982, 627 § 1; definition of "Minor" inserted, 1972, 155 § 1; definition of "Restaurant" amended, 1936, 368 § 1; definition of "Ship Chandler" added, 1983, 369 § 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; 1982, 231; 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; 1981, 351 § 67; 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; last sentence revised, 1982, 627 § 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; 1981, 351 § 299.)

SECT. 12A added, 1950, 372 (relative to the renewal of licenses to sell liquor in restaurants).

SECT. 12B added, 1981, 606 (further regulating the operation of certain premises licensed to sell alcoholic beverages); revised, 1983, 609 § 25.

SECT. 13, last two sentences stricken out, 1934, 385 § 4; section revised, 1935, 440 § 10; two sentences inserted after second sentence, 1975, 444; sentence added, after fifth sentence, 1983, 369 § 2.

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; second sentence revised, 1981, 351 § 68; sentence added, 1981, 177. (See 1981, 351 § 299.)

SECT. 15A added, 1934, 370 § 5 (relative to the publication of applications for original licenses); revised, 1935, 440 § 13; 1939, 414; amended, 1943, 542 § 5; first paragraph, fifth sentence revised, 1965, 400; first paragraph revised, 1967, 523; third sentence revised, 1968, 361; second paragraph, sentence inserted after first sentence, 1970, 192 § 2; section revised, 1971, 477 § 2; first paragraph revised, 1980, 318 § 1.

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; 1983, 266; 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; amended, 1983, 369 § 3; 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; 1982, 627 § 3.

SECT. 19B added, 1977, 929 § 4 (providing for the issuance of farmer-winery licenses).

SECT. 19C added, 1982, 627 § 4 (relative to the issuance of farm-brewery 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; 1982, 627 § 5; paragraph added, after third paragraph, 1983, 217.

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; amended, 1982, 627 § 6; 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; amended, 1981, 261.

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; 1982, 627 § 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; first sentence stricken out, 1981, 262; third paragraph amended, 1970, 768 § 2; paragraph added, 1970, 768 § 3; 1974, 279 § 2; seventh paragraph revised, 1977, 929 § 9; 1982, 627 § 8.

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; 1982, 627 § 9. (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; 1982, 627 § 10.

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; amended, 1982, 627 § 11.

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; fourth sentence revised, 1981, 351 § 69. (See 1981, 351 § 299.)

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; amended, 1982, 627 § 12.

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; 1981, 104; 1981, 263; 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 added, 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; amended, 1982, 97; revised, 1982, 627 § 13. (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. 34D added, 1982, 373 § 11 (relative to the posting of penalties in certain establishments which sell alcoholic beverages).

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; first sentence amended, 1983, 186; second sentence revised, 1982, 627 § 14.

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, 1970, 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; 1982, 373 § 12. (See 1982, 373 § 20.)

SECT. 16A amended, 1934, 328 § 12; revised, 1973, 1114 § 12; amended, 1982, 373 § 13. (See 1982, 373 § 20.)

SECT. 19 amended, 1934, 328 § 14; 1982, 373 § 14. (See 1982, 373 § 20.)

SECT. 20 amended, 1934, 328 § 15; 1948, 132; 1982, 373 § 15. (See 1982, 373 § 20.)

Chapter 140. — Licenses.

SECT. 2, fifth sentence revised, 1974, 261; 1981, 351 § 70. (See 1981, 351 § 299.)

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. 21B, third sentence revised, 1981, 351 § 71. (See 1981, 351 § 299.)

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. sentence inserted after second sentence, 1981, 351 § 72. (See 1981, 351 § 299.)

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; 1981, 351 § 73. (See 1959, 250; 1981, 351 § 299.)

SECT. 24, sentence added, 1980, 173; last sentence revised, 1982, 634 § 10.

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; 1981, 351 § 75; third sentence revised, 1975, 706 § 280. (See 1950, 802 §§ 4, 5; 1975, 706 § 312; 1981, 351 § 299.)

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. subsection 7 stricken out, subsection 7, 8, 9, and 10 added, 1983, 283.

SECT. 32L, first paragraph, subsection 3 amended, 1974, 277 § 1.

SECT. 34 amended, 1972, 802 § 10; second sentence revised, 1981, 351 § 75. (See 1972, 802 § 77; 1981, 351 § 299.)

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. 49, first sentence revised, 1981, 351 § 76. (See 1981, 351 § 299.)

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); fourth sentence revised, 1981, 351 § 77. (See1981, 351 § 299.)

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; second sentence revised, 1981, 351 § 78; eighth sentence stricken out and two sentences inserted, 1981, 703; sentence inserted after tenth sentence, 1957, 308. (See 1934, 254 § 2; 1953, 349; 1981, 351 § 299.)

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. 77, first sentence revised, 1981, 351 § 79. (See 1981, 351 § 299.)

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. 90B first paragraph revised 1983, 535 § 1.

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; paragraph added, 1982, 356 § 26A. (See 1941, 158 §§ 2, 3; 1956, 689 § 9; 1982, 356 § 27.)

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; second paragraph,fifth sentence stricken out and five sentences added, 1981, 284 § 1. (See 1946, 174 § 2; 1956, 689 §§ 8A, 9; 1981, 284 § 8.)

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; first paragraph revised, 1981, 384 § 1; paragraph added, 1974, 13; section revised, 1982, 332 § 2. (See 1972, 783 § 4; 1973, 273 § 5.)

SECT. 115 revised, 1948, 550 § 21; 1949, 297 § 7; sentence added, 1981, 351 § 80. (See 1981, 351 § 299.)

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. first sentence stricken out, two sentences inserted, 1983, 516 § 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 sentence revised, 1981, 351 § 81;fifth paragraph revised, 1973, 157. (See 1981, 351 § 299.)

SECT. 123 revised, 1957, 688 § 7; 1959, 296 § 4; 1968, 737 § 3; 1969, 799 § 3; clause Seventh revised, 1981, 541.

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; section revised, 1981, 598.

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; section revised, 1981, 597.

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 stricken out and four sentences added, 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. 131I added, 1981, 268 (providing a penalty for the possession of an altered, forged or counterfeited license to carry a firearm or a firearm indentification card).

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 "Director" added, 1983, 631 § 2; definition of "Adoption" added, 1983, 631 § 2; definition of "Commissioner" added, 1983, 631 § 2. definition of "Livestock or fowls" amended, 1975, 706 § 283; deinition of "Research institution" added, 1983, 631 § 3. (See 1934, 320 § 34; 1975, 706 § 312; 1983, 631 § 10; 1983, 631 § 10.)

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; two paragraphs inserted after first paragraph, 1983, 525 § 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, 1962, 35 § 1; first sentence revised, 1971, 19; second sentence revised, 1983, 59; third sentence amended, 1966, 535 § 11; sentence added after third sentence, 1983, 585 § 6. (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; sentence added, 1983, 525 § 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; 1981, 351 § 82. (See 1934, 320 § 34; 1981, 351 § 299.)

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; sentence revised, 1983, 631 § 4. (See 1983, 631 § 10.)

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; first paragraph, fifth sentence revised, 1983, 137 § 1; 137 § 2; after first paragraph, paragraph added, 1983, 458; sentence revised, 1983, 631 § 5. (See 1934, 320 § 34; 1983, 631 § 10.)

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; revised, 1983, 631 § 6. (See 1934, 320 § 34; 1983, 631 § 10.)

SECT. 153 revised, 1934, 320 § 16; 1957, 298 § 5; amended, 1973, 49 § 3; 1974, 778 § 3; revised, 1976, 289 § 3; 1983, 631 § 7. (See 1934, 320 § 34; 1983, 631 § 10.)

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. 174D added, 1983, 631 § 8. (See 1983, 631 § 10.)

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); paragraph (4), first sentence revised, 1981, 351 § 83; second sentence stricken out, 1981, 520. (See 1981, 351 § 299.)

SECT. 178 amended, 1981, 693.

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; first paragraph revised, 1981, 351 § 84. Affected by 1935, 454 § 8. (See 1981, 351 § 299.)

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; fourth sentence revised, 1981, 351 § 85; section revised, 1981, 694 § 1. (See 1935, 102 § 2; 1981, 351 § 299.)

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); fourth sentence revised, 1981, 351 § 86. (See 1981, 351 § 299.)

SECT. 186 amended, 1936, 169 § 1.

SECT. 187 amended, 1936, 169 § 2.

SECT. 192 revised, 1948, 550 § 24; 1949, 297 § 9; first sentence revised, 1981, 351 § 87. (See 1981, 351 § 299.)

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 repealed, 1981, 733 § 1. (See 1981, 733 § 25.)

Chapter 140D. — CONSUMER CREDIT COST DISCLOSURE.

New chapter inserted, 1981, 733 § 2. (See 1981, 733 § 25.)

SECT. 1, definition of "Creditor" revised 1983, 535 § 2; definition of "Advertisement" inserted, 1982, 332 § 3.

SECT. 2, paragraph (*e*) added 1983, 535 § 3.

SECT. 10, subsection (*e*), clause (1), subclause (D) stricken out, 1981, 733 § 2A. (See 1981, 733 § 25.)

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; revised, 1983, 406 § 1. (See 1954, 627 § 41, 65, 67; 1983, 406 § 2.)

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; sentence inserted after fourth sentence, 1981, 351 § 88. last sentence amended, 1980, 572 § 267. (See 1980, 572 § 417; 1981, 351 § 299.)

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; first paragraph revised, 1981, 346 § 2. (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; revised, 1982, 41.

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; section revised, 1981, 513.

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;

SECT. 81; revised, 1983, 552 § 2. (See 1975, 699 § 2.)

SECT. 83, section revised 1983, 552 § 3; 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); first sentence revised, 1982, 650 § 19. (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; amended, 1983, 490.

SECT. 10 amended, 1934, 23; first sentence revised, 1977, 597; 1983, 67.

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; amended, 1981, 746 § 12; (See 1981, 746 § 13.)

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; clause 11 added, 1981, 168.

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; 1982, 500 § 1.

SECT. 40A added, 1956, 623 § 3 (establishing a boxers' fund and regulating payments thereto); first paragraph amended, 1964, 367; paragraph added, 1959, 463; section revised, 1982, 500 § 2.

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. section revised, 1983, 71.

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; last sentence revised, 1981, 351 § 89. (See 1981, 351 § 299.)

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; third sentence revised, 1981, 351 § 90; 622; 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; 1981, 351 § 299.)

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 antifreeze solutions in fire hydrants).

SECT. 25A added, 1962, 688 § 1 (prohibiting the sale or installation of secondhand space heaters and secondhand portable stoves in buildings used for human habitation).

SECT. 25B added, 1962, 688 § 2 (prohibiting the use of space heaters in buildings used for human habitation).

SECT. 25C added, 1970, 29 (relative to the sale of certain decorating candles).

SECT. 25D added, 1973, 648 (regulating the manufacture and sale of certain types of children's clothing and sleepwear).

SECT. 26 amended, 1945, 481.

SECT. 26A added, 1973, 395 § 1 (requiring sprinkler systems in high rise buildings); 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. 26D, definition of "Approved smoke detector" stricken out and definitions of "Approved monitored battery power smoke detector" and "Approved primary power smoke detector" inserted, 1982, 573 § 1.

SECT. 26E revised, 1982, 573 § 2.

SECT. 26G added, 1982, 545 § 1 (further regulating the installation of automatic sprinkler systems).

SECT. 27 amended, 1973, 395 § 2. second sentence stricken out, two sentences added, 1983, 187.

SECT. 27A added, 1932, 283 (relative to the protection of life and property from fire hazards incident to the present industrial emergency); record sentnece stricken out and two sentence added, 1983, 187; 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; 1982, 520. (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. 30A added, 1983, 131.

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); sentence added, 1981, 351 § 91. (See 1981, 351 § 299.)

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; sentence added, 1981, 351 § 92. (See 1981, 351 § 299.)

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); section repealed 1983, 533 § 1.

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; sentence revised, 1983, 394.

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; 1981, 760 § 14. (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; subsection (*3*) revised, 1983, 701 § 5A;

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. subsection (1) paragraph (*b*) third sentence stricken out two sentences added, 1983, 701 § 6.

SECT. 44E, subsection (2) revised, 1983, 701 § 7.

SECT. 44F revised, 1960, 771 § 3; paragraph added, 1961, 604 § 5; subsection (2) revised, 1983, 701 § 8; subsection (4) paragraph (*c*) second paragraph revised, 1983, 701 § 9.

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 § 55. (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; revised, 1983, 415.

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; section revised, 1981, 257; amended, 1983, 173.

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); section repealed, 1982, 364 § 1.

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); sentence inserted after first sentence, 1981, 617.

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; second sentence revised, 1983, 343.

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.

SECTS. 169-172 repealed, 1981, 351 § 250. (See 1981, 351 § 299.)

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; sentence inserted after third sentence, 1981, 112 § 2. -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. 180A added, 1983, 8 § 2.

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.

SECTS. 1-2 revised, 1981, 351 § 237. (See 1981, 351 § 299.)

SECT. 3 amended, 1938, 364 § 1; 1939, 111; fifth sentence amended, 1981, 351 § 241. (See 1981, 351 § 299.)

SECT. 5 revised, 1938, 364 § 2.

SECT. 6, sentence inserted after first sentence, 1977, 790; second sentence revised, 1980, 572 § 305; amended, 1981, 351 § 238. (See 1980, 572 § 417; 1981, 351 § 299.)

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; 1983, 509 § 1. (See 1964, 576 § 10.)

SECT. 2, subsections (2) and (3) revised, 1964, 576 § 2; revised, 1983, 509 § 2; subsection (2) amended, 1968, 513 § 3; subsection (3) amended, 1968, 513 § 4; 1970, 760 § 12A; revised, 1970, 882 § 1; 1983, 509 § 2; 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; 1981, 484; third sentence revised, 1980, 329 § 124; definition of "Incremental costs items" inserted, 1976, 480 § 20. definition of "Professional employee", sentence added, 1981, 679 § 1. (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; second sentence revised, 1978, 478 § 76; paragraph added, 1975, 591; sentence added, 1977, 278 § 3; paragraph added, 1977, 753; 937 § 2. (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; last sentence revised, 1983, 248; 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, first paragraph, sentence added, 1981, 351 § 243. sentence inserted after first sentence, 1981, 351 § 244; third paragraph, eighth sentence stricken out and three sentences inserted, 1977, 788; fourth paragraph amended, 1974, 589 § 3; third and fourth sentences stricken out and four sentences inserted, 1981, 351 § 245. (See 1981, 351 § 299.)

SECT. 12, second sentence stricken out and two paragraphs inserted, 1977, 903.

SECT. 13, last paragraph amended, 1981, 351 § 246. (See 1981, 351 § 299.)

SECT. 14, last paragraph amended, 1981, 351 § 247. (See 1981, 351 § 299.)

SECT. 15, third paragraph revised, 1983, 539.

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; subsection 16, 17, added, 1983, 533,§2; 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; clause (20) added, 1983, 155. (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 "Commissioner" inserted, 1981, 351 § 240; 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; 1981, 351 § 299.)

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; subsection 6, first sentence revised, 1983, 533 § 3.

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; revised, 1983, 451 § 1; 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; revised, 1983, 451 § 2; 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; 1983, 451 § 13; 1983, 451 § 13.)

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 (2) amended, 1982, 489 § 1; sentence added, 1983, 233 § 66; 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; third sentence revised, 1983, 451 § 3; 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; 1982, 489 § 22; 1983, 233 § 101; 1983, 451 § 13.)

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. 14B added 1977, 720 § 24;

SECT. 14C, added 1977, 720 § 24; subsection (*j*) amended, 1979, 642 § 2; subsection (*c*) revised, 1983, 451 § 4; (See 1983, 451 § 13.)

SECT. 14D, added, 1983, 233 § 67 (relative to; repealed, 1983, 233 § 67A. (See 1983, 233 § 101.)

SECT. 14E-14F, added, 1983, 233 § 68; (See 1983, 233 § 101.)

SECT. 15, subsection (*a*) amended, 1950, 232; 1972, 465 § 1; first paragraph revised, 1982, 489 § 1A; 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. subsection (*e*) revised, 1982, 489 § 2. (See 1972, 465 § 2; 1978, 478 § 343; 1982, 489 § 22.)

SECT. 16 amended, 1976, 473 § 7. (See 1976, 473 § 20.)

SECT. 17 revised, 1982, 489 § 3. (See 1982, 489 § 22.)

SECT. 18, first paragraph revised, 1966, 560 § 3; second paragraph amended, 1979, 642 § 5; section revised, 1982, 489 § 4. (See 1982, 489 § 22.)

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; paragraph added, 1982, 489 § 5; 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; 1982, 489 § 22.)

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; subsection (*d*) added, 1982, 331; subsection revised, 1983, 451 § 5. (See 1971, 940 § 22; 1983, 451 § 13.)

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, 1976, 473

§ 10; subsection (*a*), (*b*) and (*c*) revised, 1983, 451 § 6; 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; 1983, 451 § 6.) 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); section repealed, 1982, 489 § 22.

SECT. 29B added, 1982, 489 § 7 (relative to child support obligations). (see 1982, 489 § 22.)

SECT. 29C added, 1981, 502 § 1. (See 1981, 502 § 2.)

SECT. 30 amended, 1945, 484 § 3; revised, 1949, 559; 1953, 410 § 1; 1956, 719 § 6; 1958, 437 § 2; first paragraph revised, 1959, 588; first paragraph, second sentence revised, 1983, 451 § 7; second paragraph revised, 1976, 473 § 11. (See 1953, 410 § 2; 1956, 719 § 8; 1976, 473 § 20; 1983, 451 § 13.)

SECT. 30A added, 1970, 866 § 1 (establishing an extended benefits program under the employment security law); subsection (1), paragraph (*a*) revised, 1982, 489 § 8; paragraphs (*b*) and (*c*) revised, 1977, 381 § 1; paragraph (*b*) stricken out, 1982, 489 § 9; paragraph (*c*) stricken out, 1982, 489 § 10; paragraph (*d*), subparagraph(2) revised, 1977, 720 § 31; 1982, 489 § 11; stricken out, 1977, 720 § 32; paragraph (*e*) amended, 1972, 483 § 1; subparagraph (2) revised, 1977, 381 § 3; paragraph (*f*) amended, 1982, 489 § 12; paragraph (*k*) subparagraph (3) revised, 1977, 381 § 4; paragraph added, 1971, 756 § 1; subsection (I), paragraph (*l*), subparagraph (3) revised, 1981 498 § 2; paragraph (*m*) inserted, 1981, 498 § 1; paragraph (*n*) added, 1982, 489 § 13; subsection (3) amended, 1982, 489 § 14; paragraph (*e*) revised, 1983, 451 § 8; subsection (5), paragraph added, 1982, 489 § 15; introductory paragraph revised, 1983, 451 § 9; subsection (6), second paragraph revised, 1982, 489 § 16; subsection (7) added, 1981, 466 § 1. (See 1970, 866 § 5; 1971, 756 § 3; 1977, 381 § 5; 1981, 466 § 2; 498 § 3; 1982, 489 § 22; 1983, 451 § 13.)

SECT. 30B added, 1971, 756 § 2 (extending benefits under the employment security act); revised, 1983, 2 § 1. (See 1971, 756 § 3.)

SECT. 30C added, 1973, 483 § 2 (regulating eligibility for emergency state supplementary unemployment benefits); repealed 1983, 2 § 1.

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. 35, first sentence revised, 1982, 489 § 17; paragraph added, 1982, 489 § 18. (See 1982, 489 § 22.)

SECT. 36, paragraph added, 1981, 428 § 3; section amended, 1982, 489 § 19. (See 1982, 489 § 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; revised, 1983, 451 § 10. (See 1951, 763 § 22; 1954, 681 §§ 20, 22; 1973, 1114 § 351; 1983, 451 § 13; 1975, 377 § 164; 1976, 473 § 20; 1978, 478 § 343; 1983, 451 § 13.)

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; sentence added, after third sentence, 1983, 451 § 11; (See 1978, 367 § 72; 1983, 451 § 13.)

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. 64 revised, 1982, 489 § 20. (See 1982, 489 § 22.)

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. 69A added, 1982, 489 § 21 (relative to certain uncollectible amounts). (See 1982, 489 § 22.)

SECT. 71 revised, 1951, 763 § 21; sentence inserted after first sentence, 1976, 473 § 18. first sentence amended, 1983, 451 § 12; (See 1951, 763 § 22; 1976, 473 § 20; 1983, 451 § 13.)

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; subsection 16, 17, added, 1983, 533 § 2.

SECT. 3, subsection 1 amended, 1969, 877; subsection 6 amended, 1950, 697 § 3; revised, 1960, 163 § 1; amended, 1965, 397 § 1; 1971, 923; subsection 6 first sentence revised, 1983, 533, § 3; 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; revised, 1983, 533 § 4; subsection 3 amended, 1950, 697 § 8; 1965, 397 § 6; revised, 1983, 533 § 5; 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; revised 1983, 585 §7; 628 § 1; subsection 7 amended, 1973, 187 § 2; 1015 § 2; revised, 1983, 628 § 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; revised, 1983, 628 § 3; 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; subsection 16 added 1983, 533 § 6. (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 and second paragraph revised, 1983, 628 § 4; first sentence stricken out and three sentences inserted, 1967, 483; second and third sentences amended, 1968, 719; third paragraph, first sentence revised, 1983, 628 § 5; 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 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; subsection 16, 17, added, 1983, 533 § 2.

SECT. 3, subsection 1 amended, 1969, 877; subsection 6 amended, 1950, 697 § 3; revised, 1960, 163 § 1; amended, 1965, 397 § 1; 1971, 923; subsection 6 first sentence revised, 1983, 533, § 3; 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; revised, 1983, 533 § 4; subsection 3 amended, 1950, 697 § 8; 1965, 397 § 6; revised, 1983, 533 § 5;

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; 1983, 585 §7; 628 YSM 1; subsection 7 amended, 1973, 187 § 2; 1015 § 2; revised, 1983, 628 § 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; revised, 1983, 628 § 3; 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 and second paragraph revised, 1983, 628 § 4; first sentence stricken out and three sentences inserted, 1967, 483; second and third sentences amended, 1968, 719; third paragraph, first sentence revised, 1983, 6282 § 5; 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; revised, 1983, 585 § 8; 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 (1A) inserted, 1982, 630 § 47; 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; revised 1983, 447; 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; 1982 630 § 56.)

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; 1982, 663 § 1. (See 1974, 438 § 3; 1978, 461 § 2; 1982, 663 § 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; section revised, 1981, 572 § 1. (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; 1981, 572 § 5.)

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; section revised, 1981, 572 § 2. (See 1946, 321 § 4; 1963, 460 § 4; 1967, 482 § 7; 1969, 529 § 4; 1971, 879 § 7; 1973, 978 § 7; 1976, 474 § 12; 1981, 572 § 5.)

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; section revised, 1981, 572 § 3. (See 1962, 471 § 2; 1981, 572 § 5.)

SECT. 36A revised, 1950, 445; 1951, 494; paragraph added, 1981, 572 § 4. (See 1981, 572 § 5.)

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; amended, 1981, 428 § 4; sentence added, 1982, 430 § 6.

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; amended, 1982, 183 § 1. (See 1981, 183 § 4.)

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; revised, 1982, 630 § 48. (See 1982, 630 § 56.)

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; 1983, 364 § 19.

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.

SECT. 86 added, 1982, 630 § 49 (relative to mailing of certain orders or decisions). (See 1982, 630 § 56.)

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; section revised, 1981, 532.

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. 40, sentence added, 1981, 456 § 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; paragraph (*a*) amended, 1983, 574 § 13. (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, 392 § 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. 19, revised, 1983, 522 § 17. (See 1983, 522 § 24.)

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; revised, 1983, 522 § 18. (See 1983, 522 § 24.)

SECT. 26, first paragraph revised, 1965, 685 § 12; amended, 1969, 392 § 11. (See 1965, 685 § 57.)

SECT. 27 revised, 1965, 685 § 13; 1983, 522 § 19. (See 1965, 685 § 57; 1983, 522 § 24.)

SECT. 28 revised, 1983, 522 § 19. (See 1983, 522 § 24.)

SECT. 29 amended, 1965, 685 § 13A; revised, 1983, 522 § 19. (See 1965, 685 § 57; 1983, 522 § 24.)

SECT. 30 revised 1983, 522 § 19. (See 1983, 522 § 24.)

SECT. 31 revised, 1965, 685 § 14. (See 1965, 685 § 57.)

SECT. 32, first and second sentence revised, 1965, 685 § 15; third sentence stricken out, two sentences inserted, 1983, 522 § 20. (See 1965, 685 § 57; 1983, 522 § 24.)

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. 40, sentence added, 1981, 456 § 1.

SECT. 41 amended, 1965, 685 § 18. (See 1965, 685 § 57.)

SECT. 41A added, 1981, 393 §1.

SECT. 42, paragraph added, 1969, 392 § 13.

SECT. 43 amended, 1965, 685 § 19; revised, 1969, 392 § 14. (See 1965, 685 § 57.)

SECT. 45 revised, 1981, 210.

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, first paragraph revised, 1969, 392 § 17; first sentence revised, 1971, 929 § 4; two paragraphs added, 1965, 685 § 27; paragraph added, 1969, 392 § 18; revised, 1983, 174. (See 1965, 685 § 57.)

SECT. 71 revised, 1965, 685 § 28; 1981, 298 § 1. (See 1965, 685 § 57.)

SECT. 72, first sentence amended, 1967, 198.

SECT. 74, first paragraph amended, 1965, 685 § 29; first two sentences revised, 1981, 298 § 2; sentence inserted after second sentence, 1981, 230. (See 1965, 685 § 57.)

SECT. 75, sentence added, 1965, 685 § 30; revised, 1980, 494; section revised, 1981, 298 § 3. (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; 1981, 298 § 4; 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; revised, 1983, 522 § 21. (See 1965, 685 § 57; 1983, 522 § 24.)

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. 92 revised, 1983, 522 § 22. (See 1983, 522 § 24.)

SECT. 94 revised, 1983, 522 § 23. (See 1983, 522 § 24.)

SECT. 95 amended, 1965, 685 § 41. (See 1965, 685 § 57.)

SECT. 96, paragraph added, 1982, 149.

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; amended, 1982, 141.

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; 1981, 238; 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. 1 revised, 1981, 273 § 1.

SECT. 3, second sentence revised, 1949, 378 § 1; third sentence revised, 1981, 273 § 2.

SECT. 3A added, 1949, 378 § 2 (authorizing the forming of corporations to conduct a housing business on the co-operative plan); last sentence revised, 1981, 273 § 3; repealed, 1983, 574 § 14.

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; first paragraph amended, 1983, 574 § 15; second paragraph amended, 1971, 317 § 2A; revised, 1981, 273 § 4.

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; revised, 1982, 104 § 2.

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. 10, second sentence revised, 1981, 273 § 5.

SECT. 12 revised, 1981, 273 § 6.

SECT. 13 amended, 1954, 23; 1981, 273 § 7.

SECT. 15, first sentence revised, 1981, 273 § 8.

SECT. 16, last sentence amended, 1932, 180 § 31.

SECT. 18, last sentence amended, 1980, 572 § 325. (See 1980, 572 § 417.)

Chapter 157A. — EMPLOYEE COOPERATIVE CORPORATIONS.

New chapter inserted, 1982, 104 § 3.

Chapter 157B.—"Cooperative Housing Corporations"

Chapter added, 1983, 574 § 16.

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; second paragraph amended, 1983, 620; 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; 1983, 150. (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. 14A revised, 1983, 142.

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. 16B added, 1981, 260 (regulating advertising by certain motor carriers).

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. 20, sentence added, 1981, 351 § 94. (See 1981, 351 § 299.)

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; first sentence revised, 1983, 205.

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, 1969, 574 § 1; revised, 1982, 547; 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; subsection (*p*) added, 1981, 176. (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.

SECTS. 19H-19I added, 1981, 731 § 4 (relative to deferred compensation).

SECT. 23, first paragraph amended, 1971, 1075 § 3; revised, 1979, 480 § 14; first paragraph stricken out and two paragraphs inserted, 1981, 732 § 2; paragraph inserted, 1981, 732 § 3; 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; revised, 1981, 732 § 4; 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; section seventh paragraph amended, 1973, 1140 § 15; section revised, 1983, 637 § 19. (See 1973, 1140 § 30; 1981, 732 § 38.)

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; clause (A) revised, 1981, 732 § 5; revised, 1983, 637 § 20; second paragraph revised, 1971, 1075 § 7; paragraph added, 1970, 513 § 5. (See 1981, 732 § 38.)

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; revised, 1981, 49 § 4. (See 1976, 283 § 34; 1977, 363A § 76; 1981, 49 § 5.)

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; revised, 1982, 515; 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 § 10; second paragraph amended, 1977, 928 § 11.

SECT. 19, first sentence revised, 1983, 371 § 7. (See 1983, 371 § 105.)

Chapter 161C. — Rail Transportation in the Commonwealth.

New chapter inserted, 1975, 859 § 1.

SECT. 1 revised, 1981, 732 § 6. (See 1981, 732 § 38.)

SECT. 4 amended, 1978, 462 § 1; revised, 1981, 732 § 7. (See 1981, 732 § 38.)

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 161D. — THE MASSACHUSETTS INTERCITY BUS CAPITAL ASSISTANCE PROGRAM.

New chapter inserted, 1981, 732 § 8.

SECT. 5, clause (3) revised, 1983, 637 § 21. (See 1981, 732 § 38.)

Chapter 162. — Electric Railroads.

SECT. 9, sentence inserted after first sentence, 1981, 351 § 95. (See 1981, 351 § 299.)

Chapter 163. — Trackless Trolley Companies.

SECT. 6, sentence inserted after first sentence, 1981, 351 § 96. (See 1981, 351 § 299.)

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; definition of "Alternative energy producer" inserted, 1982, 120 § 1; definition of "Cogeneration facility" inserted, 1982, 120 § 2; definition of "Electric company" revised, 1982, 120 § 3; definition of "Gas company revised, 1982, 120 § 4; definitions of "Primary energy source" and "Small power production facility" inserted, 1982, 120 § 4. (See 1973, 860 § 27.)

SECT. 2 amended, 1982, 120 § 5.

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; 1982, 220 § 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; last sentence revised, 1982, 220 § 2.

SECT. 15A added, 1982, 220 § 3 (relative to gas and electric companies evidences of indebtedness).

SECT. 16, first sentence revised, 1981, 214.

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. 33A added, 1981, 375 § 5 (prohibiting recovery of certain expenditures by a gas or electric company).

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; amended, 1981, 226 § 1. (See 1981, 226 § 2.)

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. 58B, first sentence amended, 1981, 145 § 1.

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. definition of "Gas company" amended, 1982, 634 § 11.

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; clause (4), three sentences added, 1983, 233 § 69. (See 1979, 796 § 35; 1980, 572 § 417; 1983, 233 § 101.)

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.)

tSECT. 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. 76 amended, 1982, 120 § 6.

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; 1982, 120 § 7.

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); section revised, 1981, 375 § 4.

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. 103 revised, 1981, 685.

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; revised, 1981, 375 § 6. (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; 1983, 629 § 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; fifth paragraph stricken out, 1983, 629 § 1A.

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. 124G added, 1981, 180 (relative to the restoration of certain utility service; last sentnece stricken out, 1983, 629 § 2.

SECT. 124H-124I added,1983, 629 § 3.

SECT. 125A revised, 1963, 615 § 5.

SECT. 126 revised, 1961, 284; amended, 1977, 191 § 1.

SECT. 127 revised, 1961, 290; 1977, 191 § 2.

SECT. 127A added, 1982, 305 § 1 (providing for civil penalties in relation to theft of electricity or gas).

SECT. 128 added, 1973, 860 § 21 (regulating the holding of advance payments by customers of certain utility companies). (See 1973, 860 § 27.)

SECTS. 129-132 added, 1982, 640 (authorizing municipal electric departments to establish self-insurance trust funds).

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. 32A added, 1981, 809 (relative to inspector of wires).

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); sentence added, 1983, 98 § 1.

SECT. 42B added, 1973, 1157 (imposing certain penalties for fraudulently avoiding charges for telecommunication services and authorizing the seizure of contraband); sentence added, 1983, 98 § 2.

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. first

paragraph, first sentence revised, 1981, 699 § 81; second paragraph, second sentence revised, 1981, 699 § 82. (See 1981, 699 § 97.)

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); repealed, 1983, 98 § 3.

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; section revised, 1981, 531; 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. 2B added, 1982, 155 § 1 (relative to meeting the credit needs of local communities). (See 1982, 155 § 65.)

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. 6B added, 1981, 581 (requiring banks to make available certain information to customers).

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); section revised, 1982, 155 § 2. (See 1982, 155 § 65.)

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. (See 1983, 371 § 105.)

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; three paragraphs added, 1982, 474.

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; 1982, 53.

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. 51D added, 1982, 155 § 3.

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); first sentence revised, 1981, 130.

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. section repealed, 1981, 530 § 1. (See 1981, 530 § 4.)

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; section revised, 1982, 332 § 4.

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); section stricken out, 1981, 795 § 8;

SECTS. 70-71 added, 1980, 335 § 1 (regulating certain mortgage loans made or acquired by banks and credit unions). (See 1980, 335 § 3.)

SECT. 70 amended, 1981, 795 § 7; clause (6) revised, 1982, 332 § 5; paragraph added, 1982, 155 § 4. (See 1982, 155 § 65.)

SECT. 72 added, 1981, 795 § 8; revised, 1982, 332 § 6.

SECT. 73 added, 1982, 327 § 1 (relative to the arbitrary denial of residential mortgage loans).

Chapter stricken out and new chapter inserted, 1982, 155 § 5. (See 1982, 155 § 65.)

For prior changes see Table of Changes contained in Acts and Resolves of 1982.

SECT. 2 second and third paragraph stricken out, one paragraph added 1983, 233 § 70. (See 1983, 233 § 101.)

SECT. 6 amended 1983, 371 § 8. (See 1983, 371 § 105.)

SECT. 13 amended 1983, 590 § 1. (See 1983, 590 § 28.)

SECT. 14A added 1983, 371 § 9. (See 1983, 371 § 9.)

SECT. 15A first sentence revised 1983, 371 § 10; second paragraph amended 1983, 371 § 11; section revised 1983, 661 § 26. (See 1983, 371 § 29.)

SECT. 15B added 1983, 371 § 12; (received by security interest in shares of stock issued by a co-operative housing corporation). (See 1983, 371 § 105.)

SECT. 37B added 1983, 375 (title).

SECTS. 37-45A stricken out and sections 37-42 inserted, 1982, 626 § 1. (See 1982, 626 § 27.)

SECTS. 38-45A stricken out and sections 38-43 inserted, 1982, 626 § 2. (See 1982, 626 § 27.)

SECT. 46 added, 1983, 341.

Chapter 167A. — Bank Holding Companies.

New chapter inserted, 1957, 751 § 1. (See 1957, 751 §§ 2-5.)

SECT. 1, paragraph (*a*) revised, 1982, 626 § 3; paragraph (*d*) revised, 1966, 633 § 1; sentence added, 1982, 155 § 6. (See 1982, 155 § 65; 1982, 626 § 27.)

SECT. 2, clause (2) revised, 1966, 633 § 2; clause (5) revised, 1966, 633 § 3; paragraph added, 1982, 626 § 4. (See 1982, 626 § 27.)

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, first sentence revised, 1982, 155 § 7; 626 § 5; first paragraph, last two sentences revised, 1980, 572 § 357; paragraph 5 revised, 1971, 1087 § 1; paragraph 6 amended, 1971, 313 § 4; revised, 1982, 155 § 8. paragraph (7) amended, 1983, 371 § 13; (See 1973, 1149 § 33; 1980, 572 § 417; 1982, 155 § 65; 626 § 27; 1983, 371 § 105.)

SECT. 5, paragraph (*a*) amended, 1966, 633 § 4.

Chapter 167B. — ELECTRONIC BRANCHES AND ELECTRONIC FUND TRANSFERS.

New chapter inserted, 1981,530 § 2. (See 1981, 530 § 4.)

SECT. 1, definition of "Account" revised, 1982, 332 § 7; definition of "Financial institution" revised, 1982, 626 § 6. (See 1982, 626 § 27.)

SECT. 3, third paragraph revised, 1982, 626 § 7; last paragraph revised, 1982, 626 § 8. (See 1982, 626 § 27.)

SECT. 11 revised, 1983, 636 § 26.

SECT. 12 added, 1983, 636 § 26.

SECT. 18, subsection (*c*) revised, 1982, 332 § 8.

Chapter 167C. — BANK LOCATIONS.

New chapter inserted, 1982, 155 § 9. (See 1982, 155 § 65.)

SECT. 3, first paragraph revised, 1982, 626 § 9. (See 1982, 626 § 27.)

Chapter 167D. — DEPOSITS AND ACCOUNTS.

New chapter inserted, 1982, 155 § 9. (See 1982, 155 § 65.)

SECT. 1, definition "Federally-Chartered Bank" revised, 1983, 371 § 14; (See 1983, 371 § 105.)

SECT. 3 second paragraph amended, 1983, 371 § 151. (See 1983, 371 § 105.)

SECT. 27 amended 1983, 371 § 17. (See 1983, 371 § 105.)

Chapter stricken out and new chapter inserted, 1983, 590 § 2.

Chapter 167E. — MORTGAGES AND LOANS.

New chapter inserted, 1982, 155 § 9. (See 1982, 155 § 65.)

SECT. 2, subsection A revised, 1982, 626 § 10; subsection A clause (5) stricken out, 1983, 371 § 18; subsection B, second paragraph revised, 1982, 626 § 11; subsection B, paragraph 13, second paragraph amended, 1983, 371 § 19; (See 1982, 626 § 27; 1983, 371 § 105.)

SECT. 6, paragraph 5 clause (*d*) amended, 1983, 371 § 20; paragraph 7 amended, 1983, 371 § 21; paragraph 9 first paragraph revised, 1983, 371 § 22; paragraph 12 second paragraph stricken out, 1983, 371 § 23. (See 1983, 371 § 105.)

SECT. 14, subsection A, paragraph 1, clause (*a*) revised, 1983, 371 § 24; subsection A, paragraph 1, clause (*e*) amended, 1983, 371 § 25; subsection B, paragraph 1-5 revised 1983, 371 § 26; subsection C, paragraph 5, amended, 1983, 371 § 27; subsection C, paragraph 7, added, 1983, 371 § 28; subsection D amended, 1983, 371 § 29; subsection E revised, 1983, 371 § 30; (See 1983, 371 § 105.)

Chapter 167F. — INVESTMENTS AND OTHER POWERS.

New chapter inserted, 1982, 155 § 9;

SECT. 1, definition "Federally -Chartered Bank", revised, 1983, 371 § 31; (See 1983, 371 § 105.)

SECT. 2, paragraph 4 amended, 1983, 371 § 32; paragraph 8 amended, 1983, 371 § 33; paragraph 12 first sentence revised, 1983, 590 § 3; paragraph 15 amended, 1983, 371 § 34; paragraph 17 amended, 1983, 371 § 35; paragraph 20 amended, 1983, 371 § 36. (See 1983, 371 § 105; 1983, 590 § 28.)

SECT. 3, paragraph 1 clause (*vii*) subclause (*b*) revised, 1983, 371 § 37; paragraph 2 revised, 1983, 371 § 38; paragraph 3, third sentence revised, 1983, 371 § 39; (See 1983, 371 § 105.)

SECT. 6, amended, 1983, 371 § 40. (See 1983, 371 § 105.)

Chapter 167G. — TRUST DEPARTMENT.

New chapter inserted, 1982, 155 § 9. (See 1982, 155 § 65.)

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 paragraph revised, 1976, 170 § 1; section revised, 1979, 293 § 1. second sentence amended, 1980, 572 § 329; first paragraph revised, 1982, 155 § 10; second paragraph revised, 1982, 155 § 11; (See 1957, 1 § 7; 1972, 684 § 136; 1973, 1149 § 33; 1980, 572 § 417; 1982, 155 § 65.)

SECT. 6 revised, 1981, 530 § 3. (See 1981, 530 § 4.)

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. 9, fourth sentence revised, 1982, 62.

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 1 amended, 1982, 155 § 12; paragraph 2 revised, 1980, 268 § 2; 1981, 80 § 3; +733 § 2B. (See 1982, 155 § 65.)

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; section amended, 1982, 155 § 13. (See 1982, 155 § 65.)

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; subsection (1) revised, 1981, 343 § 1; section revised, 1982, 155 § 14. (See 1982, 155 § 65.)

SECT. 22D added, 1980, 547 § 1 (relative to strengthening the ability of savings banks to compete equally with other financial institutions); section revised, 1981. 378 § 1.

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. 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; second paragraph amended, 1983, 371 § 51;

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; 1982, 155 § 15; paragraph 6B inserted, 1972, 336; first sentence amended, 1973, 78 § 3; revised, 1976, 364 § 3; fifth sentence revised, 1978, 73 § 2; 1980, 204 § 2; 1982, 155 § 16; paragraph 6C inserted, 1977, 775 § 1; fourth sentence revised, 1982, 155 § 17; paragraph 6D inserted, 1981, 267 § 1; third sentence revised, 1982, 155 § 18; 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. (See 1982, 155 § 65; 626 § 27.)

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; fourth sentence revised, 1982, 155 § 19; 155 § 20. (See 1956, 689 § 9; 1982, 155 § 65.)

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; 1982, 155 § 21. (See 1982, 155 § 65.)

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; 1982, 223 § 1;

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); revised, 1982, 155 § 22; 155 § 23. (See 1982, 155 § 65.)

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. 43, last sentence stricken out, 1981, 782 § 15. (See 1981, 782 § 16.)

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. paragraphs 3-5 stricken out and two paragraphs inserted, 1982, 155 § 24. (See 1982, 155 § 65.)

SECT. 47A added, 1982, 155 § 25 (relative to the purchase of stock). (See 1982, 155 § 65.)

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, first sentence revised, 1981, 344 § 1; 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; 1981, 115 § 1; paragraph 8 added, 1969, 338 § 2; paragraph 9 added, 1978, 16; paragraph 10 added, 1981, 344 § 2.

SECT. 50, paragraph 1 revised, 1969, 218 § 5; amended, 1974, 136; paragraph 2 amended, 1969, 218 § 6; paragraph 3 amended, 1969, 218 § 7; paragraph 7 revised, 1969, 218 § 8; 1977, 109.

SECT. 51 amended, 1961, 493 § 17; first paragraph amended, 1966, 288 § 3; first sentence revised, 1969, 130; 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; 1981, 405 § 1.

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; second sentence amended, 1981, 297.

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. 66E added, 1981, 733 § 2C (relative to consumer credit). (See 1981, 733 § 25.)

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; fourth sentence revised, 1982, 155 § 26; last paragraph revised, 1980, 367 § 12. (See 1973, 1149 § 33; 1980, 572 § 417; 1982, 155 § 65.)

SECT. 72A added, 1980, 454 § 1 (relative to the merger of banks); stricken out and sections 72A-72D inserted, 1982, 155 § 27. (See 1982

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; section revised, 1982, 155 § 28. (See 1973, 1149 § 33; 1980, 572 § 417; 1982, 155 § 65.)

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; second paragraph revised, 1983, 110 § 2; 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; section revised, 1982, 111 § 1;

SECT. 75 revised, 1982, 111 § 2.

SECT. 76, paragraph added, 1981, 428 § 5.

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 stricken out and new chapter inserted, 1982, 155 § 29. (See 1982, 155 § 65.)

For prior changes see Table of Changes contained in Acts and Resolves of 1982.

SECT. 1 revised, 1983, 590 § 4.

SECT. 3 revised, 1983, 371 § 41. (See 1983, 371 § 105.)

SECT. 5 second paragraph amended, 1983, 371 § 42. (See 1983, 371 § 105.)

SECT. 7 first two paragaphs revised, 1983, 371 § 43.

SECT. 10 third paragraph amended, 1983, 371 § 44. (See 1983, 590 § 5.)

SECT. 11 paragraph two revised, 1983, 590 § 5.

SECT. 12 second paragraph revised, 1983, 590 § 6. (See 1983, 590 § 28.)

SECT. 19 second paragraph amended, 1983, 371 § 45. (See 1983, 371 § 105.)

SECT. 22 section amended 1983, 371 § 46. (See 1983, 371 § 46.)

SECT. 24 section revised, 1983, 590 § 7. (See 1983, 590 § 28.)

SECT. 26 first paragraph revised, 1983, 590 § 8. (See 1983, 590 § 28.)

SECT. 27 second paragraph, second sentence revised, 1983, 371 § 47. (See 1983, 371 § 105.)

SECT. 28 revised, 1983, 590 § 9. (See 1983, 590 § 28.)

SECT. 29 second paragraph amended, 1983, 371 § 48; fourth paragraph stricken out, 1983, 371 § 49; revised, 1983, 590 § 10. (See 1983, 371 § 105; 1983, 590 § 28.)

SECT. 30 repealed, 1983, 590 § 11. (See 1983, 590 § 28.)

SECT. 31 revised, 1983, 371 § 50. repealed, 1983, 371 § 11. (See 1983, 371 § 105; 1983, 590 § 28.)

SECT. 32 repealed 1983, 590 § 11. (See 1983, 590 § 28.)

SECT. 33 paragraph four revised, 1983, 590 § 12.

SECT. 34 paragraph 2 amended, 1983, 371 § 51; last paragraph revised, 1983, 590 § 13; (See 1983, 371 § 105.)

SECT. 34A amended 1983, 371 § 52; paragraph 6 revised, 1983, 590 § 14. (See 1983, 371 § 105.)

SECT. 34B revised, 1982, 626 § 12; second paragraph and paragraph 6 revised, 1983, 590 § 15.

SECT. 34C, fifth paragraph amended, 1983, 371 § 53; third paragraph inserted after paragraph, 1983, 590 § 16. (See 1983, 371 § 105.)

SECT. 34D revised, 1982, 626 § 13; (See 1982, 626 §.)

SECT. 35, fourth, fifth and sixth paragraphs revised, 1982, 626 § 14. (See 1982, 626 § 27.)

SECT. 38 amended 1983, 371 § 54. (See 1983, 371 § 105.)

SECT. 51A revised, 1982, 213 § 1.

SECT. 74 second paragraph revised, 1983, 110 § 2. (See 1983, 110 § 3.)

Chapter 169. — Deposits with Others than Banks.

SECT. 1 amended, 1949, 64 § 1; 1950, 95; 1983, 371 § 55; (See 1983, 371 § 105.)

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; first paragraph revised, 1982, 155 § 30; second paragraph revised, 1982, 155 § 31; 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; 1982, 155 § 65.)

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 1 revised, 1981, 343 § 2; provision 1A inserted, 1976, 120; revised, 1977, 202; provision 1A stricken out, 1981, 343 § 2; subsection 3B revised, 1982,

155 § 32; subsection 4, paragraph (*a*) amended, 1965, 373 § 3; paragraph (*c*) revised, 1979, 28 § 4. (See 1952, 257 § 3.) See 1950, 480 § 2.

SECT. 13A added, 1981, 289 § 1 (authorizing co-operative banks to receive certain demand deposits); section revised, 1981, 378 § 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; sentence added, 1981, 116; first paragraph revised, 1982, 155 § 33; second paragraph amended, 1980, 500 § 3. (See 1982, 155 § 65.)

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. 20, paragraph (*b*) amended, 1983, 371 § 56. (See 1983, 371 § 105.)

SECT. 21, paragraph (2) amended, 1983, 371 § 56A; subsection (3) added, 1983, 371 § 57. (See 1983, 371 § 105.)

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; 1981, 117 § 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; 1982, 155 § 34; 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; 1982, 155 § 35; 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; stricken out and subsections 3D and 3E inserted, 1981, 267 § 2; subsection 3D amended, 1981, 795 § 9; fourth sentence revised, 1982, 155 § 36; 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; 1981, 117 § 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; (See 1982, 155 § 65.)

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; 1982, 155 § 37. (See 1982, 155 § 65.)

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 revised, 1982, 155 § 38; 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; amended, 1981, 171; paragraph (*f*) amended, 1973, 735 § 2; revised, 1974, 202 § 2; 1981, 115 § 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 revised, 1981, 212; 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; fourth sentence revised, 1982, 155 § 39; 155 § 39A; subsection 9 and 10 added, 1969, 220; subsection 11 added, 1971, 404; subsection 12 added, 1971, 436; clauses (*c*) and (*d*) revised, 1982, 223 § 2; subsection 13 added, 1973, 96 § 4; subsection 14 added, 1975, 635 § 4; subsection 15 added, 1980, 500 § 4. (See 1955, 432 § 4; 1982, 155 § 65.)

SECT. 26A added, 1975, 52 § 2 (relative to investments of co-operative banks); amended, 1983, 371 § 58; second paragraph amended, 1983, 371 § 59. (See 1983, 371 § 105.)

SECT. 26B added, 1981, 289 § 2(relative to certain demand deposits); revised, 1982, 155 § 40; 155 § 41. (See 1982, 155 § 65.)

SECT. 26C fifth paragraph amended, 1983, 371 § 60; paragraph added, after third paragraph, 1983, 590 § 17. (See 1983, 371 § 105.)

SECT. 27 amended, 1980, 294; revised, 1981. 290.

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. 28, first sentence revised, 1982, 536 § 1. fourth paragraph revised, 1983, 203; fifth paragraph amended, 1983, 371 § 61. (See 1982, 536 § 4; 1983, 203 § 3; 1983, 371 § 105.)

SECT. 29, seventh paragraph amended, 1983, 371 § 62. (See 1983, 371 § 105.)

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; last sentence revised, 1981, 405 § 2; second paragraph revised, 1983, 203; amended, 1983, 371 § 63. (See 1983, 203 § 3; 371 § 105.)

SECT. 29, paragraph seven amended, 1983, 371 § 62. (See 1983, 371 § 105.)

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. 32F added, 1981, 289 § 3 (relative to trust departments in co-operative banks).

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. revised, 1982, 71 § 1; 155 § 42. (See 1973, 1149 § 33.)

SECT. 48, introductory paragraph revised, 1982, 71 § 2; second sentence revised, 1982, 155 § 43. 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; 1982, 155 § 65.)

SECT. 48A added, 1980, 454 § 2 (relative to the merger of banks); revised, 1981, 72 § 1.

SECTS. 48B-48E added, 1982, 155 § 44 (relative to merger, consoli dation and conversion). (See 1982, 155 § 65.)

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; section revised, 1982, 155 § 45; first sentence revised, 1982, 536 § 2. (See 1965, 430 § 5; 1982, 155 § 65; 536 § 4.)

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; 1981, 213.

SECT. 53, paragraph added, 1981, 428 § 6.

SECT. 54 added, 1980, 507 § 11A (relative to surplus of co-operative banks).

Chapter stricken out and new chapter inserted, 1982, 155 § 46. (See 1982, 155 § 65.)

For prior changes see Table of Changes contained in Acts and Resolves of 1982.

SECT. 20, paragraph (b) amended, 1983, 371 § 56. (See 1983, 371 § 105.)

SECT. 21, paragraph (2) amended, 1974, 56A; subsection (3) added, 1983, 371 § 57. (See 1983, 371 § 105.)

SECT. 26A,amended, 1983, 371 § 58; second paragraph amended, 1983, 371 § 59; (See 1983, 371 § 105.)

SECT. 26C fifth paragraph amended, 1983, 371 § 60; paragraph added, after third paragraph, 1983, 590 § 17. (See 1983, 371 § 105.)

SECT. 28 fourth paragraph revised, 1983, 203; fifth paragraph amended, 1983, 371 § 61. (See 1983, 203 § 3; 1983, 371 § 105.)

SECT. 29 seventh paragraph amended, 1983, 371 § 62; (See 1983, 371 § 105.)

SECT. 30, second paragraph revised, 1983, 203; amended 1983, 371 § 63. (See 1983, 203 § 3; § 105.)

SECT. 24 revised, 1982, 626 § 15. (See 1982, 626 § 27.)

SECT. 26B revised, 1982, 626 § 16. (See 1982, 626 § 27.)

SECT. 26D revised, 1982, 626 § 17. (See 1982, 626 § 27.)

SECT. 28 first sentence revised, 1982, 536 § 1.

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; first sentence amended, 1983, 371 § 64;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; 1983, 371 § 105.)

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; 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; fourth, fifth and sixth sentences revised, 1980, 66; section revised 1981, 279; fourth, fifth and sixth sentences revised, 1982, 181. (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. 10D added, 1983, 590 § 18.

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; 1981, 60.

SECT. 13, first paragraph, third sentence revised, 1978, 47; second paragraph revised, 1981, 129; 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; first sentence revised, 1981, 64; 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. 15B-15C, added, 1983, 371 § 65. (See 1983, 371 § 105.)

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; section repealed, 1981, 178 § 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; 1981, 178 § 2.

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 (*i*) revised, 1983, 371 § 66; second paragraph, paragraph (*p*) revised, 1979, 38; paragraph (*q*) revised, 1981, 178 § 3; sentence added, 1981, 406; paragraphs (*s*) and (*t*) added, 1980, 431 § 1; third paragraph, paragraph (*g*) revised, 1983, 371 § 67; third paragraph, paragraph (*l*) revised, 1978, 65 § 1; 1979, 309; paragraph (*n*) added, 1978, 65 § 2; revised, 1981, 178 § 3;paragraph (*o*) added, 1980, 431 § 2; paragraph (*q*), sentence added, 1981, 406; (See 1957, 151 § 2; 1983, 371 § 105; 1983, 661 § 29.)

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; second paragraph, subparagraph 3 revised, 1981, 408; subdivision (B), subsection (*a*), paragraphs 1 and 2 revised, 1981, 178 § 4; paragraph 7 revised, 1981, 409; 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; fifth sentence revised, 1981, 178 § 5; paragraph 4A inserted, 1981, 267 § 3; paragraph 6, third sentence revised, 1978, 49; 1981, 178 § 6; paragraph 7 added, 1977, 23; first two sentences revised, 1980, 250; subsection (*b*), paragraph 7 revised, 1981, 178 § 7; paragraph 8 amended, 1972, 356; 1974, 54; revised, 1979, 27; third paragraph revised, 1977, 22; paragraph 8 revised, 1981, 443; 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; second and third sentences revised, 1982, 186.;fifth sentence revised, 1981, 410; subdivision (E), clauses (*c*) and (*d*) revised, 1979, 26; 1982, 223 § 3; subdivision (F) added, 1974, 56 § 2; revised, 1978, 58; 1981, 407; subdivision (G) added, 1974, 339 § 2; second paragraph, second sentence revised, 1981, 178 § 8; third sentence stricken out, 1977, 24.

SECT. 24A added, 1981, 178 § 9 (relative to certain liabilities of credit union members).

SECT. 25, first paragraph revised, 1949, 286 § 2; 1962, 268 § 3; section revised, 1965, 331; 1970, 200 § 3; first paragraph revised, 1981, 178 § 10; third paragraph revised, 1981, 178 § 11; fifth paragraph amended, 1971, 420 § 7.

SECT. 26 repealed, 1982, 155 § 47. (See 1982, 155 § 65.)

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; second sentence revised, 1981, 390; second paragraph revised, 1981, 178 § 12; last paragraph amended, 1964, 258 § 3.

SECT.30A added, 1980, 454 § 3 (relative to the merger of banks); paragraph added, 1981, 80 § 4. (See 1981, 80 § 12.)

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; 1981, 442 § 1; fourth paragraph, sentence added, 1981, 442 § 2; sixth paragraph revised, 1972, 327 § 2; amended, 1975, 620 § 3; revised, 1981, 442 § 3; paragraph added, 1970, 293 § 2; section revised, 1982, 111 § 3.

SECT. 32, third sentence revised, 1973, 334; section revised, 1982, 111 § 4.

SECT. 33, paragraph added, 1981, 428 § 7.

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).

SECT. 37 added, 1982, 155 § 48 (relative to laws applicable to credit unions); revised, 1983, 371 § 68; 590 § 19. (See 1982, 155 § 65; 1983, 371 § 105; 1983, 590 § 28.)

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. 2, paragraph (*b*) amended, 1983, 371 § 69. (See 1983, 371 § 105.)

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; paragrapph (*a*) revised, 1982, 155 § 49; paragraph (*b*) revised, 1979, 293 § 7; sentence added, 1980, 454 § 4; third sentence revised, 1981, 80 § 5; paragraph (*b*) revised, 1982, 155 § 50; paragraph (*e*) added, 1978, 11. (See 1972, 684 § 136; 1973, 1149 § 33; 1980, 572 § 417; 1981, 80 § 12.)

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; first sentence revised, 1981, 113. 1982, 536 § 3; 1983, 272 § 1; (See 1983, 272 § 2.)

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. first paragraph revised, 1983, 273 § 1; (See 1983, 273 § 2.)

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. 32 revised, 1982, 155 § 51. (See 1982, 155 § 65.)

SECT. 36 revised, 1977, 49; subsection A, clause (4), last paragraph revised, 1982, 418 § 1. clause (4) revised, 1982, 626 § 18. (See 1982, 626 § 27.)

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; clause (4) added, 1982, 155 § 52; last paragraph revised, 1982, 418 § 2; subsection C revised, 1968, 610 § 3; subsection D revised, 1979, 293 § 8; 1982, 155 § 53; subsection F added, 1968, 610 § 4; (See 1973, 1149 § 33; 1980, 572 § 417; 1982, 155 § 65; .)

SECT. 44 amended, 1979, 238.

SECT. 48 clause 7 revised, 1982, 155 § 54; 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; revised, 1981, 627; 1982, 213 § 2.

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; 1982, 155 § 55. (See 1982, 155 § 65.)

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 B, paragraph 7 added, 1981, 777 § 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; paragraph 6B amended, 1981, 80 § 6; revised, 1981, 267 § 4; subsection C revised, 1966, 220 § 2; 1969, 100; amended, 1970, 648 § 6; subsection D added, 1977, 28 § 4. (See 1970, 648 § 8; 1981, 80 § 12.)

SECT. 56 revised, 1974, 99; amended, 1981, 80 § 7. (See 1981, 80 § 12.)

SECTS. 55-57 stricken out and sections 55, 56, 56A and 57 inserted, 1980, 407.

SECT. 55, subsection B, paragraph 5, fifth sentence revised, 1982 155 § 56; paragraph 6, fifth sentence revised, 1982, 155 § 57; paragraph 6A, fourth sentence revised, 1982, 155 § 58; paragraph 6B, first paragraph, fourth sentence revised, 1982, 155 § 59. (See 1982, 155 § 65.)

SECT. 56A, first paragraph, second sentence revised, 1981, 80 § 8. (See 1981, 80 § 12.)

SECT. 57, paragraph 3A revised, 1981, 80 § 9; paragraph 6, clause (*b*) revised, 1981, 80 § 10. (See 1981, 80 § 12.)

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 stricken out and new chapter inserted, 1982, 155 § 60. (See 1982, 155 § 65.)

For prior changes see Table of Changes contained in Acts and Resolves of 1982.

SECT. 38 revised, 1982, 626 § 19. (See 1982, 626 § 27.)

SECT. 2, paragraph, (b) amended, 1983, 371 § 69. (See 1983, 371 § 105.)

SECT. 13, first sentence revised, 1983, 272 § 1; (See 1983, 272 § 2.)

SECT. 17, first paragraph revised, 1983, 273 § 1; (See 1983, 273 § 2.)

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; section repealed, 1981, 509 § 1. (See 1973, 1149 § 33; 1980, 572 § 417; 1981, 509 § 3.)

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; first paragraph, fourth sentence revised, 1981, 275 § 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; 1981, 275 § 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; clause Fifth revised, 1981, 275 § 3.

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.

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; second paragraph revised, 1983, 233 § 71;fourth paragraph amended, 1939, 472 § 4; revised, 1941, 324. (See 1983, 233 § 101.)

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; subdivisions 1-7, inclusive, revised, 1982, 334 § 1. (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; first paragraph revised, 1983, 241 § 8; amended, 1983, 424. (See 1973, 551 § 7; 1976, 266 § 23 1983, 241 § 25.)

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; section amended, 1983, 596 § 2; revised, 1983, 241 § 9. (See 1973, 551 § 7; 1976, 266 § 23 1983, 241 § 25.)

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; 1983, 281; 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); paragraph(*a*) revised, 1981, 654 § 1; paragraph (*c*), clause (4) revised, 1981, 335; paragraph (*c*) revised, 1981, 737 § 1. (See 1973, 1174 § 7.)

SECT. 47C added, 1974, 785 § 1 (extending the coverage of certain accident and sickness insurance); revised, 1975, 196 § 1; sentence inserted after third sentence, 1983, 655 § 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 8A added, 1981, 438 § 1; 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 revised, 1982, 425 § 1; 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; 1982, 425 § 2; 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; section revised, 1976, 547 § 4; paragraph 7, second sentence stricken out and three sentences inserted, 1981, 283; last sentence revised, 1977, 268; paragraph 14A revised, 1982, 425 § 1; paragraph 14C revised, 1982, 425 § 2; paragraph (14F) revised, 1982,425 § 3; paragraph 16 added, 1982, 249.

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; last sentence revised, 1981, 438 § 2. (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; fourth sentence revised, 1981, 438 § 3; 1982, 472; 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; third sentence revised, 1981, 274.

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; second paragraph revised, 1981, 393 § 2; 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); second paragraph revised, 1983, 72 § 7;162.

SECT. 98 revised, 1978, 446 § 2; paragraph added, 1980, 59; section revised, 1980, 255. first paragraph, sentence inserted after third sentence, 1981, 308.

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; 1981, 718 § 1; seventeenth paragraph revised, 1981, 718 § 2; clause Twelfth A inserted, 1982, 280; 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; paragraph added, 1981, 63; clause Sixteenth added, 1981, 771 § 1. (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; third sentence revised, 1983, 371 § 70. (See 1955, 432 § 4; 1978, 514 § 287; 1983, 371 § 105.)

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. 108C added, 1981, 734 § 2 (relative to diethylstilbestrol).

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; paragraph (*a*) revised, 1982, 373 § 16; subdivision (I) added, 1975, 302; subdivision (J) added, 1976, 454 § 3. (See 1954, 275 §§ 4, 5; 1973, 1221 § 7; 1982, 373 § 20.)

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; 1981, 169.

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. 110I added, 1981, 735 (providing for continuing health insurance coverage for divorced or separated spouses).

SECT. 110J added, 1983, 586 (relative to the eligibility of councils on aging for certain insurance benefits).

SECT. 111A, first paragraph revised, 1973, 828 § 1; second paragraph amended, 1973, 828 § 2; paragraph inserted after provision (4), 1957, 453 § 4; paragraph added, 1981, 771 § 2.

SECT. 111B, paragraph added, 1981, 771 § 3.

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; paragraph added, 1981, 173; 771 § 4; (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; sentence inserted after second sentence, 1983, 241 § 10; 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; six paragraphs inserted after fifth paragraph, 1983 241 § 11; paragraph added, 1968, 660; 1976, 266 § 13; sixth paragraph, first sentence stricken out and three sentences inserted, 1983, 70# § 2; sixth paragraph amended, 1983, 596 § 3. (See 1935, 459 § 5; 1970, 670 § 10; 1973, 341 § 3; 599 § 3; 1974, 472 § 2; 1975, 707 § 9; 1976, 1 § 5; 266 § 23; 1983, 241 § 25.)

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; second paragraph, first sentence amended, 1983, 241 § 12. (See 1970, 670 § 10; 1971, 520 § 2; 1975, 707 § 9; 1976, 266 § 23; 1983, 241 § 25.)

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; 1983, 241 § 13. (See 1973, 551 § 7; 1983, 241 § 25.)

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; first paragraph, second sentence revised, 1983, 241 § 14; fifth sentence amended, 1983, 241 § 15; fourth paragraph revised, 1973, 333;. fourth and fifth paragraphs stricken out and one paragraph inserted, 1983, 241 § 16. (See 1983, 241 § 25.)

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; first paragraph, two sentences inserted after third sentence, 1982, 129; fourth sentence revised, 1982, 180; eighth paragraph revised, 1979, 473; section revised, 1983, 241 § 17; paragraph (A), clause (7), subclause (*iv*) amended, 1983, 596 § 4. (See 1973, 551 § 7; 1975, 707 § 9; 1976, 266 § 23; 1977, 364 § 2; 1977, 365 § 9; 1983, 241 § 25.)

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; section repealed, 1981, 775 § 3. (See 1971, 1078 § 3; 1976, 266 § 23; 1980, 572 § 417; 1981, 775 § 4.)

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; first and second sentences revised, 1983, 241 § 19; fifth sentence revised, 1980, 463 § 2; four paragraphs added, 1980, 451; paragraph added, 1983, 241 § 18. (See 1973, 630 § 2; 1975, 707 § 9; 1976, 1 § 5; 266 § 23; 1983, 241 § 25.)

SECT. 113P added, 1976, 266 § 18 (establishing a merit rating plan); first paragraph, clause (*c*) revised, 1981, 680 § 3; 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; section revised, 1983, 241 § 20. (See 1976, 266 § 23; 1981, 680 § 4; 1983, 241 § 25.)

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. 119C added, 1983, 291 § 1 (relative to interest on certain proceeds of life insurance policies). (See 1983, 291 § 2.)

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. 120C added, 1981, 734 § 3 (relative to diethylstilbestrol).

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; second paragraph, sentence added, 1982, 618 § 1; 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. 132C, paragraph added, 1981, 428 § 8.

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; 1982, 318 § 1; 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; fourth paragraph amended, 1982, 318 § 2; paragraph inserted after seventh paragraph, 1970, 642 § 9; paragraph inserted after eighth paragraph, 1970, 642 § 10; revised, 1982, 439 § 1.

SECT. 132H, first paragraph, sentence added, 1981, 422.

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; revised, 1982, 526; 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. 135, paragraph added, 1981, 428 § 9.

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; section revised, 1981, 287 § 1. (See 1943, 227 §§ 13, 14; 1950, 345 § 2; 1981, 287 § 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; section revised, 1982, 334§ 2; subdivision 6A, paragraph (*k*) revised, 1982, 618 § 2; subdivision 6B amended, 1982, 634 § 12; subdivision 7, clause (*iv*) revised, 1982, 618 § 3. (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; 1982, 439 § 2; (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; paragraph inserted after second paragraph, 1982, 576.

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. 162E added, 1982, 371 (relative to commissions paid to independent agents and brokers).

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; fourth and fifth sentences revised, 1983, 107.

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; fourth sentence revised, 1983, 371 § 71. (See 1983, 371 § 105.)

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; first two sentences stricken out and seven sentences inserted, 1983, 647 § 1; 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; last paragraph stricken out, 1983, 647 § 2. (See 1973, 925 § 84.)

SECT. 177E added, 1982, 665 § 1 (further regulating the licensing of insurance agents and brokers).

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. 182, sentence added, 1982, 275.

SECT. 184 amended, 1937, 103; first sentence revised, 1947, 531; second sentence amended, 1948, 98; revised, 1961, 206; amended, 1964, 236 § 5; clause (4) revised, 1983, 371 § 72. (See 1983, 371 § 105.)

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.)

SECTS. 190A-190C added, 1983, 486.

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. 193R, third paragraph revised, 1983, 607.

SECT. 193S added, 1975, 242 (authorizing mergers of members of insurance holding company systems into their domestic insurance company subsidiaries).

SECT. 193T added, 1981, 329 (prohibiting insurance companies from discriminating against blind and disabled persons).

SECT. 195 added, 1973, 966 (requiring contributions from the fire insurance companies to certain fire protection costs); amended, 1980, 392; section amended, 1981, 795 § 10; section revised, 1983, 507; 233 § 72. (See 1983, 233 § 101.)

SECT. 221 revised, 1983, 328.

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; stricken out, sentence added, 1983, 241 § 22; second sentence revised, 1971, 896 § 2. amended, 1983, 241 § 21; (See 1983, 241 § 25.)

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. paragraph added, 1982, 174. (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, 1969, 874 § 1; fourth paragraph amended, 1974, 812 § 2; paragraph inserted after fifth paragraph, 1982, 372 § 8 sixth paragraph amended, 1974, 812 § 3. (See 1953, 636 § 9; 1982, 372 § 10.)

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; paragraph (*a*) revised, 1981, 654 § 2; clause (*c*) amended, 1981, 737 § 2. (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; sentence added, after third sentence, 1983, 655 § 2. (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. 8E added, 1981, 734 § 4 (relative to diethylstilbestrol).

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; third paragraph, paragraph (*a*) revised, 1982, 373 § 17. (See 1973, 1221 § 7; 1982, 373 § 20.)

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); paragraph (*a*) revised, 1981, 654 § 3; clause (*c*) amended, 1981, 737 § 3. (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. 4A½, paragraph (*a*) revised, 1982, 373 § 18. (See 1982, 373 § 20.)

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; after second sentence, sentence added, 1983, 655 § 3.

SECT. 4E added, 1981 734 § 5 (relative to diethylstilbestrol).

SECT. 5 amended, 1981, 623 § 1.

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; sixth sentence amended, 1981, 623 § 2.

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; amended, 1981, 623 § 3.

SECT. 13, second sentence stricken out and two paragraphs inserted, 1971, 434 § 2; second paragraph revised, 1978, 574 § 5.

SECT. 14, second sentence revised, 1981, 623 § 4.

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, 774 § 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. 3, first paragraph, first sentence revised, 1981, 347.

SECT. 4, first paragraph revised, 1968, 241; second paragraph stricken out and two paragraphs inserted, 1981, 272.

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; section revised, 1983, 689 § 1.

SECT. 4, sentence added, 1983, 655 § 4.

SECT. 6 amended, 1983, 689 § 2.

SECT. 7 clause (1) revised, 1983, 689 § 3.

SECT. 17, paragraph added, 1979, 171.

Chapter 176H. — Legal Service Plans.

New chapter inserted, 1977, 774 § 5.

SECT. 1, definition of "insurance certificate" revised, 1982, 595 § 1.

SECT. 4 revised, 1982, 595 § 2.

SECT. 5 revised, 1982, 595 § 3.

SECT. 6 revised, 1982, 595 § 4.

SECT. 13, first sentence revised, 1982, 595 § 5.

SECT. 14, first sentence revised, 1982, 595 § 6.

SECT. 16 amended, 1982, 595 § 7.

SECT. 17, second pAragraph stricken out, 1982, 595 § 8.

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. 4, fourth sentence revised, 1983, 590 § 20. (See 1983, 590 § 28.)

SECT. 5, fourth sentence revised, 1983, 590 § 21. (See 1983, 590 § 28.)

SECT. 6 amended, 1974, 374 § 4. (See 1974, 374 § 5.)

SECT. 9 amended, 1965, 810 § 2; 1979, 64. revised, 1983, 371 § 73. (See 1983, 371 § 105.)

SECT. 10 amended, 1935, 330 § 1; 1946, 112 § 1; revised, 1951, 264; 1958, 117; 1976, 391; 1982, 276. (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; ninth sentence revised, 1983, 590 § 22; eleventh sentence revised, 1983, 590 § 23; (See 1972, 421 § 8; 1983, 590 § 28.)

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; first paragraph, sentence added, 1983, 243.

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; 1983, 590 § 24. (See 1983, 590 § 28.)

SECT. 30 amended, 1936, 285 § 4; first sentence revised, 1983, 590 § 25. (See 1983, 590 § 28.)

SECT. 31 revised, 1941, 108 § 2; 1983, 590 § 26. (See 1983, 590 § 28.)

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. third paragraph, sentence added, after second sentence, 1983, 372. (See 1983, 590 § 28.)

SECT. 33 revised, 1983, 590; section 33 revised, 1983, 590 § 27; (See 1983, 590 § 28.)

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. 17I added, 1977, 852 (relative to payroll deductions for public school teachers).

SECT. 17J added, 1981, 637 (relative to certain employee wage deductions).

SECT. 17J added, 1981, 723 (relative to certain employee wage deductions).

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; amended, 1981, 455. (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; clause (7) revised, 1982, 332 § 9; paragraph added, 1982, 155 § 60; paragraph added, 1982, 608. (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 points in certain mortgage transactions).

SECT. 64 added, 1982, 327 § 2 (prohibiting discrimination relative to residential mortgage loans). sixth paragraph amended 1983, 371 § 105.)

SECT. 80, paragraph added, 1982, 155 § 61. (See 1982, 155 § 65.)

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).

SECT. 22 added 1983, 527 § 6.

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; section revised, 1982, 332 § 10. (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 184B. —SHORT FORM TERMS FOR WILLS AND TRUSTS.

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(tNew chapter inserted, 1981, 688 § 1.) (See 1981, 688 § 9.)

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 paragraph, second sentence revised, 1978, 478 § 82; paragraph in lines 51-55 revised, 1947, 449 § 3; section revised, 1981, 658 § 1. (See 1934, 67 § 2; 1935, 318 § 8; 1937, 183 § 2; 1947, 449 § 7; 1973, 1114 § 351; 1978, 478 § 343; 1981, 658 § 41.)

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; amended, 1981, 658 § 2. (See 1978, 478 § 343; 1981, 658 § 41.)

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; 1981, 632 § 1; 632 § 2; first paragraph revised, 1982, 485. (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; 1981, 632 §YSM 24, 25.)

SECT. 15 revised, 1973, 1114 § 25; third sentence revised, 1981, 658 § 3; ninth sentence revised, 1981, 658 § 4; paragraph added, 1975, 417. (See 1973, 1114 § 351; 1981, 658 § 41.)

SECT. 15A added, 1963, 74 § 1 (relative to equity practice in the land court); repealed, 1973, 1114 § 26. (See 1973, 1114 § 351.)

SECT. 16 revised, 1981, 658 § 5. (See 1981, 658 § 41.)

SECTS. 18-19 repealed, 1973, 1114 § 27. (See 1973, 1114 § 351.)

SECT. 21 revised, 1973, 1114 § 28. (See 1973, 1114 § 351.)

SECT. 22 amended, 1981, 658 § 6. (See 1981, 658 § 41.)

SECT. 23 revised, 1973, 1114 § 29; 1981, 658 § 7. (See 1973, 1114 § 351; 1981, 658 § 41.)

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. revised, 1981, 658 § 8. (See 1981, 658 § 41.)

SECT. 26A revised, 1981, 658 § 9. (See 1981, 658 § 41.0

SECT. 28, second sentence revised, 1971, 423 § 3; section revised, 1981, 658 § 10. (See 1981, 658 § 41.)

SECT. 29 revised, 1981, 658 § 11. (See 1981, 658 § 41.)

SECT. 30 revised, 1981, 658 § 12. (See 1981, 658 § 41.)

SECT. 31 revised, 1981, 658 § 13. (See 1981, 658 § 41.)

SECT. 32 revised, 1981, 658 § 14. (See 1981, 658 § 41.)

SECT. 33 revised, 1981, 658 § 15. (See 1981, 658 § 41.)

SECT. 34 revised, 1981, 658 § 16. (See 1981, 658 § 41.)
SECT. 35 revised, 1981, 658 § 17. (See 1981, 658 § 41.)
SECT. 36 revised, 1981, 658 § 18. (See 1981, 658 § 41.)
SECT. 37, third and fourth sentences stricken out, 1977, 151 § 1; section revised, 1981, 658 § 19. (See 1981, 658 § 41.)
SECT. 38, first sentence revised, 1977, 151 § 2; section revised, 1981, 658 § 20. (See 1981, 658 § 41.)
SECT. 39 revised, 1981, 658 § 21. (See 1981, 658 § 41.)
SECT. 40 amended, 1937, 118.
SECT. 41 revised, 1981, 658 § 22. (See 1981, 658 § 41.)
SECT. 42 revised, 1981, 658 § 23. (See 1981, 658 § 41.)
SECT. 43, last sentence revised, 1978, 478 § 90. (See 1978, 478 § 343.)
SECT. 44 revised, 1981, 658 § 24. (See 1981, 658 § 41.)
SECT. 45 revised, 1981, 658 § 25. (See 1981, 658 § 41.)
SECT. 46, introductory paragraph revised, 1981, 658 § 26; clause Sixth added, 1963, 242 § 2; revised, 1983, 278 § 2. (See 1981, 658 § 41; 1983, 278 § 6.)
SECT. 47, second and third sentences stricken out and sentence inserted, 1971, 423 § 4; section revised, 1981, 658 § 27. (See 1981, 658 § 41.)
SECT. 48, first paragraph revised, 1981, 658 § 28. paragraph added, 1949, 48. (See 1981, 658 § 41.)
SECT. 49 revised, 1981, 658 § 29. (See 1981, 658 § 41.)
SECT. 52, sentence added, 1978, 445 § 1;. section revised, 1981, 658 § 30. (See 1978, 445 § 2; 1981, 658 § 41.)
SECT. 56 revised, 1981, 658 § 31. (See 1981, 658 § 41.)
SECT. 56A revised, 1981, 658 § 32. (See 1981, 658 § 41.)
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. 62, fourth sentence revised, 1981, 658 § 33. (See 1981, 658 § 41.)
SECT. 70 revised, 1981, 658 § 34. (See 1981, 658 § 41.)
SECT. 71 revised, 1965, 37.
SECT. 76 revised, 1981, 658 § 35. (See 1981, 658 § 41.)
SECT. 78 amended, 1937, 144 § 1; revised, 1955, 306 § 1; amended, 1963, 242 § 3; 1983, 278 § 3;(See 1937, 144 § 2; 1963, 242 § 6; 1983, 278 § 6.)
SECT. 79, second sentence stricken out, 1978, 253.
SECT. 80 amended, 1963, 242 § 4; revised, 1983, 278 § 4. (See 1963, 242 § 6; 1983, 278 § 6.)
SECT. 86 amended, 1973, 1114 § 32; first sentence revised, 1981, 658 § 36. (See 1973, 1114 § 351; 1981, 658 § 41.)
SECT. 89 revised, 1973, 1114 § 33. (See 1973, 1114 § 351.)
SECT. 92 revised, 1981, 658 § 37. (See 1981, 658 § 41.)
SECT. 97 revised, 1973, 1114 § 34. (See 1973, 1114 § 351.)
SECT. 99 amended, 1973, 137.
SECT. 112 revised, 1981, 65* § 38. (See 1981, 658 § 41.)
SECT. 113 revised, 1981, 658 § 39. (See 1981, 658 § 41.)

SECT. 114 revised, 1981, 658 § 40. (See 1981, 658 § 41.)

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. 1 first sentence revised, 1983, 575 § 1. (See 1983, 575 § 13.)
SECT. 3, first paragraph revised, 1979, 72 § 3; amended, 1983, 575 § 2. (See 1979, 72 § 4; 1983, 575 § 13.)
SECT. 4, two sentences added, 1983, 575 § 3. (See 1983, 575 § 13.)
SECT. 8, first sentence revised, 1983, 575 § 4. (See 1983, 575 § 13.)
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; subsection (2) clause (*a*) ten sentence added, 1983, 645 § 1; subsection (5) revised, 1983, 645 § 2; subsection (9) added, 1981, 82. (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; 1983, 221 § 21.

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; 1983, 220; second paragraph. sentence added, 1983, 156; (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.)
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.
SECTS. 14-15 repealed, 1979, 402 § 1.

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); clause 6 added, 1981, 688 § 2. (See 1976, 515 § 35; 1981, 688 § 9.)
SECT. 1B added, 1981, 420 (relative to certain powers of appointment).
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 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. 1B added, 1981, 420 (relative to certain powers of appointment).

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); revised, 1981, 688 § 3. (See 1981, 688 § 9.)

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. 1C revised, 1981, 688 § 4. (See 1981, 688 § 9.)

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; 1981, 351 § 100; paragraph (*b*) amended, 1980, 130 § 6; 1981, 351 § 101. (See 1981, 351 § 299.)

SECT. 3 amended, 1975, 608 § 2; 1980, 130 § 7; 1981, 351 § 102. (See 1981, 351 § 299.)

SECT. 4 amended, 1975, 608 § 3; 1981, 351 § 103. (See 1981, 351 § 299.)

SECT. 5 revised, 1958, 283; 1959, 470 § 3; amended, 1962, 248 § 1; 1975, 608 § 4; 1981, 351 § 104. (See 1981, 351 § 299.)

SECT. 5A amended, 1981, 351 § 105. revised, 1983, 233 § 73 (See 1981, 351 § 299; 1983, 233 § 101.)

SECT. 5B amended, 1981, 351 § 106. (See 1981, 351 § 299.)

SECT. 5C amended, 1981, 351 § 107. (See 1981, 351 § 299.)

SECT. 6 amended, 1975, 608 § 5; 1981, 351 § 108. (See 1981, 351 § 299.)

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); amended, 1981, 351 § 109. (See 1981, 351 § 299.)

SECT. 6C amended, 1981, 351 § 110. (See 1981, 351 § 299.)

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. 7B amended, 1981, 351 § 111. (See 1981, 351 § 299.)

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 4, amended 1981, 351 § 103. (See 1981, 351 § 299.)

SECT. 5 revised, 1983, 233 § 73. (See 1983, 233 § 101.)

SECT. 5Arevised, 1983, 233 § 105. (See 1983, 233 § 73.)

SECT. 5B amended, 1981, 351 § 106. (See 1981, 351 § 299.)

SECT. 5C amended, 1981, 351 § 107. (See 1981 351 § 299.)

SECT. 6 amended, 1981, 351 § 108. (See 1981, 351 § 299.)

SECT. 6B amended, 1981, 351 § 109. (See 1981, 351 § 299.)

SECT. 6C amended 1981, 351 § 110. (See 1981, 351 § 299.)

SECT. 7B amended, 1981, 351 § 111. (See 1981, 351 § 299.)

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; sentence inserted after first sentence, 1982, 281. (See 1945, 728 § 4.)

SECT. 2 revised, 1958, 120 § 1; sentence inserted after first sentence, 1982, 281. (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; third sentence stricken out two sentences added, 1983, 676; 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. 9 revised, 1982, 228.

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. 50 repealed, 1981, 276 § 1.

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. 2A added, 1981, 688 § 5 (relative to certain distri butions to minors). (See 1981, 688 § 9.)

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 (*b*) amended, 1981, 688 § 6; subsection (*c*) revised, 1981, 688 § 7. subsection (*d*) amended, 1973, 925 § 71. (See 1973, 925 § 84; 1981, 688 § 9.)

SECT. 8, subsection (*a*) revised, 1973, 925 § 72. (See 1973, 925 § 84.)

Chapter 201B. — UNIFORM DURABLE POWER OF ATTORNEY ACT.

New chapter inserted, 1981, 276 § 2.

Chapter 201C. — STATUTORY CUSTODIANSHIP TRUSTS.

(tNew chapter inserted, 1981, 688 § 8.) (See 1981, 688 § 9.)

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; 1981, 301. (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). amended, 1983, 371 § 75. (See 1983, 371 § 105.)

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. 1 revised, 1983, 277.

SECT. 2 revised, 1983, 277.

SECT. 5 amended, 1941, 194 § 18A.

SECT. 7 revised, 1941, 270 § 1; amended, 1971, 255 § 1; revised, 1981, 684 § 13.

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); section repealed, 1981, 684 § 14.

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. 32 repealed, 1981, 684 § 15.

SECT. 33 amended, 1941, 270 § 2; 1971, 255 § 2; section repealed, 1981, 684 § 16.

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; section revised, 1981, 521 § 1; amended, 1982, 379; revised, 1982, 486.

SECT. 39 revised, 1958, 438; third and fourth sentences stricken out and sentence inserted, 1965, 54; third sentence amended, 1968, 81 § 3; revised, 1983, 112 § 1; section revised, 1975, 464 § 2.

SECT. 40 revised, 1946, 197 § 3; amended, 1965, 11 § 2; revised, 1968, 81 § 4; 1979, 718 § 2; 1983, 112§ 2.)

SECT. 42 amended, 1946, 197 § 4; revised, 1965, 11 § 3; amended, 1968, 81 § 5; revised, 1983, 122 § 3.

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. paragraph inserted after second paragraph, 1981, 447.

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; 1981, 684 § 17. (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; section amended, 1981, 684 § 17.

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; sentence added, 1983, 233 § 74. (See 1975, 400 § 79; 1983, 233 § 101.)

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; sentence added, 1983, 233 § 75. (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; 1983, 233 § 101.)

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. two sentences added, 1983, 233 § 76. (See 1975, 400 § 79; 1983, 233 § 101.)

SECT. 29 revised, 1975, 400 § 30. (See 1975, 400 § 79.)

SECT. 31, paragraph added, 1977, 238; section amended, 1977, 829 § 12; revised, 1981, 299. first paragraph, sentence added, 1982, 252; first paragraph revised, 1983, 695;

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; first sentence revised, 1982, 642 § 1; two sentences added, 1983, 233 § 77. (See 1975, 400 § 79; 1983, 233 § 101.)

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; paragraph added, 1983, 122. (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); revised, 1983, 678 § 1.

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; second paragraph revised, 1982, 54 § 1; section revised, 1983, 233 § 78. (See 1975, 400 § 79; 1983, 233 § 101.)

SECT. 36A added, 1982, 481 § 1 (relative to the enforcement of certain support orders in the probate court).

SECT. 37 revised, 1975, 400 § 38; 1977, 495; two paragraphs added, 1982, 642 § 2. (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; 1981, 684 § 18. (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;

third paragraph, two sentence added, 1983, 233 § 79. (See 1975, 400 § 79; 1977, 984 § 3; 1983, 233 § 101.)

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; section revised, 1982, 54 § 2; 1983, 233 § 80. (See 1983, 233 § 101.)

SECT. 32F added, 1977, 984 § 2 (further regulating support orders). (See 1977, 984 § 3.)

SECT. 33 revised, 1933, 360; 1975, 400 § 47; sentence added, 1982, 481 § 2. (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; two sentences added, 1983, 233 § 81. (See 1975, 400 § 79; 1983, 233 § 101.)

Chapter 209A. — Abuse Prevention.

New chapter inserted, 1978, 447 § 2.

SECT. 1, definition of "Cocert" revised, 1983, 678 § 2.

SECT. 2, revised, 1983, 678 § 3.

SECT. 3—6, revised, 1983, 678 § 4.

SECT. 7—9, added, 1983, 678 § 5.

Chapter 209B.—Massachusetts Child Jurisdiction Act.

Chapter added, 1983, 680 § 1.

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; paragraph added, 1983, 437. (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 inserted after first paragraph, 1982, 540 § 3. 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; 1981, 632 §§ 3, 4; 1982, 455 § 8.(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; 1981, 632 §§ 25, 26; 1982, 455 § 12.)

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; 1981, 632 §§ 5, 6; 1982, 455 § 9. (See 1973, 428 § 19, 856 § 17; 1974, 558 § 20; 1977, 234 § 198; 872 § 204; 1978, 478 § 343; 1981, 632 §§ 24, 25; 1982, 455 § 12.)

SECT. 5, sentence added, 1981, 351 § 248. (See 1981, 351 § 299.)

SECT. 6 revised, 1974, 784; second paragraph, third sentence revised, 1977, 234 §§ 142-144, 872 §§ 139-141; section revised, 1978, 478 § 107;

first paragraph revised, 1981, 632 §§ 7, 8. (See 1977, 234 § 198, 872 § 204; 1978, 478 § 343; 1981, 632 §§ 24, 25.)

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; 1982, 405 § 1. (See 1978, 478 § 343.)

SECT. 2 revised, 1978, 478 § 112; amended, 1980, 575 § 2; first sentence revised, 1982, 405 § 2. (See 1978, 478 § 343.)

SECT. 4 revised, 1978, 478 § 113; first three paragraphs revised, 1981, 632 §§ 9, 10; 1982, 455 § 10. (See 1978, 478 § 343; 1981, 632 §§ 24, 25; 1982, 455 § 12.)

SECT. 6 last paragraph revised, 1983, 641.

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.)

SECT. 3, amended, 1983, 622.

Chapter 211D.—

Chapter added, 1983, 673 § 1. (See 1983, 673 § 6.)

SECT. 3-15 added, 1983, 673 § 2. (See 1983, 673 § 6.)

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 revised, 1978, 478 § 116; first sentence revised, 1982, 405 § 3; 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; second paragraph, second sentence revised, 1982, 621 § 1. (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. 7A, eighth paragraph revised, 1981, 643.

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. first paragraph revised, 1981, 616. (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; 1982, 328. (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; two paragraphs added, 1982, 282. (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); section amended, 1982, 178.

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; 1982, 405 § 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; amended, 1981, 632 § 11. (See 1978, 478 § 343; 1981, 632 §§ 24, 25.)

SECT. 29, first sentence revised, 1978, 393 § 40; sentence added, 1958, 539; 1978, 478 § 152; last sentence revised, 1981, 632 § 12; (See 1978, 393 § 45, 478 § 343; 1981, 632 §§ 24, 25.)

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; 1981, 632 § 13; 632 § 14. (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; 1981, 632 §§ 24, 25.) revised, 1983, 474.

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; 1981, 632 § 14A. (See 1951, 713 § 3; 1955, 638 § 3; 1956, 671 § 3; 1977, 234 § 198, 872 § 204; 1978, 478 § 343; 1981, 632 §§ 24, 25.)

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; first and second paragraph under caption "*Hampshire*"revised, 1983, 4721; 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; third paragraph under caption "*Suffolk*" revised, 1981, 727; 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; 1982, 30 § 1; 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;

tenth paragraph under caption "*Worcester)*" revised, 1982, 30 § 2; 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; third paragraph revised, 1982, 552 § 1. (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 1982, 552 § 3.)

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; fourth paragraph amended, 1982, 321 § 3; fifth paragraph amended, 1982, 321 § 4. thirteenth paragraph amended, 1981, 632 § 14B; (See 1978, 478 § 343; 1980, 354 § 23; 1981, 632 § 25; 1982, 321 § 7.)

SECT. 10A added, 1956, 353 (authorizing the designation of deputy assistant clerks of the district courts).

SECT. 11 revised, 1951, 604 § 2; first sentence amended, 1952, 156 § 2; 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; amended, 1982, 27. (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; section revised, 1981, 470; 1982, 175; amended, 1982, 229 § 1; 373 § 19; revised, 1983, 639 § 27. (See 1937, 301 § 2; 1938, 365 § 2; 1978, 478 § 343; 1982, 373 § 20; 1982, 634 § 15.)

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; first sentence revised, 1982, 405 § 5. (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; second paragraph amended, 1981, 715 § 2. (See 1965, 659 § 7; 1978, 478 § 343.)

SECT. 57A added, 1978, 478 § 212 (establishing the administrative head of the juvenile court department); paragraph added, 1983, 130. (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; first sentence revised, 1982, 405 § 6. (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. paragraph added 1983, 559 § 1.

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 (2), line added, 1982, 321 § 6; 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; 1982, 321 § 5; 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 (2) amended, 1982, 321 § 6; clause (6) amended, 1982, 321 § 5; 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; 1982, 321 § 7.)

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; paragraph (1) revised, 1981, 632 § 14C. paragraph (2) revised, 1981, 632 §§ 15, 16; first paragraph revised, 1982, 587. (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; 1981, 632 §§ 24, 25.)

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; 1982, 321 § 1. (See 1943, 336 § 3; 1958, 327 § 2; 1963, 502 § 2, 746 § 2, 1966, 532 § 2; 1970, 511 § 2; 1978, 478 § 343; 1982, 321 § 7.)

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; section revised, 1982, 577. (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; repealed 1983, 673 § 3. (See 1983, 673 § 6.) (See 1960, 565 § 2; 1962, 366 § 2; 1983, 673 § 6.)

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. 62C, first paragraph, clause (*e*) revised, 1982, 586 § 3; first paragraph clause (*h*) added, 1983, 702. (See 1982, 586 § 4.)

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. 70A, added, 1983, 80 (relative to certain police duties and powers for court officers).

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); revised, 1983, 585 § 9.

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; first paragraph revised, 1981, 632 §§ 16A, 16B, 18, 19. paragraph inserted after second paragraph under caption "*SUPERIOR COURT DEPARTMENT FOR CIVIL BUSINESS IN THE COUNTY OF SUFFOLK*", 1979, 701; fourth paragraph revised, 1981, 632 § 17; fifth paragraph revised, 1981, 632 § 19A; sixth and seventh paragraphs revised, 1981, 632 §§ 20, 21; seventh paragraph amended,1982, 321 § 2. (See 1946, 262 §§ 4, 5; 1949, 774 § 5; 1962, 781 § 3; 1963, 790 §§ 3, 4; 1968, 209 § 2; 1969, 888 § 3; 1970, 394 § 2; 1972, 503 § 2; 1973, 988 § 3;

1974, 726 § 2; 1977, 423 § 2, 234 § 198, 872 § 204; 1978, 478 § 343; 1981, 632 §§ 24, 25; 1982, 321 § 7.)

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 221A.—THE MASSACHUSETTS LEGAL ASSISTANCE CORPORATION ACT.

New chapter inserted, 1982, 609 § 1.

SECT. 2, sentence added, after first sentence, 1983, 628 § 6.

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. amended, 1983, 575 § 6. (See 1971, 843 § 27; 1973, 591 § 22, 1114 § 351; 1983 575 § 13.)

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.

SECTS. 12-14 repealed, 1979, 344 § 6. (See 1979, 344 § 51; 1980, 261 § 41.)

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; amended, 1983, 575 § 7. (See 1971, 843 § 27; 1973, 591 § 22; 1975, 377 § 164; 1983, 575 § 13.

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; second sentence revised, 1981, 305. (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; fourth sentence stricken out, 1981, 493 § 1. (See 1971, 801 § 2; 1972, 440 § 2; 1981, 493 § 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; amended, 1982, 183 § 2. (See 1946, 212 § 3; 1973, 1114 § 351; 1982, 183 § 4.)

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; 1982, 183 § 3. (See 1973, 1114 § 351; 1982, 183 § 4.)

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. 6H, added, 1983, 652 § 1. (See 1983, 652 § 3.)

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; amended, 1983, 97.

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); section revised, 1981, 481.

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; 1981, 618 § 1; last sentence stricken out, 1981, 618 § 2.

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; sentence added, 1982, 304 § 1. (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; first paragraph revised, 1983 575 § 8. (See 1971, 843 § 27; 1973, 591 § 22; 1114 § 351; 1983, 575 § 13.)

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; 1983, 575 § 9. (See 1971, 843 § 27; 1973, 591 § 22; 1114 § 351; 1983, 575 § 13.)

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; 1981, 84; second paragraph amended, 1981, 795 § 10A; section revised, 1982, 65. (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; section revised, 1983, 145.

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; paragrapph added, 1982, 87.

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); first sentence revised, 1983, 367.

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; 1982, 118.
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. 79J added, 1982, 101 (relative to compliance with subpoena for business records).

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); first paragraph amended, 1981, 518. 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; sentence inserted after third sentence, 1981, 326. eighth sentence revised, sentence added, 1955, 38 § 1; revised, 1973, 1059. (See 1949, 347 § 5.)

SECT. 5 amended, 1955, 38 § 2.

SECT. 9 revised, 1983, 74.

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 stricken out and new chapter inserted, 1982, 298 § 1.

For prior changes see Table of Changes contained in the Acts and Resolves of 1981.

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; 1983, 652 § 2. (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; second paragraph revised, 1982, 304 § 2. amended, 1983, 639 § 28. (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; 1982, 304 § 3. (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; fifth paragraph revised, 1981, 133.

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; revised, 1983, 513. (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; 1981, 242; 795 § 11. (See 1981, 795 § 20.)
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; sentence added, 1982, 481 § 3. (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. 4B added, 1982, 481 § 4 (relative to the enforcement of certain support orders).
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; paragraph added, 1981, 428 § 10; amended, 1982, 481 § 5. (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 Fourth amended, 1975, 377 § 136; 1982, 481 § 6; 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; sentence added, 1982, 481 § 7. (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.)
SECT. 68 amended, 1983, 524 § 1.
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; 1983, 214; 1983, 214; 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. 44 first sentence revised, 1983, 589 § 28.
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; section repealed, 1981, 733 § 3. (See 1968, 394 § 2; 1981, 733 § 25.)

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); second sentence stricken out and two sentences inserted, 1981, 284 § 2. (See 1981, 284 § 8.)

SECT. 12H added, 1981, 384 § 2 (relative to certain finance charges).

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; revised, 1982, 159.

SECT. 13L added, 1981, 284 § 3 (relative to the computation of rebate in certain consumer credit transactions). (See 1981, 284 § 8.)

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; section revised, 1981, 795 § 12. (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); revised, 1983, 278 § 5; repealed, 1983, 674. (See 1983, 278 § 6.)

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; section revised, 1981, 733 § 3A. (See 1966, 284 § 5; 1968, 354 § 5; 1981, 733 § 25.)

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; first paragraph revised, 1981, 733 § 4; paragraph added, 1975, 170 § 3; last sentence revised, 1978, 346 § 3. (See 1973, 1149 § 33; 1980, 572 § 417; 1981, 733 § 25.)

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; third, fourth and fifth paragraphs stricken out, 1981, 733 § 5. (See 1966, 284 § 5; 1981, 733 § 25.)

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; 1981, 733 § 6; fifth paragraph revised, 1981, 733 § 7. (See 1980, 136 § 2; 1981, 733 § 25.)

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; section repealed, 1981, 733 § 8. (See 1966, 284 § 5, 587 § 7; 1981, 733 § 25.)

SECT. 16 amended, 284 § 2; revised, 1981, 284 § 4. (See 1966, 284 § 5; 1981, 284 § 8.)

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); section revised, 1981, 733 § 9. (See 1981, 733 § 25.)

Chapter 255C. — Insurance Premium Finance Agencies.

New chapter inserted, 1964, 727 § 1. (See 1964, 727 §§ 2, 3.)

SECT. 1, definition of "Annual percentage rate" sticken out, 1981, 733 § 10; 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; 1981, 733 § 25.)

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; 1981, 733 § 11. (See 1981, 733 § 25.)

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; 1981, 733 § 12. (See 1966, 587 § 7; 1981, 733 § 25.)

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. 19 revised, 1981, 284 § 5. (See 1981, 284 § 8.)

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); section revised, 1981, 733 § 13. (See 1981, 733 § 25.)

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 "Official fees" added, 1983, 393 § 1; 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; section revised, 1981, 733 § 14; definition "Official fees" added, 1983, 393 § 1. (See 1938, 354 § 5; 1981, 733 § 25.)

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; section revised, 1981, 733 § 15; two paragraphs added, 1982, 332 § 10A. (See 1973, 1149 § 33; 1980, 572 § 417; 1981, 733 § 25.)

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, second paragraph, clause (1) revised, 1981, 88; subsection C, clause (11) revised, 1967, 775 § 2; paragraph added, 1968, 543 § 1; revised, 1969, 517 § 31; subsection C stricken out, 1981, 733 § 16; 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; paragraph inserted after third paragraph, 1981, 235 § 2; paragraph inserted after sixth paragraph, 1981, 235 § 3; last paragraph amended, 1981, 733 § 17; subsection E amended,

1969, 517 § 33; subsection F amended, 1967, 775 § 4. (See 1981, 733 § 25.)

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 A revised, 1983, 393; subsection C revised, 1968, 543 § 3; amended, 1969, 517 § 37; paragraph added, 1981, 733 § 18; subsection D added, 1974, 127. (See 1981, 733 § 25.)

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; first two sentences stricken out and three sentences inserted, 1981, 284 § 6; subsection C revised, 1967, 775 § 5; 1981, 284 § 7; subsection D added, 1969, 378. (See 1981, 284 § 8.)

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; clause (4) revised, 1981, 733 § 19. (See 1981, 733 § 25.)

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); subsection (1) revised, 1981, 733 § 20; subsections (3) and (4) added, 1977, 96. (See 1981, 733 § 25.)

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; section repealed, 1981, 733 § 21. (See 1966, 587 § 7; 1981, 733 § 25.)

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 (1) revised, 1981, 384 § 3; 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; section revised, 1981, 733 § 22. (See 1966, 587 § 7; 1970, 822 § 6; 1981, 733 § 25.)

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; 1981, 733 § 23. (See 1981, 733 § 25.)

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" amended, 1981, 179; sentence added, 1981, 403; definition revised 1983, 537; definition of "Public employer" revised, 1980, 315 § 1.

SECT. 9, paragraph added, 1980, 315 § 2.

SECT. 9A added, 1982, 345 (relative to the indemnification of certain police).

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); first paragraph amended, 1982, 176 § 1. (See 1979, 396 § 3; 1982, 176 § 2.)

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.)

SECT. 8, added, 1983, 597 § 1.

Chapter 258B.—Rights of Victims and Witnesses of Crime.

Chapter added, 1983, 694 § 2.

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; section revised,

1981, 765. (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); section amended, 1982, 305 § 2; revised, 1982, 332 § 11; 1983, 639 § 29.

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; revised, 1983, 575 § 10. (See 1971, 843 § 27; 1973, 591 § 22; 1983, 575 § 13.)

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; revised, 1983, 524 § 2. (See 1973, 1114 § 351.)

SECT. 25 repealed, 1973, 1114 § 347. (See 1973, 1114 § 351.)

SECT. 25A revised, 1957, 497; amended, 1965, 410; revised, 1983, 524 § 3.

SECT. 26 revised, 1975, 377 § 162; amended, 1983, 524 § 4. (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; definition of "Normal fees and costs: revised, 1982, 609 § 2.

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. amended, 1981, 351 § 154; second paragraph amended, 1981, 351 § 155; third paragraph amended, 1981, 351 § 156. (See 1981, 351 § 299.)

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; revised 1983, 575 § 10; (See 1971, 843 § 27; 1973, 591 § 22; 1983, 575 § 13.)

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; revised, 1983, 524 § 2. (See 1973, 1114 § 351.)

SECT. 25 repealed, 1973, 1114 § 347. (See 1973, 1114 § 351.)

SECT. 25A revised, 1957, 497; amended, 1965, 410; revised, 1983, 524 § 3.

SECT. 26 revised, 1975, 377 § 162; amended, 1983, 524 § 4. (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; definition of "Normal fees and costs: revised, 1982, 609 § 2.

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. amended, 1981, 351 § 154; second paragraph amended, 1981, 351 § 155; third paragraph amended, 1981, 351 § 156. (See 1981, 351 § 299.)

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. 3A added, 1982, 471 § 1 (relative to the collection of a fee for child support enforcement services).

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. 4C added, 1982, 609 § 3 (relative to certain surcharges).

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; clause (2) amended, 1982, 513 § 1; clause (12) amended, 1982, 513 § 2; clause (16) amended, 1982, 513 § 3; clause (23) amended, 1982, 513 § 4; clause (24) amended, 1982, 513 § 5; clause (26) amended, 1982, 513 § 6.

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; 1981, 395.

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. 1981, 395. (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 (64) revised, 1981, 351 § 97; 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; 1981, 351 § 299.)

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; section repealed, 1981, 684 § 19.

SECT. 35 revised, 1975, 464 § 3; 1981, 521 § 2; 1983, 159.

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. first paragraph revised, 1981, 351 § 284; fourth paragraph revised, 1981, 351 § 285. (See 1971, 880 § 4; 1981, 351 § 299.)

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; paragraph added, 1982, 532. (See 1934, 324 § 2; 1954, 556 § 10; 1955, 418 § 3, 744 § 2; 1971, 880 § 4; 1972, 684 § 136.)

SECT. 40A added, 1982, 471 § 2 (relative to certain fees for child support enforcement services).

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; first paragraph revised 1983, 575 § 11;paragraph added, 1979, 344 § 17. (See 1953, 319 §§ 39, 40; 1971, 843 § 27; 1973, 591 § 22; 1979, 344 § 51; 1983, 575 § 13.)

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; first paragraph revised, 1983, 575 § 11. (See 1979, 344 § 51; 1983, 575 § 13.)

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; second sentence revised 1983, 557.

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; revised, 1983, 575 § 12. (See 1953, 319 §§ 39, 40; 1971, 843 § 27; 1973, 591 § 22; 1983, 575 § 13.)

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; section revised 1982, 554 § 3. (See 1955, 770 §§ 117, 123 1982, 554 § 8.)

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; 1983, 100.

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. 15A revised, 1981, 678 § 1.

SECT. 15B added, 1955, 112 (providing a penalty for assault by means of a dangerous weapon); revised, 1981, 678 § 2.

SECT. 17 revised, 1943, 250 § 1; 1952, 406 § 1. (See 1943, 250 § 2; 1952, 406 § 2.)

SECT. 18 revised, 1981, 678 § 3.

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. 19 revised, 1981, 678 § 4.

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; 1983, 200.

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). amended, 1983, 175.

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).

SECT. 39, 1983, 165 § 1 added, (relative to certain acts against persons and properties).

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. revised, 1981, 71. (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; revised, 1981, 678 § 5. (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; 1983, 147 § 1; amended, 1977, 979 § 3; revised 1983, 147 § 1; paragraph (4) added, 1967, 817 § 1; paragraph (4), last sentence revised, 1983, 147 § 2. (See 1945, 282 § 5; 1977, 979 § 4.)

SECT. 30A added, 1981, 618 § 3 (relative to the crime of shoplifting).

SECT. 33 revised, 1945, 282 § 3; amended, 1967, 236. (See 1945, 282 § 5.)

SECT. 36 repealed, 1945, 282 § 1. (See 1945, 282 § 5.)

SECT. 37 revised, 1937, 99; amended, 1955, 133.

SECT. 37A added, 1960, 456 (providing that the use of a revoked or forged credit card or the unauthorized use of the credit card of another shall constitute larceny); revised, 1969, 51; revised and sections 37B-37C added, 1969, 832.

SECT. 37B, paragraph added, 1971, 90 § 1.

SECT. 37C, paragraph added, 1971, 90 § 2.

SECT. 37D added, 1973, 1156 (imposing penalties for publishing credit card numbering or coding systems).

SECTS. 44-46 repealed, 1945, 282 § 1. (See 1945, 282 § 5.)

SECT. 47 amended, 1945, 282 § 4; revised, 1966, 153 § 2. (See 1945, 282 § 5.)

SECT. 49 revised, 1966, 269 § 1.

SECT. 52 amended, 1934, 270 § 3.

SECT. 53A revised, 1956, 297.

SECT. 54 revised, 1958, 58. (See 1933, 59 § 3.)

SECT. 60 revised, 1971, 681; amended, 1973, 624.

SECT. 60A added, 1967, 817 § 2 (providing that the unlawful taking of a trade secret constitutes larceny).

SECT. 67A added, 1980, 531 § 2 (establishing civil and criminal remedies for certain fraudulent acts affecting the commonwealth and commercial bribery); section amended, 1982, 184.

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; 1982, 259.

SECT. 87A, added, 1983, 430.

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); first paragraph revised, 1982, 66.

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. 111A amended, 1982, 150.

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; revised, 1983, 678 § 6.

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); third paragraph revised, 1982, 333 § 2.

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; 1982, 229 § 2.

SECT. 127A-127B, added 1983, 165 § 2, (relative to certain acts against persons and properties).

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; paragraph (*a*), sentence added, 1981, 264 § 1; paragraph (*c*), second paragraph revised, 1981, 264 § 2; paragraph added, 1981, 264 § 3.

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); stricken out, 1981, 795 § 13.

SECT. 39 added, 1981, 795 § 13.

SECT. 40 added, 1983, 597 § 2.

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 "Particular matter" revised, 1982, 612 § 1; definition of "Special county employee" revised, 1982, 612 § 2; definition of "Special municipal employee" revised, 1965, 351; 1981, 430; 1982, 612 § 3; definition of "Special state employee" revised, 1982, 612 § 4; 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; 1982, 143. (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; clause (*b*) revised, 1982, 612 § 5; paragraph added, 1968, 446; fourth paragraph amended, 1982, 612 § 6; paragraph inserted after fourth paragraph, 1980, 303. paragraph added, 1982, 612 § 7. (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; section revised, 1982, 612 § 8. (See 1978, 210 § 22; 1980, 10 § 3.)

SECT. 12, third paragraph amended, 1978, 210 § 15; section revised, 1982, 612 § 9. (See 1978, 210 § 22.)

SECT. 13, second paragraph revised,1978, 210 § 16. (See 1978, 210 § 22.)

SECT. 14, third paragraph amended, 1978, 210 § 17; section revised, 1982, 612 § 10. (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. clause (3) revised, 1982, 612 § 11.

SECT. 20, third paragraph amended, 1979, 135; revised, 1983, 481; clause (*b*) revised, 1982, 612 § 12; paragraph added, 1982, 107.

SECT. 21, paragraph (*b*) revised, 1982, 612 § 13.

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; section revised, 1982, 612 § 14; paragraph added, 1983, 409.

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.

SECT. 4, paragraph (*a*) amended, 1982, 612 § 15. paragraph (*d*), clause (3) revised, 1982, 612 § 16.

SECT. 5, clause (*a*) sentence added, 1981, 386 § 14.

SECT. 8 added, 1982, 612 § 17 (prohibiting certain acts against certain employees).

Chapter 269. — Crimes Against Public Peace.

SECT. 1 revised, 1965, 647 § 1; amended, 1966, 158.

SECT. 2 revised, 1965, 647 § 1A; section revised, 1982, 476.

SECT. 6 amended, 1965, 647 § 2.

SECT. 8 amended, 1965, 647 § 3; section revised, 1982, 476.

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; amended, 1982, 254; subsection (*c*) amended, 1978, 175 § 2; revised, 1983, 516 § 2; subsection (*K*) stricken out, 1983, 516 § 3. 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. 10D added, 1983, 139 (relative to the use of protective devices or body armor so-called, during the commission of a felony).

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. 13A added, 1982, 219 (prohibiting the intentional making of false reports of crimes to police officers).

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 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; section repealed, 1981, 782 § 1. (See 1979, 518 § 2; 1980, 80 § 3.)

SECT. 4B added, 1980, 580 § 5 (providing for the revocation of certain statutes by cities and towns); revised, 1981, 782 § 2.

SECT. 5 revised, 1935, 69.

SECT. 6, clause Tenth added, 1967, 867 § 1; paragraph Eleventh added, 1983, 210.

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; subclause (*j*) added, 1982, 189 § 2; subclause (*k*) added, 1983, 113; 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 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; 1982, 130 § 1; last paragraph, first sentence stricken out and two sentences inserted, 1979, 103; last sentence amended, 1982, 130 § 2.

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; revised, 1983, 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; fourth paragraph, seventh sentence revised, 1981, 351 § 98. eighth and ninth paragraphs revised, 1976, 415 § 96; 1977, 219 § 6. (See 1976, 415 § 116; 1981, 351 § 299.)

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. 15, revised 1983, 105 § 2.

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; section revised, 1982, 581 § 4. (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); section repealed, 1982, 21 § 2.

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; 1982, 603 § 2. (See 1982, 603 § 9.)

SECT. 28A revised, 1959, 492 § 2; repealed, 1974, 430 § 2.

SECT. 28B revised, 1959, 492 § 2; amended, 1960, 311; repealed, 1974, 430 § 2.

SECT. 28C revised, 1974, 430 § 3.

SECT. 28D revised, 1974, 430 § 4.

SECT. 28E revised, 1974, 430 § 5.

SECT. 28F revised, 1974, 430 § 6.

SECT. 28G revised, 1974, 430 § 7.

SECT. 28H stricken out and sections 28H and 28I inserted, 1974, 430 § 8.

SECT. 29 revised, 1974, 430 § 9; 1982, 603 § 3. (See 1982, 603 § 9.)

SECT. 29A added, 1977, 917 § 2 (providing for the protection and welfare of certain children); stricken out and sections 29A and 29B inserted, 1982, 364 § 2.

SECT. 29A, second paragraph amended, 1982, 603 § 4. (See 1982, 603 § 9.)

SECT. 29B, second paragraph amended, 1982, 603 § 5. (See 1982, 603 § 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 "Harmful to minors:, clause (2) revised, 1982, 603 § 6; definition of "Nudity", sentence added, 1977, 217 § 4; definition of "Obscene", clause (1) revised, 1982, 603 § 7; definition of "Visual material" added, 1977, 917 § 6; section amended, 1982, 364 § 3. (See 1972, 802 § 77; 1982, 603 § 9.)

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; revised, 1983, 66 § 1.

SECT. 53A, added, 1983, 66 § 2 (relative to the penalties for engaging in sexual conduct for a fee).

SECT. 59 revised, 1981, 629.

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. 71 revised, 1982, 169 § 1.

SECT. 72 amended, 1974, 170.

SECT. 73 revised, 1958, 352; 1966, 312; amended, 1972, 552 § 2; revised, 1979, 220; 1982, 169 § 2.

SECT. 73A added, 1973, 448 (authorizing the removal of gravestones and memorials for repair or reproduction).

SECT. 75 amended, 1971, 407; revised, 1982, 169 § 3.

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; third paragraph revised, 1981, 286.

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. 89 revised, 1982, 230.

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; revised, 1983, 628 § 7.

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; revised, 1981, 445; amended, 1983, 585 § 10; revised,1983, 628 § 8.

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; sentence added, 1983, 233 § 83. (See 1983, 233 § 101.)

SECT. 5 revised, 1977, 848 § 3; 1978, 552 § 43; paragraph added, 1979, 522 § 4; two sentences inserted after first sentence, 1979, 621 § 1; paragraph revised, 1982, 54 § 3; second paragraph stricken out, seven paragraphs added, 1983, 233 § 84. (See 1983, 233 § 101.)

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; third sentence revised, 1981, 92; section revised, 1981, 325.

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; paragraph added, 1982, 54 § 4. second paragraph stricken out, seven paragraphs added, 1983, 233 § 85. (See 1983, 233 § 101.)

SECT. 12 revised, 1958, 239 § 3; 1982, 42.

SECTS. 12-14 repealed, 1979, 344 § 6. (See 1979, 344 § 51; 1980, 261 § 41.)

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; first paragraph, clause Fifth inserted, 1982, 260.

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; 1983, 678 § 7.

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; first paragraph revised, 1981, 802 § 1; third paragraph, first sentence stricken out and seven sentences inserted, 1981, 802 § 2; fourth paragraph amended, 1981, 802 § 3; stricken out and two paragraphs inserted, 1982, 179; fifth paragraph sentence added, 1981, 802 § 4; 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; first paragraph, first sentence revised, 1982, 594; second paragraph revised, 1979, 393 § 71A; paragraph inserted after penultimate paragraph, 1981, 779. (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; fourth paragraph, second sentence revised, 1981, 632 § 21A. (See 1956, 731 §§ 29-33; 1969, 766 § 48; 1970, 875 § 8; 1978, 478 § 343; 1981, 632 §§ 24, 25.)

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 (1), Groups 10 and 11 stricken out, 1981, 632 § 21B; 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; Job groups 10 and 11 stricken out, 1981, 632 § 21C; 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; 1981, 632 §§ 24, 25.)

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). revised, 1981, 632 §§ 22, 23. (See 1979, 393 § 72; 1981, 632 §§ 24, 25.)

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); first paragraph revised, 1983, 312.

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.

SECT. 4, paragraph added, 1981, 678 § 6.

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. 8A added, 1981, 696 (permitting the killing or injuring of a person unlawfully in a dwelling).

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. revised, 1983, 82.

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; section revised, 1982, 554 § 4.

(See 1935, 50 § 6, 437 § 8; 1955, 770 §§ 117, 123; 1979, 344 § 51; 1982, 554 § 8.)

SECT. 4A, sentence added, 1950, 145 § 2; 1968, 333 § 1; repealed, 1979, 344 § 50. (See 1979, 344 § 51.)

SECT. 4B, added, 1983, 694 § 3.

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. 8B added, 1981, 802 § 5 (relative to sentenceing).

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).

SECTS. 43-56 repealed, 1982, 554 § 5. (See 1982, 554 § 8.)

SECTS. 57-71 added, 1982, 554 § 6 (relative to the procedures to be followed in carrying out an execution of a person.) (See 1982, 554 § 8.)

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; section revised, 1981, 351 § 118; second paragraph amended, 1983, 233 § 86. (See 1934, 364 § 3; 1935, 303 § 2; 1953, 319 §§ 39, 40; 1978, 478 § 343; 1980, 329 § 134; 1981, 351 § 298; 1983, 233 § 101.)

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.