ACTS

AND

RESOLVES

PASSED BY THE

General Court of Massachusetts

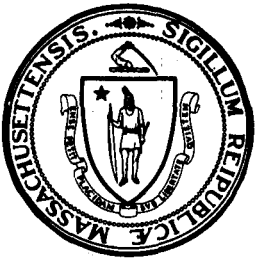
IN THE YEAR

1984

PUBLISHED BY

Michael Joseph Connolly

SECRETARY OF STATE



ACTS

AND

RESOLVES

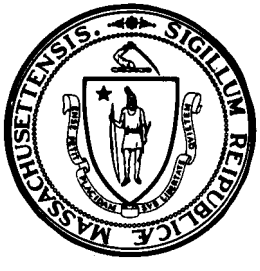
PASSED BY THE

General Court of Massachusetts

IN THE YEAR

1984

VOLUME 1



ACTS

Chap. 1. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THE THIRTIETH, NINETEEN HUNDRED AND EIGHTY-FOUR TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS.

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 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.

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 $5,966,195

SECTION 3.

Item 1599-3386 of section 2 of chapter 297 of the acts of 1983 is hereby amended by striking out, in lines 6 to 9, inclusive, the words ", 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" and inserting in place thereof the words:- such amounts as are necessary to meet the costs of such appeal decisions for the current and prior fiscal years.

Approved February 3, 1984.

Chap. 2. AN ACT ESTABLISHING THE OFFICE OF TREASURER-COLLECTOR OF TAXES IN THE TOWN OF HOPEDALE.

Be it enacted, etc., as follows:

SECTION 1. The office of treasurer-collector in the town of Hopedale is hereby established. Said treasurer-collector of taxes shall be appointed by the board of selectmen of said town for a term not to exceed three years and shall perform all 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 for such office as deemed necessary and appropriate. Any vacancy in said office shall be filled in like manner for the unexpired portion of such term. Upon the appointment and qualification of said treasurer-collector, the terms of office of the persons holding the offices of treasurer and collector of taxes shall terminate.

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

Approved February 22, 1984.

EMERGENCY LETTER - February 22, 1984 @ 4:47 P.M.

Chap. 3. AN ACT MAKING AN APPROPRIATION FOR THE FISCAL YEAR ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND EIGHTY-FOUR TO PROVIDE FOR SUPPLEMENTING A CERTAIN EXISTING APPROPRIATION AND FOR A CERTAIN NEW ACTIVITY AND PROJECT.

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.

SECRETARY OF THE COMMONWEALTH.

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 $330,647

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.

Department of Environmental Quality Engineering.

Office of the Commissioner.

2240-0902 For a grant to the city of Springfield for the purpose of improving the sewerage system of said city and alleviating the pollution of the Connecticut River $1,300,000

BOARD OF REGENTS.

University of Massachusetts-Worcester.

7411-3000 For the operation of a Family Practice Residency program by the University of Massachusetts at Worcester; provided, that a report shall be filed with the house and senate committees on ways and means by October first, nineteen hundred and eighty-four, which includes the activities of said program, the number of participants and the place of employment after completion of residency $270,000

SECTION 3. Chapter 723 of the acts of 1983 is hereby amended by striking out section 9V and inserting in place thereof the following section:-

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 section, may be used for the costs of the commonwealth associated with the acquisition or development of property or the administration of the grant programs set forth in said sections. Such associated costs may include the cost of legal services, inspections, audits, 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 4. This act shall take effect upon its passage.

Approved February 27, 1984.

Chap. 4. AN ACT AUTHORIZING THE CITY KNOWN AS THE TOWN OF METHUEN TO LEASE THE CORLISS SCHOOL TO THE METHUEN ARLINGTON NEIGHBORHOOD DEVELOPMENT CORPORATION.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section three of chapter forty of the General Laws or any other general or special law, rule, regulation or ordinance to the contrary, the city known as the town of Methuen, acting by and through its town manager, and subject to approval of its town council, may lease for not more than fifty years, on such terms as said town manager may determine, the building known as the Corliss School Building located in said town to The Methuen Arlington Neighborhood Development Corporation.

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

Approved March 13, 1984.

Chap. 5. AN ACT RELATIVE TO THE COMPENSATION OF CERTAIN CITY OR TOWN CLERKS.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by inserting after section 19H the following section:-

Section 19I. Notwithstanding the provisions of chapter two hundred and sixty-eight A, any clerk of a city or town who also serves in any other position for such city or town may in addition to any compensation to which he may be entitled as such city or town clerk receive such additional compensation for such additional services as the selectmen, town meeting, town council or mayor and city council may provide.

Approved March 13, 1984.

Chap. 6. AN ACT AUTHORIZING THE CERTIFICATION FOR APPOINTMENT OF WILLIAM BLAINE AS A POLICE OFFICER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Be it enacted, etc., as follows:

The personnel administrator of the department of personnel administration shall examine and certify William Blaine for appoint-

ment 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 March 13, 1984.

Chap. 7. AN ACT PROVIDING FOR A TOWN ADMINISTRATOR IN THE TOWN OF SOMERSET.

Be it enacted, etc., as follows:

SECTION 1. The board of selectmen of the town of Somerset by an affirmative vote of a majority of its elected members shall appoint a town administrator for an indefinite term and fix the compensation within the amount annually appropriated for such purpose. The position of town administrator shall not be subject to the by-laws of the town relative to personnel, nor shall it be included in any certification of any collective bargaining unit. The person appointed to the position of an administrator shall be or become, and remain as, resident of and domiciled in the town at the time of or within six months after his appointment.

SECTION 2. The town administrator shall be appointed solely on the basis of executive and administrative qualifications and shall be a person of proven ability and previous experience in municipal administration helpful for the performance of the duties of the office. Such person shall not have served in an elective office in or for the town of Somerset for at least six months prior to his appointment. Such person shall devote full time to the office and shall not hold any other public office, elective or appointive, nor shall engage in any other business, occupation or profession during the term of office which would deprive him from devoting full time to his duties during normal working hours. The town may, from time to time, by by-law establish such additional qualifications it deems necessary and appropriate.

SECTION 3. The town administrator shall execute a bond in favor of the town of Somerset for the faithful performance of his duties in such sum and with such surety or sureties as may be fixed by the board of selectmen. The cost of said bond shall be paid by the town.

SECTION 4. The town administrator shall be the chief administrative officer of the town of Somerset with the powers and duties as follows:-

(A) Said administrator shall be responsible to the board of selectmen for the efficient administration and coordination of all matters that come under the jurisdiction of the board of selectmen.

(B) Said administrator shall be responsible for the implementation of all policies, directives and votes of the board of selectmen.

(C) Said administrator shall have access to all town books, papers, and records for information necessary for the proper performance of his duties.

(D) Said administrator shall administer the personnel policy of said town, whether presently existing or adopted in the future, including, but not limited to, personnel policies and practices, rules and regulations, the personnel by-laws, and negotiation of all collective bargaining agreements. In addition, the administrator shall coordinate the implementation of any adopted personnel classification plan and the preparation of individual job position descriptions.

(E) Said administrator shall be responsible for the preparation and format of a uniform budget document for all departments or agencies under the board of selectmen's jurisdiction.

(F) Said administrator shall be responsible for the preparation of the annual budget for all town agencies under the jurisdiction of the board of selectmen.

(G) Said administrator shall keep the board of selectmen informed as to the financial needs of the town and shall make such recommendations to the board of selectmen as he deems necessary or expedient.

(H) Said administrator shall be responsible for the review of all current by-laws, regulations and policies that affect the departments and agencies under the jurisdiction of the board of selectmen, and shall make such recommendations for changes as he deems necessary.

(I) Said administrator shall see that all provisions of General Laws, by-laws, and other votes for the town meeting and votes of the board of selectmen which require enforcement, direction and supervision, of the town administrator's office are faithfully carried out and performed.

(J) Said administrator shall be responsible for the review of purchasing procedures for all supplies, materials, equipment, central and other services, of all departments or agencies under the jurisdiction of the board of selectmen. He shall make recommendations relative to said procedures and may be delegated, from time to time, additional authority by the board of selectmen to implement and direct changes in purchasing procedures of all municipal departments.

(K) Said administrator shall be responsible for the negotiation of all contracts which the board of selectmen are authorized by law to enter into. Such proposed contracts shall be subject to

final approval and execution by the board of selectmen.

(L) Said administrator shall be responsible for the use and maintenance of all town facilities and equipment under the jurisdiction of the board of selectmen and for rentals thereof, when authorized.

(M) Said administrator shall be responsible for recommending reorganization changes in town government to the board of selectmen, including consolidation or, abolishment of municipal departments, boards, agencies, or other branches of town government, which reorganization changes shall be ultimately within the jurisdiction of the board of selectmen as to implementation.

(N) Said administrator shall have the duties of administering the municipal insurance program and the parking ticket system for the town.

(O) Said administrator shall attend all regular and special meetings of the board of selectmen, unless requested and allowed to be excused, and shall have a voice, but no vote, in all its discussions.

(P) Said administrator shall attend all sessions of the town meeting and shall be available to answer all questions concerning warrant articles which are directed to the office and relate to matters under the person's general supervision.

(Q) Said administrator shall be responsible for supervision of all functions performed by the office of the town accountant and shall be authorized to act on behalf of the board of selectmen in regard to all financial items regarding town government in cooperation with said office of the town accountant.

(R) Said administrator shall perform any other duties required by by-law or by a majority vote of the board of selectmen.

SECTION 5. The board of selectmen, by an affirmative vote of at least a majority of its elected membership, may remove the town administrator from office. Prior to said removal action, the administrator shall be given due written notice of the reasons for removal and shall be given a due process public hearing opportunity to be heard. If the board of selectmen affirmatively vote to remove the town administrator, said board shall give him at least ninety days' notice as to the effective date of his termination, or provide him with ninety days of severance pay, or a combination of both notice and severance pay equivalent to at least ninety days.

SECTION 6. If the office of town administrator is vacant, as a result of death, removal, resignation or otherwise, or the town administrator is on an extended leave of absence exceeding two weeks, the board of selectmen, by an affirmative vote of at least a majority of its elected membership, shall appoint a qualified

town administrative officer or employee to serve as the acting town administrator. Said acting town administrator shall receive compensation as set by the affirmative vote of at least a majority of the elected selectmen, but shall not exceed the rate of compensation approved for the administrator being replaced.

SECTION 7. This act shall take effect upon its passage.

Approved March 20, 1984.

Chap. 8. AN ACT MAKING AN APPROPRIATION TO FUND COLLECTIVE BARGAINING AGREEMENTS BETWEEN THE MASSACHUSETTS BOARD OF REGENTS OF HIGHER EDUCATION AND CERTAIN EMPLOYEE ORGANIZATIONS.

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 agreements between the Massachusetts board of regents of higher education and the employee organizations listed in section two of this act, the sums set forth in said section two are 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 and subject to the provisions set forth in section three of this act.

SECTION 2.

EXECUTIVE OFFICE OF ADMINISTRATION AND FINANCE.

Collective Bargaining.

1599-3217 For a reserve to meet the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the Massachusetts board of regents of higher education and the American Federation of State, County and Municipal Employees, Council 93, AFL-CIO, Local 1067 at the community college system $902,661.26

1599-3220 For a reserve to meet the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the Massachusetts board of regents of higher education and the American Federation of State, County and Municipal Employees, Council 93, AFL-CIO, Local 1067 at the state college system $876,278.05

1599-3225 For a reserve to meet the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the Massachusetts board of regents of higher education and the American Federation of State, County and Municipal Employees, Council 93, AFL-CIO, Local 507 at Southeastern Massachusetts University $111,212.35

1599-3230 For a reserve to meet the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the Massachusetts board of regents of higher education and the Maintenance Trades Council of New England, AFL-CIO at the University of Massachusetts Boston $14,775.20

1599-3231 For a reserve to meet the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the Massachusetts board of regents of higher education and the American Federation of State, County and Municipal Employees, Council 93, AFL-CIO, Local 2616 at the University of Massachusetts Medical Center at Worcester $56,725.12

1599-3232 For a reserve to meet the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the

Massachusetts board of regents of higher education and the Service Employees International Union, AFL-CIO, Local 285 at the University of Massachusetts, Boston $386,731.92

1599-3233 For a reserve to meet the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the Massachusetts board of regents of higher education and the American Federation of State, County and Municipal Employees, Council 93, AFL-CIO, Local 1776 at the University of Massachusetts, Amherst $517,649.15

SECTION 3. The amounts appropriated in section two are to meet the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreements between the Massachusetts board of regents of higher education and the American Federation of State, County and Municipal Employees, Council 93, AFL-CIO, Local 1067 at the community college system, the American Federation of State, County and Municipal Employees, Council 93, AFL-CIO, Local 1067 at the state college system, the American Federation of State, County and Municipal Employees, Council 93, AFL-CIO, Local 507 at Southeastern Massachusetts, the Maintenance Trades Council of New England, AFL-CIO at the University of Massachusetts, Boston, the American Federation of State, County and Municipal Employees, Council 93, AFL-CIO, Local 2616 at the University of Massachusetts Medical Center at Worcester, the Service Employees International Union, AFL-CIO, Local 285 at the University of Massachusetts, Boston and the American Federation of State, County and Municipal Employees, Council 93, AFL-CIO, Local 1776 at the University of Massachusetts, Amherst, collectively known as Higher Education Coalition One; provided, however, that the commissioner of administration is hereby authorized to transfer from the sums 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 prior approval of the house and senate committees on ways and means.

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

Approved March 20, 1984.

Chap. 9. AN ACT MAKING AN APPROPRIATION TO FUND COLLECTIVE BARGAINING AGREEMENTS BETWEEN THE MASSACHUSETTS BOARD OF REGENTS OF HIGHER EDUCATION AND CERTAIN EMPLOYEE ORGANIZATIONS.

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 agreements between the Massachusetts board of regents of higher education and the employee organizations listed in section two of this act, the sums set forth in said section two are 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 and subject to the provisions set forth in section three of this act.

SECTION 2.

EXECUTIVE OFFICE OF ADMINISTRATION AND FINANCE.
Collective Bargaining.

1599-3221 For a reserve to meet the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the Massachusetts board of regents of higher education and the National Association of Government Employees, Local R1-233 at the University of Lowell $170,871.81

1599-3222 For a reserve to meet the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the Massachusetts board of regents of higher education and the Service Employees International Union, AFL-CIO, Local 254 at the University of Lowell $143,071.48

1599-3229) For a reserve to meet the cost of salary ad-
) justments and other employee economic
1599-3266) benefits authorized by the collective bargaining agreement between the Massachusetts board of regents of higher education and the International Brotherhood of Police Officers, Local 432 (Units A and B) at the University of Massachusetts, Amherst $35,982.00

1599-3263 For a reserve to meet the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the Massachusetts board of regents of higher education and the International Brotherhood of Police Officers, Local 399 at Southeastern Massachusetts University $19,835.00

1599-3264 For a reserve to meet the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the Massachusetts board of regents of higher education and the National Association of Government Employees, Local R1-245 at Southeastern Massachusetts University $90,674.00

SECTION 3. The amounts appropriated in section two are to meet the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreements between the Massachusetts board of regents of higher education and the National Association of Government Employees, Local R1-233 at the University of Lowell, the Service Employees International Union, AFL-CIO, Local 254 at the University of Lowell, the International Brotherhood of Police Officers, Local 432 (Units A and B) at the University of Massachusetts, Amherst, the

International Brotherhood of Police Officers, Local 399 at Southeastern Massachusetts University, and the National Association of Government Employees, Local R1-245 at Southeastern Massachusetts University, collectively known as Higher Education Coalition Two; provided, however, that the commissioner of administration is hereby authorized to transfer from the sums 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 prior approval of the house and senate committees on ways and means.

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

Approved March 20, 1984.

Chap. 10. AN ACT RELATIVE TO THE DATES FOR ANNUAL TOWN MEETING AND SUBMISSION OF BUDGETS IN CITIES IN THE YEAR NINETEEN HUNDRED AND EIGHTY-FOUR.

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-four.

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-four 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-four submit to the city council the annual budget for the fiscal year nineteen hundred and eighty-five. 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-four.

SECTION 4. The provisions of sections one and two 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 23, 1984.

Chap. 11. AN ACT RELATIVE TO FILLING VACANCIES IN THE CITY COUNCIL OF THE CITY OF QUINCY.

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 fifty-three, chapter six hundred and thirty-three of the acts of nineteen hundred and fifty-six, section fifty A of chapter forty-three of the General Laws or any other general or special

law to the contrary, if a vacancy occurs on the city council of the city of Quincy for any cause during the first twelve months of the term of office of said council, the city clerk shall notify the remaining councillors who shall forthwith call a special election to elect a new councillor for the remainder of the term.

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

Approved April 2, 1984.

Chap. 12. AN ACT AUTHORIZING THE TOWN OF BRAINTREE TO INCREASE THE PENALTIES FOR CERTAIN UNAUTHORIZED CONNECTIONS OR ALTERATIONS TO THE TOWN SEWERAGE SYSTEM.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of sections nine and ten of chapter eighty-three of the General Laws, the town of Braintree is hereby authorized to prescribe a penalty, not exceeding two hundred dollars, for the unauthorized connection of a sump pump to the town sewerage system, the unauthorized removal of a clean out cap or any unauthorized alteration of the sewerage system, and a penalty, not exceeding four hundred dollars, for any unauthorized connection to a storm water drain, including, but not limited to, the unauthorized connection of a rain roof leader.

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

Approved April 3, 1984.

Chap. 13. AN ACT FURTHER DEFINING THE POWERS AND DUTIES OF THE CITY OF REVERE TRAFFIC COMMISSION.

Be it enacted, etc., as follows:

The second paragraph of subparagraph (a) of section 3 of chapter 185 of the acts of 1983 is hereby amended by striking out the second and third sentences and inserting in place thereof the following two sentences:- Public notice shall be given by publication in full of the proposed adoption, alteration or repeal not less than once 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 newspaper publication.

Approved April 3, 1984.

Chap. 14. AN ACT EXTENDING THE TIME IN WHICH A TOWN MAY ACQUIRE CERTAIN LAND FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

The first sentence of section 24 of chapter 82 of the General Laws, as amended by chapter 240 of the acts of 1958, is hereby further amended by striking out, in line 5, the word "thirty" and inserting in place thereof the word:- ninety.

Approved April 10, 1984.

Chap. 15. AN ACT ESTABLISHING A BLACKSTONE VALLEY REGIONAL REDEVELOPMENT AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the towns of Blackstone, Douglas, Grafton, Hopedale, Mendon, Millbury, Millville, Northbridge, Sutton, Upton and Uxbridge may, by a majority vote of its voters at an annual town meeting, create by a contract subject to the approval of the department of community affairs, a regional redevelopment authority to be known as the Blackstone Valley Regional Redevelopment Authority. Said authority shall have all the powers and obligations of the constituent authorities, to act in the place of the several redevelopment authorities, if any, theretofore existing. Such contract shall set forth the rights, powers and obligations of the Blackstone Valley Regional Redevelopment Authority within the several towns in which it is to operate. Any unresolved dispute which may arise as to the rights, powers or obligations conferred by such contract shall be referred to the department of community affairs for resolution.

SECTION 2. Any town which becomes a part of the Blackstone Valley Regional Redevelopment Authority may, after a period of four years, by a majority vote of voters at an annual town meeting withdraw from membership in the authority.

Approved April 10, 1984.

Chap. 16. AN ACT AUTHORIZING THE TOWN OF BLACKSTONE TO REIMBURSE CERTAIN REAL ESTATE TAXES.

Be it enacted, etc., as follows:

The town of Blackstone is hereby authorized to reimburse to Attilio Valati and Simmone Valati, their successors and assigns, certain sums of money paid to said town as real estate taxes for the years nineteen hundred and seventy-four to nineteen hundred and eighty-three, inclusive, totalling one thousand one hundred and fifty-two dollars and eleven cents, together with interest at a rate not to exceed ten per cent per annum.

Approved April 10, 1984.

Chap. 17. AN ACT ESTABLISHING A PARK COMMISSION AND A RECREATION COMMISSION AND FOR THE ABOLITION OF THE EXISTING PARK AND RECREATION COMMISSION IN THE TOWN OF WEST SPRINGFIELD.

Be it enacted, etc., as follows:

SECTION 1. There is hereby established in the town of West Springfield a recreation commission which shall consist of six members, each of whom shall be elected for a term of three years. The initial members of said recreation commission shall be the members of the park and recreation commission in existence immediately prior to the effective date of this act and they shall continue to serve the remaining portion of their term. Said recreation commission shall have such powers and duties as are established by town by-law.

SECTION 2. Notwithstanding the provisions of section two of chapter forty-five of the General Laws, there is hereby established in said town a park commission which shall consist of six members, each of whom shall be elected for a term of three years. The initial members of said park commission shall be members of the park and recreation commission in existence immediately prior to the effective date of this act and they shall continue to serve the remaining portion of their term. Said park commission shall have all the powers and duties granted by the various provisions of the General Laws and such additional powers and duties as are established by town by-law not inconsistent with the General Laws.

SECTION 3. There is hereby established in said town a park commission whose members shall be the members of the board of selectmen. Said park commission shall have all the powers and duties granted by the various provisions of the General Laws and such additional powers and duties as are established by town by-law not inconsistent with the General Laws.

SECTION 4. Chapter seven of the acts of nineteen hundred and thirty-nine is hereby repealed.

SECTION 5. If a majority of the votes cast on April fourteenth, nineteen hundred and eighty-four on the ballot question: "Shall the town vote to have its selectmen act as park commissioners?" is in the affirmative, then section three shall take effect and section two shall be inoperative. If the number of votes cast, on April fourteenth, nineteen hundred and eighty-four, in favor of said ballot question is less than a majority, then section two of this act shall become effective and section three shall be inoperative.

SECTION 6. This act shall take effect upon its passage.

Approved April 11, 1984.

Chap. 18. AN ACT DESIGNATING SECTIONS OF STATE HIGHWAY ROUTE 122 AS THE "BLACKSTONE CANAL HERITAGE HIGHWAY".

Be it enacted, etc., as follows:

The section of state highway route 122 from the Worcester-Millbury town line to Central street in the town of Millville, and the section of state highway route 122 from the Blackstone-Millville town line to the Rhode Island - Massachusetts state border; shall be designated and known as the "Blackstone Canal Heritage highway". Suitable markers bearing said designation shall be erected thereon by the department of public works.

Approved April 11, 1984.

Chap. 19. AN ACT FURTHER REGULATING THE CONDUCT OF CERTAIN GAMES CONDUCTED AT ELDERLY HOUSING PROJECTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to further regulate the conduct of certain games conducted at elderly housing projects, therefore 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 thirteenth paragraph of section 38 of chapter 10 of the General Laws, inserted by chapter 619 of the acts of 1983, is hereby amended by adding the following sentence:- The tax imposed by section thirty-nine shall not apply to games operated or conducted under the provisions of this paragraph.

Approved April 12, 1984.

Chap. 20. AN ACT INCREASING THE RATE OF INTEREST THAT MAY BE CHARGED AGAINST UNPAID SEWER DRAIN AND SIDEWALK ASSESSMENTS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 354 of the acts of 1871, as amended by section 2 of chapter 282 of the acts of 1939, is hereby further amended by striking out, in line 12, the words "four and one half" and inserting in place thereof the word:- eight.

SECTION 2. Section 1 of chapter 361 of the acts of 1955 is hereby amended by striking out, in line 11, the word "four" and inserting in place thereof the word:- eight.

SECTION 3. Section 2 of said chapter 361 is hereby amended by striking out, in line 12, the words "four and one half" and inserting in place thereof the word:- eight.

Approved April 12, 1984.

Chap. 21. AN ACT 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 pur-

poses 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 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 MANPOWER AFFAIRS.

Department of Commerce and Development.
Division of Tourism.

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 said commissioner shall file with the house and senate committees on ways and means a quarterly report of itemized expenditures of all funds appropriated herein; provided, further, that no funds appropriated herein shall be used for the maintenance and administration of the department $4,304,870

Approved April 23, 1984.

Chap. 22. AN ACT DESIGNATING THE BRIDGE OVER INTERSTATE RTE. 195 ON VINNICUM ROAD IN THE TOWN OF SWANSEA AS THE TECHNICIAN FIFTH GRADE ALBERT EDWARD SCHULTZ MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The bridge over Interstate Route 195 on Vinnicum road in the town of Swansea shall be designated and known as the Technician Fifth Grade Albert Edward Schultz bridge, in memory of TECH/5 Albert Edward Schultz who was killed in action while a member of the armed forces of the United States in World War II. 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 April 24, 1984.

Chap. 23. AN ACT FURTHER REGULATING THE PROCESSING OF FILM ON SUNDAYS.

Be it enacted, etc., as follows:

Section 6 of chapter 136 of the General Laws is hereby amended by striking out clause (28), as appearing in section 2 of chapter 616 of the acts of 1962, and inserting in place thereof the following clause:-

(28) The retail sale of greeting cards and photographic films and the processing of photographic films.

Approved April 24, 1984.

EMERGENCY LETTER - April 25, 1984 @ 8:41 A.M.

Chap. 24. AN ACT PROVIDING FOR THE APPOINTMENT OF A TREASURER AND COLLECTOR OF TAXES IN THE TOWN OF DOVER.

Be it enacted, etc., as follows:

Section 1 of chapter 417 of the acts of 1979 is hereby amended by striking out the first sentence and inserting in place thereof the following two sentences:- Notwithstanding the provisions of section one of chapter forty-one of the General Laws or any other general or special law to the contrary, the board of

selectmen of the town of Dover shall appoint a town treasurer and may appoint a collector of taxes. The selectmen may vote to authorize its treasurer to act as collector, and the person so authorized shall have all the powers and duties now or from time to time vested by law in the offices of treasurer and collector of taxes.

Approved April 24, 1984.

Chap. 25. AN ACT RELATIVE TO THE DATE OF SUBMISSION OF THE BUDGET IN THE CITY OF HOLYOKE IN THE CURRENT YEAR.

Be it enacted, etc.,as follows:

SECTION 1. Notwithstanding the provisions of section thirty-two of chapter forty-four of the General Laws, or any other general or special law to the contrary, the mayor of the city of Holyoke may, on or before June first, nineteen hundred and eighty-four, submit to the board of aldermen, the annual budget for the fiscal year nineteen hundred and eighty-five, and the board of aldermen shall take final action on the annual budget for the fiscal year nineteen hundred and eighty-five, on or before June twenty-ninth, nineteen hundred and eighty-four.

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

Approved May 1, 1984.

Chap. 26. AN ACT VALIDATING CERTAIN ACTION TAKEN BY THE TOWN OF WINCHENDON AT THE ANNUAL TOWN ELECTION.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, action taken at the annual town election in the year nineteen hundred and eighty-four by the town of Winchendon in amending its charter to provide that the annual town meeting shall be held on the first Saturday in May of each year is hereby ratified and confirmed.

Approved May 1, 1984.

Chap. 27. AN ACT DIRECTING THE SUPERINTENDENT OF STATE OFFICE BUILDINGS TO FLY THE PRI-

SONERS OF WAR AND MISSING IN ACTION FLAG ON THE GROUNDS OF THE STATE HOUSE.

Be it enacted, etc., as follows:

SECTION 1. The superintendent of state office buildings is hereby authorized and directed to fly the Prisoners of War and Missing in Action flag on the grounds of the state house.

SECTION 2. The provisions of section one shall become inoperative on August first, nineteen hundred and eighty-five.

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

Approved May 8, 1984.

Chap. 28. AN ACT DESIGNATING A CERTAIN BRIDGE IN THE TOWN OF NORTON AS THE KENNETH FRANK KNOWLTON MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

SECTION 1. The bridge over interstate highway route 495 on state highway route 123 in the town of Norton shall be designated and known as the Kenneth Frank Knowlton Memorial bridge in memory of Kenneth Frank Knowlton who served as a member of the armed forces of the United States during World War II, the Korean emergency and the Vietnam conflict. A suitable marker bearing such designation shall be attached thereto by the department of public works in compliance with standards of said department and as authorized by the Federal Highway Administration.

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

Approved May 8, 1984.

Chap. 29. AN ACT MAKING AN APPROPRIATION TO FUND A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE COMMONWEALTH OF MASSACHUSETTS AND THE METROPOLITAN POLICE PATROLMEN'S UNION AND AFFILIATES, LOCAL 55 a/w THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN AND HELPERS OF AMERICA.

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 of Massachusetts and the Metropolitan Police Patrolmen's Union and Affiliates, Local 55 a/w The International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, 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.

1599-3274 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 Metropolitan Police Patrolmen's Union and Affiliates, Local 55 a/w The International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America; 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 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 con-

tained 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 $1,324,000

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

Approved May 8, 1984.

Chap. 30. AN ACT DESIGNATING THE PROSPECT STREET BRIDGE IN SOMERVILLE AS THE VIETNAM VETERANS MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The bridge on Prospect street in the city of Somerville, identified in the master bridge index of the department of public works by bridge key number 900 836 020100 and also identified by plan number S17-20 shall be designated and known as the Vietnam Veterans Memorial bridge. Suitable markers bearing said designation shall be attached thereto by the department of public works in compliance with standards of said department and authorized by the Federal Highway Administration.

Approved May 8, 1984.

Chap. 31. AN ACT DESIGNATING THE OVERPASS AT THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY STATION IN THE TOWN OF BRAINTREE AS THE ABIGAIL ADAMS OVERPASS.

Be it enacted, etc., as follows:

The overpass at the Massachusetts Bay Transportation Authority station, designated as B-21-63, in the town of Braintree shall be designated and known as the Abigail Adams Overpass, in memory of Abigail Adams, noted letter writer and diarist, wife of the second President of the United States and mother of the sixth President of the United States. Suitable markers bearing

said designation shall be attached thereto by the department of public works, in compliance with the standards of said department and as authorized by the Federal Highway Administration.

Approved May 8, 1984.

Chap. 32. AN ACT AUTHORIZING THE CITY OF FITCHBURG TO SELL CERTAIN WATER TO THE WACHUSETT MOUNTAIN ASSOCIATES.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law or regulation to the contrary, the city of Fitchburg is hereby authorized to sell raw water from Wachusett Lake reservoir to the Wachusett Mountain Associates for snowmaking purposes.

Approved May 8, 1984.

Chap. 33. AN ACT RELATIVE TO THE MOTOR VEHICLE EXCISE TAX.

Be it enacted, etc., as follows:

SECTION 1. The sixth paragraph of section 1 of chapter 60A of the General Laws, as amended by section 1 of chapter 587 of the acts of 1955, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:- The excise imposed by this section shall in no event be less than five dollars; and no abatement under this section shall reduce any such excise to less than five dollars; and no amount so abated shall be refunded if less than five dollars.

SECTION 2. Section 2 of said chapter 60A is hereby amended by striking out the seventh sentence, as appearing in section 4 of chapter 415 of the acts of 1976, and inserting in place thereof the following sentence:- The excise hereunder shall be due and payable at the expiration of thirty days from the date upon which the notice was issued by the collector or the commissioner pursuant to this section.

SECTION 3. The provisions of this act shall apply to all motor vehicle excises which are assessed and levied for calendar years beginning on and after January first, nineteen hundred and eighty-five.

Approved May 8, 1984.

Chap. 34. 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 section thirty-nine, the solemnization of a marriage by Edward M. Lacy, Jr., as he is a judge of the superior court, state of California in and for the county of Stanislaus, in the town of Ipswich on June tenth, nineteen hundred and eighty-four between Zanya Walako of the town of Topsfield and Glenn Gissler of Providence, Rhode Island, and the state secretary shall issue to said Edward M. Lacy, Jr. in his capacity as aforesaid a certificate of such authorization.

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

Approved May 15, 1984.

Chap. 35. AN ACT AUTHORIZING THE CITY OF WESTFIELD TO GRANT EASEMENTS TO CONSTRUCT AND MAINTAIN SEWER LINES IN CERTAIN PARK LAND.

Be it enacted, etc., as follows:

SECTION 1. The city of Westfield, by its city council, for the purposes of the construction, laying, maintenance and operation of sewer lines in connection with the Westfield River interceptor, 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 Westfield, known as Women's Temperance Park, being more particularly bounded and described as follows:-

EASEMENT #1

A description of the center line of the proposed location of a portion of the Westfield River Interceptor.

Beginning at a point in the westerly line of North Elm Street, said point being 28.8' south of the intersection of the westerly line of North Elm Street with the southerly boundary line of land of Conrail, thence, running across land of the city of Westfield, N72-41-53W for a distance of 228.72' to the easterly boundary line of land of the Pioneer Valley R. R. Co., Inc. The above described course is along the center line of a proposed con-

struction easement which is forty feet in width, where such forty feet width is contained within the limits of the land of the city of Westfield.

The above described course runs through parcel two of land deeded to the city of Westfield by an instrument recorded in the registry of deeds in the county of Hampden in Book 1677 Page 61.

EASEMENT #2

A description of the center line of the proposed location of a portion of the Westfield River Interceptor.

Beginning at a point on the westerly boundary line of land of the Pioneer Valley R. R. Co., Inc., said point being N72-41-53W 87.10' from the point of intersection of the easterly boundary of land of the Pioneer Valley R. R. Co., Inc., and the proposed center line of the herein described interceptor, thence running N72-41-53W for a distance of 19.35' to a point thence running N60-15-42W for a distance of 258.28' to a point thence running S34-29-01W for a distance of 25'± to the northerly edge of the Westfield River.

The above described courses are along the center line of a proposed construction easement. The easement is 40' in width, where such width is contained within the limits of land of the city of Westfield. The described interceptor runs through parcel one of land deeded to the city of Westfield in an instrument recorded in the registry of deeds in the county of Hampden in Book 1677 Page 61.

SECTION 2. The city of Westfield, by its city council, for the purposes of the construction, laying, maintenance and operation of sewer lines in connection with the Westfield River interceptor, 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 lands, used for recreational purposes, in the city of Westfield, known as Whitney Field Recreational area, being more particularly bounded and described as follows:-

A description of the center line of the proposed location of a portion of the Westfield River Interceptor.

Beginning at a point on the boundary line between land of the Westfield Gas and Electric Department and land of the City of Westfield, said land deeded to the City by Milton B. Whitney in an instrument recorded in H.C.R.D. Book 774 Page 126 said point of beginning being 75'± northerly of the intersection of the above described boundary line with the northerly sideline of the Westfield Dike, thence running N61-13W± for a distance of 196'± to a point at interceptor center line station 44+11± thence running N74-34W± for a distance of 335'± to a point at center line station 47+46±, thence running N81-14W± for a distance of

280'± to a point at center line station 50+26±, thence running N81-23W± for a distance of 277'± to a point at center line station 53+03±, thence running S85-37W± for a distance of 356'± to a point at center line station 56+59± thence running N75-20W± for a distance of 310'± to a point at center line station 59+69±, thence running N75-20W± for a distance of 310'± to a point at center line station 62+79±, thence running N75-20W± for a distance of 310'± to a point at center line station 65+89±, thence running N75-20W± for a distance 317'± to a point at center line station 69+06±, thence running N75-33W± for a distance of 194'± to a point at center line station 71+00±, which point is at the intersection of the proposed center line with the easterly boundary line of land of Leon W. Toporowski, as described in an instrument recorded in H.C.R.D. Book 1684 Page 175.

The above description is along the center line of a proposed construction easement, which easement is forty feet in width. All of the described courses run across land of the city of Westfield.

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

Approved May 15, 1984.

Chap. 36. 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 section thirty-nine, the solemnization of a marriage by Harry B. Carney, Jr., as he is a justice of the peace of the state of Maine, in the city of Boston on May twentieth, nineteen hundred and eighty-four between Susan Percival of the city of Somerville and Robert Speers of said city, and the state secretary shall issue to said Harry B. Carney, Jr. in his capacity as aforesaid, a certificate of such authorization.

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

Approved May 17, 1984.

Chap. 37. AN ACT AUTHORIZING THE CITY OF WALTHAM TO APPOINT A SPECIAL COMMITTEE TO AR-

RANGE FOR A CELEBRATION COMMEMORATING THE ONE HUNDREDTH ANNIVERSARY OF THE INCORPORATION OF WALTHAM AS A CITY.

Be it enacted, etc., as follows:

SECTION 1. The mayor of the city of Waltham is hereby authorized to appoint a committee, consisting of not less than five members, who shall be residents of said city, to devise ways and means of celebrating the one hundredth anniversary of the incorporation of said city of Waltham, and to handle all arrangements in connection with the celebration thereof. The mayor shall designate one of said members as treasurer of said committee, who shall deposit all receipts of the committee in the special revolving fund established under the provisions of section three. Said treasurer shall give bond for the faithful performance of his duties in such form and in such amount as the mayor may determine. The committee shall elect from its membership a chairman and a secretary. Said committee may expend for the aforesaid purposes such sums as it deems necessary, including the expenses for stationery, advertising and stenographic services. The members of said committee shall receive no compensation for their services. Said committee is hereby authorized to receive donating grants, contributions and other monies in carrying out the purposes of this act.

SECTION 2. The city of Waltham is hereby authorized to appropriate such sums as it may determine to be necessary to carry out the purposes of this act.

SECTION 3. Pursuant to the provisions of clause (27) of section five of chapter forty of the General Laws, and notwithstanding the provisions of section fifty-three of chapter forty-four of the General Laws, the city of Waltham is hereby authorized to establish in its treasury a special revolving fund in which shall be deposited any and all appropriations, receipts, contributions, grants and other monies of the committee established to celebrate the one hundredth anniversary of the incorporation of the city of Waltham. Said funds shall be kept separate by the city treasurer from any other money, funds or property of the city of Waltham, and the principal and interest thereof shall, from time to time by authorization of the majority of the committee established by this act, be expended without further appropriation for the purposes of said celebration in the year of such celebration and in the year preceding or succeeding such celebration. All such funds shall be fully accounted for by said committee to the city council of the said city of Waltham at the end of each fiscal year while such fund is in existence and after such celebration is concluded. Any surplus remaining in

said special revolving fund after such celebration is concluded, shall be transferred into the treasury of the city of Waltham.

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

Approved May 24, 1984.

Chap. 38. AN ACT RELATIVE TO THE LICENSING AND KEEPING OF DOGS IN THE TOWN OF MEDFIELD.

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 registering, numbering, describing and licensing of dogs if kept in the town of Medfield, 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 provision of 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 of 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 Norfolk county.

Approved May 24, 1984.

Chap. 39. AN ACT FURTHER DEFINING FEDERAL SERVICE PERSONNEL FOR VOTING PURPOSES TO INCLUDE CERTAIN PERSONS CONFINED.

Be it enacted, etc., as follows:

Section 103B of chapter 54 of the General Laws is hereby amended by striking out the definition of "Federal service personnel", as most recently amended by section 2 of chapter 239 of the acts of 1981, and inserting in place thereof the following definition:-

"Federal service personnel", those persons in the active service of the armed forces of the United States, and their spouses and dependents; persons in the merchant marine of the United States, and their spouses and dependents; and citizens of the United States who are absent from the commonwealth; and persons confined in a correctional facility or jail; whose last domicile

immediately prior to departure from the United States was, or whose present domicile is, Massachusetts, and who are otherwise eligible to register as voters.

Approved May 24, 1984.

Chap. 40. AN ACT RELATIVE TO THE LICENSING AND KEEPING OF DOGS IN THE TOWN OF HOLDEN.

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 Holden for the issuance of licenses for dogs shall be established by the board of selectmen.

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 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 shall not thereafter be paid over by the town treasurer to Worcester county.

Approved May 24, 1984.

Chap. 41. 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 MERRIMAC.

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 Merrimac, 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 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 Merrimac.

SECTION 2. The town of Merrimac 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 the use or occupancy of mobile home park accommodations and evictions 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 home park accommodations, sue and be sued, compel the attendance of persons and the production of papers and information, and issue appropriate orders which shall be binding on both the owner and tenants of such mobile home park accommodations. Violations of any by-laws adopted pursuant to this act or 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 said mobile home park accommodations in said town are established at levels which yield to owners a fair net operating income for such units.

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 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 shall have jurisdiction to enforce the pro-

visions of this act and any by-laws adopted thereunder and may restrain violations thereof.

SECTION 6. The town of Merrimac 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 four and five.

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 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 May 29, 1984.

Chap. 42. 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 and the Norfolk County Advisory Board, is hereby authorized to pay from any available funds, such of the unpaid bills incurred by said county and totalling ten thousand seven hundred and seventy-two dollars and fifty-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-four through nineteen hundred and eighty-two, which bills are legally unenforceable against said county by reason of their being incurred in excess of available appropriations.

SECTION 2. No bill shall be approved by the county commissioners of said county 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 or that such services were actually rendered to said county or both.

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

Approved May 29, 1984.

Chap. 43. AN ACT ALLOWING A CITY OR TOWN TO APPROPRIATE MONEY ANNUALLY FOR COMMEMORATION OF THE ONE HUNDREDTH AND ONE HUNDRED AND FIFTIETH ANNIVERSARY OF ITS SETTLEMENT OR ITS INCORPORATION.

Be it enacted, etc., as follows:

Clause (27B) of section 5 chapter 40 of the General Laws is hereby amended by striking out the first sentence, as amended by chapter 20 of the acts of 1980, and inserting in place thereof the following sentence:- For the celebration of the one hundredth, one hundred and fiftieth, two hundredth, two hundred and fiftieth, three hundredth and three hundred and fiftieth anniversary of its settlement or of its incorporation, any city or town may appropriate money annually during the five years preceding such anniversary.

Approved May 29, 1984.

EMERGENCY LETTER - June 12, 1984 @ 4:45 P.M.

Chap. 44. AN ACT RELATIVE TO THE PRESENTATION OF CERTAIN PETITIONS TO THE GENERAL COURT.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 3 of the General Laws, as most recently amended by chapter 31 of the acts of 1956, is hereby further amended by striking out the first paragraph and inserting in place thereof the following two paragraphs:-

Any petition to the general court for the incorporation of a city or town, for the annexation of one municipality to another, for the consolidation of two or more municipalities or for the division of an existing municipality, or for the incorporation or revival of a railroad, street railway, elevated railroad, canal, telephone, telegraph, water, gas, electric light, power or other public service corporation, for the amendment, alteration or

extension of the charter or corporate powers or privileges, or for the change of name of any such company, whether specially incorporated or organized under the General Laws, or for authority to take water for a water supply, or relative to building structures in or over navigable or tidewaters, which is seasonably filed in the office of the clerk of either branch and is accompanied by a bill embodying the legislation petitioned for, shall, be transmitted by such clerk to the office of the state secretary.

Said secretary shall within ten days notify the petitioner by registered mail that such petition shall be published at the petitioner's expense, within thirty days, in such newspaper as the secretary shall prescribe and a copy thereof shall be transmitted to the mayor, board of selectmen and town council, as the case may be, in all cities and towns affected by said petition.

Upon receipt of proof of notice, or upon the failure after sixty days to produce such notice, the secretary shall return said petition and bill forthwith to the clerk of the branch in which they were filed accompanied by a statement that such advertisement or notice was or was not made.

SECTION 2. Said chapter 3 is hereby further amended by striking out section 7, as most recently amended by section 1 of chapter 750 of the acts of 1962, and inserting in place thereof the following section:-

Section 7. Any petition to the general court, except a petition subject to the provisions of section five for the establishment or revival, or for the amendment, alteration or extension of the charter or corporate powers or privileges, or for the change of name of any corporation, except for a body politic and corporate, which is seasonably filed in the office of the clerk of either branch and is accompanied by a bill embodying in substance the legislation petitioned for, shall, with said accompanying bill, be transmitted as soon as may be by the clerk of the branch in which they were filed to the office of the state secretary.

The petition shall contain the business or mailing address of the petitioner and, if such petition relates to a corporation organized or to be organized for purposes of business or profit, shall be accompanied by a fee of twenty-five dollars, which shall be paid to the commonwealth.

Said secretary shall, not later than the thirtieth day following the date of receipt thereof, return the same with the accompanying bill to the clerk of the branch in which they were originally filed, together with a memorandum stating whether or not, in his opinion, the object sought may be accomplished under the General Laws or whether the same requires legislation. He may also insert in said memorandum any other relevant statement

which, in his opinion, might be of assistance to the general court in passing on the petition.

Approved May 29, 1984.

Chap. 45. AN ACT EXEMPTING CERTAIN POSITIONS IN THE CONVALESCENT HOME AND INFIRMARY OF THE CITY OF LYNN FROM THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The positions of senior institution cook food service manager, watchman, relief watchman, institution cook, institution kitchen worker, institution house worker, laundry worker, seamstress, institution maintenance man, in the convalescent home and infirmary of the city of Lynn shall be exempt from the provisions of chapter thirty-one of the General Laws.

SECTION 2. The provisions of section one shall not impair the civil service status of any person employed in the position of senior institution cook food service manager, watchman, relief watchman, institution cook, institution kitchen worker, institution house worker, laundry worker, seamstress, institution maintenance man, in the convalescent home and infirmary of the city of Lynn on the effective date of this act.

Approved May 29, 1984.

Chap. 46. AN ACT AUTHORIZING THE TOWN OF WEYMOUTH TO PAY A CERTAIN SUM OF MONEY TO NILMA BRISSENDEN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the town of Weymouth is hereby authorized to appropriate money for the payment of, and after such appropriation, the treasurer of said town is hereby authorized to pay to Nilma Brissenden the sum of six hundred seventy-eight dollars and fifty cents for services performed by her in prior fiscal years as executive secretary to the board of assessors in said town.

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

Approved June 7, 1984.

Chap. 47. AN ACT CHANGING THE DATE FOR THE MASSACHUSETTS TURNPIKE AUTHORITY TO MAKE ITS ANNUAL REPORT.

Be it enacted, etc., as follows:

SECTION 1. The sixth paragraph of section 15 of chapter 354 of the acts of 1952 is hereby amended by striking out the first sentence, as most recently amended by chapter 280 of the acts of 1968, and inserting in place thereof the following sentence:- On or before the first day of April in each year, the Authority shall make an annual report of its activities for the preceding calendar year to the governor and to the general court.

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

Approved June 7, 1984.

Chap. 48. AN ACT EXEMPTING ALL POSITIONS IN THE POLICE DEPARTMENT OF THE TOWN OF WEST BOYLSTON FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. All positions in the full-time police department and the so-called part-time police department in the town of West Boylston shall be exempt from the provisions of chapter thirty-one of the General Laws.

SECTION 2. The provisions of section one shall not impair the civil service status of any person who presently holds a position in the police department in said town.

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

Approved June 7, 1984.

Chap. 49. AN ACT FURTHER REGULATING THE INVESTMENTS OF CREDIT UNIONS.

Be it enacted, etc., as follows:

The second paragraph of section 21 of chapter 171 of the General Laws is hereby amended by striking out paragraph (r), as appearing in chapter 313 of the acts of 1977, and inserting in place thereof the following paragraph:-

(r) Subject to the approval of the commissioner, a credit union may invest a sum in excess of fifty thousand dollars for the purchase of electronic data processing equipment.

Approved June 7, 1984.

Chap. 50. AN ACT RELATIVE TO THE CARE AND PROTECTION OF ANIMALS.

Be it enacted, etc., as follows:

Section 77 of chapter 272 of the General Laws, as most recently amended by section 2 of chapter 921 of the acts of 1977, is hereby further amended by inserting after the word "shelter", in line 12, the words:- , sanitary environment.

Approved June 7, 1984.

Chap. 51. AN ACT REQUIRING MUNICIPALITIES TO NOTIFY REGIONAL SCHOOLS OF A VOTE CONCERNING THEIR BUDGETS.

Be it enacted, etc., as follows:

Section 16B of chapter 71 of the General Laws, as most recently amended by chapter 148 of the acts of 1982, is hereby further amended by inserting after the third paragraph the following paragraph:-

The clerk of the municipality shall within thirty days following a vote concerning a regional school budget or appropriation certify in writing to the treasurer of the regional school district the results of said vote by the municipality.

Approved June 7, 1984.

Chap. 52. AN ACT RELATIVE TO CONTRACTS FOR THE PURCHASE OF CERTAIN ENERGY MANAGEMENT SERVICES.

Be it enacted, etc., as follows:

Section 4 of chapter 40 of the General Laws is hereby amended by striking out the paragraph inserted by section 5 of chapter 796 of the acts of 1979 and inserting in place thereof the following paragraph:-

For the leasing, leasing with the option to purchase or install-

ment purchase of energy conservation equipment, including but not limited to boilers, furnaces, hot water and space heating equipment, for a period up to ten years, by a majority vote as defined in section one of chapter forty-four, and such leasing, leasing with the option to purchase or installment purchase, shall not be subject to debt limits, or for the purchase of energy management services for a period up to ten years. For the purpose of this clause 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, as well as building maintenance and financing services designed to decrease the cost of energy in operating said building or buildings.

Approved June 7, 1984.

Chap. 53. AN ACT FURTHER REGULATING THE ASSESSMENT OF CERTAIN REAL OR PERSONAL PROPERTY.

Be it enacted, etc., as follows:

SECTION 1. Section 75 of chapter 59 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 166 of the acts of 1977, and inserting in place thereof the following sentence:- 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, the assessors shall at such time as the commissioner may in writing approve, assess such person for such estate; provided, however, that in no event may such assessment be made later than June twentieth of the taxable year or ninety days after the date on which the tax bills are mailed, whichever is later.

SECTION 2. The provisions of this act shall apply to taxes levied for the fiscal year ending June thirtieth, nineteen hundred and eighty-four and subseqent fiscal years.

Approved June 7, 1984.

EMERGENCY LETTER - July 3, 1984 @ 4:25 P.M.

Chap. 54. AN ACT FURTHER REGULATING THE EFFECT OF COMMONWEALTH TAX LIENS ON REGISTERED LAND.

Be it enacted, etc., as follows:

SECTION 1. Section 46 of chapter 185 of the General Laws, as most recently amended by section 26 of chapter 658 of the acts of 1981, is hereby further amended by adding the following clause:-

Seventh, Liens in favor of the commonwealth for unpaid taxes arising or existing under the laws of the commonwealth.

SECTION 2. The provisions of this act shall apply to liens recorded on or after January first, nineteen hundred and eighty-five.

Approved June 7, 1984.

Chap. 55. AN ACT RELATIVE TO THE PAYMENT OF CERTAIN TAXES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 60 of the General Laws is hereby amended by adding the following section:-

Section 106. Any property tax due a city or town in an amount not in excess of twenty-five dollars shall be due and payable in a single payment when so determined by the appropriating body of such city or town.

SECTION 2. This act shall be applicable with respect to the tax assessment for the year commencing January first, nineteen hundred and eighty-four and for subsequent years.

Approved June 8, 1984.

EMERGENCY LETTER - July 3, 1984 @ 4:25 P.M.

Chap. 56. AN ACT RELATIVE TO THE RENT BOARD OF THE TOWN OF BROOKLINE.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 843 of the acts of 1970 is hereby amended by inserting after the word "functions", in line 12, the words:- , including the power to establish, amend and charge filing fees and annual unit registration fees subject to the approval of the board of selectmen.

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

Approved June 12, 1984.

Chap. 57. AN ACT RELATIVE TO THE UNEXPIRED TERMS OF CERTAIN ELECTED MUNICIPAL PLANNING BOARD MEMBERS.

Be it enacted, etc., as follows:

Section 81A of chapter 41 of the General Laws is hereby amended by striking out the seventh sentence, as most recently amended by section 3 of chapter 386 of the acts of 1981, and inserting in place thereof the following three sentences:- A vacancy occurring otherwise than by expiration of term shall be filled for the unexpired term, in a city, in the same manner as an original appointment, and, in a town, if the members of the board are appointed, in the same manner as the original appointment. If the members of a planning board are elected, any unexpired term shall be filled by appointment by the board of selectmen and the remainder of the members of the planning board until the next annual election, at which time, such office shall be filled, by election, for the remainder of the unexpired term. All appointments pursuant to this section shall be in the manner provided in section eleven.

Approved June 12, 1984.

Chap. 58. AN ACT ESTABLISHING THE OFFICE OF TREASURER-TOWN COLLECTOR IN THE TOWN OF RUTLAND.

Be it enacted, etc., as follows:

The office of treasurer-town collector of the town of Rutland is hereby established. Said treasurer-town collector shall be elected for a term of three years and shall perform all the duties hereinbefore performed by the treasurer and town collector. The provisions of law relative to treasurers and town collectors shall, except insofar as the same may be inconsistent with the provisions of this act, apply to said treasurer-town collector. In the event of a vacancy in said office, the same shall be filled for the unexpired term by vote of the board of selectmen. Upon the election and qualification of said treasurer-town collector, the terms of office of the persons holding the offices of treasurer and town collector shall cease and terminate.

Approved June 12, 1984.

Chap. 59. AN ACT PROVIDING FOR ETHNIC OR RACIAL MINORITY REPRESENTATION ON THE MERRIMACK VALLEY PLANNING COMMISSION.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section four of chapter forty B of the General Laws, the membership of the Merrimack Valley planning commission shall elect annually for a term of one year, one member to be representative of an ethnic or racial minority residing in the district.

Approved June 12, 1984.

Chap. 60. AN ACT RELATIVE TO THE SCHEDULING OF RECALL ELECTIONS IN THE TOWN OF BLACKSTONE.

Be it enacted, etc., as follows:

Article 8 of the charter of the town of Blackstone, 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 striking out section 8-3 and inserting in place thereof the following section:-

Section 8-3. Resignation of officer, election as to recall.

If the petition shall be found and certified by the town clerk and the registrars of voters to be sufficient, the town clerk shall submit it with his certificate to the selectmen without delay. The selectmen shall forthwith give written notice to said officer of the receipt of said certificate and, if the officer sought to be removed does not resign within five days, shall order an election to be held on a day 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. However, if any other town election is to occur within sixty days after the date of said certificate the selectmen may, at 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 so ordered, the election shall nevertheless proceed as in this section provided.

Approved June 12, 1984.

Chap. 61. AN ACT RELATIVE TO CERTAIN FINANCIAL BURDENS ON THE TOWN OF METHUEN CAUSED BY THE FLOOD OF NINETEEN HUNDRED AND EIGHTY-THREE.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 528 of the acts of 1983 is hereby amended by adding the following paragraph:-

The commissioner of revenue is hereby authorized to reimburse said town of Methuen for any abatements granted pursuant to the provisions of this section from funds appropriated therefor.

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

Approved June 12, 1984.

Chap. 62. AN ACT RELATIVE TO THE LICENSING AND KEEPING OF DOGS IN THE TOWN OF ROWLEY.

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 Rowley 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 Rowley, 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 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 June 12, 1984.

Chap. 63. AN ACT ESTABLISHING A STATUE OF LIBERTY AWARENESS DAY.

Be it enacted, etc., as follows:

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

Section 12HH. The governor shall annually issue a proclamation setting apart October twenty-sixth as statue of Liberty Awareness Day and recommending that such day be observed by all public elementary school students in an appropriate manner.

Approved June 14, 1984.

Chap. 64. AN ACT AUTHORIZING THE TOWN OF DALTON TO SELL AND CONVEY CERTAIN PARK LAND IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of Dalton is hereby authorized to sell and convey all right, title and interest in certain park or common land bounded and described as follows:

Parcel A. Beginning at an iron pipe set in the easterly sideline of North Street at the northwesterly corner of land of the Dalton Methodist Church and the southwesterly corner of the parcel herein described: thence N 39-27-35 E along said sideline, 161.85 feet to an iron pipe; thence S 50-32-25 E, 156.00 feet to an iron pipe; thence N 39-27-35 E 165.00 feet to an iron pipe; thence S 50-32-25 E, 47.61 feet to an iron pipe; thence S 36-47-40 W, 204.00 feet to an iron pipe; thence N 53-12-20 W, 65.00 feet to an iron pipe; thence S 36-47-40 W, 78.90 feet to an iron pipe; thence N 65-44-05 W, 157.34 feet to the point of beginning. Containing 0.740 acres more or less.

Parcel B. Beginning at an iron pipe set in the easterly sideline of North Street at the southwesterly corner of the parcel herein described; thence S 50-32-25 E, 9.00 feet to an iron pipe marking the northwesterly corner of parcel A; thence continuing S 50-32-25 E, 156.00 feet to an iron pipe; thence N 39-27-35 E, 165.00 feet to an iron pipe; thence N 50-32-25 W, 165.00 feet to an iron pipe set in the easterly sideline of North Street; thence S 39-27-35 W, along said sideline 165.00 feet to the point of beginning. Containing 0.625 acres more or less.

Containing a total of 1.365 acres of land, more or less, and being Parcels A and B as shown on a plan entitled, "Plan showing Land of the Inhabitants of the Town of Dalton on North Street (Route 9) Dalton, R.D. Jordan, October, 1983."

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

Approved June 15, 1984.

Chap. 65. AN ACT 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 purposes.

SECTION 2.

JUDICARY.

Item Trial Court.

0330-3100 For the payments of indigent court costs $200,000

Administration of District Courts
For Salaries and Expenses.

0332-3800 District court of Eastern Hampshire (Ware), including not more than seven permanent positions $20,760

DEPARTMENT OF THE ATTORNEY GENERAL

0840-0100 For the administration and expenses of the victim and witness assistance board; including not more than three temporary positions $25,000
Victim and Witness Assistance Fund 100.0%

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

1140-0200 For the purposes of workmen's compensation paid to public employees, includ-

ing previous fiscal years	$2,100,000
Highway Fund	35.0%
General Fund	65.0%

Executive Office of Administration and Finance.
Department of Revenue.
Miscellaneous.

1599-3318 For equalizing distributions to cities and towns which are not a part of both the Metropolitan Parks District and the Metropolitan Sewer District, to be distributed under the provisions of section ten of this act $17,811,433

DEPARTMENT OF ENVIRONMENTAL QUALITY ENGINEERING.

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, further that a sum not exceeding fifteen thousand dollars shall be used for weed control and cleanup at Ell pond in the city of Melrose; 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 $20,000

Metropolitan District Commission.

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

EXECUTIVE OFFICE OF HUMAN SERVICES.
DEPARTMENT OF PUBLIC WELFARE.

4400-1009 Item 4400-1009 of section 2 of chapter 289 of the acts of 1983 is hereby amended by striking out the entire wording and inserting in place thereof the following wording:-

For a voucher day care program, so-called, for applicants or recipients of aid to families with dependent children who are participating in a training activity or program, or for certain other cur-

rent or former recipients; 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.

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, 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; 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 $50,000,000

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; 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 the fiscal year; provided further that said expenditures will not exceed appropriation; 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; and 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, 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 further, that sufficient donations are received in the Public Private Partnership Program; 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; provided, further, that the department establish a revolving fund for the receipt and expenditure of SSI and SSA cash benefits received by the department on behalf of children in its care; provided further, that said receipts shall be exclusive of the personal allowance for a child as mandated by any applicable law; and provided, further, that in fiscal year nineteen hundred and eighty-four not more than one million two hundred and seventy-nine thousand seven hundred and sixty-four dollars received in SSI and SSA cash benefits shall be deposited in said revolving fund; provided further, that expenditures shall not be made from said revolving fund until fiscal year nineteen hundred and eighty-five; provided further, that said deposits shall not revert to the General Fund, but shall be available to said department for use during fiscal year nineteen

hundred and eighty-five; and, provided further, that said deposits shall not be expended in fiscal year nineteen hundred and eighty-five except pursuant to schedules approved by the house and senate committees on ways and means, including not more than forty permanent positions and one hundred and forty-seven temporary positions.

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 $529,118

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 further, that no services shall be authorized which will cause expenditures to exceed the appropriation by the end of the fiscal year; 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 further, 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; provided further, that the department shall report monthly, beginning September nineteeen hundred and eighty-three, 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 $1,359,057

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; 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 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 pro-

vided further that said expenditures will not exceed appropriation, including not more than two hundred and ten temporary positions $836,499

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; provided further, that purchased social services shall not be authorized at a level that will cause expenditures to exceed appropriation; 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 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 $921,588

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 $113,801

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; provided further, that purchased social services shall not be authorized at a level that will cause

expenditures to exceed appropriation; 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 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 $1,928,324

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 $147,108

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; 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 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 hun-

dred and fifty-four temporary positions $2,452,901

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; 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; 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 $2,870,119

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 $52,106

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; provided further, that purchased social services shall not be authorized at a level that will cause expenditures to exceed appropriation; 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 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 $325,618

EXECUTIVE OFFICE OF TRANSPORTATION AND CONSTRUCTION.
Massachusetts Bay Transportation Authority.

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 twentyfive B of chapter fifty-eight of the General Laws $95,000
General Fund 80.0%
Highway Fund 20.0%

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 $10,500,000
Highway Fund 100.0%

EDUCATION.
Division of Occupational Education.

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 $94,774

Division of School Facilities and Related Services.

7052-0004 Item 7052-0004 of section two of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three is hereby amended by striking out the wording and inserting in place thereof the following wording:-

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 thirteen million one hundred thousand dollars of which amount not more than eight million one 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.

Board of Regents.

7070-0006 For scholarship programs as provided in section seven of chapter fifteen A 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 applicants 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; and provided further that this appropriation shall expire on June thirtieth, nineteen hundred and eighty-five $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; provided further, that each participating institution shall agree to expend the grant awarded hereunder in direct financial assistance to needy Massachusetts students; provided further, that students receiving such aid shall be ineligible for additional scholarship assistance provided by the commonwealth; and provided further, that this appro-

priation shall expire on June thirtieth, nineteen hundred and eighty-five $4,000,000

7070-0065 For a reserve for the administration of scholarship programs; provided, that not less than twenty million seven hundred thousand dollars shall be expended for the state scholarship program as defined by section seven of chapter fifteen A of the General Laws; provided, further, that not less than three million five hundred thousand dollars shall be expended for the program of matching scholarship grants as defined by section seven of chapter fifteen A of the General Laws; provided, further, that not less than one million five hundred thousand dollars shall be expended for the purpose of the Massachusetts graduate scholarship grant program, so called; provided, further, that not less than one million five hundred thousand dollars shall be expended for the purpose of the Massachusetts educational employment program, so called; provided, further, that not less than five hundred thousand dollars shall be expended for the purpose of the Massachusetts adult learners program, so called; provided, further, that not less than one million dollars shall be expended for the purpose of the Massachusetts low interest student educational loan program, so called; provided, further, that not less than one million dollars shall be allocated to the state colleges and universities participation fund of the Massachusetts College Student Loan Authority established by section three of this act; provided, further, that not less than one million dollars shall be expended for the purpose of the commonwealth scholars program established by section seven of this act; provided, further, that not less than three hundred thousand dollars shall be expended for the Massachusetts teacher incentive program established by section seven A of this

act; 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 schools awarded hereunder; and provided, further, that this appropriation shall expire on June thirtieth, nineteen hundred and eighty-five $31,000,000

EXECUTIVE OFFICE OF PUBLIC SAFETY.
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; and 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 $9,000

8200-0250 For the administration of a crime prevention program encompassing support and services to assist various neighborhood crime watch programs, so called, through local crime prevention officers $90,000

Registry of Motor Vehicles.

8400-0100 For expenses of the merit rating board authorized by chapter six of the General Laws, including not more than seventy-seven temporary positions $97,105

EXCUTIVE OFFICE OF CONSUMER AFFAIRS.
DEPARTMENT OF BANKING AND INSURANCE.

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; 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 $136,721

General Fund	65.0%
Highway Fund	35.0%

SECTION 3. Chapter 15C of the General Laws is hereby amended by inserting after section 14 the following section:-

Section 14A. Notwithstanding any special or general law to the contrary, the board of trustees of each institution referred to in this section shall have the authority to enter into such contracts, subject to appropriation, as in their respective judgments are desirable in order to participate in the education loan program established pursuant to this chapter. The Authority shall establish a state colleges and universities participation fund to which shall be credited all state appropriations and other monies made available to the fund. Moneys in the fund may be used solely for the purpose of supporting the participation in the education loan program established pursuant to this chapter of state colleges and institutions under the control of the board of trustees of state colleges, the University of Lowell, the Southeastern Massachusetts University, the University of Massachusetts and the other institutions named in section three of chapter fifteen A. Monies therein may be held in custody by one or more banks or trust companies having a principal place of business in the commonwealth or may be invested in the manner set forth in section eighteen, as the Authority shall determine. Income earned on the fund may be used for any lawful purpose of the Authority. The Authority may pledge all or a portion of the monies or investments which are to be deposited in the fund, or any income therefrom, in furtherance of the purpose for which such fund is created. Such pledge shall be valid and binding as against all parties having claims of any kind against such fund from the time such pledge is made, irrespective of whether such parties have notice thereof.

SECTION 4. Section 3 of chapter 613 of the acts of 1982 is hereby amended by striking out, in line 6, the words "eighty-four" and inserting in place thereof the following words:- eighty-five.

SECTION 5. Section 18 of chapter 297 of the acts of 1983 is hereby amended by striking out, in line 7, the word "April" and inserting in place thereof the following word:- June.

SECTION 6. On June sixteenth, nineteen hundred and eighty-four, the comptroller shall transfer any unexpended funds remaining in item number 7061-0008 to item number 0611-5500; provided, that the total amount so transferred shall not exceed ninety-seven thousand and nine hundred and fourteen dollars.

SECTION 7. Notwithstanding any special or general law to the contrary, the board of regents shall establish a commonwealth scholars program for the purpose of providing grants to high school seniors who are planning to attend an institution of

higher education within the commonwealth. The state board of education shall nominate public and private school students from each school district based upon rules and regulations of said program established by the board of regents. Said rules and regulations shall include the levels of achievement, including academic, leadership, extra-curricula and other activities needed in order for a student to qualify for a commonwealth scholars grant. Each student found eligible shall receive a grant of up to one thousand dollars based upon the indexed financial need of that student.

SECTION 7A. Notwithstanding any special or general law to the contrary, the board of regents of higher education is authorized and directed to establish a program, to be entitled the Massachusetts teacher incentive program, for the purpose of providing grants for the cost of education, including tuition and fees, for students in institutions of higher education within the commonwealth who agree to teach on a full-time basis within a public educational system located in the commonwealth, for a period to be determined by said board. Said board shall institute and maintain learning contracts for all students admitted in said program which shall include provisions for "payback" service for a period commencing after said students have fulfilled all graduation requirements or for repayment to the commonwealth of the full amount of such grants on terms established by said board. The board shall promulgate regulations governing the administration of said program, including the establishment of eligibility criteria based upon the indexed financial need of the student, and shall file a report on such regulations with the Joint Committee on Education and the House and Senate Committees on Ways and Means no later than September first, nineteen hundred and eighty-four.

SECTION 8. Notwithstanding the provisions of section fifty-three of chapter forty-four of the General Laws, or any other special or general law to the contrary, a city, town or district may establish in its treasury a revolving fund which shall be kept separate and apart from all other monies by the treasurer and into which shall be deposited the receipts of water conservation grants from the commonwealth administered by the department of environmental quality engineering received in connection with the distribution of water conserving devices under a program of water conservation grants. The receipts shall be expended at the direction of the authority, commission, board or official of such city, town or district with the responsibility for a water conservation program without further appropriation and only for the purpose of continuing a water conservation program.

SECTION 9. 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-four 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, however, 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, further, that sufficient funds for such payments existed within the appropriate line-item accounts as of June thirtieth, nineteen hundred and eighty-four and that such amounts were encumbered for the purpose of making said payments by such agencies; and provided, further, that this section shall not apply to payments authorized pursuant to section two of this act for such purposes.

SECTION 10. Notwithstanding the provisions of any general or special law to the contrary, during the nineteen hundred and eighty-four fiscal year, the amount appropriated in item 1599-3318 of section two shall be distributed to eligible cities and towns as herein defined. "Eligible cities and towns" are defined as those cities and towns which are not a part of both the metropolitan parks district and metropolitan sewerage district. The amount to be distributed hereunder to each eligible city and town shall be the amount of the equalizing municipal grant, as calculated pursuant to section eighteen C of chapter fifty-eight of the General Laws, multiplied by the adjusted population factor for each city and town as calculated hereunder. For those cities and towns which are neither members of the metropolitan parks district nor of the metropolitan sewerage district, the adjusted population factor shall be the "persons who reside in such city or town", as defined in said section eighteen C. For those cities and towns which are members of either the metropolitan parks district or the metropolitan sewerage district, but are not members of both districts, the adjusted population factor shall be the "persons who reside in such city or town," as defined in said section eighteen C, divided by two.

If upon the date of distribution the amount available for distribution under this section is insufficient to make the full distribution required by this section, the distribution hereunder shall be the amount otherwise due each eligible city or town under this section multiplied by a fraction, the numerator of which shall be the amount available for distribution under this section and the denominator of which shall be the total amount otherwise due to all eligible cities and towns under this section.

SECTION 11. This act shall take effect upon its passage.

This Bill was returned June 15, 1984 by the Governor to the House of Representatives, the Branch in which said Bill originated, with his objections in writing to the following:
Item 1599-3318
Section 10

The remainder of the Bill was approved by the Governor June 15, 1984.

The Governor's objections were sustained by the House of Representatives (92 yeas to 53 nays) on June 26, 1984.

Chap. 66. AN ACT RELATIVE TO THE APPOINTMENT OF ASSESSORS IN THE CITY OF NEWTON.

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter two hundred and ninety-nine of the acts of nineteen hundred and eighty-three is hereby repealed.

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

Approved June 15, 1984.

Chap. 67. AN ACT RELATIVE TO FORBES LIBRARY IN THE CITY OF NORTHAMPTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, there shall be five trustees of the Forbes Library in the city of Northampton and the secretary and treasurer of said library shall not be an elective position but shall be a position appointed by the trustees of said library.

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

Approved June 15, 1984.

Chap. 68. AN ACT RELATIVE TO THE QUALIFICATIONS FOR APPOINTMENT AS A VETERANS AGENT.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 115 of the General Laws is hereby amended by striking out the definition of "Veterans' agent" as appearing in section 35 of chapter 627 of the acts of 1954, and inserting in place thereof the following definition: -

"Veterans' agent" or "Part-time veterans' agent", a veteran, as defined in clause Forty-third of section seven of chapter four, appointed under section three to disburse veterans' benefits in any city or town, or, if no such appointment has been made, the mayor of the city or the selectmen of the town disbursing such benefits; in Boston, the veterans' benefits and services commissioner.

SECTION 2. Section 7 of said chapter 115, is hereby amended by striking out the first sentence, as most recently amended by section 13 of chapter 260 of the acts of 1974, and inserting in place thereof the following sentence:- In each city, except Boston, and in each town, the veterans' agent shall be the burial agent; and in Boston, the soldiers' relief commission shall designate a burial agent who shall be a veteran.

SECTION 3. Section 9 of said chapter 115 is hereby amended by striking out the first sentence, as appearing in chapter 143 of the acts of 1957, and inserting in place thereof the following sentence:- Annually in April, the mayor of every city and the selectmen of every town shall appoint a resident of such city or town, who shall be a veteran as defined in clause Forty-third of section seven of chapter four, as a veterans' grave officer.

SECTION 4. The provisions of this act shall not apply to persons serving as veteran's agents and veterans' graves officers on or before the effective date of this act.

Approved June 15, 1984.

Chap. 69. AN ACT RELATIVE TO CONTROLLED SUBSTANCES AND NARCOTIC DRUGS.

Be it enacted, etc., as follows:

Section 47A of chapter 94C of the General Laws, as most recently amended by section 1 of chapter 184 of the acts of 1983, is hereby further amended by inserting after the first paragraph the following paragraph:-

Notwithstanding the provisions of any general or special law or rule or regulation to the contrary, controlled substances or narcotic drugs seized in cases under the provisions of this chapter where the violation is a misdemeanor and requiring chemical analyses which are to be performed at a laboratory

operated by the department of public health or the department of public safety or the University of Massachusetts medical center may be mailed to or from the place of such analyses by using the registered mail service of the United States Postal Service, and testimony from a law enforcement officer that he mailed or received such substances or narcotic drugs by registered mail together with the return receipts accompanying such mailing shall be prima facie evidence that said substances or drugs are the substances or drugs so seized.

Approved June 15, 1984.

Chap. 70. AN ACT DESIGNATING A CERTAIN PORTION OF THE STATE HOUSE AS THE CIVIL WAR NURSES' HALL.

Be it enacted, etc., as follows:

Chapter 8 of the General Laws is hereby amended by striking out section 16A, as amended by section 26 of chapter 579 of the acts of 1980, and inserting in place thereof the following section:-

Section 16A. The hall bounded by the Hall of Flags, the governor's staircase, the Doric Hall and the senate staircase on the second floor of the state house shall be designated as Civil War Nurses' Hall and suitable mementos may be displayed there from time to time. A suitable marker shall be erected at this location.

Room numbered twenty-seven in the state house, formerly used by the Grand Army of the Republic, Department of Massachusetts, shall be preserved and maintained as a museum and shrine to the Grand Army of the Republic, Department of Massachusetts, in further recognition of the services of those men who fought to preserve the Union of the States. Said room shall serve as a repository for such mementos, records, relics and historical data relating to the war of the rebellion as may be deposited with the superintendent for that purpose, and shall be used for arranging and preserving a history of persons who served in the army, navy or marine corps during such war in organizations of the commonwealth, or of citizens of the commonwealth who served in the regular army, navy or marine corps of the United States. Said room may be used as a meeting place for the organizations known as the Daughters of Union Veterans of the Civil War, the Sons of Union Veterans of the Civil War, and any other organizations affiliated with the Grand Army of the Republic, Department of Massachusetts, subject to approval of the deputy commissioner of capital planning and operations.

Approved June 15, 1984.

Chap. 71. AN ACT AUTHORIZING THE CITY OF PITTSFIELD TO GRANT AN ADDITIONAL TWENTY FOOT EASEMENT TO TENNESSEE GAS PIPELINE COMPANY.

Be it enacted, etc., as follows:

The city of Pittsfield is hereby authorized to grant to Tennessee Gas Pipeline Company a permanent easement for an additional twenty foot wide strip adjacent to and in addition to the existing easement of Tennessee Gas Pipeline Company across certain land under the control of the city of Pittsfield. This certain parcel of land is situated in Berkshire county and is described in a Plan of Land entitled "Tennessee Gas Pipeline Company, Proposed Right-of-Way Crossing, the City of Pittsfield Prop. Berkshire County, Massachusetts, TA-L12-E2565C-100-1" on file with the city of Pittsfield.

The easement shall be used for the installation of a gas transmission line together with appliances and appurtenances necessary thereto.

Tennessee Gas Pipeline Company in payment for said additional easement shall transfer to the city of Pittsfield in fee a parcel of land equivalent to or in excess of the areas of the easement granted or it shall pay a fair value as the city shall determine.

Approved June 15, 1984.

Chap. 72. AN ACT PROVIDING PERMANENT CIVIL SERVICE STATUS TO CERTAIN EMPLOYEES OF THE NEW BEDFORD CITY COUNCIL.

Be it enacted, etc., as follows:

SECTION 1. Claire Simmons and Patricia Noblet, incumbents of the position of clerk in the office of clerk of committees in the city council of the city of New Bedford, shall be granted permanent civil service status in their current positions in said office.

SECTION 2. Claire Simmons and Patricia Noblet shall retain any tenure, seniority or other benefits to which they are presently entitled.

Approved June 15, 1984.

Chap. 73. AN ACT FURTHER REGULATING THE REPORTING OF CERTAIN INFORMATION ON TAX ESCROW DEPOSITS BY MORTGAGEES.

Be it enacted, etc., as follows:

The second paragraph of section 61 of chapter 183 of the General Laws, as appearing in section 1 of chapter 299 of the acts of 1973, is hereby amended by striking out the first sentence and inserting in place thereof the following two sentences:- Mortgagees required to pay such interest shall file annually with the commissioner of banks a report showing the rate of interest paid on such amounts and the methods by which such interest was paid. Such report shall include a statement showing the amount of net profit or loss from the investment of such amounts, including calculations of relevant gross income and expense; provided, however, that a bank, national banking association, federal savings bank or a federal credit union which has paid interest on such amounts equal to the rate of interest paid on its regular savings or share accounts shall not be required to include such statement.

Approved June 15, 1984.

Chap. 74. AN ACT PROVIDING FOR PROMPT PAYMENT OF TEACHER SALARIES FOR SERVICES IN FEDERAL PROGRAMS.

Be it enacted, etc., as follows:

Section 53A of Chapter 44 of the General Laws, as most recently amended by section 1 of chapter 331 of the acts of 1983, is hereby further amended by adding the following sentence:- After receipt of a written commitment from the federal government approving a grant for educational purposes and in anticipation of receipt of such funds from the federal government, the treasurer, upon the request of the school committee, shall pay from the General Fund of such municipality to school committee employees compensation for services rendered in such federal grant programs, such compensation to be paid no later than ten days after the rendition of such services; provided, however, that the provisions of such federal grant would allow the treasurer to reimburse the General Fund for the amounts so advanced.

Approved June 15, 1984.

Chap. 75. AN ACT SUBSTITUTING POSTING OF CO-OPERATIVE BANK BALANCE SHEETS IN PLACE OF PRINTING AND DISTRIBUTING SAME TO DEPOSITORS ON REQUEST.

Be it enacted, etc., as follows:

The second paragraph of section 18 of chapter 170 of the General Laws, as appearing in section out 46 of chapter 155 of the acts of 1982, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: Said balance sheet shall be posted not later than thirty days after the end of the corporation's fiscal year and shall remain posted until replaced by the following year's posting.

Approved June 15, 1984.

Chap. 76. AN ACT PROVIDING CERTAIN REPORTS TO THE CO-OPERATIVE CENTRAL BANK.

Be it enacted, etc., as follows:

The seventh paragraph of section 2 of chapter 167 of the General Laws, as appearing in section 5 of chapter 155 of the acts of 1982, is hereby amended by inserting after the word "Corporation", in lines 6 and 7, the words:- , the Co-operative Central Bank.

Approved June 15, 1984.

Chap. 77. AN ACT RELATIVE TO THE OPERATION OF TRACKLESS TROLLEYS.

Be it enacted, etc., as follows:

SECTION 1. Section 9 of chapter 89 of the General Laws, as appearing in chapter 838 of the acts of 1977, is hereby further amended by inserting after the fourth paragraph the following paragraph: -

For the purposes of this section the word, "vehicle", shall include a trackless trolley.

SECTION 2. Section 1 of chapter 90 of the General Laws is hereby amended by striking out the definition of "Motor vehicles", as most recently amended by section 3 of chapter 261 of the acts of 1976, and inserting in place thereof the following definition: -

"Motor vehicles", all vehicles constructed and designed for propulsion by power other than muscular power including such vehicles when pulled or towed by another motor vehicle, except railroad and railway cars, vehicles operated by the system known as trolley motor or trackless trolley under chapter one hundred and sixty-three or section ten of chapter five hundred and forty-four of the acts of nineteen hundred and forty-seven, vehicles running only upon rails or tracks, vehicles used for other purposes than the transportation of property and incapable of being driven at a speed exceeding twelve miles per hour and which are used exclusively for the building, repair and maintenance of highways or designed especially for use elsewhere than on the travelled part of ways, wheelchairs owned and operated by invalids and vehicles which are operated or guided by a person on foot; provided, however, that the exception for trackless trolleys provided herein shall not apply to sections seventeen, twenty-one, twenty-four, twenty-four I, twenty-five and twenty-six. The definition of "Motor vehicles" shall not include motorized bicycles. In doubtful cases, the registrar may determine whether or not any particular vehicle is a motor vehicle as herein defined. If he determines that it should be so classified, he may require that it be registered under this chapter, but such determination shall not be admissible as evidence in any action at law arising out of the use or operation of such vehicle previous to such determination.

SECTION 3. Said section 1 of said chapter 90 is hereby further amended by striking out the definition of "Operator", as appearing in the Tercentenary Edition, and inserting in place thereof the following definition: -

"Operator", any person who operates a motor vehicle or trackless trolley.

SECTION 4. Said section 1 of said chapter 90 is hereby further amended by adding, after the definition of a "thickly settled or business district," the following definition: -

"Trackless trolley", an electrically operated, rubber wheeled vehicle receiving power from a fixed overhead electrical source by way of a trolley mechanism.

SECTION 5. The first paragraph of section 14 of said chapter 90 is hereby amended by striking out the fourth sentence, as most recently amended by chapter 414 of the acts of 1983, and inserting in place thereof the following sentence: - 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 or trackless trolley shall, except when approaching from the opposite direction on a divided highway, bring his vehicle or trackless trolley to a full stop before reaching 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.

SECTION 6. Section thirteen of chapter one hundred sixty-three of the General Laws is hereby repealed.

Approved June 15, 1984.

Chap. 78. AN ACT ALLOWING THE USE OF SCHOOL BUSES FOR CERTAIN PUBLIC EVENTS.

Be it enacted, etc., as follows:

The first paragraph of section 1 of chapter 159A of the General Laws, is hereby amended by inserting after the word "authority", in line 15, as appearing in section 11 of chapter 297 of the acts of 1949, the words:- ; and provided, further, that the city council of a city and the selectmen of a town, with the advice and consent of the school committee, may issue a license for the use within the municipality of school buses for public events promoting the public good for any period not to exceed seventy-two hours.

Approved June 15, 1984.

EMERGENCY LETTER - June 15, 1984 @ 2:46 P.M.

Chap. 79. AN ACT FURTHER EXTENDING THE BOUNDARIES OF THE BELCHERTOWN WATER DISTRICT IN THE TOWN OF BELCHERTOWN.

Be it enacted, etc., as follows:

The boundaries of the Belchertown Water district, established by section one of chapter five hundred and five of the acts of nineteen hundred and twenty-two and extended by chapter four hundred and seventeen of the acts of nineteen hundred and seventy, are hereby extended to also include the territory bounded as follows:-

Beginning on the easterly location line of the Central Vermont Railway, Inc., at a point 200 feet northerly from the intersection of said location line and the northerly location line of Bay Road, said point being the northwest corner of the Belchertown Water District, as established by the Legislative Acts of 1970;

Thence, running southerly along the easterly location line of the said Central Vermont Railway, Inc. to its intersection with the northwesterly location line of Hamilton Street;

Thence, running southwesterly along said northwesterly location of Hamilton Street to the northeast corner of land of Walter J. Tolpa & Julia Tolpa, as described in a deed recorded in the Hampshire County Registry of Deeds in Book 1277, Page 440;

Thence, running westerly along the northerly line of land of said Tolpa to land of Leonard Chartier & Shirley F. Chartier;

Thence, running northerly in part along the easterly line of land of said Chartier, as described in deed recorded in said Registry in Book 1551, Page 263, and in part along the easterly line of land of James J. Gambaro & Marianne Gambaro, as described in a deed in said Registry in Book 2029, Page 238, to a point on the southerly location line of Bay Road;

Thence, running westerly on the southerly location of Bay Road to a point at the southerly extension of the westerly location line of Poole Road;

Thence, running northerly across Bay Road and along the westerly location line of Poole Road to a point at the westerly extension of the northerly line of land of Richard E. Clarity;

Thence, running northeasterly across Poole Road and along the northerly line of lands of Richard E. Clarity, Samuel A. Anderson et ux, Dennis M. Tassone et ux, and Carol A. Baker, as shown on two plans recorded in the aforesaid Registry in Plan Book 49, Page 52, and in Plan Book 80, Page 91, to the northwest corner of land of Raymond Cusson;

Thence, running easterly along the northerly line of land of said Cusson to a corner of land of said Cusson;

Thence, continuing easterly across land of said Cusson and across land of the Central Vermont Railway, Inc. to its easterly location line;

Thence, running southerly along the easterly location line of said Central Vermont Railway, Inc. to the point of beginning.

The inhabitants of the town of Belchertown residing within the above described territory, are hereby made members of said Belchertown Water district.

Approved June 15, 1984.

Chap. 80. AN ACT AUTHORIZING THE TOWN OF ADAMS TO PAY A CERTAIN UNPAID BILL TO DAVID KRUTIAK FOR CERTAIN WORK PERFORMED NOTWITHSTANDING THE FAILURE OF THE TOWN TO COMPLY WITH THE LAW RELATIVE TO COMPETITIVE BIDDING.

Be it enacted, etc., as follows:

The town of Adams is hereby authorized to appropriate money, and, after such appropriation, the treasurer of said town is authorized to pay to David Krutiak, d/b/a D. Krutiak's General Contractors the sum of seven thousand nine hundred and twenty dollars for work performed on the Leonard Street bridge during August of nineteen hundred and eighty-three, notwithstanding the failure of said town to comply with the provisions of section thirty-nine M of chapter thirty of the General Laws.

Approved June 15, 1984.

Chap. 81. AN ACT AUTHORIZING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO SELL AND CONVEY A CERTAIN PARCEL OF LAND IN THE TOWN OF HUBBARDSTON TO SAID TOWN.

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, subject to the provisions of sections forty E to forty J, inclusive, of chapter seven of the General Laws, to sell and convey, by a quitclaim deed approved as to form by the attorney general, a certain parcel of land located in the town of Hubbardston currently under the control of the water division of the metropolitan district commission to said town, subject to the provisions of section two of this act and to such additional terms and conditions as the division may prescribe, in consultation with the commissioner of the metropolitan district commission and said town, said land being bounded and described as follows:

Beginning at a point on the northerly side of Wachusetts Rest Road-Cutoff, so-called, and approximately three hundred and 00/100 (300') feet east of the intersection of Evergreen Road and Wachusetts Rest Road,

Thence northeasterly, by Wachusetts Rest Road-Cutoff three hundred ninety and 00/100 (390') feet, more or less to a stone wall;

Thence N 26°-32' W along a stone wall two hundred ten and 00/100 (210') feet more or less to a stone wall;

Thence N 59°-28' E along a stone wall two hundred fifty-five and 00/100 (255') feet more or less to a point;

Thence N 27°-49' W along a stone wall one hundred fifty-five and 00/100 (155') feet more or less to a point;

Thence S 59°-28' W six hundred thirty and 00/100 (630') feet more or less to a point;

Thence S 26°-32' E three hundred forty and 00/100 (340') feet more or less to Wachusetts Rest Road-Cutoff and the point of beginning.

Said land being further described as a portion of Parcel 7 on the Ware River Land and Topographic Sheet 246 dated November 18, 1931 and on file with the water division of the metropolitan district commission.

SECTION 2. No deed conveying by or on behalf of the commonwealth the property described in section one shall be executed unless such deed provides that said property shall be used only for the purposes of the establishment and operation of housing units for elderly and handicapped persons.

Approved June 15, 1984.

Chap. 82. AN ACT AUTHORIZING THE TOWN OF EASTON TO REIMBURSE LEO J. AND LUCINDA SULLIVAN CERTAIN MONIES PAID AS REAL ESTATE TAXES TO SAID TOWN.

Be it enacted, etc., as follows:

The town of Easton is hereby authorized to reimburse to Leo J. Sullivan and Lucinda Sullivan the sum of one thousand seven hundred and twenty-six dollars and eighty-six cents, paid to said town as real estate taxes in error for fiscal year nineteen hundred and eighty-three.

Approved June 15, 1984.

Chap. 83. AN ACT FURTHER REGULATING THE REPORTING OF CERTAIN CHILD ABUSE CASES.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 51A of chapter 119 of the General Laws, as most recently amended by chapter 102 of the acts of 1982, is hereby further amended by inserting after the first sentence the following two sentences:- Any such hospital personnel preparing such report, may take, or cause to be taken, photographs of the areas of trauma visible on a child who is the subject of such report without the consent of the child's parents or guardians. All such photographs or copies thereof shall be sent to the department together with such report.

SECTION 2. The fourth paragraph of said section 51A of said chapter 119, as appearing in section 5 of chapter 1076 of the acts of 1973, is hereby amended by striking out the last sentence and inserting in place thereof the following two sentences:- No other person making such report shall be liable in any civil or criminal action by reason of such report if it was made in good faith; provided, however, that such person did not perpetrate or inflict said abuse or cause said neglect. Any person making such report who, in the determination of the department or the district attorney may have perpetrated or inflicted said abuse or cause said neglect, may be liable in a civil or criminal action.

Approved June 15, 1984.

Chap. 84. AN ACT RELATIVE TO LOCAL REGULATIONS OF PRIVATE WAYS AND PRIVATE PARKING AREAS.

Be it enacted, etc., as follows:

Section 18 of chapter 90 of the General Laws is hereby amended by striking out the second paragraph, as most recently amended by chapter 222 of the acts of 1968, and inserting in place thereof the following paragraph:-

Any person, corporation, firm or trust owning a private parking area or owning land on or abutting a private way, or any person, corporation, firm or trust controlling such land or parking area, with the written consent of the owner, may apply in writing to the city council, the traffic commission of a city or town having a traffic commission, the traffic and parking commission of the city of Boston or the board of selectmen in any town in which the private way or parking area lies, to make special regulations as to the speed of motor vehicles and as to the use of such vehicles upon the particular private way or parking area, and the city council with the approval of the mayor, the traffic commission of a city or town, the traffic and parking commission of the city of Boston or the board of selectmen, as the case may be, may make such special regulations with respect to said private way or parking area to the same extent and in the same manner as to ways within their control as set forth in the preceding paragraph.

Approved June 15, 1984.

Chap. 85. AN ACT FURTHER REGULATING THE OPERATION OF FARM VEHICLES ON PUBLIC WAYS.

Be it enacted, etc., as follows:

The second sentence of section 5 of chapter 90 of the General Laws is hereby amended by inserting after the word "commonwealth", in line 15, as appearing in section 1 of chapter 572 of the acts of 1979, the words: - or the state of Maine.

Approved June 15, 1984.

Chap. 86. AN ACT PROVIDING FOR THE RELOCATION OF PART OF A RIGHT OF WAY FOR PUBLIC ACCESS TO SOUTH END POND IN THE TOWN OF MILLIS.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Norfolk are hereby authorized and directed to relocate a part of a right of way for public access to South End Pond road in the town of Millis. Said relocated portion of the right of way to be used for public access to South End Pond shall be bounded and described as follows:-

A certain parcel of vacant land situated on the northerly side of the right of way to South End Pond as laid out by the Norfolk County Commissioners by their Return and Order dated September 22, 1953, recorded in the Norfolk Registry of Deeds on October 5, 1953 in Book 3206, Page 501 and plans numbered 1355 to 1357 inclusive of 1953 in Plan Book 181 and adjacent to said pond in Millis, Norfolk County, Massachusetts, bounded and described as follows:-

Beginning at a point in the northerly line of the aforesaid right of way, said point being opposite station 18+48.10; thence S-86°-53'-40"-W a distance of 58.67 feet to a point in said northerly line; thence N-39°-26'-12"-W a distance of 190.87 feet to a drill hole in a concrete bound; thence N-20°-44'-55"-W a distance of 141.14 feet to a drill hole in a stone wall; thence N-75°-00'-24"-W a distance of 45.20 feet along a stone wall to a drill hole at the intersection of two walls, the last three courses are by land of Rosenfeld; thence N-66°-31'-14"-E a distance of 244.02 feet to a steel survey marker; thence continuing along the same course a distance of 80 feet, more or less, to South End Pond, the last two courses are by land of Constable; thence southeasterly a distance of 230 feet, more or less, by South End Pond, to a point; thence S-30°-53'-40"-W a distance of 257 feet, more or less, to the point of beginning. Containing 90,300 S.F., more or less, and being a portion of the 7th and 11th Parcels of the land described in a deed to John D. and Sylvia P. Constable, recorded in registry of deeds in the county of Norfolk, Book 4568, Page 695. A portion of the above parcel

is subject to an easement acquired by the United States of America for flood management purposes. If it is necessary to acquire land for the purpose of laying out such right of way, said county commissioners shall at the time such right of way is laid out take such land by eminent domain under chapter seventy-nine of the General Laws. Any person sustaining damages in his property by the laying out of such right of way, or by specific repairs or improvements thereon, shall be entitled to recover the same from the Commonwealth of Massachusetts under said chapter seventy-nine; provided, that the right to recover damages, if any, by reason of the layout out of such right of way, shall vest upon the recording of the order of taking by said county commissioners and that no entry or possession for the purpose of constructing a public way on land so taken shall be required for the purpose of validating such taking or for the payment of damages by reason thereof.

SECTION 2. Said county commissioners are hereby further authorized and directed to abandon and transfer title to the town of Millis of the discontinued right of way in accordance with the provisions of chapter three hundred and nine of the acts of nineteen hundred and fifty-two.

The portion of the right of way to be discontinued and title transferred in the town of Millis for municipal water supply and other municipal purposes shall be bounded and described as follows:-

Beginning at a point in the northerly line of a right of way to South End Pond in the town of Millis as now laid out by the Norfolk County Commissioners and being opposite station 18+48.10 of said layout; thence N-86°-53'-40"-E a distance of 157.00 feet to a stone bound; thence by a curve to the left with a radius of 120.00 feet a distance of 89.52 feet to a stone bound; thence N-44°-09'-00"-E a distance of 38.00 feet, more or less, to South End Pond, the last three courses being in the northerly line of the aforesaid County Commissioners' layout; thence southeasterly a distance of 184.00 feet, more or less, by South End Pond to a point; thence S-44°-09'-00"-W a distance of 115.00 feet, more or less, to a stone bound; thence by a curve to the right with a radius of 40.00 feet a distance of 62.83 feet to a stone bound; thence N-45°-51'-00"-W a distance of 55.26 feet to a stone bound; thence by a curve to the left with a radius of 120.00 feet a distance of 98.97 feet to a stone bound; thence S-86°-53'-40"-W a distance of 148.32 feet to a point, the last five courses being in the southerly line of the aforesaid County Commissioners' layout; thence N-3°-06'-20"-W a distance of 40.00 feet to the point of beginning. Being the easterly portion of the right of way to the South End Pond as laid out by the county commissioners of the county of Norfolk by their Return and Order dated September 22, 1953, recorded in the

registry of deeds in said county on October 5, 1953 in Book 3206, Page 501 and plans numbered 1355 to 1357 inclusive of 1953 in Plan Book 181 and contains 30,540 S.F., more or less.

SECTION 3. The town of Millis from time to time may make specific repairs on or improve such right of way to such extent as it may deem necessary, but neither the county of Norfolk nor any city or town, including Millis, therein shall be required to keep such right of way in repair, nor shall they be liable for injury sustained by persons traveling thereon; provided, that sufficient notice to warn the public is posted where such way enters upon or unites with an existing public way.

SECTION 4. Said right of way shall not be discontinued or abandoned without authority therefor from the general court.

SECTION 5. Nothing in this act shall be construed to limit the powers of the department of public health, or of any local board of health, under any general or special law.

Approved June 15, 1984.

Chap. 87. AN ACT FURTHER REGULATING THE REPORTING OF CERTAIN CASES OF CHILD ABUSE.

Be it enacted, etc., as follows:

Section 51B of chapter 119 of the General Laws is hereby amended by striking out clause (4), as appearing in section 2 of chapter 288 of the acts of 1983, and inserting in place thereof the following clause:-

(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 and this section 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, 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) or furnished pursuant to this clause. 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.

Approved June 15, 1984.

Chap. 88. AN ACT RELATIVE TO THE ANNUAL OBSERVANCE OF PRACTICAL NURSING EDUCATION WEEK.

Whereas, the deferred operation of this act would tend to defeat its purpose, which is to immediately authorize the annual observance of practical nursing education week, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by inserting after section 15TT, inserted by chapter 263 of the acts of 1983, the following section:-

Section 15UU. The governor shall annually issue a proclamation setting apart the last full week of March as Practical Nursing Education Week and recommending that said week be observed in the appropriate manner by the people.

Approved June 21, 1984.

Chap. 89. AN ACT AUTHORIZING THE HOUSING AUTHORITY OF THE CITY OF NORTH ADAMS TO EXERCISE THE POWERS OF AN URBAN RENEWAL AGENCY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the housing authority of the city of North Adams shall have all of the powers conferred in sections forty-five to fifty-seven A, inclusive, of chapter one hundred and twenty-one B of the General Laws of an urban renewal agency for properties received by it for purposes other than housing.

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

Approved June 21, 1984.

Chap. 90. AN ACT RELATIVE TO THE EXTENSION OF RAILROAD SERVICES BY CAPE COD AND HYANNIS RAILROAD, INC.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize the extension of railroad services by Cape Cod and Hyannis Railroad, Inc., therefore 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 36 of the acts of 1981, as most recently amended by chapter 33 of the acts of 1982, is hereby amended by striking out section 2 and inserting in place thereof the following section:-

Section 2. Said corporation is hereby authorized, subject to the approval of the department of public utilities, hereinafter referred to as the department, and federal regulatory agencies, to lease or to acquire by purchase or otherwise from the Consolidated Rail Corporation, Penn Central Transportation Company, their successors and assigns or the commonwealth or other parties, certain existing railroad lines, rail and roadbeds located in Bristol, Plymouth, Norfolk and Barnstable counties, through the following cities and towns: Wareham, Bourne, Sandwich, Barnstable, Yarmouth, Dennis, Falmouth, Rochester, Rockland, Lakeville, Middleborough, Raynham, Taunton, Rehoboth, Norton,

Attleboro, Bridgewater, East Bridgewater, West Bridgewater, Brockton, Avon, Holbrook, Randolph, Braintree and Quincy.

Approved June 21, 1984.

Chap. 91. AN ACT AUTHORIZING THE CITY OF NEWTON TO HOLD CERTAIN MORTGAGES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the city of Newton, in conjunction with its sale of municipally owned real estate known as the Davis School and the Carr School and the sale of the real estate located in the town of Billerica and held by the city of Newton, as security for performance of a contract, may take and hold a portion of the proceeds realized from such sales in the form of a note secured by a mortgage upon such real estate.

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

Approved June 21, 1984.

Chap. 92. AN ACT INCREASING THE AMOUNT A CREDIT UNION MAY LOAN FOR HOME IMPROVEMENTS.

Be it enacted, etc., as follows:

Subdivision (D) of section 24 of chapter 171 of the General Laws is hereby amended by striking out the second sentence, as amended by chapter 186 of the acts of 1982, and inserting in place thereof the following sentence:- Such loan shall not exceed twenty thousand dollars, exclusive of interest or discount from the date of the note, with respect to any one parcel of such real estate.

Approved June 21, 1984.

Chap. 93. AN ACT FURTHER REGULATING CERTAIN MEDICAID PAYMENTS.

Be it enacted, etc., as follows:

Section 20 of chapter 118E of the General Laws is hereby amended by adding the following paragraph:-

No physician shall submit a bill for goods or services rendered if said physician is a salaried employee of a hospital and the hospital has already submitted a bill for such goods or services.

Approved June 21, 1984.

Chap. 94. AN ACT INCREASING THE DOLLAR AMOUNT OF ARREST BOND CERTIFICATES GUARANTEED BY AUTOMOBILE ASSOCIATIONS OR TRAVEL CLUBS TO FIVE HUNDRED DOLLARS.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 61B of chapter 276 of the General Laws, as appearing in chapter 786 of the acts of 1977, is hereby amended by striking out, in line 3 and line 23, the word "two" and inserting in place thereof, in each instance, the word:- five.

SECTION 2. The third paragraph of said section 61B of said chapter 276, as so appearing, is hereby amended by striking out, in line 3 and line 12, the word "two" and inserting in place thereof, in each instance, the word:- five.

Approved June 21, 1984.

Chap. 95. AN ACT PROVIDING THAT THE SAINT MARY OF THE GRACES, INC. BE THE SUCCESSOR TO THE SAINT MARY OF THE GRACES MUTUAL SOCIETY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, Saint Mary of the Graces, Inc., a corporation duly established under the provisions of chapter one hundred and eighty of the General Laws is hereby declared to be the successor in all respects to Saint Mary of the Graces Mutual Society, a corporation previously existing under the provisions of chapter one hundred and seventy-six of the General Laws, and dissolved as of December thirty-first, nineteen hundred and fifty-two; and as such successor hereby acquires all the rights, title, franchises and interests of said Saint Mary of the Graces Mutual Society in and to all property, real, personal or mixed, and things in action thereto without any other instrument, and all right, title and interest of said Saint Mary of the Graces Mutual Society in and to any and all real property and personal property, or interest therein, is hereby vested

absolutely in Saint Mary of the Graces, Inc. and shall not revert or be in any way impaired.

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

Approved June 21, 1984.

Chap. 96. AN ACT AUTHORIZING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO LEASE CERTAIN FACILITIES AT THE MOUNT GREYLOCK STATE RESERVATION.

Be it enacted, etc., as follows:

The deputy commissioner of the division of capital planning and operations is hereby authorized to lease for a period of not more than twenty years to the Northern Berkshire Amateur Radio Club, Inc., facilities at the Mount Greylock reservation in the town of Adams for the purposes of amateur radio communication. Such facilities shall include use of a monopole antenna located adjacent to Bascom Lodge on said reservation, and use of space within said Bascom Lodge. Said lease shall commence on or about August twenty-third, nineteen hundred and eighty-four, and shall have a renewal date of not less than one year prior to the end of the lease period. Said lease shall contain a fair leasing fee as determined by said deputy commissioner and shall (a) stipulate that the use of the facilities by the Northern Berkshire Amateur Radio Club, Inc., shall be contingent upon said club's agreement to maintain emergency radio communications in support of the emergency communications systems of the commonwealth, to provide for equipment maintenance, and to carry liability insurance relative to the leased facilities, and (b) that the Northern Berkshire Amateur Radio Club, Inc., shall not sublet any of its privileges to any other party.

Nothing in this act shall prohibit said deputy commissioner and the Northern Berkshire Amateur Radio Club, Inc., from making agreements as part of said lease which establish standards of safety, liability, and equipment maintenance in conjunction with amateur radio operations at the Mount Greylock Reservation.

Approved June 21, 1984.

Chap. 97. AN ACT FURTHER REGULATING THE PROCEDURES APPLIED TO MOTOR VEHICLE OFFENSES.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 90C of the General Laws is hereby amended by striking out the definition of "Audit sheet", as amended by section 1 of chapter 692 of the acts of 1965, and inserting in place thereof the following definition:-

"Audit sheet", a sheet of paper which shall contain the consecutive numbers assigned to citations in the citation book in such form as the registrar shall approve, and which shall upon return to the registrar, shall include but not be limited to the following information: a list of numbered citations therein with the name of the court to which the complaint was issued or an acknowledgement that the citation was spoiled, mutilated or otherwise voided by an agent of the police department or organization.

SECTION 2. Said section 1 of said chapter 90C is hereby further amended by striking out the definition of "Citation book", as appearing in section 2 of chapter 789 of the acts of 1962, and inserting in place thereof the following definition:-

"Citation book", not less than twenty citations, stapled or bound together in book form. Each such book shall be consecutively numbered.

SECTION 3. Section 2 of said chapter 90C is hereby amended by striking out the sixth paragraph, as appearing in section 2 of chapter 692 of the acts of 1965, and inserting in place therof the following paragraph:-

If a citation is spoiled, mutilated or voided, it shall be duly accounted for upon the audit sheet for the citation book from which said citation had been removed.

Approved June 21, 1984.

Chap. 98. AN ACT AUTHORIZING THE TOWN OF EDGARTOWN TO BE A MEMBER OF THE MARTHA'S VINEYARD COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. The jurisdiction of the Martha's Vineyard Commission, established pursuant to chapter eight hundred and thirty-one of the acts of nineteen hundred and seventy-seven, shall be extended to include the town of Edgartown. Said town shall be represented in the membership of said Commission.

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

SECTION 3. This act shall take effect on July first, nineteen hundred and eighty-four.

Approved June 21, 1984.

Chap. 99. AN ACT RELATIVE TO RECALL ELECTIONS FOR THE TOWN OF BROOKFIELD.

Be it enacted, etc., as follows:

SECTION 1. Any holder of an electve office in the town of Brookfield, including a holder of an elective office at the time this act is accepted, 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 recalled and a statement of the grounds of recall. The town clerk shall thereupon deliver to the voter making such affidavit a sufficent number of copies of petition blanks for such recall. Said blanks shall be issued by the town clerk with his signature and official seal attached thereto; and shall be dated and addressed to the board of selectmen. Said blanks shall contain the name of the person to whom 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 twenty days after the filing of the affidavit. Said petition before being returned and filed, shall be signed by qualified voters of the town equal in number to at least twenty per cent of the qualified voters of the town as of the date such affidavit was filed with the town clerk, and to every such signature shall be added the place of residence of the signer, giving the street and number. The recall petition shall be submitted, at or before five o'clock in the afternoon of the Friday preceding the day of which it must be filed, to the registrars of voters in the town and the registrars shall forthwith certify thereon the number of signatures which are names of voters of the town.

SECTION 3. If the petition shall be found and certified by the town clerk to be sufficient, he shall submit the same with his certificate to the board of selectmen without delay and the board of selectmen shall forthwith give written notice to said officer of the receipt of said certificate and shall, if the officer sought to be recalled does not resign within five days there-

after, thereupon order a recall election to be held on 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 sixty days after the date of said certificate, the board of selectmen 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 so ordered, the election shall nevertheless proceed as provided in this section.

SECTION 4. Any officer who has been recalled by a vote at the recall election may be a candidate to succeed himself in an election to be held to fill such vacancy, 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 any election to fill a vacany caused by a 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 5. The incumbent shall continue to perform the duties of his office until the recall election. If said incumbent is not recalled, he shall continue in office for the remainder of his unexpired term, subject to removal as before, except as provided in section seven. If said incumbent is recalled in the recall election, he shall be deemed recalled and an election shall be held to elect a qualified successor, who shall hold office during the unexpired term.

SECTION 6. Ballots used in recall election shall submit the following propositions in the order indicated:

For the recall 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.

SECTION 7. No recall petition shall be filed against an officer within three months after he takes office, nor in the case of an officer subjected to a recall election and not removed thereby, until at least three months after that election.

SECTION 8. No person who has been recalled from an office by a recall election, or who has resigned from office while recall proceedings were pending against him, shall be appointed to any town office within two years after such recall by a recall election or such resignation.

SECTION 9. This act shall be submitted for acceptance to the voters of the town of Brookfield 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-four, entitled 'An Act relative to recall elections in the town of Brookfield' 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 June 21, 1984.

Chap. 100. AN ACT MAKING AN APPROPRIATION TO FUND A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE BOARD OF REGENTS OF HIGHER EDUCATION AND THE UNIVERSITY STAFF ASSOCIATION/MTA/NEA AT THE UNIVERSITY OF MASSACHUSETTS AT AMHERST.

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 board of regents of higher education and the University Staff Association/MTA/NEA at the University of Massachusetts at Amherst, the sum set forth in section two 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 OF ADMINISTRATION AND FINANCE.
Collective Bargaining.

1599-3234 For a reserve to meet the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the board of regents of higher education and the University Staff Association/MTA/NEA at the University of Massachusetts at Amherst; provided, however, that the commissioner of administration is hereby authorized to transfer from the sum appropriated to other items of appro-

priation 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 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 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 $708,898

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

Approved June 25, 1984.

Chap. 101. AN ACT MAKING AN APPROPRIATION TO FUND A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE BOARD OF REGENTS OF HIGHER EDUCATION AND THE MASSACHUSETTS TEACHERS ASSOCIATION/NEA AT THE STATE COLLEGES.

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 board of regents of higher education and the Massachusetts Teachers Association/NEA at the State Colleges, the sum set forth in section two is hereby ap-

propriated, 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 OF ADMINISTRATION AND FINANCE.
Collective Bargaining.

1599-3218 For a reserve to meet the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the board of regents of higher education and the Massachusetts Teachers Association/NEA at the State Colleges; 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 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 $2,839,610.64

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

Approved June 25, 1984.

Chap. 102. AN ACT MAKING AN APPROPRIATION TO FUND A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE BOARD OF REGENTS OF HIGHER EDUCATION AND THE MASSACHUSETTS SOCIETY OF PROFESSORS, FACULTY STAFF UNION/MTA/NEA AT THE UNIVERSITY OF MASSACHUSETTS AT BOSTON AND AMHERST.

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 board of regents of higher education and the Massachusetts Society of Professors, Faculty Staff Union/MTA/NEA at the University of Massachusetts at Boston and Amherst, the sum set forth in section two 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 OF ADMINISTRATION AND FINANCE.
Collective Bargaining.

1599-3271 For a reserve to meet the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the board of regents of higher education and the Massachusetts Society of Professors, Faculty Staff Union/MTA/NEA at the University of Massachusetts at Boston and Amherst; 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 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 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 $3,430,722.00

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

Approved June 25, 1984.

Chap. 103. AN ACT PROVIDING FOR ABATEMENT OF TAXES CAUSED BY A FIRE IN THE CITY OF PEABODY ON MAY TENTH, NINETEEN HUNDRED AND EIGHTY-FOUR.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of sections two A and thirty-eight of chapter fifty-nine of the General Laws, the board of assessors of the city of Peabody may, for the fiscal year beginning July first, nineteen hundred and eighty-four determine the valuation of property destroyed by the fire of May tenth, nineteen hundred and eighty-four, immediately subsequent to said fire, for the purpose of granting abatements applied for under section fifty-nine of said chapter fifty-nine.

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

Approved June 25, 1984.

Chap. 104. AN ACT AUTHORIZING THE ADMISSIBILITY OF PRINTED COPIES OF PORTIONS OF THE UNITED STATES CODE ANNOTATED OR THE UNITED STATES CODE SERVICE AND OTHER FEDERAL REGULATIONS AS EVIDENCE.

Be it enacted, etc., as follows:

Section 75 of chapter 233 of General Laws is hereby amended by striking out the last sentence, added by section 1 of chapter 190 of the acts of 1943, and inserting in place thereof the following sentence:- Printed copies of rules and regulations purporting to be issued by authority of any department, commission, board or officer of the commonwealth or of any city or town having authority to adopt them, or printed copies of any city ordinances or town by-laws or printed copies of the United States Code Annotated or the United States Code Service and all federal regulations, and the titles, chapters, subchapters, parts and sections thereof, shall be admitted without certification or attestation, but, if their genuineness is questioned, the court shall require such certification or attestation thereof as it deems necessary.

Approved June 25, 1984.

Chap. 105. AN ACT REGULATING APPOINTMENTS TO THE MUNICIPAL GOLF COURSE COMMISSION IN THE TOWN OF LUDLOW.

Be it enacted, etc., as follows:

Section 2 of chapter 600 of the acts of 1974 is hereby amended by inserting after the third sentence the following sentence:- Any appointed member of the commission who has served a term of four years may not be reappointed to the commission until the expiration of one year after the completion of his term.

Approved June 25, 1984.

Chap. 106. AN ACT RELATIVE TO THE EXECUTION OF BONDS OF THE BOSTON METROPOLITAN DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 10 of chapter 383 of the acts of 1929, as most recently amended by chapter 637 of

the acts of 1971, is hereby further amended by striking out the second sentence and inserting in place thereof the following five sentences:- Said bonds and any notes issued by the district shall be signed by the manual or facsimile signatures of a majority of the trustees or by the manual or facsimile signature or signatures of such person or persons as may be designated from time to time for such purpose in a writing signed by a majority of the trustees and filed with the state secretary; provided, however, that at least one signature required or permitted to be placed thereon, shall be manually subscribed. Such facsimile signature or signatures, as the case may be, shall be used for certain issues as designated by a majority vote of the board of trustees. In the case of registered bonds issued in exchange for or in replacement of prior bonds, no manually subscribed signature of an authorized officer shall be required if the signature of an authorized signer of a bank, trust company or other banking or financial institution acting as trustee, authenticating agent, transfer agent or similar agent is manually subscribed. The facsimile signature of an authorized officer on a bond or note shall have the same legal effect as his manual signature. Any bonds or notes issued by the district, if properly executed by the authorized person or persons in office on the date such bonds or notes are actually executed, shall be valid and binding in accordance with their terms notwithstanding that before the delivery thereof such person or persons shall have for any reason ceased to hold such office.

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

Approved June 26, 1984.

Chap. 107. AN ACT INCREASING THE SHARES AND DEPOSITS THAT A CREDIT UNION MAY ACCEPT.

Be it enacted, etc., as follows:

Section 10 of chapter 171 of the General Laws is hereby amended by striking out the fourth, fifth and sixth sentences, as amended by chapter 181 of the acts of 1982, and inserting in place thereof the following two sentences:- Every member of a credit union shall hold one share and may hold shares or make deposits or both therein, in his own name to an amount not exeeding, in the aggregate, seventy-five thousand dollars, and he may jointly, with one or more persons, hold shares or make deposits, or both, to an amount not exceeding, in the aggregate, one hundred thousand dollars, exclusive of club deposits. A member of a credit union having assets of four million dollars or more may hold shares or make deposits, or both, in his own

name, to an amount not exceeding, in the aggregate, one hundred and fifty thousand dollars and may jointly, with one or more persons hold shares or make deposits, or both, to an amount not exceeding, in the aggregate, two hundred thousand dollars, exclusive of club deposits.

Approved June 26, 1984.

Chap. 108. AN ACT INCREASING THE AMOUNT AND TERM OF A LOAN THAT A CREDIT UNION CAN MAKE ON RECREATIONAL VEHICLES.

Be it enacted, etc., as follows:

Section 24 of chapter 171 of the General Laws is hereby amended by striking out subdivision (F), as most recently amended by chapter 407 of the acts of 1981, and inserting in place thereof the following subdivision:-

(F) RECREATIONAL VEHICLES LOANS.

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

Approved June 26, 1984.

Chap. 109. AN ACT AUTHORIZING CERTAIN TERMS FOR BORROWING BY THE TOWN OF SOUTHBRIDGE FOR WASTEWATER TREATMENT PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the maturities of bonds or notes issued by the town of Southbridge for a wastewater treatment plant, and related facilities financed at the same time, shall either be arranged so that for each issue the annual combined payments of principal and interest payable in each year shall be as nearly equal as practicable in the opinion of the town treasurer and the town manager, or be arranged in accordance with a schedule providing for a more rapid amortization of principal.

Project costs to be financed by the issue of the bonds or notes, including notes issued in anticipation of federal or state aid, may include interest on temporary borrowing incurred for a period of up to twelve months after the date of the original borrowing. Any net earnings derived from investment of the proceeds of the bonds or notes may be expended and shall be used only for the construction, equipping, operation or maintenance of the town's wastewater treatment plant and related facilities. Except as otherwise provided in this act indebtedness incurred by the town for the project shall be subject to the applicable provisions of chapter forty-four of the General Laws.

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

Approved June 28, 1984.

Chap. 110. AN ACT RELATIVE TO FALSELY ASSUMING TO BE AN OFFICIAL OF THE BUREAU OF SPECIAL INVESTIGATIONS.

Be it enacted, etc., as follows:

Chapter 268 of the General Laws is hereby amended by striking out section 33, as most recently amended by section 82 of chapter 233 of the acts of 1983, and inserting in place thereof the following section:-

Section 33. Whoever falsely assumes or pretends to be a justice of the peace, notary public, sheriff, deputy sheriff, medical examiner, associate medical examiner, constable, police officer, probation officer, or examiner, investigator or other officer appointed by the registrar of motor vehicles, or inspector, investigator or examiner of the department of public utilities, or investigator or other officer of the alcoholic beverages control commission, or investigator or other official of the bureau of special investigations, or examiner, investigator or other officer of the department of revenue, and acts as such or requires a person to aid or assist him in a matter pertaining to the duty of such officer, shall be punished by a fine of not more than four hundred dollars or by imprisonment for not more than one year.

Approved June 28, 1984.

Chap. 111. AN ACT AUTHORIZING THE TRANSFER OF CERTAIN PARK LAND IN THE TOWN OF HARWICH.

Be it enacted, etc., as follows:

The town of Harwich is hereby authorized to transfer the care, custody and control of the Wixon Memorial beach in said town from the jurisdiction of the department of parks and recreation in said town to the beach committee of said town.

Approved June 28, 1984.

Chap. 112. AN ACT DISSOLVING THE OAKWOOD HEIGHTS WATER DISTRICT OF MILLBURY, MASSACHUSETTS AND TRANSFERRING ITS FUNCTIONS TO MASSACHUSETTS AMERICAN WATER COMPANY OF MILLBURY.

Be it enacted, etc., as follows:

SECTION 1. The commissioners of the Oakwood Heights Water District of Millbury, established by chapter eight hundred and thirty-five of the acts of nineteen hundred and seventy-one, are hereby authorized to convey the real and personal assets of the district to the Massachusetts American Water Company provided said company assumes the obligations, duties, indebtedness and liabilities of said district including the powers and duties provided in sections two and three.

SECTION 2. All rules, regulations and rates established by said district shall remain in force so far as consistent with this act until repealed or amended by said Massachusetts American Water Company. All assessments and taxes levied by the district which are unpaid on the effective date of this act shall remain in force as assets of said company to be collected and enforced by said company. All outstanding contracts of said district shall remain in force as contracts of the said company.

SECTION 3. The Massachusetts American Water Company shall have within its boundaries the powers granted to said district within its boundaries and said company may levy charges and incur debt for the purposes of this act. Said company's operation of the former said district's facilities, connections, service or use charges, special assessments, and water rates shall be in accordance with and governed by the applicable provisions of the General Laws as relates to water districts and companies.

SECTION 4. Upon the completion of the conveyance authorized by section one by the commissioners of the Oakwood Heights Water District of Millbury said district shall be dissolved.

Approved June 28, 1984.

Chap. 113. AN ACT RELATIVE TO THE LICENSING OF SCHOOL BUS DRIVERS.

Be it enacted, etc., as follows:

Section 8A of chapter 90 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by chapter 188 of the acts of 1979, and inserting in place thereof the following paragraph:-

Application for a license to be a school bus operator may be made by any person who shall have attained the age of eighteen years but who has not passed his seventieth birthday and who shall have been a duly licensed motor vehicle operator for a period of three continuous years immediately prior to his application except a person who has been licensed and whose license is not in force because of revocation or suspension or whose right to operate is suspended by the registrar; but before such person shall be so licensed the registrar shall be satisfied that he is of good moral character and has successfully completed a driving performance test, a visual test, a written test, and a physical examination by a licensed physician within a three-month period of the date of his application in conformity with such minimum physical qualifications as shall be determined by the registrar; provided, however, that no license shall be issued to a person who has been convicted of the crime of rape, unnatural act, sodomy, or the use, sale, manufacture or distribution of or possession with intent to distribute any of the controlled substances which are unlawful under the provisions of section thirty-one of chapter ninety-four C.

Approved June 28, 1984.

Chap. 114. AN ACT AUTHORIZING THE TOWN OF AUBURN TO PAY A CERTAIN UNPAID BILL TO GRANGER LYNCH.

Be it enacted, etc., as follows:

The town of Auburn is hereby authorized to appropriate money for the payment of, and, after such appropriation, the treasurer of said town is authorized to pay to Granger Lynch the sum of seventeen thousand three hundred dollars for the paving of an asphalt parking lot at the Bryn Mawr school during fiscal year nineteen hundred and eighty-three notwithstanding the failure of

said town to comply with the appropriate provisions of law relative to competitive bidding in the awarding of the contract.

Approved June 28, 1984.

Chap. 115. AN ACT FURTHER REGULATING THE OPERATION OF A MOTORCYCLE.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 90 of the General Laws is hereby amended by striking out the definition of "Motor cycle", as most recently amended by section 1 of chapter 261 of the acts of 1976, and inserting in place thereof the following definition:-

"Motorcycle", any motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, including any bicycle with a motor or driving wheel attached, except a tractor or a motor vehicle designed for the carrying of golf clubs and not more than four persons, an industrial three-wheel truck, a motor vehicle on which the operator and passenger ride within an enclosed cab, or a motorized bicycle.

SECTION 2. The first paragraph of section 7 of said chapter 90, as most recently amended by section 1 of chapter 653 of the acts of 1983, is hereby further amended by adding the following sentence:- No person operating a motorcycle shall permit any person to ride as a passenger, unless such motorcycle is designed to carry more than one person; and no person operating a motorcycle shall permit a passenger to ride in front of said operator.

Approved June 28, 1984.

Chap. 116. AN ACT PROHIBITING CERTAIN GUARDS FROM CARRYING IMITATION FIREARMS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 121 of chapter 140 of the General Laws is hereby amended by inserting after the second sentence, inserted by section 1 of chapter 516 of the acts of 1983, the following sentence:- An imitation firearm shall mean any weapon which is designed, manufactured, or altered in such a way as to render it incapable of discharging a shot or bullet.

SECTION 2. The first paragraph of section 29 of chapter 147

of the General Laws is hereby amended by striking out the third sentence, inserted by chapter 42 of the acts of 1970, and inserting in place thereof the following two sentences:- A licensee or his employee or agent shall carry only such weapons and equipment as are authorized by the commissioner; provided, however, that if said licensee, employee or agent, is authorized to carry a firearm, as defined in section one hundred and twenty-one of chapter one hundred and forty, said firearm shall be loaded while in the performance of his duties. A licensee, or his employee or agent, while in the performance of his duties, shall not carry an imitation firearm as defined in said section one hundred and twenty-one of said chapter one hundred and forty.

Approved June 28, 1984.

Chap. 117. AN ACT EXTENDING THE TIME FOR ACCEPTANCE OF AN ACT ESTABLISHING THE ASHFIELD WATER DISTRICT.

Be it enacted, etc., as follows:

Section 14 of chapter 267 of the acts of 1980 is hereby amended by striking out, in line 5, the word "four" and inserting in place thereof the word:- six.

(The foregoing was laid before the Governor on the fourteenth day of June, 1984 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. 118. 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 section thirty-nine, the solemnization of a marriage by Lawrence F. Warhall as he is a justice of the Derry district court of the state of New Hampshire, in the city of Waltham on July first, nineteen hundred and eighty-four between Sally A. Radlo of the city of Waltham and Louis V. Gaglini of the city of Waltham and

the state secretary shall issue to said Lawrence F. Warhall in his capacity as aforesaid a certificate of such authorization.

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

Approved June 29, 1984.

Chap. 119. AN ACT RELATIVE TO THE POWER OF THE INSPECTOR GENERAL TO SUBPOENA WITNESSES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize the inspector general to summons the attendance and testimony under oath of certain persons, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 12A of the General Laws is hereby amended by adding the following section:-

Section 15. Whenever the inspector general has reason to believe that a person has information with respect to any matter which is within the inspector general's jurisdiction to investigate, he may require by summons the attendance and testimony under oath of said person; provided, however, that such summons may be issued by the inspector general only with prior approval of six members of the inspector general council. The approval of six members of the inspector general council for the issuance of a summons pursuant to this paragraph shall be obtained only after information concerning the matter under investigation has been presented to said council, which information shall include: the name and address of the prospective witness; the subject of the investigation; a summary of the status of the investigation; a summary of the reasons for requesting a summons for testimony; and a summary of the general scope of the inquiry to be made of a prospective witness.

Such summons shall be served by the inspector general or anyone duly authorized by him, in the same manner as a summons for a witness in a civil case issued on behalf of the commonwealth, and all provisions of law relative to such summons issued in such case shall apply to a summons issued under this section.

A witness required by summons to attend and testify under oath and produce books and records shall be given not less than forty-eight hours' notice of the time and place of the taking of testimony, unless such notice shall unduly interfere with the conduct of the investigation and prior approval for a shorter

period of time for such summons and notice has been obtained from at least six members of the inspector general council.

Such witness, at the time of service of said summons, shall be notified of the matter under investigation concerning which such witness will be required to testify and shall be given a copy of the rules of procedures adopted by the inspector general, shall be notified that his testimony will be taken at a private session, whether the issuance of such summons was approved by the inspector general council and whether the witness is a subject of an investigation. A subject of an investigation is a person whose conduct is within the scope of the investigation. The failure to furnish such witness with any notice or information required to be given by this section shall cause the said summons to be invalid.

In addition, the witness shall be notified that he has a right to consult with and to have an attorney present at the time the testimony is taken and that he has a constitutional right not to furnish or produce evidence which may tend to incriminate him.

A person summonsed to attend and testity under oath shall appear and testify under oath before at least two persons, one of whom shall be the attorney general or his designee, the state auditor or his designee, the secretary of public safety or his designee, the state comptroller or his designee, or other members of the inspector general council, and the other of whom shall be the inspector general or an employee of the office who is an attorney admitted to practice in the commonwealth and approved by the inspector general council.

The terms of any such summons must be reasonable, and the information sought from the summonsed witness must be reasonably related to the subject matter under investigation. No such summons may be issued for purposes of harassment or for any illegitimate or improper purpose. All constitutional and statutory rights and privileges which exist with respect to any summons issued by a court, including the privilege against self-incrimination, shall have the same force and effect with respect to any such summons issued by the inspector general.

A summonsed person may object to the summons served upon him in advance of the return date of the summons by a complaint in the nature of a motion to quash filed in the superior court department of the trial court in Suffolk county. The filing of a complaint in the nature of a motion to quash shall stay all pending summons until further order of the superior court. Any justice of the superior court may, upon application by the inspector general, issue an order to compel the attendance of witnesses summonsed as aforesaid and the giving of testimony under oath in furtherance of any audit or investigation under this chapter in the same manner and to the same extent as before the superior court. Failure to obey any order of the court with respect to said summons may be punished by said

court as contempt.

Any summons issued pursuant to this section shall not be made public by the inspector general or any persons subject to his direction or by any member of the inspector general council or person designated to hear testimony under this section, and testimony given shall be governed by the same provisions with reference to secrecy which govern grand jury proceedings. Whoever violates the provisions of this paragraph shall be punished by imprisonment for not more than six months in a jail or house of correction or by a fine of not more than one thousand dollars. Disclosure of such testimony may be made to such members of the staff of the office of inspector general as is deemed necessary by the inspector general to assist him in the performance of his duties and responsibilities under this chapter and such members of the staff may be present at the taking of such testimony.

SECTION 2. Section fifteen of said chapter twelve A, added by section one of this act, is hereby repealed.

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

Approved July 2, 1984.

Chap. 120. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BERKSHIRE COUNTY TO RENOVATE AND REPAIR THE JAIL AND HOUSE OF CORRECTION IN SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 126 of the acts of 1979, as amended by chapter 293 of the acts of 1980, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- The county commissioners of Berkshire county are hereby authorized and directed to prepare plans and specifications, including any necessary test borings or land surveys, to provide for the construction of suitable and adequate facilities for a jail and house of correction within said county and to acquire any necessary land options required for such purpose and for the renovation and repair of the existing jail and house of correction in said county.

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

Approved July 2, 1984.

Chap. 121. AN ACT MAKING AN APPROPRIATION TO FUND A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE MASSACHUSETTS TRIAL COURT AND THE OFFICE AND PROFESSIONAL EMPLOYEES INTERNATIONAL UNION, LOCAL 6 (PROFESSIONAL UNIT).

Be it enacted, etc., as follows:

SECTION 1. To provide for the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the Massachusetts trial court and the Office and Professional Employees International Union, Local 6 (Professional 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 OF ADMINISTRATION AND FINANCE.
Collective Bargaining.

1599-3311 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 and the Office and Professional Employees International Union, Local 6 (Professional Unit); 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 adminis-

tration 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 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 $47,039

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

Approved July 2, 1984.

Chap. 122. AN ACT MAKING AN APPROPRIATION TO FUND A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE BOARD OF REGENTS OF HIGHER EDUCATION AND THE ASSOCIATION OF PROFESSIONAL ADMINISTRATORS, MTA/NEA AT THE STATE COLLEGES.

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 board of regents of higher education and the Association of Professional Administrators MTA/NEA at the State Colleges, 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 OF ADMINSTRATION AND FINANCE.
Collective Bargaining.

1599-3219 For a reserve to meet the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the Association of Professional Administrators, MTA/NEA at the State Colleges; 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 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 $493,620.77

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

Approved July 2, 1984.

Chap. 123. AN ACT FURTHER REGULATING THE SEALING OF CERTAIN CRIMINAL RECORDS.

Be it enacted, etc., as follows:

Section 100C of chapter 276 of the General Laws is hereby amended by striking out the first paragraph, as amended by chapter 312 of the acts of 1983, 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 and the clerk and the probation officers of the courts in which the proceedings occurred or were initiated 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 2, 1984.

Chap. 124. AN ACT CHANGING THE NAME OF BRISTOL STREET TO PAUL SULLIVAN WAY IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Notwithstanding the provisions of chapter sixty-seven of the acts of eighteen hundred and eighty, the public improvement commission of the city of Boston is hereby authorized, upon petition, to change the name of Bristol street in said city to Paul Sullivan way. Said change shall take effect upon the vote of said commission.

Approved July 2, 1984.

Chap. 125. AN ACT DESIGNATING A CERTAIN BRIDGE IN HYDE PARK AS THE WILLIAM P. SLATTERY BRIDGE.

Be it enacted, etc., as follows:

The bridge located on Fairmount avenue in the Hyde Park section of the city of Boston shall be designated and known as the William P. Slattery Bridge, in memory of William P. Slattery. The department of public works shall erect a suitable marker bearing said designation in compliance with the standards of said department.

Approved July 2, 1985.

Chap. 126. AN ACT FURTHER DEFINING THE DUTIES OF THE DIVISION OF LOCAL MANDATES.

Be it enacted, etc., as follows:

Section 6B of chapter 11 of the General Laws is hereby amended by adding the following paragraph:-

The division shall review every five years those laws and administrative regulations which have a significant financial impact upon cities or towns. For the purposes of this section "Significant financial impact" is defined as requiring municipalities to expand existing services, employ additional personnel, or increase local expenditures. Said division shall determine the costs and benefits of each such law and regulation, and submit a report to the general court of each session together with its recommendation, if any, for the continuation, modification or elimination of such law or regulation.

Approved July 2, 1984.

Chap. 127. AN ACT RELATIVE TO CERTAIN OFFICERS OF THE MASSACHUSETTS CREDIT UNION SHARE INSURANCE CORPORATION.

Be it enacted, etc., as follows:

The third paragraph of section 4 of chapter 294 of the acts of 1961, as amended by chapter 184 of the acts of 1978, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:- The chairman and vice-chairman shall be elected from the board of directors and the president may be elected from the board of directors.

Approved July 2, 1984.

Chap. 128. AN ACT MERGING THE SOUTH CHELMSFORD WATER DISTRICT OF CHELMSFORD WITH THE CHELMSFORD WATER DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 641 of the acts of 1913 is hereby amended by striking out section 1 and inserting in place thereof the following section:-

Section 1. The inhabitants of the town of Chelmsford, liable to taxation in that town and residing within the territory enclosed by the following boundary lines, to wit:-

Beginning at the southwesterly corner of the Chelmsford Water District at the Chelmsford, Carlisle, Westford town corner; thence northerly by the Town of Westford line to a point 600 feet more or less southerly from Groton Road; thence easterly 1950 feet more or less to a point on the northwesterly side of Main Street; thence southeasterly 8500 feet more or less to a point; thence in a more easterly direction 2025 feet to a point; thence in a general easterly direction parallel to and 200 feet northerly therefrom Locke Road to a point at Davis Road; thence still in a general easterly direction parallel to and 300 feet northerly therefrom Davis Road, Parkhurst Road and Smith Street and continuing to the Lowell City Line; thence by said city line 5500 feet more or less southeasterly to the Chelmsford, Lowell town corner #3; thence by said Lowell City Line 329 feet to the Chelmsford, Lowell town corner #2; thence still southeasterly 3031 feet more or less to a point at the old River Meadow Brook; thence southwesterly by said old Brook and existing brook to a point 600 feet southwesterly of Billerica Road, Route 129; thence southeasterly parallel to and 600 feet southwesterly therefrom Billerica Road to the Billerica Town Line; thence southwesterly by said Billerica Town Line to the Billerica, Chelmsford, Carlisle town corner; thence westerly by the Carlisle Town Line to the Chelmsford, Carlisle town corner #2; thence still by said Carlisle Town Line to the point of beginning, shall constitute a water district, and are hereby made a body corporate by the name of the Chelmsford Water District for the purpose of supplying themselves with water for the extinquishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and discontinue the same, to regulate the use of such water and to fix and collect rates to be paid therefor, and to take, or acquire by lease, purchase or otherwise, and to hold property, lands, rights of way and other easements for the purposes of this act, and to prosecute and defend all actions relating to the property and affairs of the district.

SECTION 2. Said chapter 641 is further amended by inserting after section 13 the following section:-

Section 13A. The South Chelmsford Water District of Chelmsford, established under the provisions of chapter two hundred and thirty of the acts of nineteen hundred and thirty-five, is hereby dissolved and, without further conveyance or other action, all the assets, liabilities, obligations and indebtedness as well as the powers and duties of said South Chelmsford Water District of Chelmsford are hereby merged and transferred to the Chelmsford Water District; and provided, further, that the board of water commissioners of said South Chelmsford Water District of Chelmsford is hereby abolished and the tenure of the incumbent members of said board shall terminate on the effective date of

this act.

SECTION 3. This act shall take effect on June thirtieth, nineteen hundred and eighty-four.

Approved July 2, 1984.

Chap. 129. AN ACT RELATIVE TO THE DISCONTINUANCE OF CERTAIN REGIONAL SCHOOL DISTRICTS.

Be it enacted, etc., as follows:

Section 42B of chapter 71 of the General Laws is hereby amended by adding the following paragraph:-

Any such school personnel, employed by a regional school district committee, whose position is abolished or eliminated by reason of the disestablishment and discontinuance of the regional school district or the withdrawal of a member community from such district shall be employed by one of the withdrawing city or town school committees, and if any such personnel is serving at the discretion of the district, such personnel shall be employed by such city or town school committee to serve at its discretion. In the event that there are not sufficient teaching positions available in the withdrawing city or town school systems, such personnel shall be offered the available positions for which they are certified in the order of their seniority in the regional school district. All such personnel so employed by a city or town school committee shall initially be placed on the salary schedule of such city or town school committee so that the compensation paid to such school personnel shall not be less than the compensation received by such school personnel while previously employed by the regional school committee. Such school personnel also shall be given credit by the city or town school committee for all accumulated sick time, accumulated time towards service at discretion, and accumulated sabbatical leave years of service, and for terminal compensation due such school personnel on the termination of such service.

Approved July 2, 1984.

Chap. 130. AN ACT RELATIVE TO PERSONAL LOANS FOR CREDIT UNIONS.

Be it enacted, etc., as follows:

SECTION 1. Subdivision (A) of section 24 of chapter 171 of the General Laws is hereby amended by striking out paragraph

1, as appearing in chapter 302 of the acts of 1980, and inserting in place thereof the following paragraph:-

1. A credit union may make loans to an amount not exceeding seven thousand five hundred dollars and if the assets of such credit union are four million dollars or more, to an amount not exceeding ten thousand dollars, if evidenced by the unendorsed and unsecured note of the borrower.

SECTION 2. The second paragraph of paragraph 3 of said subdivision (A) of said section 24 of said chapter 171, as amended by chapter 408 of the acts of 1981, is hereby further amended by striking out, in line 12, the word "sixteen" and inserting in place thereof the word:- twenty-five.

Approved July 2, 1984.

Chap. 131. AN ACT RELATIVE TO THE BOARD OF REGISTRATION OF DENTISTRY.

Be it enacted, etc., as follows:

Section 43 of chapter 112 of the General Laws, as most recently amended by chapter 757 of the acts of 1977, is hereby further amended by striking out the fifth sentence and inserting in place thereof the following sentence:- Five members of the board shall constitute a quorum for the transaction of business.

Approved July 2, 1984.

Chap. 132. AN ACT RELATING TO THE ESTABLISHMENT OF A COMMUNITY ANTENNA TELEVISION SYSTEM IN THE TOWN OF BELMONT.

Be it enacted, etc., as follows:

SECTION 1. It is the express purpose of this act to permit and allow the town of Belmont to contract with a private community antenna television operator to build, maintain and operate or to maintain and operate a community antenna television system and to require the operator so selected to lease the personal and real property employed in such system from said town. All contracts and leases entered into in connection with such arrangements shall serve the town of Belmont in a manner which, in the judgment of the board of selectmen of said town, best serves the citizens of said town consistent with the specific provisions of this act and the supervision of the state community antenna television commission.

SECTION 2. For the purpose of establishing, constructing, or acquiring a community antenna television system, the town of Belmont may borrow from time to time such sums as may be necessary, not exceeding ten million dollars, and may issue bonds or notes of the town therefor which shall bear on their face the words Belmont Cable Television Loan, Act of 1984. Each authorized issue shall constitute a separate loan and the principal shall be payable in annual installments beginning not later than three years, and ending not later than twenty years, after the date of issue. The installments of principal shall be arranged so that, beginning with the first year in which a principal installment is required, the amounts payable in the several years for principal and interest combined are as nearly equal as it is practicable to make them in the opinion of the officers authorized to issue the bonds or notes. Or, in the alternative, the principal shall be payable in accordance with a schedule providing for a more rapid amortization.

SECTION 3. Whenever the town has voted to issue bonds or notes hereunder, the officers authorized to issue the same may, in the name of the town, make temporary loans in anticipation of the money to be derived from the sale of the bonds or notes, and may issue temporary notes therefor. Each temporary loan shall be payable within two years from the date of issue. Temporary notes issued under this section for a shorter period may be refunded by the issue of other temporary notes maturing within the required period. The time within which principal installments on the anticipated bonds or notes shall be required to begin and end shall not be extended by reason of the making of the temporary loan but no retirement of principal shall be required at the time the temporary loan is converted into a serial loan.

SECTION 4. Except as otherwise voted by the town, earnings from the temporary investment of the proceeds of bonds and notes issued hereunder may be expended without further appropriation than this act in payment of the principal or redemption price of an interest on such bonds and notes.

SECTION 5. The town of Belmont, acting by and through its board of selectmen, shall lease any system established pursuant to this act to a licensee, as defined in chapter one hundred and sixty-six A of the General Laws for such license period as allowable under said chapter one hundred and sixty-six A; for such rent at least sufficient to pay the indebtedness incurred hereunder; and with such provisions for renewal of the lease, and upon such other terms and conditions deemed by the selectmen to be in the best interest of the town, and which are consistent with the rules and regulations promulgated by the com-

munity antenna television commission pursuant to said chapter one hundred and sixty-six A. A lease granted under this section shall not be subject to public bidding requirements, if any, otherwise applicable to the leasing of town property. Such lease may provide for the construction of the system, including the acquisition of property or equipment therefor by the licensee either in whole or in part from the proceeds of borrowing by the town hereunder. Contracts for such construction or such acquisition entered into by the licensee shall be deemed to be contracts of the town under the laws and by-laws regulating the making of public contracts; provided, however, that said contracts shall not be deemed such contracts of the town if the leasee of the system under this section also construct the system as provided in this section. Any lease granted pursuant to this section shall not take effect until thirty days after a copy of the lease has been forwarded to said community antenna television commission. The commissioner shall review any such lease and shall forward his comments, in writing, to the leasor and leasee within said thirty days. A copy of said lease shall also be forwarded to the office of the inspector general, established under the provisions of chapter twelve A of the General Laws, for review and comment within said thirty day period.

SECTION 6. Payments for rent to pay the indebtedness incurred hereunder made by the leasee under any lease established pursuant to this act shall not be considered a franchise fee under the provisions of section nine of chapter one hundred and sixty-six A of the General Laws.

SECTION 7. The provisions of section thirty-four of chapter one hundred and sixty-four of the General Laws shall not apply to any lease arrangement established under the provisions of this act.

SECTION 8. Notwithstanding the provisions of section thirty-six of chapter one hundred and sixty-four of the General Laws, the town of Belmont shall not establish such lease arrangement until authorized by a two-thirds vote taken at each of two representative town meetings, the second of which shall be held not less than two nor more than thirteen months after the first such meeting.

SECTION 9. Nothing in this act shall prevent the issuing authority in the town of Belmont from licensing a community antenna television system under the provisions of chapter one hundred and sixty-six A of the General Laws. Nothing contained in this act shall modify or affect the obligations of a licensee to pay the license fees to the commonwealth prescribed by section nine of said chapter one hundred and sixty-six A.

SECTION 10. Any licensee entering into a lease arrangement under the provisions of this act shall be subject to all provisions of chapter one hundred and sixty-six A of the General Laws and all rules and regulations promulgated thereunder unless specifically exempted therefrom by the provisions of this act. Nothing in this act is intended to affect the interpretation of any law with respect to any city or town other than the town of Belmont.

SECTION 11. With respect to any cable television system constructed or established pursuant to the provisions of this act, the said town of Belmont shall annually certify to the commissioner of revenue the total amount expended in the previous year for the purchase of goods and materials to be used in the construction, establishment or operation of the system and for which no sales or use tax has been paid to the commonwealth. In the event that the said town conveys or transfers ownership of such system to another party, it shall require as a condition of such conveyance that the transferee shall pay to the commonwealth an amount equal to the sales or use tax which would have been imposed relative to the amounts certified by the said town of Belmont with respect to the purchase of goods and materials had the sale or use of such goods and materials been subject to taxation at the time of purchase. Said amount shall be paid by the transferee to the commissioner of revenue and deposited in the General Fund.

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

Approved July 3, 1984.

Chap. 133. AN ACT AUTHORIZING THE TOWN OF EAST BRIDGEWATER TO BORROW MONEY TO REIMBURSE THE TOWN'S SURPLUS REVENUE ACCOUNT.

Be it enacted, etc., as follows:

SECTION 1. The treasurer of the town of East Bridgewater, with the approval of the board of selectmen, is hereby authorized to issue bonds or notes of the town in an amount not to exceed one hundred thousand dollars to be credited to the town's surplus revenue account as reimbursement for funds expended to retire a note in the principal amount of one hundred thousand dollars issued in anticipation of bonds authorized by a vote passed April seventh, nineteen hundred and eighty-two under Article thirty-five of the warrant for the annual town meeting. Bonds or notes issued under this act shall otherwise

be subject to the provisions of chapter forty-four of the General Laws applicable to other debt incurred under said vote.

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

Approved July 3, 1984.

Chap. 134. AN ACT RELATIVE TO THE NUMBER OF TOWN MEETING MEMBERS FOR THE TOWN OF SAUGUS.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 55 of the acts of 1928, as most recently amended by section 53 of chapter 17 of the acts of 1947, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- The representative town meeting shall consist in each precinct of seven members, who shall be elected for terms of two years by official ballot at the biennial town election.

SECTION 2. This act shall be submitted for acceptance to the voters of the town of Saugus at the next regular town election, 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 election:-

"Shall an act passed by the general court in the year nineteen hundred and eighty-four, entitled 'An Act relative to the number of town meeting members for the town of Saugus', be accepted?" If a majority of votes cast in answer to said question is in the affirmative, then this act shall take full effect, but not otherwise.

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

Approved July 3, 1984.

Chap. 135. AN ACT AUTHORIZING THE ESTABLISHMENT OF THE GRAFTON WATER DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the town of Grafton, liable to taxation in said town and residing within the territory comprised within the following boundary lines, - to wit: Beginning at a stone bound located at the southeasterly corner of proposed water district at the Grafton-Upton Town line, this being the same bound which established the boundary line of precincts 1

and 3 as shown on said plan; thence North 70° 00' West by the precinct boundary line 11,400 feet to the line of poles of the New England Power Transmission Co. Line. This pole line is one hundred seventy-one (171) feet north of and parallel to the south edge of the three hundred seventy-five (375) foot wide New England Power right of way; thence North 87° 48' West by the same line of poles, four thousand, four hundred twenty (4420) feet, more or less, to an angle point; thence North 79° 52' West by said pole line one thousand, one hundred (1100) feet, more or less, thence Southwesterly upstream along the threadline of the Blackstone River to a point where it crosses the Grafton-Sutton Town line; thence North 11° 09' West six thousand, eight hundred eighty-three (6883) feet, by land of the Town of Sutton to a stone bound at the intersection of the Town lines of Grafton, Millbury and Sutton; thence North 09° 00' West by land of the Town of Millbury seventeen thousand, one hundred fifty-two (17,152) feet, more or less, to a stone bound at the intersection of the Town lines of Grafton, Millbury and Worcester; thence North 26° 12' East by land of the City of Worcester one thousand, three hundred forty-four (1344) feet, more or less, to an angle point at the intersection of the boundary lines of the Town of Grafton, City of Worcester and Town of Shrewsbury, said point being in Flint Pond also known as Flagg Pond; thence North 69° 02' East by land of the Town of Shrewsbury three thousand, eight hundred forty-three (3843) feet, more or less, to a stone bound, said bound lying on its side; thence North 89° 03' East still by land of the Town of Shrewsbury one thousand, nine hundred and two (1902) feet, more or less, to a stone bound on the easterly side of Nelson Street; thence North 55° 31' East also by land of the Town of Shrewsbury two thousand and seventy-four (2074) feet, more or less, to a stone bound still at land of the Town of Shrewsbury; thence North 79° 55' East by land of the Town of Shrewsbury eight thousand, three hundred and three (8303) feet to a stone bound, said bound lying on its side, at the intersection of the Town lines of Grafton, Shrewsbury and Westborough; thence South 3° 12' East by land of the Town of Westborough One Thousand, three hundred and seventy-six (1376) feet, more or less, to a stone bound, located on the southerly line of Westborough Road; thence South 31° 46' East by land of the Town of Westborough one thousand, six hundred and sixty-six (1666) feet, more or less, to a stone bound, which is located in an angle point in the Town lines of Grafton and Westborough; thence North 78° 40' East by land of the Town of Westborough five thousand, seven hundred and thirty-six (5736) feet, more or less, to a stone bound, which is at an angle point of the Town lines of Westborough and Grafton; thence South 26° 18' East by land of the Town of Westborough One Thousand and sixty-three (1063) feet, more or less to a stone bound located

northerly of Old Westborough Road; thence South 09° 06' East still by land of the Town of Westborough, six thousand, eight hundred forty-five (6845) feet, more or less, to a stone bound which is the intersection of the Town lines of Grafton, Westborough and Upton; thence South 07° 00' East by the Town line of Upton fifteen thousand, nine hundred twenty-nine (15,929) feet, more or less, to a stone bound located at an angle point in the Town lines of Grafton and Upton; thence South 80° 11' West by the Town line of Upton three thousand, two hundred eighty-five (3285) feet, more or less, to a stone bound at an angle point in the Town lines of Grafton and Upton; thence South 40° 50' East by the Town line of Upton, three thousand, three hundred eighty-one (3381) feet, more or less, to a stone bound located at an angle point at the junction of the Grafton and Upton Town lines; thence South 64° 57' West by the Upton Town line one thousand, five hundred fifty-eight (1558) feet, more or less, to the point of beginning, shall constitute a water district and are hereby made a body corporate by the name of the Grafton Water District, hereinafter called the District, for the purpose of supplying themselves and others, for fair consideration, with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and discontinue the same, to regulate the use of such water and to fix and collect rates to be paid therefor, and for the purposes of assessing and raising taxes as provided herein for the payment of such services, and for defraying the necessary expenses of carrying on the business of the District, subject to all general laws now or hereafter in force relating to such districts, except as otherwise provided herein. The District shall have power to prosecute and defend all actions relating to its property and affairs.

SECTION 2. For the purposes aforesaid, the District, acting by and through its board of water commissioners hereinafter provided for, may contract with any municipality, acting through its water department, or with any water company, or with any water district, including the metropolitan water district acting through the metropolitan district commission, for whatever water may be required, authority to furnish the same being hereby granted, and, subject nevertheless to section fifteen, may take by eminent domain under chapter seventy-nine or chapter eighty A of the General Laws, or acquire by lease, purchase or otherwise, and hold, the waters, or any portion thereof, of any pond, spring or stream, or of any ground sources of supply by means of driven, artesian or other wells, which are within the town of Grafton and adjacent towns and, except in the case of property referred to in said section fifteen, not already appropriated for the purposes of a public water supply, and the water and flowage rights connected with any such water sources; and

for said purposes may take as aforesaid, or acquire by purchase or otherwise, and hold all lands, rights-of-way and other easements necessary for collecting, storing, holding, purifying and preserving the purity of the water and for conveying the same to any part of the District; provided, that no source of water supply or lands necessary for preserving the quality of the water shall be so taken or used without first obtaining the advice and approval of the department of environmental quality engineering and that the location and arrangement of all dams, reservoirs, springs, wells, pumping, purification and filtration plants and such other works as may be necessary in carrying out the provisions of this act shall be subject to the approval of said department. The District may construct and maintain on the lands acquired and held under this act proper dams, wells, springs, reservoirs, standpipes, tanks, pumping plants, buildings, fixtures and other structures, including also the establishment and maintenance of filter beds and purification works or systems, and may make excavations, procure and operate machinery and provide such other means and appliances, and do such other things as may be necessary for the establishment and maintenance of complete and effective waterworks; and for that purpose may construct pipelines, wells and reservoirs and establish pumping works, and may construct, lay, acquire and maintain aqueducts, conduits, pipes and other works under or over any land, watercourses, railroads, railways and public or other ways, and along such ways, in said town, in such manner as not unnecessarily to obstruct the same; and for the purposes of constructing, laying, maintaining, operating and repairing such aqueducts, conduits, pipes and other works, and for all proper purposes of this act, the District may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel on such ways; provided, that the manner in which all things are done upon any such way shall be subject to the direction of the selectmen of the town of Grafton. The District shall not enter upon or construct or lay any conduit, pipe or other works within the location of any railroad corporation except at such time and in such manner as it may agree upon with such corporation, or, in case of failure so to agree, as may be approved by the department of public utilities. The District may enter upon any lands for the purpose of making surveys, test wells or pits and borings, and may take or otherwise acquire the right to occupy temporarily any lands necessary for the construction of any work or for any other purpose authorized by this act. The District is empowered and authorized to sell and distribute water and provide fire protection services on such terms and conditions and for such consideration as the board of water commissioners may determine.

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

SECTION 4. For the purpose of paying the necessary expenses and liabilities incurred under this act, other than expenses of maintenance and operation, the District may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, five million dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Grafton Water District Loan, Act of 1984. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be subject to the provisions of chapter forty-four of the General Laws pertaining to such districts.

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

SECTION 6. Any land taken or acquired under this act shall be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as they shall deem for the best interest of the District. All authority vested in said board by this section shall be subject to section nine.

SECTION 7. Whenever a tax is duly voted by the District for the purposes of this act, the clerk shall send a certified copy of the vote to the assessors of said town, who shall assess the same on property within the District in the same manner in all respects in which town taxes are required by law to be assessed; provided, that no estate shall be subject to any tax assessed on account of the system of water supply under this act, if, in the judgment of the board of water commissioners, after a hear-

ing, due notice whereof shall have been given, such estate is so situated that it will receive no aid in the extinguishment of fire from said system of water supply, or if such estate is so situated that the buildings thereon, or the buildings that might be constructed thereon, could not be supplied with water from said system in any ordinary or reasonable manner; but all other estates in the District shall be deemed to be benefited and shall be subject to such tax. A certified list of the estates exempt from taxation under the provisions of this section shall annually be sent by said board of water commissioners to said assessors, at the same time at which the clerk shall send a certified copy of the vote as aforesaid. The assessment shall be committed to the town collector, who shall collect said tax in the manner provided by law for the collection of town taxes, and shall deposit the proceeds thereof with the district treasurer for the use and benefit of the District. The District may collect interest on overdue taxes in the manner in which interest is authorized to be collected on town taxes.

SECTION 8. Any meeting of the voters of the territory included within the boundaries set forth in section one to be held prior to the acceptance of this act, and any meeting of the voters of the District to be held prior to the qualification of a majority of the water commissioners, shall be called, on petition of ten or more legal voters therein, by a warrant from the selectmen of said town, or from a justice of the peace, directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of the warrant in two or more public places in the District seven days at least before the time of the meeting. Such justice of the peace, or one of the selectmen, shall preside at such meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. At any meeting held hereunder prior to the acceptance of this act, after the choice of a moderator for the meeting the question of the acceptance of this act shall be submitted to the voters, and if it is accepted by a majority of the voters present and voting thereon it shall thereupon take effect, and the meeting may then proceed to act on the other articles in the warrant. After the qualification of a majority of the water commissioners, meetings of the District shall be called by warrant under their hands, unless some other method be provided by by-law or vote of the District.

SECTION 9. The District shall, after the acceptance of this act as aforesaid, elect by ballot, either at the same meeting at which this act shall have been accepted, or thereafter, at an annual meeting or at a special meeting called for the purpose, three persons, inhabitants of and voters in the District, to hold office, one until the expiration of three years, one until the

expiration of two years and one until the expiration of one year, from the day of the next succeeding annual district meeting, to constitute a board of water commissioners; and at every annual district meeting following such next succeeding annual district meeting one such commissioner shall be elected by ballot for the term of three years. The date of the next annual meeting shall be fixed by by-law or by vote of the board of water commissioners, but in no event shall it be later than fifteen months subsequent to the date on which the water commissioners were first elected. All the authority granted to the District by this act, except sections four and five, and not otherwise specifically provided for, shall be vested in said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as the District may by vote impose. At the meeting at which said water commissioners are first elected and at each annual district meeting held thereafter, the District shall elect by ballot, each for a term of one year, a clerk and a treasurer of the District. The treasurer shall not be a water commissioner, and shall give bond to the District in such an amount as may be approved by said water commissioners and with a surety company authorized to transact business in the commonwealth as surety. A majority of said water commissioners shall constitute a quorum for the transaction of business. Any vacany occurring in said board from any cause may be filled for the remainder of the unexpired term by the District at any legal meeting called for the purpose. No money shall be drawn from the treasury of the District on account of its waterworks except upon a written order of said water commissioners or a majority of them.

SECTION 10. Said board of water commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the waterworks shall be appropriated to defray all operating expenses, interest charges and payments on the principal as they shall accrue upon any bonds or notes issued under authority of this act.

If there should be a net surplus remaining after providing for the aforesaid charges, it may be appropriated for such new construction as said water commissioners may recommend, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. Said water commissioners shall annually, and as often as the District may require, render a report upon the condition of the works under their charge, and an account of their doings, including an account of receipts and expenditures.

SECTION 11. The District may adopt by-laws prescribing by whom and how meetings of the District may be called, notified

and conducted; and, upon the application of ten or more legal voters in the District, meetings may also be called by warrant as provided in section eight. The District may also establish rules and regulations for the management of its waterworks, not inconsistent with this act or with any other provision of law, and may choose such other officers not provided for in this act as it may deem necessary or proper.

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

SECTION 13. Upon a petition in writing addressed to said board of water commissioners requesting that certain real estate, accurately described therein, located in said town or abutting on said District and not otherwise served by a public water supply be included within the limits thereof, and signed by the owners of such real estate, or a major portion of such real estate, said water commissioners shall cause a duly warned meeting of the District to be called, at which meeting the voters may vote on the question of including said real estate within the District.

If a majority of the voters present and voting thereon vote in the affirmative the District clerk shall within ten days file with the town clerk of said town and with the state secretary an attested copy of said petition and vote; and thereupon said real estate shall become and be part of the District and shall be holden under this act in the same manner and to the same extent as the real estate described in section one.

SECTION 14. The District shall have all the rights of fire districts contained in chapter forty-eight of the General Laws not inconsistent with this act and the board of water commissioners established hereunder shall have all the powers and duties conferred upon prudential committees and boards of engineers under said chapter forty-eight.

SECTION 15. Nothing in this act shall authorize the District to supply water for the extinguishment of fire or for domestic or other purposes to the inhabitants of the area served by the Massachusetts-American Water Company, a corporation duly

organized under the laws of the commonwealth or its assigns on the effective date of this act, without first having acquired by purchase, or by eminent domain under chapter seventy-nine or chapter eighty A of the General Laws, all of the properties of said Massachusetts-American Water Company, or its assigns, which are on said date appurtenant to the business of water supply and located within the area included in the district served by said Massachusetts-American Water Company or its assigns. In case of dispute as to the area included in the district served by said Massachusetts-American Water Company or its assigns on said date, the department of public utilities, upon application of the District or of said Massachusetts-American Water Company, or its assigns, shall determine such area and such determination shall be final.

SECTION 16. This act shall take full effect upon its acceptance by a majority vote of the voters of the territory included within the District by section one present and voting thereon, by the use of a check list, at a district meeting called, in accordance with section eight.

Approved July 3, 1984.

Chap. 136. AN ACT RELATIVE TO THE LICENSING AND KEEPING OF DOGS IN THE TOWN OF BELMONT.

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 Belmont 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 provisions of law to the contrary, all money received for licenses or from the sale of dog licenses by the town of Belmont, 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 Middlesex county.

Approved July 3, 1984.

Chap. 137. AN ACT AUTHORIZING THE SHERIFF OF SUFFOLK COUNTY TO ADJUST THE SUFFOLK COUNTY JAIL INMATE CANTEEN ACCOUNT ON ACCOUNT OF MONEY STOLEN.

Be it enacted, etc., as follows:

The sheriff of Suffolk county is hereby authorized to adjust the Suffolk county jail inmate canteen account by deducting the sum of eighteen thousand eight hundred eight dollars and four cents, which sum represents the amount stolen from said account. If, after said adjustment is made, said sheriff receives any sum in reduction of such loss, said sum shall be applied to said account.

Approved July 3, 1984.

Chap. 138. AN ACT RELATIVE TO THE EXPIRATION DATE OF CERTAIN NUMBER PLATES ISSUED FOR SEMI-TRAILERS.

Be it enacted, etc., as follows:

The seventh paragraph of section 2 of chapter 90 of the General Laws is hereby amended by striking out the last sentence, as amended by chapter 701 of the acts of 1975, and inserting in place thereof the following sentence:- The registration of every motor vehicle and trailer registered under this chapter, except those motor vehicles and trailers owned by the commonwealth or any political subdivision thereof that are exempt from the payment of fees provided for by section thirty-three, shall expire at midnight of the expiration date appearing on said certificate of registration, which date shall not be more than twenty-four months from the effective date appearing on said certificate; provided, however, that the expiration date appearing on a certificate of registration issued for a semi-trailer shall not be more than sixty months from the effective date appearing on said certificate.

Approved July 3, 1984.

Chap. 139. AN ACT CHANGING THE ANNUAL DEADLINE FOR SUBMISSION OF THE SAUGUS SELECTMEN'S BUDGET RECOMMENDATIONS TO THE FINANCE COMMITTEE.

Be it enacted, etc., as follows:

Section 35 of chapter 17 of the acts of 1947 is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- On or before the first day of February of each year the selectmen shall transmit a copy of the budget together with their recommendations relative thereto to each member of the finance committee.

Approved July 3, 1984.

Chap. 140. AN ACT RELATIVE TO APPOINTMENTS TO TOWN BOARDS IN THE TOWN OF SAUGUS.

Be it enacted, etc., as follows:

Clause (c) of section 13 of chapter 17 of the acts of 1947 is hereby amended by adding the following sentence:- All appointments to multimember town boards made by the manager must be approved by a majority vote of the full board of selectmen, meeting in open session at a regularly scheduled meeting, each such vote to be taken by a call of the roll.

Approved July 3, 1984.

Chap. 141. AN ACT RELATIVE TO THE REPORT OF THE FINANCE COMMITTEE OF THE TOWN OF SAUGUS.

Be it enacted, etc., as follows:

Section 38 of chapter 17 of the acts of 1947 is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- The report of the finance committee on such articles in the warrant for any annual meeting shall be filed with the town clerk not later than the third Monday of April and the town clerk shall forthwith cause said report to be printed and a copy thereof to be distributed prior to said meeting to each household in the town.

Approved July 3, 1984.

Chap. 142. AN ACT CHANGING THE ANNUAL DEADLINE FOR SUBMISSION OF THE SAUGUS TOWN MANAGER'S ESTIMATES OF EXPENDITURES TO THE SELECTMEN.

Be it enacted, etc., as follows:

Section 34 of chapter 17 of the acts of 1947 is hereby amended by striking out, in line 2, the words "first day of December" and inserting in place thereof the words:- fifteenth day of January.

Approved July 3, 1984.

Chap. 143. AN ACT RELATIVE TO THE COMMENCEMENT OF THE ANNUAL SAUGUS TOWN MEETING.

Be it enacted, etc., as follows:

Section 1 of chapter 17 of the acts of 1947 is hereby amended by striking out, in line 16, the words "third Monday of March at eight o'clock" and inserting in place thereof the words:- first Monday of May at seven-thirty.

Approved July 3, 1984.

Chap. 144. AN ACT RELATIVE TO THE ADMINISTRATION OF THE FIRE DEPARTMENT OF THE COTUIT FIRE DISTRICT IN THE TOWN OF BARNSTABLE.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 328 of the acts of 1926 is hereby amended by adding the following paragraph:-

Notwithstanding any other provisions of this section, the administration of fire protection operations in said District hereby created shall be vested in a board of three fire commissioners, none of whom shall be an active firefighter of said District, who shall be elected by the voters of the district by ballot to serve three-year terms so arranged that the term of office of one commissioner shall expire each year. The board shall appoint a fire chief, for a term of three years, who shall not be subject to the provisions of chapter thirty-one of the General Laws and, subject to appropriation by said District, shall fix the compensation for said position. The fire chief shall, subject to the approval of the board, have all of the powers of fire chiefs under the General Laws. The board shall have similar powers and duties to a board of engineers, as defined in section seventy-four of chapter forty-eight of the General Laws, with respect to its operations and employees, insofar as apt.

SECTION 2. The terms of office of the board to be elected under section one shall be established at the nineteen hundred

and eighty-four annual district meeting as follows: the term of office of the candidate receiving the highest number of votes shall be elected for three years, the candidate receiving the next highest number of votes for two years and the candidate receiving the third highest number of votes for one year. Eligibility of candidates shall be established in the same manner as for candidates for the position of water commissioner.

SECTION 3. This act shall take effect upon its acceptance by a majority vote of the voters of the Cotuit Fire District present and voting thereon at a district election as a ballot question.

Approved July 3, 1984.

Chap. 145. AN ACT RELATIVE TO THE COMPENSATION OF THE MAYOR, CITY COUNCIL AND SCHOOL COMMITTEE OF THE CITY OF REVERE.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, the increase and designation of salaries in the city of Revere for the mayor, city council and school committee as voted on January twenty-third, nineteen hundred and eighty-four by the city council of said city shall take effect as of January second, nineteen hundred and eighty-four.

Approved July 3, 1984.

Chap. 146. AN ACT AUTHORIZING THE TOWN OF SHREWSBURY TO SELL AND CONVEY LAND ACQUIRED FOR CONSERVATION PURPOSES TO NICHOLINA J. AND FRANK A. MASTROMATTEO.

Be it enacted, etc., as follows:

SECTION 1. The town of Shrewsbury is hereby authorized to sell and convey to Nicholina J. Mastromatteo and Frank A. Mastromatteo of the town of Shrewsbury, for a private use, by deed, any or all rights, title and interest of the town of Shrewsbury a parcel of conservation land bounded and described as follows:

Beginning at a point at the northwest corner of land shown as Parcel 2 on a hereinafter mentioned plan, said land being shown as land of the Town of Shrewsbury Conservation Commission;

THENCE: S88° 42' 07" E, by land now or formerly of Worcester Sand & Gravel Co., Inc. a distance of 119 feet, more or less, to

a point at the water line of Newton Pond, at water level 384.03 Mean Sea Level Datum;

THENCE: Southeasterly, about 117 feet, more or less, along the water line of Newton Pond as shown on the hereinafter mentioned plan to a point at other land of the Worcester Sand & Gravel Co., Inc.;

THENCE: N 79° 40' 07" W, 20 feet, more or less, by land of Worcester Sand & Gravel Co., Inc. to a point at the northeast corner of land of Nicholina Mastromatteo, said point also being at the northeast corner of Parcel 1 on the hereinafter mentioned plan;

THENCE: Continuing N 79° 40' 07" W, a distance of 147 feet, more or less, to a point;

THENCE: N 10° 19' 53" E, a distance of 83.00 feet, more or less, to the point of beginning.

Being all of Parcel 2 on the hereinafter mentioned plan, containing about 13,920 square feet of land, more or less, and being the same premises conveyed by the estate of Carl W. Fyrbeck to the town of Shrewsbury Conservation Commission recorded in the Worcester district registry of deeds in the county of Worcester in Book 449, Page 466. Said deed shall reserve to the town of Shrewsbury, its assigns and successors in title, a Right of Way 16 feet in width, over the easterly side of the herein described parcel and abutting the westerly shoreline of Newton Pond, for ingress and egress by foot or vehicle from Sewall Street in said town to abutting property to be acquired by said town of Shrewsbury as a consideration for the conveyance herein described.

The herein described Parcel 2 is shown on a plan of land drawn by Blackstone Valley Survey and Engineering, Inc., 268 Upton Road, Grafton, Mass., entitled "Plan of Land in the Town of Shrewsbury, Massachusetts, Property of Nicholina J. Mastromatteo, Worcester Sand & Gravel Co., Inc., and Town of Shrewsbury Conservation Commission, Scale 1-inch = 40 feet, December 6, 1982" which plan is on file at the office of the town engineer of said town.

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

Approved July 5, 1984.

Chap. 147. AN ACT AUTHORIZING THE TOWN OF NORWOOD TO FURTHER REGULATE THE PARKING OF MOTOR VEHICLES IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The board of selectmen of the town of Norwood,

acting as street commissioners, is hereby authorized to provide that any rule or regulation, adopted in said town, which prohibits the parking or standing of vehicles on any street, way, highway, road or parkway under the control of said town, shall not apply, in such areas as shall be specified and at such times as shall be prescribed in such rule or regulation, to any motor vehicle which is registered under the provisions of section two of chapter ninety of the General Laws as being principally garaged in said town of Norwood and which is owned or used by a person residing in such area; provided, however, that such person shall have given, by a writing executed in such form and detail as such rule or regulation shall prescribe, and filed with the chief of police, notice of intention to park in such area and shall display in a conspicuous place on such vehicle, while parked, such visible evidence of the giving of such notice as such rule or regulation shall prescribe; and provided, further, that neither the giving of such notice nor the issuance of visible evidence of the giving thereof shall be construed to assign any specific space to any person or vehicle.

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

Approved July 5, 1984.

Chap. 148. AN ACT AUTHORIZING THE CERTIFICATION AND APPOINTMENT OF DENNIS C. McNEELEY 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 Dennis C. McNeeley 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 Dennis C. McNeeley 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 July 5, 1984.

Chap. 149. AN ACT AUTHORIZING THE TOWN OF LEXINGTON TO SELL AND CONVEY CERTAIN BUILDINGS AND TO LEASE A CERTAIN PARCEL OF PARK LAND IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Chapter 374 of the acts of 1982 is hereby amended by striking out section 1 and inserting in place thereof the following section:-

Section 1. The town of Lexington is hereby authorized to sell and convey to Roger G. Trudeau and Jane A. Trudeau, with preservation restrictions, two certain buildings located in Buckman park in said town known as the Garrity House and the Carriage House, and to lease to said Roger G. Trudeau and Jane A. Trudeau, for private residential purposes, for a term of ninety-nine years a certain parcel of park land in said Buckman park on which said buildings are located, all for such consideration and upon such terms and conditions as shall be determined by the board of selectmen of said town. Said parcel of land being situated on Hancock street in said town, and shown on a plan entitled "Compiled Plan of Land in Lexington, Mass. for Garrity House Conveyance" dated March 21, 1984 and prepared by Francis T. Fields Town Engineer, on file with the town engineer, and being bounded and described according to said plan as follows:

Beginning at a point at the intersection of the easterly sideline of Hancock Street and the southwesterly sideline of land now or formerly of the Boston & Maine Railroad;

Thence running Southeasterly by said land now or formerly of Boston & Maine Railroad along the arc of a curve to the left with a radius of 2875.43 a distance of 230 feet more or less to a point;

Thence Westerly on a radial line to the easterly sideline of Hancock Street a distance of 165 feet more or less to a point in the sideline of Hancock Street;

Thence Northerly by said sideline of Hancock Street on a curve to the right with a radius of 400.00 feet, an arc distance of 39 feet more or less to a point of tangency;

Thence North 21° 25' East along said sideline a distance of 59 feet more or less to the point of beginning.

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

Approved July 5, 1984.

Chap. 150. AN ACT AUTHORIZING THE CITY OF MELROSE TO LEASE CERTAIN PARK LAND.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the city of Melrose, acting by and through the park commission, may, in accordance with chapter one hundred and twenty-four of the acts of nineteen hundred and thirty-six, lease a portion of its property, commonly known as Mount Hood Memorial Park and Golf Course, for the purposes of providing needed professional management and maintenance thereof, the same being park land, under the management and control of the park commission of said city, on such terms and conditions as may be approved by the said park commission and the board of aldermen of said city, as determined by them to be in the best interests of the public.

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

Approved July 5, 1984.

Chap. 151. AN ACT PROVIDING FOR THE ELIGIBILITY OF HOUSES OF WORSHIP FOR PROPERTY TAX EXEMPTION AND APPLICATION FOR ABATEMENT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide for the granting of exemptions from taxation of real estate of certain religious organizations which were lost as a result of revaluation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Houses of religious worship, the pews and furniture, parsonages and official residences, as described in clause Eleventh of section five of chapter fifty-nine of the General Laws, as amended by section one of chapter six hundred and seventy of the acts of nineteen hundred and eighty-three, shall be eligible for the exemption provided in said section five for assessments made during the period commencing January first, nineteen hundred and eighty-three and applicable to the tax year ending June thirtieth, nineteen hundred and eighty-four, when loss of the exemption from tax that had been granted in the preceding fiscal year occurred as a result of a revaluation and the deadline for application for an abatement of any property taxes assessed or paid had expired prior to the effective date of chapter six hundred and seventy of the acts of nineteen hundred and eighty-three; provided, however, that the houses of religious worship shall have complied with all the other requirements for such

exemption; and provided, further, that application for such abatement shall be made within ninety days of the effective date of this act.

Approved July 5, 1984.

Chap. 152. AN ACT AUTHORIZING THE CITY OF WESTFIELD AND THE CITY OF SPRINGFIELD TO GRANT ADDITIONAL PERMANENT AND TEMPORARY EASEMENTS TO THE TENNESSEE GAS PIPELINE COMPANY.

Be it enacted, etc., as follows:

SECTION 1. The city of Westfield and the city of Springfield are hereby authorized to grant to the Tennessee Gas Pipeline Company, a division of Tenneco, Inc., a permanent easement of a twenty-five foot wide strip and a temporary construction easement of a thirty-five foot wide strip both adjacent to, and in addition to, the existing easements of the Tennessee Gas Pipeline Company across certain lands now owned by and under the control of the city of Westfield and the city of Springfield. Said lands are situated in the town of Granville.

Said easements on land situated in the town of Granville and owned by the city of Westfield are described in a set of three plans on file with the board of water commissioners of the city of Westfield, said plans being entitled, "Proposed Right-of-Way Crossing, Granville, (Hampden Co.) Mass., Land of City of Westfield Board of Water Commissioners, T12-200-2-LL174, T12-200-2-LL176 and T12-200-2-LL180. Said easements situated in the town of Granville and owned by the city of Springfield are described in a plan on file with the water department of the city of Springfield, said plan being entitled, "Proposed Right-of-Way Crossing, Granville, (Hampden Co.) Mass., Land of City of Springfield (Water Department), T12-200-2-LL152.

Said easements shall be used for the installation and maintenance of additional gas transmission lines together with appliances and appurtenances necessary thereto.

Tennessee Gas Pipeline Company in payment for said additional easements shall pay to the city of Westfield and the city of Springfield a sum of money being the fair value of said easements as the city of Westfield and the city of Springfield shall each determine.

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

Approved July 5, 1984.

Chap. 153. AN ACT FURTHER DEFINING EMPLOYMENT AGENCY.

Be it enacted, etc., as follows:

Section 46A of chapter 140 of the General Laws is hereby amended by striking out the definition of "Employment Agency", as most recently amended by section 1 of chapter 412 of the acts of 1968, and inserting in place thereof the following definition:-

"Employment agency", any person who conducts in whole or in part an agency for the purpose of procuring or attempting to procure permanent or temporary help or employment or engagements, or for the registration of persons seeking such help, employment or engagement, or for giving information as to where and of whom such help, employment or engagement may be procured, where a fee is exacted or attempted to be collected for such service; provided, however, that except with respect to the inspection authority of the commissioner under section forty-six Q, the term "employment agency" shall not include a firm none of whose fees or charges are paid either directly or indirectly by any applicant for employment, unless such firm is engaged in providing domestic employees, nor shall such definition apply to any person conducting a business which consists of employing individuals directly for the purpose of furnishing part time or temporary help to others or to any person conducting a business which consists solely of providing employers or prospective employers, by electronic means, biographical information, background and experience of applicants for temporary employment, help or engagement.

Approved July 5, 1984.

Chap. 154. AN ACT FURTHER REGULATING THE MORTGAGE LIMITS FOR CREDIT UNIONS.

Be it enacted, etc., as follows:

SECTION 1. Paragraph 4 of subsection (a) of subdivision (B) of section 24 of chapter 171 of the General Laws, as most recently amended by chapter 43 of the acts of 1979, is hereby further amended by striking out, in line 2, the word "two" and inserting in place thereof the word:- four,- and by striking out, in line 6, the word "sixty" and inserting in place thereof the word:- seventy-five.

SECTION 2. Paragraph 4A of said subsection (a) of said subdivision (B) of said section 24 of said chapter 171, inserted by section 3 of chapter 267 of the acts of 1981, is hereby

amended by striking out, in line 3, the word "two" and inserting in place thereof the word:- four.

SECTION 3. The first sentence of paragraph 6 of said subsection (a) of said subdivision (B) of said section 24 of said chapter 171, as appearing in section 6 of chapter 420 of the acts of 1971, is hereby amended by striking out, in line 2, the word "two" and inserting in place thereof the word:- four.

SECTION 4. The third sentence of said paragraph 6 of said subsection (a) of said subdivision (B) of said section 24 of said chapter 171, as most recently amended by section 6 of chapter 178 of the acts of 1981, is hereby further amended by striking out, in line 6, the word "five" and inserting in place thereof the word:- ten.

SECTION 5. Said subsection (a) of said subdivision (B) of said section 24 of said chapter 171 is hereby further amended by striking out paragraph 7, as most recently amended by chapter 409 of the acts of 1981, and inserting in place thereof the following paragraph:-

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

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

SECTION 6. Subsection (b) of said subdivision (B) of said section 24 of said chapter 171 is hereby amended by striking out paragraph 8, as most recently amended by chapter 443 of the acts of 1981, and inserting in place thereof the following paragraph:-

8. Except as may be otherwise specified in subsection (a), a

credit union having assets of not more than four million dollars, may loan, upon any one parcel of real estate, an amount not exceeding seventy-five thousand dollars and the total liabilities of any one member as borrower upon loans so secured shall not exceed one hundred and twenty thousand dollars.

Except as may be otherwise specified in subsection (a), a credit union having assets of four million dollars or more, may loan, upon any one parcel of real estate, an amount not exceeding one hundred and ten thousand dollars and the total liability of any one member as borrower upon loans so secured shall not exceed one hundred and forty-five thousand dollars.

SECTION 7. The provisions of this act shall apply to loans made on or after the effective date of this act.

Approved July 5, 1984.

Chap. 155. AN ACT AUTHORIZING THE TOWN OF HOLDEN TO ABATE A CERTAIN SEWER ASSESSMENT ON PROPERTY OWNED BY ALBERT ZOTTOLI, HENRY E. ZOTTOLI AND MARY ZOTTOLI.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, the town of Holden is hereby authorized to abate eight hundred and eleven dollars and the interest thereon of a sewer assessment made by said town on real estate owned by Albert Zottoli, Henry E. Zottoli and Mary Zottoli et al on Main street in said town which was incorrectly identified as Lot 87 on Assessor's Map 159.

Approved July 5, 1984.

Chap. 156. AN ACT FURTHER REGULATING THE OPERATION OF REPRESENTATIVE TOWN GOVERNMENT IN THE TOWN OF NORWOOD.

Be it enacted, etc., as follows:

Chapter 541 of the acts of 1947 is hereby amended by striking out section 15 and inserting in place thereof the following section:-

Section 15. No vote passed at any representative town meeting under any article in the warrant, except a vote to adjourn, or a vote authorizing the expenditure of less than ten thousand dollars, or votes appropriating money for the payment of notes

or bonds of the town and interest becoming due in the then current financial year, or votes for the temporary borrowing of money in anticipation of revenue or a vote declared by preamble by a two-thirds vote of the town meeting members present and voting thereon to be an emergency measure necessary for the immediate preservation of the peace, health, safety or convenience of the town, shall be operative until after the expiration of seven days exclusive of Sundays and holidays, from the dissolution of the meeting.

If, within said seven days, a petition signed by not less than five per cent of the registered voters of the town, containing their names and addresses as they appear on the list of registered voters, is filed with the selectmen asking that the question or questions involved in such a vote be submitted to the registered voters of the town at large, then the selectmen, after the expiration of five days, shall forthwith call a special meeting for the sole purpose of presenting to the registered voters at large the question or questions so involved. The polls shall be opened at two o'clock in the afternoon and shall be closed not earlier than eight o'clock in the evening, and all votes upon any questions so submitted shall be taken by ballot, and the check list shall be used in the same manner as in the election of town officers.

The questions so submitted shall be determined by a vote of the same proportion of the registered voters at large voting thereon as would have been required by law had the question or questions been finally determined at a representative town meeting, but no action of the representative town meeting shall be reversed unless at least twenty per cent of the registered voters shall so vote. Each question so submitted shall be in the form of the following question which shall be placed upon the official ballot:- "Shall the town vote to approve the action of the representative town meeting whereby it was voted (brief description of the substance of the vote)?" If such petition is not filed within said period of seven days, the vote of the representative town meeting shall become operative and effective upon the expiration of said period.

Approved July 5, 1984.

Chap. 157. AN ACT INCREASING THE LIMITATION ON CERTAIN RESIDENTIAL MORTGAGE LOANS.

Be it enacted, etc., as follows:

Paragraph 5 of subsection B of section 2 of chapter 167E of the General Laws, as appearing in section 9 of chapter 155 of the acts of 1982, is hereby amended by striking out the last

sentence and inserting in place thereof the following sentence:- No loan of this class shall be made or acquired for a sum in excess of one and one-quarter per cent of the deposits of such corporation or one hundred thousand dollars, whichever is the greater.

Approved July 5, 1984.

Chap. 158. AN ACT RELATIVE TO THE HOURS OF OPERATION OF MOTOR VEHICLES BY CERTAIN OPERATORS.

Be it enacted, etc., as follows:

The second sentence of the second paragraph of section 8 of chapter 90 of the General Laws, as appearing in section 1 of chapter 361 of the acts of 1973, is hereby amended by striking out, in line 3, the word "five" and inserting in place thereof the word:- four.

Approved July 5 , 1984.

Chap. 159. AN ACT PROVIDING FOR A CHANGE IN THE BOUNDARY LINE OF A CERTAIN HISTORICAL DISTRICT IN THE TOWN OF FALMOUTH.

Be it enacted, etc., as follows:

Section 3 of chapter 654 of the acts of 1975 is hereby amended by inserting after the word "Road", in line 28, the words:- ; two strips 200 feet wide on the Northerly and Southerly sides of Main Street, extending approximately 1,650 feet to the Easterly side of Shore Street.

Approved July 5, 1984.

Chap. 160. AN ACT DESIGNATING THE GREEN STREET BRIDGE IN THE CITY OF LYNN AS THE 1ST CLASS SHIPFITTER JAMES BRYCE CROWLEY MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The Green Street bridge over the Boston and Maine railroad property in the city of Lynn, identified in the Master Bridge Index of the department of public works by bridge key number

900-592-007 and also identified by plan number L-18-9 shall be designated and known as the 1st Class Shipfitter James Bryce Crowley Memorial Bridge. Said department shall erect and maintain suitable markers bearing said designation in compliance with the standards of said department.

Approved July 5, 1984.

Chap. 161. AN ACT AUTHORIZING THE CITY OF FALL RIVER TO USE A PORTION OF CRAB POND IN SAID CITY FOR CERTAIN ROAD IMPROVEMENTS.

Be it enacted, etc., as follows:

The city of Fall River is hereby authorized to divert a portion of Crab Pond, which is presently being used for fire protection and industrial processing, in said city and to change the existing public use of parcels 4 and 4A, 10 and 11 from pond use to roadway use for the purpose of widening and improving the road known as Water street in the city of Fall River. Said parcels are bounded and described as follows:

PARCEL 4: (Part of Revised Road Layout)

That certain parcel situated on the easterly side of Water Street in the City of Fall River, County of Bristol, Commonwealth of Massachusetts, bounded and described as follows:

Beginning at the most northerly corner of the herein described parcel, said corner being three hundred one and 00/100 (301.00) feet southerly along the existing easterly line of said Water Street, from a granite bound at the intersection of the existing easterly line of said Water Street with the existing southerly line of Anawan Street;

thence southerly along the proposed City Layout Line a distance of sixty-nine and 13/100 (69.13) feet to a point of curvature;

thence southerly bearing southwesterly along the arc of a curve having a radius of one thousand eight hundred twenty-six and 00/100 (1,826.00) feet a distance along said arc of three hundred forty-two and 87/100 (342.87) feet to a point of tangency;

thence southwesterly along the proposed City Layout Line a distance of twelve and 40/100 (12.40) feet to a corner;

thence northwesterly at a right angle a distance of one and 00/100 (1.00) feet to a corner on the existing easterly line of said Water Street;

thence northeasterly at a right angle along the existing easterly line of said Water Street a distance of forty-three and 39/100 (43.39) feet to a point of curvature;

thence continuing northeasterly bearing northerly along the existing easterly line of said Water Street and the arc of a curve

having a radius of one hundred twenty-five and 00/100 (125.00) feet a distance along said arc of seventy-five and 30/100 (75.30) feet to a point of reverse curve;

thence northerly bearing northeasterly along the existing easterly line of said Water Street and the arc of a curve having a radius of one hundred twenty-five and 00/100 (125.00) feet a distance along said arc of seventy-five and 30/100 (75.30) feet to a point of tangency;

thence continuing northeasterly along the existing easterly line of said Water Street a distance of two hundred thirty-six and 14/100 (236.14) feet to the point and place of beginning. The last described line forming an interior angle of 10°-45'-30" with the line first described herein. The above described parcel contains an area of seven thousand six hundred seventy-six (7,676) square feet of land.

Being shown as Parcel 4 on plan entitled "Plan Showing the Relocation and Widening of Water Street, Fall River, Massachusetts, between 300± North of Anawan Street to the vicinity of Ferry Street, Drawn by C.E. Maguire, Inc., One Davol Square, Providence, Rhode Island, June 1983, Scale 1" = 20'.

PARCEL 4A: (Part of Revised Road Layout)

Beginning at the northeasterly corner of Parcel 9 as shown on the "Plan", of said corner being opposite and twenty-six and 00/100 (26.00) feet right of baseline station 13+58.12 of said Water Street.

thence 26°-09'-30" E along the proposed City Layout Line a distance of forty-four (44±) feet more or less to the face of a granite wall;

thence turning and running southeasterly along the southerly face of said granite wall a distance of eight (8±) feet more or less to the existing City Layout Line;

thence turning and running southwesterly along said existing City Layout Line a distance of forty-three (43±) feet more or less to the point of beginning.

The above described parcel contains an area of one hundred and seventy-five (175±) square feet more or less and is the portion of Parcel 3 (as shown on the "Plan") which falls within the pond area.

Being shown as Parcel 4A on plan entitled "Plan Showing the Relocation and Widening of Water Street, Fall River, Massachusetts, between 300± feet North of Anawan Street to the vicinity of Ferry Street, Drawn by C.E. Maguire, Inc., One Davol Square, Providence, Rhode Island, June 1983, Scale 1" = 20'".

PARCEL 10 - (East Side) - Slope Easement

A strip of land running four hundred and thirty (430±) feet more or less along the Proposed Easterly Layout Line of Water Street between Station 12+95± and Station 17+25± of the proposed Water Street Baseline, being fifty (50±) feet wide between Station 12+95± and Station 16+00±, tapering from fifty (50±) feet wide at

Station 16+00± to thirty-five (35±) feet wide at Station 16+78±, being thirty-five (35±) feet wide from Station 16+78± to Station 17+10±, and tapering from thirty-five (35±) feet wide at Station 17+10± to a point on the Easterly Layout Line at Station 17+25±. The herein described Parcel 10 contains about twenty thousand (20,000±) square feet more or less and overlaps the Drainage Easement Parcel 5.

PARCEL 11 - (West Side) - Slope Easement

A strip of land running four hundred and forty-five (445±) feet more or less along the Proposed Westerly Layout Line of Water Street between Station 12+85± and Station 17+30± of the proposed Water Street Baseline, beginning at a point that is fifty (50±) feet west of said Westerly Layout Line at Station 12+85± and widening to fifty (50±) feet (and meeting said Layout Line) at Station 13+15±, being fifty (50±) feet wide from Station 13+15± to Station 16+05±, widening along the arc of a curve (radius=80'±, angle=88°-30'± from fifty (50±) feet at Station 16+05± to one hundred and twenty-five (125±) feet at Station 16+70±, being one hundred and twenty-five (125±) feet wide from Station 16+70± to Station 17+20±, and being ninety-two (92±) feet wide from Station 17+20± to Station 17+30±).

The herein described Parcel 11 contains about twenty-nine thousand, five hundred (29,500±) square feet more or less and overlaps Drainage Easement Parcel 6A and 6B and Parcel 9 (a part of the Old Water Street Layout which is not part of the Proposed Layout).

Approved July 5, 1984.

Chap. 162. AN ACT DIRECTING THE BROCKTON POLICE RELIEF ASSOCIATION TO MAKE CERTAIN ADDITIONAL PAYMENTS.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, the Brockton Police Relief Association is hereby authorized and directed to pay to any member in good standing, upon the death of his spouse, the sum of five hundred dollars.

Approved July 5, 1984.

Chap. 163. AN ACT RELATIVE TO THE ELECTION OF SCHOOL COMMITTEE MEMBERS IN THE CITY OF MELROSE.

Be it enacted, etc., as follows:

SECTION 1. Section 32 of chapter 162 of the acts of 1899 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The management and control of the public schools of said city shall be vested in a school committee consisting of nine persons, two of whom shall be chosen by the city at large and seven of whom shall be chosen one each from the seven wards.

SECTION 2. The state secretary shall cause the following question to be placed on the official ballot to be used in the city of Melrose at the biennial state election to be held in the year nineteen hundred and eighty-four: "Shall an act passed by the general court in the year nineteen hundred and eighty-four, entitled 'An Act relative to the election of school committee members in the city of Melrose', 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, but not otherwise.

SECTION 3. The act shall be effective for the biennial city election to be held in nineteen hundred and eighty-five and for all subsequent biennial city elections.

Approved July 5, 1984.

Chap. 164. AN ACT INCREASING THE AMOUNT AND TERM FOR LOANS MADE BY CREDIT UNIONS FOR THE PURCHASE OF MOBILE HOMES.

Be it enacted, etc., as follows:

Subdivision (E) of section 24 of chapter 171 of the General Laws is hereby amended by striking out clauses (c) and (d), as most recently amended by section 3 of chapter 223 of the acts of 1982, and inserting in place thereof the following two clauses:- (c) the principal amount of such loan, excluding interest and other costs, shall not exceed eighty per cent of the purchase price of such mobile home, excluding any taxes, transportation expenses, insurance premiums, registration fees and other costs paid or required to be paid by the purchaser in connection with such purchase, or thirty-five thousand dollars, whichever is less; (d) such loan is required to be repaid in substantially equal monthly installments within a period of not more than twenty-five years after the date of such purchase.

Approved July 5, 1984.

Chap. 165. AN ACT AUTHORIZING FURTHER ESTIMATED TAX PAYMENTS IN CERTAIN CITIES AND TOWNS.

Be it enacted, etc., as follows:

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 for fiscal year nineteen hundred and eighty-four shall be established 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 second 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 the amount of the first estimated tax as previously billed. Upon the completion of such revaluation, the assessors of such city or town shall establish the tax rate for fiscal year nineteen hundred and eighty-four, and shall forthwith send out tax bills for said year. Payment of any balance remaining after credit is given for the estimated tax payments previously made, shall represent the final payment upon the actual bill that shall be payable on or before the thirtieth day of the mailing thereof, without payment of interest.

All relevant 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.

Approved July 5, 1984.

EMERGENCY LETTER - July 5, 1984 @ 4:14 P.M.

Chap. 166. AN ACT FURTHER REGULATING COMMON NUISANCES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 139 of the General Laws is hereby amended by striking out section 1, as most recently amended by section 2 of chapter 649 of the acts of 1970, and inserting in place thereof the following section:-

Section 1. The aldermen or selectmen in any city or town may, after written notice to the owner of a burnt, dilapidated or dangerous building or other structure, or his authorized agent, or to the owner of a vacant parcel of land, and after a hearing, make and record an order adjudging it to be a nuisance to the neighborhood, or dangerous, and prescribing its disposition, alteration or regulation. The city or town clerk shall deliver a copy of the order to an officer qualified to serve civil process, who shall forthwith serve an attested copy thereof in the manner prescribed in section one hundred and twenty-four of chapter one hundred and eleven, and make return to said clerk of his doings thereon.

SECTION 2. Section 3A of said chapter 139, inserted by section 4 of said chapter 649, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

If the owner or his authorized agent fails to comply with an order issued pursuant to section three and the city or town demolishes or removes any burnt, dangerous or dilapidated building or structure or secures any vacant parcel of land from a trespass, a claim for the expense of such demolition or removal, including the cost of leveling the lot to uniform grade by a proper sanitary fill, or securing such vacant parcel shall constitute a debt due the city or town upon the completion of demolition, removal, or securing and the rendering of an account therefor to the owner or his authorized agent, and shall be recoverable from such owner in an action of contract.

Approved July 5, 1984.

Chap. 167. AN ACT CONFORMING CERTAIN LENGTH AND WIDTH PROVISIONS OF MASSACHUSETTS GENERAL LAWS RELATIVE TO COMMERCIAL MOTOR VEHICLES TO THE PROVISION OF THE FEDERAL SURFACE TRANSPORTATION ASSISTANCE ACT OF 1982.

Whereas, The deferred operation of this act would tend to

defeat its purpose, which is to forthwith comply with the provisions of the Federal Surface Transportation Assistance Act of nineteen hundred and eighty-two allowing tandem and forty-eight foot semi-trailers to operate on a designated network of highways in the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 2B of chapter 85 of the General Laws is hereby amended by adding the following sentence:- The department for the purpose of promoting public safety and convenience during periods of commuter and holiday traffic, inclement weather conditions or construction activity, or for other good cause, may promulgate rules and regulations limiting the time and hours of travel of vehicles one hundred and two inches in width, semi-trailers of forty-eight feet in length when operating in semi-trailer unit and tandem units, as defined in section one of chapter ninety, on the National Network, as defined in section nineteen F of chapter ninety, and routes of reasonable access, as designated by the department under provisions of section nineteen G of chapter ninety, or any parts thereof, and such rules and regulations may provide penalties for the violation thereof not exceeding five hundred dollars for each offense.

The state police, may, during declared weather emergencies order all trucks off of the roads.

SECTION 2. Section 1 of chapter 90 of the General Laws is hereby amended by inserting after the definition of "Auto home", inserted by chapter 711 of the acts of 1967, the following definition:-

"Automobile transporter", a unit in which a tractor power unit and semi-trailer are engaged in the transportation of automobiles and in which the tractor power unit, and the semi-trailer carries a cargo of automobiles.

SECTION 3. Said section 1 of said chapter 90 is hereby further amended by inserting after the definition of "Student", inserted by chapter 705 of the acts of 1969, the following two definitions:-

"Tandem unit", a motor vehicle composed of a tractor, semi-trailer and trailer.

"Terminal", a facility designed and used for the purpose of wholesale commercial transportation of cargo or freight by motor vehicle, which facility consists of at least one building structure used for administrative or office purposes, and its associated yards, parking areas, roadways, and installed equipment, and which facility is devoted exclusively to the reception, retention,

transfer and forwarding of cargo or freight from multiple points of origin to multiple destinations.

SECTION 4. Said section 1 of said chapter 90 is hereby further amended by inserting after the definition of "Right to operate", as most recently amended by chapter 294 of the acts of 1968, the following definition:-

"Routes of reasonable access", routes of access between (1) the National Network as defined in section nineteen F and (2) terminals, facilities for food, fuel, repairs, and rest, and points of loading and unloading for household goods carriers.

SECTION 5. Section 19 of said chapter 90, as most recently amended by section 41 of chapter 572 of the acts of 1980, is hereby further amended by striking out the first sentence and inserting in place thereof the following four sentences:-

Except as otherwise provided in sections nineteen F and nineteen G, the following provisions shall apply:

No motor vehicle or trailer, the outside width of which is more than one hundred and two inches or the extreme overall length of which is more than thirty-three feet, or in the case of a truck, thirty-five feet, or in the case of a motor bus, forty feet, shall be operated on any way without a special permit so to operate from the board or officer having charge of such way or, in the case of a state highway of a way determined by the department of public works to be a through route, from said department. The one hundred and two inch width provided in this section shall be exclusive of load-induced tire bulge, rear-view mirrors, turn signal lamps hand-holds for cab entry/egress and splash and spray suppressant devices, provided such mirrors and other devices are so mounted as not to constitute a hazard to pedestrians on or adjacent to any public way. Other safety devices which the department determines are necessary for the safe and efficient operation of motor vehicles shall not be included in the calculation of the one hundred and two inch width specified in this section; provided, however, that such other safety devices may be so mounted and so extend beyond the permitted width only in such manner and to such extent as may be determined by the department, but in no event shall such safety devices extend more than three inches beyond the maximum vehicle width on each side.

SECTION 6. Section 19A of said chapter 90, as most recently amended by section 1 of chapter 755 of the acts of 1981, is hereby further amended by inserting, in each instance, after the words "semi-trailer unit" wherever they appear the following words:- or tandem unit.

SECTION 7. The third paragraph of said section 19A of said chapter 90 is hereby amended by adding the following two sentences:- Upon the finding by an officer authorized to enforce the provisions of this chapter that a motor vehicle, trailer, semi-trailer or semi-trailer unit exceeds the said one hundred and five per cent of the maximum gross weight provided in said permit, or otherwise violates the conditions of any permit issued under sections thirty and thirty A of chapter eighty-five or section nineteen of this chapter, said officer may exercise reasonable discretion to prevent the continued transport of a load that is the principle cause of the violation. Neither the finding of such violation, nor the exercise of such reasonable discretion, however, shall be construed as nullifying or revoking any such permit, or as having any effect, beyond the actual citation of the violation, on the assessment of any penalties provided under section twenty of this chapter.

SECTION 8. Section 19D of said chapter 90 is hereby amended by inserting in each sentence, after the word "semi-trailer unit" wherever it appears the following words:- or tandem unit.

SECTION 9. Said chapter 90 is hereby amended by inserting after section 19E the following two sections:-

Section 19F. Notwithstanding the provisions of section nineteen C or any other provision of law to the contrary, semi-trailers of forty-eight feet in length when operating in semi-trailer units, and tandem units, whose semi-trailers or trailers shall not exceed twenty-eight feet in length as provided herein, may operate on the National Network as hereinafter defined. The National Network shall consist of the following highways; provided, however, that on such highways as are designated "National Network-Restricted Travel Hours" the said semi-trailers of forty-eight feet in length and the said tandem units may operate only between the hours of seven o'clock P.M. to seven o'clock A.M.:

National Network-Unrestricted Travel Hours

Route	From	To
I-86	Connecticut State Line	I-90
I-90	New York State Line	Cambridge Street Boston (Allston)
I-91	Connecticut State Line	Vermont State Line
I-93	I-95 in Reading	New Hampshire State Line
I-95	Rhode Island State Line	I-95 in Canton
I-95	Route 1 in West Peabody	New Hampshire State Line

I-190	I-290 in Worcester	Route 2 in Leominster
I-195	Rhode Island State Line	I-495 in Wareham
I-290	I-90 in Auburn	I-495 in Marlborough
I-291	I-91 in Springfield	I-90 in Chicopee
I-295	Rhode Island State Line	I-95 in Attleboro
I-395	Connecticut State Line	I-90 in Auburn
I-495	I-195 in Wareham	I-95 in Salisbury
Route 2	I-190 in Leominster	I-495 in Littleton
Route 3	I-95 in Burlington	New Hampshire State Line
Route 24	I-195 in Fall River	I-93 in Randolph
Route 140	I-195 in New Bedford	State Route 24 Taunton

National Network-Restricted Travel Hours

Route	From	To
I-93	I-95 in Canton	Route 24 in Randolph
I-95	I-93 in Canton	Route 1 in South Lynnfield
Route 1	I-95 in South Lynnfield	I-95 in West Peabody

No semi-trailer or trailer operating in a tandem unit as authorized under this section shall exceed twenty-eight feet in length, including load and load-holding devices, when operating on the National Network and routes of reasonable access designated by the department as provided in section nineteen C. No overall length limitations shall apply to motor vehicles comprised of semi-trailers or trailers of lengths specified above operating in a semi-trailer unit or tandem unit on the National Network and routes of reasonable access designated by the department.

No automobile transporter may exceed sixty-five feet in length including front and rear bumpers, but not including a load overhang not to exceed three feet beyond the foremost part of the front transporting vehicle or more than four feet beyond the rear or bed of the body of the rear vehicle, when operating on the National Network and routes of reasonable access designated by the department as provided in section nineteen G. On the National Network and on routes of reasonable access designated by the department, a number of vehicles may be transported in combination by means of saddlemount or full mount mechanisms, utilizing the motive power of one of the vehicles in combination; provided, however, that such combination of vehicles does not

exceed sixty-five feet in length; and, provided further, that the equipment used in such combination shall comply with the safety regulations issued by the Bureau of Motor Carrier Safety of the United States Department of Transportation. Notwithstanding any other provision of this section to the contrary, tandem units whose semi-trailers or trailers do not exceed twenty-eight and one-half feet in length, which trailers or semi-trailers were actually and lawfully operating on December first, nineteen hundred and eighty-two as tandem units within a sixty-five foot overall length limit in any state, shall be authorized to operate on the National Network and on routes of reasonable access designated by the department. The department may issue permits to allow other specialized equipment to operate on the National Network and routes of reasonable access as designated by the department.

The length limitations described in this section shall be inclusive of loads and load-holding devices, but shall be exclusive of safety and energy conservation devices, such as refrigeration and air compressors, heating units, wind deflectors, flexible fender extensions, mudflaps and splash and spray suppressant devices, and other devices which the department may determine are necessary for safe and efficient operation of commercial motor vehicles, provided, however, that no device excluded under this section shall have by its design or use the capability to carry cargo. Any other safety or conservation devices shall be allowed only in such manner and to such extent as may be determined by the department.

Section 19G. A motor vehicle authorized to operate on the National Network under the provisions of section nineteen F of this chapter may also operate on routes of reasonable access as determined by the department as provided herein, between (1) the said specified segments of the National Network, and (2) terminals, facilities for food, fuel, repairs and rest and points of loading and unloading for household goods carriers.

The operator of any terminal may apply to the department for, and the department may issue, a special permit designating a route of reasonable access for use by motor vehicles authorized to operate on the National Network under said section nineteen F of this chapter, between the National Network and such terminal, and such permit may be subject to such conditions as the department may determine are necessary for promoting public safety and convenience. The department may, from time to time, revoke such special permit. In determining whether or not a proposed route of reasonable access to a terminal should be so designated, the department shall consider the proximity of the terminal to the National Network; the physical dimensions and safety characteristics of ways included in the proposed route, the physical dimensions and safety characteristics of the forty-eight foot semi-trailers and tandem units as each relates to the

ways included in the proposed route, the current and projected traffic volumes and capacities of such ways, whether the terminal was established and operating prior to January first, nineteen hundred and eighty-four, and such other criteria as the department may determine necessary for promoting the public safety and convenience.

The department may, from time to time, determine routes of reasonable access to facilities for food, fuel, repairs and rest, and may, from time to time, revoke any or all such determinations or routes of reasonable access. The department may, from time to time, make such determinations or promulgate such regulations or issue such permits as may be necessary to provide reasonable access for a household goods carrier from the National Network to a point of loading or unloading, and may, from time to time, revoke or amend such determinations, regulations, or permits.

The department may promulgate rules and regulations in accordance with the provisions of chapter thirty A to carry out the provisions of this section.

SECTION 10. Section 20 of said chapter 90 is hereby amended by inserting, in each instance, after the words "semi-trailer unit" wherever they appear, the following words:- or tandem units.

SECTION 11. Said section 20 of said chapter 90, as appearing in section 60 of chapter 233 of the acts of 1983, is hereby amended by striking out, in line 31, the word, "greater" and inserting in place the following words:- the greater of such weights.

SECTION 12. Nothing in this act shall prohibit the use of trailers or semi-trailers of such dimensions authorized by applicable law in the commonwealth and in actual and lawful use on December first, nineteen hundred and eighty-two.

SECTION 13. Within one year after the effective date of this act, the department of public works shall hold public informational hearings in the Springfield, Worcester and Lowell areas and at such other locations that said department shall determine. Said department shall submit to the clerk of the house of representatives and the committee on transportation a detailed report on the operations of tandem trailers, as defined in this act, on the roads of the commonwealth. Said report shall contain, but not be limited to, public input, safety data, permit requests for reasonable access and rejection of same with reasons for rejection, and locations and details of accidents involving tandem trailer operation.

SECTION 14. Said department shall study the operation of vehicles authorized under this act on state highway routes 2 and 3 and shall determine the need and feasibility of adding an additional lane to said routes.

Approved July 9, 1984.

Chap. 168. AN ACT AUTHORIZING THE TEMPORARY POSSESSION AND HANDLING OF FIREARMS DURING CERTAIN TELEVISION, MOVIE, OR STAGE PRODUCTIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize the temporary possession and handling of firearms during certain television, movie, or stage productions, therefore 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 subsection (a) of section ten of chapter two hundred and sixty-nine of the General Laws or any other law to the contrary, the carrying or possession of a firearm during the course of any television, movie, stage or other similar theatrical production, by a person within such production, shall be authorized; provided, however, that such carrying or possession of such firearm shall be under the immediate supervision of a person licensed to carry firearms.

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

Approved July 9, 1984.

Chap. 169. AN ACT MAKING AN APPROPRIATION TO FUND A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE DIVISION OF EMPLOYEE RELATIONS, ON BEHALF OF THE COMMONWEALTH AND THE ALLIANCE, AFSCME/SEIU, AFL-CIO, LOCAL 509, COVERING CERTAIN EMPLOYEES IN BARGAINING UNITS 8 AND 10 IN THE DEPARTMENT OF EDUCATION.

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 division of employee relations, on behalf of the commonwealth, and the Alliance, AFSCME/SEIU, AFL-CIO, Local 509, covering certain employees in bargaining units 8 and 10 in the department of education, the sum set forth in section two 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 OF ADMINISTRATION AND FINANCE.
Collective Bargaining.

1599-3435 For a reserve to meet the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the division of employee relations, on behalf of the commonwealth, and the Alliance, AFSCME/SEIU, AFL-CIO, Local 509, covering certain employees in bargaining units 8 and 10 in the department of education; 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 and other funds to which such items of appropriation are charged; provided, further, that copies of 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 $194,354.30

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

Approved July 9, 1984.

Chap. 170. AN ACT FURTHER REGULATING THE PAYMENT OF LAST MONTH RENT, SO-CALLED, IN RESIDENTIAL HOUSING.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately regulate the payment of last month rent, so-called, in residential housing, therefore 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 136 of the General Laws is hereby amended by striking out clause (9), as appearing in section 2 of chapter 616 of the acts of 1962, and inserting in place thereof the following clause:-

(9) The showing, sale, or rental of noncommercial real property to be used for residential purposes.

SECTION 2. Subsection (2) of section 15B of chapter 186 of the General Laws, as amended by section 1 of chapter 645 of the acts of 1983, is hereby further amended by striking out clause (a) and inserting in place thereof the following clause:-

(a) Any lessor or his agent who receives, at or prior to the commencement of a tenancy, rent in advance for the last month of the tenancy from a tenant or prospective tenant shall give to such tenant or prospective tenant at the time of such advance payment a receipt indicating the amount of such rent, the date on which it was received, its intended application as rent for the last month of the tenancy, the name of the person receiving it and, in the case of an agent, the name of the lessor for whom the rent is received, and a description of the rented or leased premises, and a statement indicating that the tenant is entitled

to interest on said rent payment at the rate of five per cent per year payable in accordance with the provisions of this clause, and a statement indicating that the tenant should provide the lessor with a forwarding address at the termination of the tenancy indicating where such interest may be given or sent.

Any lessor or his agent who receives said rent in advance for the last month of tenacy shall, beginning with the first day of tenacy, pay interest at the rate of five per cent per year. 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 rent was paid in advance. At the end of each year of tenancy, such lessor shall give or send to the tenant from whom rent in advance was collected a statement which shall indicate the amount payable by such lessor to the tenant. The lessor shall at the same time give or send to 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 said interest due or said notice to deduct the interest from the next rental payment, the tenant may deduct from his next rent payment the interest due.

If the lessor fails to pay any interest to which the tenant is then entitled within thirty days after the termination of the tenancy, the tenant upon proof of the same in an action against the lessor shall be awarded damages in an amount equal to three times the amount of interest to which the tenant is entitled, together with court costs and reasonable attorneys fees.

SECTION 2A. Said section 15B of said chapter 186 is hereby further amended by striking out subsection (5), as amended by section 2 of said chapter 645, and inserting in place thereof the following subsection:-

(5) Whenever a lessor who receives a security deposit transfers his interest in the dwelling unit for which the security deposit is held, whether by sale, assignment, death, appointment of a receiver or trustee in bankruptcy, or otherwise, the lessor shall transfer such security deposit together with any interest which has accrued thereon for the benefit of the tenant who made such security deposit to his successor in interest, and said successor in interest shall be liable for the retention and return of said security deposit in accordance with the provisions of this section from the date upon which said transfer is made; 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 that such security deposit

was transferred to him and that he is holding said security deposit. 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 so held to the lessor's successor in interest and the tenant has been notified in writing of the transfer and of the successor in interest's name, business address, and business telephone number;

(b) there has been compliance with this clause by the successor in interest; or

(c) the security deposit has been returned to the tenant.

In the event that the lessor fails to transfer said security deposit to his successor in interest as required by this subsection the successor in interest shall, without regard to the nature of the transfer, assume liability for payment of the security deposit to the tenant in accordance with the provisions of this section; provided, however, that if the tenant still occupies the dwelling unit for which the security deposit was given, said successor in interest may satisfy such obligation by granting the tenant free use and occupancy 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. 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.

SECTION 3. Said section 15B of said chapter 186 is hereby further amended by inserting after subsection (7) the following subsection:-

(7A) Whenever a lessor who receives rent in advance for the last month of tenancy transfers his interest in the dwelling unit for which the rental advance was received, whether by sale, assignment, death, appointment of a receiver or trustee in bankruptcy, or otherwise, the lessor shall credit an amount equal to such rental advance together with any interest which has accrued thereon for the benefit of the tenant who made such rental advance, to the successor in interest of such lessor, and said successor in interest shall be liable for crediting the tenant with such rental advance, and for paying all interest accrued thereon 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 deemed 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 rental advance that such rental advance was so credited, and that such successor has assumed responsibility therefor pursuant to the foregoing provision. 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 credit of the amount of the 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 rental advance has been credited to the tenant and all accrued interest has been paid thereon.

In the event that the lessor fails to credit said 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 crediting of the rental advance, and payment of all interest thereon 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 rental advance was given, said successor in interest may satisfy such obligation by granting the tenant free use and occupancy of the dwelling unit for a period of time equivalent to the period of time covered by the rental advance. The liability imposed by this subsection 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 by the United States.

SECTION 4. Section 3 of chapter 527 of the acts of 1983 is hereby amended by striking out the definition of "Cooperative unit" and inserting in place thereof the following definition:-

"Cooperative unit", a unit in a housing cooperative which has been organized under the provisions of General Laws including, without limitation, the provisions of chapter one hundred and fifty-six B, one hundred and fifty-seven, or one hundred and fifty-seven B.

SECTION 5. Paragraph (a) of section 4 of said chapter 527 is hereby amended by striking out the first sentence and inserting

in place thereof the following sentence:- If a building submitted to the provisions of chapter one hundred and eighty-three A, chapter one hundred and fifty-six B, chapter one hundred and fifty-seven, chapter one hundred and fifty-seven B or any provisions of the General Laws governing the cooperative form of ownership 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.

SECTION 6. Notwithstanding the provisions of clause (a) of subsection (2) of section fifteen B of chapter one hundred and eighty-six of the General Laws in effect prior to the effective date of this act, no interest shall be due any tenant under the provisions thereof and no claim or defense shall lie for failure to comply with any of said provisions. Rent in advance for the last month of a tenancy held by a lessor on the effective date of this act shall be governed by the provisions of said clause (a) of said subsection (2) of said section fifteen B of said chapter one hundred and eighty-six, as provided for in sections two and three of this act.

SECTION 7. The provisions of sections two and three of this act shall apply to all rent paid in advance for the last month of the tenancy held by a lessor on or after April first, nineteen hundred and eighty-four. Any rent paid in advance under the provisions of clause (a) of subsection (2) of section fifteen B of chapter one hundred and eighty-six of the General Laws in effect prior to the effective date of this act shall be deemed, except for the payment of interest, to be paid under the provisions of said clause (a) of said subsection (2) of said section fifteen B of said chapter one hundred and eighty-six, as provided for in sections two and three of this act.

SECTION 8. This act shall take effect as of April first, nineteen hundred and eighty-four.

Approved July 9, 1984.

Chap. 171. AN ACT FURTHER REGULATING THE RATES OF PILOTAGE FOR THE PORT OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter 103 of the General Laws is hereby

amended by striking out section 31, as most recently amended by section 2 of chapter 93 of the acts of 1982, and inserting in place thereof the following section:-

Section 31. Rates of pilotage outward and inward for the port of Boston, calculated per foot of draught, shall be as follows:

For vessels 3500 Gross Tons or under -- $27.00 per foot
For vessels over 3500 to 7000 Gross Tons -- $28.25 per foot
For vessels over 7000 to 15000 Gross Tons -- $30.75 per foot
For vessels over 15000 to 25000 Gross Tons -- $32.45 per foot
For vessels over 25000 to 35000 Gross Tons -- $33.30 per foot
For vessels over 35000 to 45000 Gross Tons -- $34.15 per foot
For vessels over 45000 Gross Tons -- $36.00 per foot

The following charges shall be made for anchoring vessels:

1. Any inbound vessel subject to pilotage that anchors in an area outside Deer Island light and inside the demarcation line for Federal Inland Waters for more than six hours shall pay one hundred and fifty dollars.

2. Any inbound vessel from sea subject to pilotage that anchors in anchorage number two or number five shall pay full pilotage.

3. Any outbound vessel subject to pilotage that anchors in anchorage number one or number two and the pilot remains on board shall be subject to detention fees.

The following charges shall be made for shifting vessels:

1. Between docks in Boston, one hundred dollars.
2. Between any dock in Boston and anchorage number one, one hundred dollars.
3. Between any dock in Boston and anchorage number two, one-half pilotage.
4. Between anchorage number two or number five to Quincy, full pilotage.
5. Between anchorage number five, and Boston full pilotage.
6. Between Boston and Quincy, full pilotage.
7. Between anchorage number two and Boston from one to twelve hours, two hundred dollars.
8. Between anchorage number two and Boston in excess of twelve hours, one-half pilotage.
9. Between sea and Quincy, full pilotage; if a vessel proceeds to anchorage number two at the request of the master or agent, an additional pilotage.
10. Shifting a ship in anchorage number two, one hundred and fifty dollars.

Other charges shall be:

1. For detention of a pilot on board a vessel, there shall be a one hour free period, followed by a forty dollar charge for the second hour or any portion thereof; for each additional hour or portion thereof there shall be a charge of ten dollars. Detention time shall begin at the ordered sailing time.
2. Cancellation rate - forty dollars.

3. Compass adjusting - fifty dollars.
4. Calibration rate - fifty dollars.
5. When a pilot is ordered and dispatched for an arriving vessel and his services are not employed, the vessel shall pay a charge of one hundred dollars.
6. A pilot shall be considered ordered unless notified: one hour before sailing time in Boston; two hours before sailing time in Quincy, anchorage number two or number five.
7. No charge shall be made for any vessel detained because of fog or stress of weather.
8. Pilot carried away, the vessel shall pay his return expenses plus one hundred dollars per day.
9. Notifying a vessel of his diversion orders, a charge of one hundred dollars may be levied plus any regular charges.
10. All inbound vessels shall notify the pilot office eight hours before arrival time if that time varies more than two hours from their latest estimated time of arrival report.

SECTION 2. Said section 31 of said chapter 103 is hereby further amended by striking out the first paragraph, as most recently amended by section one of this act, and inserting in place thereof the following paragraph:-

Rates of pilotage outward and inward for the port of Boston, calculated per foot of draught, shall be as follows:

For vessels 3500 Gross Tons or under -- $28.35 per foot
For vessels over 3500 to 7000 Gross Tons -- $29.65 per foot
For vessels over 7000 to 15000 Gross Tons -- $32.30 per foot
For vessels over 15000 to 25000 Gross Tons -- $34.05 per foot
For vessels over 25000 to 35000 Gross Tons -- $34.95 per foot
For vessels over 35000 to 45000 Gross Tons -- $35.85 per foot
For vessels over 45000 Gross Tons -- $37.80 per foot

SECTION 3. Section one shall take effect upon its passage. Section two shall take effect on June first, nineteen hundred and eighty-five.

Approved July 9, 1984.

Chap. 172. AN ACT RELATIVE TO THE POSSESSION OF FIREARMS.

Be it enacted, etc., as follows:

Section 129C of chapter 140 of the General Laws is hereby amended by striking out the eighth paragraph, as appearing in section 8 of chapter 799 of the acts of 1969, and inserting in place thereof the following paragraph:-

The possession of a firearm identification card issued under

section one hundred and twenty-nine B shall not entitle any person to carry a firearm in violation of section ten of chapter two hundred and sixty-nine.

Approved July 9, 1984.

Chap. 173. AN ACT FURTHER DEFINING SNOW VEHICLES.

Be it enacted, etc., as follows:

Section 20 of chapter 90B of the General Laws is hereby amended by striking out the definition of "Snow vehicle", as appearing in section 2 of chapter 589 of the acts of 1970, and inserting in place thereof the following definition:-

"Snow vehicle", a motor vehicle designed to travel over ice or snow supported in whole or in part by skis, belts, or cleats.

Approved July 9, 1984.

Chap. 174. AN ACT DESIGNATING A CERTAIN BRIDGE OVER THE CONNECTICUT RIVER IN THE CITY OF SPRINGFIELD AS THE REPRESENTATIVE ARTHUR J. McKENNA BRIDGE.

Be it enacted, etc., as follows:

The bridge over the Connecticut river connecting the city of Springfield with the town of West Springfield now known as the North End Bridge, shall be designated and known as the Representative Arthur J. McKenna Bridge in honor of Representative Arthur J. McKenna. 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 July 9, 1984.

Chap. 175. 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-five, 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-five for certification under paragraph (c) of section two A of chapter fifty-nine of the General Laws, and, further providing, 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-five, the assessors of such city or town shall establish the tax rate for fiscal year nineteen hundred and eighty-five. 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-five 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-five 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-five established by such city or town.

SECTION 2. Notwithstanding the provisions of section one, 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-five 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-four 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 July 10, 1984.

Chap. 176. AN ACT RELATIVE TO THE BOARD OF DIRECTORS OF THE CO-OPERATIVE CENTRAL BANK.

Be it enacted, etc., as follows:

SECTION 1. Chapter 45 of the acts of 1932 is hereby amended by striking out section 2, as most recently amended by section 78 of chapter 371 of the acts of 1983, and inserting in place thereof the following section:-

Section 2. There shall be a board of nineteen directors of the central bank who shall be elected by the member banks in the manner hereinafter provided for terms of three years except in the case of vacancies. Directors elected to fill vacancies shall be elected for the unexpired terms. The directors shall fill any vacancies on the board until the next annual meeting. All directors shall be sworn and hold office until their successors are qualified. If a person elected does not within thirty days thereafter, take the oath, his office shall thereupon become vacant. At all meetings of the directors, eleven members shall constitute a quorum, but a lesser number may adjourn from time to time. 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 of the General Laws. The central bank, by a vote of two-thirds of the delegates of the member banks present and voting, may from time to time adopt such by-laws and amendments thereto as may be necessary to effect such purposes. Such by-laws and amendments thereto shall not become effective until they shall have been approved by the commissioner of banks, hereinafter called the commissioner.

In the election of directors and, except as provided in section nine of said chapter seventy-three, in voting on any other matter legally to come before a meeting, each member bank, by a delegate authorized by its board of directors, shall have one vote; provided, that such delegate shall not vote on behalf of more than one member bank. A majority of the votes so cast shall elect directors.

(a) There shall be fifteen directors of the central bank elected from the boards of directors or officers of member banks by delegates as provided herein.

Not more than three directors of the central bank shall, at any one time, be directors or officers of member banks which are members of the Federal Savings and Loan Insurance Corporation; and if after said annual meeting a member bank from which a director of the central bank is elected shall, during his term of office, become a member of said insurance corporation he shall forthwith cease to be a director and his office shall be deemed vacant, unless by continuing as such director the central bank

directors who are officers or directors of banks which are members of said insurance corporation shall not exceed three as hereinbefore provided. Any such vacancy may be filled by the directors for the unexpired term as provided herein.

(b) The delegates of the member banks shall elect from a list of persons nominated by such banks four directors, none of whom shall be directors, officers, employees or agents of a member bank or a director, trustee or other officer of any other financial institution. Each member bank may nominate persons to be such a director by filing the name of such person with the board of directors not later than sixty days prior to the annual meeting; provided, however, that any such person shall be qualified by training and experience in one of the following fields: business judgment, insurance, investments, real estate, accounting or law.

(c) The provisions of this section and section five shall apply to all meetings and elections held under this section.

SECTION 2. Section two A of said chapter forty-five is hereby repealed.

SECTION 3. Said chapter 45 is hereby further amended by striking out section 4, as most recently amended by chapter 306 of the acts of 1967, and inserting in place thereof the following section:-

Section 4. There shall be a president, not less than two vice presidents, one of whom may be an executive vice president, a treasurer and a clerk of the corporation, and such other officers and committees thereof as the board of directors may deem necessary, which officers and committees shall be elected annually by the directors. The president shall be elected from the board of directors. The clerk of the corporation shall be clerk of the board of directors. The directors may fill any vacancies in said offices and committees until the next annual meeting.

SECTION 4. At the annual meeting of the corporation following the close of the nineteen hundred and eighty-five fiscal year of the central bank, the member banks shall elect the directors provided for in subsection (b) of section two of chapter forty-five of the acts of nineteen hundred and thirty-two. At such election, two of the four directors provided for in said subsection (b) shall be elected for a term of two years, and two such directors shall be elected for a term of three years. Thereafter, each such director shall be elected for a three-year term.

SECTION 5. Sections one and four shall take effect on June first, nineteen hundred and eighty-five.

Approved July 10, 1984.

Chap. 177. AN ACT AUTHORIZING ESTIMATED TAX PAYMENTS FOR THE TOWN OF WELLESLEY FOR THE FIRST HALF OF FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-FIVE.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any other general or special law to the contrary, the town of Wellesley 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-five 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. Payment of the balance of the tax bill after establishment of the tax rate for fiscal year nineteen hundred and eighty-five, 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-five 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-five 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 the fiscal year nineteen hundred and eighty-five established by said town of Wellesley.

Approved July 10, 1984.

Chap. 178. AN ACT FURTHER REGULATING THE TRANSFER OF CERTAIN PRISONERS.

Be it enacted, etc., as follows:

Section 120 of chapter 127 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Every order of removal of the commissioner shall be signed by him or his designee and shall be directed to the

officer by whom it is to be executed.

Approved July 10, 1984.

Chap. 179. AN ACT PROVIDING FOR THE ELECTION OF OFFICERS IN CREDIT UNIONS.

Be it enacted, etc., as follows:

Section 15 of chapter 171 of the General Laws, as most recently amended by chapter 64 of the acts of 1981, is hereby amended by striking out the first and second sentences and inserting in place thereof the following sentence:- The directors, at a regular scheduled meeting or at a special meeting of the directors called for that purpose and thereafter at their first meeting after the annual meeting shall elect a president and treasurer and may elect vice presidents and assistant treasurers who may or may not be a director who shall be officers and shall elect such other officers as may be necessary for the transaction of the business of the credit union, and shall elect from their own number a chairman of the board, a clerk, who shall be officers of the corporation, a credit committee of not less than three members, an auditing committee of not less than three nor more than five members, and an investment committee of three members, all of whom shall hold office until their successors are qualified unless sooner removed as hereafter provided. The offices of president and treasurer shall not be held by the same person.

Approved July 10, 1984.

Chap. 180. AN ACT PROVIDING FOR THE ANNUAL OBSERVANCE OF SLOVAK INDEPENDENCE DAY.

Be it enacted, etc., as follows:

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

Section 12II. The governor shall annually issue a proclamation setting apart March fourteenth as Slovak Independence Day, in commemoration of the promulgation of the March fourteenth, nineteen hundred and thirty-nine Declaration of Slovak National Independence which established the Slovak Republic as a sovereign nation-state and recommending that said day be observed in

an appropriate manner by the people.

Approved July 10, 1984.

Chap. 181. AN ACT FURTHER REGULATING THE USE OF CERTAIN INSURANCE PAYMENTS BY MUNICIPALITIES.

Be it enacted, etc., as follows:

The second sentence of section 53 of chapter 44 of the General Laws is hereby amended by striking out clause (2), as amended by chapter 169 of the acts of 1980, and inserting in place thereof the following clause:-

(2) sums not in excess of ten thousand dollars recovered under the terms of fire or physical damage insurance policy and sums not in excess of ten thousand dollars received in restitution for damage done to such city, town or district property may be used by the officer or department having control of the city, town or district property for the restoration or replacement of such property without specific appropriation and.

Approved July 10, 1984.

Chap. 182. AN ACT AUTHORIZING THE CITY OF MALDEN TO USE A CERTAIN PARCEL OF PARK LAND IN SAID CITY AS A PUBLIC WAY.

Be it enacted, etc., as follows:

SECTION 1. The city of Malden is hereby authorized to use a certain parcel of land in said city, originally acquired for park purposes for use as a public way, said land being bounded and described as follows:-

Beginning at a point on the northerly side of Malden Street; said point being seven hundred twenty and 93/100 (720.93) feet east of the point of curvature of the northerly side of Malden Street and the easterly line of the Fellsway thence running along the easterly line of Devir Park by the following courses and distances: North 07°-18'-43", East one hundred thirty and 68/100 (130.68) feet, and North 05°-26'-17" East three hundred seventy-three and 15/100 (373.15) feet, to the southerly line of Emerald Street (said description being the easterly line of Davidson Way).

Davidson Way varies in width from approximately 18' to 35' with the westerly boundary being along the face of the chain link fence as it now stands.

This description is intended to conform to a plan entitled "Site Plan Devir Park, Malden, Mass., Scale: 1"=20', May 12, 1976, Hayes Engineering Inc., Melrose, Mass." Said plan is on file in the Office of the City Engineer of Malden as Plan E-173.

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

Approved July 10, 1984.

Chap. 183. AN ACT RELATIVE TO HOSPITAL RATE AGREEMENTS AND LIMITATIONS.

Be it enacted, etc., as follows:

SECTION 1. Clause (b) of section 51 of chapter 6A of the General Laws, as appearing in section 1B of chapter 372 of the acts of 1982, is hereby amended by striking out subclause (ii) and inserting in place thereof the following subclause:-

(ii) One hundred per cent plus the greater of: (1) one hundred fourteen per cent and (2) the per cent of free care and bad debt services of the hospital, multiplied by the projected patient care costs for a hospital service corporation and to purchasers and third party payors who reimburse acute hospitals on the basis of charges.

SECTION 2. Paragraph 3 of subsection B of section 68 of said chapter 6A, as most recently amended by section 6 of chapter 389 of the acts of 1983, is hereby amended by adding the following two sentences:- For those acute hospitals which exhibit a payor mix where a minimum of seventy-five per cent of the acute hospital's gross patient service revenue was attributable to Title XVIII and Title XIX of the federal social security act and local and state government subsidy and free care and bad debt, this calculation shall not be adjusted due to changes in fiscal year nineteen hundred and eighty-two Medicaid outpatient rates which may be required to conform to Volume 42 of the Code of Federal Regulations 447.321.

SECTION 3. The second paragraph of paragraph (d) of subsection C of section 68 of chapter 6A of the General Laws is hereby amended by inserting after the first sentence of the second paragraph the following sentence:- The Title XIX share of free care shall be calculated using Title XIX charges divided by total charges.

SECTION 4. The provisions of sections 2 and 3 shall become effective upon receipt of any federal approval required by the

terms of the waiver of Title XIX Principles of Reimbursement dated September thirtieth, nineteen hundred and eighty-two.

Approved July 10, 1984.

Chap. 184. AN ACT AUTHORIZING THE CITY OF LOWELL TO APPROPRIATE MONEY FOR THE PAYMENT OF AND TO PAY A CERTAIN UNPAID BILL.

Be it enacted, etc., as follows:

SECTION 1. The city of Lowell is hereby authorized to appropriate for the payment of, and after such appropriation the treasurer of said city is hereby authorized to pay, to Peabody N.E., Inc., a corporation duly organized under the laws of the state of Delaware, an unpaid bill incurred by said city and totalling twenty-five thousand nine hundred twenty-nine dollars and seventy-eight cents, said bill being legally unenforceable against said city and as are certified for payment by the department of public works wherein the bill was contracted; provided, however, that the money so appropriated to pay such bill shall be raised by taxation or made available from the unappropriated surplus funds of the city.

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

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

SECTION 4. This act shall take effect upon its acceptance by the city of Lowell during the current year.

Approved July 10, 1984.

Chap. 185. AN ACT INCREASING THE AMOUNT OF A CERTAIN BENEFIT WHICH MAY BE PAID BY THE WALTHAM FIREFIGHTERS WELFARE AND RELIEF ASSOCIATION TO CERTAIN MEMBERS UPON THEIR RETIREMENT.

Be it enacted, etc., as follows:

SECTION 1. Waltham Firefighters Welfare and Relief Association, a corporation duly established under the laws of the commonwealth is hereby authorized, upon the retirement of any member in good standing, to pay to such member such sum, not exceeding four thousand dollars, as may be determined by vote of said corporation.

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

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

Approved July 10, 1984.

Chap. 186. AN ACT ESTABLISHING A BOARD OF WATER AND SEWER COMMISSIONERS IN THE TOWN OF WESTMINSTER.

Be it enacted, etc., as follows:

There shall be in the town of Westminster a board of water and sewer commissioners consisting of three members who shall be elected by ballot to hold office until the expiration of three years. One member of said board shall be elected in each of the next succeeding annual town elections. The members presently serving as the board of water commissioners of said town shall serve as the board of water and sewer commissioners until the expiration of their respective terms and the election of their successors. A majority of said commissioners shall constitute a quorum for the transaction of business. After the election of a board of water and sewer commissioners under authority of this act, any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said town at any legal town election called for the purpose. Any such vacancy may be filled temporarily in the manner provided by section eleven of chapter forty-one of the General Laws, and the person so appointed shall perform the duties of the office until the next annual election in said town or until another person is

qualified. Such board shall have all the powers and duties of both water commissioners and sewer commissioners in sections sixty-five and sixty-nine B of said chapter forty-one.

Approved July 10, 1984.

Chap. 187. AN ACT RELATIVE TO LOCAL ASSESSED VALUATION OF CERTAIN PARCELS OF LAND.

Be it enacted, etc., as follows:

Section 21C of chapter 59 of the General Laws is hereby amended by striking out paragraph (f), as amended by section 2 of chapter 641 of the acts of 1983, and inserting in place thereof the following paragraph:-

(f) In any city or town in which the 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, or taxed as a separate parcel for the first time during such fiscal year, or class one and class two property, as defined in section two A, 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 assessed valuation is due to a certified revaluation of the entire city or town, or class three and class four property, as defined in said section two A, and personal property which has had an increase in its assessed valuation of no less than one hundred thousand dollars or fifty per cent, whichever is less, over the prior year's valuation unless such increased assessed valuation is due to a certified revaluation of the entire city or town.

Approved July 10, 1984.

Chap. 188. AN ACT 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 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.

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 thirtynine perma-nent positions and one hundred and ten temporary positions $20,916

0322-0002 For salaries and expenses of the appeals court $21,807

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 forsuch increase are appropriated by the general court $1,200,000

Superior Court.
For Salaries and Expenses.

0331-2800 Hampshire superior court, including not more than eight permanent positions $2,835

Administration of Districts Courts.
For Salaries and Expenses.

0332-1400 District court of central Berkshire (Pittsfield), including not more than twenty-one permanent positions $1,550

0332-1800 Third district court of Bristol (New Bedford), including not more than forty-seven permanent positions $6,231

0332-2000 District court of Edgartown, including not more than eight permanent positions $4,400

0332-2200 Second district court of Essex (Amesbury), including not more than eleven permanent positions $1,880

0332-2400 Central district court of northern Essex (Haverhill), including not more than thirty-one permanent positions $3,300

0332-3100 District court of Orange, including not more than twelve permanent positions and one temporary position $4,173

0332-3300 District court of Holyoke, including not more than twenty-five permanent positions $3,164

0332-5600 Municipal court of Brookline, including not more than twenty-three permanent positions $21,163

0332-7100 District court of Leominster, including not more than eleven permanent positions $11,500

0332-7300 First district court of northern Worcester (Gardner), including not more than twenty-five permanent positions $4,331

0332-7600 First district court of southern Worcester (Dudley), including not more than twenty-four permanent positions and two temporary positions $1,378

Probate and Family Court Department.
For Salaries and Expenses.

0333-0500 Essex, including not more than fifty-two permanent positions $14,387

Juvenile Court.
For Salaries and Expenses.

0337-0400 Worcester juvenile court, including not more than twenty-five permanent positions and three temporary positions $27,532

DISTRICT ATTORNEYS.
For the salaries of district attorneys and assistants for the eleven districts:

0340-0800 Plymouth, including not more than fifteen permanent positions and forty temporary positions $20,481

0340-0900 Bristol; provided, that ninety-six thousand three hundred and thirty-one dollars shall be allowed and paid for the reimbursement to the towns of Dartmouth and Fairhaven and the city of New Bedford for the costs incurred in providing security for the safeguarding of certain evidence; provided further, that the town of Dartmouth receive sixty-five thousand and sixty-two dollars; the town of Fairhaven, fifteen thousand and six hundred and fifty-seven dollars; and the city of New Bedford, fifteen thousand six hundred and twelve dollars, including not more

than twenty-two permanent and twenty-eight temporary positions $222,483

0340-0901 For the office of the Bristol District Attorney, provided that these funds shall be expended solely for the rental of space and equipment and for expenses incurred in the transfer of the telephone system, appropriation to expire June thirtieth, nineteen hundred and eighty-five $255,396

Adjutant General.

0431-0010 For the office of the adjutant general, including not more than twenty-one permanent positions $31,584

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 $153,300

State Quartermaster.

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; and, provided further, that 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 $63,000

SECRETARY OF THE COMMONWEALTH.

0521-0000 For preparing, printing and distributing ballots and other miscellaneous expenses for primary and other elections, including not more than six permanent positions $36,000

Commission on Interstate Cooperation.

0530-0100 For the expenses of the commission, including not more than three permanent positions $2,516

TREASURER AND RECEIVER-GENERAL.

0611-5800 For distribution to cities and towns, pursuant to chapter five hundred and ninety-four of nineteen hundred and eighty-three, of one-quarter of one per cent of the total pari-mutuel wager for the period July first, nineteen hundred and eighty-three; provided, that from the amount appropriated herein the city of Boston shall receive five hundred thirty-nine thousand four hundred fifty-three dollars and fifty-three cents, the city of Revere shall receive three hundred seventy-one thousand six hundred seventy-four dollars and fifty-nine cents, the town of Raynham shall receive two hundred ninety-four thousand six hundred sixty-four dollars and fourteen cents, the town of Fox-

borough shall receive one hundred fifty-eight thousand seven hundred twenty dollars and three cents, the town of Marshfield shall receive eight thousand four hundred twenty-two dollars and seven cents, the city of Northampton shall receive thirteen thousand four hundred sixteen dollars and fifty-four cents, the town of Great Barrington shall receive fourteen thousand and thirteen dollars $1,400,364
Local Aid Fund 100.0%

0612-9000 For annuities for widows of certain former members of the uniformed branch of the state police $2,000
Highway Fund 66.0%
General Fund 34.0%

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 $8,157,885
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 $5,800,000

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 $1,300,000

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

Fiscal Affairs Division.

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; 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; 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 $750,000

Central Services Division.

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 per-

manent positions and twelve temporary positions $1,260,944

1102-5231 For the expense and administration, operation and maintenance of the Springfield State Office Building $300,000

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 $21,706

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, further, 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; 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; pro-

vided 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; 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; 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; prior appropriation continued $5,600,000

DEPARTMENT OF REVENUE.

Bureau of Local Taxation.

1233-3200 For reimbursing the city of Boston for loss of taxes on certain land and buildings, for the period between the acquisition of the land by the commonwealth and June thirtieth, nineteen hundred and eighty-four, in the Park Square area of the city of Boston acquired by the commonwealth for the construction of the state transportation building, less the value of certain improvements made by the commonwealth to public ways in the Park Square area and less the value of a certain parcel of land in said area that will be transferred to the city of Boston $400,000

Local Aid Fund 100.0%

1233-3400 For expenses of the farmland valuation advisory commission for developing and implementing a comprehensive farmland valuation study $65,000

Miscellaneous.

1599-0103 For a reserve to meet the cost of damages from the rainstorms and floods of April fifth, nineteen hundred and eighty-four, and May thirtieth, nineteen hundred and eighty-four to June fourth, nineteen hundred and eighty-four, suffered by certain cities and towns; provided, that the commissioner of administration is hereby authorized to transfer from the sum appropriated to the department of public works amounts necessary for repairs to highways, bridges and other public works to the department of environmental quality engineering amounts necessary for repairs to waste water treatment plants, and to the department of food and agriculture amounts necessary for a program of emergency financial assistance for certain losses sustained by any farmer within the commonwealth during said rainstorms or floods, provided further, that the commissioner of administration will file a notice of such transfers with the house and senate committees on ways and means; and, provided further, that this appropriation shall expire on June thirtieth, nineteen hundred and eighty-seven $11,000,000

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; and, provided further, that this appropriation shall expire on June thirtieth, nineteen hundred and eighty-five $2,500,000

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 officers and positions authorized as of June thirtieth, nineteen hundred and eighty-four, appropriation expires June thirtieth, nineteen hundred and eighty-five $9,250,000

1599-3100 Item 1599-3100 in section two of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three is hereby amended by striking out the wording therein and inserting in place thereof the following:

For the payment of certain employment security benefits, provided that the commissioner of administration is hereby authorized to charge against the appropriation accounts of individual agencies a share, not exceeding two-tenths of one per cent of such agencies' expenditures during fiscal year nineteen hundred and eighty-four from the subsidiary accounts 01 and 02, of unemployment insurance contributions paid pursuant to chapter one hundred and fifty-one A of the General Laws for the period January first, nineteen hundred and eighty-four through June thirtieth, nineteen hundred and eighty-four; provided further that, said charges shall be credited to this item and expended for the purposes of this item; prior appropriation continued.

1599-3270 Item 1599-3270 of chapter six hundred and two of nineteen hundred and eighty-one is hereby amended by striking out the wording and inserting in place thereof the following wording:

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 courts (chief administrative justice) and the Service Employees International Union, Local No. 254, AFL-CIO; provided, however, that

the commissioner of administration subject to the conditions hereinafter imposed 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 commisioner of administration is further authorized to allocate the cost of such salary adjustments and benefits to the several state or other funds to which such items of appropriation are charged; and, provided further, that copies of each said collective bargaining agreement, together with an analysis of all cost items contained in said agreement and all changes to be made in the schedules of permanent and temporary positions required by said agreement, shall be filed with the house and senate committees on ways and means prior to the transfer or allocation of any amounts necessary to meet with the cost of said adjustments and benefits; and provided, further, that no such transfer or allocation shall be made without the prior approval of the house and senate committees on ways and means.

1599-3318 For equalizing distributions to cities and towns which are not a part of both the Metropolitan Parks District and the Metropolitan Sewerage District, to be distributed under the provisions of section fifteen of this act $5,937,144
Local Aid Fund 100.0%

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 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; and provided further, that the commissioner of administration is further authorized to allocate the cost of such salary adjustments and benefits to the several state or other funds to which such items of appropriation are charged; 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 $1,500,000

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, and the cost of certain classification requests recommended by the personnel administrator in accordance with the provisions of section forty-five 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 and allocations thereof such amounts as are necessary to meet the costs of such appeal decisions and classification requests for fiscal year nineteen hundred and eighty-five and prior fiscal 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, prior appropriation continued appropriation to expire June thirtieth, nineteen hundred and eighty-five $5,150,000

1599-3419 For a reserve for payment of salary adjustments authorized by chapter four hundred and seventy-four of the acts of nineteen hundred and eighty-three; provided, that the commissioner of administration is hereby authorized to transfer from the sum appropriated herein to other items of appropriation such amounts as are necessary to meet the cost of said adjustments $155,206

1599-3421	For the payment of a certain court judgement entered in Suffolk superior court docket number 48292	$15,000
1599-3422	For the payment of a certain court judgement entered in Suffolk superior court docket number 9608	$4,730
1599-3423	For the payment of a certain court judgement entered in Suffolk superior court docket number 2393	$1,125
1599-3424	For the payment of a certain court judgement entered in Suffolk superior court docket number 14459	$50,000
1599-3425	For reimbursement for the payment of certain legal fees as authorized by chapter five hundred and ninety-two of the acts of nineteen hundred and eighty-three	$59,588
1599-3427	For the payment of a certain court judgement entered in Hampden superior court docket number 79-1390	$910
1599-3431	For the payment of a certain court judgement entered in Suffolk superior court docket number 41737	$4,573
1599-3432	For the payment of a certain court judgement entered in the United States District Court civil action number 83-0188-F	$1,805
1599-3433	For the payment of a certain court judgement entered in Middlesex superior court docket number 81-6373	$25,000
1599-3434	For the payment of case number 78-BPR-0093 in accordance with the Massachusetts commission against discrimination consent order	$8,000
1599-3437	For the payment of a certain court judgement entered in Hampshire superior court docket number 17538	$21,251
1599-3438	For the payment of a certain court judgement entered in Suffolk superior court docket number 49453	$3,000

1599-3439 For the payment of a certain court judgement entered in Suffolk superior court docket number 629331 $169,495

1599-3440 For the payment of a certain court judgement entered in Suffolk superior court docket number 48101 $227,500

1599-3442 For the payment of a moral obligation as authorized by chapter ten of the resolves of nineteen hundred and eighty-three $945

1599-3443 For the payment of a moral obligation as authorized by chapter nine of the resolves of nineteen hundred and eighty-three $3,052

1599-3444 For the payment of a certain court judgement entered in Suffolk superior court docket number 685252 $3,128,000

1599-3445 For the payment of a moral obligation as authorized by section seventeen of this act $277,594

1599-3451 For the reimbursement by the state treasurer to the Liberty Mutual Insurance Company, pursuant to section seven of chapter one hundred and fifty-two of the General Laws $6,480

1599-3452 For the payment of a certain moral obligation as authorized by section nineteen of this act $5,000

1599-3453 For the payment of a certain moral obligation as authorized by section eighteen of this act $2,642

1599-3454 For the payment of a certain court judgement entered in Suffolk superior court civil action number 19565 $127,000
MDC Water District Fund 100.0%

1599-3455 For the purposes of providing benefits to recipients of general relief; provided, that funds from this item may be transferred to account 4406-2000, appropria-

tion to expire June thirtieth, nineteen hundred and eighty-five $2,000,000

1599-3456 For the payment of a moral obligation as authorized by chapter eight of the resolves of nineteen hundred and eighty-three $2,200

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.

Department of Environmental Management.

2100-0903 For certain payments in lieu of taxes, provided, that of the amount appropriated herein not more than thirty thousand dollars shall be expended for such payments relating to the Connecticut River flood control commission, and not more than one hundred forty-one thousand five hundred and seventy dollars shall be expended for such payments relating to the Merrimack River flood control commission; provided further, that of the sum appropriated herein not more than seven thousand two hundred and eighty-nine dollars shall be expended for surface and groundwater basin atlas studies; provided further, that of the sum appropriated herein not more than twenty-one thousand dollars shall be expended for stream gaging programs; and, provided further, that of the sum appropriated herein not more than fifteen thousand dollars shall be expended for reading, maintenance and related expenses of observation wells $214,859

Division of Forests and Parks.

2120-0903 For reimbursement to the department of environmental quality engineering within the executive office of environmental affairs for expenditures incurred by said department in stabilizing, repackaging, removing and disposing of hazardous material relating to a fire which occurred in calendar year nineteen hundred and eighty-two at the Stowe headquarters of the bureau of insect pest control $14,348

2120-0904 For the purpose of installing fencing at the Vietnam Veterans Memorial Park in the town of Billerica; appropriation to expire June thirtieth, nineteen hundred and eighty-five $25,000

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 $25,000

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, prior appropriation continued $3,800

2150-0537 For the design and dredging of Manchester harbor in the town of Manchester; appropriation to expire June thirtieth, nineteen hundred and eighty-five $400,000

2150-0538 For repairs and reconstruction of the Lake Whittemore dam in the town of Spencer; appropriation to expire June thirtieth, nineteen hundred and eighty-five $104,000

2150-0539 For payment of certain services performed pursuant to item 2270-1300 of chapter four hundred and forty-two of the acts of nineteen hundred and seventy-eight; appropriation to expire June thirtieth, nineteen hundred and eighty-five $2,925

Department of Environmental Quality Engineerng.

2250-0908 For the control of algae, weeds, and other aquatic nuisances in Dorothy pond in the town of Millbury. Appropriation to expire June 30, 1985 $40,000

2250-0909 For a study and engineering survey to correct and restore the proper flow of stagnated water at Leesville Pond around the New Swedish Cemetery situated in Worcester and Auburn up to the dam at Webster Street, Worcester $25,000

2260-0221 For a grant to the town of Wilmington for the purpose of meeting the cost of an emergency cleanup of an oil spill caused by the rupture of oil tanks near the headwaters of the Ipswich river in the town of Wilmington and for the replacement of certain private wells contaminated by said spill; provided, that this appropriation shall expire on June 30, 1985 $400,000

2260-0222 For purposes of a grant to the Town of Whately for a feasibility study to supply potable water in sufficient quantity and under adequate pressure to consumers in the town; such grant needed because of ground water contamination caused by Temik and Ethylenedibromide adversely affecting wells in the community; provided that such feasibility study be submitted to and approved by the Department of Environmental Quality Engineering and provided further that upon approval by the said Department these funds are to be used for the purpose of implementation of the study recommendations as approved including preliminary design, surface or ground

water exploration, geohydrologic investigations, sampling and laboratory analyses, long-term pumping tests and final design and construction of an alternative water supply $250,000

Department of Fisheries, Wildlife and Recreational Vehicles.

2320-0111 For the preparation of plans, if necessary, and for the reconstruction of a public access boat launching ramp at Onota lake in the city of Pittsfield. Appropriation to expire June 30, 1985 $20,000

Metropolitan District Commission.

2410-1051 For general administration; provided, that of the sum appropriated herein, not more than twenty thousand dollars shall be expended for telephone services; and not more than forty-five thousand five hundred dollars shall be expended for data processing hardware and software rental payments $65,500

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 $300,000

Highway Fund	67.0%
MDC Parks District Fund	33.0%

2440-0030 For the purpose of installing a monument at the Vietnam Veterans Memorial Park in Dorchester. Appropriation to expire June thirtieth, nineteen hundred and eighty-five $10,000

2440-0031 For the rehabilitation of the Kasabuski Skating rink, these funds to be in addition to funds appropriated in item 2440-8805 of chapter seven hundred and ninety-eight of the acts of nineteen hundred and seventy-nine. Appropriation to expire June thirtieth, nineteen hundred and eighty-five $150,000

Department of Food and Agriculture.
State Reclamation Board.

2520-0303 To provide for supplementing the existing appropriation for the Cape Cod mosquito control project, (Item 2520-0300) for the purpose of offsetting increased contract costs and state group insurance costs $50,000

2520-1401 For the purchase of certain equipment for Plymouth county mosquito and greenhead fly control $51,800

EXECUTIVE OFFICE OF COMMUNITIES AND DEVELOPMENT.
Division of Community Development.

3722-9001 Item 3722-9001 in section two of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three is hereby amended by striking out the wording therein and inserting in place thereof the following wording:

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 not to exceed an amount of two hundred fifty thousand dollars accrued from said loan program may be expended without further appropriation.

3722-9004 Item 3722-9004 in section two of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three is hereby amended by inserting, in line thirteen, after the word "eighty-three" the following words:- ; and, provided further, that of the amount appropriated herein, twenty-one million five hundred and thirty-five thousand nine hundred and eighty-nine dollars shall expire on September thirtieth, nineteen hundred and eighty-four.

3722-9005 Item 3722-9005 in section two of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three is hereby amended by adding at the end thereof the following words:- ; and, provided further, that of the amount appropriated herein, eleven million eight hundred thousand dollars shall expire on December thirty-first, nineteen hundred and eighty-four.

3722-9006 Item 3722-9006 in section two of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three is hereby amended by adding at the end thereof the following words:- ; and, provided further, that of the amount appropriated herein, twenty-two million one hundred thousand dollars shall expire on December thirty-first, nineteen hundred and eighty-four.

3722-9106 For a grant for planning activities in the city of Peabody, said funds to be allocated by the mayor of said city, as he deems necessary; provided, that such appropriation shall expire on June thirtieth, nineteen hundred and eighty-six $350,000
Local Aid Fund 100.0%

3722-9110 For a program of temporary rental assistance for the purpose of providing thirty-five units of temporary rental assistance housing to certain residents affected by the fire of May, nineteen hundred and eighty-four in the city of Peabody; provided, this item shall expire June thirtieth, nineteen hundred and eighty-five $175,000

Division of Community Services.

3747-0001 For expenses incurred by the commission on Indian affairs for the purpose of implementing the provisions of chapter seven hundred and thirteen of the acts of nineteen hundred and eighty-three; provided, that the sum appropriated herein shall expire on October first, nineteen hundred and eighty-four $20,000

3747-0010 For the cost of repairs and construction including electrical work for the Latin Association for Progress and Action Building at 831 Main Street in the city of Worcester $51,125

EXECUTIVE OFFICE OF HUMAN SERVICES.

4000-0100 Item 4000-0100 of section two of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three is hereby amended by adding at the end thereof: and, for the purpose of promoting the public good, for payment of seventy thousand forty-seven dollars in a lump sum to Anne Corbo Carballo, widow of the late Manuel Carballo, who died while serving as secretary of the executive office of human services, which represents the salary to which he would have been entitled had he lived and served until January twenty-seventh, nineteen hundred and eighty-five $42,000

Massachusetts Commission for the Blind.

4110-1020 For support of a medical assistance program

for the blind, including not more than three permanent positions $1,085,133

4130-0001 Item 4130-0001 of section two of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three is hereby amended by adding the following words:- ; and, provided further, that an amount not to exceed one thousand nine hundred and sixty-two dollars shall be allowed and paid for certain payroll expenses during the period May twenty-second, nineteen hundred and eighty-three and June twenty-sixth, nineteen hundred and eighty-three.

Office for Children.

4130-0010 Item 4130-0010 of section two of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three is hereby amended by adding the the following words:- ; provided further, that an amount not to exceed seven hundred thirty dollars shall be allowed and paid for certain office expenses; and, provided further, that an amount not to exceed three thousand nine hundred dollars shall be allowed and paid for certain salary adjustments.

4130-0015 Item 4130-0015 of section two of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three is hereby amended by adding the following words:- ; and, provided further, that an amount not to exceed fifty thousand and five dollars shall be allowed and paid for certain salary adjustments as granted by an agreement between the office of employee relations and the appropriate unions.

Commissioner of Veteran's Service.

4170-0013 For the purpose of providing a cash match for Title 4 part C of the Job Training Partnership Act; appropriation to expire

June thirtieth, nineteen hundred and eighty-five $80,000

4170-0300 For the payment of annuities to certain disabled veterans $1,902

DEPARTMENT OF YOUTH SERVICES.

4202-0025 Item 4202-0025 of section two of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three as amended by chapter two hundred and ninety-seven of the acts of nineteen hundred and eighty-three is hereby further amended by adding the following words:- ; provided further, that not less than one hundred sixteen thousand dollars shall be allowed and paid for certain contracted services rendered by the Greater Boston YMCA during the period January first, nineteen hundred and seventy-nine and June thirtieth, nineteen hundred and eighty-two; and provided further, that such payment shall be made only for such services as have been documented by the YMCA Service Corporation to the comptroller.

DEPARTMENT OF CORRECTION.

4311-0001 Item 4311-0001 of section two of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three is hereby amended by adding the following words:- and for the payment of legal obligations associated with prior fiscal years.

4311-0100 For a study, the preparation of plans, if necessary, and for site preparation, replacement, renovation, and construction of farm buildings at the Southeastern Correctional Center including the cost of furnishings and equipment, appropriation to expire on June thirtieth, nineteen hundred and eighty-five $1,280,000

DEPARTMENT OF PUBLIC HEALTH.

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 $225,000

4512-0500 Item 4512-0500 of section two of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three is hereby amended by adding at the end thereof the following:- and provided further still, that certain prior years obligations amounting to one hundred thousand dollars be paid from the current year appropriation.

4515-0100 Item 4515-0100 of section two hundred and eighty-nine of the acts of nineteen hundred and eighty-three is hereby amended by adding the following words:- ; provided, that certain prior year expenses not to exceed fifteen thousand dollars be allowed and paid from this item.

4531-0001 Item 4531-0001 of section two of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three is hereby amended by adding the following words:- ; provided, that certain prior year salary expenses not to exceed forty-five thousand two hundred and eighty-three dollars be allowed and paid from this item; and provided further, that attorney's fees for services rendered on behalf of plaintiff's in civil service commission cases numbered D-1401 and D-1878 not to exceed two thousand two hundred and thirty-eight

dollars be allowed and paid from this item.

4533-0001 Item 4533-0001 of section two of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three is hereby amended by adding the following words:- ; provided, that certain prior years payroll expenses not to exceed ten thousand three hundred and twenty-one dollars be allowed and paid from this item.

DEPARTMENT OF MENTAL HEALTH.

5011-0000 Item 5011-0000 of section two of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three is hereby amended by adding the following words:- ; provided, that notwithstanding the provisions of section twenty-nine A of chapter twenty-nine of the General Laws, an amount not to exceed six thousand nine hundred and seventy-nine dollars for prior year expenses for which prior approval had not been given shall be allowed and paid from this item; and, provided further, that an amount not to exceed two hundred and nine thousand four hundred and eighty-eight dollars for settlements with Gerald Prolitt and Pioneer Management Corporation shall be allowed and paid from this item $341,184

5011-0018 For a program of recreational services and activities involving olympic style games for the clients of the state schools for the mentally retarded and community residences within the commonwealth $125,000

5021-0000 Item 5021-0000 of section two of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three is hereby amended by adding the following words:- ; provided, that notwithstanding the provisions of section twenty-nine A of chapter twenty-nine of the General Laws, an amount not to exceed

eight thousand six hundred and sixty-eight dollars for prior years expenses shall be allowed and paid from this item.

Region One.

5145-0000 Item 5145-0000 of section two of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three is hereby amended by adding the following words:- provided, that certain prior years expenses not to exceed eighteen thousand seven hundred and fifty-four dollars may be allowed and paid from this item $29,477

5183-0100 Item 5183-0100 of section two of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three is hereby amended by adding the following words:- ; provided, that notwithstanding the provisions of section twenty-nine A of chapter twenty-nine of the General Laws, an amount not to exceed fifty-two thousand two hundred and thirty-four dollars for certain contractual services rendered during the months of July, nineteen hundred and eighty-one to January, nineteen hundred and eighty-two is allowed and paid from this item; and provided further, that 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, an amount not to exceed four hundred and eighty-three dollars for certain contractual services rendered during the months of October, nineteen hundred and eighty-one to December, nineteen hundred and eighty-one and charged to account 5184-0100 should be allowed and paid from this item $422,574

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 facil-

ity; and, 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 $152,570

Region Two.

5245-0000 Item 5245-0000 of section two of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three is hereby amended by striking out the wording therein and inserting in place thereof the following wording:-

For the administration of region two, including not more than two hundred and sixty-two permanent positions and not more than fifty-five temporary positions.

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 $305,438

5295-0100 Item 5295-0100 of section two of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three is hereby amended by striking out the wording therein and inserting in place thereof the following wording:-

For the maintenance of 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 seven hundred and twenty-four permanent positions and not more than eight temporary positions.

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 and not more than one thousand two hundred and ninety-six temporary positions $426,521

Region Five.

5583-0100 Item 5583-0100 of section two of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three is hereby amended by adding the following words:- provided, that prior year expenses incurred for certain court settlements in the amount not to exceed fourteen thousand dollars may be allowed and paid from this item.

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 $60,000

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 $125,000

Region Six.

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 $49,670

Region Four B.

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 $1,342,874

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 $59,069

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 $16,900
Highway Fund 100.0%

6034-0015 For necessary repairs and alterations to the Baldwinville Bridge in the town of Templeton. Appropriation to expire on June 30, 1985 $15,331

7027-0016 For matching grants for various school-to-work programs; provided, that the board of education shall establish guidelines for said programs in consultation with the secretary of manpower affairs; provided, further, that any funds that are distributed under this item to cities, towns, or regional school districts 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 without further appropriation; provided, further, that each grant awarded herein shall be matched by the recipient from local, federal, or private funds; provided, further that the board of education may determine the percentage match required on an

individual grant basis; provided, further, that the department of education shall file quarterly reports with the joint committee on education and the house and senate committees on ways and means detailing the expenditures made for each grant $1,500,000

DEPARTMENT OF EDUCATION.
Division of Special Education.

7028-0031 Item 7028-0031 of said chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three is hereby amended by adding the following words:- and including any retroactive cost resulting from the matter of Quirk v. Anring, Suffolk superior court, civil action Number 18436 $3,129,405

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 $45,000

7035-0004 For the reimbursement of certain towns for the transportation of pupils $131,117
Local Aid Fund 100.0%

7061-0004 For additional assistance to be distributed to Colrain, Hawley, New Marlborough, New Salem, Peru, Washington, West Stockbridge, Windsor, and other munici-

palities 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; provided, that 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 $105,000
Local Aid Fund 100.0%

Division of State and Federal Assistance.

7061-0015 Item 7061-0015 of section two of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three is hereby amended by inserting after the word "programs", in line 2, the following words:- including costs incurred during fiscal year nineteen hundred and eighty-three.

7061-0053 For the payment to cities, towns, regional school districts, counties maintaining agricultural schools, and independent vocational schools of net increases in the distribution of funds under section eighteen A of chapter fifty-eight of the General Laws for fiscal years commencing July first, nineteen hundred and eighty-one and ending June thirtieth, nineteen hundred and eighty-two and commencing July first, nineteen hundred and eighty-two and ending June thirtieth, nineteen hundred and eighty-three as certified by the commissioner of education $7,927,015

BOARD OF REGENTS.

7100-0100 Item 7100-0100 of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three is hereby

amended by inserting after the words "seventy-three;", in line 17, the following words:- provided further, that a sum not less than twenty-five thousand dollars shall be allocated to item 7574-0100 for utility expenses $25,000

7400-0200 For the costs of the Massachusetts Corporation for Educational Telecommunications $105,000

7410-0205 For the repair and replacement of the rotors in the steam generator at the University of Massachusetts at Amherst $225,000

7452-0227 For the purchase, on behalf of the state secretary, from WGBH, of the documentary "Vietnam: A Television History", and for housing the same in an appropriate location in Boston; provided however, that the William Joiner Center at the University of Massachusetts at Boston shall be responsible for the utilization of said documentary for the benefit of the people of the Commonwealth $300,000

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 thirty-nine permanent positions and nine temporary positions $330,000

Highway Fund	50.0%
General Fund	50.0%

Criminal Justice Training Council.

8200-0240 For the administration and operation of the northeast regional police institute, including not more than three temporary positions $30,000

Division of State Police.

8312-6000 For the administration and operation of a Motor Carrier Safety Assistance Program; provided, that the sum appro-

priated herein shall expire on June thirtieth, nineteen hundred and eighty-five $50,000
Highway Fund 100.0%

Registry of Motor Vehicles.

8400-0001 For the administration of the registry; provided, that the positions of administrative assistant to the registrar, legislative assistants, executive secretary, assistant supervisor of public relations, 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; provided further, that any private insurance shall pay for the medical expenses of an officer injured while on duty, any amounts not paid by said insurance to be paid in full by the commonwealth, and, provided further, that should no private insurance exist, the entire cost shall be paid by the commonwealth $135,655
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 $50,000
Highway Fund 100.0%

EXECUTIVE OFFICE OF MANPOWER AFFAIRS.

Division of Tourism.

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; 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; and provided further, that no funds appropriated herein shall be used for the maintenance and administration of the department $11,657

9091-0333 For a program for the commemoration of the three hundredth anniversary of the founding of Barnstable, Bristol, and Plymouth counties; provided, that of the sum appropriated herein, an amount not to exceed twenty-five thousand dollars shall be expended for the purposes of the commemoration of the three hundredth anniversary of the founding of Barnstable county; provided, further, that of the sum appropriated herein, an amount not to exceed twenty-five thousand dollars shall be expended for the purposes of the commemoration of the three hundredth anniversary of the founding of Bristol county; provided, further, that of the

sum appropriated herein, an amount not to exceed twenty-five thousand dollars shall be expended for the purposes of the commemoration of the three hundredth anniversary of the founding of Plymouth county; provided, further that no funds appropriated herein shall be used for the maintenance and administration of the department; and provided further, that this appropriation shall expire on June thirtieth, nineteen hundred and eighty-five $75,000

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; 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); and provided further, that no funds appropriated herein shall be used for the maintenance and administration of the department $14,253

9091-0611 For the administration of the DES Unemployment Economic Development Fund $426,165

EXECUTIVE OFFICE OF ELDER AFFAIRS.

9110-1075 For grants to area agencies on aging for social services to be in addition to funding received under Title III-B of the Older Americans Act; provided, that expenditures for the purposes of this item shall be only for eligible services as authorized under Title III-B of the Older Americans Act; and provided further, that this appropriation shall expire on June thirtieth, nineteen hundred and eighty-five $700,000

EXECUTIVE OFFICE OF LABOR.

For the personal services and expenses of the following agencies of the department:

9412-0100 Division of occupational hygiene, including not more than fourteen permanent positions $35,655

9413-0100 For the expenses of the department in enforcing the minimum wage laws, including not more than thirteen permanent positions $1,500

9414-0100 Division of employment agencies, including not more than three permanent positions $1,126

SECTION 2A. For the purpose of making available for expenditure in the fiscal year nineteen hundred and eighty-five certain balances of appropriation which otherwise would revert on June thirtieth, nineteen hundred and eighty-four; the unexpended balances of the items shown below are hereby reappropriated for the fiscal year nineteen hundred and eighty-five:-

0330-0300
0330-1000
0330-2200
0330-2300
0330-2400
0330-2800
0330-3100
0330-3300
0332-3600
0337-0100
0340-0900
0411-8000
0526-0200
0699-6800
0699-7800
1100-8751
1100-8754
1100-8757
1100-8758
1100-8759
1100-9510
1102-3901
1102-3915
1102-5231
1102-8751
1102-8801
1102-9792
1102-9801
1102-9802
1102-9805
1120-1001
1599-2025
1599-2036
1599-2037
1599-2038
1599-2043
1599-2056
1599-2095
1599-2105
1599-3100
1599-3214
1599-3217
1599-3218
1599-3219
1599-3220
1599-3221
1599-3222
1599-3223
1599-3225

1599-3227
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1599-3230
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1599-3232
1599-3233
1599-3234
1599-3263
1599-3264
1599-3266
1599-3269
1599-3270
1599-3271
1599-3274
1599-3276
1599-3279
1599-3303
1599-3311
1599-3323
1599-3346
1599-3350
1599-3386
1599-3387
1599-3388
1599-3390
1599-3401
1599-3404
1599-3413
1599-3435
1599-3436
2100-0105
2100-0160
2100-0163
2120-1700
2120-8798
2120-8802
2120-8803
2120-8805
2120-8807
2120-9801
2121-8791
2130-8772
2140-0150
2150-0529
2150-0530
2200-0300
2240-8801
2260-0220

2260-0300
2260-0301
2270-0500
2270-0506
2270-0521
2270-0522
2270-0523
2270-0524
2270-0525
2270-0526
2270-0993
2270-8771
2270-8772
2270-8773
2270-8774
2270-8775
2270-8791
2270-8801
2270-8804
2270-8806
2270-8807
2310-0310
2320-8813
2320-8815
2320-8791
2320-9811
2320-9812
2410-8801
2410-8802
2420-8804
2429-7090
2429-7140
2429-7150
2429-8751
2430-8791
2439-7250
2439-7340
2439-8751
2440-0015
2440-8772
2440-8773
2440-8776
2440-8786
2440-8787
2440-8796
2440-8797
2440-8803
2440-8804
2440-8806

2448-8751
2449-7260
2449-7350
2449-7395
2449-8754
2449-8755
2520-0100
2520-0303
2520-0903
2520-1400
2520-1401
2630-8752
2685-9011
4180-8785
4180-8801
4231-8711
4231-8791
4231-8801
4313-8801
4313-9002
4315-8801
4316-8801
4346-8801
4348-8781
4348-8801
4380-0001
4403-2000
4513-1000
4516-8801
4531-8791
4531-8801
4532-8801
4533-8801
4536-8801
4536-8802
5011-0018
5011-8771
5011-8772
5011-8781
5011-8791
5011-8801
5011-8802
5191-8801
5294-8772
5295-8801
5381-8781
5471-8801
5481-8801
5491-8721

5581-8801
5593-8801
5700-8802
6000-3510
6000-3520
6000-3540
6004-8726
6004-8752
6004-8755
6004-8756
6005-0027
6006-8735
6010-0010
6020-2503
6020-2504
6020-2914
6032-4030
6032-4037
6032-4038
6032-4040
6032-7000
6032-8611
6034-0001
6034-0015
6034-0016
7027-0016
7052-0004
7061-0004
7108-8782
7111-8791
7111-8801
7113-7791
7113-8712
7114-8692
7114-8752
7114-8754
7114-8801
7115-8801
7716-8751
7116-8801
7220-0007
7220-8791
7220-8801
7220-8802
7220-8803
7310-8801
7410-8772
7410-8791
7410-8801

7410-8803
7410-8846
7411-8801
7411-8802
7416-8801
7504-8792
7504-8801
7505-8802
7511-8751
7511-8752
7511-8801
7511-8802
7514-8752
8200-0240
8200-8801
8312-8791
8312-8792
8312-8801
8400-0100
8400-8751
9091-0405
9222-0100
9222-0199
9300-2801
9300-3901
9300-3902
9400-0100

SECTION 2B. For the purpose of making available for expenditure in the fiscal year nineteen hundred and eighty-five certain balances of appropriations which otherwise would revert on June thirtieth, nineteen hundred and eighty-four, the unexpended balances of the items shown below are hereby reappropriated for the fiscal year nineteen hundred and eighty-five, provided that the unexpended balances in any other items of appropriation included by reference in the accounts listed below are not reappropriated.

1102-8771
1102-8774
1102-8775
1102-8777
1102-8792
1102-8794
1102-8797
1102-8802
1102-8803
1102-8804
1102-8806

2120-8774
2120-8775
2120-8777
2120-8781
2120-8782
2120-8791
2120-8794
2120-8797
2130-8771
2250-1001
2250-1010
2429-8752
2440-8793
2440-8794
2440-8798
2511-8801
2611-8751
2681-8751
2681-9029
4110-3015
4224-8781
4224-8791
4313-8751
4314-8771
4315-8791
4315-8792
4316-8794
4532-8791
4532-8792
4533-8791
4535-8791
4537-8791
4537-8792
5163-8741
5164-8741
5181-8741
5181-8781
5191-8741
5293-8791
5294-8781
5361-8791
5377-0102
5391-8771
5561-8721
5593-8781
5766-8741
6006-8731
6059-0000
7027-1003

7108-8692
7108-8781
7109-8791
7110-8723
7113-8712
7114-8721
7114-8791
7114-8802
7116-8751
7310-8783
7310-8785
7310-8791
7410-8774
7410-8781
7410-8783
7410-8784
7416-8772
7490-8702
7490-8706
7490-8721
7490-8722
7490-8751
7490-8753
7503-8751
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
8311-2070

SECTION 3. 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-four 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, however, 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 further, that sufficient funds for such payments existed within the appropriate line-item accounts as of June thirtieth, nineteen hundred and eighty-four and that such amounts were encumbered for the purpose of making said payments by such agencies; provided further, that said comptroller is hereby authorized to make payments for certain contracted services rendered in prior fiscal years for which certain regulations and procedures adopted as aforesaid 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 and that such payments shall be based on schedules approved by the house and senate committees on ways and means and charged to an account established for the purpose of paying prior year deficiencies and shall not be paid from any such current agency appropriation; and provided further, that this section shall not apply to payments authorized pursuant to section two for such purposes.

SECTION 3A. Notwithstanding sections eighteen A and twenty A of chapter fifty-eight of the General Laws, section four of chapter seventy of the General Laws, or any general or special law to the contrary, no net decrease or withholding of funds from any city, town, regional school district, county maintaining agricultural schools, or independent vocational school through local aid distribution for general or special education charges for the fiscal years nineteen hundred and eighty-two and nineteen hundred and eighty-three shall be made by the commissioner of revenue.

The provisions of this act shall not apply to any city, town, regional school district, county maintaining agricultural schools or independent vocational school with such an adjustment or withholding of funds for fiscal years nineteen hundred and eighty-two or nineteen hundred and eighty-three delayed by chapters one hundred and forty-one and four hundred and thirty-nine of the acts of nineteen hundred and eighty-three.

SECTION 4. The comptroller is hereby authorized to write off certain prior year advances unaccounted for in the total amount of fifteen thousand eight hundred and seventy-one dollars and eighty-nine cents in accordance with a detailed schedule on file with the house and senate committees on ways and means.

SECTION 4A. Chapter 62 of the General Laws is hereby amended by striking out section 3, as most recently amended by chapter 233 of the acts of 1983, and inserting in place thereof

the following section:-

Section 3. A. In determining the Part A taxable income, the Part A adjusted gross income shall be reduced by the following deductions and exemptions.

(a) There shall be deducted from the Part A adjusted gross income in determining the Part A taxable income:-

(1) Such net amount of the Part A adjusted gross income of trustees or other fiduciaries subject to taxation under sections nine or ten as is payable to or accumulated for persons not inhabitants of the commonwealth to the extent that such income would not be subject to taxation under section five A if received by a non-resident.

(2) Such net amount of the Part A adjusted gross income of trustees, executors or administrators as is pursuant to the terms of the will, deed or other instrument governing the estate or trust currently payable to or irrevocably set aside for public charitable purposes, or to or for the benefit of any organization or organizations established and operated exclusively for charitable purposes.

(3) In the case of an individual or a married person filing separately, who has attained the age of sixty-five before the close of the tax year, an amount up to two thousand dollars.

(4) In the case of married persons filing a joint return, either of which have attained the age of sixty-five before the close of the taxable year, an amount up to two thousand two hundred dollars.

(b) An exemption shall be allowed under this section equal to the amount by which the total exemptions allowable under Part B of section three exceed the Part B adjusted gross income less the deductions allowable under paragraph (a) of Part B of section three. No exemption shall be allowed hereunder to any married person unless a joint return is filed.

B. In determining the Part B taxable income, the Part B adjusted gross income shall be reduced by the following deductions and exemptions:

(a) There shall be deducted from the Part B adjusted gross income in determining the Part B taxable income:

(1) Such net amount of the Part B adjusted gross income of trustees or other fiduciaries subject to taxation under sections nine or ten as is payable to or accumulated for persons not inhabitants of the commonwealth to the extent that such income would not be subject to taxation under section five A if received by a non-resident.

(2) Such net amount of the Part B adjusted gross income of trustees, executors or administrators as is pursuant to the terms of the will, deed or other instrument governing the estate or trust currently payable to or irrevocably set aside for public charitable purposes, or to or for the benefit of any organization or organizations established and operated exclusively for chari-

table purposes.

(3) Taxes paid to the United States under the provisions of the Federal Insurance Contributions Act or the Federal Railroad Retirement Act. 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.

(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.

(6) Interests and dividends in the amount of one hundred dollars for a single person or a married person filing a separate return or two hundred dollars for a husband and wife filing a joint return from savings deposits, savings accounts, shares or share savings accounts included in Part B gross income.

(7) An amount equal to employment-related expenses allowed for purposes of determining the credit allowable under section forty-four A of the Code.

(8) In the case of an individual who maintains a household which includes as a member one or more individuals under the age of twelve who qualify for exemption as a dependent under section one hundred and fifty-one of the Code, six hundred dollars; provided, that no deduction shall be allowed under this subparagraph if a deduction is claimed under subparagraph (7) of this paragraph. If the taxpayer is married at the close of the taxable year, the deduction provided herein shall be allowed only if the taxpayer and his spouse filed a joint return for the taxable year. For the purposes of this subparagraph, the term "maintaining a household" shall have the same meaning as in section forty-four A of the Code.

(9) In the case of an individual who pays rent for his principal place of residence and such residence is located in the Commonwealth, an amount equal to fifty per cent of such rent. In no event shall the deduction under this subparagraph exceed two thousand five hundred dollars.

(b) The following exemptions shall be allowable to individuals against the Part B income:

(1) In the case of a single person,

(A) a personal exemption of two thousand four hundred dollars,

(B) an additional exemption of two thousand four hundred dollars if the taxpayer was totally blind at the close of his taxable year, and

(C) an additional exemption of nine hundred dollars if the taxpayer had attained the age of sixty-five before the close of his taxable year.

(2) In the case of a husband and wife filing a joint return,

(A) a personal exemption of two thousand four hundred dollars, and an amount not exceeding two thousand four 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 five hundred 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 four 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 four thousand eight hundred dollars.

(B) an additional exemption of two thousand four hundred dollars for each spouse who was totally blind at the close of his taxable year, and

(C) an additional exemption of nine hundred dollars for each spouse who had attained the age of sixty-five before the close of his taxable year.

(3) In the case of a married person filing a separate return,

(A) a personal exemption of one thousand two hundred dollars,

(B) an additional exemption of two thousand four hundred dollars if the taxpayer was totally blind at the close of his taxable year, and

(C) an additional exemption of nine hundred dollars if the taxpayer had attained the age of sixty-five before the close of his taxable year.

(4) An exemption of nine hundred dollars for each individual who qualifies for exemption as a dependent under section one hundred and fifty-one (e) of the Code.

(5) An amount equal to the deduction for medical, dental and other expenses allowed under section two hundred and thirteen of the Code, provided that the individual itemizes deductions on his federal income tax return and has excess itemized deductions

thereon. No exemption shall be allowed under this paragraph to an individual who files a joint federal income tax return with his spouse unless a joint return is also filed under this chapter.

(6) An amount equal to the fees, in excess of three per cent of the Part B adjusted gross income paid within the taxable year to any agency licensed to place children for adoption by the taxpayer on account of the adoption of a minor child.

(c) Except as hereinafter provided for a non-resident, if the taxable year of any person subject to tax under this chapter is a short taxable year, and such short taxable year is not due to the death of such person, any exemption under paragraph (b) of this section shall be limited to an amount equal to the exemption otherwise allowable by this section multiplied by a fraction the numerator of which is the number of days in the taxable year and the denominator of which is three hundred and sixty-five. If a taxpayer is a non-resident for all or any part of a taxable year, he shall be allowed exemptions under this section equal to the amount otherwise determined under this section multiplied by a fraction the numerator of which is his Massachusetts gross income and the denominator of which is the amount which would have been his Massachusetts gross income had he been a resident of the commonwealth throughout the taxable year.

SECTION 4B. Chapter 62 of the General Laws is hereby amended by striking out section 3, as most recently amended by section 4A of this act, and inserting in place thereof the following section:-

Section 3. A. In determining the Part A taxable income, the Part A adjusted gross income shall be reduced by the following deductions and exemptions.

(a) There shall be deducted from the Part A adjusted gross income in determining the Part A taxable income:-

(1) Such net amount of the Part A adjusted gross income of trustees or other fiduciaries subject to taxation under sections nine or ten as is payable to or accumulated for persons not inhabitants of the commonwealth to the extent that such income would not be subject to taxation under section five A if received by a non-resident.

(2) Such net amount of the Part A adjusted gross income of trustees, executors or administrators as is pursuant to the terms of the will, deed or other instrument governing the estate or trust currently payable to or irrevocably set aside for public charitable purposes, or to or for the benefit of any organization or organizations established and operated exclusively for charitable purposes.

(3) In the cases of an individual or a married person filing separately, who has attained the age of sixty-five before the close of the taxable year, an amount up to four thousand dollars.

(4) In the case of married persons filing a joint return, either of which have attained the age of sixty-five before the close of the taxable year, an amount up to four thousand four hundred dollars.

(b) An exemption shall be allowed under this section equal to the amount by which the total exemptions allowable under Part B of section three exceed the Part B adjusted gross income less the deductions allowable under paragraph (a) of Part B of section three. No exemption shall be allowed hereunder to any married person unless a joint return is filed.

B. In determining the Part B taxable income, the Part B adjusted gross income shall be reduced by the following deductions and exemptions:

(a) There shall be deducted from the Part B adjusted gross income in determining the Part B taxable income:

(1) Such net amount of the Part B adjusted gross income of trustees or other fiduciaries subject to taxation under sections nine or ten as is payable to or accumulated for persons not inhabitants of the commonwealth to the extent that such income would not be subject to taxation under section five A if received by a non-resident.

(2) Such net amount of the Part B adjusted gross income of trustees, executors or administrators as is pursuant to the terms of the will, deed or other instrument governing the estate or trust currently payable to or irrevocably set aside for public charitable purposes, or to or for the benefit of any organization or organizations established and operated exclusively for charitable purposes.

(3) Taxes paid to the United States under the provisions of the Federal Insurance Contributions Act or the Federal Railroad Retirement Act. 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.

(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 estab-

lished under the laws of the commonwealth is not subject to taxation in such other state or political subdivision.

(6) Interests and dividends in the amount of one hundred dollars for a single person or a married person filing a separate return or two hundred dollars for a husband and wife filing a joint return from savings deposits, savings accounts, shares or share savings accounts included in Part B gross income.

(7) An amount equal to employment-related expenses allowed for purposes of determining the credit allowable under section forty-four A of the Code.

(8) In the case of an individual who maintains a household which includes as a member one or more individuals under the age of twelve who qualify for exemption as a dependent under section one hundred and fifty-one of the Code, six hundred dollars; provided, that no deduction shall be allowed under this subparagraph if a deduction is claimed under subparagraph (7) of this paragraph. If the taxpayer is married at the close of the taxable year, the deduction provided herein shall be allowed only if the taxpayer and his spouse filed a joint return for the taxable year. For the purposes of this subparagraph, the term "maintaining a household" shall have the same meaning as in section forty-four A of the Code.

(9) In the case of an individual who pays rent for his principal place of residence and such residence is located in the Commonwealth, an amount equal to fifty per cent of such rent. In no event shall the deduction under this subparagraph exceed two thousand five hundred dollars.

(b) The following exemptions shall be allowable to individuals against the Part B income:

(1) In the case of a single person,

(A) a personal exemption of two thousand four hundred dollars,

(B) an additional exemption of two thousand four hundred dollars if the taxpayer was totally blind at the close of his taxable year, and

(C) an additional exemption of nine hundred dollars if the taxpayer had attained the age of sixty-five before the close of his taxable year.

(2) In the case of a husband and wife filing a joint return,

(A) a personal exemption of two thousand four hundred dollars, and an amount not exceeding two thousand four 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 eight hundred 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 four 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 four thousand eight hundred dollars.

(B) an additional exemption of two thousand four hundred dollars for each spouse who was totally blind at the close of his taxable year, and

(C) an additional exemption of nine hundred dollars for each spouse who had attained the age of sixty-five before the close of his taxable year.

(3) In the case of a married person filing a separate return,

(A) a personal exemption of one thousand two hundred dollars,

(B) an additional exemption of two thousand four hundred dollars if the taxpayer was totally blind at the close of his taxable year, and

(C) an additional exemption of nine hundred dollars if the taxpayer had attained the age of sixty-five before the close of his taxable year.

(4) An exemption of nine hundred dollars for each individual who qualifies for exemption as a dependent under section one hundred and fifty-one (e) of the Code.

(5) An amount equal to the deduction for medical, dental and other expenses allowed under section two hundred and thirteen of the Code, provided that the individual itemizes deductions on his federal income tax return and has excess itemized deductions thereon. No exemption shall be allowed under this paragraph to an individual who files a joint federal income tax return with his spouse unless a joint return is also filed under this chapter.

(6) An amount equal to the fees, in excess of three per cent of the Part B adjusted gross income paid within the taxable year to any agency licensed to place children for adoption by the taxpayer on account of the adoption of a minor child.

(c) Except as hereinafter provided for a non-resident, if the taxable year of any person subject to tax under this chapter is a short taxable year, and such short taxable year is not due to the death of such person, any exemption under paragraph (b) of this section shall be limited to an amount equal to the exemption otherwise allowable by this section multiplied by a fraction the numerator of which is the number of days in the taxable year and the denominator of which is three hundred and sixty-five. If a taxpayer is a non-resident for all or any part of a taxable year, he shall be allowed exemptions under this section equal to the amount otherwise determined under this section multiplied by a fraction the numerator of which is his Massachusetts gross income and the denominator of which is the amount which would have been his Massachusetts gross income had he been a resi-

dent of the commonwealth throughout the taxable year.

SECTION 4C. Chapter 62 of the General Laws is hereby amended by striking out section 3, as most recently amended by section 4B of this act, and inserting in place thereof the following section:-

Section 3. A. In determining the Part A taxable income, the Part A adjusted gross income shall be reduced by the following deductions and exemptions.

(a) There shall be deducted from the Part A adjusted gross income in determining the Part A taxable income:-

(1) Such net amount of the Part A adjusted gross income of trustees or other fiduciaries subject to taxation under sections nine or ten as is payable to or accumulated for persons not inhabitants of the commonwealth to the extent that such income would not be subject to taxation under section five A if received by a non-resident.

(2) Such net amount of the Part A adjusted gross income of trustees, executors or administrators as is pursuant to the terms of the will, deed or other instrument governing the estate or trust currently payable to or irrevocably set aside for public charitable purposes, or to or for the benefit of any organization or organizations established and operated exclusively for charitable purposes.

(3) In the case of an individual or a married person filing separately, who has attained the age of sixty-five before the close of the taxable year, an amount up to six thousand dollars.

(4) In the case of married persons filing a joint return, either of which have attained the age of sixty-five before the close of the taxable year, an amount up to six thousand six hundred dollars.

(b) An exemption shall be allowed under this section equal to the amount by which the total exemptions allowable under Part B of section three exceed the Part B adjusted gross income less the deductions allowable under paragraph (a) of Part B of section three. No exemption shall be allowed hereunder to any married person unless a joint return is filed.

(B) In determining the Part B taxable income, the Part B adjusted gross income shall be reduced by the following deductions and exemptions:

(a) There shall be deducted from the Part B adjusted gross income in determining the Part B taxable income:

(1) Such net amount of the Part B adjusted gross income of trustees or other fiduciaries subject to taxation under sections nine or ten as is payable to or accumulated for persons not inhabitants of the commonwealth to the extent that such income would not be subject to taxation under section five A if received by a non-resident.

(2) Such net amount of the Part B adjusted gross income of

trustees, executors or administrators as is pursuant to the terms of the will, deed or other instrument governing the estate or trust currently payable to or irrevocably set aside for public charitable purposes, or to or for the benefit of any organization or organizations established and operated exclusively for charitable purposes.

(3) Taxes paid to the United States under the provisions of the Federal Insurance Contributions Act or the Federal Railroad Retirement Act. 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.

(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.

(6) Interests and dividends in the amount of one hundred dollars for a single person or a married person filing a separate return or two hundred dollars for a husband and wife filing a joint return from savings deposits, savings accounts, shares or share savings accounts included in Part B gross income.

(7) An amount equal to employment-related expenses allowed for purposes of determining the credit allowable under section forty-four A of the Code.

(8) In the case of an individual who maintains a household which includes as a member one or more individuals under the age of twelve who qualify for exemption as a dependent under section one hundred and fifty-one of the Code, six hundred dollars; provided, that no deduction shall be allowed under this subparagraph if a deduction is claimed under subparagraph (7) of this paragraph. If the taxpayer is married at the close of the taxable year, the deduction provided herein shall be allowed only if the taxpayer and his spouse filed a joint return for the taxable year. For the purposes of this subparagraph, the term "maintaining a household" shall have the same meaning as in section forty-four A of the Code.

(9) In the case of an individual who pays rent for his principal place of residence and such residence is located in the Commonwealth, an amount equal to fifty per cent of such rent. In no event shall the deduction under this subparagraph exceed two thousand five hundred dollars.

(b) The following exemptions shall be allowable to individuals against the Part B income:

(1) In the case of a single person,

(A) a personal exemption of two thousand four hundred dollars,

(B) an additional exemption of two thousand four hundred dollars if the taxpayer was totally blind at the close of his taxable year, and

(C) an additional exemption of nine hundred dollars if the taxpayer had attained the age of sixty-five before the close of his taxable year.

(2) In the case of a husband and wife filing a joint return,

(A) a personal exemption of two thousand four hundred dollars, and an amount not exceeding two thousand four 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 two thousand one hundred 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 four 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 four thousand eight hundred dollars.

(B) an additional exemption of two thousand four hundred dollars for each spouse who was totally blind at the close of his taxable year, and

(C) an additional exemption of nine hundred dollars for each spouse who had attained the age of sixty-five before the close of his taxable year.

(3) In the case of a married person filing a separate return,

(A) a personal exemption of one thousand two hundred dollars,

(B) an additional exemption of two thousand four hundred dollars if the taxpayer was totally blind at the close of his taxable year, and

(C) an additional exemption of nine hundred dollars if the taxpayer had attained the age of sixty-five before the close of his taxable year.

(4) An exemption of nine hundred dollars for each individual who qualifies for exemption as a dependent under section one

hundred and fifty-one (e) of the Code.

(5) An amount equal to the deduction for medical, dental and other expenses allowed under section two hundred and thirteen of the Code, provided that the individual itemizes deductions on his federal income tax return and has excess itemized deductions thereon. No exemption shall be allowed under this paragraph to an individual who files a joint federal income tax return with his spouse unless a joint return is also filed under this chapter.

(6) An amount equal to the fees, in excess of three per cent of the Part B adjusted gross income paid within the taxable year to any agency licensed to place children for adoption by the taxpayer on account of the adoption of a minor child.

(c) Except as hereinafter provided for a non-resident, if the taxable year of any person subject to tax under this chapter is a short taxable year, and such short taxable year is not due to the death of such person, any exemption under paragraph (b) of this section shall be limited to an amount equal to the exemption otherwise allowable by this section multiplied by a fraction the numerator of which is the number of days in the taxable year and the denominator of which is three hundred and sixty-five. If a taxpayer is a non-resident for all or any part of a taxable year, he shall be allowed exemptions under this section equal to the amount otherwise determined under this section multiplied by a fraction the numerator of which is his Massachusetts gross income and the denominator of which is the amount which would have been his Massachusetts gross income had he been a resident of the commonwealth throughout the taxable year.

SECTION 4D. Subparagraph (2) of paragraph (b) of subsection B of section 3 of chapter 62 of the General Laws, as most recently amended by section 4C of this act, is hereby further amended by striking out clause (A) and inserting in place thereof the following clause:-

(A) a personal exemption of two thousand four hundred dollars for each spouse.

SECTION 4E. Section 4A of this act shall take effect on January first, nineteen hundred and eighty-five, and shall apply to tax years commencing on or after that date. Section 4B of this act shall take effect on January first, nineteen hundred and eighty-six, and shall apply to tax years commencing on or after that date. Section 4C of this act shall take effect on January first, nineteen hundred and eighty-seven, and shall apply to tax years commencing on or after that date. Section 4D of this act shall take effect on January first, nineteen hundred and eighty-eight, and shall apply to tax years commencing on or after that date.

SECTION 5. Notwithstanding the provisions of any general or

special law to the contrary, the commonwealth shall not be required to pay any interest penalty required by subsection (a) of section fifteen of chapter one hundred and fifty-one A of the General Laws. This section shall be effective for all payments due on or after January first, nineteen hundred and eighty-four and before July first, nineteen hundred and eighty-four.

SECTION 6. The unexpended balances of items 1599-2028 and 1599-2050 and any unexpended balances of sums transferred from said line items are hereby reappropriated for the fiscal year nineteen hundred and eighty-five.

SECTION 7. Sums from any collective bargaining reserve accounts reappropriated in section two A of this act may be transferred, in accordance with the provisions of the account, to other items of appropriation for the fiscal year nineteen hundred and eighty-five.

SECTION 8. Section 18 of chapter 297 of the acts of 1983, as amended by section 5 of chapter 65 of the acts of 1984, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:- 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 last Friday of June, nineteen hundred and eighty-four.

SECTION 9. 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-five 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 Devereau Character Award Bond Trust, the principle of which is credited to item 4202-0604.

SECTION 10. Item 4402-5000 of section two of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three is hereby amended by striking out, in lines 9 to 16, inclusive, the words, "that all judgements, 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 inserting in place thereof the following words:- that all judgements, appeals, rate changes, and settlements, including but not limited to those authorized by chapter three hundred and seventy-two of the acts of nineteen hundred and eighty-two may be paid from this account; provided further, that an amount not exceeding one hundred ninety-eight million five hundred three thousand dollars may be expended from this item for expenses incurred in prior fiscal years.

SECTION 11. As of June thirtieth, nineteen hundred and eighty-four the comptroller shall transfer from the General Fund to the Local Aid Fund the amount of the Local Aid Fund deficit for the fiscal year nineteen hundred and eighty-four.

SECTION 12. As of June thirtieth, nineteen hundred and eighty-four the comptroller shall transfer from the General Fund to the Highway Fund the amount of the Highway Fund deficit, if any, for the fiscal year nineteen hundred and eighty-four.

SECTION 13. Chapter 289 of the acts of 1983 is hereby amended by inserting after section 82A the following section:-

Section 82B. Notwithstanding the provisions of any general or special law to the contrary, in order to meet the estimated cost of heat, light, power and other services and the estimated costs of employee fringe benefits to be furnished by the commonwealth to projects of the Massachusetts state college building authority, the board of trustees of state colleges shall transfer to the General Fund from the funds received from the operation of said projects the sum of nine hundred sixty-five thousand dollars for the current fiscal year.

SECTION 14. Notwithstanding the provisions of section twenty-nine of chapter seven of the General Laws or of any other general or special law to the contrary, payments totalling ten thousand five hundred and thirty-five dollars as compensation for certain printing services provided to the office of coastal zone management shall be allowed and paid from account 2000-0141.

SECTION 15. Notwithstanding the provisions of any general or special law to the contrary, during the nineteen hundred and eighty-four fiscal year, the amount appropriated in item 1599-3318 of section two shall be distributed to eligible cities and towns as herein defined. "Eligible cities and towns" are defined as those cities and towns which are not a part of both the metropolitan parks district and metropolitan sewerage district. The amount to be distributed hereunder to each eligible city and

town shall be the amount of the equalizing municipal grant, as calculated pursuant to section eighteen C of chapter fifty-eight of the General Laws, multiplied by the adjusted population factor for each city and town as calculated hereunder. For cities and towns which are neither members of the metropolitan parks district nor of the metropolitan sewerage district, the adjusted population factor shall be the "persons who reside in such city or town", as defined in said section eighteen C. For cities and towns which are members of either the metropolitan parks district or the metropolitan sewerage district, but are not members of both districts, the adjusted population factor shall be the "persons who reside in such city or town," as defined in said section eighteen C, divided by two.

SECTION 16. For assessments payable in the fiscal year ending June thirtieth, nineteen hundred and eighty-four, cities, towns, districts and commissions which are part of the metropolitan parks district or the metropolitan sewerage district are hereby excused from any obligation for assessments for said districts in excess of the limit established pursuant to section twenty A of chapter fifty-nine of the General Laws. For the purpose of implementing the provisions of the prior sentence, the comptroller is hereby authorized and directed to transfer as of July first, nineteen hundred and eighty-four an amount equal to said excused obligation from the General Fund to the Metropolitan Parks Fund and to the Metropolitan Sewerage Fund, respectively.

SECTION 17. Notwithstanding the provisions of any general or special law to the contrary, in order to discharge a moral obligation of the commonwealth there shall be allowed and paid out of the state treasury, subject to appropriation, to Otis Hospital, Inc., the sum of two hundred seventy-seven thousand five hundred ninety-three dollars and forty-eight cents, which sum shall be in full compensation for the care and treatment of twelve Medicaid patients for the period covering the first of January, nineteen hundred and eighty-two through the first of April, nineteen hundred and eighty-three.

Before any payment is made under this section the president of Otis Hospital, Inc. shall submit a certificate to the comptroller, signed under the pains and penalties of perjury, certifying that the care and treatment specified was provided to the twelve patients during the time period outlined herein.

SECTION 18. Notwithstanding the provisions of any general or special law to the contrary, in order to discharge a moral obligation of the commonwealth there shall be allowed and paid out of the state treasury, subject to appropriation, to Frank R. Blake, a retired metropolitan district commission police officer,

the sum of two thousand six hundred forty-two dollars as reimbursement for the amount which he paid in satisfaction of a action brought against him in Bristol county superior court arising out of an accident that occurred on May first, nineteen hundred and seventy-one on Route 202 at Amherst road in the town of Pelham when the motor vehicle owned by the metropolitan district commission and operated by said Frank R. Blake in the course of his duties as such police officer collided.

SECTION 19. Notwithstanding the provisions of any general or special law to the contrary, in order to discharge a moral obligation of the commonwealth, there shall be allowed and paid out of the state treasury, subject to appropriation, to Leroy Wood, a resident of Athol, the sum of five thousand dollars to provide for his basic educational attainment; provided, however, that any payment made under this appropriation shall be deposited with the Franklin-Hampshire Service Coordination and held as a separate account and shall be expended as provided herein.

SECTION 20. Section 35B of chapter 10 of the General Laws, as most recently amended by chapter 289 of the acts of 1983, is hereby further amended by striking out the fourth sentence and inserting in place thereof the following sentence:-

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, and January first, not already allocated in clause (a), shall be transferred to the Local Aid Fund.

SECTION 21. Notwithstanding any general or special law or any provision of this act to the contrary, items 1599-2091 and 1599-3455 of section two shall expire and cease to be operative on the date of approval by the Governor of the general appropriation bill for the fiscal year nineteen hundred and eighty-five, and funds expended under such items shall be applied against the items of appropriation in such general appropriation bill from which such expenditures would have been made had such bill been so approved at the time of such expenditures. No later than thirty days from the date of such approval of the general appropriation bill, the commissioner of administration shall report to the house and senate committees on ways and means on the amounts expended under items 1599-2091 and

1599-3455 of section two and the items of appropriation to which such expenditures have been applied.

SECTION 21A. Notwithstanding the provisions of any general or special law to the contrary, for the general appropriation bill for fiscal year ending June thirtieth, nineteen hundred and eighty-five the department of public welfare is hereby authorized to credit all federal funds received against the work incentive demonstration grant, so-called, on expenditures in items 4400-0900 and 4407-1000 of section two of said general appropriation bill to item 4407-9001 of said section two of said general appropriation bill.

SECTION 21B. The metropolitan district commission is authorized to expend two million, two hundred twenty-five thousand dollars from the John Fitzgerald Kennedy Library and Park Fund for the design and construction of the John Fitzgerald Kennedy Memorial Park in accordance with the provisions of chapter two hundred and ninety-eight of the acts of nineteen hundred and seventy-six, as most recently amended by chapter six hundred and ninety-one of the acts of nineteen hundred and eighty-one. Appropriation expires June thirtieth, nineteen hundred and eighty-seven.

SECTION 22. This act shall take effect as of June thirtieth, nineteen hundred and eighty-four.

This Bill was returned July 11, 1984 by the Governor to the House of Representatives, the Branch in which said Bill originated, with his objections in writing to the following:

Section 4A.
Section 4B.
Section 4C.
Section 4D.
Section 4E.

The vote being taken in the House of Representatives on October 2, 1984 on the passage of Sections 4A, 4B, 4C, 4D and 4E the objections of the Governor thereto were sustained. The remainder of the Bill was approved by the Governor July 11, 1984.

Chap. 189. 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 section 12FF, inserted by chapter 373 of the acts of 1983, and inserting in place thereof the following section:-

Section 12GG. The governor shall annually issue a proclamation setting apart February sixteenth as Lithuanian Independence Day, in commemoration of the promulgation of the Declaration of Independence in the year nineteen hundred and eighteen which established Lithuania as a sovereign nation and recommending that said day be observed in an appropriate manner by the people.

SECTION 2. Section 54 of chapter 6A of the General Laws, as amended by section 2 of chapter 389 of the acts of 1983, is hereby further amended by striking out, in lines 60 to 65, inclusive, the words "(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." and inserting in place thereof the following:- (i) 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.

SECTION 3. The first paragraph of section 9A of said chapter 6A, as amended by chapter 626 of the acts of 1983, is hereby further amended by inserting after the word "affairs", in lines 1 and 11, in each instance, the words:- and business regulation.

SECTION 4. Clause (b) of paragraph C of section 60 of said chapter 6A, as appearing in section 1B of chapter 372 of the acts of 1982, is hereby amended by striking out, in line 5, the

word "become" and inserting in place thereof the word:- becomes.

SECTION 4A. The second paragraph of subsection F of section 68 of said chapter 6A, as appearing in section 8 of chapter 389 of the acts of 1983, is hereby amended by striking out, in line 20, the words "inpatient services".

SECTION 5. Chapter 7 of the General Laws is hereby amended by striking out sections 30B to 30P, inclusive, as appearing in section 51 of chapter 579 of the acts of 1980, and inserting in place thereof the following fifteen sections:-

Section 38A½. (a) Sections thirty-eight A½ to thirty-eight O, inclusive, shall: ensure that the commonwealth receives the highest quality design services for all its public building projects; provide for increased confidence in the procedures followed in the procurement of design and design related services; promote consistency in the methods of procurement of design and design related services for all public building projects in the commonwealth; foster effective broad-based participation in public work within the design professions; provide safeguards for the maintenance of the integrity of the system for procurement of designers' services within the commonweath;

(b) All words defined by section thirty-nine A which appear herein shall have the meanings set forth in said section thirty-nine A. The words defined in this section shall have the meanings set forth below whenever they appear in sections thirty-eight A½ to thirty-eight O, inclusive, unless the context in which they are used clearly requires a different meaning, or a different definition is prescribed for a particular section or provision.

"Designer", an individual, corporation, partnership, sole proprietorship, joint stock company, joint venture, or other entity engaged in the practice of architecture, landscape architecture, or engineering, which satisfies the following:

(i) if an individual, the individual is a registered architect, landscape architect, or engineer;

(ii) if a partnership, a majority of all the partners are persons who are registered architects, landscape architects, or engineers;

(iii) if a corporation, sole proprietorship, joint stock company or other entity, the majority of directors and the chief executive officer are persons who are registered architects, landscape architects, or engineers and the person to be in charge of the project is registered in the discipline required for the project;

(iv) if a joint venture, each joint venturer satisfies the requirements of this section.

"Programmer", any designer or any other individual, corporation, partnership, sole proprietorship, joint stock company, joint

venture, or other entity engaged in the preparation of architectural facility programs or studies.

"Construction manager", any designer or any other corporation, partnership, individual, sole proprietorship, joint stock company, joint venture, or other entity engaged in the practice of construction management or construction scheduling.

"Design services", any of the following services provided by any designer, programmer, or construction manager in connection with any public building project:

(i) preparation of master plans, studies, surveys, soil tests, cost estimates or programs;

(ii) preparation of drawings, plans, or specifications, including but not limited to schematic drawings, preliminary plans and specifications, working plans and specifications or other administration of construction contracts documents;

(iii) supervision or administration of a construction contract;

(iv) construction management or scheduling.

"Applicant", any person or entity applying to perform design services, the principal personnel responsible for the provision of such services for the project, and the persons who will be the principal staff for the project.

"Public agency", a department, agency, board, commission, authority, or other instrumentality of the commonwealth or political subdivision of the commonwealth or two or more subdivisions thereof other than cities and towns, and any agency, unit, authority, or instrumentality thereof.

"Director", the director of the office of project management, or in the case of agencies subject to the provisions of section four B of this chapter, the chief executive official of the agency or his/her designee.

"Deputy commissioner" and "Division", the deputy commissioner and the division of capital planning and operations.

"Board", the designer selection board.

"Continued services", authorization for a designer who has been appointed for one stage of a project to act as the designer for a succeeding stage or stages of the same project.

"Extended services", authorization for a designer who has been appointed to provide design services for a project to act as designer for work to be done on another project not originally included in that designer's contract.

Section 38B. (a) There shall be located within the executive office for administration and finance a designer selection board, consisting of eleven members. Eight members shall be appointed by the governor, of whom three of whom shall be registered architects, three of whom shall be registered engineers, and two of whom shall be representatives of the public who are not architect designers, engineers or construction contractors. Three additional members shall be appointed as follows: one registered architect by the Massachusetts State Association of

Architects, one registered engineer by the government affairs council of design professional and one general contractor by the associated general contractor. The board shall be expanded from the present five members to eleven members according to the following schedule: one additional architect, one additional engineer, and the one general contractor shall be appointed by the designated body within ninety days of the effective date of this section; another additional public representative shall be appointed within one year thereafter. Members shall be appointed for terms of two years and may be reappointed for no more than one successive two year term. The members shall annually select one member to be the chairperson. The director shall designate a representative, who shall be the project manager in the case of a project under the jurisdiction of the office of project management, to act as a nonvoting member of the board for each project under his/her jurisdiction under consideration by the board. No provision of this section shall operate to reduce the tenure of members of the board serving at the time of the effective date of this section, except that the director of bureau of building construction shall cease to so serve upon the effective date of this section.

(b) Members of the board shall be reimbursed for all necessary expenses incurred in the discharge of their official duties.

(c) The board shall be provided with a suitable office by the executive office for administration and finance. The board shall employ an executive director who shall be a registered architect or engineer registered in the commonwealth and such other staff or consultants as it may deem necessary, subject to appropriation, for the board. The board and its staff may travel within and without the commonwealth.

Section 38C. (a) The board shall have jurisdiction over the selection of all designers, programmers, and construction managers performing design services in connection with any building project for all public agencies within the provisions of paragraphs (1), (2), and (4) of section forty-A, except those public agencies within the provision of section thirty-eight K, and the procedures promulgated by any agency of the commonwealth for such selection by any housing authority subject to paragraph (3) of said section, unless a specific exemption from the board's jurisdiction is provided under this section.

(b) The board shall grant an exemption for two years from its jurisdiction to each public agency within the provisions of paragraphs (3) and (4) of section forty-A, but in no event to any public agency within the provisions of paragraphs (1) and (2) of said section forty-A, if the agency has filed a written application for an exemption pursuant to subparagraph (c) of this section; provided, however, that the board may withhold an exemption if the board determines that the designer selection procedure proposed by the public agency does not substantially

incorporate the procedures required in sections thirty-eight B to thirty-eight J, inclusive, and section thirty-eight M, or that the selection of finalists will not be made with the advice of design professionals or that the procedure proposed by the public agency does not satisfy the purposes of sections thirty-eight A½ to thirty-eight O, inclusive, as set forth in said section thirty-eight A½, and that withholding such an exemption is in the best interest of the commonwealth; provided, however, that nothing in this section shall be interpreted to require the establishment of a board as prescribed in section thirty-eight B or to waive or in any way diminish the requirements imposed by any other provision of the General Laws. No withholding of an exemption shall take effect until the board shall have specified in writing the reasons for withholding an exemption and any changes in the agency's procedures which are required before an exemption will be granted.

(c) An application by a public agency for exemption from the jurisdiction of the board pursuant to this section must be verified by the agency director under the penalties of perjury, and must contain:

(i) a detailed description of the designer selection process and the written designer selection procedures which the agency proposes to use;

(ii) a statement that the agency's proposed designer selection process substantially incorporates the procedures required of the board in sections thirty-eight B to thirty-eight J, inclusive, and section thirty-eight M;

(iii) a statement that the agency's projects are not subject to the jurisdiction of the division of capital planning and operations; and

(iv) any other information required by the board.

(d) An exemption shall be renewed by the board on a biennial basis if:

(i) the board finds that the requirements of subparagraph (b) herein are met at the time of the renewal;

(ii) the agency director files a verified application for renewal containing a description of any proposed changes in its designer selection procedure; and

(iii) the agency director had filed a semi-annual report containing:

a list of all contracts for designer services awarded by the agency since its last application, including for each project the name and address of any designer awarded such contracts, a brief description of the project, the estimated, or if available, the final construction cost for the project, and the estimated or, if available, final fee paid to the designer; and certification that all contracts so listed were awarded by the procedure described in the agency's last application.

(e) Projects shall be exempt from the jurisdiction of the board if the estimated construction cost is less than ten thousand dollars.

(f) The following types of projects, and contracts for design services for such projects, shall not be exempt from the board's jurisdiction:

(i) Contracts for continued or extended services on projects over which the board otherwise has jurisdiction;

(ii) Projects otherwise subject to the jurisdiction of the board for which an agency or the division intends to use its own staff to perform design services, except projects within Class I, as defined by subparagraph (d) of section thirty-eight F, unless the board determines that the agency or the division has the capability with its existing staff to perform those services on the project in question, applying the same criteria as are used for selection of consultant designers.

Section 38D. (a) Each contract for designer services for a project subject to the jurisdiction of the board shall be publicly advertised by the board in a newspaper of general circulation in the area in which the project is located or to be located, and the central register established under section twenty A of chapter nine, and in such places as the board requires by regulation, at least two weeks before the deadline for filing applications.

(b) The public notice required by subparagraph (a) shall contain:

(i) a description of the project, including the specific designer services sought, the estimated construction cost, and the time period within which the project is to be completed;

(ii) if there is a program for the project, a statement of when and where the program will be available for inspection for applicants, and when and where a briefing session will be held for applicants, if one is required by the board's regulations and if there is not a program for the project, a statement to the effect;

(iii) the qualification required of applicants for the projects;

(iv) the categories of designers' consultants, if any, for which applicants must list the names of consultants which the applicant may choose to use;

(v) whether the fee has been set or will be negotiated, and if the fee has been set, the amount of the fee.

Section 38E. (a) No designer, programmer, or construction manager may file an application for any project subject to the board's jurisdiction unless having first filed with the board a written statement containing the following information:

(i) certification that the applicant legal entity, if applying to perform design services other than preparation of studies, surveys, soil testing, cost estimates or programs, is a designer or construction manager as defined in paragraph (b) of section thirty-eight A½;

(ii) the names and addresses of all partners, if a partnership, of all officers, directors and all persons with an ownership interest of more than five per cent in the applicant if not a partnership;

(iii) the registration number and status of each such person in every jurisdiction in which such person has ever been registered as an architect, landscape architect or engineer;

(iv) a list of all projects for all public agencies within the commonwealth for which the applicant has performed or has entered into a contract to perform design services within the five year period immediately preceding the filing of the information required in this section;

(v) a list of all current projects for which the applicant is performing or is under contract to perform any design services; and

(vi) if the applicant is a joint venture, the information required in this section shall be required for each joint venturer, as well as for the joint venture itself.

(b) The board shall keep a permanent record of the statements filed pursuant to this section and shall require the statements to be made current on a regular basis, and that statements pursuant to subparagraph (v) and (vi) of paragraph (a) be current with each application filed.

(c) An applicant to perform design, programming or construction management services on a project must file, in addition to the statement required under paragraph (a), a written application as prescribed by the board, relating to the applicant's experience, ability, and qualifications.

(d) The board and its staff shall be allowed access to all records of all public agencies concerning any applicant, or any project for which the applicant performed any services, for the purpose of verifying information submitted by the applicant, or for the purpose of evaluating the applicant's experience, ability and qualifications.

(e) Every application or statement filed pursuant to this section shall be sworn to under penalties of perjury. A designer, programmer or construction manager who has been determined by the board to have filed materially false information under this section shall be disqualified by the board from further consideration for any project for such time as the board determines is appropriate.

(f) The board shall not advertise for designers nor select any finalists to perform any design services other than the preparation of master plans, studies, surveys, soil tests, cost estimates, or programs unless the deputy commissioner certifies that it is appropriate to do so and either that a program defining the design services required has been prepared, and has been approved by the division, or that no program is required by the division.

Section 38F. (a) The board shall adopt written applicants' criteria for selection of semifinalists and finalists based upon information obtained under section thirty-eight E for each project. The criteria shall include:

(i) prior similar experience;

(ii) past performance on public and private projects;

(iii) financial stability;

(iv) identity and qualifications of the consultants who will work with the applicant on the project; and

(v) any other criteria that the board considers relevant for any project.

(b) Semifinalists may be chosen for each project.

The board shall select at least three finalists from among all the applicants, or from the semifinalists selected under this section, and in doing so may require all the applicants or the semifinalists to:

(i) appear for an interview before the board;

(ii) present a written proposal to the board; or

(iii) participate in a design competition held by the board.

(c) The board shall transmit a list of the chosen finalists to the deputy commissioner. No person or firm debarred pursuant to section forty-four C of chapter one hundred and forty-nine or disqualified pursuant to section forty-four C of said chapter one hundred and forty-nine shall be so included as a finalist.

The list shall rank the finalists in order of qualification and include a record of the final vote of the board on the selection; and include a written statement explaining the board's reasons for its choice and its ranking of the finalists.

(d) The board may, by regulation, establish three classes of projects, using as criteria for its classification the estimated construction cost and any other factors the board deems appropriate, with Class III including those projects which are the largest or most complex, and Class I including those projects which are smallest or least complex. The board may delegate its powers and duties under paragraph (b) of section thirty-eight D, paragraphs (c) and (d) of section thirty-eight E, paragraphs (a) and (b) of sections thirty-eight G, thirty-eight H and thirty-eight I to panels of less than all the board members on rotating assignment as follows:

(i) for Class I projects, the panel shall consist of at least three members, two of whom shall be architects or engineers;

(ii) for Class II projects, the panel shall consist of five members, four of whom shall be architects or engineers;

(iii) for Class III projects, the panel shall consist of at least nine members, seven of whom shall be architects or engineers.

(e) For the purposes of chapter two hundred and sixty-eight A and subject to the penalties therein, no member of the board shall participate in the selection of a designer as a finalist

or semifinalist for any project if the member or any member of his immediate family:

(i) has a direct or indirect financial interest in the award of the design contract to any applicant;

(ii) is currently or has ever been employed by, or is a consultant or has ever been a consultant to or under contract or has ever been under contract to an applicant;

(iii) is negotiating or has an arrangement concerning future employment or contracting with any applicant; or

(iv) has an ownership interest in, or is an officer or director of, any applicant.

Section 38G. (a) In the selection of a designer when the fee for design services has been set by the deputy commissioner prior to the selection process, the deputy commissioner shall appoint a designer from among the list transmitted to him or her under section thirty-eight F. If the deputy commissioner appoints any designer other than the one ranked first by the board, he or she shall file a written justification of the appointment with the board.

(b) When the fee for design services is to be negotiated, the deputy commissioner shall review the list transmitted by the board, and may exclude any designer from the list if a written explanation of the exclusion is filed with the board. The deputy commissioner shall then appoint a designer based on successful fee negotiation. The deputy commissioner or persons designated by him or her shall first negotiate with the first ranked designer remaining on the list. Should the deputy commissioner be unable to negotiate a satisfactory fee with the first ranked designer within thirty days, negotiations shall be terminated and negotiations undertaken with the remaining designers, one at a time, in the order in which they were ranked by the board, until an agreement is reached. In no event may a fee be negotiated which is higher than a maximum fee set by the deputy commissioner prior to selection of finalists. Should the deputy commissioner be unable to negotiate a satisfactory fee with any designer initially selected as a finalist by the board, the board shall recommend additional finalists in accordance with the provisions of this chapter. The deputy commissioner may require a finalist with whom a fee is being negotiated to submit a fee proposal and include with it such information as the deputy commissioner requires to provide current cost and pricing data on the basis of which the designer's fee proposal may be evaluated.

(c) All fees shall be stated in designer's contracts and in any subsequent amendment thereto as a total dollar amount. Contracts may provide for equitable adjustments in the event of changes in scope or services.

Section 38H. (a) When the board has required that applicants list consultants which the applicants may employ, in no

event shall a consultant be used who is debarred pursuant to section forty-four C of chapter one hundred and forty-nine and any change in or addition to the consultants named in the application and allowed by the board upon appointment must be approved by the deputy commissioner and reported to the board, along with a written statement by the designer or construction manager of the reasons for the change.

(b) If the designer's or construction manager's fee is negotiated, the designer or construction manager must file a truth-in-negotiations certificate prior to being awarded the contract by the deputy commissioner, which must be incorporated into the contract. The certificate must contain:

(i) a statement that the wage rates and other costs used to support the designer's compensation are accurate, complete, and current at the time of contracting; and

(ii) an agreement that the original contract price and any additions to the contract may be adjusted within one year of completion of the contract to exclude any significant amounts if the deputy commissioner determines that the fee was increased by such amounts due to inaccurate, incomplete or noncurrent wage rates or other costs.

(c) The board may specify other special conditions or requirements in selecting a particular applicant as a finalist. If any change is made by the applicant after appointment relating to such special conditions or requirements, the change must be approved by the deputy commissioner and reported to the board along with a written statement by the appointee of the reasons for the change.

(d) A designer or programmer appointed to do a feasibility study, master plan or program for a project shall be ineligible for appointment to perform the design services for that project.

(e) Every contract for design services awarded under sections thirty-eight A$\frac{1}{2}$ to thirty-eight O, inclusive, shall include the following:

(i) certification that the designer or construction manager has not given, offered or agreed to give any person, corporation or other entity any gift, contribution or offer of employment as an inducement for, or in connection with, the award of the contract for design services;

(ii) certification that no consultant to or subcontractor for the designer or construction manager has given, offered or agreed to give any gift, contribution or offer of employment to the designer or construction manager, or to any other person, corporation, or entity as an inducement for, or in connection with, the award to the consultant or subcontractor of a contract by the designer or construction manager;

(iii) certification that no person, corporation or other entity, other than a bona fide full time employee of the designer or construction manager, has been retained or hired by the de-

signer or construction manager to solicit for or in any way assist the designer or construction manager in obtaining the contract for design services upon an agreement or understanding that such person, corporation or other entity be paid a fee or other consideration contingent upon the award of the contract to the designer; and

(iv) certification with respect to contracts which exceed ten thousand dollars or which are for the design of a building for which the budgeted or estimated construction costs exceed one hundred thousand dollars that the designer has internal accounting controls as required by subsection (d) of section thirty-nine R of chapter thirty and that the designer has filed and will continue to file an audited financial statement as required by subsection (e) of said section thirty-nine R.

(f) Contracts for design services shall include a requirement that the designer at his or her own expense obtain and maintain a professional liability insurance policy covering negligent errors, omissions and acts of the designer or of any person or business entity for whose performance the designer is legally liable arising out of the performance of such contracts for design services. The designer shall furnish a certificate or certificates of such insurance coverage to the public agency prior to the award of the contract. For the purpose of this paragraph only, "public agency" shall have the meaning set forth in section thirty-nine A. A professional liability insurance policy obtained and maintained pursuant to this paragraph shall provide for coverage in an adequate amount for the applicable period of limitations and include any added coverage and in such amounts as the public agency shall require.

At the request of the director, a consultant employed by a designer subject to this paragraph shall obtain and maintain a liability insurance policy covering negligent errors, omissions and acts of such consultant or of any person or business entity for whose performance the consultant is legally liable arising out of the performance of the contract for consultant services. The consultant shall furnish a certificate or certificates of such insurance coverage to the designer selection board in the case of a consultant hired by a designer selected pursuant to section thirty-eight F or to a public agency not subject to the jurisdiction of said board prior to the employment of such consultant by the designer. A liability insurance policy maintained under this paragraph shall provide for coverage of such type and duration and in such amount as the public agency shall require.

(g) A designer, construction manager, or programmer who has been determined by the board to have provided materially false statements or information under this section shall be disqualified by the board from future work on any project for such time as the board determines is appropriate.

Section 38I. The deputy commissioner may appoint a designer to perform continued or extended services if the following conditions are met:

(i) a written statement is filed with the board explaining the reasons for the continuation or extension of services;

(ii) the program for the design services is filed with the board if one is required by the regulations of the division; and

(iii) the board approves the appointment of the designer for continued or extended services and states the reason therefor.

Section 38J. (a) Whenever the health or safety of any persons will be endangered because of the time required for the selection of a designer, programmer or construction manager by the procedures prescribed by sections thirty-eight A½ to thirty-eight O, inclusive, or whenever a deadline for action is set on a project by any court or federal agency which cannot be met if those selection procedures are followed, the deputy commissioner may declare that an emergency situation exists.

(b) If the deputy commissioner declares that an emergency situation exists, finalist selection may be made by the board by expedited procedures adopted by regulation by the board.

Section 38K. (a) Every contract for design services for any building construction, reconstruction, alteration, remodeling, or repair estimated to exceed ten thousand dollars by any city, town, or agency, board, commission, authority or instrumentality thereof, other than housing authorities shall be awarded only after a selection procedure adopted in writing, prior to publication requesting applications, complying with the purposes and intent of sections thirty-eight A½ to thirty-eight O, inclusive, and the following requirements:

(i) the provisions of section thirty-eight D regarding public notice;

(ii) the establishment of uniform requirements of information to be submitted by all applicants, a uniform procedure for the evaluation of all applications to a group of not fewer than three finalists, and the opportunity to be afforded equally to all finalists to provide additional information to or appear before the selection body;

(iii) that a written explanation of the reasons for selection including the recorded vote if any was taken be made public and accompany the notification of award in the awarding authority's records;

(iv) the provisions of paragraph (c) of section thirty-eight G regarding the designation of fees in the contract;

(v) that nothing in this section shall be interpreted to require the establishment of a board or to waive or reduce the requirements of any other applicable law or regulation.

(b) The board shall publish guidelines to assist public agencies not within the board's jurisdiction in the establishment of a professional and objective designer selection procedure,

including a model application form, consistent with the provisions and intent of sections thirty-eight A½ to thirty-eight O, inclusive.

(c) Any city, town or other public agency not otherwise subject to the jurisdiction of the board may request the board to exercise jurisdiction regarding the selection of applicants to perform design services for a specified period of time or for a specified project. In such cases, all provisions of sections thirty-eight A½ to thirty-eight O, inclusive, shall apply to the board, the applicants and the public agency so requesting.

Section 38L. The board, any public agency exempted under section thirty-eight C and all other governmental units engaged in the selection of applicants to perform design services but not otherwise subject to the board's jurisdiction shall keep the following records:

(i) all information supplied by or obtained about each applicant;

(ii) all actions taken by the board or agency relating to any project;

(iii) any other records related to designer selection required by the division.

The records of public agencies exempted under section thirty-eight C or not otherwise subject to the jurisdiction of the board shall be available for inspection by the board or the division.

Section 38M. The board shall submit an annual report to the division of capital planning and operations listing all finalists selected by the board and all awards made pursuant to the provisions of sections thirty-eight A½ to thirty-eight O, inclusive, a summary of the activities and other actions of the board and its staff, and such other items as the board deems appropriate.

Section 38N. The board shall independently adopt procedures and regulations as necessary to implement the requirements of sections thirty-eight A½ to thirty-eight O, inclusive. Such procedures and regulations may vary according to the class of project.

Section 38 O. If any provisions of sections thirty-eight A½ to thirty-eight O, inclusive, or the applications of such provisions to any person or circumstance are held invalid or unconstitutional, the other provisions of said sections or the application of such provisions to any person or circumstance other than that as to which it is held invalid or unconstitutional shall not be affected thereby.

SECTION 6. Said chapter 7 is hereby further amended by striking out section 40E, inserted by section 12 of said chapter 579, and inserting in place thereof the following section:-

Section 40E. The deputy commissioner of capital planning and operations shall exercise the powers stated in this chapter,

notwithstanding the delegations which the general court has made pertaining to the acquisition, control, and disposition of real property, including section twenty-eight of chapter fifteen; section nineteen of chapter sixteen; sections one, fourteen B and twenty-seven of chapter nineteen; section seven of chapter nineteen A; sections fourteen to sixteen, inclusive, of chapter twenty; sections nine A, thirteen, seventeen A, seventeen B, and thirty of chapter twenty-one; sections two and nine of chapter twenty-one A; sections eight and twenty-six of chapter twenty-three A; section seven of chapter twenty-three B; section three of chapter twenty-eight A; section forty-one of chapter twenty-nine; sections four and five of chapter twenty-nine A; sections eleven, twelve, twenty-five, twenty-six, and twenty-seven of chapter seventy-five; sections eight, nine, eighteen, nineteen, and twenty-two of chapter seventy-five A; sections eight, thirteen, and fourteen of chapter seventy-five B; sections seven, seven A, seven C, seven D, seven E, seven G, seven H, seven L, seven M, eleven, thirteen A, and thirteen B of chapter eighty-one; section seven of chapter eighty-two; section four of chapter eighty-three; section thirty-nine B of chapter ninety; sections two, three, five, and six of chapter ninety-one; sections nine A, thirteen, thirty-three, thirty-four, seventy-seven to eighty-five, inclusive, eighty-seven, and eighty-eight of chapter ninety-two; sections sixty-two R, eighty-three, and eighty-six of chapter one hundred and eleven; section five of chapter one hundred and eleven B; section eight of chapter one hundred and fifteen A; sections one and two of chapter one hundred and twenty; section five of chapter one hundred and twenty-two; sections thirty-nine and forty-three of chapter one hundred and twenty-three; section ten of chapter one hundred and twenty-four; section two of chapter one hundred and forty-seven; sections thirty-one and thirty-two of chapter one hundred and eighty-four; provided, however, that the deputy commissioner shall acquire, control and dispose of real property in accordance with the terms and purposes of the aforementioned provisions. The deputy commissioner shall not make any acquisition of real property on behalf of a state agency by eminent domain or make any such delegation of power to acquire real property by eminent domain to any state agency unless such state agency is otherwise authorized by law to exercise the power of eminent domain. The deputy commissioner may delegate to state agencies responsibility for the acquisition, control, and disposition of real property as provided for in this chapter. When such responsibility is delegated to a state agency, the written approval of the deputy commissioner shall be required before the transaction is finalized.

For the purposes of this section and sections forty F through forty L inclusive, counties shall not be included in the definition of state agency.

For the purposes of sections forty F through forty L inclusive, the term "emergency" shall mean any situation caused by unforeseen circumstances which render currently used real property unusable or unavailable for the purposes intended and which creates an immediate need for other real property to preserve the health or safety of persons or property.

SECTION 7. Section 40H of said chapter 7, as so appearing, is hereby amended by striking out, in line 18, the word "place" and inserting in place thereof the word:- placed.

SECTION 8. Section 40L of said chapter 7, as so appearing, is hereby amended by striking out clause (c) and inserting in place thereof the following clause:-

(c) current fair market rentals by geographical area.

SECTION 9. The fourth paragraph of section 41B of said chapter 7, as so appearing, is hereby amended by striking out, in line 5, the word "indentification" and inserting in place thereof the word:- identification.

SECTION 10. The first paragraph of section 42A of said chapter 7, as so appearing, is hereby amended by striking out, in line 2, the word "a" and inserting in place thereof the word:- an.

SECTION 11. The third paragraph of section 42H of said chapter 7, as so appearing, is hereby amended by striking out, in line 1, the word "thriteen" and inserting in place thereof the word:- thirteen.

SECTION 12. Section 5 of chapter 8 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 20 of said chapter 579, and inserting in place thereof the following sentence:- Cleaners employed by the commonwealth shall each receive such salary as may be fixed under and in accordance with sections forty-five to fifty, inclusive, of chapter thirty, payable weekly.

SECTION 13. Chapter 10 of the General Laws is hereby amended by striking out section 35E, inserted by section 1 of chapter 693 of the acts of 1983, and inserting in place thereof 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 interest 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 14. Said chapter 10 is hereby further amended by striking out section 49, added by section 1 of chapter 706 of the acts of 1983, and inserting in place thereof the following section:-

Section 48. 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 15. The seventh paragraph of section 1 I of chapter 15 of the General Laws, as appearing in section 1 of chapter 636 of the acts of 1974, is hereby amended by striking out, in line 2, the word "therefore" and inserting in place thereof the word:- therefor.

SECTION 16. Paragraph (c) of section 4 of chapter 15C of the General Laws, as appearing in chapter 803 of the acts of 1981, is hereby amended by striking out, in line 2, the word "or".

SECTION 17. Section 27 of chapter 19A of the General Laws, as appearing in chapter 544 of the acts of 1983, is hereby amended by striking out, in line 2, the word "thirty-six" and inserting in place thereof the word:- thirty-five.

SECTION 18. The first paragraph of section 26 of chapter 21 of the General Laws, as appearing in section 1 of chapter 511 of the acts of 1980, is hereby amended by striking out, in line 9, the word "suprvision" and inserting in place thereof the word:- supervision.

SECTION 19. Chapter 23A of the General Laws is hereby amended by striking out section 30, as most recently amended by section 16 of chapter 490 of the acts of 1980, and inserting in place thereof the following section:-

Section 30. The following words as used in sections twenty-nine to thirty-eight, inclusive, shall, unless the context requires otherwise, have the meanings set forth in section one of chapter forty D. "Authority", "Construction", "Cost of the project" and "Costs", "Current expenses", "Federal agency", "Governing body", "Improvement", "Industrial occupant", "Lease", "Lessee", "Rental", "Municipality", "Pollution control facilities", "Project", "Solid waste disposal facilities", "Liquid waste disposal facilities", "Waste disposal facilities", "Trust agreement".

"Industrial enterprise" as used in sections twenty-nine to thirty-eight, inclusive, shall unless the context requires otherwise, have the same meaning as set forth in section one of chapter forty D, except that the next to the last sentence of paragraph (l) of said section one shall not apply to the agency.

"Industrial development facilities" or "facilities" as used in sections twenty-nine to thirty-eight, inclusive, of this chapter shall, unless the context requires otherwise, have the meaning set forth in section one of chapter forty D, except that as used in section thirty-four of this chapter said terms shall have the meaning set forth in that section.

The following words as used in sections twenty-nine to thirty-eight, inclusive, shall have the following meanings unless the context requires otherwise:

"Agency", the Massachusetts Industrial Finance Agency (MIFA) established pursuant to section thirty-one.

"Board", board of directors of the Massachusetts Industrial Finance Agency.

"Bonds", any bonds, notes, debentures, interim certificates or other evidences of financial indebtedness issued by the agency

pursuant to section thirty-five.

"Industrial Mortgage Insurance Fund", the fund established pursuant to section thirty-three.

"Loan", shall include, but not be limited to, industrial mortgage loans, and may include bonds issued under the provisions of section thirty-five and under chapter forty D.

"Person", any individual, firm, association, partnership, including limited partnerships, trust, corporation and other legal entities, including public bodies as well as natural persons.

"Primary employment", work which pays at least one and one-half times the minimum wage, as defined in chapter one hundred and fifty-one or as established by federal law, whichever is higher, offers adequate fringe benefits including health insurance, and is not seasonal or part-time.

"Revenues", any receipts, fees, rentals or other payments or income received or to be received on account of the leasing, mortgaging, sale or other disposition of a project or proceeds of a loan made by the agency in connection with any project and amounts in reserves or held in other funds or accounts established in connection with the issuance of bonds and the proceeds of any investments thereof, proceeds of foreclosure and any other fees, charges or other income received or receivable by the agency other than the industrial mortgage insurance fund established pursuant to section thirty-three with respect to a project or the financing thereof.

"Sponsor", any person endeavoring to secure the assistance of the agency or of a local authority in financing a project.

SECTION 20. Said chapter 23A is hereby further amended by striking out section 33, as amended by section 4 of chapter 526 of the acts of 1978, and inserting in place thereof the following section:-

Section 33. There is hereby established an industrial mortgage insurance fund to which shall be credited all premiums received by the agency, any other sums realized by the agency pursuant to its industrial mortgage loan insurance agreements, whether by way of subrogation or otherwise, and any state appropriations or other monies made available to the fund. The fund shall be held in the custody of one or more banks or trust companies having a principal place of business in the commonwealth. The fund shall be held for the security of the holders of industrial mortgage loans insured under section thirty-four. It shall be governed by a trust agreement entered into by the agency with the trustees. The trust agreement may contain provisions and limitations as to the investment and disbursal of monies in the fund, the payment of expenses of the fund, the appointment, resignation and discharge of trustees, the delegation of enforcement and collection powers under the insurance agreements to the trustee, the duties of the trustees, amend-

ments of the trust agreement and such other lawful provisions and limitation as may be deemed appropriate. Income earned by the fund may be used for the purposes of the agency. The trust agreement may pledge premiums and other monies which are to be deposited in the fund. Such pledge shall be valid and binding from the time when the pledge is made. The premiums and other monies so pledged and thereafter received by the fund or by the trustees in its behalf shall immediately be subject to the lien of such pledge and shall be valid and binding as against all parties having claims of any kind against the fund, irrespective of whether such parties have notice thereof.

SECTION 21. Said chapter 23A is hereby further amended by striking out section 34, as most recently amended by section 5 of said chapter 526, and inserting in place thereof the following section:-

Section 34. (a) The agency is empowered:-

(1) to provide insurance of loans, or their debt service, made to finance the acquisition, construction or alteration, or any combination thereof, of industrial development facilities, pollution control facilities, and solid waste disposal facilities;

(2) to enter into agreements for such insurance;

(3) to fix a rate or rates of premiums for such insurance; and

(4) to exercise such other powers as are necessary or incidental to the foregoing.

(b) The insurance provided by the agency shall be payable solely from the industrial mortgage insurance fund established by section thirty-three and shall not constitute a debt or pledge of the faith and credit of the commonwealth or of any subdivision thereof.

(c) The board shall not approve the insurance of a loan unless it makes the following findings:

(1) that the loan is to be secured by a first mortgage of real or personal property or both satisfactory to the board; or by the assignment of the interest of the lessee under a real estate lease for not less than ninety-nine years, having a period of not less than seventy-five years to run from the date of the loan;

(2) that the mortgagor and mortgagee are responsible parties;

(3) that the occupant of the project or projects is a responsible industrial occupant;

(4) that the provisions of the mortgage loan are reasonable and proper, and in making such determination the board may take into account such factors as it deems relevant including, without limitation, the provisions for maintaining, insuring and repairing the project by the mortgagor and the remedies of the board upon default of the mortgagor;

(5) that the project will provide or retain employment having a reasonable relationship to the principal amount of loans to be

insured thereof, taking into account, among other things, the investment per employee of comparable industrial facilities;

(6) that adequate provision is being or will be made to meet any increased demand upon community public facilities that might result from the project;

(7) that the size and scope of the project is such that a definite benefit to the economy of the commonwealth may reasonably be expected to result from the construction or improvement thereof; and the employment created shall be substantially primary employment;

(8) that the principal amount of the loan does not exceed ninety per cent of the value of the industrial development facility and eighty per cent of the cost of the machinery and equipment;

(9) that the duration of the loan shall not exceed thirty years on an industrial development facility exclusive of machinery and equipment and fifteen years on machinery and equipment; and that the authorization provisions are satisfactory to the board;

(10) that the insurance or loan agreement provides for subrogation on terms satisfactory to the board upon payment of insured debt service from the fund;

(11) that the public interest is adequately protected by the terms of the loan and of the insurance agreement;

(12) that the insurance of the loan will not cause the insured debt service coming due in any one calendar year on account of an insured loan or loans for any one mortgagor to exceed twenty per cent of the amount in the fund when the finding is made; and

(13) that the insurance of the loan will not cause the balance of all insured loans to exceed nine times the amount in the mortgage insurance trust fund when the finding is made.

In addition to the above, the board shall not authorize insurance of a loan for pollution control facilities unless it makes the finding which the finance board is required to make under paragraph (b) of section twenty-two of chapter forty D.

The board shall consult with the appropriate local and regional planning agencies to ascertain the relationship of a proposed project to any existing local or regional comprehensive plan; that, so far as feasible, the project is to be located in an area of generally high unemployment; and that employment opportunities will become available to the residents of such area.

As used in this section, the terms "industrial development facilities" or "facilities" shall, unless the context requires otherwise, mean industrial enterprises, recreation or research and development enterprises or parts thereof, including any or all buildings, docks, wharves, improvements, additions, extensions, replacements, appurtenances, lands, rights in land, riparian rights, water rights, franchises, machinery, equipment, furnishings, landscaping, utilities, approaches, roadways, pollution

control facilities and other facilities necessary or desirable in connection therewith or incidental thereto, such as, but not limited to, office, warehouse, terminal, transportation and back-up power generating facilities, and solid waste disposal facilities.

SECTION 22. Section 36 of said chapter 23A, as appearing in section 3 of chapter 496 of the acts of 1978, is hereby amended by striking out, in line 12, the word "athorized" and inserting in place thereof the word:- authorized.

SECTION 23. Said chapter 23A is hereby further amended by striking out sections 36, 37, 38, 39, 40 and 41, inserted by section 2 of chapter 521 of the acts of 1978, and inserting in place thereof the following six sections:-

Section 39. It is the policy of the commonwealth to promote and facilitate the fullest possible participation by all citizens in the affairs of the commonwealth. The commonwealth has recognized for many years the special handicaps and obstacles faced by its minority citizens in effecting full participation. Minority business enterprises frequently face special handicaps and problems in achieving viable economic status. Various public and private programs have been initiated to assist minority business enterprises to achieve economic viability, though many businesses have not been adequately informed of these programs because of inadequate coordination and communication efforts, with the result that many services available are never adequately delivered to those who need them. The state government, as the biggest business in the commonwealth of Massachusetts, has a special responsibility to see that all available services and programs are put to the best use. These steps are necessary to guarantee the fullest participation by all citizens of the commonwealth in the economy of the state and to guarantee the fullest benefits to citizens of programs and services available for assistance.

Section 40. As used in sections forty-one to forty-four, inclusive, the following words shall have the following meanings, unless a contrary intent is clearly indicated:-

"SOMBA", the state office of minority business assistance as established by executive order ninety-two of nineteen hundred and seventy-two, amended by executive order one hundred and twenty-four of nineteen hundred and seventy-six, and designated by section forty-one.

"Minority business enterprise", for the purpose of receipt of services from SOMBA, means a business enterprise that is owned or controlled by one or more socially or economically disadvantaged persons. Such disadvantage may arise from cultural, racial, chronic economic circumstances or background or other similar cause. Such persons include, but are not limited to, Negroes, Puerto Ricans, Spanish-speaking Americans, American

Indians, Eskimos, and Aleuts.

"Secretary", the secretary of manpower affairs.

"Department", the department of commerce and development.

"Commissioner", the commissioner of the department.

"Deputy commissioner", the director of SOMBA.

Section 41. There shall be a state office of minority business assistance which shall be a division of the department of commerce and development within the executive office of manpower affairs.

Section 42. The commissioner shall have all necessary authority to utilize existing staff in the department to effect the purposes of sections thirty-nine to forty-four, inclusive, and shall have the authority to seek such funds, public or private, as may be available and needed to carry out the intent of said sections.

Section 43. SOMBA shall have a director who shall be a deputy commissioner, an assistant director who shall be an assistant deputy commissioner, and such other specialists in minority business assistance as may, from time to time, be authorized. SOMBA, may, either on its own staff or by contract with community groups, private companies, or public or non-profit agencies, have available community liaison officers, financial and marketing experts, and persons skilled in public and private contract procurement procedures.

Section 44. (1) SOMBA shall seek to develop a listing of minority businesses within the commonwealth, and shall, from time to time, notify such businesses of the programs and services available to them, whether from public or private sources, or from local, state or federal agencies.

(2) SOMBA is hereby authorized, subject to approval by the commissioner, to establish its own programs and policies and to seek from any official or agency of the commonwealth or its political subdivisions, such information and assistance as is necessary to carry out its functions and duties; and all officials, agencies or political subdivisions of the commonwealth are hereby directed to supply such information or assistance.

(3) SOMBA shall receive assistance from state agencies including, where consistent with existing law, commitments that such agencies do a limited amount of preferential contracting and subcontracting with minority businesses. SOMBA shall assist minority businesses in making use of any special programs which may be operated by the state or by various departments and agencies of the federal government.

(4) SOMBA, through the secretary and the commissioner, shall coordinate its activities with those of other offices and activities of the department, and shall assist minority businesses in their dealings with federal agencies and with state departments and agencies, including, but not limited to, the department of labor and industries, the department of corporations and

taxation, the state purchasing agent and the division of employment security. In coordination with the state director of affirmative action, SOMBA shall also provide assistance to all cabinet secretaries in evaluating economic activities of their offices to determine how their offices may be of assistance in providing fair opportunities for minority businesses.

(5) SOMBA shall work with banks, insurance companies, and other private businesses in the commonwealth to encourage the formation of seed money funds for facilitating the starting-up and expansion of minority businesses. SOMBA shall provide assistance to minority businesses in their efforts to obtain loan money and operating capital from private and public lenders.

(6) SOMBA shall seek to increase the amount of financial assistance available to minority businesses from private financial institutions: and may, from time to time, sponsor conferences, workshops, or other informational programs.

(7) SOMBA shall seek to encourage voluntary assistance programs by which nonminority business employees are loaned to minority businesses or by which minority business persons are taken into viable business ventures to acquire training and experience in managing business affairs.

(8) SOMBA is authorized to encourage state contract awarding authorities to seek to increase the incidence of joint ventures between nonminority state contractors and minority contractors, by specifically pointing out that such arrangements would constitute one method of partially meeting affirmative action requirements imposed upon both nonminority state contractors and the state. The director of affirmative action shall be kept informed of actions taken under this provision. SOMBA shall follow advertisements for construction work by public bodies in the commonwealth, shall notify minority general contractors and subcontractors of the bid opening dates for the approximate amount of the contract and subcontract work being bid, shall assist them in securing bonds and in bidding for that construction work and shall initiate a program to help qualified minority persons to get started as small business firms in the construction field by helping to arrange joint ventures with qualified general contractors and subcontractors and by arranging for administrative and accounting assistance to help them carry out their subcontract and general contract obligations during the period of contract performance.

(9) SOMBA shall, through the commissioner and the secretary, submit an annual report to the general court on the minority businesses which it assists, the type of services which it renders, the difficulties it encounters. Such report shall include such recommendations for legislative or executive action as deemed necessary or desirable.

SECTION 24. Clause (c) of section 11 of chapter 23B of the General Laws, as amended by section 1 of chapter 499 of the acts of 1978, is hereby further amended by striking out, in line 8, the word "bureau" and inserting in place thereof the word:- urban.

SECTION 25. Said section 11 of said chapter 23B is hereby further amended by striking out clause (e), as amended by section 2 of chapter 939 of the acts of 1977, and inserting in place thereof the following clause:-

(e) "Bureau", the urban job incentive bureau of the department of community affairs.

SECTION 26. Clause (1) of section 13 of said chapter 23B, as amended by section 3 of chapter 499 of the acts of 1978, is hereby further amended by striking out, in line 5, the word "of" and inserting in place thereof the word:- or.

SECTION 27. Section 15 of said chapter 23B is hereby amended by striking out clause (H), inserted by section 1 of chapter 719 of the acts of 1983, and inserting in place thereof the following clause:-

(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 28. Section 3 of chapter 23C of the General Laws, as amended by chapter 584 of the acts of 1983, is hereby further amended by striking out, in line 14, the word "seventy-eight" and inserting in place thereof the word:- seventy-three.

SECTION 29. The thirteenth paragraph of section 8G of chapter 26 of the General Laws, as appearing in section 1 of chapter 775 of the acts of 1981, is hereby amended by striking out, in line 3, the word "mutilitated" and inserting in place thereof the word:- mutilated.

SECTION 30. Section 6B of chapter 29 of the General Laws is hereby amended by striking out paragraph (f), as amended by section 2 of chapter 661 of the acts of 1983, and inserting in place thereof the following paragraph:-

(f) Each spending agency in receipt of federal grant funds shall at the commencement of each fiscal year, and no later than

July thirty-first, and any agency which has not previously been in receipt of a federal grant shall, upon notification of grant approval, authorize the comptroller upon his receipt of notice of a federal grant award to initiate such procedures as are established by the commissioner to transfer from the federal grant account to the General Fund for the costs of fringe benefits, indirect costs and space use charges related to each federal grant received by that spending agency; 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. Upon approval by the commissioner, and subject to regulations established by him, the amount of indirect costs, either in whole or in part, charged to a federal grant may be utilized to comply with federal requirements for inkind contributions. The costs of fringe benefits must, in all cases, be recovered in cash. The comptroller shall not allow expenditures for the payment of salaries to be made from any federal grant account for which he has not been authorized to charge the full amount of fringe benefits to the account. On or before August fifteenth, and upon request throughout the year, the commissioner shall submit a report to the chairmen of the house and senate committees on ways and means, detailing compliance with this provision by all agencies in receipt of federal funds. Notwithstanding any provision of general or special law to the contrary, this paragraph shall apply to all agencies of the commonwealth; provided, however, that any institution of higher learning shall be exempt from those charges associated with indirect costs, as described in the following paragraph.

SECTION 31. The last paragraph of section 7D of said chapter 29, as appearing in section 47 of chapter 579 of the acts of 1980, is hereby amended by striking out, in lines 3 and 4, the word "coodination" and inserting in place thereof the word:- coordination.

SECTION 32. The second paragraph of section 7G of said chapter 29, as so appearing, is hereby amended by striking out, in line 3, the word "preious" and inserting in place thereof the word:- previous.

SECTION 33. The last paragraph of section 26A of said chapter 29, as so appearing, is hereby amended by striking out, in line 14, the word "by" and inserting in place thereof the word:- be.

SECTION 34. Section 64A of said chapter 29, inserted by section 1 of chapter 731 of the acts of 1981, is hereby amended by striking out, in line 50, the word "by" and inserting in place thereof the word:- be.

SECTION 35. Subparagraph (c) of section 39Q of chapter 30 of the General Laws, as appearing in section 62 of chapter 579 of the acts of 1980, is hereby amended by striking out, in line 5, the word "controvery" and inserting in place thereof the word:- controversy.

SECTION 36. Section 46H of said chapter 30, as appearing in section 73 of chapter 699 of the acts of 1981, is hereby amended by striking out, in line 1, the word "notwithhstanding" and inserting in place thereof the word:- notwithstanding.

SECTION 37. Section 3 of chapter 30A of the General Laws, as most recently amended by section 3 of chapter 459 of the acts of 1976, is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

The notice shall refer to the statutory authority under which the action is proposed; give the time and place of any public hearing or state the anticipated time of agency action; state the manner in which data, views, or arguments may be submitted to the agency by any interested person; either state the express terms or describe the substance of the proposed action; and include any additional matter required by any law.

SECTION 38. The second paragraph of section 58 of chapter 31 of the General Laws, as appearing in section 11 of chapter 393 of the acts of 1978, is hereby amended by striking out, in line 2, the words "fire fighter" and inserting in place thereof the word:- firefighter.

SECTION 39. Paragraph (a) of subdivision (2) of section 3 of chapter 32 of the General Laws is hereby amended by striking out clause (xix), inserted by section 2 of chapter 1211 of the acts of 1973, and inserting in place thereof the following clause:-

(xiv) Any person who is appointed as a member of the judiciary on or after January second, nineteen hundred and seventy-five, shall become a member subject to the provisions of section sixty-five D.

SECTION 40. Section 7 of said chapter 32, as most recently amended by section 18 of chapter 630 of the acts of 1982, is hereby further amended by striking out subdivision (6) and inserting in place thereof the following subdivision:-

(6) Final Determination on Accidental Disability Applications.- Under this section the board shall make a final determination of such accidental disability application within one hundred and eighty days of the date of filing of such application except in the following instances:-

(1) the board, upon filing a written request outlining the specific circumstances for such a waiver, is granted an extension for a final determination by the commissioner or his designee; or

(2) the regional medical panel is unable to complete its examination and review and issue a written decision of the medical aspects of the case and is granted an extension by the commissioner or his designee.

SECTION 41. Section 15 of said chapter 32 is hereby amended by striking out subdivision (2), as most recently amended by section 9 of chapter 364 of the acts of 1983, 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 thereof, 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 42. Section 22 of said chapter 32 is hereby amended by striking out subdivision (8), inserted by chapter 412 of the acts of 1983, and inserting in place thereof the following subdivision:-

(9) 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).

SECTION 43. Section 101 of said chapter 32, as most recently amended by section 5 of chapter 793 of the acts of 1972, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- In the event of the death of any former employee who had been retired under the provisions of this chapter after having been found to be incapacitated for further duty by reason of injuries sustained while in the performance of his duties, or who had been retired for ordinary disability under the provisions of this chapter, under which retirement he was unable to provide for any annual allowance to be paid to his widow at the time of his death, there shall be paid to such widow an annual allowance in the amount of sixteen hundred and eighty dollars, subject to the provisions of paragraph (e) of section one hundred and two for as long as she remains unremarried; provided, that any allowance payable under this section shall be in the alternative to any allowance to which such widow would be entitled under the provisions of any other section of this chapter.

SECTION 44. Chapter 32A of the General Laws is hereby amended by striking out section 9A, as most recently amended by section 4 of chapter 371 of the acts of 1983, and inserting in place thereof the following section:-

Section 9A. There shall be an unpaid investment committee which shall have general supervision of the investment of funds retained in the group insurance commission trust fund to be used on behalf of the insured employees. Such committee shall consist of the state treasurer, who shall be a member ex officio, the members of the group insurance commission who shall be members ex officio, and one other person who shall be chosen by the aforementioned members, for a term of three years and who shall be qualified by training and experience in the investment of funds as a result of having been principally employed in such occupation for a period of at least ten years. The chairman of the investment committee shall be chosen from among its members. Each member of such committee shall continue to hold

office until the expiration of his term and until the qualification of his successor. The executive secretary of the commission shall perform the duties of secretary of the investment committee. The commission shall furnish such clerical assistants as may be required to carry on the work of the investment committee. Subject in each instance to the approval of the investment committee established under the provisions of this section, the state treasurer shall invest and reinvest such funds to the extent not required for current disbursements as authorized by section nine in bonds, notes or other securities which are legal for the investment of funds of savings banks under the laws of the commonwealth. Not more than twenty-five per cent of the total funds of the trust fund shall be invested in bank stocks or bank holding company stocks nor shall more than one-half of said twenty-five per cent be invested in the stock of any one bank or bank holding company. 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. The commission shall have power to expend such funds which in its discretion is in the best interests of the insured employees and retired employees. The state treasurer shall make payment of such funds as authorized by the commission. A statement of all funds received, invested and expended on behalf of the insured employees shall be included in the annual report of the commission as required by section three.

SECTION 45. The fourth sentence of section 11 of chapter 35 of the General Laws, inserted by section 31 of chapter 579 of the acts of 1980, is hereby amended by striking out, in line 6, the word "the".

SECTION 46. Chapter 38 of the General Laws is hereby amended by striking out sections 6B and 6C, inserted by section 5 of chapter 659 of the acts of 1983, and inserting in place thereof the following section:-

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.

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 47. The first paragraph of section 5 of chapter 40A of the General Laws, as appearing in section 3 of chapter 808 of the acts of 1975, is hereby amended by striking out the first and second sentences and inserting in place thereof the following two sentences:- Zoning ordinances or by-laws may be adopted and from time to time changed by amendment, addition or repeal, but only in the manner hereinafter provided. Adoption or change of zoning ordinances or by-laws may be initiated by the submission to the city council or board of selectmen of a proposed zoning ordinance or by-law by a city council, a board of selectmen, a board of appeals, by an individual owning land to be affected by change or adoption, by request of registered voters of a town pursuant to section ten of chapter thirty-nine, by ten registered voters in a city, by a planning board, by a regional planning agency or by other methods provided by municipal charter.

SECTION 48. The General Laws are hereby amended by striking out chapter 401 and inserting in place thereof the following chapter:-

CHAPTER 401.
THE BAY STATE SKILLS CORPORATION ACT.

Section 1. Purpose. It is hereby found and declared that:

There exists within the commonwealth a critical shortage of training and educational programs necessary to meet the growing needs of business and industry for skilled employees and the corresponding needs of our people for opportunities for new or more rewarding employment.

As a result of this shortage, business and industry is unable to obtain sufficient numbers of qualified employees for continued operation and expansion within the commonwealth, and our people, particularly those who are the victims of economic dislocation, as provided for in subsection 6 of this act, and those minority and economically disadvantaged groups, are denied many significant and substantial employment opportunities.

The loss of economic and employment activity from the commonwealth contributes to a decline in the tax base, leads to the unemployment and underemployment of our people, causes an increase in welfare and unemployment costs, and constitutes a threat to the general welfare of the entire commonwealth.

This shortage is occasioned by the inability of educational institutions to secure the resources necessary for the development and substantial expansion of programs of skills training and education which are consistent with employment need;

Business and industry is the primary source of the employment information, technical assistance and financial support required for such program development and expansion;

Business and industry support of educational institutions, through increased and more comprehensive relationships of cooperation and assistance, is necessary to enable educational institutions to meet the needs of business and industry for skilled employees and the needs of our people for new or more rewarding employment opportunities;

Educational institutions are unable to attract sufficient support from business and industry within the limits of their existing resources and through the normal operation of the private enterprise system.

It is an important function of government to increase opportunities for gainful employment, to assist in promoting a productive and expanding economy, to encourage the flow of business and industry support to educational institutions, and otherwise to improve the prosperity and general welfare of the inhabitants of the commonwealth.

Therefore, it is found that it is in the public interest of the commonwealth to promote the prosperity and general welfare of its citizens, a public purpose for which public money may be expended, to encourage and facilitate the formation of comprehensive cooperative relationships between business and industry and educational institutions which provide for the development and significant expansion of programs of skills training and education consistent with employment need, and to make interested individuals aware of the employment opportunities presented thereby.

Section 1A. (a) There is hereby created a body, politic and corporate, to be known as the Bay State Skills Corporation, hereinafter referred to as BSSC. BSSC is hereby constituted a quasi-public instrumentality of the commonwealth and the exercise by the corporation of the powers conferred in this chapter shall be deemed and held to be the performance of an essential public function. The corporation is hereby placed in the executive office of manpower affairs but shall not be subject to the supervision or control of said office or of any board, bureau, department or other agency of the commonwealth except as specifically provided in this chapter.

(b) The corporation shall be governed and its corporate powers exercised by a board of directors, which shall consist of eighteen directors: the secretary of manpower affairs, the commissioner of the department of public welfare, the chancellor of the board of regents, the commissioner of the department of education, and fourteen persons appointed by the governor, including persons having knowledge and experience in business and industry, skills training, education, labor organizations, and minority employment. Each member appointed by the governor shall serve for a term of five years, except that in making the initial appointment the governor shall appoint three members to serve for one year, three to serve for two years, three to serve for three years, three to serve for four years, and two to serve for five years. Any person appointed to fill a vacancy in the office of a member of the board shall be appointed in a like manner and shall be eligible for reappointment. Any member may be removed from his appointment by the governor for cause. The governor shall designate a member of the board as its chairman. Ten members of the board shall constitute a quorum and the affirmative vote of ten members shall be necessary for any action to be taken by the board. The members shall be entitled to reimbursement for their actual and necessary expenses incurred in the performance of their duties.

(c) The provisions of chapter two hundred and sixty-eight A shall apply to all directors, officers, and employees of the corporation except that the corporation may purchase from, sell to, borrow from, loan to, contract with and grant to any organization in which any director of the corporation is in any way interested or involved; provided, however, that such interest or involvement is disclosed in advance to the members of the board and recorded in the minutes of the board; and provided, further, that no director having such an interest or involvement may participate in any decision relating to such organization.

(d) The board shall hire an executive director and establish his salary. The executive director shall be the chief administrative and operational officer of the corporation and shall direct and supervise its administrative affairs and general management. The executive director shall attend meetings of the board and may, subject to the general supervision of the board, employ other employees, consultants, agents, including counsel and advisors. Neither the corporation nor any of its officers, agents, employees, consultants or advisors shall be subject to the provisions of sections nine A, forty-five, forty-six, fifty-two of chapter thirty, or to chapter thirty-one.

Section 2. The directors shall annually elect one of their members as vice chairman and shall designate a secretary and treasurer who need not be members of the board. The secretary shall keep a record of the proceedings of the corporation and shall be custodian of all books, documents, and papers filed with

the corporation, and its official seal. The secretary shall cause copies to be made of all minutes and other records and documents of the corporation and shall certify that such copies are true copies and all persons dealing with the corporation may rely upon such certification.

Section 3. All officers and employees of the corporation having access to its cash or negotiable securities shall give bond to the corporation, at its expense, in such amount and with such surety as the board may prescribe. The persons required to give bond may be included in one or more blanket or scheduled bonds.

Section 4. For the purposes of this chapter, the following words and terms shall have the following meanings, except where the context clearly indicates otherwise:

"Applicant", an educational institution which has made application for a grant-in-aid as authorized by this chapter.

"Board", the board of directors of the Bay State Skills Corporation.

"Business and industry", a private corporation, institution, firm or person or group or association of the same, concerned with commerce, trades, manufacturing or the provisions of services within the commonwealth, or a public or nonprofit hospital licensed by the department of public health.

"Corporation", the Bay State Skills Corporation, or BSSC.

"Educational institution", a public secondary or post-secondary institution or an independent nonprofit institution within the commonwealth authorized by law to provide a program of skills training or education beyond the secondary school level.

"Equipment", tangible personal property which will further the objectives of the supported program and for which a definite value and evidence in support thereof have been provided by the donor.

"Financial support", any thing of value contributed by business and industry to an educational institution which is reasonably calculated to support directly the development and expansion of a particular program as defined herein and which represents an addition to any financial support previously or customarily provided to such educational institutions by the donor; including, but not limited to: funds, equipment as provided in this chapter, facilities, faculty, and scholarships for matriculating students and trainees.

"Grant-in-Aid", funding that is provided to an educational institution by the BSSC for the development or significant expansion of a program as provided in this chapter.

"Program" or "Program of skills training or education consistent with employment need", a coordinated course of instruction which is designed to prepare individuals upon completion for employment in a specific trade, occupation or profession. Such instruction may include: (a) classroom instruction; (b) class-

room related field, shop, factory, office and laboratory work; and (c) entry level training, job upgrading, retraining and advance training.

"Severe economic dislocation", a permanent discontinuance of operations or reduction in force by an employer or by a number of employers located within a city or town of the commonwealth, whether caused by economic conditions, natural catastrophe or otherwise, which results in the permanent loss of employment of seventy-five or more employees who are residents of the commonwealth. In the case of a public employer, severe economic dislocation shall include the loss of employment of fifty or more employees due to economic conditions resulting from the operation of chapter five hundred and eighty of the acts of nineteen hundred and eighty.

"Targeted individuals", residents of the commonwealth who become unemployed as a result of a severe economic dislocation, and individuals receiving public assistance from the commonwealth, including recipients of aid to families with dependent children, and individuals between the ages of sixteen and twenty-one, inclusive, who are unemployed and economically disadvantaged residents of urban areas of the commonwealth.

"Technical assistance", professional and any other assistance provided by business and industry to an educational institution, which is reasonably calculated to support directly the development and expansion of a particular program as defined herein and which represents an addition to any technical assistance previously or customarily provided to such educational institutions by the donor.

Section 5. The corporation shall have the following powers:

(a) to make, amend, and repeal by-laws, rules and regulations, for the management of its affairs;

(b) to adopt an official seal;

(c) to sue and be sued, in its own name;

(d) to make contracts and execute all instruments necessary or convenient for the carrying on of its business;

(e) to acquire, own, hold, dispose of and encumber personal property of any nature or any interest therein;

(f) to enter into agreements or transactions with any federal, state or municipal agency or other institutions;

(g) to appear in its own behalf before boards, commissions, departments, or other agencies of federal, state or municipal government;

(h) to appoint officers, employees, consultants, agents and advisors and prescribe their duties and fix compensation within the limits provided by law;

(i) to procure insurance against any losses in connection with its property in such amounts, and from such insurers, as may be necessary or desirable;

(j) to accept any and all donations, grants, bequests, and devises, conditional or otherwise, of money, property, service, or other things of value which may be received from the United States or any agency thereof, any governmental agency, any institution, person, firm or corporation, public and private, to be held, used or applied for any or all the purposes specified in this act, in accordance with the terms and conditions of any such grant. Receipt of each such donation or grant shall be detailed in the annual report of the corporation. Such report shall include the identity of the donor or lender, the nature of the transaction and any conditions attaching thereto;

(k) to collect and disseminate to interested individuals, in cooperation with and through any agencies of federal, state and municipal government, information concerning areas of present and projected employment need, programs of skills training and education consistent therewith and any other relevant information;

(l) to provide grants-in-aid to educational institutions to encourage and facilitate the formation of comprehensive cooperative relationships with business and industry which secure for such institutions the information, technical assistance and financial support necessary for the development and significant expansion of programs of skills training and education consistent with employment need;

(m) to prepare, publish and distribute, with or without charge as the corporation may determine, such technical studies, reports, bulletins and other materials as it deems appropriate;

(n) to organize, conduct, sponsor or cooperate in and assist the conduct of special institutes, conferences, demonstrations, and studies which increase communications and cooperation among agencies of federal, state, and municipal government, and all interested institutions, persons, firms, or corporations, public or private concerned with business and industry, economic development, public assistance, employment, skills training and education;

(o) to exercise any other powers of a corporation organized under chapter one hundred and fifty-six B;

(p) to do any and all things necessary or convenient to carry out the purpose of this chapter.

Section 6. The BSSC may, subject to appropriation from the general court or from funds made available from any other public or private source and pursuant to rules and regulations adopted by it, provide grants-in-aid to educational institutions, not in excess of two hundred thousand dollars per grant-in-aid; provided, however, that such grants-in-aid shall be used exclusively for programs which are consistent with the provisions of this chapter; and provided, further, that the corporation shall make a grant-in-aid to a particular educational institution only after:

(A) receipt of an application from the educational institution which contains a proposal for a program of skills training and education, including a description of the program, the type of skills training or education to be provided, a statement of the total cost of the program and a breakdown of the costs associated with equipment, personnel, facilities and materials, a statement of the employment needs for the program and evidence in support thereof, a statement of the technical assistance and financial support for the program received or to be received from business and industry, and such other information as the board shall request; and

(B) approval of the grant-in-aid by the board, provided that the board shall find, based upon the application submitted by the educational institution and such additional investigation as the staff of the BSSC shall make, and incorporate in its minutes, that:

(1) the program is within the scope of this chapter and may reasonably be expected to succeed and thereby increase employment within the commonwealth;

(2) the grant-in-aid will only be used to cover the costs directly associated with the program;

(3) the program involves an area of skills training and education concerning which there is a demonstrable need by business and industry within the commonwealth;

(4) the applicant has made provisions for the utilization of existing federal and state resources for student financial assistance;

(5) the grant-in-aid is essential to the success of the program as the resources of the applicant are inadequate to attract the technical assistance and financial support necessary for the program from business and industry;

(6) the applicant has obtained from business and industry a firm commitment for that information, technical assistance and financial support which, together with the requested grant-in-aid, the resources of the applicant, and support from any other source, is sufficient to ensure the probable success of the program. In addition, the commitment of financial support from business and industry shall be equal to or greater than the amount of the requested grant-in-aid except that the BSSC may waive the requirement for such matching financial support upon finding that the program funded by the grant-in-aid will materially increase the employment opportunities for targeted individuals and that the businesses and industries participating in the program have agreed to contribute personnel, facilities, equipment, supplies, stipends or other items of financial value to the program in an amount approved by the BSSC;

(7) binding commitments have been made to the BSSC by the applicant for adequate reporting of information and data regarding the program to the BSSC, particularly information concerning

the recruitment and employment of trainees and students, and including a requirement for an annual or other periodic audit of the books of the applicant directly related to the program, and for such control on the part of the BSSC as the board shall consider prudent over the management of the program, so as to protect the use of public funds, including, in the discretion of the board and without limitation, right of access to financial and other records of the applicant directly related to the programs;

(8) adequate provision has been made by the applicant for the active recruitment for participation in the program of those who are the victims of economic dislocation and those of minority and economically disadvantaged groups, particularly recipients of public assistance;

(9) binding commitments have been made to the BSSC by the applicant for compliance with the monitoring and evaluation rules and regulations of the BSSC.

Such findings by the BSSC shall be conclusive.

Section 7. Upon approval of a grant-in-aid application by the board, the Bay State Skills Corporation shall immediately provide notification of its decision to the department of public welfare and the division of employment security. Such notification shall include the following information regarding the supported program: the trade, occupation or profession with which the program is concerned; a description of the curriculum, the requirements for participation, and the procedures for making application; the duration of the program; a description of support services available to participants in the program; and any other information relevant to encouraging and facilitating the participation in the program of those in economic need.

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 Corporation 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 8. The BSSC shall annually submit a complete and detailed report of the corporation's activities within ninety days after the end of the fiscal year to the clerk of the house of representatives, to the clerk of the senate, and to the governor. The annual report shall include, but not be limited to, descriptions of all programs funded, an evaluation of the performance of each program, a summary of the public monies expended, and detailed descriptions of the individuals trained, educated and employed, including, in particular, the number of minority and economically disadvantaged individuals.

Section 9. The books and records of the BSSC shall be subject to an annual audit by the auditor of the commonwealth.

Section 10. This chapter shall be liberally construed to effect its purpose.

SECTION 49. The third paragraph of section 3 of chapter 40J of the General Laws, as appearing in section 1 of chapter 312 of the acts of 1982, is hereby amended by striking out, in lines 23 and 24, the words "times in each year and shall have final authority over the activities of the corporation".

SECTION 50. The last paragraph of section 5 of said chapter 40J, as so appearing, is hereby amended by striking out, in line 2, the word "his" and inserting in place thereof the word:- this.

SECTION 51. Section 76B of chapter 54 of the General Laws, inserted by section 2 of chapter 654 of the acts of 1983, is hereby amended by inserting after the word "person's", in line 3, the word:- right.

SECTION 52. Section 5 of chapter 59 of the General Laws is hereby amended by striking out clause Four A, as amended by chapter 138 of the acts of 1981, and inserting in place thereof the following clause:-

Fourth A, Real and personal estate of incorporated agricultural societies; provided, that if the whole or any part of any such real estate is used for other than agricultural exhibition purposes and if the society derives any income from such use, such real estate, or part, as the case may be, shall not be exempt; and provided further, that if such society has not held an agricultural exhibition on such land for a period of three years or more, such real estate shall not be exempt.

SECTION 53. Clause Forty-first B of said section 5 of said chapter 59, inserted by section 5 of chapter 653 of the acts of 1982, is hereby amended by inserting after the word "shall", in line 26, the word:- be,- and by striking out, in line 66, the word "commission" and inserting in place thereof the word:- commissioner.

SECTION 54. The first paragraph of section 18 of chapter 63 of the General Laws, as amended by section 24 of chapter 816 of the acts of 1977, is hereby further amended by striking out, in line 4, the word "October" and inserting in place thereof the word:- December.

SECTION 55. Section 38E of said chapter 63 is hereby amended by striking out subsection (d), as amended by section 146 of chapter 514 of the acts of 1978, and inserting in place thereof the following subsection:-

(d) As used in this section the phrase "equalized tax rate differential" shall mean the amount by which the equalized tax rate of a city or town exceeds the average equalized tax rate of the commonwealth in any calendar year. The equalized tax rate of a city or town for any calendar year shall be the rate of taxation per one thousand dollars of valuation that would be levied upon its property subject to local taxation for said year if such property were assessed at its equalized valuation as last determined by the commissioner of revenue under section ten C of chapter fifty-eight. The average equalized tax rate of the commonwealth for any calendar year shall be the average rate of taxation per one thousand dollars of valuation that would be levied in the commonwealth upon all property subject to local taxation for said year if such property were assessed at its equalized valuation as last determined by the commissioner of revenue under said section ten C of said chapter fifty-eight.

SECTION 56. Section 5 of chapter 65A of the General Laws is hereby amended by striking out clause 5, added by section 1 of chapter 515 of the acts of 1976, and inserting in place thereof the following clause:-

(5) If the court shall determine that it is inequitable, because of special circumstances, to apportion interest and penalties in connection with estate taxes as provided herein, it may direct apportionment thereof in such manner as it shall find equitable.

SECTION 57. Section 2 of chapter 70 of the General Laws, as appearing in section 70C of chapter 367 of the acts of 1978, is hereby amended by striking out the definition of "Equalized valuation per person in a city or town" and inserting in place thereof the following definition:-

"Equalized valuation per person in a city or town", the equalized valuation of all property in a city or town subject to local taxation, as most recently reported to the general court under section ten C of chapter fifty-eight, divided by the number of persons who reside in such city or town. In the case of a regional school district, the equalized valuation per person shall be determined in the following manner: first, the equalized valuation per person of each member municipality in the regional school district shall be multiplied by the percentage of all pupils enrolled in the regional school district who are residents of that municipality; and second, the equalized valuations per person in all member municipalities as so modified shall be summed. In the case of a regional school district in which (1) the equalized valuation per person of any member municipality is more than three hundred per cent of the equalized valuation per person in the commonwealth, and (2) at least one other member municipality has an equalized valuation per person of less than sixty per cent of the equalized valuation per person in the commonwealth, and (3) all member municipalities with an equalized valuation per person of less than sixty per cent of the equalized valuation per person in the commonwealth together contribute more than fifty per cent of the total unweighted full-time equivalent pupils enrolled in regular day, special needs, vocational and transitional bilingual programs in said regional school district during the fiscal year in which school aid is to be distributed under this chapter, then solely for the purpose of computing the equalized valuation per person of said regional school district the equalized valuation per person of no member municipality shall exceed three hundred per cent of the equalized valuation per person in the commonwealth. Independent vocational schools under the jurisdiction of a board of local or district trustees for vocational education shall be assigned the equalized valuation per person of the city or town in which they are located.

SECTION 58. Section 8 of chapter 71A of the General Laws, as appearing in section 70G of said chapter 367, is further amended by striking out, in line 7, the words "a by" and inserting in place thereof the words:- by a.

SECTION 59. Chapter 75B of the General Laws is hereby amended by striking out section 18, added by section 5 of chapter 212 of the acts of 1982, and inserting in place thereof the following section:-

Section 19. The board of trustees shall not allow any funds for legislative agents as defined in section thirty-nine of chapter three or organizations attempting to influence legislation as defined in section forty-four of said chapter three to be assessed on student tuition bills; provided, however, that waivable fees for nonpartisan student organizations which employ said legislative agents or attempt to influence legislation shall be collected by the boards of trustees whenever students have authorized a waivable fee by a majority vote of those students voting in an official student referendum. Said waivable fees shall be collected as provided in paragraph (b) of section eighteen of chapter fifteen A.

No funds collected as a mandatory student activities fee shall be paid to legislative agents as defined in section thirty-nine of said chapter three or organizations attempting to influence legislation as defined in section forty-four of said chapter three. As used in this section, the term "legislative agent" or "organization attempting to influence legislation" shall not include any official representative of the student body.

SECTION 60. Clause (d) of section 5 of chapter 75D of the General Laws, as appearing in section 1 of chapter 1096 of the acts of 1971, is hereby amended by striking out, in line 3, the word "or", the first time it appears, and inserting in place thereof the word:- to.

SECTION 61. Section 8G of chapter 90 of the General Laws is hereby amended by striking out the first sentence, as amended by section 40 of chapter 572 of the acts of 1980, and inserting in place thereof the following sentence:- In the event an identification card issued pursuant to this act is lost, destroyed, mutilated, or a new name is acquired, the person to whom said card was issued shall obtain a duplicate card upon furnishing satisfactory proof of loss to the registrar and payment of a fee to be determined annually by the commissioner of administration under the provisions of section three B of chapter seven.

SECTION 62. Section 14 of said chapter 90 is hereby amended by striking out the first sentence, as amended by chapter 108 of the acts of 1983, and inserting in place thereof the following

sentence:- Every person operating a motor vehicle shall bring the vehicle and the motor propelling it immediately to a stop when approaching a cow, horse or other draft animal being led, ridden or driven, if such animal appears to be frightened and if the person in charge thereof shall signal so to do; and, if traveling in the opposite direction to that in which such animal is proceeding, said vehicle shall remain stationary so long as may be reasonable to allow such animal to pass; or, if traveling in the same direction, the person operating shall use reasonable caution in thereafter passing such animal.

SECTION 63. The third paragraph of section 20A of said chapter 90 is hereby amended by striking out the first two sentences, as amended by section 1 of chapter 459 of the acts of 1983, and inserting in place thereof the following sentence:- 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 64. The third paragraph of section 20A$\frac{1}{2}$ of said chapter 90 is hereby amended by striking out the first two sentences, as amended by section 2 of said chapter 459, and inserting in place thereof the following sentence:- 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 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 65. Paragraph (c) of subdivision (1) of section 24 of said chapter 90, as most recently amended by section 4 of chapter 373 of the acts of 1982, is hereby further amended by striking out, in lines 3, 14, 33 and 41, in each instance, the words "subparagraph (1) of".

SECTION 66. The sixth paragraph of section 34 O of said chapter 90, as appearing in section 7 of chapter 266 of the acts of 1976, is hereby amended by striking out, in line 2, the word "two" and inserting in place thereof the word:- three.

SECTION 67. Chapter 93 of the General Laws is hereby amended by striking out section 11, as amended by section 5 of chapter 701 of the acts of 1983, and inserting in place thereof the following section:-

Section 11. A final judgment or decree rendered in any civil or criminal proceeding brought by the attorney general under this chapter to the effect that a defendant has violated this chapter shall be prima facie evidence against such defendant in any action or proceeding brought by any other party against such defendant under this chapter as to all matters respecting which said judgment or decree would be an estoppel as between the parties thereto; provided, however, that this section shall not apply to consent judgments or decrees, or settlements which have not been fully litigated to their conclusion, none of which shall constitute either an admission or prima facie evidence. 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 68. Section 1 of chapter 94 of the General Laws is hereby amended by striking out the definition of "Director", as amended by section 6A of chapter 691 of the acts of 1983, 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 69. Paragraph (a) of section 126 of said chapter 94, as appearing in section 1 of chapter 891 of the acts of 1970, is hereby amended by striking out clauses (6) and (7) and inserting in place thereof the following two clauses:-

(6) require that persons subject to the provisions of sections one hundred and eighteen to one hundred and thirty, inclusive, furnish the department, on such form as the commissioner may prescribe, annual or special reports, or both such annual or special reports, or answers in writing to specific questions asked by the commissioner, or such other information as the commissioner may require to enforce the provisions of said sections;

(7) cooperate with the Secretary of Agriculture in the administration of the provisions of this chapter in order to effectuate

the purposes thereof, and to accept federal assistance for that purpose.

SECTION 70. Chapter 94A of the General Laws is hereby amended by striking out section 9, as most recently amended by section 24 of chapter 691 of the acts of 1983, and inserting in place thereof the following section:-

Section 9. 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 71. Paragraph (1) of section 1-106 of chapter 106 of the General Laws, as appearing in section 1 of chapter 765 of the acts of 1957, is hereby amended by striking out, in line 5, the word "specificially" and inserting in place thereof the word:- specifically.

SECTION 72. Section 9-407 of said chapter 106, as appearing in section 7 of chapter 512 of the acts of 1979, is hereby amended by striking out paragraph (2) and inserting in place thereof the following paragraph:-

(2) Upon request of any person, the filing officer, except the registers of deeds and assistant recorders of the land court, shall issue his certificate showing whether there is on file on the date and hour stated therein, any presently effective financing statement naming a particular debtor and any statement of assignment thereof and, if there is, giving the date and hour of filing of each such statement and the names and address of each secured party named therein. The fee for such a certificate shall be five dollars. Upon request, the filing officer shall furnish a copy of any filed financing statement, continuation statement, termination statement, statement of assignment or statement of release 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.

SECTION 73. Paragraph (5) of section 9-501 of said chapter 106, as so appearing, is hereby amended by striking out, in line 1, the word "educed" and inserting in place thereof the word:- reduced.

SECTION 74. Paragraph (2) of section 9-502 of said chapter 106, as so appearing, is hereby amended by striking out, in line 1, the word "charte" and inserting in place thereof the word:- charge,- and by striking out, in line 10, the word "acconts" and inserting in place thereof the word:- accounts.

SECTION 75. Clause (F) of paragraph (a) of section 204 of chapter 110A of the General Laws, as appearing in section 1 of chapter 694 of the acts of 1972, is hereby amended by striking out, in line 7, the word "exhange" and inserting in place thereof the word:- exchange.

SECTION 76. Section 11 of chapter 110B of the General Laws, as appearing in section 5 of chapter 897 of the acts of 1973, is hereby amended by striking out, in line 1, the word "any" and inserting in place thereof the word:- , any.

SECTION 77. The eighth paragraph of section 2B of chapter 111 of the General Laws, as appearing in chapter 900 of the acts of 1967, is hereby amended by striking out, in line 5, the figure "30A" and inserting in place thereof the word:- thirty A.

SECTION 78. The fifth paragraph of section 25A of said chapter 111, as appearing in chapter 715 of the acts of 1972, is hereby amended by striking out, in line 1, the word "Commonwealth" and inserting in place thereof the word:- commonwealth.

SECTION 79. The sixth paragraph of said section 25A of said chapter 111, as so appearing, is hereby amended by striking out, in line 3, the word "Commonwealth" and inserting in place thereof the word:- commonwealth.

SECTION 80. The definition of "Construction" in section 25B of said chapter 111, as appearing in section 3 of chapter 776 of the acts of 1972, is hereby amended by inserting after the word "part", in line 7, the word:- of.

SECTION 81. The third paragraph of section 127B of said chapter 111, as appearing in section 3 of chapter 898 of the acts of 1965, is hereby amended by striking out, in line 2, the word ", any" and inserting in place thereof the word:- any.

SECTION 82. The first paragraph of section 200 of said chapter 111, as amended by chapter 122 of the acts of 1974, is hereby further amended by striking out, in line 2, the figure "112" and inserting in place thereof the words:- one hundred and twelve.

SECTION 83. Chapter 111B of the General Laws is hereby amended by striking out section 5, as most recently amended by chapter 535 of the acts of 1981, and inserting in place thereof the following section:-

Section 5. The department may: (1) make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this chapter including, but not limited to, contracts with government departments, public and private agencies and facilities, physicians and other persons rendering services to alcoholics; provided, however, that all rates are to be established in accordance with the provisions of chapter six A wherever applicable; and provided further, that the income and resource standards under chapter one hundred and eighteen E for determining the financial ability of alcoholics to pay for services shall be taken into consideration to the fullest extent possible; (2) establish and operate facilities if adequate public and private resources are not available; and (3) solicit and accept for use in relation to the purposes of this chapter any gift or bequest of money or property and any grant or loans of money, services or property from the federal government, the commonwealth or any political subdivision thereof. Any money received under clause (3) shall be deposited with the state treasurer to be kept in a separate fund in the treasury for expenditure by the department in accordance with the conditions of the gift, bequest, loan or grant without specific appropriation.

The department shall prepare and publish annually a list of all of its facilities and services operated by the division, shall make this list available upon request to members of the public and shall furnish each police department in the commonwealth with a copy of such list.

SECTION 84. Clause (13) of section 8 of chapter 111D of the General Laws, as appearing in section 1 of chapter 881 of the acts of 1975, is hereby amended by striking out, in line 1, the first time it appears, the word "to".

SECTION 85. Chapter 111F of the General Laws, inserted by section 1 of chapter 470 of the acts of 1983, is hereby amended by inserting before section 1 the following title:-

HAZARDOUS SUBSTANCES DISCLOSURE BY EMPLOYERS.

SECTION 86. The General Laws are hereby amended by striking out chapter 111F, inserted by section 1 of chapter 699 of the acts of 1983, and inserting in place thereof the following chapter:-

CHAPTER 111G.
EARLY CHILDHOOD INTERVENTION SERVICES.

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 providers; 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 to 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 87. The definition of "Physical therapy" in section 23A of chapter 112 of the General Laws, as appearing in section 2 of chapter 667 of the acts of 1982, is hereby amended by striking out, in line 16, the word "on-going" and inserting in place thereof the word:- ongoing.

SECTION 88. The first paragraph of section 23B of said chapter 112, as so appearing, is hereby amended by inserting after the word "is", in line 11, the word:- of.

SECTION 89. The second paragraph of said section 23B of said chapter 112, as so appearing, is hereby amended by striking out, in line 7, the word "eudcation" and inserting in place thereof the word:- education.

SECTION 90. Section 23C of said chapter 112, as so appearing, is hereby amended by striking out, in line 13, the word "the", the first time it appears, and inserting in place thereof the word:- or.

SECTION 91. Clause (e) of section 23E of said chapter 112, as so appearing, is hereby amended by striking out, in line 5, the word "of" and inserting in place thereof the word:- or.

SECTION 92. Said chapter 112 is hereby further amended by striking out section 43A, inserted by section 2 of chapter 757 of the acts of 1977, and inserting in place thereof the following section:-

Section 43A. The following words shall have the following meanings wherever used in this chapter or in any rules and regulations promulgated by the board in accordance with the provisions of chapter thirty A:-

"Aid or assist the dentist", working simultaneously in conjoined manipulation with a dentist who is rendering treatment, as opposed to the performance of "delegated procedures" which does not require the immediate presence of a dentist.

"Appropriate supervision", the type of supervision, whether direct or general, which the board specifies by rules and regulations as necessary for the performance of various procedures delegated by the board to dental hygienists or dental assistants.

"Delegated procedures", those procedures performed under the direct supervision or the general supervision of a licensed dentist.

"Dental assistant", a person qualified by education, training or experience and working under the supervision of a licensed dentist, whose purpose is to aid or assist a dentist in the delivery of patient care, or perform such delegated procedures as may be authorized by rules and regulations of the board.

"Dental hygienists", a person registered and licensed by the board, pursuant to the provisions of section fifty-one.

"Direct supervision", a dentist shall be physically present in a dental facility.

"Full time faculty member", a dentist who devotes at least four full working days per week in teaching-patient care, research or administrative duties in the dental educational or research institution where he is employed.

"General supervision", supervision of dental procedures based on instructions given by a licensed dentist but not requiring the physical presence of a supervising dentist during the performance of those procedures.

"Intramural group dental practice", a dental practice comprised of full time faculty members under the auspices of the dental educational or research institution where they are employed.

"Placement of a restoration", a procedure for the reconstruction of a tooth, or portion of a tooth, to its anatomical and functional integrity or the replacement of a tooth or teeth using those materials designed for the purpose which are accepted by the American Dental Association Council on Dental Materials and Devices.

SECTION 93. The first paragraph of section 87BB of said chapter 112, as most recently amended by section 190 of chapter 572 of the acts of 1980, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:- Any registered hairdresser who has had not less than two years practical experience as such and any registered aesthetician who has had not less than two years practical experience as such, and who, after application accompanied by an examination fee as provided in said section eighty-seven CC for a first examination, or a fee as provided in said section eighty-seven CC for a second or subsequent examination, passes an examination satisfactory to the board, may be registered by the board as an instructor, and thereafter may instruct in hairdressing or aesthetics, as the case may be, in any registered school during the period of original registration, and thereafter, upon payment every two years of a renewal fee as provided in said section eighty-seven CC.

SECTION 94. The second 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 95. Said section 18A of said chapter 121A is hereby further amended by striking out the third paragraph, as amended by section 6 of chapter 371 of the acts of 1983, and inserting in place thereof the following paragraph:-

After a project proposed to be undertaken by a bank or banks under this section has been authorized and approved, such bank or banks may associate to form a corporation, unincorporated association, joint venture, partnership, limited partnership or trust, for the purpose of undertaking and carrying out the project, or any portion thereof, on behalf of such bank or banks and any such entity so formed shall be deemed to be an instrumentality of the commonwealth, to be exempt from taxation, betterments, excises and special assessments and to have all the

powers granted and be subject to all the obligations and duties imposed under this chapter to the same extent as provided for a bank or banks undertaking a project under this section.

SECTION 96. Paragraph (l) of section 11 of chapter 121B of the General Laws, as appearing in section 1 of chapter 751 of the acts of 1969, is hereby amended by striking out, in line 3, the word "and".

SECTION 97. Paragraph (m) of said section 11 of said chapter 121B, as amended by section 2 of chapter 851 of the acts of 1970, is hereby further amended by striking out, in line 4, the word "chapter." and inserting in place thereof the word:- chapter;.

SECTION 98. Paragraph (n) of said section 11 of said chapter 121B, inserted by said section 2 of said chapter 851, is hereby amended by striking out, in line 10, the word "powers." and inserting in place thereof the words:- powers; and.

SECTION 99. Paragraph (5) of clause (k) of section 26 of said chapter 121B, as amended by section 3 of chapter 789 of the acts of 1981, is hereby further amended by striking out, in line 14, the word "principle" and inserting in place thereof the word:- principal.

SECTION 100. Clause (f) of section 46 of said chapter 121B, as appearing in section 1 of chapter 751 of the acts of 1969, is hereby amended by striking out, in line 3, the word "and".

SECTION 101. Clause (g) of said section 46 of said chapter 121B, as so appearing, is hereby amended by striking out, in line 3, the word "source." and inserting in place thereof the words:- source; and.

SECTION 102. The first paragraph of section 131F of chapter 140 of the General Laws is hereby amended by striking out the second sentence, inserted by section 2 of chapter 551 of the acts of 1978, and inserting in place thereof the following sentence:- Such license shall be valid for a period of one year but the commissioner may renew said license, if in his discretion such renewal is necessary.

SECTION 103. The third paragraph of section 50 of chapter 146 of the General Laws, as appearing in chapter 569 of the acts of 1970, is hereby amended by striking out, in line 5, the word "fireman" and inserting in place thereof the word:- , fireman.

SECTION 104. Section 40A of chapter 147 of the General Laws, as most recently amended by section 2 of chapter 500 of the acts of 1982, is hereby further amended by striking out, in line 13, the word "boxer's" and inserting in place thereof the word:- boxers'.

SECTION 105. Subsection (5) of section 44B 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, in line 2, the word "he" and inserting in place thereof the word:- the.

SECTION 106. Section 14 of chapter 151A of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by section 15 of chapter 720 of the acts of 1977, and inserting in place thereof the following paragraph:-

Each employer shall make contributions for each year after the year nineteen hundred and seventy-seven at the applicable rate or rates as set forth in this section on so much of his payroll as is subject to this chapter; provided, that for the purposes of this section, the term "wages" shall not include that part of remuneration which, after remuneration equal to six thousand dollars with respect to employment with such employer has been paid to an individual during any calendar year, is paid to such individual during such year; provided however, if the amount specified in the definition of "wages" in the Federal Unemployment Tax Act is higher with respect to a calendar year than the amount hereinbefore specified, such higher amount shall apply to such calendar year for the purposes of this section. In determining the initial remuneration of six thousand dollars as hereinbefore provided, any remuneration shall be included which was earned in another state upon which contributions were required and paid under a similar law.

SECTION 107. Paragraph (1) of subsection (i) of said section 14 of said chapter 151A, as most recently amended by chapter 788 of the acts of 1979, is hereby further amended by striking out, in line 1, the first time it appears, the word "or" and inserting in place thereof the word:- on.

SECTION 108. Subsection (f) of section 29B of said chapter 151A, as appearing in section 7 of chapter 489 of the acts of 1982, is hereby amended by striking out, in line 2, the word "with" and inserting in place thereof the word:- which.

SECTION 109. Section 30A of said chapter 151A is hereby amended by striking out subsection (6), as amended by section 16 of chapter 489 of the acts of 1982, and inserting in place thereof the following subsection:-

(6) Any benefits paid to an individual under the provisions of this section shall be charged to the solvency account.

SECTION 110. Said section 30A of said chapter 151A is hereby further amended by striking out the last paragraph, added by section 1 of chapter 756 of the acts of 1971, and inserting in place thereof the following three paragraphs:-

Whenever an extended benefit period is to become effective in the commonwealth as a result of a state "on" indicator, or an extended benefit period is to be terminated in the commonwealth as a result of a state "off" indicator, the director shall make an appropriate public announcement.

Computations required by the provisions of paragraph (f) of subsection (1) of this section shall be made by the director, in accordance with regulations prescribed by the United States Secretary of Labor.

If the Federal State Extended Unemployment Compensation Act of 1970 is amended so as to authorize the commonwealth to pay benefits for a period of extended duration beyond that currently provided by this section, the amended provisions of such federal law shall become a part of this section to the extent necessary to authorize the payment of benefits for such extended duration.

SECTION 111. The first paragraph of section 65 of chapter 152 of the General Laws, as appearing in section 5 of chapter 855 of the acts of 1973, is hereby amended by striking out, in line 12, the word "section" and inserting in place thereof the word:- sections.

SECTION 112. Clause (l) of section 9 of chapter 156B of the General Laws, as amended by section 4 of chapter 392 of the acts of 1969, is hereby further amended by striking out, in line 1, the word "To" and inserting in place thereof the word:- to.

SECTION 113. The first paragraph of section 69A of chapter 161 of the General Laws is hereby amended by striking out the sixth sentence, as amended by section 349 of chapter 572 of the acts of 1980, and inserting in place thereof the following sentence:- Within thirty days after such approval, the documents filed with the department, together with a certified copy of the order of the department approving the proposed merger shall be filed with the state secretary accompanied by a fee to be determined annually by the commissioner of administration under the provisions of section three B of chapter seven.

SECTION 114. Section 6 of chapter 161A of the General Laws, as most recently amended by section 3 of chapter 581 of the acts of 1980, is hereby further amended by striking out, in line 22,

the word "meeeting" and inserting in place thereof the word:- meeting.

SECTION 115. Section 3 of chapter 161B of the General Laws, as amended by section 2 of chapter 928 of the acts of 1977, is hereby further amended by striking out, in line 11, the word "be" and inserting in place thereof the word:- by.

SECTION 116. Section 15 of said chapter 161B is hereby amended by striking out the first paragraph, as amended by section 10 of said chapter 928, and inserting in place thereof the following paragraph:-

Any city or town which is a member of an authority may place upon the official ballot at any biennial or regular or special city election or annual or special town election the following question:

"Shall this (city, town) continue to be a member of the (name) Regional Transit Authority?"

YES.	
NO.	

SECTION 117. Section 1 of chapter 161C of the General Laws, as amended by section 6 of chapter 732 of the acts of 1981, is hereby further amended by striking out, in line 20, the word "preserve" and inserting in place thereof the word:- , preserve.

SECTION 118. Paragraph (f) of section 6 of said chapter 161C, added by section 4 of chapter 462 of the acts of 1978, is hereby amended by striking out, in line 1, the word "without" and inserting in place thereof the word:- Without.

SECTION 119. Chapter 164 of the General Laws is hereby amended by striking out section 33A, inserted by section 5 of chapter 375 of the acts of 1981, and inserting in place thereof the following section:-

Section 33A. No gas or electric company regulated by the department under this chapter may recover from any ratepayer of such company any direct or indirect expenditure by such company for promotional or political advertising as defined in this section.

For the purposes of this section, the following words and phrases shall have the following meanings:-

"Advertising", the commercial use by a utility of any media, including newspaper, printed matter, radio, and television, in order to transmit a message to a substantial number of members of the public or to such utility's consumers.

"Political advertising", any advertising for the purpose of influencing public opinion with respect to legislative, administrative, or electoral matters, or with respect to any controversial issue of public importance.

"Promotional advertising", any advertising for the purpose of encouraging any person to select or use the service or additional service of a utility regulated by the department, or the selection or installation of any appliance or equipment designed to use such utility's service.

For the purposes of this section, the terms "political advertising" and "promotional advertising" shall not include advertising which informs consumers of any utility on how they can conserve energy, reduce peak demand for energy, or other services, or otherwise use the services of any utility in a cost-efficient manner; is required by federal or state laws or regulations; informs consumers regarding service interruptions, safety measures, or emergency conditions; concerns employment opportunities with a utility; or relates to any explanation or justification of existing or proposed rate schedules, or notification of hearings thereon which informs consumers of and stimulates the use of products or services which are subject to direct competition from products or services of entities not regulated by the department or any other government agency.

SECTION 120. Section 94G of said chapter 164, as amended by section 4 of said chapter 375, is hereby further amended by striking out subsection (f) and inserting in place thereof the following subsection:-

(f) For the purpose of this section, the following terms shall have the following meanings:-

"Line losses", the unavoidable losses of electricity that occur during the transmission and distribution of electric power.

"Retail customer", any purchaser of electricity regulated by the department.

"Zero power costs", fuel costs attributable to a utility company's generation of electricity which was neither purchased nor consumed by a retail customer of said company and is in excess of minimum needs to maintain sufficient reserves of power for purposes of reliability and efficiency, as determined by the fuel charge monitoring bureau, and to maintain the most economical levels of operation, consistent with reasonable regional power exchange requirements; provided, however, that such electricity shall not include line losses as defined herein.

SECTION 121. Section 22C of chapter 166 of the General Laws, as appearing in section 1 of chapter 884 of the acts of 1969, is hereby amended by striking out, in line 11, the word "of" and inserting in place thereof the word:- if.

SECTION 122. Section 7 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 6, the word "with" and inserting in place thereof the word:- within.

SECTION 123. Section 13 of said chapter 167, as so appearing, is hereby amended by striking out, in line 5, the word "this" and inserting in place thereof the word:- his.

SECTION 124. The definition of "Account" in section 1 of chapter 167B of the General Laws, as amended by section 7 of chapter 332 of the acts of 1982, is hereby further amended by striking out, in line 6, the word "terms" and inserting in place thereof the word:- term.

SECTION 125. Subsection (b) of section 21 of said chapter 167B, as appearing in section 2 of chapter 530 of the acts of 1981, is hereby amended by striking out clause (8) and inserting in place thereof the following clause:-

(8) being a person authorized by an issuer to furnish money, goods, services or anything else of value upon presentation of an access device by the access device holder, or any agent or employee of such person, furnishes money, goods, services or anything else of value upon presentation of an access device which he knows was obtained or retained in violation of clauses (2) to (5), inclusive, or an access device which he knows is forged, expired or revoked where the value of the goods or services obtained is not in excess of one hundred dollars.

SECTION 126. Section 10 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 last sentence and inserting in place thereof the following sentence:- 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 127. Paragraph 18 of subsection B of section 2 of chapter 167E of the General Laws, as so appearing, is hereby amended by striking out, in line 3, the first time it appears, the word "make" and inserting in place thereof the word:- may.

SECTION 128. Section 5 of chapter 168 of the General Laws, as appearing in section 29 of said chapter 155, is hereby amended by striking out, in line 20, the word "newpaper" and inserting in place thereof the word:- newspaper.

SECTION 129. Section 21 of chapter 170 of the General Laws, as appearing in section 46 of said chapter 155, is hereby amended by striking out, in line 16, the word "subection" and inserting in place thereof the word:- paragraph.

SECTION 130. Paragraph 2 of the second paragraph of section 26A of said chapter 170, as so appearing, is hereby

amended by striking out, in line 4, the word "umimpaired" and inserting in place thereof the word:- unimpaired.

SECTION 131. 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 132. Section 30 of chapter 172 of the General Laws, as appearing in section 60 of said chapter 155, is hereby amended by striking out subsection A and inserting in place thereof the following subsection:-

A. A trust company may, subject to the approval of the commissioner and upon vote of the holders of at least two-thirds of each class of its capital stock at an annual meeting or a special meeting duly called for the purpose, preceded in either case by a notice in writing sent to each stockholder of record by registered mail at least ten days before said meeting, issue and sell its capital notes or debentures of any maturity. The indebtedness evidenced by any such capital notes or debentures, including the principal thereof and premium, if any, and interest thereon, shall be subordinate to the claims of depositors and other creditors of such corporation, except claims in respect of other capital notes or debentures of such corporation at least equally subordinated, in accordance with such provisions for subordination as shall be approved by the commissioner, and such subordination shall be specifically enforceable by any interested person, including the commissioner or any conservator appointed by the commissioner whenever possession of the property and business of such corporation shall have been taken by the commissioner or such conservator. Any such issue of capital notes or debentures may contain such other provisions as the commissioner may approve, including provision for conversion rights. The commissioner in his discretion may by regulation provide that any such capital notes or debentures shall to the extent set forth in such regulation be treated as part of the capital funds of the issuing trust company for purposes of any of the provisions of this chapter.

SECTION 133. Section 7 of chapter 172A of the General Laws, as most recently amended by section 3 of chapter 275 of the acts of 1981, is hereby further amended by striking out clauses Fourth and Fifth and inserting in place thereof the following two clauses:-

Fourth. In making such loans upon real estate secured by first mortgages as are authorized as investments for savings banks by sections thirty-four and thirty-five of chapter one hundred and sixty-eight. Except as otherwise provided, such loans shall be subject to the limitations of sections thirty-four to

thirty-six, inclusive, and of other applicable sections of said chapter one hundred and sixty-eight.

Fifth. In second mortgages on residential property as security for a noncommercial or nonbusiness loan not exceeding twenty thousand dollars.

SECTION 134. Chapter 175 of the General Laws is hereby amended by striking out section 3, as most recently amended by section 2 of chapter 642 of the acts of 1970, and inserting in place thereof the following section:-

Section 3. No company shall make a contract of insurance or annuity, including any such insurance or annuity contract which is a contract on a variable basis, upon or relative to any property or interests or lives in the commonwealth, or with any resident thereof, and no person shall negotiate, solicit, sell or in any manner aid in the transaction of such contracts, or of their continuance or renewal, except as authorized by this chapter or chapter one hundred and seventy-six or one hundred and seventy-eight, or except as otherwise expressly authorized by law; and any such contract and the negotiation, solicitation, sale or transaction thereof by any person shall not be subject to the provisions of chapter one hundred and ten A.

SECTION 135. Subdivision 3 of section 9 of said chapter 175, as appearing in section 1 of chapter 334 of the acts of 1982, is hereby amended by striking out, in line 13, the word "beneifts" and inserting in place thereof the word:- benefits.

SECTION 136. The second paragraph of subdivision 6 of said section 9 of said chapter 175, as so appearing, is hereby amended by striking out, in line 9, the word "foreging" and inserting in place thereof the word:- foregoing.

SECTION 137. Paragraph 14F of section 63 of said chapter 175, as most recently amended by section 3 of chapter 425 of the acts of 1982, is hereby further amended by striking out, in line 19, the word "or", the second time it appears, and inserting in place thereof the word:- of.

SECTION 138. The fourth sentence of the first paragraph of section 98 of said chapter 175, inserted by chapter 308 of the acts of 1981, is hereby amended by striking out, in line 4, the word "mortagee" and inserting in place thereof the word:- mortgagee.

SECTION 139. The third paragraph of section 110E of said chapter 175, as appearing in chapter 1081 of the acts of 1973, is hereby amended by striking out clause (11) and inserting in place thereof the following clause:-

(11) An advertisement of a particular policy shall not state or imply that prospective policyholders become group or quasi-group members and, as such, enjoy special rates or underwriting privileges, unless such is the fact.

SECTION 140. The sixth paragraph of section 113B of said chapter 175, as most recently amended by section 2 of chapter 703 of the acts of 1983, is hereby further amended by striking out the first four sentences and inserting in place thereof the following four 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 established 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.

SECTION 141. Subdivision 6A of section 144 of said chapter 175 is hereby amended by striking out paragraph (f), as appearing in section 2 of chapter 334 of the acts of 1982, and inserting in place thereof the following paragraph:-

(f) The recalculated nonforfeiture net level premium shall be equal to the result obtained by dividing (A) by (B) where (A) equals the sum of (i) the nonforfeiture net level premium applicable prior to the change times the present value of an annuity of one per annum payable on each anniversary of the policy on or subsequent to the date of the change on which a premium would have fallen due had the change not occurred, and (ii) the present value of the increase in future guaranteed benefits provided for by the policy; and (B) equals the present value of an

annuity of one per annum payable on each anniversary of the policy on or subsequent to the date of change on which a premium falls due.

SECTION 142. Said section 144 of said chapter 175 is hereby further amended by striking out subdivision 7C, as so appearing, and inserting in place thereof the following subdivision:-

7A. This subdivision, in addition to all other applicable subdivisions of this law, shall apply to all policies issued on or after January first, nineteen hundred and eighty-six. The cash surrender values available under such policies shall be essentially in compliance with this subdivision. Any cash surrender value available under the policy in the event of default in a premium payment due on any policy anniversary shall be in an amount which does not differ by more than two-tenths of one per cent of either the amount of insurance, if the insurance be uniform in amount, or the average amount of insurance at the beginning of each of the first ten policy years, from the sum (a) the greater of zero and the basic cash value hereinafter specified and (b) the present value of any existing paid-up additions less the amount of any indebtedness to the company under the policy.

The basic cash value shall be equal to the present value, on such anniversary, of the future guaranteed benefits which would have been provided for by the policy, excluding any existing paid-up additions and before deduction of any indebtedness to the company, if there had been no default, less the then present value of the nonforfeiture factors, as hereinafter defined, corresponding to premiums which would have fallen due on and after such anniversary; provided, however, that the effects on the basic cash value of supplemental life insurance or annuity benefits or of family coverage, as described in subdivision 2 or 5, whichever is applicable, shall be the same as are the effects specified in subdivision 2 or 5, whichever is applicable on the cash surrender values defined in that subdivision.

The nonforfeiture factor for each policy year shall be an amount equal to a percentage of the adjusted premium for the policy year, as defined in subdivision 5 or 6A, whichever is applicable. Except as is required by the next succeeding sentence of this paragraph, such percentage:

(a) must be the same percentage for each policy year between the second policy anniversary and the later of (i) the fifth policy anniversary and (ii) the first policy anniversary at which there is available under the policy a cash surrender value in an amount, before including any paid-up additions and before deducting any indebtedness, of at least two-tenths of one per cent of either the amount of insurance, if the insurance be uniform in amount, or the average amount of insurance at the beginning of each of the first ten policy years; and

(b) must be such that no percentage after the later of the two policy anniversaries specified in the preceding item (a) may apply to fewer than five consecutive policy years.

Provided, that no basic cash value may be less than the value which would be obtained if the adjusted premiums for the policy, as defined in subdivision 5 or 6A, whichever is applicable, were substituted for the nonforfeiture factors in the calculation of the basic cash value.

All adjusted premiums and present values referred to in this subdivision shall for a particular policy be calculated on the same mortality and interest bases as are used in demonstrating the policy's compliance with the other subdivisions of this section. The cash surrender values referred to in this subdivision shall include any endowment benefits provided for by the policy.

Any cash surrender value available other than in the event of default in a premium payment due on a policy anniversary, and the amount of any paid-up nonforfeiture benefit available under the policy in the event of default in a premium payment shall be determined in manners consistent with the manners specified for determining the analogous minimum amounts in subdivisions 1, 2, 3, 6A and 7. The amounts of any cash surrender values and of any paid-up nonforfeiture benefits granted in connection with additional benefits such as those listed as items (i) to (v), inclusive, in subdivision 7 shall conform with the principles of this subdivision.

SECTION 143. Section 29 of chapter 178 of the General Laws, as appearing in section 24 of chapter 590 of the acts of 1983, is hereby amended by striking out, in line 18, the word "April" and inserting in place thereof the word:- June.

SECTION 144. Chapter 181 of the General Laws is hereby amended by striking out section 8, as amended by section 21 of chapter 1114 of the acts of 1973, and inserting in place thereof the following section:-

Section 8. If the laws of any other jurisdiction impose on corporations organized under the laws of the commonwealth or their agents doing business in such jurisdiction any fees as a condition of doing business in that jurisdiction in addition to or in excess of those imposed by this chapter upon foreign corporations and their agents, like fees shall be imposed by the state secretary upon all foreign corporations organized under the laws of such jurisdiction and their agents doing business in the commonwealth as long as such laws remain in force.

SECTION 145. Section 15 of said chapter 181, as appearing in section 1 of chapter 844 of the acts of 1973, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

Foreign corporations shall be liable to be sued and to have their property attached in the same manner and to the same extent as individuals who are residents of other states. The service of the writ shall be made in the manner provided in chapters two hundred and twenty-three, two hundred and twenty-seven and the Massachusetts Rules of Civil Procedure, with such further service as the court to which the writ is returnable orders.

SECTION 146. The first sentence of section 14 of chapter 186 of the General Laws, as appearing in section 2 of chapter 778 of the acts of 1973, is hereby amended by striking out, in line 2, the word ", a" and inserting in place thereof the word:- a.

SECTION 147. The introductory paragraph of section 1 of chapter 188 of the General Laws, as most recently amended by chapter 220 of the acts of 1983, is hereby further amended by striking out, in line 7, the word "device" and inserting in place thereof the word:- devise.

SECTION 148. Section 20 of chapter 191 of the General Laws is hereby amended by striking out, in line 1, the word "provided", as appearing in section 2 of chapter 479 of the acts of 1969, and inserting in place thereof the word:- ; provided.

SECTION 149. Section 5 of chapter 200A of the General Laws, as most recently amended by section 73 of chapter 233 of the acts of 1983, is hereby further amended by inserting after the word "presumed", in line 2, the words:- to have been abandoned.

SECTION 150. Chapter 201 of the General Laws is hereby amended by striking out section 6, as most recently amended by chapter 676 of the acts of 1983, and inserting in place thereof the following section:-

Section 6. A parent of a mentally ill person, two or more relatives or friends of a mentally ill person, or the mayor, a nonprofit corporation organized under the laws of the commonwealth whose corporate charter authorized the corporation to act as a guardian of a mentally ill person, or the department of mental health, may file a petition in the probate court asking to have a guardian appointed for such mentally ill person and if after notice as provided in section seven and a hearing the court finds that he is incapable of taking care of himself by reason of mental illness, it shall appoint a guardian of his person and estate. A copy of such appointment shall be sent by mail by the register to the said department. 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 psychologists, expert in mental illness, to examine such person and report their conclusions to the court. Reasonable expense incurred in such examination shall be paid out of the estate of such person or by the commonwealth as may be determined by the court. No guardian so appointed shall have the authority to cause to admit or commit such person to a mental health or retardation facility unless the court specifically finds the same to be in the best interests of such person and specifically so authorizes such admission or commitment by its order or decree. The court shall not authorize such admission or commitment except after a hearing for the purposes of which counsel shall be provided for any indigent, allegedly mentally ill person. The court shall require the attendance of the allegedly mentally ill person at such hearing unless the court finds that there exists extraordinary circumstances requiring his absence, in which event the attendance of his counsel shall suffice.

SECTION 151. Section 36 of chapter 208 of the General Laws, as most recently amended by section 78 of chapter 233 of the acts of 1983, is hereby further amended by striking out, in line 3, the word "judgement" and inserting in place thereof the word:- judgment.

SECTION 152. The second paragraph of section 4 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, in line 6, the word "scheduled" and inserting in place thereof the word:- schedule.

SECTION 153. Chapter 217 of the General Laws is hereby amended by striking out section 6A, inserted by section 144 of chapter 478 of the acts of 1978, and inserting in place thereof the following section:-

Section 6B. No justice, circuit justice or special justice sitting in a division of the probate and family court department shall be interested in, or be benefitted by, the fees or emoluments which may arise in any matter pending before any probate court or which may arise in any suit or action pending in any court of this commonwealth where the subject matter or cause of action is founded upon or derived from proceedings begun in any of the probate courts nor shall he, except as otherwise provided, be appointed or act as executor, administrator, guardian, conservator, trustee under a will, commissioner, appraiser or assignee of or upon an estate within the jurisdiction of any probate court; nor shall he be interested in the fees or emoluments arising from any of said trusts. Full-time justices, or circuit justices provided for under this chapter shall devote their entire time during ordinary business hours to their duties and shall not,

directly or indirectly, engage in the practice of law. The judge of probate for Dukes county and the judge of probate for Nantucket county shall sit in the division of the probate and family court department for any other county upon designation thereto by the administrative justice for said department pursuant to section eight, and when so assigned shall receive from the commonwealth the expenses incurred by them.

SECTION 154. The second paragraph of section 10 of chapter 218 of the General Laws, as most recently amended by chapter 559 of the acts of 1980, is hereby further amended by inserting before the line reading "fourth district court of Bristol" the line:- first district court of Bristol.

SECTION 155. The first paragraph of section 69 of chapter 221 of the General Laws, as appearing in section 252 of chapter 478 of the acts of 1978, is hereby amended by striking out, in line 15, the word "sherrifs" and inserting in place thereof the word:- sheriffs.

SECTION 156. Section 92A of said chapter 221, as amended by section 9 of chapter 585 of the acts of 1983, is hereby further amended by striking out the second and third paragraphs and inserting in place thereof the following paragraph:-

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 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. 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.

SECTION 157. Section 8 of chapter 234A of the General Laws, as appearing in section 1 of chapter 298 of the acts of 1982, is

hereby amended by striking out, in line 9, the word "ojectives" and inserting in place thereof the word:- objectives.

SECTION 158. Section 39 of said chapter 234A, as so appearing, is hereby amended by striking out, in line 22, the word "exept" and inserting in place thereof the word:- except ,- and by striking out, in line 33, the word "stong" and inserting in place thereof the word:- strong.

SECTION 159. The first paragraph of section 3 of chapter 255B of the General Laws, as most recently amended by section 4 of chapter 733 of the acts of 1981, is hereby further amended by striking out, in line 1, the word "commission" and inserting in place thereof the word:- commissioner.

SECTION 160. Chapter 258A of the General Laws is hereby amended by striking out section 8, inserted by section 1 of chapter 597 of the acts of 1983, and inserting in place thereof the following section:-

Section 9. 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 161. Section 27D of chapter 261 of the General Laws, as most recently amended by section 8 of chapter 539 of the acts of 1980, is hereby further amended by striking out, in line 16, the word "with" and inserting in place thereof the word:- within.

SECTION 162. Section 18B of chapter 265 of the General Laws, inserted by chapter 830 of the acts of 1974, is hereby amended by striking out, in lines 7 and 16, the word "parolled" and inserting in place thereof, in each instance, the word:- paroled.

SECTION 163. Chapter 268A of the General Laws is hereby amended by striking out section 6A, inserted by section 10 of chapter 210 of the acts of 1978, and inserting in place thereof the following section:-

Section 6A. Any public official, as defined by section one of chapter two hundred and sixty-eight B, who in the discharge of his official duties would be required knowingly to take an action which would substantially affect such official's financial inter-

ests, unless the effect on such an official is no greater than the effect on the general public, shall file a written description of the required action and the potential conflict of interest with the state ethics commission established by said chapter two hundred and sixty-eight B.

SECTION 164. Said chapter 268A is hereby further amended by striking out section 10, as amended by section 13 of said chapter 210, and inserting in place thereof the following section:-

Section 10. The state ethics commission shall issue opinions interpreting the requirements of this chapter in accordance with clause (g) of section three of chapter two hundred and sixty-eight B.

SECTION 165. Section 29A of chapter 272 of the General Laws is hereby amended by striking out the second paragraph, as amended by section 4 of chapter 603 of the acts of 1982, and inserting in place thereof the following paragraph:-

It shall be a defense in any prosecution pursuant to this section that such visual representation or reproduction of any posture or exhibition in a state of nudity was produced, processed, published, printed or manufactured for a bona fide scientific or medical purpose, or for an educational or cultural purpose for a bona fide school, museum or library.

SECTION 166. Section 29B of said chapter 272 is hereby amended by striking out the second paragraph, as amended by section 5 of said chapter 603, and inserting in place thereof the following paragraph:-

It shall be a defense in any prosecution pursuant to this section that such dissemination of any visual material that contains a representation or reproduction of any posture or exhibition in a state of nudity was produced, processed, published, printed or manufactured for a bona fide scientific or medical purpose, for an educational or cultural purpose for a bona fide school, museum or library, or where the person who is so represented or reproduced in a state of nudity is over the age of eighteen years.

SECTION 167. Section 1A of chapter 43 of the acts of 1934 is hereby amended by striking out the fourth sentence, inserted by chapter 339 of the acts of 1978, and inserting in place thereof the following sentence:- Every member bank shall furnish to the treasurer of the corporation one copy of any report of examination and audit filed with the commissioner by such bank or caused by the commissioner to be made with respect to such bank, pursuant to section twenty-five of chapter one hundred

and sixty-eight, in each case within fifteen days after such report is filed with or otherwise furnished to the commissioner.

SECTION 168. The fifth paragraph of section 7 of chapter 773 of the acts of 1960, as most recently amended by section 3 of chapter 868 of the acts of 1975, is hereby further amended by striking out the fifth and sixth sentences.

SECTION 168A. Chapter 611 of the acts of 1982 is hereby amended by striking out section 5 and inserting in place thereof the following section:-

Section 5. This act shall take effect on June thirtieth, nineteen hundred and eighty-three.

SECTION 169. Section 101 of chapter 233 of the acts of 1983 is hereby amended by striking out the tenth sentence and inserting in place thereof the following sentence:- Sections three, twenty-five and thirty-one shall apply to tax years commencing on or after January first, nineteen hundred and eighty-four.

SECTION 170. Section seven of chapter two hundred and forty-one of the acts of nineteen hundred and eighty-three is hereby repealed.

SECTION 171. Section eighty-three of chapter three hundred and seventy-one of the acts of nineteen hundred and eighty-three is hereby repealed.

SECTION 172. Chapter 470 of the acts of 1983 is hereby amended by striking out section 3 and inserting in place thereof the following section:-

Section 3. This act shall take effect on September twenty-sixth, nineteen hundred and eighty-four.

SECTION 173. Section eight of chapter five hundred and seventy-four of the acts of nineteen hundred and eighty-three is hereby repealed.

SECTION 174. Section nine of chapter seven hundred and eight of the acts of nineteen hundred and eighty-three is hereby repealed.

Approved July 12, 1984.

Chap. 190. AN ACT RELATIVE TO AUDITS OF SAVINGS BANKS AND CO-OPERATIVE BANKS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to further regulate audits to 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. Chapter 168 of the General Laws is hereby amended by striking out section 25, as appearing in section 29 of chapter 155 of the acts of 1982, and inserting in place thereof the following section:-

Section 25. At least once during each twelve months following their elections and more often if required by the commissioner, the auditing committee, referred to in section sixteen, shall have an audit made of the balance sheet of the corporation and such other financial statements as it may prescribe.

The audit shall be made by an independent certified public accountant as set forth in the last paragragh of section thirty-three of chapter thirteen in accordance with generally accepted auditing standards and in such other form and manner at such time within said twelve months as the auditing committee may prescribe. Within thirty days after its election, the auditing committee shall appoint an accountant and written notice thereof shall be given to the commissioner.

The accountant shall report in writing to the auditing committee the results of the audit. At the next meeting of the trustees thereafter, the auditing committee shall render a report, which shall be read and signed by the committee, stating the nature, extent and results of the audit and whether it accepts the accountant's report.

The auditing committee shall file with the commissioner a copy of the accountant's report within thirty days after its receipt and maintain another copy with the records of the corporation. If the auditing committee fails to have an audit as herein provided, the commissioner shall have an audit made by an independent certified public accountant as set forth in the last paragraph of section thirty-three of chapter thirteen in such form and manner as the commissioner may prescribe, and the expense shall be paid by the corporation.

SECTION 2. Chapter 170 of the General Laws is hereby amended by striking out section 14, as appearing in section 46 of said chapter 155, and inserting in place thereof the following section:-

Section 14. The commissioner shall have the same powers and duties in respect to co-operative banks which he has in respect to savings banks. At least once during each twelve months following their election, and more often if required by the commissioner, the finance committee, referred to in section eleven, shall have an audit made of the balance sheet of the corporation and such other financial statements as it may prescribe.

The audit shall be made by an independent certified public accountant as set forth in the last paragraph of section thirty-three of chapter thirteen in accordance with generally accepted auditing standards and in such form and manner and at such time within said twelve months as the finance committee may prescribe. Within thirty days after its election, the finance committee shall appoint an accountant and written notice thereof shall be given to the commissioner.

The accountant shall report in writing to the finance committee the results of the audit. At the next meeting of the directors thereafter, the finance committee shall render a report, which shall be read and be signed by the committee, stating the nature, extent and results of the audit and whether it accepts the accountant's report.

The finance committee shall file with the commissioner a copy of the accountant's report within thirty days after its receipt and maintain another copy with the records of the corporation. If the finance committee fails to have an audit as herein provided, the commissioner shall have an audit made by an independent certified public accountant as set forth in the last paragraph of section thirty-three of chapter thirteen in such form and manner as the commissioner may prescribe, and the expense thereof shall be paid by the corporation.

SECTION 3. This act shall take effect on January first, nineteen hundred and eighty-four.

Approved July 12, 1984.

Chap. 191. AN ACT DESIGNATING A CERTAIN BRIDGE ON MOUNT VERNON STREET IN THE DORCHESTER SECTION OF THE CITY OF BOSTON AS THE LECH WALESA BRIDGE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately designate the bridge numbered MDC 65 on Mount Vernon street in the Dorchester district of the city of Boston as the Lech Walesa 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 numbered MDC 65 known as the Mount Vernon street bridge in the Dorchester district of the city of Boston shall be designated and known as the Lech Walesa Bridge, in honor of Lech Walesa, the Nobel Peace Prize recipient in the year nineteen hundred and eighty-three. A suitable marker bearing such designation shall be attached thereto by the metropolitan district commission.

Approved July 12, 1984.

Chap. 192. AN ACT RELATIVE TO MEDICAL SERVICE CORPORATIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately insure the continued delivery of health services 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 7 of chapter 176B of the General Laws, as most recently amended by section 2 of chapter 623 of the acts of 1981, is hereby further amended by inserting after the first sentence the following sentence:- No participating physician or other participating provider of health services shall charge to or collect from a subscriber or covered dependent any amount in excess of the amount of compensation determined and allowed by a medical service corporation pursuant to the applicable method of compensation approved by the commissioner, except when such subscriber or covered dependent (a) is eligible for benefits under a subscription certificate containing a provision permitting such charge or collection when the subscriber or covered dependent (i) is entitled to receive reimbursement or compensation from a third party for the cost of the same or similar services or (ii) receives money or its equivalent as a result of a claim against a third party for loss or damages for personal injuries, and only in the circumstances and to the extent so permitted, or (b) is eligible for benefits under a subscription certificate which provides for compensation to a participating physician or other participating provider of health services under a nonprofit medical service plan previously approved by the commissioner, the so-called "Plan B", and has an annual income in excess of seven thousand five hundred dollars, or (c) is eligible for benefits under a subscription certificate under a group medical service agreement containing a provision describing the specific

circumstances under which and the extent to which additional amounts may be charged or collected; provided, however, that such provision has first been approved in writing by the commissioner and has been requested by the employer, employers or other representatives of the group to which it applies, and only in the circumstances and to the extent so described.

SECTION 2. A special commission to consist of six members of the Senate, eleven members of the House of Representatives, the Secretary of Consumer Affairs and Business Regulations or his designee, the President of the Massachusetts Medical Society or his designee, and four persons to be appointed by the Governor, one of whom shall be a representative of Blue Shield of Massachusetts, one of whom shall be a representative of Blue Cross of Massachusetts, one of whom shall be a representative of the Life Insurance Association of Massachusetts, one of whom shall be a representative of organized labor. The special commission is hereby established to make an investigation and study of the laws relating to nonprofit hospital services corporations and nonprofit medical services corporations, as established pursuant to chapters one hundred and seventy-six A and one hundred and seventy-six B of the General Laws. Said commission shall, in the course of its investigation and study, consider, among other questions it deems relevant, the tax, reimbursement and regulatory status of said corporations in Massachusetts, their standing in relationship to other health care insurers and nonprofit medical services corporations within and without the Commonwealth, to government programs of health insurance, and to competing and alternate forms of health care financing. Particular attention shall be paid to the corporations' rights to contract with professional and other noninstitutional providers of health care services, the system of payments made by said corporation, including the impact of the prohibition on the practice of balance billing, so-called, the financial and accounting procedures of said corporations and their impact on the quality and cost of health care services.

Said commission may expend for expenses and for legal, actuarial, research, clerical and other assistance such sums as may be appropriated, therefor, not to exceed two hundred thousand dollars annually; provided, however, that all costs of administration and operation of said commission shall be borne by nonprofit hospital service corporations established pursuant to chapter one hundred seventy-six A of the General Laws, nonprofit medical service corporations established pursuant to chapter one hundred and seventy-six B of the General Laws, the Massachusetts Medical Society, and the Life Insurance Association of Massachusetts. The secretary of the office of consumer affairs and business regulations shall apportion the estimated costs of said commission on said organizations on a fair and

reasonable basis. Said estimated costs shall be paid to said secretary within thirty days after notice from said secretary of such estimated costs. Said secretary shall subsequently apportion actual costs among all said organizations 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.

Said commission shall meet at least quarterly, may report from time to time to the general court, and shall file the results of its investigation and study, and its recommendation, if any, together with drafts of legislation necessary to carry its recommendations into effect with the clerk of the house of representatives in its first annual report no later than July first, nineteen hundred and eighty-five, and shall file its final report on or before December thirty-first, nineteen hundred and eighty-five.

Approved July 12, 1984.

Chap. 193. AN ACT MERGING THE OFFICES OF TOWN TREASURER AND COLLECTOR OF TAXES OF THE TOWN OF WILBRAHAM INTO THE OFFICE OF TOWN TREASURER AND COLLECTOR.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the offices of town treasurer and collector of taxes of the town of Wilbraham shall be merged into one office to be known as town treasurer and collector and the powers and duties formerly exercised by the town treasurer and collector of taxes shall be exercised by said town treasurer and collector. Said town treasurer and collector shall be appointed by and serve at the will of the board of selectmen. The provisions of the law relative to treasurers and to collectors of taxes shall, except insofar as the same may be inconsistent with the provisions of this act, apply to said town treasurer and collector.

SECTION 2. Notwithstanding the provisions of section one of this act, the incumbents in the offices of town treasurer and collector of taxes upon the effective date of this act shall continue to hold said offices and to perform the duties thereof until the expiration of the terms for which they were elected, and the appointment and qualification of said town treasurer and collector. The incumbent collector of taxes and incumbent deputy

collector of taxes shall each have a position at no less than their current salaries in the newly created town treasurer and collector department in a manner consistent with the town's personnel by-laws and practices.

SECTION 3. The state secretary shall cause to be placed on the official ballot to be used at the biennial state election to be held in the year nineteen hundred and eighty-four in the town of Wilbraham the following question:-

"Shall an act passed by the general court in the year nineteen hundred and eighty-four, entitled 'An Act merging the offices of town treasurer and collector of taxes of the town of Wilbraham into the office of town treasurer and collector', be accepted?" If a majority of the votes cast in answer to said question is in the affirmative this act shall take full effect on May fourth, nineteen hundred and eighty-five, but not otherwise.

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

Approved July 12, 1984.

Chap. 194. AN ACT MAKING AN APPROPRIATION TO FUND A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE COMMONWEALTH AND THE COALITION OF PUBLIC SAFETY.

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 Coalition of Public Safety, 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 OF ADMINISTRATION AND FINANCE.
Collective Bargaining.

1599-3276 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 Coalition of Public Safety, 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, 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 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 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 $756,000

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

Approved July 12, 1984.

Chap. 195. AN ACT FURTHER REGULATING THE AUTHORITY OF BOARDS OF APPEALS CONCERNING CERTAIN VARIANCES.

Be it enacted, etc., as follows:

Section 10 of chapter 40A of the General Laws is hereby amended by striking out the third paragraph, as amended by section 4B of chapter 829 of the acts of 1977, and inserting in place thereof the following paragraph:-

If the rights authorized by a variance are not exercised within one year of the date of grant of such variance such rights shall lapse; provided, however, that the permit granting authority in its discretion and upon written application by the grantee of such rights may extend the time for exercise of such rights for a period not to exceed six months; and provided, further, that the application for such extension is filed with such permit granting authority prior to the expiration of such one year period. If the permit granting authority does not grant such extension within thirty days of the date of application therefor, and upon the expiration of the original one year period, such rights may be reestablished only after notice and a new hearing pursuant to the provisions of this section.

Approved July 12, 1984.

Chap. 196. AN ACT AUTHORIZING THE MINUTEMAN REGIONAL VOCATIONAL TECHNICAL SCHOOL DISTRICT TO ENTER INTO CERTAIN CONTRACTS OR LEASES.

Be it enacted, etc., as follows:

SECTION 1. The Minuteman Regional Vocational Technical School District is hereby authorized, upon the approval of the district committee to contract with and to lease land and school buildings to persons, as defined in clause Twenty-third of section seven of chapter four of the General Laws, agreeing to use such land and buildings to provide career training and educational programs to students. Such contracts and leases may be made for periods not to exceed ten years but may provide for renewal for additional five year periods.

SECTION 2. Any contract or lease authorized in section one may specify the type and quality of training to be offered to students and may allocate responsibility for such training between the district committee and said persons. The contract or lease may specify the business and activities to be conducted by said persons and may allocate any income from such facilities between the district and such persons. Such contract or lease may provide for the construction of buildings or other facilities by said persons on the land to be leased; provided, however, that no such facilities shall be constructed if, in the determination of said district committee, such construction will cost one million dollars or more and such facilities will be operated to provide income to said persons, unless: (1) the district committee has made a publication in one or more newspapers of general circulation in the district calling for proposals for such construction and has accepted one or more of such proposals at a public meeting called for that purpose; (2) the district committee has notified the board of selectmen in any town in which the facilities are to be located of such acceptance and (3) such town has approved the proposal by majority vote at a town meeting. Any contract or lease providing for construction of buildings or other facilities shall allocate the liability for cost of any such project entirely on such persons and not on the district.

SECTION 3. Buildings constructed under the authority of this act by private parties on district property shall be subject to local property taxation by the municipality in which the buildings are located as long as the facility is operated by or leased to such contracting party unless the building is attached to existing school buildings or if the private party is a nonprofit corporation organized under the provisions of chapter one hundred and eighty of the General Laws. The land owned by the district and used for the facilities shall not be subject to taxation. Any income earned by the district from the operation of the facilities shall not be taxed but shall be used by the district for educational programs for students or to reduce assessments to member towns.

Approved July 12, 1984.

Chap. 197. AN ACT PROVIDING FOR FOSTER CARE REVIEW.

Be it enacted, etc., as follows:

SECTION 1. Chapter 18B of the General Laws is hereby amended by inserting after section 6, as appearing in section 10 of chapter 552 of the acts of 1978, the following section:-

Section 6A. The commissioner of social services shall appoint a foster care review director who shall establish an independent foster care review unit, hereinafter in this section referred to as the unit, within the department. Said director shall appoint, subject to the approval of the said commissioner, the members of the unit who shall be employees of the department, shall devote their time exclusively to case reviews, and shall convene and conduct administrative case reviews of the status of each child in the care of the department at least once every six months. Such reviews shall be performed by panels consisting of one member of the unit and two other persons, at least one of whom shall not be an employee of the department and represent to the maximum extent feasible the various socio-economic, racial and ethnic groups served by the panel. No panel member shall be the social worker with direct case responsibility for the child whose case is being reviewed or the immediate supervisor of said social worker. Such reviews shall be held at convenient locations throughout the commonwealth and shall be chaired by the member of the panel from the unit. Panel members shall have sufficient experience or training to enable them to make recommendations.

The purpose of the case review shall be to determine: (a) the necessity and appropriateness of the child's continued placement; (b) the extent of the parties' compliance with a written plan which has been developed between the department or its agent, the child's parents, and the child, where appropriate, and which states actions which must be undertaken within specified time limits by all parties to achieve identified service goals; (c) the extent of progress which has been made toward alleviating or mitigating the causes necessitating the child's placement; and (d) a projected date by which the child may likely be returned to his parents or guardian, or placed for adoption, or have a guardian appointed other than the department or its agent.

The department shall promulgate regulations for the conduct of case reviews. The regulations shall include, but not be limited to, standards for the conduct of the reviews; for the initial and ongoing training of the members of the unit and of the panels; for the participation by the social worker with direct case responsibility for the child, the child's parents, the child, where appropriate, and such other persons whose participation may be helpful; for adequate notice to all participants of the time and place of the review; for a written report of the panel's determinations and recommendations; for an appeal to the commissioner of social services, or his designee, by the social worker, the parents, or the child aggrieved by the panel's determinations and recommendations. The decision by said commissioner or his designee shall be final.

Administrative case reviews shall not be subject to chapter

thirty A; provided, however, that nothing in this section shall prevent the exercise of any right of review a party may have pursuant to any other provisions of law.

The director of the unit shall submit an annual report to the governor and the general court on the performance of the unit. Such report shall contain an analysis and evaluation of the foster care review system and recommendations, if any, for its improvement; the total number of children in the care of the department or its agents during the previous fiscal year; the number of children who were in their care for more than six months; the number of reviews conducted; the number of children returned to their parents or guardian; the number of children for whom guardians, other than the department, or its agent, were appointed; the number of children released for adoption; and the number of children adopted.

SECTION 2. Section 24 of chapter 119 of the General Laws, as appearing in chapter 182 of the acts of 1983, is hereby amended by adding the following sentence:- Any child may be committed to the department under this section without a hearing or notice with the consent of the parent or parents or guardian.

SECTION 3. Section 29 of said chapter 119 is hereby amended by striking out the first sentence, as appearing in chapter 501 of the acts of 1978, and inserting in place thereof the following sentence:- Whenever a child is before any court under subsection C of section twenty-three or sections twenty-four to twenty-seven, inclusive, or section twenty-nine B, said child shall have and shall be informed of the right to counsel at all hearings, and if said child is not able to retain counsel, the court shall appoint counsel for said child.

SECTION 4. Said chapter 119 is hereby further amended by inserting after section 29A the following section:-

Section 29B. Within eighteen months of the original commitment, grant of custody or transfer of responsibility of a child to the department by a court of competent jurisdiction and every twelve months thereafter while the child remains in the care of the department, the committing court shall reconvene, in accordance with rules established by the chief administrative justice of the trial court, to determine the future status of the child, including but not limited to whether or not it is in the child's best interests to be returned to the parents; to be continued in substitute care for a specified period, after which the child is to be returned to the parents or guardian; to be placed in another permanent placement; to be placed for adoption; to have a guardian, other than the department, or its agent appointed; or, because of the child's special needs or circumstances, to be continued in substitute care on a permanent or long-term basis

in a specific placement.

Upon making its determination, the court may make any appropriate order as may conduce to the child's best interests including, but not limited to, orders with respect to the child's care or custody.

A child, parent, guardian or the department may appeal to the appeals court from the determination or order of the trial court. The claim of appeal shall be filed in the office of the clerk or register of the trial court within ten days following the court's determination or order. Thereafter, said appeal shall be governed by the Massachusetts rules of appellate procedure. The scope of appellate review shall be limited to abuse of judicial discretion.

SECTION 5. Said chapter 119 is hereby further ammended by inserting after section 29B, inserted by section 4 of this act, the following section:-

Section 29C. Whenever a court of competent jurisdiction commits, grants custody or transfers responsibility of a child to the department or its agent, the court shall certify that continuation of the child in his home is contrary to his welfare and shall certify whether or not the department or its agent, where appropriate, made reasonable efforts, prior to the placement of the child in substitute care, to prevent or eliminate the need for removal from his home; or shall certify whether or not the department or its agent, where appropriate, made reasonable efforts to make it possible for the child to return to his parent or guardian. Failure by the court to certify that reasonable efforts were made shall not preclude the court from making any appropriate order with respect to the care and custody of the child.

SECTION 6. The department of social services shall conduct a full review of state laws, policies and procedures governing the placement of children in foster care through voluntary agreements between the department and the parents of a child. Such review shall include an examination of circumstances under which voluntary agreements are signed, extended and terminated and shall determine if said laws, policies and procedures effectively meet the needs of children and families.

In conducting such review, the department shall compile the following information:-

(1) the total number of children placed in foster care through signed voluntary agreements in fiscal year nineteen hundred and eighty-four;

(2) the number of children who have been voluntarily placed in foster care for six months or less; six to twelve months; twelve to eighteen months; eighteen months to two years; two years or longer;

(3) the number of children in voluntary foster care who have

been placed: (i) with relatives; (ii) in the same foster care home with siblings; (iii) in different foster care homes from siblings; (iv) in foster care homes outside their school districts and communities.

The department shall submit the results of its review, its findings and recommendations to the house and senate committees on ways and means and to the joint standing committee on human services and elderly affairs within three months of the effective date of this act.

SECTION 7. Sections one, three and four shall take effect on July first, nineteen hundred and eighty-five; provided that, until January first, nineteen hundred and eighty-six, the administrative case reviews required by section one may be performed by one member of the foster care review unit.

Approved July 12, 1984.

Chap. 198. AN ACT REQUIRING AUTOMOBILE INSURERS TO REIMBURSE ELDERLY PERSONS FOR CERTAIN REDUCTIONS IN INSURANCE RATES.

Be it enacted, etc., as follows:

Section 113B of chapter 175 of the General Laws, is hereby amended by inserting after the third paragraph, inserted by section 1 of chapter 197 of the acts of 1979, the following paragraph:-

All persons sixty-five years of age or older who are entitled to such reduction in rate, shall be notified annually of such reduction in rate. All such persons shall be reimbursed by the insurance carrier for all reductions in rate applicable to said driver from the time that they were sixty-five years of age which they did not receive. The percentage of the reduction for each coverage for an insured aged sixty-five or older shall be itemized on the motor vehicle liability policy. In the event that an insured reaches the age of sixty-five during the policy year, and is otherwise entitled to said reduction, said insured shall receive a reduction in premium on a pro rata basis for the remainder of the policy year.

Approved July 12, 1984.

Chap. 199. AN ACT FURTHER REGULATING NONPROFIT HOSPITAL SERVICE CORPORATIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 176A of the General Laws is hereby amended by inserting after section 1 the following section:-

Section 1A. Any person residing in the commonwealth shall have the right to become a subscriber of a nonprofit hospital service corporation if the qualifications of such person meet those specified in the by-laws of such corporation; provided, however, that such corporation may, in its discretion, refuse to issue a subscription certificate to, or upon due notice, cancel the subscription certificate of any person who has made any fraudulent claim or representation to such corporation, or has been guilty of uncooperative or unethical dealings with such corporation, or has failed to pay dues and assessments seasonably and promptly, or for any other cause which may be approved by the commissioner. Any such corporation shall provide for annual open enrollment periods of not less than two months' duration. Proper notification shall be given to prospective subscribers in a form subject to approval by the commissioner.

SECTION 2. Section 6 of said chapter 176A is hereby amended by striking out the second paragraph, as appearing in section 1 of chapter 766 of the acts of 1950, and inserting in place thereof the following paragraph:-

The commissioner shall approve or disapprove such contracts or rates within thirty days following the conclusion of the public hearing, to be effective not earlier than thirty days subsequent to such approval. No such contracts shall be approved if the benefits provided therein are unreasonable in relation to the rate charged, nor if the rates are excessive, inadequate or unfairly discriminatory. Classifications shall be fair and reasonable. The commissioner shall make a finding on the basis of information submitted by a nonprofit hospital service corporation that such corporation employs a utilization review program and other techniques acceptable to him which have had or are expected to have a demonstrated impact on the prevention of reimbursement by such corporation for services which are not medically necessary. The contracts and rates so approved shall be applicable to all such subscribers except as otherwise herein provided whether such subscribers become such before or after the effective date thereof, and shall continue in effect for not less than twelve months after said effective date and thereafter until any changes shall have been approved as provided above; except that an increase in benefits to subscribers may, with the approval of the commissioner, be allowed at any time and provided that such contracts may be cancelled for nonpayment or subscribers' fees, misrepresentation or fraud or as provided in sections eight and ten. No classification of risk may be established on the basis of age. Rates charged to non-group subscribers with contracts providing supplemental coverage to medicare or other governmental programs shall not be approved

by the commissioner if they include a subscriber's contribution to the reserves of the corporation or do not provide a credit for investment income subject to the approval of the commissioner.

SECTION 3. The second paragraph of section 10 of said chapter 176A, as so appearing, is hereby amended by adding the following sentence:- In determining whether any rate under this section shall be disapproved, the commissioner shall make a finding on the basis of information submitted by a nonprofit hospital service corporation, as to whether such corporation employs a utilization review program and other techniques acceptable to him which have had or are expected to have a demonstrated impact on the prevention of reimbursement by such corporation for services which are not medically necessary.

SECTION 4. Said section 10 of said chapter 176A is hereby amended by inserting after the third paragraph, as amended by section 17 of chapter 373 of the acts of 1982, the following paragraph:-

The commissioner may make and, at any time, alter or amend reasonable rules or regulations to facilitate the operation and enforcement of this section and to govern hearings and investigations thereunder. He may issue such orders as he finds proper, expedient or necessary to enforce and administer the provisions of this section and to secure compliance with any rules and regulations made thereunder.

SECTION 5. Section 4 of chapter 176B of the General Laws is hereby amended by striking out the second paragraph, as appearing in section 1 of chapter 307 of the acts of 1960, and inserting in place thereof the following paragraphs:-

Any agreement between a medical service corporation and a person whereby such corporation undertakes to furnish benefits for medical service to said person and his covered dependents, if any, shall be considered a non-group medical service agreement. Under such an agreement the form of subscription certificate and the rates charged by such corporation to the subscribers shall be filed with and receive the prior approval of the commissioner. No such agreement shall be approved if he finds that the benefits provided therein are unreasonable in relation to the rate charged, nor if the rates charged are excessive, inadequate or unfairly discriminatory. The commissioner shall make a finding on the basis of information submitted by a medical service corporation that such corporation employs a utilization review program and other techniques acceptable to him which have had or are expected to have a demonstrated impact on the prevention of reimbursement by such corporation for services which are not medically necessary.

Rates charged to non-group subscribers with contracts pro-

viding supplemental coverage to Medicare or other governmental programs shall not be approved by the commissioner if they include a subscriber's contribution to the reserves of the corporation or do not provide a credit for investment income, subject to the approval of the commissioner.

SECTION 6. The fourth paragraph of said section 4 of said chapter 176B, as amended by section 2 of chapter 361 of the acts of 1978, is hereby further amended by adding the following four sentences:- No classification of risk may be established on the basis of age. In approving or disapproving any rate under this section, the commissioner shall make a finding on the basis of information submitted by a medical service corporation, that such corporation employs a utilization review program and other techniques acceptable to him which have had or are expected to have a demonstrated impact on the prevention of reimbursement by such corporation for services which are not medically necessary. The commissioner may make and, at any time, alter or amend, reasonable rules or regulations to facilitate the operation and enforcement of this section and to govern hearings and investigations thereunder. He may issue such orders as he finds proper, expedient or necessary to enforce and administer the provisions of this section and to secure compliance with any rules and regulations made thereunder.

SECTION 7. Section 5 of said chapter 176B, as amended by section 1 of chapter 623 of the acts of 1981, is hereby further amended by adding the following two sentences:- Such corporation shall provide for annual open enrollment periods of not less than two months' duration. Proper notification shall be given to prospective subscribers in a form subject to approval by the commissioner.

Approved July 12, 1984.

EMERGENCY LETTER - July 13, 1984 @ 9:43 A.M.

Chap. 200. AN ACT RELATIVE TO STATEWIDE BRANCH BANKING.

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 167C of the General Laws is hereby amended by striking out the first paragraph, as amended by section 9 of chapter 626 of the acts of 1982, and inserting in place thereof the following paragraph:-

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

he may approve, a bank may establish and maintain one or more branch offices or depots (a) in any city or town within the commonwealth where, in the opinion of the commissioner, the public would benefit by the establishment of additional bank facilities, or (b) on a site in one of the states of Connecticut, Maine, New Hampshire, Rhode Island or Vermont, where, in the opinion of the commissioner, the public would benefit by the establishment of additional bank facilities.

The establishment and maintenance of branch offices or depots in any one of the states listed in clause (b) shall also be established and maintained in accordance with the laws of such state.

SECTION 2. The fifth paragraph of section 34B of chapter 168 of the General Laws, as appearing in section 12 of said chapter 626, is hereby amended by striking out, in lines 5 and 7, the letter "(d)" and inserting in place thereof, in each instance, the letter:- (b).

SECTION 3. The fifth paragraph of section 34D of said chapter 168, as appearing in section 13 of said chapter 626, is hereby amended by striking out, in lines 6 and 12 the letter "(d)" and inserting in place thereof, in each instance, the letter:- (b).

SECTION 4. The sixth paragraph of section 35 of said chapter 168, as amended by section 14 of said chapter 626, is hereby further amended by striking out, in lines 4 and 10 the letter "(d)" and inserting in place thereof, in each instance, the letter:- (b).

SECTION 5. The fourth paragraph of section 24 of chapter 170 of the General Laws, as appearing in section 15 of said chapter 626, is hereby amended by striking out, in lines 4 and 10 the letter "(d)" and inserting in place thereof, in each instance, the letter:- (b).

SECTION 6. The fifth paragraph of section 26B of said chapter 170, as appearing in section 16 of said chapter 626, is hereby amended by striking out, in lines 5 and 7 the letter "(d)" and inserting in place thereof, in each instance, the letter:- (b).

SECTION 7. The fifth paragraph of section 26D of said chapter 170, as appearing in section 17 of said chapter 626, is hereby amended by striking out, in lines 5 and 12 the letter "(d)" and inserting in place thereof, in each instance, the letter:- (b).

SECTION 8. The fifth paragraph of clause (4) of subsection

A of section 36 of chapter 172 of the General Laws, as appearing in section 18 of said chapter 626, is hereby amended by striking out, in lines 5 and 12 the letter "(d)" and inserting in place thereof, in each instance, the letter:- (b).

SECTION 9. The fourth paragraph of section 38 of said chapter 172, as appearing in section 19 of said chapter 626, is hereby amended by striking out, in lines 4 and 10 the letter "(d)" and inserting in place thereof, in each instance, the letter:- (b).

Approved July 12, 1984.

Chap. 201. AN ACT FURTHER REGULATING THE COLLECTION OF THE EXCISE TAX ON CIGARETTES.

Be it enacted, etc., as follows:

SECTION 1. Section 2D of chapter 29 of the General Laws, as most recently amended by section 58 of chapter 367 of the acts of 1978, is hereby further amended by adding the following clause:-

(f) Forty per cent of all amounts in excess of one hundred sixty-nine million eight hundred thousand dollars per year received under section six of chapter sixty-four C.

SECTION 2. Section 24 of chapter 62C of the General Laws, as appearing in section 22 of chapter 415 of the acts of 1976, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

Stocks of unused stamps in the possession of stampers, as defined in section one of chapter sixty-four C, shall be open to inspection by the commissioner or his duly authorized representative at all reasonable times.

SECTION 3. Section 67 of said chapter 62C, as most recently amended by section 18 of chapter 572 of the acts of 1980, is hereby further amended by inserting after the first paragraph the following paragraph:-

In the instance of an application for a license as a manufacturer, wholesaler, vending machine operator, unclassified acquirer, transportation company, or retailer, as defined in chapter sixty-four C, the commissioner shall investigate the prior activities of the applicant. If the commissioner determines that said applicant has been convicted of any violation of the provisions of chapter sixty-four C or any other pertinent violation of law, he may deny the application; provided, however, that the commissioner shall grant or deny a license to said applicant

within ninety days from the date of application; and provided further, that if the commissioner fails to act within such time period, the application shall be deemed denied.

SECTION 4. Chapter 64C of the General Laws is hereby amended by striking out section 28, as most recently amended by section 4 of chapter 481 of the acts of 1979, and inserting in place thereof the following section:-

Section 28. All sums received under this chapter shall be paid into the treasury of the commonwealth and shall be credited as follows:-

(a) Ten and one-half mills of the excise imposed by section six and a proportionate amount of all sums received as penalties, forfeitures, interest, costs of suits and fines shall be credited to the General Fund.

(b) Two and one-half mills of the excise imposed by section six and a proportionate amount of all sums received as penalties, forfeitures, interest, costs of suits and fines shall be credited to the Highway Fund; provided, however, that forty per cent of all amounts in excess of one hundred sixty-nine million eight hundred thousand dollars per year received under section six of this chapter shall first be credited to the Local Aid Fund and only the remainder shall be credited as set forth in paragraphs (a) and (b).

SECTION 5. Section 29 of said chapter 64C, as amended by section 159 of chapter 514 of the acts of 1978, is hereby further amended by striking out the second paragraph.

SECTION 6. Said chapter 64C is hereby further amended by striking out section 30, as most recently amended by section 160 of said chapter 514, and inserting in place thereof the following section:-

Section 30. Every stamper shall purchase cigarette excise stamps from the commissioner and shall affix them, in the manner and within the time prescribed by the commissioner, to each package of cigarettes to be sold within the commonwealth in an aggregate denomination not less than the amount of the excise upon the contents thereof before such cigarettes are offered for sale or otherwise disposed of. The commissioner may by regulation provide for the cancellation of such stamps. Any person subsequently receiving such stamped packages of cigarettes shall not be liable for said excise. The commissioner shall furnish such stamps in such quantities as may be necessary, and he shall provide for the custody of the stamps, dies, plates and other materials and supplies used in the manufacture of said stamps in such manner as he deems expedient. The commissioner may, whenever he deems it advisable, provide for the issuance and exclusive use of stamps of a new design, and

forbid the use of stamps of any other design. The commissioner shall make provisions for the sale of such stamps at such places and at such times as he may deem expedient.

The commissioner may appoint as stampers licensed manufacturers and such licensed wholesalers and licensed vending machine operators who bring or cause to be brought into the commonwealth unstamped cigarettes purchased directly from the manufacturers thereof, and such licensed unclassified acquirers as he deems necessary. Only a stamper shall affix stamps to be used in paying the said excise, unless the commissioner otherwise prescribes. A stamper may affix such stamps only on cigarettes which are sold by him in the regular course of the business in which he is engaged and for which he is licensed, and on cigarettes for such other licensees as the commissioner may in writing specifically authorize and in accordance with such conditions as the commissioner may impose.

Every such stamper shall affix stamps on each cigarette package no later than seventy-two hours after receipt of the cigarettes.

Every such stamper who has complied with the provisions of this chapter and the pertinent rules and regulations made thereunder may withhold and retain from each payment to be made by him for such stamps, as compensation for service rendered in compliance with this chapter, one dollar and eighty-five cents for each six hundred cigarette excise adhesive stamps purchased, and a proportionate amount for any fraction thereof.

No such compensation shall be allowed on any sale of less than one hundred dollars. The commissioner, in his discretion, may, permit a stamper to pay for such stamps within thirty days after the date of purchase; provided, that the stamper furnishes a bond pursuant to section sixty-six of chapter sixty-two C.

SECTION 7. Said chapter 64C is hereby further amended by striking out section 31, as most recently amended by section 161 of said chapter 514, and inserting in place thereof the following section:-

Section 31. The commissioner shall redeem any unused or mutilated but identifiable stamps that any stamper may present for redemption; provided, that they were originally lawfully purchased by the stamper who presents them for redemption. Such redemption shall be made at the face value thereof less allowances made for compensation. The commissioner may prescribe necessary rules and regulations for redemptions under this section. If the commissioner is satisfied that a stamper is entitled to a redemption he shall issue to him stamps of equivalent value to cover the mutilated stamps or he may order a refund equal to the actual amount paid for said unused or mutilated stamps, and shall certify said amount to the comptroller, whereupon the state treasurer shall pay the amount of such

refund without any appropriation therefor by the general court.

SECTION 8. Said chapter 64C is hereby further amended by striking out section 38, inserted by section 5 of chapter 435 of the acts of 1966, and inserting in place thereof the following section:-

Section 38. Whoever, not being an authorized agent, sells or offers for sale any stamp or stamps issued under the provisions of this chapter in order to provide evidence of the payment of the excise imposed by this chapter shall be punished by a fine of not more than two thousand dollars or by imprisonment for five years, or both.

SECTION 9. In order to provide for an orderly transition in the conversion of stampers from meter to decal stamps under the provisions of chapter sixty-four C of the General Laws, as amended by this act, the commissioner of revenue is hereby authorized to extend the use of meter stamps by stampers beyond January first, nineteen hundred and eighty-five, if he determines that circumstances beyond the control of said stampers prevent full compliance by said date. No extension beyond June thirtieth, nineteen hundred and eighty-five shall be permitted.

SECTION 10. This act shall take effect on January first, nineteen hundred and eighty-five.

Approved July 12, 1984.

Chap. 202. AN ACT VALIDATING THE ACTION OF THE TOWN OF HINGHAM IN REVOKING ITS ACCEPTANCE OF A CERTAIN GENERAL LAW.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of general or special law to the contrary, the town of Hingham is hereby authorized to rescind its acceptance of section eight H of chapter forty of the General Laws.

SECTION 2. The action taken by the town of Hingham on Article 28 of the warrant for the annual town meeting of said town held on April twenty-fourth, nineteen hundred and eighty-four is hereby validated, ratified and confirmed to the same extent as though section one of this act had been in full force and effect at the time of the posting of the warrant for said meeting.

Approved July 12, 1984.

Chap. 203. AN ACT RELATIVE TO THE REMOVAL OF THE TOWN MANAGER OF THE TOWN OF SAUGUS.

Be it enacted, etc., as follows:

Section 11 of chapter 17 of the acts of 1947, as amended by chapter 199 of the acts of 1952, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- The selectmen, by a vote of four of the five members of the board, may remove the town manager.

Approved July 12, 1984.

EMERGENCY LETTER - July 16, 1984 @ 10:12 A.M.

Chap. 204. AN ACT MAKING AN APPROPRIATION TO FUND THE COSTS OF NON-UNIT SALARY ADJUSTMENTS AND OTHER EMPLOYEE BENEFITS FOR NON-UNIT CLASSIFIED AND PROFESSIONAL EMPLOYEES OF PUBLIC INSTITUTIONS OF HIGHER EDUCATION.

Be it enacted, etc., as follows:

SECTION 1. To provide for the cost of salary adjustments and other employee economic benefits authorized pursuant to the provisions of paragraph (1) of section forty-six of chapter thirty and clauses (o), (v), (w), (x), (y) and (z) of section five of chapter fifteen A of the General Laws, 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 OF ADMINISTRATION AND FINANCE.

1599-3436 For a reserve to meet the cost of certain salary adjustments and other employee economic benefits for all classified employees of a public institution of higher education who are incumbents of positions designated as confidential, all classified employees of a public institution of higher education who are incumbents of positions in classes that are

not certified to a collective bargaining unit but where other positions in the same classes are so certified or recognized, all classified employees of a public institution of higher education who are incumbents of positions in classes that are not certified to a collective bargaining unit and where other positions in the same classes are not so certified or recognized, and all incumbents of offices and positions in the professional staffs serving under the governing boards of public institutions of higher education; provided, further, that the commissioner of administration is hereby authorized to transfer from the sums 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 hereby authorized to transfer from the sums appropriated to other items of appropriation for the fiscal year nineteen hundred and eighty-five, such amounts as are necessary to meet the cost of said adjustments and benefits for the fiscal years nineteen hundred and eighty-four and nineteen hundred and eighty-five where the amounts otherwise available are insufficient for the purpose; provied, 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 an analysis of all cost items 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; provided, further, that no

transfers shall be made without prior approval of the house and senate committees on ways and means; provided, further, that notwithstanding any other general or special law to the contrary, the board of regents of higher education shall determine the salary adjustments and other benefits for all classified employees of a public institution of higher education who are incumbents of positions designated as confidential, all classified employees of a public institution of higher education who are incumbents of positions in classes that are not certified to a collective bargaining unit but where other positions in the same classes are so certified or recognized, all classified employees of a public institution of higher education who are incumbents of positions in classes that are not certified to a collective bargaining unit but where other positions in the same classes are not so certified or recognized; provided that the salary adjustments shall not exceed salary adjustments set forth in the collective bargaining agreement funded by chapter eight of the acts of nineteen hundred and eighty-four; provided that the benefits authorized for professional staff do not exceed benefits provided in collective bargaining agreements currently in existence at the respective institution of higher education $3,347,208

SECTION 3. This act shall take effect as of June thirtieth, nineteen hundred and eighty-four.

Approved July 12, 1984.

Chap. 205. AN ACT MAKING AN APPROPRIATION TO FUND A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE BOARD OF REGENTS OF HIGHER EDUCATION AND THE SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 254, AFL-CIO, CLC AT THE UNIVERSITY OF LOWELL.

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 board of regents of higher education and the Service Employees International Union, Local 254, AFL-CIO, CLC at the university of Lowell, 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 OF ADMINISTRATION AND FINANCE.
Collective Bargaining.

1599-3227 For a reserve to meet the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the board of regents of higher education and the Service Employees International Union, Local 254, AFL-CIO, CLC at the University of Lowell; 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 costs 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 said 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 $159,759

SECTION 3. This act shall take effect as of June thirtieth, nineteen hundred and eighty-four.

Approved July 12, 1984.

Chap. 206. AN ACT MAKING AN APPROPRIATION TO FUND A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE BOARD OF REGENTS OF HIGHER EDUCATION AND THE MASSACHUSETTS SOCIETY OF PROFESSORS/MTA AT THE UNIVERSITY OF LOWELL.

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 board of regents of higher education and the Massachusetts Society of Professors/MTA at the university of Lowell, 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 OF ADMINISTRATION AND FINANCE.
Collective Bargaining.

1599-3228 For a reserve to meet the cost of certain salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the board of regents of higher education and the Massachusetts Society of Professors/MTA at the university of Lowell, provided, however that the commissioner of administration is hereby authorized to transfer from the sum appropriated to other items of appro-

priation for the fiscal year nineteen hundred and eighty-four, such amounts as are necessary to meet the costs 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 said 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 $857,706

SECTION 3. This act shall take effect as of June thirtieth, nineteen hundred and eighty-four.

Approved July 12, 1984.

Chap. 207. AN ACT ESTABLISHING A PRIVILEGE FOR CERTAIN COMMUNICATIONS BETWEEN A RAPE VICTIM AND CERTAIN COUNSELLORS.

Be it enacted, etc., as follows:

Chapter 233 of the General Laws is hereby amended by inserting after section 20I the following section:-

Section 20J. As used in this section the following words, unless the context clearly requires otherwise, shall have the following meaning:-

"Rape crisis center", any office, institution or center offering

assistance to victims of sexual assault and the families of such victims through crisis intervention, medical and legal counseling.

"Sexual assault counsellor", a person who is employed in a rape crisis center, has undergone thirty-five hours of training, who reports to and is under the direct control and supervision of a licensed social worker, nurse, psychiatrist, psychologist or psychotherapist and whose primary purpose is the rendering of advice, counseling or assistance to victims of sexual assault.

"Victim", a person who has suffered a sexual assault and who consults a sexual assault counsellor for the purpose of securing advice, counseling or assistance concerning a mental, physical or emotional condition caused by such sexual assault.

"Confidential communication", information transmitted in confidence by and between a victim of sexual assault and a sexual assault counsellor by a means which does not disclose the information to a person other than a person present for the benefit of the victim, or to those to whom disclosure of such information is reasonably necessary to the counseling and assisting of such victim. The term includes all information received by the sexual assault counsellor which arises out of and in the course of such counseling and assisting, including, but not limited to reports, records, working papers or memoranda.

A sexual assault counsellor shall not disclose such confidential communication, without the prior written consent of the victim; provided, however, that nothing in this chapter shall be construed to limit the defendant's right of cross-examination of such counsellor in a civil or criminal proceeding if such counsellor testifies with such written consent.

Such confidential communications shall not be subject to discovery and shall be inadmissable in any criminal or civil proceeding without the prior written consent of the victim to whom the report, record, working paper or memorandum relates.

Approved July 12, 1984.

Chap. 208. AN ACT ALLEVIATING THE IMPACT OF MAJOR DISLOCATIONS OF EMPLOYMENT AND TO ASSIST IN THE REEMPLOYMENT OF DISLOCATED WORKERS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 6 of the General Laws is hereby amended by striking out section 17, as most recently amended by section 21 of chapter 808 of the acts of 1981, and inserting in place thereof the following section:-

Section 17. The armory commission, the art commission, the executive office for administration and finance, the board of regents of higher education, the commission of veterans services, the commissioner of uniform state laws, the public bequest commission, the state ballot law commission, the board of trustees of the Soldiers' Home in Massachusetts, the superintendent of the Soldiers' Home in Massachusetts, who shall have the title of commandant who shall be appointed by the governor, and the superintendent, the board of the Soldiers' Home in Holyoke, who shall have title of superintendent, the board of trustees of the Soldiers' Home in Holyoke, the Schooner Ernestina commission, the alcoholic beverage control commission, the trustees of the state library, the state racing commission, the Greylock reservation commission, the Port of Boston commission, the Massachusetts commission against discrimination, the office of handicapped affairs, the state airport management board, weather amendment board, the boxers' fund board, finance advisory board, medical, dental and nursing scholarship board, retirement law commission, the Massachusetts aeronautics commission, the obscene literature control commission, the mobile homes commission, the consumers council, the Massachusetts police training council, the Massachusetts rehabilitation commission, the service corps commission, the World War II memorial commission, the health and welfare commission, the advisory council on home and family, state council on juvenile behavior, governor's mansion commission, the American and Canadian French cultural exchange commission, Massachusetts education communications commission, the committee on criminal justice, the commission on employment of the handicapped, the nutrition board, the Massachusetts commission for the blind, the Massachusetts industrial advisory board shall serve under the governor, and shall be subject to such supervision as the governor deems necessary and proper.

SECTION 2. Said chapter 6 is hereby further amended by adding the following section:-

Section 190. There shall be a Massachusetts Industrial Advisory Board, hereinafter called the board, to consist of the secretary of manpower affairs and the secretary of labor, or their designees, acting as co-chairmen. In addition, the governor shall appoint two members from labor, two members from business, one member who is a professional economist, one member having expertise in finance, and one member representing local communities. The members appointed by the governor shall serve for a term of four years. Upon expiration of the term of a member, a successor shall be appointed, in the same manner, for a like term. Any member shall be eligible for

reappointment. Vacancies shall be filled in a like manner for the remainder of the unexpired term. The members appointed by the governor shall be compensated for reasonable expenses only.

The board shall advise the governor from time to time on issues and policy matters pertaining to the well-being of industry in the commonwealth, including, but not limited to, overseeing the development of the Massachusetts industrial service program, as governed by chapter twenty-three C, and making recommendations to improve the performance of said program, monitoring the implementation of the social compact governing private and public actions to cushion the impact of plant closings, and providing advice on industry-wide assistance programs. The board shall also advise the director of the division of employment security in analysis of plant closings in accordance with the provisions of section seventy-one C of chapter one hundred and fifty-one A.

The board shall annually submit a report to the governor, clerk of the house of representatives, and clerk of the senate within ninety days of the end of each fiscal year. The report shall include: (1) a description of the activities of the industrial service program, including the number of businesses assisted, jobs maintained, and efforts to assist workers and communities affected by plant closings; (2) any recommendations to improve the performance of said program; (3) an account of the marketing, acceptance of and adherence to said social compact; and (4) a description and evaluation of any industry assistance programs undertaken by the Commonwealth.

SECTION 3. Chapter 23A of the General Laws is hereby amended by adding the following section:-

Section 45. There shall be, in the executive office of economic affairs and under the direct supervision of the secretary of said executive office, an economic monitoring group. Subject to appropriation, the secretary of economic affairs shall hire such employees as he or she may from time to time deem necessary for the proper performance of the duties of the economic monitoring group.

The duties of the monitoring group shall be to analyze existing economic data and collect and analyze additional data as it deems necessary and appropriate and to identify important economic trends, problems, and opportunities in Massachusetts, particularly as such trends, problems, and opportunities related to the different regions and major industries in the state.

The economic monitoring group shall prepare and annually update a state economic data book which shall contain a statistical and economic profile of the state and its regions. A copy of said data book shall be placed in the state library and in the central offices of the division of employment security, the executive office of economic affairs, the department of commerce and

development, and the executive office of labor and shall be made available to any person for review.

The secretary of economic affairs shall prepare and submit to the governor, the clerk of the house of representatives and the clerk of the senate within ninety days after the end of the fiscal year a report on the state of commonwealth's regions and industries. Said report shall include but not be limited to: trends and expected changes in employment, technology, investment, and competitive position for major industries in Massachusetts or a region of Massachusetts; trends, problems, needs and opportunities for each region of the state in employment, investment, standard of living and economic development; and proposed and planned actions by state and local governments to address the problems, needs and opportunities identified in the report.

SECTION 4. The General Laws are hereby amended by inserting after chapter 23B the following chapter:-

CHAPTER 23D.

MASSACHUSETTS INDUSTRIAL SERVICE PROGRAM.

Section 1. The following words as used in sections two to fifteen, inclusive, shall, unless the context requires otherwise, have the following meanings:-

"Trustees, Trust", the trustees of the economic stabilization trust.

"Director" or "Executive director", the executive director of the industrial service program.

"Trust", the economic stabilization trust.

"Person", any individual or individuals, firm, corporation, partnership, trust or other legal entity which seeks to purchase a business or the plant, facilities or assets of a business in Massachusetts.

"Business", any individual, firm, corporation, partnership, trust or other legal entity with its principal office, plant or facilities in Massachusetts and engaged in manufacturing, research and development, or the provision of services.

"Program", the industrial service program.

"Financing agreement", a legal agreement between the economic stabilization trust and a business or person which details the terms and conditions upon which the trust has loaned to, invested in, or otherwise financed said business or person.

Section 2. There shall be established in the executive branch, under the joint supervision of the secretary of the executive office of economic affairs and the secretary of the executive office of labor, a Massachusetts industrial service program.

The secretary of economic affairs and the secretary of labor shall jointly issue such rules, regulations, and procedures gov-

erning the application for and delivery of services provided for in sections two to six, inclusive, which they deem necessary to carry out the provisions of this chapter.

Section 3. Subject to appropriation, the secretary of the executive office of economic affairs and the secretary of the executive office of labor shall hire an executive director and such other employees as they may from time to time find necessary for the proper performance of the duties of the program; provided, however, that in the hiring of the executive director said secretary of labor and said secretary of economic affairs shall consult with the board of trustees of the economic stabilization fund. At least one such employee shall be hired for the purpose of packaging and reviewing applications for financing by the economic stabilization fund, as provided in section thirteen, and the board of said fund shall have the right to approve the hiring of any persons for this purpose.

The executive director shall be the executive and administrative head of the program and shall be responsible for administering and enforcing the provisions of law relative to the program.

The executive director may utilize the offices, staff, and resources of other agencies of the executive branch including, but not limited to, the Bay State Skills Corporation, the department of commerce and development, the division of employment security, the executive office of communities and development, the Massachusetts community development finance corporation, the Massachusetts government land bank, the Massachusetts industrial finance agency, the Massachusetts Product Development Corporation, the Massachusetts Economic Stabilization Fund, and the Massachusetts Technology Development Corporation and such voluntary and uncompensated services as may from time to time be necessary for the proper performance of the duties and purposes of the program.

Section 4. The duties of the Massachusetts industrial service program shall include but not be limited to:

(a) assisting, upon the request of a private business, in alleviating, adverse conditions which threaten to cause a large loss of employment, plant closure, or failure by said private business including, but not limited to, site specific problems, loss of markets, out-moded production technologies, poor management, and changes in ownership;

(b) where a large loss of employment, plant closure or business failure is unavoidable, assisting efforts to secure alternative employment and retraining opportunities for displaced workers, including, but not limited to, co-ordinating the delivery of available state and federal resources and services;

(c) assisting, upon the request of local communities affected by major plant closures, employment losses or business failures, in finding new uses for idled plants or facilities and in fostering long term economic vitality, industrial growth and job creation,

in such communities;

(d) overseeing an early warning system to identify industries and businesses likely to experience large losses in employment or plant closures by collecting and analyzing information which may include, but not be limited to: products and markets experiencing declining growth rates, companies and industries subject to competition from production in low wage counties, changes in ownership, layoff and employment patterns, payments of unemployment compensation contributions, and state tax payments;

(e) cooperating with all other state, federal, and local agencies, departments, and commissions, as is necessary to carry out its duties and purposes;

(f) implementing the advice and recommendations of the industrial advisory board relative to improving the performance of its duties and purposes;

Section 5. In performing the duties pursuant to clause (a) of section three the director may contract with private consultants either for the purpose of assessing the viability of a business likely to experience a large loss of employment, plant closure, or failure, and developing an adjustment strategy to keep the business viable and maintain employment, or for the purpose of securing new ownership or new management or both necessary to keep the business in operation as a viable business and maintain employment; provided, however, that before contracting for such services, the director shall determine: (a) that business is unable to pay for these services; and (b) the director cannot obtain such services of sufficient quality and with sufficient speed from an existing state agency, department, office or quasi public corporation to properly perform said duties.

Section 6. In any case where the program, pursuant to clause (a) of section three is assisting a business to locate new owners, the office shall give priority to effectuating the sale of said business either to its employees or to a resident of Massachusetts. In such cases, the director shall inform the employees that the business is for sale, inform the employees of their opportunity to purchase the business, and provide the employees with the same assistance in purchasing said business for which other interested buyers may be eligible.

Section 7. Any documentary materials, data, or conversations whatsoever made or received by any employee of the program and consisting of, or to the extent that such materials, data, or conversations consist of, trade secrets or commercial or financial information regarding the operation of any business conducted by an applicant for assistance which the program is empowered to render or regarding the competitive position of such applicant in a particular field of endeavor, shall not be deemed public records of the program and specifically shall not be subject to the provisions of section ten of chapter sixty-six.

Section 8. There shall be in the executive office of economic affairs, but not subject to its jurisdiction, an economic stabilization trust. The economic stabilization trust is hereby constituted a public instrumentality and the exercise by the trust of the powers conferred by sections eight to fifteen, inclusive, shall be deemed to be the performance of an essential government function.

Section 9. (a) The trust shall be governed by and its powers exercised by a board of trustees which shall consist of five members: the secretary of the executive office of economic affairs, the secretary of the executive office of labor, and three persons to be appointed by the governor, who shall together be experienced in the financial analysis of businesses, turnarounds of troubled businesses, and the management of businesses; provided, however, that each such trustee shall be experienced and knowledgeable in at least one such area. Each trustee appointed by the governor shall serve for four years, except that in making the initial appointments the governor shall appoint one trustee to serve for two years, one trustee to serve for three years, and one trustee to serve for four years. Any person appointed to fill a vacancy in the office of trustee shall serve for only the unexpired term of such trustee. Any trustee shall be eligible for reappointment. Any trustee may be removed from his appointment by the governor for cause. The governor shall from time to time designate one trustee as chairperson of the board of trustees.

(b) Three of the trustees of the trust shall constitute a quorum and the affirmative vote of three trustees shall be necessary for any action to be taken by the trust.

(c) Each trustee shall be entitled to reimbursement for his actual and necessary expenses incurred in the performance of his official duties. The governor shall determine, when appointing each trustee, the amount of compensation said trustee shall receive; provided, however, that the governor determines such compensation is necessary both to appoint such experienced and expert trustees as required in this section and to ensure said trustees will be available to act promptly when a prompt decision by the board is necessary.

(d) The provisions of chapter two hundred and sixty-eight A shall apply to all trustees, officers and employees of the trust, except that the trust may invest in, purchase from, sell to, borrow from, loan to, contract with or otherwise deal with any person or entity in which any trustee is in any way interested or involved; provided, however, that such interest or involvement is disclosed in advance to the members of the board and recorded in the minutes of the board; and provided, further, that no trustee having such an interest or involvement may participate in any decision of the board relating to such person or entity.

(e) Neither the trust 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 to chapter thirty-one.

(f) The trustees shall elect a secretary and treasurer, and may elect or appoint other officers as they may deem necessary, none of whom shall be required to be members of the board. The secretary shall keep a record of the proceedings of the board and shall be custodian of all books, documents, and papers filed by the trustees and of its minute book and seal. The secretary shall cause copies to be made of all minutes and other records and documents of the trust and shall certify that such copies are true copies, and all persons dealing with the fund may rely upon such certification. The treasurer shall be the chief financial and accounting officer of the fund and shall be in charge of its funds, books of account and accounting records.

(g) All officers and employees of the trust having access to its cash and negotiable securities shall give bond to the trust at its expense in such amounts and with such surety as the board may prescribe. The persons required to give bond may be included in one or more blanket or scheduled bonds.

(h) Trustees shall not be liable to the commonwealth, to the agency or to any other person as a result of their activities, whether ministerial or discretionary, as such trustees except for willful dishonesty or intentional violations of the law. The trust may purchase liability insurance for trustees, officers, and employees, and may indemnify said persons against claims of others.

(i) Any documentary materials, data, or conversations whatsoever made or received by any trustee or employee of the fund and consisting of, or to the extent that such materials, data, or conversations consist of, trade secrets or commercial or financial information regarding the operation of any business conducted by an applicant for assistance which the trust is empowered to render or regarding the competitive position of such applicant in a particular field of endeavor, shall not be deemed public records of the trust and specifically shall not be subject to the provisions of section ten of chapter sixty-six. Any discussion or consideration of such trade secrets or commercial or financial information may be held by the trustees in executive session closed to the public notwithstanding the provisions of section eleven A1/2 of chapter thirty A, but the purpose of any such executive session shall be set forth in the official minutes of the trust and no business which is directly related to such purpose shall be transacted nor shall any vote be taken during such executive session.

Section 10. The offices of the trust shall be located in the central office of the industrial service program. The executive director of the industrial service program shall also serve as the

chief executive, administrative and operational officer of the trust, shall attend meetings of the trust, and shall direct the resources and staff of the program, as may from time to time be necessary, to achieve the purposes of sections seven to fifteen, inclusive.

The trustees shall be consulted by the secretary of economic affairs and the secretary of labor in the hiring of said executive director and shall, as provided in section two, have the right to approve the hiring of any persons employed by the industrial service program whose primary responsibilities include reviewing and packaging applications for financing by the trust. Nothing in this section shall be deemed to restrict the trustees power to employ any consultants, agents, or advisors it deems necessary to achieve its duties and purposes as defined in section seven to fifteen inclusive.

Section 11. The purpose of the economic stabilization trust shall be to provide flexible high risk financing necessary to implement a change of ownership, a corporate restructuring, or a turnaround plan for an economically viable, but troubled, business which faces the likelihood of a large employment loss, plant closure, or failure without such a change of ownership, corporate restructuring, or turnaround plan. The financial participation of the trust is aimed at supplementing private financial institutions and public economic development agencies when such institutions are not able to provide all the financing or bear all the risk necessary to transfer ownership, restructure or turnaround a business in a situation where the business might otherwise fail or greatly reduce its employment. In the performance of its purposes, the fund shall be deemed to be investing, not on the basis of a direct financial return on its investment, but in order to reduce the social costs of a large employment loss, plant closure or business failure and to obtain the fiscal benefits the commonwealth receives from maintaining the operations and employment of viable businesses, and shall not be held to the loan loss standards of private commercial lenders.

Section 12. The trust shall have the power to:

(a) make, amend, and repeal rules and regulations for the management of its affairs;

(b) adopt an official seal;

(c) sue and be sued, in its own name;

(d) make contracts and execute all instruments necessary or convenient for the carrying out of its business;

(e) enter into agreements or other transactions with any federal, state, or municipal agency;

(f) acquire real property, or an interest therein, by purchase or foreclosure, where such acquisition is necessary or appropriate to protect or secure any investment or loan in which the trust has an interest; to sell, transfer, and convey any such property to a buyer and in the event such sale, transfer,

or conveyance cannot be effected with reasonable promptness or at a reasonable price, to lease such property to a tenant;

(g) invest any funds not required for immediate disbursement, in such investments as may be lawful for fiduciaries in the commonwealth;

(h) appoint officers, employees, consultants, agents, and advisors and prescribe their duties and fix their compensation within the limitations provided by law;

(i) appear in its own behalf before boards, commissions, departments, or other agencies of municipal, state, or federal government;

(j) consent, whenever it deems it necessary or desirable in the fulfillment of the purposes of this chapter, to the modification with respect to rate of interest, time of payment of any installment of principal or interest, or any other terms of any contract or agreement of any kind to which the fund is a party;

(k) apply for and accept grants, donations, and bequests, of money, property, labor or other things of value, to be held, used and applied for the purposes of sections eight to fifteen, inclusive, receipt of such donations and grants shall be detailed in the annual report of the trust, including the identity of the donor, the nature of the transaction and any conditions attached thereto;

(l) make loans to or otherwise finance or invest in any business or person seeking to purchase a business to further the purposes of sections seven to fifteen, inclusive; provided however, that such loans or investments comply with the provisions of section twelve;

(m) establish and collect such fees, charges, and interest rates as the trust shall determine to be reasonable;

(n) require, by contract in any financing agreement, or otherwise, specific operational activities, financial actions, or management changes, as conditions for the receipt of any loan, financing, or investment from the trust;

(o) do any and all things necessary or convenient to carry out its purposes and exercise the powers expressly granted in sections seven to fifteen, inclusive.

Section 13. Any business or person seeking financing from the trust shall submit a complete application for financing and any other information as the trustees shall request to the executive director. The trustees shall review the application for financing, and based upon the information submitted and such additional investigation as the trustees may deem necessary, approve or deny said application; provided, however, that before approving any such application, the trustees shall determine and incorporate in its minutes that:

(1) the business is likely to experience a large loss of employment, plant closure, or failure without the loan financing, or investment by the trust;

(2) the business or person seeking to purchase the business has taken or will take such actions as the board deems necessary to insure the business has a reasonable chance to continue as a successful business including, but not limited to, changes in its operations, financing, or management and that said actions are included as a condition for financing in the financing agreement;

(3) the business or person seeking to purchase the business has made diligent efforts to obtain the financing necessary to continue its operations or transfer ownership of the business, from private financial institutions and public economic development agencies and such financing is unavailable or has been offered on terms that would prevent the successful continuation or change in ownership of the business.

Section 14. The trust shall annually submit a complete and detailed report of the trust's activities, within ninety days after the end of each fiscal year to the governor, to the clerk of the house of representatives and to the clerk of the senate. The report shall include all the businesses or persons that received financing from the trust, the number of direct jobs saved or maintained, the indirect employment saved or maintained, the location and wage level of direct jobs saved or maintained, the fiscal benefits to the commonwealth in the form of tax revenues generated and social welfare expenditure avoided as a result of the business and employment maintained by the trust.

Section 15. The trust shall be subject to an annual audit of its books and records by the auditor of the commonwealth.

SECTION 5. The General Laws are hereby amended by inserting after chapter 40J the following chapter:-

CHAPTER 40K.

MASSACHUSETTS PRODUCT DEVELOPMENT CORPORATION.

Section 1. The following terms as used in this chapter shall, unless the context clearly requires otherwise, have the following meanings:-

"Board", the board of directors of the corporation.

"Corporation", the Massachusetts Product Development Corporation.

"Financial aid", the infusion of risk capital to persons for use in the development and exploitation of specific inventions and products.

"Invention", any new process or new technique without regard to whether a patent as or could be granted.

"Person", any individual, partnership, corporation or joint venture carrying on business, or proposing to carry on business, within the state.

"Product", any product, device, technique or process, which

is or may be exploitable commercially; such term shall not refer to pure research but shall be construed to apply to such products, devices, techniques or processes which have advanced beyond the theoretic stage and are readily capable of being, or have been, reduced to practice.

"Venture agreement", means without limitation, any contractual arrangement with any person whereby the corporation obtains rights from or in an invention or product or proceeds therefrom in exchange for the granting of financial aid to such person.

Section 2. (a) There is hereby created a body politic and corporate to be known as the Massachusetts Product Development Corporation. The corporation is hereby constituted a public instrumentality and the exercise by the corporation of the powers conferred in this chapter shall be deemed and held to be the performance of an essential public function.

(b) The corporation is hereby placed in the executive office of economic affairs but shall not be subject to the supervision or control of said office or of any board, bureau, department or other agency of the commonwealth except as specifically provided in this chapter.

(c) The corporation shall be governed, and its corporate powers exercised, by a board of directors which shall consist of seven directors: the secretary of economic affairs and six directors appointed by the governor at least five of whom shall be knowledgeable and have favorable reputations for skill, knowledge, and experience in the areas of the commercial development of technological invention and new products.

Each board member appointed by the governor shall serve for a term of five years, except that in making the initial appointments the governor shall appoint two members to serve for one year, two to serve for three years and two to serve for five years.

Any person appointed to fill a vacancy in the office of a member of the board shall be appointed in a like manner and shall serve for the unexpired term of such member. Any member shall be eligible for reappointment. Any member may be removed from his office by the governor for cause.

(d) The directors shall annually elect one of their number as chairman and one as secretary. The board may elect such other officers of the board as it deems proper. Members shall receive no compensation for the performance of their duties hereunder but shall be reimbursed for necessary expenses incurred in the performance thereof.

(e) Four members of the board shall constitute a quorum and the affirmative vote of four directors shall be necessary and sufficient for any action to be taken by the board. No vacancy in the membership of the board shall impair the right of a quorum to exercise all the rights and perform all the duties of the board. Any action taken by the board may be authorized by

resolution at any regular or special meeting and shall take effect immediately unless otherwise provided in the resolution. Notice of any meeting, whether special or regular, shall be given by telephone or orally, not less than forty-eight hours prior to the meeting. The board may delegate to one or more of its members, or its officers, agents and employees, such powers and duties as it may deem proper.

(f) The provisions of chapter two hundred and sixty-eight A shall apply to all directors, officers and employees of the corporation, except that the corporation may invest in, purchase from, sell to, borrow from, loan to, contract with or otherwise deal with any person or entity in which any director of the corporation is in any way interested or involved; provided, however, that such interest or involvement is disclosed in advance to the members of the board and recorded in the minutes of the board; and provided, further, that no director having such an interest or involvement may participate in any decision of the board relating to such person or entity.

(g) Neither the corporation 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, to chapter thirty-one.

(h) All officers and employees of the corporation having access to its cash or negotiable securities shall give bond to the corporation, at its expense in such amounts and with such surety as the board may prescribe. The persons required to give bond may be included in one or more blanket or scheduled bonds.

(i) Board members and officers who are not regular, compensated employees of the corporation shall not be liable to the commonwealth, to the corporation or to any other person as a result of their activities, whether ministerial or discretionary, as such board members or officers except for willful dishonesty or intentional violations of law. The board of the corporation may purchase liability insurance for board members, officers and employees and may indemnify said persons against claims of others.

Section 3. The board shall appoint a president of the corporation who shall not be a member of the board and who shall serve at the pleasure of the board and shall receive such compensation as shall be determined by the board. The president shall be the chief administrative and operational officer of the corporation and shall direct and supervise the administrative affairs and the general management of the corporation. The president may employ such other employees as shall be designated by the board of directors, shall attend all meetings of the board, keep a record of all proceedings and maintain and be custodian of all books, documents and papers filed with the corporation and of the minute book of the corporation and of its official seal. He

may cause copies to be made of all minutes and other records and documents of the corporation and may give certificates under the official seal of the corporation to the effect that such copies are true copies, and all persons dealing with the corporation may rely upon such certificates.

Section 4. The corporation shall have perpetual succession and shall adopt, amend and repeal bylaws and regulations for the conduct of its affairs. Such succession shall continue until the existence of the corporation is terminated by law; provided, however, no such termination shall affect any outstanding contractual obligation of the corporation to assist any person and the commonwealth shall succeed to the obligations of the corporation under such contract. Upon termination of the corporation its rights and properties shall pass to the commonwealth.

Section 5. The purpose of the corporation shall be to stimulate and encourage the development of new products within the commonwealth by the infusion of financial aid for invention and innovation in situations in which such financial aid would not otherwise be reasonably available from commercial sources, and for this purpose the corporation shall have the following powers:

(1) to have perpetual succession as a body corporate and to adopt bylaws, policies and procedures for the regulation of its affairs and conduct of its businesses as provided in section four;

(2) to enter into venture agreements with persons doing business in Massachusetts, upon such terms and on such conditions as are consistent with the purposes of this chapter, for the advancement of financial aid to such persons for the development of specific products, procedures and techniques, to be developed and produced in the state, and to condition such agreements upon contractual assurances that the benefits of increasing or maintaining employment and tax revenues shall remain in this state and shall accrue to it; provided, however, that such agreements do not give the corporation any ownership or ownership rights in the person or business which is developing said products, procedures, and techniques;

(3) to receive and accept aid or contributions from any source of money, property or labor or other things of value, to be held, used and applied to carry out the purposes of this chapter, subject to the conditions upon which such grants and contributions may be made, including but not limited to, gifts or grants from any department or agency of the United States or the commonwealth;

(4) to provide technical assistance to persons seeking to develop and produce products in this state which may include, but not be limited to, locating partners, businesses, or entrepreneurs interested in developing said product, securing private financing for the development and production of said product, and the evaluation of the commercial feasibility of said product;

(5) to acquire, lease, purchase, manage, hold, and dipose of real and personal property in the commonwealth and lease, convey, or deal in or enter into contracts with respect to such property on any terms necessary or incidental to the carrying out of these purposes;

(6) to hold patents, copyrights, trademarks or any other evidences of protection or exclusivity as to any products as defined herein, issued under the laws of the United States or any state or any nation;

(7) to employ such assistants, agents and other employees, and to engage consultants, attorneys and appraisers as may be necessary or desirable to carry out its purposes in accordance with this chapter;

(8) to make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this chapter;

(9) to sue and be sued, plead and be impleaded, adopt a seal and alter the same at pleasure;

(10) to procure insurance against any loss in connection with its property and other assets in such amounts and from such insurers as it deems desirable;

(11) to the extent permitted under its contract with other persons, to consent to any termination, modification, forgiveness or other change of any term of any contractual right, payment, royalty, contract or agreement of any kind to which the corporation is a party;

(12) invest any funds held in reserves or sinking funds, or any funds not required for immediate disbursement, in such investments as may be lawful for fiduciaries in the commonwealth;

(13) borrow money, provided that such indebtedness of the corporation shall be payable solely out of its own revenues and resources and shall not be an obligation of the state;

(14) appear on its own behalf before boards, commissions, departments or other agencies of municipal, state, or federal government;

(15) to do all acts and things necessary and convenient to carry out the purposes of this chapter.

Section 6. All applications for financial aid shall be forwarded, together with an application fee prescribed by the corporation, to the president of the corporation. The president, after preparing necessary records for the corporation, shall forward each application to the staff of the corporation, for an investigation and report concerning the advisability of approving the proposed financial aid for such applicant and concerning any other factors deemed relevant by the corporation. Such investigation and report shall include, but shall not be limited to, such facts about the company under consideration as its history, wage standards, job opportunities, stability of employment, past and

present financial condition and structure, pro-forma income statements, present and future markets and prospects, integrity of management as well as the feasibility of the proposed product and invention to be granted financial aid, including the state of development of such product as well as the likelihood of its commercial feasibility. After receipt and consideration of the above report and after such other action as is deemed appropriate, the corporation shall approve or deny the application. Before approving any such application the board shall first find and incorporate in its minutes that:

(1) the person applying for financial aid has a clear and developed product concept or prototype;

(2) the product has a reasonable chance of being commercially successful;

(3) the financial aid provided by the corporation shall only be used to further commercialization of the product, including, but not limited to, the further design of the product, the construction of a prototype, the development of a manufacturing process to produce the product, or to implement a marketing or distribution strategy for the product;

(4) financial aid by the corporation is necessary for the commercial development of the product because funding for such commercial development is unavailable in private capital markets, or because funding is only available on terms that would substantially hinder successful commercial development of the product; and

(5) the employment created or maintained by commercial development and production of the product will be in Massachusetts.

The applicant shall be promptly notified of the approval or denial of the application. In making the decision as to approval or denial of an application, the corporation shall give priority to those persons (a) whose businesses are likely to experience a loss of employment in their existing business or businesses due to declining markets, foreign competition, automation or other factors and (b) whose proposed product is to be used to maintain employment of all or part of the existing workforce and thus reduce the social and public costs of employment dislocation.

Section 7. The corporation shall annually submit a complete and detailed report of the corporation's activities including a complete operating and financial statement, within ninety days after the end of the fiscal year, to the governor, to the clerk of the house of representatives, and to the clerk of the senate.

Section 8. The books and records of the corporation shall be subject to an annual audit by the auditor of the commonwealth.

Section 9. The corporation shall be and is hereby declared exempt from all franchise, corporate business and income taxes levied by the state; provided, however, that nothing herein shall be construed to exempt from any such taxes, or from any taxes levied in connection with the manufacture or sale of any

products which are the subject of any agreement made by the corporation, any person entering into any agreement with the *corporation*.

Section 10. The powers set forth in this chapter shall be interpreted broadly to effectuate the purposes thereof and shall not be construed as a limitation of powers.

SECTION 6. Chapter 149 of the General Laws is hereby amended by adding the following section:-

Section 182. Any person utilizing financing issued, insured, or subsidized by a quasi-public agency of the commonwealth shall agree to accept the following voluntary standards of corporate behavior, without limiting the independent powers and findings required to be made by any such quasi-public agency:

In the event of a plant closing or partial closing as defined in section seventy-one A of chapter one hundred and fifty-one A, the company agrees to make a good-faith effort to provide every employee affected with the maximum practicable combination of the following: the longest practicable advance notice in cases where notice is possible and appropriate; and maintenance of income and health insurance benefits.

The company shall also, if possible, help to reemploy affected employees.

While no minimum standard is prescribed for these company responses, the commonwealth expects firms to provide at least ninety days notice or equivalent benefits whenever possible.

The precise form of said agreement shall be determined by the respective quasi-public agency.

For the purposes of this section, "quasi-public agency" shall mean, the Massachusetts Industrial Finance Agency, established by section three of chapter four hundred and ninety-six of the acts of nineteen hundred and seventy-eight, the Community Development Finance Corporation, established by section two of chapter eight hundred and sixty-six of the acts of nineteen hundred and seventy-five, the Massachusetts Technology Development Corporation, established by section one of chapter four hundred and ninety-seven of the acts of nineteen hundred and seventy-eight, the Government Land Bank, established by chapter two hundred and twelve of the acts of nineteen hundred and seventy-five, and the Massachusetts Product Development Corporation, established by chapter forty K.

SECTION 7. Chapter 151A of the General Laws is hereby amended by inserting after section 71 the following seven sections:-

Section 71A. As used in section seventy-one B to seventy-one G inclusive, the following words shall unless the context clearly requires otherwise, have the following meanings:-

"Advance notification", a voluntary declaration by an em-

ployer, in a form and manner established by the director, that a plant closing, as defined in this section, will occur.

"Covered partial closing", a partial closing which the director has determined under the provisions of section seventy-one C, to be covered by the provisions of section seventy-one B to seventy-one G, inclusive.

"Date of certification", the actual or anticipated date of plant closing or covered partial closing as determined by the director.

"Date of notification", the date of announcement by the employer or the director, whichever is earlier, of a plant closing or covered partial closing as determined by the director.

"Director", the director of the division of employment security, established under section nine I of chapter twenty-three.

"Eligibility period", the period consisting of the weeks in an employee's benefit year which consist of the employee's first compensable week and the next twelve consecutive weeks following the date of notification or the date of certification, whichever is earlier.

"Employee", an individual who is or has performed services for wages, whether full-time or part-time, at a facility, who at the point of termination has received said wages for the past four quarterly periods from the employer or its predecessor, and who is otherwise eligible for unemployment benefits, excluding any individual employed by an employer engaged in a seasonal enterprise as defined by the director.

"Employer", an individual, corporation, or other private business entity, whether for profit or not-for-profit, except an employer engaged in a seasonal enterprise as defined by the director, which owns or operates a facility, at least one year.

"Facility", a plant, factory, commercial business, institution or other place of employment located in the commonwealth which had fifty or more employees, as defined in this section, during any month in the six month period prior to the date of certification.

"Group insurance policy", a medical insurance policy provided by an employer for its employees, in accordance with the provisions of either chapter one hundred and seventy-five, one hundred and seventy-six A, one hundred and seventy-six B, or chapter one hundred and seventy-six G.

"Health Insurance Benefits Fund", the fund established by section seventy-one E to finance the health insurance benefits in accordance with the provisions of section seventy-one G.

"Industrial Advisory Board" or "Board", the body, established by section one hundred and ninety of chapter six for the purpose of advising certain officials of the commonwealth on the implementation of certain provisions of this chapter and on possible future policies.

"Partial closing", a permanent cessation of a major discrete portion of the business conducted at a facility which results in the termination of a significant number of the employees of said

facility and which affects workers and communities in a manner similar to that of plant closings.

"Plant closing", a permanent cessation or reduction of business at a facility which results or will result as determined by the director in the permanent separation of at least ninety per cent of the employees of said facility within a period of six months prior to the date of certification or with such other period as the director shall prescribe, provided that such period shall fall within the six month period prior to the date of certification.

"Reemployment assistance benefits", the supplemental benefits established by section seventy-one F for employees who have been terminated by plant closings and covered partial closings.

"Reemployment Assistance Fund" or "Fund", the fund, established by section seventy-one E, to finance the reemployment assistance benefits.

"Reemployment assistance program", the regional and plant-specific services provided pursuant to section seventy-one D for the purpose of assisting employees terminated by plant closings and partial closings to secure new jobs or training.

"Separation pay", the maintenance by an employer or a labor union of an employee's wages following his termination.

"Termination", the permanent layoff of an employee from the employ of an employer, provided however, that an employee who is offered continued suitable employment as defined in subsection (c) of section twenty-five by his employer at another workplace owned or operated by said employer shall not be deemed to have been laid off.

Section 71B. (a) Every employer who is closing a facility, as defined in section seventy-one A, shall thereupon promptly report to the director, in such form and manner as the director prescribes, such information as may be necessary to determine an employee's reemployment assistance benefits rights under section seventy-one A to seventy-one G, inclusive. The director, after making such inquiries and investigations as deemed necessary, shall certify whether a plant closing has occurred or will occur. The director shall certify that a plant closing has or will occur if the director determines that at least ninety per cent of the employees of a facility have been or will be permanently separated within the six month period prior to the date of certification or within such other period as the director shall prescribe; provided that, such period shall fall within six month period prior to the date of certification. The director shall give notice of the determination regarding certification to the employer and if the employees are represented by a labor union to such union and to any other person or organization that the director determines is an interested party.

(b) Any interested party notified of a determination under this section may request a hearing within ten days after mailing of the notice of the determination. If a hearing is requested,

the director or the director's authorized representative shall afford all interested parties a reasonable opportunity for a fair hearing, except that the director may refer the case to the board of review of hearing and decision in accordance with subsection (d) of section forty-one. The conduct of such hearings before the director or the board of review, as the case may be, shall be in accordance with the procedures prescribed by and pursuant to subsection (b) of section thirty-nine. Any interested party aggrieved by any decision on certification may appeal such decision. Such appeal shall be in accordance with the procedures prescribed in sections forty through forty-two inclusive.

(c) The director shall report, from time to time, to the secretary of manpower affairs and the industrial advisory board any determination or decision made pursuant to this section and may provide such information to any other interested individual or organization.

Section 71C. Subject to appropriation, the director shall, in consultation with the Massachusetts industrial advisory board, identify and assess various categories of partial closings. Subsequently, the director shall, by regulation, identify those partial closings that are deemed to fall within the intent of sections seventy-one A to seventy-one G, inclusive. Any proposed regulations to be issued pursuant to this section shall be filed with the clerk of the house and the clerk of the senate thirty days before publishing a notice of a public hearing, pursuant to section two of chapter thirty A. Subject to appropriation, employees whose employment is terminated in covered partial closings established by said regulations shall be eligible for the reemployment assistance benefits established by sections seventy-one F and health insurance benefits established by section seventy-one G.

Section 71D. Subject to appropriation, the secretary of manpower affairs, in coordination with the secretary of labor, and any other appropriate agency, shall establish a reemployment assistance program to provide counselling, placement, training, and any other services deemed necessary, to employees terminated in plant closings and partial closings which will lead to the reemployment of said employees. Such services shall be provided either at a plant closing site, at local offices of the division of employment security or at a site provided by any other appropriate agency. Subject to appropriation, said reemployment assistance program shall be administered by the secretary of manpower affairs. Participation in said program when said program is available shall be a requirement for eligibility for reemployment assistance benefits established pursuant to section seventy-one F.

Section 71E. There is hereby established a Reemployment Assistance Fund and a Health Insurance Benefits Fund which

shall be administered by the director, without liability on the part of the commonwealth beyond the amounts credited to and earned by the funds. Such funds shall consist of all moneys credited to the funds as provided in this section, less payments made therefrom in accordance with sections seventy-one F and seventy-one G. Moneys in the reemployment assistance fund shall be pooled and available to pay reemployment assistance benefits under section seventy-one F and moneys in the health insurance benefits fund shall be pooled and available to pay health insurance benefits under section seventy-one G irrespective of the source of such moneys. Such funds may receive moneys from appropriations and any other revenue source that the general court may from time to time establish. Moneys in the funds shall not be commingled with moneys in the unemployment compensation fund established by section forty-eight.

Section 71F. (a) An employee shall be eligible to receive reemployment assistance benefits with respect to any week of unemployment in his or her eligibility period, as defined in section seventy-one A, only if the director finds that with respect to such week (1) the employee has been terminated from their employment as a result of a plant closing or covered partial closing, (2) the employee is otherwise eligible for regular benefits under this chapter, and (3) the employee is participating in the reemployment assistance program, when such program is available, in accordance with the provisions of section seventy-one D; provided that, no reemployment assistance benefits shall be paid for any week commencing prior to the date of notification as determined by the director.

No person eligible for reemployment assistance benefits shall be denied such benefits during his eligibility period because said person has refused to apply for or to accept employment which is not suitable employment, as defined in section twenty-five.

(b) The weekly reemployment assistance benefit amount payable to an employee for a week of total unemployment in his eligibility period shall be an amount equal to the difference between the weekly benefit amount, including dependency benefits, payable to the employee during the benefit year and seventy-five per cent of the employee's average weekly wage, rounded to the next lower full dollar amount; provided that, such amount shall not exceed the amount specified in subsection (d).

(c) The total amount of reemployment assistance benefits payable to any eligible employee with respect to the employee's benefit year shall be thirteen minus the number of weeks advance notification was given to the employee by the employer minus the number of weeks of separation pay, or equivalent thereof, received by the employee from the employer, times the employee's weekly reemployment assistance benefit amount.

(d) The maximum weekly reemployment assistance benefit

amount payable to an employee shall be ninety-seven dollars; provided however, as of the first Sunday of October of each year commencing after December thirty-first, nineteen hundred and eighty-four the maximum amount payable shall increase by the percentage increase in the maximum weekly benefit rate computed under subsection (a) of section twenty-nine. Such new amount, rounded to the next lower full dollar amount, shall apply only to an employee whose benefit year commences on or after the first Sunday of October of the applicable year and prior to the first Sunday of October of the following year.

(e) No weekly reemployment assistance benefit amount shall be paid to an employee where the amount of regular benefits otherwise payable to the employee has been reduced to zero as a result of the application of subsection (b) of said section twenty-nine or subsection (d) of paragraph (6) of said section twenty-nine.

(f) Except when the result would be inconsistent with the provisions of section seventy-one A to seventy-one G, inclusive, the provisions of this chapter which apply to claims for, or the payment of, regular benefits shall apply to claims for, and the payment of reemployment assistance benefits.

Section 71G. (a) An employee eligible to receive reemployment assistance benefits under section seventy-one F shall also be eligible to receive health insurance benefits during his or her eligibility period if (1) the individual was, at the time of termination covered by an individually purchased health insurance plan, and (2) the individual is not able to be covered under any health insurance plan carried by a member of the family.

For the purpose of this section, the eligibility period shall commence with the effective week of the claim for regular benefits and end at the completion of three calendar months, or the completion of the month during which reemployment was obtained, whichever is less. The payment of health insurance benefits shall terminate at the end of the month during which employment was obtained.

(b) The maximum health insurance benefits amount shall be the amount of the monthly insurance premium, but not to exceed three months. Such amount shall be paid in accordance with the procedures prescribed by the director. In formulating said procedures and other regulations governing this section, the director shall consult with the commissioner of insurance.

SECTION 8. Section 110D of chapter 175 of the General Laws is hereby amended by adding the following paragraph:-

In addition, every such policy of insurance which is issued or subsequently renewed by agreement between the insurer and the policyholder, within or without the commonwealth, during the period this provision is effective, shall include coverage such that, in the event that the insured person leaves the group

covered by such insurance because his employment is terminated due to a plant closing or covered partial closing as those terms are defined in section seventy-one A of chapter one hundred and fifty-one A, said person shall remain insured under such policy for a period of ninety days thereafter unless, during such period, he shall otherwise be entitled to similar benefits.

SECTION 9. Section 110G of said chapter 175 is hereby amended by adding the following paragraph:-

In addition, whenever such group hospital, surgical, medical insurance plan or employer's plan covering health benefits is issued or subsequently renewed by agreement between the insurer and the policyholder, during the period this provision is effective, such plan shall include coverage such that when a member of such group plan becomes ineligible for continued participation in such plan because he is an employee whose employment is terminated due to a plant closing or covered partial closing, as those terms are defined in section seventy-one A of chapter one hundred and fifty-one A, the coverage originally provided by such plan for the member and his dependents shall continue as provided herein, for a period of ninety days from the date of ineligibility or until such member and his dependents become eligible for benefits under another group plan, whichever comes first. Such member and such employer or policyholder shall be responsible for the payment of their respective shares of the premium due as provided in said group plan. In the event that said employer or policyholder closed under the provisions of the Federal Bankruptcy Act, as amended, 11 USC sec. 101 et seq. except for employers or policyholders in reorganization proceedings, such employer's or policyholder's share of the premium shall be paid from the health insurance benefits fund established pursuant to section seventy-one E of said chapter one hundred and fifty-one A. The employer or policyholder shall notify the terminated member of their eligibility to participate in such plans. The terminated member may elect to continue participation in such plan by giving written notice thereof to the employer or policyholder. The member whose employment has been terminated shall be responsible for the payment of whatever part of the premium, if any, normally paid by such terminated employee as originally provided in such plan, throughout the ninety day period. If applicable, after timely receipt of the premium payment from the individual, if the employer or policyholder fails to make payment to the insurer or hospital or medical service corporation with the result that the coverage is terminated, the employer or policyholder shall be liable for the benefits to the same extent as the insurer or hospital or medical service corporation would have been liable if coverage had not been terminated. Timely receipt of payment shall mean the employer's or policyholder's receipt of

the premium or subscription fee for extended coverage from such member within the dates or by the date indicated by the employer or policyholder at the time of the election of extended coverage. Failure to give notice or to make premium payments as hereinabove provided shall constitute a waiver of the option to have such extended coverage. Notwithstanding the provisions of this paragraph, any contractual agreement arrived at by a collective bargaining process that contains provisions requiring an employer to pay for the continuation of such insurance for employees whose employment is terminated by a plant closing or covered partial closing shall supercede the requirements of this paragraph when said contractual agreement provides for at least three months or ninety days continuation of such insurance. Otherwise, the requirements of this paragraph shall deemed to be controlling.

SECTION 10. Section 8D of chapter 176A of the General Laws is hereby amended by adding the following paragraph:-

In addition, whenever such group non-profit hospital service contract is issued or subsequently renewed by agreement between the insurer and the policyholder, within or without the commonwealth, during the period this provision is effective, such plan shall include coverage such that when a subscriber of such group contract becomes ineligible for continued participation in such contract because he is an employee whose employment is terminated due to a plant closing or covered partial closing, as those terms are defined in section seventy-one A of chapter one hundred and fifty-one A, the coverage originally provided by such contract for the subscriber and his dependents shall continue as provided herein, for a period of ninety days from the date of ineligibility or until such subscriber and his dependents become eligible for benefits under another group plan, whichever comes first. Such subscriber and such employer or policyholder shall be responsible for the payment of their respective shares of the premium due as provided in said group plan. In the event that said employer or policyholder closed under the provisions of the Federal Bankruptcy Act, 11 USC sec. 101 et seq. except for employers or policyholders in reorganization proceedings, such employer's or policyholder's share of the premium shall be paid from the Health Insurance Benefits Fund established pursuant to section seventy-one E of said chapter one hundred and fifty-one A. The employer or policyholder shall notify the terminated member of their eligibility to participate in such plans. The terminated member may elect to continue participation in such plan by giving written notice thereof to the employer or policyholder. The member whose employment has been terminated shall be responsible for the payment of whatever part of the premium, if any, normally paid by such terminated employee as originally provided in such plan, throughout the

ninety day period. If applicable, after timely receipt of the premium payment from the individual, if the employer or policyholder fails to make payment to the insurer or hospital or medical service corporation with the result that the coverage is terminated, the employer or policyholder shall be liable for the benefits to the same extent as the insurer or hospital or medical service corporation would have been liable if coverage had not been terminated. Timely receipt of payment shall mean the employer's or policyholder's receipt of the premium or subscription fee for extended coverage from such member within the dates or by the date indicated by the employer or policyholder at the time of the election of extended coverage. Failure to give notice or to make premium payments as hereinabove provided shall constitute a waiver of the option to have such extended coverage. Notwithstanding the provisions of this paragraph, any contractual agreement arrived at by a collective bargaining process that contains provisions requiring an employer to pay for the continuation of such insurance for employees whose employment is terminated by a plant closing or covered partial closing shall supercede the requirements of this paragraph when said contractual agreement provides at least three months or ninety days continuation of such insurance. Otherwise, the requirements of this paragraph shall deemed to be controlling.

SECTION 11. Section 6A of chapter 176B of the General Laws is hereby amended by adding the following paragraph:-

In addition, whenever such group nonprofit hospital service plan is issued or subsequently renewed by agreement between the insurer and the policyholder within or without the commonwealth, during the period this provision is effective, such plan shall include coverage such that when a subscriber of such group plan becomes ineligible for continued participation in such plan because he is an employee whose employment is terminated due to a plant closing or covered partial closing, as those terms are defined in section seventy-one A of chapter one hundred and fifty-one A, the coverage originally provided by such contract for the subscriber and his dependents shall continue as provided herein, for a period of ninety days from the date of ineligibility or until such subscriber and his dependents become eligible for benefits under another group plan, whichever comes first. Such subscriber and such employer or policyholder shall be responsible for the payment of their respective shares of the premium due as provided in said group plan. In the event that said employer or policyholder closed under the provisions of the Federal Bankruptcy Act, 11 USC sec. 101 et seq. except for employers or policyholders in reorganization proceedings, such employer's or policyholder's share of the premium shall be paid from the health insurance benefits fund established pursuant to section seventy-one E of said chapter one hundred and fifty-one

A. The employer or policyholder shall notify the terminated member of their eligibility to participate in such plan. The terminated member may elect to continue participation in such plan by giving written notice thereof to the employer or policyholder. The member whose employment has been terminated shall be responsible for the payment of whatever part of the premium, if any, normally paid by such terminated employee as originally provided in such plan, throughout the ninety day period. If applicable, after timely receipt of the premium payment from the individual, if the employer or policyholder fails to make payment to the insurer or hospital or medical service corporation with the result that the coverage is terminated, the employer or policyholder shall be liable for the benefits to the same extent as the insurer or hospital or medical service corporation would have been liable if coverage had not been terminated. Timely receipt of payment shall mean the employer's or policyholder's receipt of the premium or subscription fee for extended coverage from such member within the dates or by the date indicated by the employer or policyholder at the time of the election of extended coverage. Failure to give notice or to make premium payments as hereinabove provided shall constitute a waiver of the option to have such extended coverage. Nothwithstanding the provisions of this paragraph, any contractual agreement arrived at by a collective bargaining process that contains provisions requiring an employer to pay for the continuation of such insurance for employees whose employment is terminated by a plant closing or covered partial closing shall supercede the requirement of this paragraph when said contractual agreement provides at least three months or ninety days continuation of such insurance. Otherwise, the provisions of this paragraph shall deemed to be controlling.

SECTION 12. Chapter 176G of the General Laws is hereby amended by inserting after section 4 the following section:-

Section 4A. Any health maintenance contract shall provide coverage for employees terminated due to a plant closing or covered partial closing as required by the second paragraph of section one hundred and ten D of chapter one hundred and seventy-five and the second paragraph of section one hundred and ten G of chapter one hundred and seventy-five.

SECTION 13. For the purpose of implementing the provisions of sections seventy-one A to seventy-one G, inclusive, of chapter one hundred and fifty-one A, chapter twenty-three C, and chapter forty K of the General Laws, there is hereby appropriated from the General Fund the following amounts:

Item

EXECUTIVE OFFICE OF MANPOWER AFFAIRS.

Office of the Secretary.

9000-1700 For the expenses of the reemployment assistance program as specified in section seventy-one D of chapter one hundred and fifty-one A of the General Laws $2,500,000

9000-1710 For the provision of capital for the economic stabilization fund, as provided by section seven to fifteen, inclusive, of chapter twenty-three C of the General Laws, to be used for making loans to or investments in businesses and persons that comply with said sections $2,000,000

9000-1711 For the expenses of administering the industrial service program and economic stabilization fund as provided by chapter twenty-three C of the General Laws $166,000

9000-1715 For the provision of capital for the Massachusetts Product Development Corporation, as provided by chapter forty K of the General Laws, to be used for providing financial aid to persons and businesses for the commercial development of new products which generate employment in Massachusetts $2,000,000

9000-1716 For the expenses of administering the Massachusetts Product Development Corporation, as provided by chapter forty K of the General Laws $122,000

Division of Employment Security.

9081-7000 For the payment of reemployment assistance benefits as provided by section seventy-one F of chapter one hundred and fifty-one A of the General Laws $5,000,000

9081-7001 For the expenses of administering section seventy-one A to seventy-one F, inclusive, of chapter one hundred and fifty-one A of the General Laws $1,000,000

9081-7002	For research expenses relative to the implementation of sections seventy-one A to seventy-one F, inclusive, of chapter one hundred and fifty-one A of the General Laws	$500,000
9081-7003	For the payment of health insurance benefits in accordance with section seventy-one G of chapter one hundred and fifty-one A of the General Laws	$590,000
9081-7004	For the expenses of administering section seventy-one G of chapter one hundred and fifty-one A of the General Laws	$120,000

SECTION 14. 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, including moneys allocated under the Wagner-Peyser Act, 29 USC section 501 et seq., or the contingency fund established pursuant to section fifty-eight of said chapter one hundred and fifty-one A, shall not be used for payment of administrative or research costs incurred as a result of the provisions of section seventy-one A to seventy-one G, inclusive, of said chapter one hundred and fifty-one A, inserted by section six of this act. Any moneys received by the division of employment security for the administration of said section seventy-one A to seventy-one G including moneys for research expenses, shall not be deposited in the employment security administrative account, but in a separate account or accounts as established by the director.

SECTION 15. If any section of this act shall be held invalid, the invalidity of that section shall not affect the remaining sections of this act.

SECTION 16. Section five of this act shall take effect on February first, nineteen hundred and eighty-five. Sections nine, ten, eleven and twelve shall take effect on January first, nineteen hundred and eighty-five. The regulations issued pursuant to section seventy-one C of chapter one hundred and fifty-one A of the General Laws, inserted by section seven of this act, shall be filed with the state secretary on or before January first, nineteen hundred and eighty-six. The provisions of section seventy-one A to seventy-one G, inclusive, of said chapter one hundred and fifty-one A, inserted by said section seven, shall take effect on January first, nineteen hundred and eighty-five; provided, however, that no reemployment assistance benefits or health insurance benefits shall be paid unless funds

for the payment of such benefits, including administrative costs, have been appropriated for such purposes. The secretary of manpower affairs shall report to the governor no later than January first, nineteen hundred and eighty-six on the effectiveness of the reemployment assistance centers, established pursuant to the provisions of section seventy-one D of said chapter one hundred and fifty-one A, inserted by section seven of this act, in the reemployment of employees terminated in plant closings and partial closings.

Approved July 12, 1984.

Chap. 209. AN ACT RELATIVE TO CERTAIN CREDITABLE SERVICE FOR EUGENE J. HURLEY, A SERGEANT OF THE CAPITOL POLICE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 309 of the acts of 1983 is hereby amended by striking out all after the words "including" in line 3, and inserting in place thereof the following:-

July thirtieth, nineteen hundred and eighty-six, provided that he is mentally and physically capable of performing the duties of his office or position. Said Eugene J. Hurley shall annually, at his own expense, be examined by an impartial physician designated by the State Retirement Board to determine such capability. No further deductions shall be made from the regular compensation of said employee under the provisions of chapter thirty-two of the General Laws for service subsequent to July thirtieth, nineteen hundred and eighty-four, and upon retirement said employee shall receive a superannuation retirement allowance equal to that to which he would have been entitled had he retired on said date.

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

Approved July 13, 1984.

Chap. 210. AN ACT AUTHORIZING THE TREASURER OF ESSEX COUNTY TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the treasurer of Essex county is hereby authorized, with the approval of the county commis-

sioners, to pay from any available funds to the Massachusetts Electric Company the sum of fifty thousand dollars for electric bills incurred in past fiscal years.

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

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

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

Approved July 13, 1984.

Chap. 211. AN ACT EXEMPTING THE POSITION OF CHIEF OF POLICE OF THE TOWN OF SUDBURY FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The position of chief of police of the town of Sudbury shall be exempt from the provisions of chapter thirty-one of the General Laws.

SECTION 2. The provisions of section one shall not impair the civil service status of any person holding said office on the effective date of this act.

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

Approved July 13, 1984.

Chap. 212. AN ACT AUTHORIZING THE TOWN OF WILBRAHAM TO RELEASE AN AGRICULTURAL PRESERVATION RESTRICTION.

Be it enacted, etc., as follows:

SECTION 1. The town of Wilbraham, acting through its board of selectmen is hereby authorized to release a certain parcel of land from the agricultural restriction acquired by said town pursuant to the provisions of section thirty-two of chapter one hundred and eighty-four to Green Acres Fruit Farm, Inc. for fair market value as determined by an independent appraisal to allow the construction or placing of buildings on said land to be used for residential purposes. Said parcel of land is described on a plan entitled, "Property Plan for Dorrance T. Green, Wilbraham, Massachusetts, Sept., 1983, C. E. Anderson Associates, P.C., East Longmeadow, Massachusetts, Plan No. 224-05", and on file in the office of the Wilbraham town clerk.

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

Approved July 13, 1984.

Chap. 213. AN ACT VALIDATING CERTAIN PROCEEDINGS OF THE CITY OF SOMERVILLE AND AUTHORIZING THE CITY TO BORROW MONEY FOR THE PURPOSE OF MAKING CERTAIN PAYMENTS TO BOSTON EDISON COMPANY RELATING TO OVERPAYMENTS OF TAXES.

Be it enacted, etc., as follows:

SECTION 1. The city of Somerville is hereby authorized to borrow at one time or from time to time, a sum in the aggregate not exceeding six million dollars and issue bonds or notes therefor for the purpose of making payments to Boston Edison Company on account of refunds and other recoveries of taxes arising from overpayments by said company 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-four, pursuant to any court order or as a settlement of any court or appellate tax board or abatement proceeding relating to such overpayments.

SECTION 2. Bonds and notes issued under this act shall bear on their face the words, City of Somerville Tax Abatement Funding Loan, Act of 1984. Each issue shall constitute a separate

loan and such loans shall be payable in not more than fifteen years from their dates. For each issue the amounts payable annually for principal and interest combined either shall be as nearly equal from year to year as is practicable in the opinion of the treasurer, or shall be arranged in accordance with a schedule providing for a more rapid amortization of principal. Bonds and notes issued hereunder may bear interest at rates that are variable from time to time as determined by such index, banker's loan rate or other method of determination as the treasurer and the mayor shall select, and they may be made redeemable in whole or in part before maturity either at the option of the city or at the option of the holder at such price or prices and under such terms and conditions as may be fixed by the treasurer and the mayor. Any such bonds and notes shall be sold in such manner, either at public or private sale, and for such price as the treasurer with approval of the mayor shall determine to be reasonable and proper. Indebtedness incurred under this act, except as provided herein, shall be subject to all applicable provisions of said chapter forty-four.

SECTION 3. In addition to other security provided by law, bonds or notes issued under this 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. In connection therewith the treasurer and 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 and the mayor, may be reasonable and proper and not in violation of law.

SECTION 4. The order passed by the board of aldermen of the city of Somerville and approved by the mayor of said city on June fifteenth, nineteen hundred and eighty-four, appropriating and authorizing the borrowing of the sum of six million dollars for the purposes set forth in section one is hereby validated, ratified and confirmed in all respects as if this act were in effect. No further proceedings by the board of aldermen shall be required for the issuance by the city treasurer and mayor of bonds or notes under this act.

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

Approved July 13, 1984.

Chap. 214. AN ACT AUTHORIZING THE TOWN OF WEYMOUTH TO PAY A CERTAIN UNPAID BILL.

Be it enacted, etc., as follows:

SECTION 1. The town of Weymouth is hereby authorized to appropriate the sum of three hundred and forty-nine dollars and seventy-two cents and, after such appropriation, the treasurer of said town is hereby authorized to pay the sum of one hundred twenty-two dollars and twenty-two cents to Phyllis Brophy, principal clerk, the sum of one hundred thirteen dollars and seventy-five cents to pay Joan Marinella, senior clerk, and the sum of one hundred thirteen dollars and seventy-five cents to pay Catherine Lane, senior clerk for services performed in the nineteen hundred and eighty-three fiscal year in the assessors office in said town.

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

Approved July 13, 1984.

Chap. 215. AN ACT ESTABLISHING A DEPARTMENT OF PLANNING AND DEVELOPMENT, AN ECONOMIC AND COMMUNITY DEVELOPMENT COMMISSION, A PLANNING BOARD AND A ZONING BOARD OF APPEALS IN THE TOWN OF BARNSTABLE.

Be it enacted, etc., as follows:

SECTION 1. A department of planning and development is hereby established in the town of Barnstable to provide said town with relevant data concerning its physical, social, economic and environmental future. It shall advise and assist all town departments and agencies in the administration of municipal functions and responsibilities in the field of town planning. It shall coordinate the efforts of all town agencies directed toward the future development of the Town and plan its continued development consistent with the physical, social, economic and environmental conditions, needs and resources, and policies as they may from time to time be established by town meeting. There shall be a director of the department of planning and development who shall be the administrative head of the department and who shall be appointed by the board of selectmen and serve at their pleasure. The director of planning and development shall appoint a subordinate staff of the department in accordance with the personnel code of the personnel board and appropriation. The director of planning and development shall

have full charge and supervision of the work of the department of planning and development and its personnel. The director shall prepare an annual work program and budget in accordance with requests from town meeting and the board of selectmen along with his assessment of town needs. The director shall, in the performance of duties, be subject only to administrative supervision and policy guidance, within town established guidelines, by the board of selectmen. The director shall be a person specially fitted by education, training and previous experience in the field of municipal planning to perform the duties of the office. Consistent with section one, the director of planning and development shall provide the town and the board of selectmen with advice on the town's physical, social, economic and environmental future. The director shall perform planning duties which shall include, but not be limited to the following: (a) make an annual report to the town regarding planning matters; (b) plan, organize and direct the activities of all subordinate staff in the completion, analysis and interpretation of data pertaining to municipal planning and the work of the department; (c) initiate and conduct studies of the resources, possibilities and needs of the town and its relationship with other towns in Barnstable county and its environs; (d) prepare plans and recommendations with regard to land use, population patterns and projections, siting of public works projects and related matters, (e) analyze all proposals for housing, transportation, employment, public utility developments, recreation, parking and traffic circulation and related matters to assist the board of selectmen and other town agencies in the making of any recommendations, or rendering of any approvals, which they may be required to make concerning such matters; (f) act as a technical adviser to the planning and development cabinet, the planning board, the zoning board of appeals, the Old Kings highway regional historic district commission, the traffic and parking commission, the water quality advisory board, the economic and community development commission, the Industrial Development Finance Authority and the capital outlay and planning committee. In addition, through the board of selectmen, the director shall provide technical advice to any other town agency on matters related to town planning; (g) publish and distribute reports or plans in connection with planning and development issues, problems, policies and strategies; (h) assist in the preparation of the capital improvements program by providing staff service to the capital outlay and planning committee; (i) cooperate with the Cape Cod planning and economic development commission, the planning agencies of all neighboring communities and other agencies and groups to assure harmonious and integrative planning for the town and the area of which it is a constituent part; (j) perform such other duties, functions and responsibilities as may from time to time be assigned to the department by town

meeting or the board of selectmen.

SECTION 2. There is hereby established in the town of Barnstable a planning and development cabinet to consist of the following members: the chairman of the board of selectmen, who shall serve as chairman of the cabinet, the chairman of the planning board, the chairman of the economic and community development commission, the chairman of the zoning board of appeals, the chairman of the traffic and parking commission, the chairman of the conservation commission, and not more than eight additional members to be appointed by the board of selectmen who shall serve for terms of one year. The planning and development cabinet shall serve as an advisory body to the board of selectmen and the planning and development department. It shall review and comment upon the annual work program and budget as proposed by the director of planning and development. The cabinet shall seek to facilitate interdepartmental coordination among the boards, committees and commission related to planning and development.

SECTION 3. There is hereby established in the town of Barnstable an economic and community development commission. The commission shall consist of nine commissioners appointed by the board of selectmen for three year terms so arranged that an equal number shall expire each year. The commission is established for the purpose of actively promoting development of the town's economic and community resources. The commission shall coordinate its activities with the board of selectmen and shall receive staff assistance from the department of planning and development to facilitate communication and to execute its responsibilities. The commission shall: (a) Work with the department of planning and development to submit an action plan to the board of selectmen by November thirtieth of each year, encompassing all aspects of community and economic development which shall, at a minimum, consist of the following elements:

(1) establish methods to coordinate the commission's activities with the appropriate town, county, state and federal agencies;

(2) identify specific community development goals and establish methods to achieve the same;

(3) establish methods to foster cooperation among the private and public sectors, the chamber of commerce and town programs to ensure cooperation and common goals for community and economic development;

(4) establish methods to increase job opportunities for residents of the Town;

(5) establish methods to assist existing businesses in their expansion needs;

(6) establish methods to assist businesses locating in the town;

(7) establish methods to determine the compatibility of certain businesses with the environment and character of the Town;

(b) oversee community and economic development activities in accordance with the annual plan;

(c) present an annual report to the town on economic activity, including employment figures, new businesses, grants sought, new opportunities and any recommendations for future action;

(d) provide the board of selectmen with advice on all grants submitted by the town for community development purposes, and when appropriate, develop strong community support for those grant applications;

(e) assist the director of planning and development in establishing and maintaining an economic information system, including information on employment, commerce and community development issues;

(f) as requested by the board of selectmen or the director of planning and development, provide recommendations and policy guidance on matters dealing with community development and economic development.

SECTION 4. There is hereby established a planning board in the town of Barnstable consisting of seven members, each member to be appointed by the board of selectmen for three year terms so arranged that as nearly as possible one third of the terms will expire each year. The board of selectmen, as the appointing authority, shall take care to ensure that the planning board is composed at all times of members qualified by training and experience to perform the duties required of the office. It shall be the duty of said planning board to make recommendations to the town with regard to any changes in the zoning by-laws of the town. It shall be responsible for the regulation of subdivisions within the town. The board shall make an annual report giving information regarding the current status of the zoning by-laws and any subdivisions. It shall render advice concerning land use planning at the request of the board of selectmen.

SECTION 5. There is hereby established a zoning board of appeals in the town of Barnstable consisting of five members and as many associate members as required to be appointed by the board of selectmen. The members shall be appointed for three year terms so arranged that as nearly as possible one third of the terms shall expire each year. The board of selectmen may appoint not more than six associate members for similar terms in the same manner. The board of selectmen shall elect a chairman and clerk from its own membership each year. Members may only be removed for cause by the board of selectmen after a hearing.

The board of selectmen shall hear and decide on appeals from decisions of administrative officials, applications for special permits and for variances, all as provided for in chapter forty A of the General Laws and the zoning by-laws of the town. The board of selectmen shall act as a board of appeals on matters relating to subdivision control under the applicable sections of chapter forty-one of the General Laws.

SECTION 6. Upon the effective date of this act, all staff or consultants assigned to the planning board, board of appeals, office of community development and the economic development commission shall be assigned to the department of planning and development. The provisions of this act shall supersede the provisions of any general or special law or by-law which are inconsistent herewith.

Members of the planning board in office on the effective date of this act shall continue to serve the balance of their existing terms or three years from the date of their election, whichever occurs first. As vacancies occur they shall be filled by appointment by the board of selectmen, as provided above.

Unless otherwise specifically provided in this act, the planning board, board of appeals, the office of community development and the economic development commission shall have all the powers and duties as provided under the provisions of the General Laws.

SECTION 7. This act shall take effect upon its passage.

Approved July 13, 1984.

Chap. 216. AN ACT FURTHER REGULATING ANNUAL ESTIMATED ASSESSMENTS IN INSURANCE RATE PROCEEDINGS.

Be it enacted, etc., as follows:

The second paragraph of section 8F of chapter 26 of the General Laws, as appearing in section 7 of chapter 233 of the acts of 1983, is hereby amended by striking out, in lines 3 and 16, the word "two", and inserting in place thereof, in each instance, the word:- four.

Approved July 13, 1984.

Chap. 217. AN ACT RELATIVE TO THE PENSION TO BE PAID TO THE WIDOW OF A CERTAIN STATE TROOPER.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any laws to the contrary, the state retirement board is hereby authorized and directed to pay a pension to Winifred Savela, widow of Alje Savela who was shot and killed on August thirty-first, nineteen hundred and fifty-one while in the performance of his duties as a trooper in the Massachusetts State Police, as provided in section one hundred of chapter thirty-two of the General Laws.

SECTION 2. The provisions of this act shall take effect on January 1, 1985.

Approved July 13, 1984.

Chap. 218. AN ACT EXTENDING THE JURISDICTION OF MARTHA'S VINEYARD COMMISSION TO INCLUDE THE TOWN OF TISBURY.

Be it enacted, etc., as follows:

SECTION 1. The jurisdiction of the Martha's Vineyard Commission shall be extended to include the town of Tisbury. Said town shall be represented in the membership of said commission.

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

SECTION 3. This act shall take effect as of the first of July, nineteen hundred and eighty-four.

Approved July 13, 1984.

Chap. 219. AN ACT ESTABLISHING COLLECTIVE INVESTMENT FUNDS IN WHICH CERTAIN FIDUCIARIES MAY INVEST FUNDS.

Be it enacted, etc., as follows:

Section 3 of chapter 167G of the General Laws, as appearing in section 9 of chapter 155 of the acts of 1982, is hereby amended by inserting after subsection 9 the following subsection:-

9A. Any association or corporation authorized to do a banking business and to exercise trust powers in the commonwealth is authorized to establish one or more collective investment funds in which it may invest funds or other property which it or any other such association or corporation is authorized to invest as

trustee or agent or otherwise as a fiduciary except as a trustee, agent, or fiduciary appointed by the probate court, unless the instrument granting to the fiduciary authority to invest otherwise provides. Any such collective investment fund shall be administered in accordance with a written declaration of trust which shall provide that if property is held by such association or corporation as a fiduciary together with a co-fiduciary, such property may be invested in such collective investment fund only with the written consent of such co-fiduciary. In no case shall any other notice or consent be required for the making of such investment unless such instrument granting investment authority otherwise provides. An account of the administration of each such collective investment fund shall be prepared annually, shall be audited by an independent certified public accountant and a copy of such account and of the audit report thereon shall be made available to any interested party upon written request. All expenses of the administration of such collective investment fund, including the cost of the annual audit, shall be borne by the fund, but the association or corporation shall absorb the cost of the establishing any such collective investment fund.

Approved July 13, 1984.

Chap. 220. AN ACT RELATIVE TO THE ADMISSION OF BLIND AND VISUALLY-IMPAIRED INDIVIDUALS INTO CERTAIN PUBLIC INSTITUTIONS OF HIGHER EDUCATION.

Be it enacted, etc., as follows:

Section 19 of chapter 15A of the General Laws, added by section 3 of chapter 344 of the acts of 1983, is hereby amended by adding the following sentence:- The provisions of this section shall not apply to any person solely because of blindness or visual impairment, regardless of the age at which such individual became blind or visually-impaired.

Approved July 13, 1984.

Chap. 221. AN ACT RELATIVE TO ACCEPTANCE OF PAYMENT OF ASSESSMENTS FROM MEMBER COMMUNITIES AND AUTHORIZING THE UPPER BLACKSTONE WATER POLLUTION ABATEMENT DISTRICT TO ACCEPT AND TREAT SLUDGE FROM OTHER WASTEWATER TREATMENT FACILITIES.

Be it enacted, etc., as follows:

SECTION 1. Section 11 of chapter 752 of the acts of 1968, as amended by section 7 of chapter 591 of the acts of 1971, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

The board shall annually determine the amounts required for the payment of principal and interest on such bonds and notes issued or to be renewed by the district which will be due during the ensuing fiscal year and shall apportion the amounts so determined among the several members of the district in accordance with the provisions of this act, shall also annually determine the amounts necessary to be raised to maintain and operate the district during the said year including capital outlay items the cost of which is not to be funded and for all other matters for which the district is required to raise money and shall apportion among the several members of the district the amounts so determined in accordance with the provisions of this act. Each amount so apportioned for each member shall, prior to January thirty-first of the current fiscal year, be certified by the board to the assessors of each city, town or district who are members of such district. The assessors of each city, town or other district shall without further vote include each amount so certified in those amounts to be annually raised by taxes under section twenty-three of chapter fifty-nine of the General Laws. The respective city, town or district treasurer shall pay the amount so certified to the treasurer of the district in substantially equal quarterly payments on or before July fifteenth, October fifteenth, January fifteenth, and April fifteenth of the ensuing fiscal year.

SECTION 2. Section fourteen A of said chapter 752, as most recently amended by section 2 of chapter 177 of the acts of 1982, is hereby further amended by adding the following paragraph:-

The district may enter into an agreement, for a period of time not exceeding five years, with any political subdivision of the commonwealth to accept and treat sludge from a wastewater treatment facility operated by said political subdivision, at a cost to be provided for in such agreement. Said agreement shall become effective only after certification by the department of environmental quality engineering that there exists within such subdivision an emergency which threatens the health or safety of citizens of the commonwealth.

Approved July 13, 1984.

Chap. 222. AN ACT REQUIRING FINANCIAL INSTITUTIONS TO MAKE AVAILABLE TO THE PUBLIC INFORMATION RELATIVE TO THEIR ACCOUNTS AND SERVICES.

Be it enacted, etc., as follows:

Chapter 167D of the General Laws is hereby amended by adding the following section:-

Section 34. Every bank, federally-chartered bank or person which advertises to the public any deposit or credit account or the sale of any security as defined in section two of chapter one hundred and ten A shall maintain a telephone service for its customers to call and obtain information relative to such account or sale of such security. Such information shall include, but not be limited to, the current rates of interest or yields, service fees charged, minimum balances or investments required, and other types of accounts or investment funds or trusts available. Such telephone service shall not be used to access personal account information or to apply for or to obtain a new account or extension of credit or to purchase any security. Any such bank or person shall make such telephone service available during any hour that any of its offices are open for business.

Approved July 13, 1984.

Chap. 223. AN ACT RELATIVE TO THE ANNUAL OBSERVANCE OF PRESIDENTS DAY.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by inserting after section 15UU, inserted by chapter 88 of the acts of 1984, the following section:-

Section 15VV. The governor shall annually issue a proclamation setting apart the twenty-ninth day of May as Presidents Day in memory of John Adams, John Quincy Adams, Calvin Coolidge and John Fitzgerald Kennedy, former presidents of the United States from the commonwealth, and recommending that said day be observed in an appropriate manner by the people.

Approved July 13, 1984.

Chap. 224. AN ACT AUTHORIZING THE TREASURER OF ESSEX COUNTY TO PAY A CERTAIN SUM OF MONEY TO SPRING HILL FARM DAIRY, INC. OF THE CITY OF HAVERHILL.

Be it enacted, etc., as follows:

SECTION 1. The treasurer of Essex county, with the approval of the county commissioners of said county, is hereby authorized to pay, from available funds, to Spring Hill Farm Dairy, Inc. of the city of Haverhill an amount not to exceed two thousand seven hundred and thirty-four dollars and seventeen cents for supplying milk to the Lawrence jail and house of correction in the year nineteen hundred and eighty, which bill is legally unenforceable against said county.

SECTION 2. No bill shall be approved by the county commissioners of said county or paid by said treasurer under authority of this act unless and until a certificate has been signed and filed with said treasurer, stating under penalties of perjury, that the goods for which said bill was submitted were ordered by an official or an employee of said county, and that such goods 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 goods which were not received by said county shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both.

Approved July 13, 1984.

Chap. 225. AN ACT AUTHORIZING THE TOWN OF NANTUCKET TO USE A CERTAIN PARCEL OF LAND FOR THE CONSTRUCTION OF A COMMERCIAL BOAT PIER.

Be it enacted, etc., as follows:

The town of Nantucket is hereby authorized to use a certain parcel of land acquired by said town for the purposes of clause (53) of section five of chapter forty of the General Laws, for the construction of a commercial boat pier, for off-loading of commercial items including, but not limited to, stone, gravel, aviation fuel, gasoline, fuel oil, fish and shellfish.

Said parcel being that parcel of land contained in the order of taking made by the selectmen of said town dated December

seventh, nineteen hundred and sixty-six and recorded in the Nantucket registry of deeds, Book 130, page 79.

Approved July 13, 1984.

Chap. 226. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC UTILITIES TO ALLOW A RATE OR CHARGE FOR DIRECTORY ASSISTANCE SERVICE TO CERTAIN BUSINESS CUSTOMERS.

Be it enacted, etc., as follows:

SECTION 1. Section 17 of chapter 159 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 12, the words "section nineteen" and inserting in place thereof the words:- sections nineteen and nineteen A.

SECTION 2. The first sentence of section 19 of said chapter 159 is hereby amended by inserting after the word "service", inserted by chapter 218 of the acts of 1979, the words:- to residential customers or the commonwealth or its political subdivisions.

SECTION 3. Said chapter 159 is hereby further amended by inserting after section 19 the following section:-

Section 19A. The department may approve a rate, fare, toll or charge for directory assistance service to business customers pursuant to schedules filed with the department; provided, however, that for each business line to which a business customer subscribes, said customer shall be entitled to receive an allowance of ten directory assistance calls per month and for each private branch exchange trunk to which said customer subscribes an equivalent allowance of directory assistance calls per month, to be determined by the department; provided, further, that business customers who are certified as handicapped persons pursuant to regulations promulgated by the department shall be allowed an unlimited number of directory assistance calls without charge, and subject to such other terms and conditions as the department finds reasonable; and provided, further, that no rate, fare, toll or charge for directory assistance service may be charged to users of coin operated telephones. The department may approve a rate, fare, toll or charge for directory assistance service to other common carriers as defined in paragraph (d) of section twelve for such directory assistance service provided to business customers as provided for herein; provided, however, that upon the approval of such rate, fare, toll or charge for directory assistance, the depart-

ment shall adopt rules and regulations which will provide that a certain percentage of the money received by the imposition of such rate, fare, toll or charge shall be set aside annually and subsequently used to reduce or adjust the regular business and residential rates and the department shall promulgate schedules setting forth such percentages. For the purposes of this section, directory assistance service or directory assistance call shall mean information given to a customer of a telecommunications company to provide such customer with a telephone number. Each business customer will be entitled without charge to one directory covering any area within the commonwealth.

Approved July 13, 1984.

Chap. 227. AN ACT AUTHORIZING THE BOLTON PUBLIC SAFETY COMMUNICATIONS CENTER TO SELL ANSWERING SERVICE.

Be it enacted, etc., as follows:

Notwithstanding any general or special law to the contrary, the public safety communication center in the town of Bolton is hereby authorized to sell answering service to businesses located in said town.

Approved July 13, 1984.

Chap. 228. AN ACT RELATIVE TO THE ISSUANCE BY THE TOWN OF WINCHESTER OF A LICENSE FOR THE SALE OF 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 or any other general or special law to the contrary, the state secretary shall cause to be placed on the official ballot to be used in the town of Winchester at the biennial state election in the year nineteen hundred and eighty-four, and thereafter at each of the three successive biennial state elections, the following question:-

Shall up to one license be granted in this town for the sale at retail therein of all alcoholic beverages in packages, so called, not to be drunk on the premises?

YES.	
NO.	

If a majority of the votes cast in answer to said question at any of the said biennial state elections is in the affirmative, said town shall be taken to have authorized, for the two calendar years next succeeding each such election, the issuance of a

license for the sale in said town of all alcoholic beverages, but only in packages, so called, not to be drunk on the premises where sold; provided, however, that if a majority of the votes cast in said town in answer to said question at the biennial state election in the year nineteen hundred and ninety is in the affirmative, said town shall be taken to have authorized the issuance of such license without any specific limitation as to the duration of such authority. Said authority and license shall be subject, however, to all the other provisions of said chapter one hundred and thirty-eight.

Approved July 13, 1984.

Chap. 229. AN ACT RELATIVE TO THE TOWN CLERK OF SAUGUS.

Be it enacted, etc., as follows:

Section 22 of chapter 17 of the acts of 1947, as amended by section 4 of chapter 104 of the acts of 1979, is hereby further amended by striking out the fourth sentence.

Approved July 13, 1984.

EMERGENCY LETTER - July 16, 1984 @ 9:28 A.M.

Chap. 230. AN ACT PROHIBITING BANKS FROM IMPOSING FEES AGAINST THE SAVINGS ACCOUNTS OF PERSONS OVER SIXTY-FIVE OR UNDER EIGHTEEN YEARS OF AGE.

Be it enacted, etc., as follows:

Paragraph 1 of section 2 of chapter 167D of the General Laws, as appearing in section 2 of chapter 590 of the acts of 1983, is hereby amended by inserting after the word "bank", in line 5, the words:- ; provided, however, that no bank shall impose any fee, charge or other assessment against the savings account or checking account of any persons sixty-five years of age or older of eighteen years of age or younger; and provided, further, that a reasonable charge, as determined by the commissioner, may be assessed against any such account of any persons sixty-five years of age or older or eighteen years of age or younger when payment has been refused because of insufficent funds on any check drawn on such account.

Approved July 13, 1984.

Chap. 231. AN ACT RELATIVE TO CREDIT CARD FRAUD.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 37B of chapter 266 of the General Laws, as appearing in chapter 832 of the acts of 1969, is hereby amended by inserting after the word "inclusive", in line 45, the words:- or (k) makes a false statement in reporting a credit card to be lost or stolen.

SECTION 2. Section 1 of chapter 267 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "property", in line 7, the following words:- or a credit card.

Approved July 13, 1984.

Chap. 232. AN ACT RELATIVE TO THE GRANTING OF LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES BY VETERANS' ORGANIZATIONS IN THE TOWN OF DOVER.

Be it enacted, etc., as follows:

Notwithstanding any limitation imposed by section eleven A of chapter one hundred and thirty-eight of the General Laws as to the time and manner of voting upon the questions therein set forth, and to section seventeen of said chapter as to the number thereof, the state secretary shall cause to be placed on the official ballot to be used in the town of Dover at the biennial state election to be held in the year nineteen hundred and eighty-four the following question:-

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

YES.	
NO.	

If a majority of the votes cast in said town in answer to said question is in the affirmative, said town shall be taken to have authorized 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 said chapter one hundred and thirty-eight, notwithstanding any provisions of said section twelve to the contrary.

Said licenses shall be subject, however, to all other provisions of said chapter one hundred and thirty-eight.

Approved July 13, 1984.

Chap. 233. AN ACT RELATING TO THE CAPITAL OUTLAY PROGRAM OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Section 4 of chapter 687 of the acts of 1966, as amended by section 15 of chapter 873 of the acts of 1967, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- To meet a portion of the expenditures necessary in carrying 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 in the aggregate not to exceed one hundred and fifty million dollars, to be specified by the governor from time to time.

SECTION 2. Section 4 of chapter 724 of the acts of 1970 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- To meet the expenditures necessary in carrying out the construction and improvements authorized in section two, the state treasurer shall 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.

SECTION 3. Section 1 of chapter 933 of the acts of 1977, as most recently amended by section 31 of chapter 723 of the acts of 1983, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- The secretary of environmental affairs shall establish a program to assist the cities and towns in the commonwealth 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 development, restoration, or rehabilitation of municipal park and recreation lands.

SECTION 4. Item 4311-8811 of section 2 of chapter 578 of the acts of 1980, as most recently amended by section two of chapter 297 of the acts of 1983, is hereby amended by striking out the wording and inserting in place thereof the following:- 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 and for the construction of communication towers if needed.

SECTION 5. The first sentence of section 35 of chapter 732 of

the acts of 1981, as most recently amended by section 30 of chapter 637 of the acts of 1983, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The Massachusetts aeronautics commission is hereby authorized and directed to expend a sum not to exceed one million one hundred thousand dollars for the purposes of airport systems improvement and development in the commonwealth for payments, reimbursements or both to cities, towns and counties for planning design and construction of airports pursuant to sections thirty-nine F and fifty-one K of chapter ninety of the General Laws for providing navigational aids pursuant to section forty of chapter ninety of the General Laws 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; provided further that two hundred thousand dollars of said amount shall be authorized to reimburse the city of New Bedford for the expansion and renovation of the terminal building at the New Bedford Municipal Airport.

SECTION 6. Section 13 of chapter 286 of the acts of 1982 is hereby amended by striking out the words "section ten" and inserting the following words in place thereof:- section twelve.

SECTION 7. Section 21 of said chapter 286 is hereby amended by striking out the first sentence and inserting in place thereof the following two sentences:- 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 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 he shall fix. 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.

SECTION 8. Item 4311-8841 of section 2B of chapter 723 of the acts of 1983 is hereby amended by inserting after the word "necessary," in line 2 the following:- "the acquisition of land and any buildings thereon,".

SECTION 9. Said section 2B of said chapter 723 is hereby further amended by striking out item 7410-8848 and inserting in place thereof the following item:-

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 Research Institute and Computer Research Center at the University of Masschusetts at Amherst; provided, that all funds approriated herein shall be used in conjunction with any federal or other funds available for said purpose	$6,000.000

SECTION 10. Section 7 of said chapter 723 is hereby further amended in item 2444-8842 by inserting in line four after the word "land" the words:- and construction of a metropolitan district commission police station and maintenance facility in the Forest Hills section of the city of Boston.

SECTION 11. Section 8 of said chapter 723 is hereby amended by striking out the last two sentences thereof.

SECTION 12. Said chapter 723 is hereby amended by inserting after section 9C the following section:-

Section 9C½. 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. The amount hereby appropriated shall be in addition to any funds previously appropriated for this purpose.

SECTION 13. Said chapter 723 is hereby amended by inserting after section 9F the following section:-

Section 9F½. The commissioner of the department of environmental quality engineering is hereby authorized to expend a sum not exceeding four million two hundred fifty thousand dollars for grants to cities, towns and districts for the purposes of conducting watershed management studies concerning ways to protect, conserve or expand groundwater aquifers, recharge areas or other sources of potable water and for the acquisition of lands, waters and easements to protect, conserve or expand groundwater aquifers, recharge areas or other sources of potable water. The amount hereby appropriated shall be in addition to any funds previously appropriated for this purpose.

SECTION 14. Said chapter 723 is hereby amended by striking out section 9Q and inserting in place thereof the following section:-

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 acquisition, development and associated costs of land fronting on the Merrimack River and acquisition, development and associated costs of a canal system connected with said river including the cost of furnishings and equipment and any sites adjacent to land fronting on said river for conservation and recreation purposes.

SECTION 15. Said chapter 723, as most recently amended by section 3 of chapter 3 of the acts of 1984, is hereby further amended by striking out section 9V and inserting in place thereof the following section:-

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 section, may be used for the costs of the commonwealth associated with the acquisition or development of property or the administration of the grant programs set forth in said sections. Such associated costs may include the cost of legal services, inspections, audits, 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 16. Said chapter 723 is hereby amended by inserting the following section:-

Section 10C. The secretary of the executive office of human services is hereby authorized and directed, upon completion of a study of the Berkshire county house of correction in accordance with the provisions of chapter three hundred and forty-seven of the acts of nineteen hundred and eighty-two, to grant to said county an amount of funds sufficient to complete renovations to remedy certain life safety code deficiencies which are the subject of said study, said grant to be provided from the funds authorized for that purpose in said chapter three hundred and forty-seven.

SECTION 17. Section 11 of said chapter 723 is hereby amended in line 2 by inserting after the word "act", the words:- except for items 1102-7849, 1102-8842, 4238-8841, 4312-8842, 4312-8843, 4316-8841, 4316-8844, 5011-8841, 5377-8841, 7310-8841, 7410-8842, and 7516-8841,.

SECTION 18. Said section 11 of said chapter 723 is hereby further amended in line five by striking out the words "two hundred fifteen million nine hundred nine thousand thirty-five"

and inserting in place thereof the words:- eighty-seven million five hundred four thousand four hundred thirty-five.

SECTION 19. Section 11A of said chapter 723 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:-

To meet the expenditures necessary in carrying out the provisions of section two A of this act except from items 1101-8841, 1101-8842, 7066-8843, 7105-8841, 7118-8842, 7220-8846, 7410-8850 and 7452-8845, the state treasurer shall upon request of the governor, issue and sell bonds to be specified by the governor from time to time, not exceeding in the aggregate, the sum of twenty-six million, nine thousand and four hundred dollars.

SECTION 20. Said chapter 723 is hereby amended by inserting after section 11A the following section:-

Section 11A½. To meet the expenditures necessary in carrying out the provisions of items 1101-8841, 1101-8842, 7066-8843, 7105-8841, 7118-8842, 7220-8846, 7410-8850 and 7452-8845 in 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 thirty-eight million nine hundred ninety thousand four hundred dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Word and Data Processing Equipment Loan Act of 1983, and shall be issued of 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-four. 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 21. Section 11B of said chapter 723 is hereby amended in lines 5 and 6 by striking out the words "two hundred million four hundred ninety-two thousand three hundred thirty-six" and inserting in place thereof the following:- two hundred sixteen million nine hundred forty-two thousand three hundred thirty-six.

SECTION 22. Section 11F of said chapter 723 is hereby amended in line 2 by inserting after the word "act", the following:- except for items 21207846, 2120-8841, 2120-9844, and 2120-9848,.

SECTION 23. Said section 11F of said chapter 723 is hereby

further amended in line 5 by striking out the words "twenty-seven million two hundred thirty-five thousand" and inserting in place thereof the following:- eight million two hundred thirty-five thousand.

SECTION 24. Section 11I of said chapter 723 is hereby amended in line 2 by inserting after the word "act", the following:- except for item 2420-8841 and item 2420-8842,.

SECTION 25. Said section 11I of said chapter 723 is hereby further amended in line 5 by striking out the words "twelve million three hundred fifteen thousand seven hundred" and inserting in place thereof the following:- one million one hundred thirty-eight thousand seven hundred.

SECTION 26. Section 11 O of said chapter 723 is hereby amended by striking out, in line 4, the words "five hundred thousand" and inserting in place thereof the words:- seven hundred and fifty thousand.

SECTION 27. Section 11Q of said chapter 723 is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:- All interest and payments on account of principal of such obligations shall be payable from the General Fund.

SECTION 28. Said chapter 723 is hereby amended by inserting after section 11T the following three sections:-

Section 11U. To meet the expenditures necessary in carrying out the provisions of items 1102-7849, 1102-8842, 4238-8841, 4312-8842, 4312-8843, 4316-8841, 4316-8844, 5011-8841, 5377-8841, 7310-8841, 7410-8842, and 7516-8841 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 one hundred twenty-eight million four hundred four thousand six hundred dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Capital Outlay 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 provision of this act, be general obligations of the commonwealth.

Section 11V. To meet the expenditures necessary in carrying out the provisions of items 2120-7846, 2120-8841, 2120-9844, and

2120-9848 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 nineteen million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, State Recreation Areas 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. 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 11W. To meet the expenditures necessary in carrying out the provisions of item 2420-8841 and item 2420-8842 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 eleven million one hundred seventy-seven thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Metropolitan Water District 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. 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 29. Said chapter 723 is hereby amended by striking out section 22 and inserting in place thereof the following section:-

Section 22. Notwithstanding any appropriation or authorization in this act, no funds shall be expended for anything, except studies, preparation of plans, and furnishings and equipment which are necessary to the operation of a newly constructed or reconstructed project, which has a useful life, as determined by the commissioner of administration, which is substantially less than the terms of any bonds issued to pay for such expenditure. No funds shall be expended for such furnishings and equipment

which have a useful life of less than seven years, as so determined; provided, however, that the provisions of this section shall not apply to items 1101-8841, 1101-8842, 7066-8843, 7105-8841, 7118-8842, 7220-8846, 7410-8850 and 7452-8845 of section two A of this act.

The expenditure of funds provided by the issuance of debt authorized by this act shall be subject to an annual audit by the state auditor. As part of such audit, the auditor shall review the determination of the commissioner of administration relative to the useful life of furnishings and equipment that are subject to the provisions of this section. The auditor shall file annually with the clerks of the senate and the house of representatives a report detailing the results of such audits.

SECTION 30. The secretary of evnironmental affairs is hereby authorized to grant to the city of Woburn a sum not to exceed three hundred and twenty-five thousand dollars for the purpose of improving the water delivery system of said city, and to grant to the town of Marshfield a sum not to exceed one hundred thousand dollars for the purpose of replacing tetrachloroethylene (TCE)-lined pipes in the water delivery system of said town, provided that, as a precondition of such grants, said secretary shall have found that such financial assistance is necessary to remedy a potential threat to public health or safety resulting from the condition of the water delivery systems in said municipalities. The secretary of environmental affairs is further authorized to expend a sum not to exceed five hundred thousand dollars for the purpose of developing and expanding a publicly-owned water delivery system for the town of Tyngsborough, said secretary may expend such funds directly or in conjunction with the environmental protection agency and any other public entity, provided that as a precondition of such expenditure, said secretary shall have found that such financial assistance is necessary to remedy an actual or potential threat to public health or safety resulting from leachate contamination of groundwater in said town; and provided further that said secretary is authorized to expend a sum not to exceed four hundred thousand dollars for study, design, construction and engineering expenses for design of a relief drain in the Meadowbrook watershed in the town of Norwood.

SECTION 31. The secretary of environmental affairs is hereby authorized to establish a pilot program of grants to certain cities and towns, as provided herein, for the purpose of improving or expanding publicly-owned water delivery systems located in such cities and towns, when such is found to be the most feasible remedy for the potential threat to the public health or safety resulting from the occurrence of contaminants in water supplies located in such municipalities. Pursuant to said pilot program,

the secretary is authorized to grant to the town of Pepperell a sum not to exceed three million dollars, to grant the town of Dracut a sum not to exceed one million dollars, and to grant to the town of Worthington a sum not to exceed twenty-five thousand dollars, provided that the provision of such grants shall be made only upon such terms and conditions as are recommended by the department of environmental quality engineering after said department conducts a study of the contaminated supplies existing at such locations and the feasibility and relative cost-effectiveness of remedying such conditions by the extension or improvement of publicly-owned water delivery systems. A portion of the funds provided in section thirty-three of this act, not to exceed fifty thousand dollars, may be used by said department for the costs associated with conducting the study authorized by this section.

SECTION 32. The secretary of environmental affairs is hereby authorized to grant to the town of Hull a sum not to exceed five hundred thousand dollars for the purpose of implementing the recommendations of a study to be commissioned by said secretary for the purposes of investigating the conditions of erosion and related destabilization occurring at the Point Allerton Bluff section of said town and of recommending the most feasible and cost-effective measures for remedying the potential threat to public health and safety resulting from said conditions. A portion of the funds provided in section thirty-three of this act, not to exceed fifty thousand dollars, may be used by said secretary for the costs associated with conducting the study authorized by this section.

SECTION 33. To meet the expenditures necessary in carrying out the provisions of sections thirty, thirty-one and thirty-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 five million nine hundred thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Environmental Assistance Loan, Act of 1984, 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 such bonds shall be payable not later than June thirtieth, two thousand and nine. 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 34. Section 11 of chapter 25A of the General Laws, as most recently amended by section 2 of chapter 700 of the acts of 1983, is hereby amended by striking out the last sentence of the third paragraph and inserting in place thereof the following sentence:- In selecting projects and in determining the portions to be borne by the commonwealth of the cost of projects of other entities the secretary shall consider the payback period, availability of federal financial resources, the type of project, and the public benefit likely to be derived, whether from proven technology or from the opportunity to demonstrate innovative technology.

SECTION 35. Section 25 of chapter 121B of the General Laws, as appearing in section 1 of chapter 751 of the acts of 1969, is hereby amended by adding the following sentence:- Moreover, it is hereby declared that substandard and decadent areas can often be eliminated only by the development of housing of persons of varied economic means in the same project and neighborhood and that any benefit to tenants other than low or moderate income tenants provided under this chapter will be at most incidental to, and no greater than is necessary for, achieving proper housing in appropriate surroundings for low income persons and families.

SECTION 36. Section 26 of said chapter 121B, as most recently amended by section 27 of chapter 808 of the acts of 1981, is hereby further amended by striking out paragraph (m) and inserting in place thereof the following two paragraphs:-

(m) To participate in the development of low and moderate income housing undertaken or assisted pursuant to federal legislation and to finance mortgage loans for the construction or rehabilitation of low and moderate income housing, which may include ancillary commercial facilities to the extent permitted by the then applicable regulations of the department, and to purchase, or participate in the purchase of, securities which are secured by such mortgage loans. A local housing authority may create, designate or approve agencies or instrumentalities to provide such housing and do all other things necessary or desirable to secure financial or other forms of assistance from the federal government including the exemption from federal income taxation of interest on bonds or notes of such housing authority issued with respect to such housing. Low and moderate income housing shall be financed under this paragraph only after the housing authority shall, pursuant to regulations adopted by the department, have found (A) that persons and families whose annual incomes are less than eighty per cent of the median income in the area in which such housing is to be constructed or rehabilitated, as determined by the department, can afford the 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 thirty per cent of their 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 or any laws or regulations applicable to the exemption of the interest on the bonds or notes of the housing authority from federal income taxation and (B) either (1) that the other tenants occupying the project shall pay a rental not less than one-seventh of their annual income but in no event greater than the maximum rental which could be obtained for such unit in light of the rentals charged for comparable units within the same market area; or (2) that the project is located in a blighted open area, or any decadent area, or any substandard area. Any bonds, notes or other securities issued by any local housing authority, or any agency or instrumentality designated or approved by any such authority, pursuant to the provisions of this paragraph, shall not create or imply any obligation or indebtedness of any kind on the part of any local housing authority, the commonwealth, or any political subdivision thereof. The department may promulgate such rules and regulations as it may deem necessary to further the purposes of this paragraph.

SECTION 37. Section 9M of chapter 723 of the acts of 1983 is hereby amended by striking the words:- "twelve million" and inserting in place thereof the words:- "fifteen million two hundred and fifty thousand", and by adding after the word:- "system" the following words:- "and for acquisition and associated costs of land in municipalities listed in chapter 631 of the acts of 1956 in connection with the implementation of the system of public and privately owned open spaces known as the Massachusetts Bay Circuit; provided that a sum no greater then $250,000 may be expended for planning for said Circuit and for a program of planning grants to said municipalities in connection therewith.

SECTION 38. Section 11P of said chapter 723 is hereby amended by striking out in the first sentence the words:- "twenty-five million five hundred thousand" and inserting in place thereof the following:- "twenty-eight million seven hundred and fifty thousand."

This Bill was returned July 14, 1984 by the Governor to the House of Representatives, the Branch in which said Bill originated, with his objections in writing to the following:

Section 27.

Section 31 was reduced by striking the $50,000 item of appropriation to the Department of Environmental Quality Engineering for the costs associated with the study authorized by said section.

The remainder of the Bill was approved by the Governor July 14, 1984.

EMERGENCY LETTER - July 16, 1984 @ 1:48 P.M.

Chap. 234. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-FIVE FOR THE MAINTENANCE OF THE DEPARTMENTS, BOARDS, COMMISSIONS, INSTITUTIONS AND CERTAIN ACTIVITIES OF THE COMMONWEALTH, FOR INTEREST, SINKING FUND AND SERIAL BOND REQUIREMENTS AND FOR CERTAIN PERMANENT IMPROVEMENTS.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of the several departments, boards, commissions and institutions, of sundry other services, and for certain permanent improvements, and to meet certain requirements of law, the sums set forth in section two, for the several purposes and subject to the conditions specified in said section two 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-five, in this act referred to as the year nineteen hundred and eighty-five, or for such period as may be designated.

SECTION 2.

LEGISLATURE.

Senate.

Item		
0111-0000	For the compensation of senators, prior appropriation continued	$ 1,600,000
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	93,300
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	460,000
0115-0000	For administrative and legislative aides to the senators, prior appropriation continued	3,170,000
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	75,000
0117-0000	For the office of the senate committee on ways and means, prior appropriation continued, including not more than four permanent positions	895,000
0118-0000	For the office supplies and other expenses of the senators, prior appropriation continued	460,000

0119-0000	For the senate art committee, including furnishings and other expenses for the senate chamber, lobby, and, reception room	$ 200,000
	House of Representatives.	
0121-0000	For the compensation of representatives	5,207,500
0121-8000	For expenses of representatives, including travel	980,000
0122-0000	For the office of the clerk of the house of representatives, 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, 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	1,100,000
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	16,000
0125-0020	For expenses of standing and special committees of the house of representatives, authorized by the speaker under joint rule 3 to sit and travel during the recess of the general court, said funds to be allocated to committees only upon written approval of the speaker	10,000
0125-0030	For the expense of providing a salary increase for the employees of the house of representatives of six per cent or one thousand dollars, whichever is greater, provided that no employee who has received a salary increase since December thirty-first, nineteen hundred and eighty-three, shall receive an increase under this provision; and provided further that no employee shall receive any increase in salary, other than as provided here, prior to February first, nineteen hundred and eighty-five	964,123
0126-0000	For the office of the house committee on ways and means, 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; provided at least thirty days prior to the filling of any vacancy relative to this account, there shall be a notice posted in each of the various offices of the division of employment security of the commonwealth; provided further that the notice	

shall state the position to be filled, and the qualifications and salary therefor $ 2,767,617

0127-0020 For administrative and legislative aides to the members of the house of representatives 3,330,000

0127-0021 For the 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 43,930

0127-0030 For a legislative intern program providing one intern for each legislator; provided however that each member of the house of representatives shall have the opportunity to select one intern to work in his/her office 153,600

0127-0040 For office supplies and other expenses of the house of representatives 550,000

0129-0000 For the expenses of televising sessions of the house of representatives 525,000

0130-0000 For a salary classification and compensation study to develop and implement an effective and uniform classification and compensation program for the professional, administrative and clerical staff of the house of representatives, provided that said study be conducted by a management or personnel consultant firm to be selected through a competitive bid process initiated by a request for proposals to be issued on or after January sixteenth, nineteen hundred and eighty-five 100,000

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 345,000

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 100,000

0135-0000 For the rental, maintenance and updating of an electric roll call system, prior appropriation continued 11,000

Other Expenses.

0141-0000	For the expenses of the legislative research council	$ 6,000
0142-0000	For the legislative research bureau	468,672
0143-0000	For the legislative service bureau	1,630,000
0143-0001	For the administration of the office of legislative data processing, prior appropriation continued	550,000
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
0145-0000	For legislative committee services for the senate	1,330,000
0147-0000	For the administration of the legislative engrossing division, including not more than five permanent positions, prior appropriation continued	155,000
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 all 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	50,000
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	10,000

0165-0000	For membership fees and programs of legislative associations for the general court of the commonwealth, with the approval of the president of the senate and the speaker of the house of representatives, prior appropriation continued	$ 178,097
0169-7102	For the office of legislative post audit and oversight bureau of the senate, prior appropriation continued	200,000
0169-7103	For the office of legislative post audit and oversight of the house of representatives	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	225,000
0181-5007	For an econometric model of the Massachusetts economy, prior appropriation continued	60,000
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	80,880
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	140,000
0185-7802	For an investigation and study relative to the Massachusetts civil service system, prior appropriation continued	39,404
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 90,000

0185-7806 For a study of the procurement practices of the commonwealth relative to electronic data processing, prior appropriation continued.

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 64,759

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 168,496

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 78,406

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, prior appropriation continued 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 20,000

0185-7819 For a special commission on alcohol and drug abuse education, prior appropriation continued 96,000

0185-7821	For a special commission to study the causes of violence against children, prior appropriation continued	$ 50,000
0185-7822	To provide for an investigation and study by a special commission of all of state, local, special district and county taxation within the commonwealth in order to develop a tax reform program for the commonwealth. Said commission shall consist of three members of the senate, five members of the house and seven members appointed by the governor, prior appropriation continued	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, provided that criteria for the study shall include, but not be limited to (1) knowledge and skill required to carry out the duties of such position, (2) working conditions, (3) responsibility, (4) accountability, (5) inter-personal 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, prior appropriation continued	100,000
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; prior appropriation continued	19,500
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, prior appropriation continued.	
0185-7826	For the expenses of the 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 chapter two hundred and ninety-seven of the acts of nineteen hundred and eighty-three, prior appropriation continued	175,000
0185-7827	For the expenses of the special commission to investigate and study the needs of the hispanic population in the commonwealth established by section twenty of chapter two hundred and ninety-seven of the acts of nineteen hundred and eighty-three, prior appropriation continued	100,000
0185-7828	For the expenses of the special commission concerning the promotion of tourism in the commonwealth, established by section thirty-nine of chapter six hundred and thirty-seven of the acts of nineteen hundred and eighty-three; prior appropriation continued	75,000

0185-7829 To provide for an investigation and study by a special commission of the current system of the allocation and issuance of all types of alcoholic beverages licenses to determine whether the present system should be changed to accomplish proper and necessary regulation of this industry. Said commission shall consist of three members of the Senate, seven members of the house of representatives and three appointed by the governor $ 5,000

0185-7830 For the expenses of the special commission to make an investigation and study relative to the adequacy of existing rules and regulations pertinent to the soft-shelled clam industry, established by chapter five of the resolves of nineteen hundred and eighty-three 45,000

0185-7831 For the expenses of the special commission to study and plan appropriate events to commemorate the three hundred fiftieth anniversary of the arrival of the first group of Africans to Massachusetts, established by chapter seven of the resolves of nineteen hundred and eighty-three 80,000

0185-7832 For the expenses of the special commission to investigate and study the erection of a plaque in the State House to commemorate the first Afro-Americans elected as Massachusetts state representatives established by chapter five hundred and eighty-two of the acts of nineteen hundred and eighty-three 2,400

0185-7833 For the expenses of the special commission to investigate and study the finances and operation of the Massachusetts Port Authority 125,000

0185-7834 To provide for a special commission to review and study all aspects of health care for the elderly, both in terms of costs and services provided. Said commission shall consist of two members of the senate, two members of the house of representatives, the commissioner of insurance and four members to be appointed by the governor of whom one shall be a representative of the Executive Office of Elderly Affairs, one shall be a representative of a non-profit hospital service corporation, one shall be a representative of a health maintenance organization, and one shall be an elderly consumer. The commission shall issue a preliminary report on or before January first, nineteen hundred and eighty-five, and a final report by June thirtieth, nineteen hundred and eighty-five 40,000

INSPECTOR GENERAL.

0200-0100 For the administration and expenses of the office of inspector general, including not more than one permanent position 1,056,301

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 2,786,426

0320-0004	For the salaries and expenses of recalled justices of the appellate courts	$ 190,000
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	115,072

Board of Bar Examiners.

0321-0100	For the service of the board	448,534
0321-1500	For the committee for public counsel services as authorized by chapter two hundred eleven D of the General Laws; 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 and salaries paid to attorneys employed by the committee for public counsel services shall be comparable to those paid to attorneys employed by the several district attorney 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, including not more than fifty-three permanent positions and one hundred and sixteen temporary positions	14,330,711
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	202,108
0321-2100	For a correctional legal services committee	356,869
0321-4000	For disability representation for chronically mentally and physically handicapped persons; provided that the court may administer or may contract with any organization for the *purpose* of administering the project	897,130

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	1,561,665

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-nine permanent positions $ 16,760,000

0330-0200 For the salaries of the recalled justices of the trial court 1,005,000

0330-0300 For the salaries and expenses of the administrative staff, including not more than sixty-two permanent positions 2,225,905

0330-1000 For payments of expenses of juries 3,906,456

0330-2000 For salaries and expenses of certain law libraries; provided, that three hundred and sixty-three thousand 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 2,052,654

0330-2010 For expenses related to computerized legal research 71,800

0330-2020 For centralized law book purchases 162,853

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, prior appropriation continued.

0330-2101 For counsel to juvenile indigents 800,000

0330-2200 For the rental of court facilities, in accordance with section four of chapter twenty-nine A of the General Laws, provided that all payments made hereunder shall be pursuant to written leases; provided, further that no monies shall be paid to a city, town or county for such rental until a schedule detailing the costs of such maintenance, repairs and debt service on the rented facilities, attested to by the appropriate public official, have been submitted to and approved by the chief administrative justice of the trial court and filed with the house and senate committees on ways and means; and provided further, that every city, town or county which received funds under this item shall maintain such funds in a separate account which shall be used solely for the maintenance of the rented facilities; and provided further that, all rents paid to the counties shall be expended for courthouse maintenance costs in each county and provided further that assessments in each county to member cities and towns shall be reduced by the same amount, prior appropriation continued 31,805,561

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	116,997
0330-2500	For clerical assistance for the divisions of the trial court, including not more than ten temporary positions	498,707
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, and provided further, that the administrative office of the Trial Court shall establish a cooperative agreement with the Department of Public Welfare to obtain reimbursement from the federal government for such activities under the auspices of the Title IV-D program, including not more than twelve temporary positions	134,400
0330-2600	For travel expenses of judicial personnel, prior appropriation continued	1,206,569
0330-2700	For printing expenses, prior appropriation continued	1,672,082
0330-2800	For repairs of equipment	855,342
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 offered by such vendor are more favorable than those otherwise available; provided that thirty-eight thousand five hundred dollars be allocated to the Worcester county housing court, prior appropriation continued	2,180,101
0330-3100	For the payments of indigent court costs	200,000
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 hours, or more, in fiscal year nineteen hundred and eighty-four shall be considered a full-time court officer for fiscal year nineteen hundred and eighty-five, 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	8,974,742
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	487,467
0330-3500	For administration of the Court Clinic Services Committee provided that not less than three hundred thousand dollars shall be expended from this item for additional Court Clinic Services	375,000
0330-3600	For a reserve for new court positions provided that said positions shall be allo-	

	cated among the various court divisions and administrative offices by the chief administrative justice, provided that the allocation from this account shall be based upon schedules approved by the house and senate committees on ways and means including not more than sixty-eight temporary positions	$ 1,202,270
	Superior Court.	
0331-0100	For salaries and expenses of the administrative staff, including not more than sixteen permanent positions	559,049
0331-0200	For clerical assistance to the justices, including not more than thirty-three permanent positions and forty temporary positions	1,820,950
0331-0300	For payments to be made by the chief justice of the superior court to medical malpractice tribunals established in accordance with the provisions of section sixty B of chapter two hundred and thirty-one of the General Laws, including payments of the prior year	63,900
0331-0600	For the expenses of superior court probation services, including not more than two hundred and forty permanent positions	5,527,057
	For Salaries and Expenses.	
0331-2100	Barnstable superior court, including not more than seven permanent positions	186,409
0331-2200	Berkshire superior court, including not more than seven permanent positions	212,207
0331-2300	Bristol superior court, including not more than twenty-nine permanent positions	794,976
0331-2400	Dukes superior court, including not more than two permanent positions	47,710
0331-2500	Essex superior court, including not more than thirty-nine permanent positions and one temporary position	1,167,824
0331-2600	Franklin superior court, including not more than six permanent positions	159,118
0331-2700	Hampden superior court, including not more than thirty-four permanent positions	937,594
0331-2800	Hampshire superior court, including not more than eight permanent positions	238,979
0331-2900	Middlesex superior court, including not more than ninety-six permanent positions	2,664,683
0331-3000	Nantucket superior court, including not more than two permanent positions	51,559
0331-3100	Norfolk superior court, including not more than twenty-nine permanent positions and two temporary positions	977,585
0331-3200	Plymouth superior court, including not more than thirty-two permanent positions and two temporary positions	896,966

0331-3300	Suffolk superior civil court, including not more than one hundred and twenty-two permanent positions and one temporary position	$ 2,873,381
0331-3310	Suffolk superior criminal court, including not more than sixty-nine permanent positions	1,687,029
0331-3400	Worcester superior court, including not more than forty-five permanent positions	1,168,754

Administration of District Courts.
For Salaries and Expenses.

0332-0100	District court, administrative staff, including not more than ten permanent positions	340,267
0332-1100	First district court of Barnstable, including not more than forty-three permanent positions	1,009,696
0332-1200	Second district court of Barnstable (Orleans), including not more than twenty-four permanent positions and one temporary position	582,029
0332-1300	District court of northern Berkshire (Adams, North Adams, Williamstown), including not more than thirteen permanent positions	325,707
0332-1400	District court of central Berkshire (Pittsfield), including not more than twenty-one permanent positions	526,089
0332-1500	District court of southern Berkshire (Great Barrington, Lee), including not more than ten permanent positions	256,414
0332-1600	First district court of Bristol (Taunton), including not more than thirty-one permanent positions and one temporary position	716,208
0332-1700	Second district court of Bristol (Fall River), including not more than fifty permanent positions and one temporary position	1,089,433
0332-1800	Third district court of Bristol (New Bedford), including not more than forty-seven permanent positions and one temporary position	1,111,971
0332-1900	Fourth district court of Bristol (Attleboro), including not more than twenty-six permanent positions	576,784
0332-2000	District court of Edgartown, including not more than eight permanent positions	181,166
0332-2100	First district court of Essex (Salem), including not more than thirty-four permanent positions and four temporary positions	965,407
0332-2200	Second district court of Essex (Amesbury), including not more than eleven permanent positions	248,184
0332-2300	Third district court of Essex (Ipswich), including not more than six permanent positions	120,286

0332-2400	Central district court of northern Essex (Haverhill), including not more than thirty-one permanent positions and one temporary position	$ 777,759
0332-2500	District court of eastern Essex (Gloucester), including not more than eighteen permanent positions	438,303
0332-2600	District court of Lawrence, including not more than forty-three permanent positions	1,045,761
0332-2700	District court of southern Essex (Lynn), including not more than forty-five permanent positions and five temporary positions	1,136,227
0332-2800	District court of Newburyport, including not more than ten permanent positions and one temporary position	254,165
0332-2900	District court of Peabody, including not more than twenty-five permanent positions	635,981
0332-3000	District court of Greenfield, including not more than twenty-two permanent positions	500,927
0332-3100	District court of Orange, including not more than eleven permanent positions and one temporary position	266,161
0332-3200	District court of Chicopee, including not more than twenty permanent positions	473,778
0332-3300	District court of Holyoke, including not more than twenty-five permanent positions	566,156
0332-3400	District court of eastern Hampden (Palmer), including not more than seventeen permanent positions	430,004
0332-3500	District court of Springfield, including not more than one hundred and fourteen permanent positions	2,492,604
0332-3600	District court of western Hampden (Westfield), including not more than nineteen permanent positions	621,060
0332-3700	District court of Hampshire (Northampton), provided that of the amount appropriated herein thirty-five thousand dollars shall be expended for an alternative probation program "Honor Court" so-called, including not more than thirty-eight permanent positions and three temporary positions	956,687
0332-3800	District court of eastern Hampshire (Ware), including not more than eight permanent positions	184,743
0332-3900	District court of Lowell, including not more than sixty-four permanent positions and eleven temporary positions	1,713,986
0332-4000	District court of Somerville, including not more than sixty-four permanent positions	1,550,008

0332-4100	District court of Newton, including not more than twenty-eight permanent positions	$ 680,957
0332-4200	District court of Marlborough, including not more than twenty-one permanent positions	564,416
0332-4300	District court of Natick, including not more than seventeen permanent positions	399,928
0332-4400	District court of eastern Middlesex (Malden), including not more than fifty-four permanent positions and two temporary positions	1,233,449
0332-4500	Second district court of eastern Middlesex (Waltham), including not more than thirty-nine permanent positions	912,956
0332-4600	Third district court of eastern Middlesex (Cambridge), including not more than one hundred and five permanent positions	2,337,051
0332-4700	Fourth district court of eastern Middlesex (Woburn), including not more than fifty-six permanent positions	1,270,185
0332-4800	First district court of northern Middlesex (Ayer), including not more than thirty-two permanent positions	774,250
0332-4900	First district court of southern Middlesex (Framingham), including not more than fifty-two permanent positions	1,265,408
0332-5000	District court of central Middlesex (Concord), including not more than forty permanent positions	963,859
0332-5100	District court of Nantucket, including not more than six permanent positions and two temporary positions	138,354
0332-5200	District court of northern Norfolk (Dedham), including not more than forty-seven permanent positions	1,051,688
0332-5300	District court of east Norfolk (Quincy), including not more than ninety-two permanent positions and twenty-three temporary positions	2,629,551
0332-5400	District court of western Norfolk (Wrentham), including not more than thirty-four permanent positions	802,077
0332-5500	District court of southern Norfolk, including not more than forty permanent positions and four temporary positions	1,046,790
0332-5600	Municipal court of Brookline, including not more than twenty-three permanent positions and one temporary position	551,303
0332-5700	District court of Brockton, including not more than seventy-two permanent positions	1,873,522

0332-5800	Second district court of Plymouth (Hingham), including not more than forty-two permanent positions	$ 1,002,344
0332-5900	Third district court of Plymouth (Plymouth), including not more than thirty-six permanent positions and four temporary positions	895,294
0332-6000	Fourth district court of Plymouth (Wareham), including not more than twenty-nine permanent positions and two temporary positions	750,952
0332-6100	District court of Brighton, including not more than thirty-four permanent positions	839,955
0332-6200	District court of Charlestown, including not more than sixteen permanent positions	526,124
0332-6300	District court of Chelsea, including not more than forty-five permanent positions	1,004,368
0332-6400	District court of Dorchester, including not more than one hundred and ten permanent positions and one temporary position	2,508,358
0332-6500	District court of East Boston, including not more than forty-five permanent positions	1,082,036
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	3,058,919
0332-6700	District court of South Boston, including not more than twenty-four permanent positions	646,241
0332-6800	District court of West Roxbury, including not more than forty-five permanent positions	1,074,986
0332-6900	District court of Worcester, including not more than eighty-five permanent positions and one temporary position	1,902,532
0332-7000	District court of Fitchburg, including not more than twenty-five permanent positions	590,687
0332-7100	District court of Leominster, including not more than eleven permanent positions	273,165
0332-7200	District court of Winchendon, including not more than three permanent positions	93,849
0332-7300	First district court of northern Worcester (Gardner), including not more than twenty-five permanent positions	608,671
0332-7400	First district court of eastern Worcester (Westborough), including not more than thirty permanent positions	625,639

0332-7500	Second district court of eastern Worcester (Clinton), including not more than thirteen permanent positions	$ 299,836
0332-7600	First district court of southern Worcester (Dudley), including not more than twenty-four permanent positions and two temporary positions	583,013
0332-7700	Second district court of southern Worcester (Uxbridge), including not more than thirteen permanent positions and one temporary position	317,270
0332-7800	Third district court of southern Worcester (Milford), including not more than eighteen permanent positions	450,516
0332-7900	District court of western Worcester (Spencer), including not more than nine permanent positions and two temporary positions	244,126
0332-8100	Middlesex juvenile probation district, including not more than twenty-five permanent positions	736,709
0332-8200	Northern Essex juvenile probation district, including not more than twelve permanent positions	298,874
0332-8300	Berkshire juvenile probation district, including not more than seven permanent positions	168,479
0332-8500	Northern Worcester juvenile probation district, including not more than eleven permanent positions	279,371
0332-8600	Southern Worcester juvenile probation district, including not more than ten permanent positions	258,166
	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	179,156
0333-0100	Barnstable, including not more than twenty-one permanent positions and three temporary positions	534,646
0333-0200	Berkshire, including not more than eleven permanent positions and one temporary position	319,599
0333-0300	Bristol, including not more than forty-three permanent positions	1,044,680
0333-0400	Dukes, including not more than three permanent positions	88,828
0333-0500	Essex, including not more than fifty-two permanent positions and one temporary position	1,335,381
0333-0600	Franklin, including not more than ten permanent positions	243,136

0333-0700	Hampden, including not more than fifty-five permanent positions and two temporary positions	$ 1,298,468
0333-0800	Hampshire, including not more than fourteen permanent positions and one temporary position	441,035
0333-0900	Middlesex, including not more than one hundred and six permanent positions	2,716,851
0333-0911	For a demonstration project in the Middlesex probate court's family service clinic, including not more than six permanent positions	172,975
0333-1000	Nantucket, including not more than two permanent positions	55,864
0333-1100	Norfolk, including not more than sixty-four permanent positions and seven temporary positions	1,875,071
0333-1111	For a family service clinic in the Norfolk probate court, including not more than five permanent positions	140,631
0333-1200	Plymouth, including not more than forty-five permanent positions and two temporary positions	1,176,061
0333-1300	Suffolk, including not more than eighty-nine permanent positions	1,993,216
0333-1400	Worcester, including not more than fifty-four permanent positions and provided further that thirty thousand dollars be used for the Court Appointed Special Advocates (CASA) Programs	1,272,983

Land Court.

0334-0001	For the office of the land court, including not more than sixty-four permanent positions and three temporary positions	1,676,247

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	4,191,758

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	721,297
0336-0200	Hampden housing court, including not more than eleven permanent positions	254,694
0336-0300	Worcester housing court, including not more than eleven permanent positions	35,300

Juvenile Court.
For Salaries and Expenses.

0337-0001	For salaries and expenses of the administrative staff, *including* not more than seven permanent positions	$ 266,100
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 three temporary positions	3,295,110
0337-0200	Bristol juvenile court, including not more than thirty-five permanent positions and six temporary positions	1,055,092
0337-0300	Springfield juvenile court, including not more than thirty-one permanent positions	974,014
0337-0400	Worcester juvenile court, including not more than twenty-five permanent positions and three temporary positions	719,764

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	3,090,066
0339-2100	For the administration of Middlesex county, Essex county, Suffolk county, et als, juror selection and management, in accordance with chapter two hundred and thirty-four A of the General Laws, including not more than twenty-one permanent positions	1,141,906

Judicial Council.

0339-2200	For the service of the council, including not more than two permanent positions.	64,940

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	6,178,256
0340-0111	Suffolk, for child support enforcement activities, including not more than five temporary positions	134,989
0340-0200	Northern, including not more than eighty-three *permanent* positions and seventy-three temporary positions	4,714,194
0340-0222	Northern, for child support enforcement activities, including not more than eight temporary positions	148,026
0340-0300	Eastern, including not more than thirty permanent positions and fifty-three temporary positions	2,784,053

0340-0333	Eastern, for child support enforcement activities, including not more than seven temporary positions	$ 127,300
0340-0400	Middle, including not more than fifty-four permanent positions and thirty-three temporary positions	3,108,308
0340-0444	Middle, for child support enforcement activities, including not more than six temporary positions	121,105
0340-0500	Hampden, including not more than forty-two permanent positions and twenty-eight temporary positions	2,178,066
0340-0555	Hampden, for child support enforcement activities, including not more than five temporary positions	103,834
0340-0600	Northwestern, including not more than thirteen permanent positions and twenty-four temporary positions	1,104,075
0340-0666	Northwestern, for child support enforcement activities, including not more than three temporary positions	26,291
0340-0700	Norfolk, including not more than fifty-one permanent positions and twenty-seven temporary positions	2,871,638
0340-0777	Norfolk, for child support enforcement activities, including not more than four temporary positions	59,108
0340-0800	Plymouth, including not more than fifteen permanent positions and forty-seven temporary positions	1,787,535
0340-0888	Plymouth, for child support enforcement activities, including not more than four temporary positions	67,260
0340-0900	Bristol, including not more than twenty-two permanent positions and thirty-four temporary positions	1,827,275
0340-0999	Bristol, for child support enforcement activities, including not more than two temporary positions	33,669
0340-1000	Cape and Islands, including not more than thirteen permanent positions and nine temporary positions	789,013
0340-1011	Cape and Islands, for child support enforcement activities, including not more than two temporary positions	31,950
0340-1100	Berkshire, including not more than sixteen permanent positions and five temporary positions	722,505
0340-1111	Berkshire, for child support enforcement activities, including not more than two temporary positions	43,133

0340-2000 For a program of grants to various district attorney's offices in accordance with the provisions of chapter two hundred and fifty-eight B of the General Laws; provided that the board may allocate funds from this item to the various district attorneys' offices to be expended thereby for the administration and operation of victim and witness assistance programs and said district attorneys are hereby authorized to expend said funds for the purpose of this item; provided that the Victim/Witness Assistance Board shall file a report with the ways and means committees of the House and Senate relating to the manner by which each of the various grants impacted by the victims of crimes in Massachusetts; and provided further that said report shall be filed no later than April first, nineteen hundred and eighty-five $ 800,000

Victim and Witness Assistance Fund 100.0%

EXECUTIVE.
Governor.

0411-1000 For the salaries of the governor and officers and employees in the governor's office 1,673,150

0411-1100 For office and administrative expenses and 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 382,500

0411-1110 For the entertainment of distinguished visitors 25,000

0411-1120 For travel expenses of the governor and staff 5,000

0411-1130 For dues, membership fees and certain other expenses related to membership in the National Governors' Association, the Coalition of New England Governors and the New England Governors' Conference 333,735

0411-1140 For personnel and administrative expenses for the Office of Constituent Services, Community Services and Women's Issues 237,500

0411-4000 For the administration of the Committee on Criminal Justice, including not more than eleven temporary positions 276,948

0411-4013 For the purposes of a federally funded grant entitled, Juvenile Justice Delinquency and Prevention Act-Planning 85,000

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%	
0411-5000	For the administration of asbestos control activities	$	150,000
	Lieutenant Governor.		
0412-1000	For the salary of the lieutenant governor and for personal services for the lieutenant governor's office		278,410
0412-2000	For the office of federal state relations		630,450
0412-2008	For federal-local relations		196,575
	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		287,825
	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		565,161
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		278,082
0431-0500	For the operation of the war records project, so-called, including not more than seven permanent positions and two temporary positions		166,519
	State Quartermaster.		
0431-1010	For the office of the state quartermaster		10,324
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 four temporary positions $ 2,410,880

0431-1300 For the Camp Curtis Guild rifle range, including not more than seven permanent positions 122,432

0431-1410 For certain storage and maintenance facilities, including not more than twenty-two permanent positions 341,188

0431-1510 For certain national guard aviation facilities, including not more than eight permanent positions 209,158

0431-9003 For the operation of the state house office of Vietnam Veterans of Massachusetts, Inc. 20,000

0431-9004 For locating, operating and maintaining an office of Vietnam Veterans of Massachusetts, Inc., at the state office building located at 436 Dwight street in the city of Springfield 20,000

Civil Defense Agency.

Notwithstanding any provision of law to the contrary, the civil defense agency shall not expend any of the funds herein appropriated for activities related to the planning for nuclear war.

Notwithstanding any provision of law to the contrary, the civil defense agency shall submit to the house and senate committees on ways and means, by October first, nineteen hundred and eighty-four, a copy of the comprehensive agreement entered into by the agency and the federal emergency management 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 forty permanent positions 556,578

0432-0002 For the service of the civil defense agency nonmatching fund program; provided however that from the appropriated herein not less than *seventy-eight* thousand dollars shall be expended to provide fuel navigation and radio equipment including miscellaneous expenses to sustain the operation of the Massachusetts Civil Air Patrol relating to aerial surveillance duties of

	Massachusetts highways, lakes, ponds, landfills and coastal areas to monitor the transportation of hazardous materials and hazardous waste materials	$	85,000
0432-0103	For the purposes of a federally funded grant entitled, Emergency Management Assistance - personnel and administrative expenses		646,622
	General Federal Grants Fund	100.0%	
0432-0104	For the purposes of a federally funded grant, Emergency Management Assistance - Distribution to cities and towns		550,000
	General Federal Grants Fund	100.0%	
0432-0222	For the purposes of a federally funded grant entitled, Disaster Preparedness Assistance		25,000
	General Federal Grants Fund	100.0%	
0432-0691	For the purposes of a federally funded grant entitled, Radiological Systems Maintenance		158,529
	General Federal Grants Fund	100.0%	
0432-0693	For the purposes of a federally funded grant entitled, Radiological Defense Officer		87,944
	General Federal Grants Fund	100.0%	
0432-0792	For the purposes of federally funded grant entitled, Population Protection Planning Program		260,448
	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		176,804
	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		$ 63,039
	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		10,460
0432-4091	For the purposes of a federally funded grant entitled, Emergency Management - Communications and Warning Systems		50,000
	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		135,000
	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 two hundred seven (d), including not more than nine temporary positions		126,272
0433-0101	For the purposes of a federally funded grant entitled, Governor's Highway Safety Program - Disbursements to Cities and Towns		763,480
	General Federal Grants Fund	100.0%	
0433-0110	For the purposes of a federally funded grant entitled, Highway Safety Programs - Administrative and Planning Expenses		169,313
	General Federal Grants Fund	100.0%	
0433-0115	For the purposes of a federally funded grant entitled, State Agency Programs		1,541,525
	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 records, and the director and assistant director 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	$ 4,056,617
0511-0200	For the administration of the Archives Division, including not more than eleven permanent positions	280,000
0511-0230	For the expenses of the Record Center, including not more than two permanent positions	127,200
0511-0250	For the maintenance of operation of the Archives Facilities, including not more than five permanent positions	186,400
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 four hundred 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 any measures which have been taken to increase such revenues, including not more than five permanent positions, prior appropriation continued	345,631
0518-0000	For the purchase and distribution of certain journals of the house of representatives	7,500
0519-0000	For the expenses of the state decennial census as authorized by chapter nine of the General Laws, as amended	307,630
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	2,382,214
0524-0000	For expenses of compiling and publishing information to voters	537,000

Massachusetts Historical Commission.

0526-0100	For the administration of the commission; including not more than one permanent position	400,666

0526-0105	For the purposes of a federally funded grant entitled, Massachusetts Historical Survey	$	425,000
	General Federal Grants Fund	100.0%	
0526-0115	For the purposes of a federally funded grant entitled, Massachusetts Historical Preservation		295,000
	General Federal Grants Fund	100.0%	
0526-0116	For the purposes of a federally funded grant entitled, Emergency Federal Jobs Bill - Massachusetts Historical Preservation		608,000
	General Federal Grants Fund	100.0%	
0526-0900	For a grant program for the preservation and maintenance of properties listed on the State Register of Historic Places		1,000,000
	Ballot Law Commission.		
0527-0100	For the compensation and expenses of the commissioners, including not more than five permanent positions		5,650
	Records Conservation Board.		
0528-0100	For the expenses of the board		21,233
	Commission on Interstate Cooperation.		
0530-0100	For the expenses of the commission, provided, that all positions are exempted from the provisions of chapter thirty-one of the General Laws; including not more than three permanent positions		159,471
	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 twelve permanent positions		349,820
	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		6,107,135
	Highway Fund	30.0%	
	General Fund	70.0%	
0611-1000	For the administration and expenses of bonus payments to war veterans		140,956

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, that compensation to such claimant shall be limited to a maximum of fifty dollars; 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, prior appropriation continued $ 1,200,000

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 year nineteen hundred and eighty-five shall not be paid by the state treasurer until he receives certification from the commissioner of revenue of the acceptance of the prior fiscal year's annual financial reporting requirements pursuant to the provisions of chapter forty-four, section forty-three of the General Laws . 509,175,348

Local Aid Fund 100.0%

State Board of Retirement.

0612-0100 For the administration of the board; provided, that the position of executive secretary of retirement board shall not be subject to the provisions of chapter thirty-one of the General Laws, including not more than forty-nine permanent positions, prior appropriation continued 1,931,293

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 175,840,000

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 four per cent, and provided further, that subject to rules and regulations promulgated by 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 $ 43,487,303

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 14,028,000

0612-1505 For a reserve to reduce the unfunded pension liability of public retirement systems pursuant to section seventeen of chapter six hundred and sixty-one of the acts of nineteen hundred and eighty-three 17,700,000

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, and chapter one hundred and fifty-four of the acts of nineteen hundred and eighty-three 64,000

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 15,200,000

Highway Fund 22.0%

General Fund 78.0%

Pensions for Retired Justices.

0612-3000 For pensions of retired judges or their widows 2,184,000

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 65,000

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		$1,156,000
	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		290,000
	MDC Sewerage District Fund	100.0%	
0612-8000	For retirement of certain veterans formerly in the service of the metropolitan water system		590,000
	MDC Water District Fund	100.0%	
0612-9000	For annuities for widows of certain former members of the uniformed branch of the state police		135,012
	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	9,668

Emergency Finance Board.

0630-0000	For administration of the board, including not more than one permanent position	72,199

State Lottery Commission.

0640-0000 For the expenses of the operation and administration of the state lottery, provided, that twenty-five percent 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, prior appropriation continued		$ 42,429,098
0640-0100	For the expenses of the operation and administration of the arts lottery		2,961,870
	Arts Lottery Council.		
0640-0300	For the expenses of the operation of the arts lottery council		136,273
	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		2,807,787
	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		3,218,177
	State Recreation Areas Fund	100.0%	
0699-2800	For the payment of interest on certain bonded debt of the commonwealth; provided, that any existing in this item at the close of this fiscal year shall be charged to the Inland Fisheries and Game Fund		33,232
	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		5,829,856
	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		$ 6,255,821
	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		4,030,396
	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		6,255,077
	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		4,664,200
	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		5,436,408
	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		49,016,388
	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		51,280,004
	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		165,877,539
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		148,597,624

0699-8100	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 Government Land Bank debt service reserve		$ 1,556,326
	Government Land Bank Fund	100.0%	
0699-8200	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 Government Land Bank debt service reserve		1,124,413
	Government Land Bank Fund	100.0%	
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		9,200,000

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		8,185,000
	Highway Fund	30.0%	
	General Fund	70.0%	
0710-0100	For the administration and expenses of the bureau of local mandates, prior appropriation continued		273,800
	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		9,969,645
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		1,839,287
0810-0031	For the expenses of administering the local consumer aid fund, established by section eleven G of chapter twelve of the General Laws		499,693
0810-0035	For the administration and expenses of the Anti-Trust division		411,061
	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		$ 400,000
0830-0100	For the administration and expenses of the commissioner on uniform state laws		18,850
0840-0100	For the administration and expenses of the Victim and Witness Assistance Board; including not more than three temporary positions provided that the Victim and Witness Assistance Board shall file a report with the ways and means committees of the house and senate relating to the manner by which each of the various grants impacted by the victims of crimes in Massachusetts; and provided that said report shall be filed no later than April first, nineteen hundred and eighty-five		100,000
	Victim and Witness Assistance Fund	100.0%	

STATE ETHICS COMMISSION.

0900-0100	For the administration and expenses of the state ethics commission		791,203

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

Office of the Commissioner.

1100-1100	For the office of the commissioner, provided that forecasts generated by the state economic model be filed semi-annually with the chairmen of the house and senate committees on ways and means, including not more than eleven permanent positions and four temporary positions		740,247
	Highway Fund	30.0%	
	General Fund	70.0%	
1100-1150	For the administration of tort claims, including not more than six temporary positions		133,082
1100-1165	For the administration of the Governor's Office of Economic Development, including not more than thirteen temporary positions		484,334
1100-1170	For the administration of the Governor's Office of Human Resources, provided that not less than twenty-five thousand dollars shall be expended on a study of abuse of children in public and private institutions in the commonwealth, including group care and educational facilities; provided further, that the report of such study shall be filed with the house and senate committees on ways and means on or before December first, nineteen hundred and eighty-four, including not more than ten temporary positions		397,550
1100-1172	For a pilot program for child care resource and referral centers		300,000
1100-1175	For the administration of the Governor's Office of Educational Affairs, including not more than five temporary positions		293,048

1100-1452	For the purposes of a federally funded grant entitled, Disaster Recovery, HUD	$	48,322
	General Federal Grants Fund	100.0%	
1100-1514	For the purposes of a federally funded grant entitled, Protection and Advocacy Grant		181,287
	General Federal Grants Fund	100.0%	
1100-1523	For the purposes of a federally funded grant entitled, Economic Development 302 Planning Assistance		130,000
	General Federal Grants Fund	100.0%	
1100-1703	For the purposes of a federally funded grant entitled, Administering Agency for Developmental Disabilities		925,969
	General Federal Grants Fund	100.0%	
1100-1710	For the purposes of a federally funded grant entitled, Massachusetts Developmental Disabilities Council Service		255,961
	General Federal Grants Fund	100.0%	
1100-1711	For the purposes of a federally funded grant entitled, Coordinating Services for Developmental Disability State Plan		147,274
	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		1,901,923
	Highway Fund	30.0%	
	General Fund	70.0%	
1101-2300	For the administration of the bureau of systems operations, provided 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 thirty-eight temporary positions		8,688,494
1101-2304	For the expenses relating to the personnel management information system, *including all expenditures related to the systems and programming of* said system, and to the training for operators of said system; provided that the executive office for administration and finance shall prepare and		

submit reports quarterly during fiscal year nineteen hundred and eighty-five 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 $ 1,189,314

1101-2380 For the administration of the office of management information systems, and the administration of the bureau of systems policy and planning, provided 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; and provided further that said bureau of systems policy and planning 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-four, including a projection for fiscal year nineteen hundred and eighty-five, and 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-five 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-five 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-five, including the fiscal year nineteen hundred and eighty-five 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 the 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 afore-mentioned summaries shall be filed on or before January fifteenth, nineteen hundred and eighty-five, with the house and senate committees on ways and means, including not more than twenty-five permanent positions and twenty-seven temporary positions 1,783,302

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-nine permanent positions and twenty-two temporary positions $ 5,653,985

Bureau of State Buildings.

1102-3301 For the administration of the bureau of state buildings and for the maintenance and operation of buildings under the jurisdiction of the state superintendent of buildings, including not more than one hundred and seventy-five permanent positions and twelve temporary positions 15,329,438

1102-3425 For the operation and administration of the capitol police force including a law enforcement co-op program under the jurisdiction of the state superintendent of buildings; provided that, notwithstanding any provision 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 eighty-three permanent positions 2,753,438

1102-4010 For the administration and operation of certain central services, including not more than thirty-four permanent positions and two temporary positions 878,445

1102-4050 For the administration and operation of an office of telecommunications, provided that said office shall file a report regarding the feasibility of purchasing existing and new data and telecommunications equipment, and a plan for such purchase, including the cost thereof, on or before October first, nineteen hundred and eighty-four with the house and senate committees on ways and means, including not more than twelve permanent positions and four temporary positions 406,187

1102-5201 For the expenses and administration of a motor vehicles management bureau, including not more than thirteen permanent positions 315,032

1102-5211 For fuel for certain motor vehicles, prior appropriation continued 1,278,761

1102-5221 For the purchase and repairs of certain motor vehicles, provided that the commissioner of administration submit to the house and senate committees on ways and means quarterly reports of expenditures by subsidiary from this item, prior appropriation continued 2,341,376

Comptroller's Division.

1103-1000 For the administration of the division, including not more than one hundred and seventeen permanent positions 3,054,698

	Highway Fund	30.0%	
	General Fund	70.0%	
1103-5010	For the administration of the bureau of special investigations, including not more than fifty-six permanent positions and eighty-nine temporary positions		$ 3,445,986

Purchasing Agent's Division.

1104-1000	For the administration of the division, including not more than thirty-one permanent positions and nine temporary positions		1,093,515
	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 and four temporary positions		787,821

Department of Personnel Administration.

1107-1000	For the administration of the department; provided, that notwithstanding any special or general law or rule or regulation to the contrary, the department of personnel administration 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; provided, that not less than one hundred and eighty thousand dollars be expended for the purposes of the Massachusetts Employee Assistance Program, and provided further, that the department of personnel administration administer a program of state employee unemployment management, including, but not limited to, agency training and assistance; including not more than two hundred and ten permanent positions and forty-eight temporary positions		6,006,583
	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		244,209
1107-2400	For the office of handicapped affairs, including not more than seven permanent positions		204,454

1107-2500 For the Office of Affirmative Action, including not more than nine permanent positions and five temporary positions $ 355,550

1110-1000 For the administration of the division of administrative law appeals 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 eight temporary positions 375,980

1111-0010 For the administration of the bureau of teachers' retirement, including not more than twenty-four permanent positions and eighteen temporary positions 859,412

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 20,110,465

Local Aid Fund 100.0%

1111-1003 For the payment of the commonwealth's share in financing the teachers' retirement system, prior appropriation continued 163,249,575

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-four, an updated report relative to the modernization of its operation; provided further that the commission shall study the feasibility and cost-effectiveness of providing coverage of wellness programs for state employees under the group health insurance plan, and file a report on said study with the house and senate committees on ways and means no later than January first, nineteen hundred and eighty-five; including not more than thirty-six permanent positions and forty-one temporary positions 1,513,051

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-four 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-four; 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; prior appropriation continued $142,991,909

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-four through June thirtieth, nineteen hundred and eighty-five in addition to the allocation appropriated in item 1120-2000 submitted for payment in fiscal year nineteen hundred and eighty-five 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 28,728,063

1120-3000 For the group insurance premium for certain retired employees and their dependents; provided, that amounts received from cities, towns or districts are to be in addition to this item and to be available for expenditure without further appropriation; and further provided, that no funds appropriated under this item shall be expended for payment of abortions not necessary to prevent the death of the mother, prior appropriation continued.

1120-4000 For the group insurance premium for certain retired municipal teachers and their dependents, prior appropriation continued; and further provided, that no funds appropriated under this item shall be expended for the payment of abortions not necessary to prevent the death of the mother $ 4,619,237

George Fingold Library.

1120-4005 For the administration of the library; provided that thirty-eight thousand nine hundred and seventy-three dollars shall be expended from this item for the purposes of the Art Commission, including not more than twenty-six permanent positions 775,072

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 three 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, including not more than fifteen temporary positions 13,602,727

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 400,700

General Federal Grants Fund 100.0%

1121-9718 For the purposes of a federally funded grant entitled, Promotion of Arts, Artists in Education 88,500

General Federal Grants Fund 100.0%

1121-9719 For the purposes of a federally funded grant entitled, Design Arts 30,000

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%

1121-9723 For the purposes of a federally funded grant, entitled, Inter-Arts 15,000

	General Federal Grants Fund	100.0%	
1121-9724	For the purposes of a federally funded grant entitled, Old Cities/New Cities, Art in Public Places		$ 100,000
	General Federal Grants Fund	100.0%	
	Division of Public Employee Retirement Administration.		
1140-0100	For the administration of a division of public employee retirement, including not more than fifty-five temporary positions		1,741,581
1140-0120	For the management of state employee workmen's compensation cases, including not more than five temporary positions		1,300,143
1140-0200	For the purposes of workmen's compensation paid to public employees, including previous fiscal years		10,366,356
	Highway Fund	35.0%	
	General Fund	65.0%	
1140-0300	For the purposes of medical panels of the division of public employee retirement		1,271,009
	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		1,248,401
1150-5329	For the purpose of a federally funded grant entitled, Fair Housing Assistance Program - Type II, Year III		150,000
	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		166,625
	General Federal Grants Fund	100.0%	
1150-5339	For the purposes of a federally funded grant entitled, 1984 New Charge Resolution		570,266
	General Federal Grants Fund	100.0%	
1150-5340	For the purposes of a federally funded grant entitled, 1984 Age Charge Resolution		112,875
	General Federal Grants Fund	100.0%	

1150-5341 For the purposes of a federally funded grant entitled, 1984 Inventory Reduction $ 16,435

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 112,224

International Coordinating Council.

1191-0100 For the state share of funding for the international coordinating council 100,000

DEPARTMENT OF REVENUE.

1201-0100 For the administration of the departments, including audits, of certain foreign corporations, and for the rental, maintenance and operation of offices to assist in the administration of the department; 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 two thousand one hundred and eleven permanent positions and two temporary positions 55,098,099

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 asssessments, prior appropriation continued.

1211-0201 For expenses for developing and implementing a comprehensive and voluntary program of technical assistance and training for cities, towns and districts in local property tax assessment administration and accounting and financial management reviews; provided however, that the department shall file quarterly reports with the house and senate committees on ways and means detailing those cities, towns and districts receiving services including the cost and nature of said services 1,000,000

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, including not more than fifty-seven permanent positions $ 1,639,462

1231-0200 For the purpose of establishing and maintaining a municipal data bank 200,000

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 4,900,000

Local Aid Fund 100.0%

Appellate Tax Board.

1310-1000 For the personal services and expenses of the board; provided, that the board is hereby authorized to prepare official transcripts of hearings at no expense to the commonwealth and expend, in addition to the sum appropriated herein and without further appropriation, income derived from the sale of such transcripts, including not more than twenty-five permanent positions and

eight temporary positions; and provided, further, that the board schedule hearings in Barnstable, Lawrence, Pittsfield, Worcester, and Springfield $ 1,064,863

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 731,295

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 300,000

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 175,000

1599-2110 For a reserve to meet financially related educational emergencies in cities and towns, provided that the commissioner of administration is hereby authorized to distribute the sum appropriated herein to cities and towns in need of assistance; provided further that no monies shall be distributed to any city or town until the commissioner of education has certified that the quality of education will be significantly reduced in said city or town because of such financially related educational emergency $ 15,000,000

Local Aid Fund 100.0%

1599-2111 Notwithstanding the provisions of any general or special law to the contrary, during the nineteen hundred and eighty-five fiscal year, an amount shall be paid to each city and town as additional assistance to cities and towns to be distributed by the secretary of administration and finance upon the recommendation of the commissioner of education in accordance with the provisions herein. Each city and town shall receive an amount based on the per school attending child population residing in each city and town. Each city and town shall receive thirty-five dollars per school attending child for the public school grades "K through twelve". The commissioner of education shall transmit to the secretary of administration and finance the most recent school attending child population figures as compiled by the department of education in order to comply with the provisions herein 31,635,345

Local Aid Fund 100.0%

1599-3100 For the payment of contributions to the unemployment compensation fund to support the cost of certain employment security benefits; provided, that notwithstanding the provisions of any general or special law to the contrary, as of January first, nineteen hundred and eighty-five, the commissioner of administration is hereby authorized to charge against individual appropriation accounts an amount for deposit into this item of appropriation which may be expended by the commissioner of administration without further appropriation for the purposes of this item, and the amount which is so charged, in the aggregate shall equal the contributions required by the provisions of chapter one hundred and fifty-one A of the General Laws, during the period beginning January first, nineteen hundred and eighty-five and ending June thirtieth, nineteen hundred and eighty-five. Said amount which is so charged shall be based upon the actual unemployment benefits which were paid to former employees funded through said appropriation accounts during the eighteenth month period prior to January first, nineteen hundred and eighty-five. Upon notification to the house and senate committees on ways and means, the commissioner may, in his discretion and due to insufficiency of the reserve funds appropriated herein, implement the provisions of this section prior to January first, nineteen hundred and eighty-five, provided, that the amount so charged, pursuant to this provision, shall in the aggregate be equal to said required contributions during the period beginning on the date of implementation of this discretionary provision and ending on June thirtieth, nineteen hundred and eighty-five; and provided, further, that the amount so charged against individual appropriation accounts shall be based upon the actual unemployment insurance benefits which were paid

to former employees funded through said individual appropriation accounts from July first, nineteen hundred and eighty-three to the date of said discretionary implementation $ 2,500,000

1599-3192 For a reserve to fund certain projects, designed to improve the productivity and efficiency of agency operations, through innovative cost-saving measures and/or equipment acquisition, provided that the commissioner of administration is 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; and shall provide quarterly reports to said committees on the status of the productivity reserve program, including the number of funding applications received, the identity of the agencies applying for funds, the amount of funding requested by each agency, a description of the projects for which funding has been requested, and the response, if any, to each agency's request, prior appropriation continued 750,000

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 eighty-eight thousand eight hundred and two dollars; Berkshire, one hundred thirty thousand and eighty-six dollars; Bristol, two hundred thirty-five thousand eight hundred and nineteen dollars; Dukes, forty-two thousand nine hundred and ninety-seven dollars; Essex, two hundred sixty-five thousand two hundred and forty-eight dollars; Franklin, one hundred twenty-three thousand and ninety-nine dollars; Hampden, two hundred eighty-three thousand seven hundred and sixteen dollars; Hampshire, one hundred thirty-seven thousand five hundred and twenty-one dollars; Middlesex, five hundred thirty-two thousand six hundred and fifty-four dollars; Norfolk, two hundred ninety-eight thousand three hundred and seventy-nine dollars; Plymouth, two hundred sixty-eight thousand and seventy-nine dollars; Suffolk, two hundred and thirty-two thousand five hundred and eighty-seven dollars; Worcester, two hundred ninety-seven thousand four hundred and twenty-eight dollars; provided further, that each such treasurer shall deposit said amounts into a fund to be expended solely for the purpose of this item and that any unexpended balance of such fund as of June thirtieth, nineteen hundred and eighty-five, shall be returned to the commonwealth 3,036,415

Local Aid Fund 100.0%

1599-3323 For the purpose of funding an ongoing study of investment strategies and policies which can be adopted by private and public institutions to revitalize depressed urban neighborhoods in the commonwealth provided;

that the funds to finance this ongoing study go directly to a state-wide non-profit public interest organization presently engaged in said study pursuant to contracts entered into by the commissioner of administration and the designated organization, and approved by the house and senate committees on ways and means $ 200,000

1599-3351 For a reserve to meet the costs of printing, photocopying and related graphic art or design work produced by the Bureau of Administrative Services of the Executive Office for Administration and Finance, provided however that no expenditure of funds from this account shall be authorized on behalf of an agency where, as determined by the Commissioner of Administration, sufficient monies are available within its "11" subsidiary account for advertising and printing, or, for an agency with unscheduled subsidiary accounts, if funds have already been specifically appropriated for this purpose. The Commissioner of Administration shall establish and implement a control system for the expenditure of funds from this line item and may for said purposes allocate to each such agency or expend directly from this reserve only such funds as he deems necessary to carry out the objectives of said printing program and shall ashere to the provisions of chapter twenty-nine of the General Laws governing the expenditures of state funds 100,000

1599-3388 For a reserve to fund the lease of certain data processing equipment by the commissioner of administration pursuant to the provisions of section seventy-seven of this act provided that said commissioner is authorized to transfer funds herein appropriated to those appropriation items specified in said section seventy-seven; and provided further, that within thirty days after the end of each quarter said commissioner 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 leased 4,049,709

1599-3403 For a reserve to fund the development and implementation of certain management information systems including but not limited to systems for the purposes of the department of revenue, systems for the purposes of the prosecutorial office management information system, also known as, "PROMIS", within the various offices of the district attorneys of the commonwealth; the development and installation of a local area network by the bureau of systems policy and planning, systems for the purposes of the registry of motor vehicles and any other data processing development which may be deemed necessary by the director of the office of management information systems; provided that funds appropriated herein may be allocated or transferred to other items of appropriation pursuant to recommendations by the director of the office of management information systems with the approval of the commissioner of administration or may be expended directly from this reserve based on recommendations of said director and approval of said commissioner 6,270,000

1599-3406 For a reserve to fund the costs involved in the implementation of the provisions of chapter four hundred and seventy of the acts of nineteen hundred and eighty-three; provided that the commissioner of administration is authorized to transfer from this item to other items of appropriation such amounts as are necessary to meet the costs of such implementation; and provided,

further, that no such transfers shall be made without the prior approval of the house and senate committees on ways and means $ 1,000,000

1599-3408 For a reserve to fund the collective purchase of motor vehicle equipment, including both passenger and non-passenger vehicles, for all agencies with the exception of the metropolitan district commission's water and sewer districts. The commissioner of administration shall establish a control system for the expenditure of funds from this line item and shall for said purpose review and approve or disapprove all requests from agencies to replace or purchase new motor vehicle equipment 6,400,000

Highway Fund	50.0%
General Fund	37.0%
State Recreation Areas Fund	10.0%
Mosquito and Greenhead Fly Control Fund	1.0%
MDC Park Fund	2.0%

1599-3410 For a reserve to meet the fiscal year nineteen hundred and eighty-five and prior years' costs of salary adjustments and other employee economic benefits *authorized by existing ratified collective bargaining agreements and collective* bargaining agreements ratified during the fiscal year nineteen hundred and eighty-four; provided that the commissioner of administration is hereby authorized to transfer from the sum appropriated herein to other items of appropriation for the fiscal year nineteen hundred and eighty-five such amounts as are necessary to meet the cost of said adjustments and benefits for the fiscal year nineteen hundred and eighty-five and prior fiscal years where the amounts *otherwise available are insufficient for the purpose; and* provided, that the commissioner of administration is further authorized to allocate the cost of such adjustments and benefits to the several state or other funds to which such items of appropriation are charged; and provided further, that the comptroller is hereby authorized to charge this item for the fiscal year nineteen hundred and eighty-four and other prior years' costs of said adjustments and benefits; and provided further, that in the event any said collective bargaining agreement requires a payment to a union or joint union-management trust fund said payment made may be charged by the comptroller against this item; and provided further, that no transfer shall be made from this item without the prior approval of the house and senate committees on ways and means after said committees have received copies of 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 the comptroller shall notify the house and senate committees on ways and means of any charges made directly against this item 25,337,000

1599-3417 For the purpose of funding the personnel costs, including contracted personnel costs, associated with the administration of the commonwealth's bonded projects in the various secretariats, departments and agencies, including but not limited to the executive office of energy resources, the executive office of communities and development, the executive office of environmental affairs, and the executive office of transportation and construction; and provided further, that expenditures for the purpose of this item shall be based upon schedules recommended by the commissioner of administration and approved by the house and senate committees on ways and means $ 500,000

1599-3419 For a reserve to finance a program to reduce certain state taxes during fiscal year nineteen hundred and eighty-five, provided that the monies herein appropriated shall be transferred to the appropriate fund of the commonwealth to offset any revenue reductions resulting from said program 75,000,00

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 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.

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 land use planning and development; and including an amount no less than one hundred thousand dollars for the operating expenses of the state conservation districts; including not more than twenty-eight permanent positions and not more than twenty-three temporary positions 1,730,577

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 $ 400,000

General Federal Grants Fund 100.0%

2000-0150 For the expenses of the Martha's Vineyard Commission 90,000

2000-0300 For a program of acid rain research, provided that the comptroller shall allocate amounts herein appropriated to the department of environmental quality engineering, department of fisheries, wildlife and recreational vehicles, the department of environmental management, and the metropolitan district commission pursuant to schedules filed by the secretary of environmental affairs and approved by the house and senate committees on ways and means 500,000

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 grant entitled, Outdoor Recreation Projects, Political Subdivision 3,200,000

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 nineteen permanent positions 257,752

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 362,998

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; provided that a sum not exceeding one hundred and ten thousand dollars be expended for a program in source reduction; for the division of waterways to hire two additional engineers within the division of waterways for engineering and design of dredging proposals statewide, 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, further, that a sum not exceeding seventy-five thousand dollars be expended for a program in greenway planning; provided further, that a sum not exceeding thirty-five thousand dollars be expended for the reconstruction of the scenic path at the Ames Nowell Park in the town of Abington; provided, further, that the position of the 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-four, 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-five and the amounts funded in fiscal year nineteen hundred and eighty-four 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-four; including not more than one hundred and eight permanent positions and not more than thirty-six temporary positions $ 5,111,663

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, prior appropriation continued.

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, prior appropriation continued.

2100-0163 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 and for an economic impact study including technical assistance and recommendations including rezoning, greenway development, historic preservation and conservation restrictions, pertaining to the development of the Heritage State Park along the Blackstone River corridor beginning in the city of Worcester, south of the Massachusetts Rhode Island state boundary. Said study recommendations and technical assistance shall be provided to the Blackstone Valley Chamber of Commerce for the marketing and promotion of economic development projects related to said Heritage State Park, prior appropriation continued $ 60,000

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; including not more than one hundred and forty-eight permanent positions and not more than three hundred and eight temporary positions 15,115,624

State Recreation Areas Fund 100.0%

2120-0301 For the expenses of the department of environmental management for an investigation and study of the feasibility of the construction of an all purpose sports arena to be located in southeastern Massachusetts 25,000

2120-0302 For the expenses of the department of environmental management for an investigation and study of the feasibility of locating a Heritage State Park in the town of Southbridge 25,000

2120-0500 For a study, the preparation of plans if necessary, and construction, and reconstruction of a boat ramp and recreational area on the Gooseberry Neck Island in the town of Westport 100,000

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 twenty permanent positions and not more than sixteen temporary positions 3,377,987

2120-1500 For the purposes of the bureau of urban services for the administration of the urban heritage parks program including grants or service contracts, including not more than twenty-one permanent positions 1,064,187

2120-1507	For administration of a grants program to cities, towns and nonprofit organizations for the purpose of land use planning along the Connecticut River in conjunction with the Connecticut River Greenway Plan	$	130,000
2120-9701	For the purposes of a federally funded grant entitled, Rural Community Fire Protection		26,500
	General Federal Grants Fund	100.0%	
2120-9707	For the purposes of a federally funded grant entitled, Urban and Community Forestry		49,175
	General Federal Grants Fund	100.0%	
2120-9708	For the purposes of a federally funded grant entitled, Improved Lumber Drying Program		55,000
	General Federal Grants Fund	100.0%	
2121-9709	For the purposes of a federally funded grant entitled, Forestry Planning		42,911
	General Federal Grants Fund	100.0%	
2121-9710	For the purposes of a federally funded grant entitled, Rural Fire Protection		40,077
	General Federal Grants Fund	100.0%	
2121-9731	For the purposes of a federally funded grant entitled, Recreational Capital Expenditures - Federal Share		760,649
	General Federal Grants Fund	100.0%	
2130-9703	For the purposes of a federally funded grant entitled, Washington Brook Watershed Project		25,000
	General Federal Grants Fund	100.0%	
2130-9704	For the purposes of a federally funded grant entitled, Quabog River Watershed		150,000
	General Federal Grants Fund	100.0%	
2130-9705	For the purposes of a federally funded grant entitled, SUASCO watershed flood control reservoir		100,000
	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%

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; 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 further, that a sum of money not exceeding fifteen thousand dollars be used to conduct a feasibility study of the existing dam and spillway of Lake Lashaway in the town of East Brookfield including the development plans as may be required to repair or replace said spillway or dam; 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 four hundred 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 $ 150,000

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.

2150-0506 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 twenty thousand dollars be expended for a study of water quality and for control and cleanup of weeds, algae and other aquatic nuisance at Lake Singletary in the towns of Millbury and Sutton including recommendations for the preservation of the lake without further appropriation by either town 20,000

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 350,000

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, prior appropriation continued.

2150-0528 For the planning and design of a project for the upgrading of the public recreational facilities of Lake Miscuppic 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, prior appropriation continued.

2150-0529 For the restoration of Great Head Drumlin in the town of Winthrop, subject to acceptance by town meeting in said town, prior appropriation continued.

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, prior appropriation continued.

2150-0531 For the study, design and preparation of plans, if necessary, and the dredging and cleaning of, and the construction of flood control improvements to Lee's Pond located in the city of Attleboro $ 115,000

2150-0532 For a program of cleaning and dredging of the Bass River located in the city of Beverly 150,000

2150-0533 For the Merrimack River Watershed Council to conduct a study of the demands and needs for waters of the Merrimack River and its tributaries for potable, industrial, hydroelectric, dilution, fisheries and recreation uses; provided, that the Merrimack River Watershed Council shall explore ways and means of accomplishing long term protection of the quality of the Merrimack River and tributaries for the citizens of the Merrimack River Valley and the commonwealth 25,000

2150-0534 For a program for the removal of instream obstructions and debris, and instream aeration of the Matfield river in the towns of West Bridgewater and East Bridgewater 250,000

2150-0535 For a dredging project at Massachusetts Maritime Academy to accommodate a new training ship 200,000

2150-0536 For the study, design and preparation of plans, if necessary, and the construction of flood control improvements to the Cobb Brook located in the city of Taunton $ 800,000

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 of 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, that not less than ten positions be used for the administration of the clean lakes program; provided, further, that not less than two *hundred and* fifty thousand dollars be used for the testing of the Neponset Valley aquifer in the towns of Canton, Norwood and Westwood and Dedham for possible contamination; provided, further, that not less than seventy-five thousand dollars be used for the testing of water quality in the Cochato River and the Richardi Reservoir in the towns of Braintree, Holbrook and Randolph; provided, further, that a sum not less than sixty thousand dollars be expended for public education activities relative to PCB contamination in the New Bedford area, including the Acushnet River Estuary site; provided, further, that the department shall pay one hundred thousand dollars to the town of West Springfield for expenses incurred due to emergency water supply shutdown resulting from EDB contamination; provided, further, that a sum not less than sixty thousand dollars be expended to hire eight senior sanitary engineering aides for the purpose of inspecting shellfish beds in Quincy Bay; 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-four, 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-five

and the amounts funded in fiscal year nineteen hundred and eighty-four 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-four; including not more than one hundred and forty-five permanent positions and not more than three hundred and fifty-five temporary positions $ 15,177,664

2200-0210 For the purposes of a contract with the University of Massachusetts for environmental research 300,000

2200-0300 For a program of water conservation grants to 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, that said grants shall be matched by an equal amount appropriated by said cities, towns, and districts; and provided, 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; and provided, 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; 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; and for grants to cities, towns and regional planning agencies for programs to provide for the safe disposal of household hazardous waste, said program shall provide the establishment of disposal locations and the dissemination of information concerning said locations; provided further that grants may be made to the University of Massachusetts for the establishment of programs to assist cities, towns and regional planning agencies in undertaking programs to dispose of household hazardous waste, provided, further that said funds shall be administered by cities, towns and regional planning agencies pursuant to standards and regulations established by the department of environmental quality engineering, prior appropriation continued.

2200-9704 For the purposes of a federally funded grant entitled, Solid Waste Disposal - Conservation and Recovery 1,375,000

	General Federal Grants Fund	100.0%	
2200-9705	For the purposes of a federally funded grant entitled, Underground Water Protection Program		$ 112,000
	General Federal Grants Fund	100.0%	
2200-9706	For the purposes of a federally funded grant entitled, Water Quality Management Planning		830,592
	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		1,848,891
	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		828,354
	Local Aid Fund	100.0%	
2240-9706	For the purposes of a federally funded grant entitled, Water Pollution Control		1,281,000
	General Federal Grants Fund	100.0%	
2240-9709	For the purposes of a federally funded grant entitled, Clean Lakes Program		1,600,000
	General Federal Grants Fund	100.0%	
2240-9710	For the purposes of a federally funded grant entitled, Administration of the Construction Program		3,000,000
	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 used for weed control and cleanup 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 exceeding 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.

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, prior appropriation continued.

2250-0904 For weed control and clean-up at Lake Noquochoke in the town of Dartmouth $ 20,000

2250-0905 For the control of algae, weeds and other aquatic nuisances and for a diagnostic and feasibility study in Lake Waushakum located in the towns of Framingham and Ashland 75,000

2250-0906 For the control algae, weeds and other aquatic nuisances in Turnpike Lake, and Mirimichi Lake, located in the towns of Plainville and Foxborough, notwithstanding any general or special law to the contrary, for a study and clean-up of said lakes $ 144,000

2250-0907 For a grant to the town of Sutton for the design and construction of the "New Village" sewer renovation project in Manchaug, including new leach trenches, septic tanks, pumps and pumping chamber, pipes, grading and excavation; provided that the Department of Environmental Quality Engineering give prior notice of this project to the town of Sutton and its residents before this project begins, with informational meetings held with affected residents 30,000

2250-9701 For the purposes of a federally funded grant entitled, Public Water Supply Supervision Program 414,040

General Federal Grants Fund 100.0%

2250-9710 For the purposes of a federally funded grant entitled, Statewide Air Pollution Control Program 2,830,601

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, prior appropriation continued.

DEPARTMENT OF FISHERIES, WILDLIFE AND RECREATIONAL VEHICLES.

Office of the Commissioner.

2300-0100 For the office of the commissioner, including not more than nine permanent positions 315,512

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 774,647

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		$	75,369
	Inland Fisheries and Game Fund	100.0%		
2310-0310	For acquisition of upland areas and inholdings, prior appropriation continued			200,000
	Inland Fisheries and Game Fund	75.0%		
	General Fund	25.0%		
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			271,713
	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			3,248,572
	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 seventy-five thousand dollars shall be allocated for the expenses of a program in greenway planning			185,000
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, provided that ten thousand five hundred dollars shall be used for one additional position to continue the department's acid rain control activities			333,000
2315-0100	For the administration of a program of non-game management and research, including not more than five permanent positions			297,436
	Non-Game Wildlife Fund	100.0%		

Public Access Board.

2320-0100 For the maintenance, operation, acquisition and improvement of public access land and water areas, as authorized by section seventeen A of chapter twenty-one of the General Laws; provided that no less than twenty thousand dollars be allocated to Five Mile Pond, Loon Pond, Lake Lorraine and Lake Massasoit in the city of Springfield, including not more than three temporary positions, prior appropriation continued $ 120,795

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, provided, that the division conduct a long-term contaminant monitoring program of marine species in Boston and Salem harbors, including not more than thirty-one permanent positions and not more than thirty-seven temporary positions 1,940,932

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%

2330-0900 For the purchase of equipment in the division of marine fisheries 50,000

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 112,000

General Federal Grants Fund 100.0%

2330-9710 For the purposes of a federally funded grant entitled, Cod Aging 28,859

	General Federal Grants Fund	100.0%	
2330-9712	For the purposes of a federally funded grant entitled, Commercial Fisheries Statistics		$ 126,993
	General Federal Grants Fund	100.0%	
2330-9716	For the purposes of a federally funded grant entitled, Plymouth Bay Ecosystem Assessment		30,000
	General Federal Grants Fund	100.0%	
2330-9718	For the purposes of a federally funded grant entitled, Striped Bass Landings		37,250
	General Federal Grants Fund	100.0%	
2330-9719	For the purposes of a federally funded grant entitled, Vessel Services, Assessment		33,000
	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		1,700,000
	General Fund	60.0%	
	State Recreation Areas Fund	40.0%	
2340-2701	For the purposes of a federally funded grant entitled, Safe Boating Program		164,948
	General Federal Grants Fund	100.0%	
	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 eighty permanent positions		2,150,231

	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; provided that an amount of twenty-five thousand dollars be expended for repairs and construction on existing buildings and twenty-five hundred dollars for architect and engineering fees for the High Ridge Wildlife Management Area		$ 188,306
	Inland Fisheries and Game Fund	100.0%	
2350-9701	For the purposes of a federally funded grant entitled, Cooperative Law Enforcement		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 fifty-five permanent positions		1,784,883
	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 not less than nine positions be used for a program in forestry management at the Quabbin Reservoir watershed, provided, further, 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 6,982,280

MDC Water District Fund 100.0%

2420-0200 For a program of water conservation to be conducted within the Metropolitan Water District 207,537

MDC Water District Fund 100.0%

2420-9001 For special water maintenance 500,000

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 8,737,176

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, for the maintenance of vehicles and metropolitan district commission parks district garages and the purchase of supplies and equipment; and for a study for the general restoration, rehabilitation, flood control, water quality improvement and landscaping at Beaverbrook Reservation in the city of Waltham and the town of Belmont; including not more than five hundred and thirty-eight 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 or such premises by the public; provided further that the division is hereby authorized to enter into contracts extending for a maximum term of five years, subject to appropriation, for the management and operation of the Franklin Park and Walter D. Stone Zoological Parks, provided however that a separate contract shall be entered into for each park only after the department has selected a contractor or contractors pursuant to a competitive procedure including issuance of a request for proposals and solicitation of responses thereto; provided, however that said contracts shall contain an article prohibiting discriminatory employment practices by said contractor because of race, creed, color, national origin, ancestry, military status, sex, age, or condition of handicap, and requiring said contractor to take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to such factors, consistent with the mandates of Executive Order No. 227 (The Governor's Code of Fair Practices), Executive Order No. 237 (Minority Business Development), and any relevant laws or regulations providing for equal employment or affirmative action; provided further, that the division may directly or through said contracts require the charging and collection of admission fees at said zoological parks; provided, however that said zoos shall be open for a reasonable period of time each day without such admission charge; provided, however that persons sixty-five years of age and over and uniformed members of the armed forces of the United States shall pay half price for such admission charge at all times when said charge applies and that school children in groups from Metropolitan District Commission Parks District communities shall be admitted without such admission charge on a scheduled basis; provided further, that prior to issuance of the request for proposals the department shall submit for

review and comment said request to the Special Senate Committee on Zoos; provided, further, that the department shall submit to said committee for review and comment all responses to said request for proposals received by the department; provided, further, that during the term of any management contract herein authorized, the contractor shall meet at least semi-annually with said committee for the purpose of reporting on the operation of said zoos; provided, further, that the department shall report annually on March thirty-first to the house and senate committees on ways and means, the amounts of revenue generated from the collection of admission fees as authorized herein, the expenditures of the same, and the details of operations and maintenance of the zoological parks pursuant to said management contract; provided, further, that revenues collected from admission fees charged at each zoological park up to but not exceeding one hundred fifty thousand dollars may be expended by the department, without further appropriation, for the management and operation of said zoological park; provided, further, that said management contract may authorize any revenues collected by said contractor from such admission fees in excess of one hundred fifty thousand dollars but not exceeding two hundred thousand dollars to be retained, without further appropriation, by said contractor; and provided, further, that any revenues collected from such admission fees in excess of two hundred thousand dollars shall be transferred to a Capital Improvements Fund for each Zoo which shall be established in the treasury of the Commonwealth $ 26,402,250

Highway Fund 67.0%

MDC Parks District Fund 33.0%

2440-0013 For increased patrols of the Fells reservation 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 16,944,488

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, prior appropriation continued		$ 55,000
	MDC Parks District Fund	100.0%	
2440-0022	For the purpose of increased nighttime police patrol at Revere Beach boulevard, prior appropriation continued		50,000
	MDC Parks District Fund	100.0%	
2440-0023	For the administration of the metropolitan district commission police southwest corridor park system, and Franklin Zoological park, 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, prior appropriation continued		55,000
	MDC Parks District Fund	100.0%	
2440-0027	For the purpose of increased patrols on Wollaston Beach and Quincy Shore Drive, prior appropriation continued		20,000
	MDC Parks District Fund	100.0%	
2440-0028	For the purpose of increased patrols on Winthrop Beach and Winthrop Shore Drive, prior appropriation continued		20,000
	MDC Parks District Fund	100.0%	
2440-0029	For the purchase, installation and/or repair of water fountains along the Charles River		40,000
	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, prior appropriation continued		$ 1,000,000
	Highway Fund	100.0%	
2444-9004	For certain payments for the maintenance and use of the Trailside Museum and the Chickatawbut Hill Center		275,000
	MDC Parks District Fund	100.0%	
2444-9005	For the operation of street lighting for parkways and boulevards; provided, however, that a sum not to exceed four hundred thousand dollars be expended for lighting improvements on Revere Beach Boulevard		2,402,150
	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 seventeen temporary positions		502,515
	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		5,376,886
	MDC Sewerage District Fund	50.0%	
	MDC Water District Fund	50.0%	
2470-1000	For the planning and administrative costs of a water resources authority		250,000
	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 twenty-five permanent positions and not more than one temporary position		457,441

2511-0310	For the purposes of a federally funded grant entitled, Pesticide Enforcement	$	131,717
	General Federal Grants Fund	100.0%	
2511-0320	For the purposes of a federally funded grant entitled, Restricted use of Pesticide Applicators		17,117
	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 bureau of milk marketing, including not more than thirty-nine permanent positions and not more than thirteen temporary positions		1,333,849
	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 sixteen permanent positions and eight temporary positions		775,238
	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		624,691
2516-3000	For the purposes of a federally funded grant entitled, Crop Survey		7,455
	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 further, 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 one temporary position, prior appropriation continued		643,943

Division of Equine Activities.

2518-2500	For the administration of the division	$ 130,603
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	115,625
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, 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, prior appropriation continued	59,193
	For the expenses of the following mosquito control projects:	
2520-0300	Cape Cod	488,025

	Mosquito and Greenhead Fly Control Fund	100.0%	
2520-0900	Suffolk county	$	104,778
	Mosquito and Greenhead Fly Control Fund	100.0%	
2520-1000	Central Massachusetts		495,712
	Mosquito and Greenhead Fly Control Fund	100.0%	
2520-1100	Berkshire county		72,275
	Mosquito and Greenhead Fly Control Fund	100.0%	
2520-1200	Norfolk county		336,307
	Mosquito and Greenhead Fly Control Fund	100.0%	
2520-1300	Bristol county		343,450
	Mosquito and Greenhead Fly Control Fund	100.0%	
2520-1400	Plymouth county		403,335
	Mosquito and Greenhead Fly Control Fund	100.0%	
2520-1500	Essex county		349,300
	Mosquito and Greenhead Fly Control Fund	100.0%	

EXECUTIVE OFFICE OF COMMUNITIES AND DEVELOPMENT.

Office of the Secretary.

3000-0100	For the office of the secretary, and the general administration of the department, including not more than forty-one permanent positions and fifty-four temporary positions		2,813,781
3000-0200	For a program of grants to cities and towns and the departments thereof, including school departments and school districts, to improve the efficiency and effectiveness of operations and to develop enhanced management capacity		1,500,000
	Local Aid 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-four 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 funds herein shall not be allocated to neighborhoods of said corporations which were not in existence on December thirty-first, nineteen hundred and eighty-five; and provided, further 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 revenue not to exceed an amount of five hundred thousand dollars accrued from said loan program may be expended without further appropriation, including not more than one temporary position $ 760,000

3722-9002 For certain financial assistance for housing projects for veterans 4,002,000

3722-9013 For the purposes of a federally funded grant entitled, Existing Housing Allowance Program, Section 8 23,560,621

General Federal Grants Fund 100.0%

3722-9018 For state financial assistance for a supportive services program, a program of jobs for youth residing in public housing developments, and a program of G.E.D. or other programs leading to a high school equivalency diploma, and job training for public housing developements maintained by local housing authorities established pursuant to section three of chapter one hundred and twenty-one B of the General Laws, including not more than two temporary positions, prior appropriation continued 3,000,000

3722-9019 For the purposes of a federally funded grant entitled, Moderate Rehabilitation, Section 8 4,254,127

General Federal Grants Fund 100.0%

3722-9020 For the purposes of a federally funded grant entitled, New Construction Section 8, H.U.D. 3,577,000

General Federal Grants Fund 100.0%

3722-9024 For payments to housing authorities for deficiencies caused by certain reduced rentals in housing for the elderly, the handicapped, veterans and relocated persons pursuant to sections thirty-two and forty of chapter one hundred and twenty-one B of the General Laws; provided, 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; and, for a program of rental assistance for families and elderly of low-income; provided, that notwith-standing any provision of law to the contrary, first preference for admission shall be granted to the eligible elderly; and provided further, that not more than ten per cent of the amount expended for said rental assistance program may be used for administration of said program; and provided further that the Executive Office of

Communities and Development may expend the funds appropriated herein for any deficiencies caused by certain reduced rentals which may be anticipated in the operation of housing authorities for the first quarter of the subsequent fiscal year, including not more than three temporary positions $59,349,483

3722-9027 For 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 pursuant to the provisions of section seven of chapter five hundred and seventy-four of the acts of nineteen hundred and eighty-three; provided, that notwithstanding the provisions of section twenty-seven of chapter twenty-three B, or sections twenty-six and twenty-seven of chapter twenty-nine to the contrary, the department is hereby authorized to enter into such contracts for terms not exceeding fifteen years with annual payment obligations not to exceed five million dollars; provided that expenditures pursuant to this item shall not exceed one million two hundred and fifty thousand dollars during the current fiscal year 1,250,000

3722-9101 For reimbursement of cities and towns for the commonwealth's statutory share of federally aided urban renewal 932,853

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 twenty-five thousand dollars shall be available to the town of Southborough for the purpose of updating its community development plan; and provided, further, that other expenditures from this item shall be in accordance with a plan approved by the house and senate committees on ways and means 280,000

Local Aid Fund 100.0%

3722-9201 For an interest subsidy program; provided, that, not withstanding any other provisions of law to the contrary, expenditures made hereunder shall be subject to the approval of the secretary of communities and development;

	and provided further, that, notwithstanding any other provisions of law to the contrary, no projects shall be approved on or after the effective date of this act which would cause the commonwealth's obligation for the purposes of this item to exceed the amount of this item		$ 4,825,000
3724-3037	For the purposes of a federally funded grant entitled, CDBG-Small Cities		28,015,000
	General Federal Grants Fund	100.0%	
3724-9009	For the purposes of a federally funded grant entitled, Substantial Rehabilitation, Section 8		3,275,000
	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 twenty-nine temporary positions		904,582
3731-2020	For the purposes of a federally funded grant entitled, CDBG Technical Assistance		137,000
	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, prior appropriation continued		20,000
	Local Aid 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, prior appropriation continued.		
3743-2027	For providing funds for local community economic development; provided, that contracts are to be awarded to community based organizations; and provided that, a portion of the amount appropriated herein may be expended for the provision of technical assistance to such organizations, including not more than two temporary positions		1,250,000
3743-2030	For the purposes of a federally funded grant entitled, Weatherization Assistance for Low Income Persons		5,719,601
	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 $ 3,000,000

3743-2033 For the purposes of a federally funded grant entitled, Energy Assistance Program 86,877,437

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 8,203,261

General Federal Grants Fund 100.0%

3743-2036 For contracts with community-based organizations for the purposes of undertaking pilot programs to provide housing services and assistance to low income tenants, and to landlords, in privately owned housing to maintain or secure decent and affordable shelter within the private housing stock; provided, that such pilot programs shall include Worcester and Hampden counties 300,000

3743-2037 For a program of services to alleviate the effects of poverty on local communities; provided that these monies shall be in addition to federal funds available in item 3743-2034; provided, further, that one hundred and fifty thousand dollars shall be used for the support of programs operated by farm workers' organizations; provided, further, that the remaining amount of three hundred and fifty thousand dollars shall be directly contracted with community action groups as herein provided: the first priority shall be to ensure that the minimum amount of combined monies received by each community action agency under this item and said item 3743-2034 shall not be less than one hundred and fifty thousand dollars, and the second priority shall be to distribute the remainder of this state appropriation on a formula, using the nineteen-eighty census figures, based on the proportionate levels of minority populations and persons living below the federal poverty line 500,000

3743-2038 For the development of Urban Business Identification and Development Systems for the Blackstone Valley and the Orange/Athol district, the Executive Office of Communities and Development is hereby authorized and directed to contract with the Blackstone Valley Economic Development Council Greater Orange/Athol Industrial Development Corporation for the purpose of developing in conjunction with the Northeast Economic Action Research Corporation an Urban Business Identification and Development System for each of the aforementioned Development Districts $ 140,000

3743-2039 For contracting services for the packaging and financing of the rehabilitation of tax delinquent and abandoned or deteriorating residential housing properties. Said assistance shall be targeted to economically depressed areas and be provided through reimbursement of costs incurred by community-based and tenant organizations as defined by the secretary 500,000

3744-4010 For payments of stipends to corpsmen of the commonwealth service corps to be paid at the rate of one hundred twenty dollars monthly commencing July first, nineteen hundred and eighty-four, 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 576,000

3744-4012 For the administration and payment of four hundred six-month slots directed specifically to AFDC recipients in the state employment and training program 263,000

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 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 $ 4,000,000

3747-0001 For the administration of the commission on Indian affairs, provided, that not more than three thousand dollars of the sum appropriated herein shall be expended for the purpose of implementing the provisions of chapter seven *hundred and thirteen* of the acts of nineteen hundred and eighty-three, including not more than three temporary positions 73,222

EXECUTIVE OFFICE OF HUMAN SERVICES.
Office of the Secretary.

The secretary of human services shall submit to the house and senate committees on ways and means a copy of every report provided to the office of the secretary by health systems agencies funded by item 4000-0700.

4000-0100 For the office of the secretary, including a hospital revenue collection program, the health facilities appeal board and a bureau of transitional training, including not more than four permanent positions and sixty-two temporary positions 1,952,401

4000-0400 For an audit division to provide management, fiscal and programmatic auditing of all human services agencies and contracts; provided, that the division shall submit quarterly to the house and senate committees on ways and means a report on the number of audits performed and the status of all audits, including not more than twenty-two positions 919,370

4000-0510 For a reserve to be administered by the executive office of human services to provide for the continuity of services to developmentally disabled persons whose age no longer entitles them to services under special education programs; provided, that funds appropriated herein shall be allocated pursuant to recommendations by the secretary of the executive office of human services to the commissioner of administration, to items of appropriation in the appropriate agency within the executive office of human services, including item of appropriation, 5011-0006, or within the executive office of manpower affairs; provided, that not less than five hundred thousand dollars shall be expended for services to the head injured. Said allocation recommendations may provide for reimbursement of administrative expenses incurred by the Massachusetts rehabilitation commission in determining disabilities for the purposes of this item $ 1,000,000

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 not less than four hundred thousand dollars shall be expended for a program of regional health planning under contract to the office of state health planning, including, but not limited to, reviewing determination of need applications, determining eligibility for health manpower shortage areas and developing regional health plans; provided, further, that the office of state health planning shall reserve funds for nursing homes in receivership, including not more than three temporary positions 913,081

4000-0730 For projects to aid the homeless; provided, that not less than one hundred thousand dollars of the funds appropriated herein shall be utilized to provide services to the homeless population of the city of Boston; provided further, that not less than one hundred thousand dollars from the funds appropriated herein shall be utilized to provide services to the homeless population of the city of Springfield; and provided further, that the secretary of human services is hereby authorized to transfer said amounts from the funds appropriated herein to other items of appropriation 200,000

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 provide direct services 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 500,000

4000-1503 For the purposes of a federally funded grant entitled, Office of State Health Planning 359,148

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 $ 18,240,000

General Federal Grants Fund 100.0%

Rate Setting Commission.

4100-0010 For the administration of the commission; provided, that the commission shall provide the house and senate committees on ways and means with an inventory of all owned and leased equipment within ninety days of the effective date of this act. Such inventory shall include, but not be limited to, data processing equipment and equipment related to 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, including not more than forty-eight permanent positions and one hundred and twenty temporary positions 4,491,585

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 764,028

4110-1010 For aiding the adult blind, prior appropriation continued 7,717,583

4110-1020 For support of a medical assistance program for the blind, including such expenses incurred in previous fiscal years; provided that the commission for the blind shall reimburse the department of public welfare for any medical assistance claims paid by said department on the commission's behalf and administrative expenses incurred in order to process such claims as may be determined to be appropriate under an interagency agreement between said commission and the department of public welfare subject to the approval of the secretary of the executive office of human services; and provided, further, that said commission may continue previously existing arrangements for the payment of such claims until such interagency agreement has become fully operative and including not more than three permanent positions and one temporary position 28,851,180

Bureau of Individual Services.

4110-2010 For administration of a talking book program, including not more than two permanent positions 406,822

4110-2020 For a reserve to be administered by the Massachusetts Commission for the Blind for the expansion and improvement of the regional talking book library 414,000

4110-2040 For certain social services programs, including not more than sixty-one permanent positions; provided, that not less than one hundred ninety-

nine thousand dollars shall be expended for a radio reading program for the blind $ 1,886,324

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 1,419,360

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 4,200,000

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 remaining balance of the amount available for expenditure without further appropriation, as provided in this item, at the end of the fiscal year nineteen hundred and eighty-four shall not revert to the General Fund and shall be available for use for the purposes as provided herein during fiscal year nineteen hundred and eighty-five 1,110,887

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 $ 6,004,895

4120-0020 For the purposes of a federally funded grant entitled, Vocational Rehabilitation 21,300,000

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 3,935,761

4120-0041 For the administration of the office of deafness; for the following additional position: one community representative provided that not less than twenty-five 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-four; provided further, that from the sum appropriated herein, one hundred and fifty-five thousand dollars shall be expended for a program of independent living services for the hearing impaired, including not more than one permanent position and ten temporary positions 445,164

4120-0051 For a program of personal care assistance, including not more than two temporary positions, prior appropriation continued 781,543

4120-0061 For a program for independent living, provided further that said funds are to be used in addition to any federal funds received for this purpose 377,000

4120-0171 For the purposes of a federally funded grant entitled, Teaching Grant and Traineeship in RSA 119,600

General Federal Grants Fund 100.0%

4120-0511 For the purposes of a federally funded grant entitled, Determination of Disability 19,200,000

	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	$	734,950
	General Federal Grants Fund	100.0%	

Office for Children.

4130-0001	For the office of the director, provided that all program personnel within the regions shall be paid out of the 01 and 02 subsidiaries, including not more than twenty-two permanent positions		700,902
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 sixty-nine temporary positions		1,848,892
4130-0015	For a program of advocacy, in accordance with the provisions of chapter twenty-eight A of the General Laws, including help for children and the community development programs, provided, that a sum of not less than one hundred ninety thousand dollars shall be for the Individual Kid Money program; provided that not less than twenty-two thousand nine hundred and five dollars per office shall be expended as a six month cost for the operation of an office to be located in Franklin County and an office to be located in Taunton; provided that no fewer than two child welfare specialists be assigned to the Cape and Islands area office, including not more than fifty-six permanent positions and one hundred and three temporary positions; provided further, that a sum of not less than fifty-one thousand dollars shall be used for the relocation of the Capital Area Council for Children		3,489,186
4130-2072	For a federally funded grant entitled, Citizen Involvement for Quality Day Care		86,138
	General Federal Grants Fund	100.0%	

Commissioner of Veterans' Services.

4170-0010	For the office of the commissioner, including not more than fifty-two permanent positions and three temporary positions		1,155,225
4170-0012	For a counseling program for Vietnam veterans including the maintenance of four outreach centers, one to be located in Fitchburg, one to be located in Hyannis one to be located in the Roxbury section of Boston, and one to be located in Lynn		248,000
4170-0300	For the payment of annuities to certain disabled veterans		162,000
4170-0400	For reimbursing cities and towns for money paid for veterans' benefits and for payment to certain veterans in accordance with the following formula:		

seventy-five per cent to be reimbursed by the commonwealth and twenty-five per cent to be reimbursed by the cities and towns, *provided that the* 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; provided, however, that the total benefit shall be increased by five per cent beginning July first, nineteen hundred and eighty-four, prior appropriation continued $ 10,500,000

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, prior appropriation continued.

4170-0600 For a compliance bureau within the office of veterans' services for the purposes of monitoring concerns relative to affirmative action, veterans preference, employment and civil service matters 40,000

Soldiers' Home in Massachusetts.

4180-0100 For the maintenance of the home, provided that, a report is submitted to the house and senate committees on ways and means *prior to September thirtieth*, nineteen hundred and eighty-four regarding the need for inpatient acute care at the Soldiers' Home in Massachusetts provided further, that, said report is done in conjunction with the Office of State Health Planning, including not more than six hundred and fifty-nine permanent positions 12,872,342

Soldiers' Home in Holyoke.

4190-0100 For the maintenance of the home, including not more than three hundred and forty-five permanent positions and seven temporary positions 7,540,000

DEPARTMENT OF YOUTH SERVICES.

4200-0010 For the administration of the department, including not more than sixty-two permanent positions and twenty-nine temporary positions 2,695,597

4200-0021 For the purchase of service for certain residential care programs, including certain secure programs, in accordance with the provisions of chapter twenty-eight A of the General Laws, and for certain non-residential 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; and provided, further, that not less than three hundred and forty thousand dollars be spent in the southeast region for a program of testing, counseling and associated services 19,749,305

4202-7551 For the purposes of a federally funded grant entitled, Boston Offender Program $ 511,277

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 816,107

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-one permanent positions and thirty-one temporary positions 4,660,717

4238-1000 For the operation of the secure facilities administered and operated by the department, including not more than two hundred and thirty-five permanent positions and ninety-eight temporary positions 8,640,956

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 provisions of law to the contrary, the director of civil service shall certify to the commissioner of correction, on receipt of permanent requisitions, names of correction officers to fill permanent vacancies, and the salaries of such officers for the official training period shall be paid from this item, including not more than sixty-seven permanent positions and one hundred and fifty-one temporary positions 6,443,579

4311-0003 For a program of correctional residential services, including not more than six permanent positions and eighteen temporary positions 3,802,959

4311-0004 For a health service program, including not more than fifty-seven permanent positions and ninety-five temporary positions 8,875,185

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 permanent positions and twenty-six temporary positions $ 3,821,535

4311-0009 For a program of education services, including not more than twenty-six permanent positions and twenty-eight temporary positions 2,789,867

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; provided further, that the department will begin implementation of farm services programs on other arable state owned land, including not more than twenty-one permanent positions and twenty-eight temporary positions 1,362,469

4311-0011 For a program of special services to be administered by the chaplains of the correctional facilities of the commonwealth 50,000

4349-0001 For the administration and operation of the commonwealth's correctional facilities; provided that not more than seven hundred thousand 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; provided further, that not less than twenty-five thousand dollars shall be used for a program of Aid to Incarcerated Mothers; provided, further, that not less than one million four hundred thousand dollars shall be expended on the administration and operation of a correctional facility for the incarceration of persons convicted of driving under the influence, and that the department report quarterly to the house and senate committees on ways and means regarding the expenditure of such funds, including not more than one thousand six hundred and fifty permanent positions and one thousand two hundred and eighty-seven temporary positions 85,142,710

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; provided, further, that the board submit quarterly reports to the house and senate committees on ways and means on the expenditure of funds for the purchase of contracted services; provided, further, that prior to the implementation of an earned parole program, so called, the board shall submit a plan for said implementation to the joint committee on criminal justice and the house and senate committees on ways and means; provided, further, that not less than one hundred thirty-two thousand dollars shall be spent for a twenty-bed placement Halfway Back Program, including not more than ninety-five permanent positions and eighty-five temporary positions 4,775,062

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) expenditures and projected annual costs, by program category, for (03) subsidiary services in item 4100-0900;

(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) agreements entered into and the amount of collections actually received from activities of the child support enforcement unit;

(4) progress made in the completion of the Massachusetts Public Assistance Control System, including the amount spent for such system and a timetable for completion;

(5) expenditures made in the department's medical assistance programs, the total dollar amount of invoices submitted by provider type, the average amount of time between submission of an invoice and payment of said invoice by provider type, the monthly average utilization of services by recipients for each eligibility category, and a projection of expenditures to be made for medical assistance programs for the fiscal year including an explanation of the assumptions made by the department to calculate said projection;

(6) caseloads in the programs of aid to families with dependent children, general relief, supplemental security income, medical assistance, and food stamps;

(7) payments made under the emergency assistance program, the number of clients receiving benefits, and the amount in each category of assistance;

(8) expenditures made for employment and training programs and day care support services, the number of registrants enrolled and the number of recipients obtaining employment by eligibility category, and the number of registrants leaving the program of aid to families with dependent children and the general relief program;

(9) caseload and expenditures in the refugee resettlement program;

(10) 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 provisions 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-four.

4400-0900 For (03) subsidiary expenses of the department of public welfare; provided, that any federal funds received for this purpose shall be credited to the General Fund $ 33,495,855

4400-0950 For the administration of local welfare offices; provided, 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; and provided further, that the department of public welfare shall open and maintain a full-service welfare office in the town of Athol; provided further, that any federal funds received for this item shall be credited to the General Fund, including not more than two thousand two hundred and nine permanent positions and five hundred and sixty-four temporary positions 57,669,904

4400-1000 For the office of the commissioner; provided, that the commissioner shall report in writing to the governor the total expenditures of the 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 any federal funds received for this item shall be credited to the General Fund, including not more than four hundred and fifty-six permanent positions and two hundred and fifty-one temporary positions 27,737,598

4400-1003 For the administration of the medicaid program, including a central automated vendor payment system and utilization review of medical assistance services; provided, that any federal funds received for this purpose shall be credited to the General Fund, including not more than thirty-eight permanent positions and one hundred and twelve temporary positions 4,287,644

4400-1004 For the administration of the child support enforcement unit; provided that any federal funds received for this purpose shall be credited to the General Fund, including not more than one hundred and twenty-seven permanent positions and one hundred and eighty temporary positions 6,080,641

4400-1006 For special child support enforcement projects; provided, that the department may allocate these funds to the division of state police, the district courts, the probate and family court department, and other state agencies for the performance of certain child support enforcement activities, and that these agencies are hereby authorized to expend such amounts for the purposes of this item; provided, further, that any federal funds received for this item shall be credited to the General Fund 450,000

4400-1009 For a voucher day care program, so-called, for any applicant or recipient of aid to fmailies with dependent children who is participating in a training activity or program or for certain other current or former recipients; provided, that services are provided to current or former recipients upon

their completion of employment and training programs in fiscal year nineteen hundred and eighty-five for up to twelve months from the date of employment; provided, further, 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 $ 8,808,574

4400-1010 For the development and maintenance of automated data processing systems and services in support of department operations; provided, that not less than three million nine hundred twenty-five thousand dollars shall be expended for the development of a Massachusetts Public Assistance Control System; and provided further, that any federal funds received for this item shall be credited to the General Fund, including not more than sixteen permanent positions and nine temporary positions 4,833,635

4400-1035 For a program of training of 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, provided further, that any federal funds received for this item shall be credited to the General Fund, including not more than eighteen temporary positions 569,728

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, including not more than one hundred and seven permanent positions and three hundred and twenty-five temporary positions 8,092,368

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, and provided further, that any federal funds received for this item shall be credited to the General Fund, including not more than twenty-six permanent positions and forty-two temporary positions 1,147,404

4402-1041 For the purposes of a federally funded grant entitled, Conversion to Social Security Administration 119,697

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, beginning January first, nineteen hundred and eighty-five, the income eligibility standards for medical assistance for families of three or more shall be increased by 10 per cent; 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 eighty million eighty-eight thousand dollars shall 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 $1,117,920,000

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; provided further, that the department shall submit quarterly, in writing, to the house ans senate committees on ways and means, a status report on all expenditures, actual and projected, from this item; and provided further, that said department shall submit biannually a written evaluation to the house and senate committees on ways and means of the clinical and programmatic appropriateness of the placement of each department of mental health client currently residing in an intermediate care facility for the mentally retarded; prior appropriation continued 32,994,142

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-five and rounded to the next whole dollar; provided further, that the payment standard shall be increased four percent as of July first, nineteen hundred and eighty-four, and rounded to the next whole dollar; provided further, 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 twenty-five dollars be provided to each child eligible under this program on September first, nineteen hundred and eighty-four; 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-four; provided further, that the commissioner of the department of public welfare shall establish a program of assistance, including medical assistance in accordance with the standards established by chapters one hundred and eighteen and one hundred and eighteen E of the General Laws, to families otherwise eligible for aid to families with dependent children but for the temporary removal of the dependent child or children from the home, so long as said child or children are in the care of the department of social services; provided further, that benefits under this program shall not be available to those families where a child has been removed from the household pursuant to a court order after a care and protection hearing on child abuse; provided further, that the department of public welfare, in conjunction with the department of social services, shall promulgate regulations which shall include the specification of which families would receive this assistance, establish other reasonable criteria for eligibility, and set a reasonable limit on the number of months of assistance which will be provided under this program; and provided further, that said department of public welfare shall maximize its efforts to obtain available federal reimbursements for expenditures for this program; and provided, however, that said commissioner shall file on or before September first, nineteen hundred and eighty-four a copy of the regulations, so established, and amendments thereto, with the house and senate committees on ways and means; provided further, that two million six hundred thousand eight hundred and eighty dollars of accrued Title IV-B funds shall be expended on child care services; provided further, that the department of public welfare shall offer a program of emergency assistance to general relief families in accordance with federal law; provided further, that child support payments collected pursuant to the 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; provided further, that certain families which will suffer a reduction in benefits due to their loss of earned income and participation in retrospective budgeting may receive a supplemental benefit to compensate them for this loss; and provided further, that all federal funds received for the purpose of this item shall be credited to the General Fund, prior appropriation continued $346,302,516

4403-2003 For a rent supplement program for recipients of aid to families with dependent children; provided, that beginning on January first, nineteen hundred and eighty-five a monthly rent supplement shall be provided equal to the difference between the applicant or recipient family's rent and fifty per cent of the AFDC payment standard for the assistance unit of that size, up to a maximum of twenty-five dollars per month, subject to federal reimbursement; provided further, that for any month during which a rent arrearage is paid, under the Emergency Assistance program, any rent supplement that was paid for said month shall be considered as an overpayment 7,600,000

4405-2000 For the state supplement to the supplemental security income program for the aged and disabled; including a program for emergency needs for supple-

mental 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, prior appropriation continued $107,504,654

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 ten million one hundred and fifty thousand dollars may be expended for said medical services; provided further, that the department of public welfare shall establish a pilot program for health care services for certain general relief recipients, including but not limited to hospital services on a limited demonstration basis, at a cost of not more than ten million eight hundred forty thousand dollars for nine months; provided further, that said program shall serve general relief recipients who are not eligible for Medicaid; provided further, that the department shall recoup from the federal government medical expenditures for general relief recipients whose SSI applications are approved; provided further, that the department shall establish procedures to administer such a demonstration program including procedures to establish options for said recipients among selected health care providers; provided further, that enrollment in said demonstration program shall be voluntary by the recipient; provided further, that a nonrecurring clothing allowance in the amount of ninety dollars be provided to each recipient of program eligible on September first, nineteen hundred and eighty-four; 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; provided further, that the payment level shall be increased by four per cent as of July first, nineteen hundred and eighty-four; 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, further, that on January first, nineteen hundred and eighty-five the department shall administer a program of emergency relief benefits for persons eligible for General Relief 100,000,000

4406-3000 For assistance to organizations which provide food, shelter and limited related services to the homeless and indigent; provided that not less than four hundred thousand dollars shall be expended for the operation and maintenance of the Long Island shelter 4,738,000

4407-1000 For a program of employment and training; provided, that the costs of a *community* college voucher program for certain recipients administered by the board of regents may be allowed and paid from this item; provided further, that not less than one million dollars shall be expended for community college voucher costs; provided further, that for the purpose of this item "recipients" shall include persons whose benefits have been recently terminated; provided further, that any federal funds received for the purpose of this item shall be credited to the General Fund, including not more than eighty-four permanent positions and thirteen temporary positions 3,119,811

4407-1010	For a pilot program of employment and training services for certain general relief recipients; provided, that the department of public welfare shall submit guidelines for the operation of said program to the house and senate committees on ways and means by October first, nineteen hundred and eighty-four		$ 1,050,000
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 and provided further, that not less than three hundred thousand dollars of the funds appropriated herein shall be expended on programs for displaced homemakers		10,710,784
	General Federal Grants Fund	100.0%	
4409-3000	For a program of assistance for recently resettled refugees and repatriated citizens, and the adminstration of said program, in cooperation with the federal government; provided, that the department shall bill the federal government for the amount expended for this purpose; provided further, that funds received from the federal government for said purpose shall be in addition to the amount appropriated herein; and provided further, that the Refugees Unaccompanied Minor Program expenses incurred by the department of social services may be allowed and paid from this item, prior appropriation continued.		
4409-3906	For the purposes of a federally funded grant entitled, Aid to Fitchburg Hmong Community		30,000
	General Federal Grants Fund	100.0%	
4409-3907	For the purposes of a federally funded grant entitled, Mutual Assistance Association Incentive Grant		200,000
	General Federal Grants Fund	100.0%	
4409-3908	For the purposes of a federally funded grant entitled, Targeted Assistance Grant to Foster Refugee Self Sufficiency		1,334,657
	General Federal Grants Fund	100.0%	
4409-3909	For the purpose of a federally funded grant entitled, Refugee Unmet Needs		235,740
	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, provided that not less than one million and forty-eight thousand dollars shall be expended for emergency medical services		$ 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		7,661,399
	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		474,389
	General Federal Grants Fund	100.0%	
4502-1012	For the purposes of a federally funded grant entitled, Massachusetts Cooperative Health Statistics		110,763
	General Federal Grants Fund	100.0%	
4503-3040	For the purposes of a federally funded grant entitled, State Operated and Supported Program for Handicapped Children		1,245,749
	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 fifty thousand dollars shall be expended for a child fatality study in cooperation with the special commission to study violence against children; 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		4,292,628
4510-0102	For the administration of the division of environmental epidemiology and toxicology, including not more than twelve temporary positions, including a program, to be coordinated by the division of environmental health, to monitor remedial action of the so-called PCB (polychlorinated biphenyls) contamination in the New Bedford area, including the towns of Acushnet, Dartmouth and Fairhaven; provided that said program shall include a		

central office to be located in said area, which shall conduct a public information and education program, to act as a reporting center for public and private groups and coordinate volunteer efforts in such manner as to assist and centralize chemical contamination cleanup information efforts in said area; and provided that said office may expend the amounts appropriated herein for said purposes, including such contracted services, as the division may approve; and provided further, that the amounts appropriated in item 2260-0301 of section two of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three are hereby transferred to this account, and may be used for the purposes as aforesaid, prior appropriation continued $ 458,446

4510-0103 For the administration of the division of health promotion, provided that not less than two hundred and twenty-five thousand dollars shall be expended for a hypertension program, including one permanent position and twelve temporary positions 799,606

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-five; 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 one hundred and twenty-five thousand dollars shall be expended for the Dimock Community Health Center; and provided further that not less than seventy thousand dollars shall be expended for the South Boston Neighborhood Health Center; including not more than three temporary positions 1,315,774

4510-0400 For the purposes of a federally funded grant entitled, Health Insurance - Medicare $ 1,000,344

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-two temporary positions 1,743,282

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 eighteen temporary positions 3,660,432

4510-0711 For the employment of a lockup inspector at the department of public health 19,000

4510-0750 For the cost of providing certificates of need, as required by section twenty-five C of chapter one hundred and eleven of the General Laws, including not more than nineteen temporary positions 549,357

4510-0790 For an office of emergency medical services, provided, however, that not less than three hundred and fifty thousand dollars shall be expended on the expansion of operations by regional emergency medical services councils and the expansion of operations by regional communication centers, including not more than eight temporary positions 646,616

4510-9019 For the purposes of a federally funded grant entitled, Environmental Monitoring Program 35,000

General Federal Grants Fund 100.0%

4510-9020 For the purposes of a federally funded grant entitled, Genetic Testing and Counseling Program 61,724

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 eight hundred thousand dollars shall be used for the purpose of providing vaccines 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; and provided, further, that not more than one million five hundred thousand dollars shall be expended for the purpose of supporting scientific research regarding Acquired Immune Deficiency Syndrome and its related complex, including not more than seventeen permanent positions and two temporary positions		$ 5,423,050
4512-0102	For the purpose of a federally funded grant entitled, Control of Syphilis		445,335
	General Federal Grants Fund	100.0%	
4512-0179	For the purposes of a federally funded grant entitled, Vaccination Assistance Project		526,493
	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		23,878,922
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 not more than one million six hundred and forty thousand dollars may be expended as the fiscal year nineteen hundred and eighty-five twelve month cost of providing dental services at the state schools, including not more than two permanent positions and four temporary positions		2,461,792
4512-0600	For the prevention and control of eastern equine encephalitis		150,000
4512-0752	For the purposes of a federally funded grant entitled, Early Intervention Program - MIS		8,341
	General Federal Grants Fund	100.0%	
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; provided further, that not less than one hundred and fifty thousand dollars be expended for drug rehabilitation services for pregnant women; and, provided further, that not less than four hundred and ten thousand dollars shall be expended for a residential drug treatment program for adolescents, including not more than eight permanent positions		6,655,693
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 ninety-four 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 further, that not less than fifty thousand dollars shall be expended as the annualized cost of an environmental information service for pregnant women; and provided further, that not less than one hundred and ninety thousand dollars shall be expended as the annualized cost of a poison control hot line; and provided further, that not less than three hundred and thirty thousand dollars shall be expended for a rape prevention and victim services program; and further provided that twenty-five thousand dollars shall be expended in the form of grants as one time start up costs for suicide prevention programs, including not more than eighteen permanent positions and sixteen temporary positions, prior appropriation continued		$ 4,545,975
4513-1001	For a program of maternal and child health to be in addition to any federal funds received for this program, provided further, that two hundred and fifty thousand dollars shall be expended for an identification and screening program for high risk pregnant women and infants		750,000
4513-1002	For the administration of the office of nutritional services to be in addition to funds received under the federal nutrition program for women, infants, and children provided that, not less than four hundred thousand dollars shall be expended for Failure-To-Thrive programs, including not more than three temporary positions		3,668,600
4513-1003	For early intervention services, provided further, that not less than one hundred forty-five thousand dollars shall be expended for early intervention program in the Taunton area, including not more than sixty permanent positions and forty-two temporary positions		7,255,566
4513-1010	For a study of the feasibility and usefulness of testing newborn children for the disease of tuberous sclerosis, prior appropriation continued.		
4513-1500	For the administration of local health services, including not more than eleven permanent positions and eleven temporary positions		700,657
4513-9007	For the purposes of a federally funded grant entitled, Special Supplementary Food Program for Women, Infants, and Children (WIC)		24,370,955
	General Federal Grants Fund	100.0%	
4513-9013	For the purposes of a federally funded grant entitled, USDA High Risk Screening Grant		10,946
	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 thirteen temporary positions $ 2,615,240

4515-0113 For the purposes of a federally funded grant entitled, Health Program for refugees 185,320

General Federal Grants Fund 100.0%

4515-0115 For the purposes of a federally funded grant entitled, Outreach/Case Register Services for Tuberculosis 110,850

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; 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, Cytomegalovirus, and Whooping Cough vaccine programs, including not more than one hundred and fifty permanent positions and twenty-five temporary positions 5,940,624

4516-0201 For a program of lead poisoning; provided, however, that not less than one hundred fifty thousand dollars shall be expended to screen children for lead paint poisoning; provided further, that the department shall maintain a case management program for children hospitalized for lead paint poisoning; 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 both the number of children for whom case management is provided, and those who are hospitalized; provided further, that the sum appropriated herein shall not be expended for the purposes of maintaining a state staffed deleading team; 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; provided further, that notwithstanding any law to the contrary, all funds required for inspections for lead-based paint in day care facilities, in an amount not to exceed ten thousand dollars shall be paid from this item; and, provided further, that

	all fees charged for such inspections may be expended without further appropriation, subject to the approval of the commissioner of public health and the state comptroller, for the expenses of the inspections of day care facilities, including not more than three permanent positions and twenty-one temporary positions		$ 953,384
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 twenty temporary positions		1,457,672
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		7,471,332
4532-0001	Lemuel Shattuck hospital; provided that the hospital shall submit a detailed monthly report of all expenditures incurred for its homeless shelter, 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, including not more than six hundred and seventy-six permanent positions and fifty-three temporary positions		17,768,023
4533-0001	Massachusetts hospital school, including not more than two hundred and seventy-two permanent positions and fifty-nine temporary positions		7,081,715
4535-0001	Rutland Heights hospital; provided that the hospital shall submit a detailed monthly report of all expenditures incurred for its driving under the influence 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, including not more than three hundred and thirteen permanent positions and forty temporary positions		7,104,887
4535-9601	For the purposes of a federally funded grant entitled, National Energy Conservation Act, Title III		106,000
	General Federal Grants Fund	100.0%	
4536-0001	Tewksbury hospital, including not more than eight hundred and sixty-four permanent positions and two hundred and thirty-nine temporary positions		19,947,340
4537-0001	Western Massachusetts hospital, including not more than two hundred and thirty-three permanent positions and thirteen temporary positions		5,675,795
4539-0001	For the administration of Cushing Hospital for the first six months of fiscal year nineteen hundred and eighty-five, including not more than five hundred and ninety-one permanent positions and forty temporary positions		6,028,255

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 allocation from the revolving fund; 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 allocation from the revolving fund; 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-five, the department of social services shall expend not less than three million eighty-six thousand seven hundred and thirty-five dollars on emergency services for battered women; including not less than three hundred and fifty-two thousand one hundred and forty-nine dollars in Region I, not less than three hundred and twenty-eight thousand four hundred and seventeen dollars in Region II, not less than three hundred and fifty-nine thousand eight hundred and thirty-nine dollars in Region III, not less than three hundred and sixty-one thousand one hundred and seventy-four dollars in Region IV, not less than seven hundred and twenty-one thousand six hundred and eighty-four dollars in Region V, not less than four hundred and one thousand six hundred and sixty-two dollars in Region VI; and not less than five hundred and sixty-one 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, and provided, further, that said department may expend without further appropriation SSI and SSA revenues in an amount not to exceed five million dollars received by the department on behalf of children in its care; but provided, that of said five million dollars, not more than the sum of one million nine hundred thousand dollars may be allocated to and expended during the fiscal year nineteen hundred and eighty-five by item of appropriation 4800-0010; and provided, further, that of said five million dollars, not more than the sum of three

million one hundred thousand dollars may be allocated to and expended during fiscal year nineteen hundred and eighty-five by the following items of appropriation: 4801-0200, 4802-0200, 4803-0200, 4804-0200, 4805-0200, and 4806-0200; but, provided further, that said sums shall not be allocated except pursuant to recommendations submitted by the commissioner of said department and approved by the commissioner of administration and the house and senate committees on ways and means; and provided, however, that said cash benefits received in excess of five million dollars and the balance remaining in said revolving fund which is not expended during fiscal year nineteen hundred and eighty-five shall be credited to the General Fund, including not more than thirty-eight permanent positions and one hundred and thirty-three temporary positions $ 4,592,204

4800-0020 For the 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; provided further, that the department of social services shall report quarterly to the house and senate committees on ways and means, the number of adoptions finalized by the department and the number of adoptions pending decision. The reports shall include the percentage of adoptions of children by foster parents, including not more than twenty-seven temporary positions 10,203,262

4800-0023 For a reserve to fund new and existing programs for fiscal year nineteen hundred and eighty-five; provided, that not less than one million six hundred thousand dollars shall be expended for sexual abuse treatment programs for children; and provided further, that not less than five hundred and seventy-four thousand six hundred and sixty-seven dollars shall be expended for thirty secure beds for children; and provided further, that funds may be allocated from this reserve to other items of appropriation or may be expended directly from this reserve 2,174,667

4800-0024 For a foster care program for special needs children 138,666

4800-0030 For the provision of legal services, including not more than two permanent positions and thirty-four temporary positions 1,447,881

4800-0040 For a reserve to fund new social work positions, including not more than fifty temporary positions 750,000

4800-0045 For the purposes of a federal grant entitled, Social Services Block grant, provided that expenditures for the purposes of said grant may be made for direct services *only* and may not exceed, without further appropriation, sixty-five million, six hundred and thirty thousand, nine hundred and fifty-seven dollars notwithstanding any general or special law to the contrary; and provided, that the department shall submit an expenditure plan for this grant in accordance with the provisions of section six B of chapter twenty-nine of the General Laws, to the house and senate

committees on ways and means; and provided further, that the department shall report quarterly to the house and senate committees on ways and means all expenditures by region and by program category from this grant $ 65,630,957

General Federal Grants Fund 100.0%

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-one temporary positions 500,597

4800-0060 For a program to provide day care and babysitting services, provided however 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 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 category, by category of day care services provided; said reports shall be by region and shall include the 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 vacant contracted basic slots will be filled through an alternating intake system, monitored by the Department of Social Services, to insure that DSS and DPW authorized families as well as income-eligible families have access to state supported day care on a one to one basis; provided further, that the department may utilize a blanket contract for the area office model of Voucher Day Care Services, and the department may purchase babysitting at a fixed rate determined by it; and provided further, that any federal reimbursement for this purpose shall be credited to the General Fund 50,598,970

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 3,344,169

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 appropriations 1,040,000

4800-1040 For certain public/private partnership programs; provided that up to five

hundred and sixty-one thousand eight hundred and ten dollars may be expended on emergency services for battered women, provided that sufficient donated funds are received; provided that not less than three million, two hundred and fifty-eight thousand two hundred and five dollars be expended on day care services, 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 long 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; prior appropriation continued $ 13,823,190

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-three temporary positions 3,213,738

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 allocation from the revolving fund; 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 and allocation from the revolving fund, including not more than two hundred and ten temporary positions 8,996,442

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 eighty-six temporary positions $ 2,823,382

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 allocation from the revolving fund; 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 and allocation from the revolving fund, including not more than one hundred and eighty temporary positions 7,419,848

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 thirty-six temporary positions 4,387,353

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 allocation from the revolving fund; 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 and allocation from the revolving fund, including not more than three hundred and twenty-six temporary positions 12,502,739

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 eighteen temporary positions 4,368,947

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 allocation from the revolving fund; 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 and allocation from the revolving fund, including not more than two hundred and fifty-four temporary positions $ 11,068,395

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 nineteen temporary positions 4,015,805

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 allocation from the revolving fund; 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 and allocation from the revolving fund, including not more than three hundred and thirty-seven temporary positions 12,512,297

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 eleven temporary positions 3,628,257

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 allocation from the revolving fund; 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 and allocation from the revolving fund, including not more than three hundred and twenty-six temporary positions $ 13,191,310

4899-0001 For the purposes of a federally funded grant entitled, Child Welfare Services - Title IVB; 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 3,127,000

General Federal Grants Fund 100.0%

4899-8011 For the purposes of a federally funded grant entitled, Child Abuse and Neglect 168,000

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 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 theirregion, 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 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.

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, including not more than one hundred and fifty-one permanent positions and not more than one hundred and thirteen temporary positions $ 10,700,028

5011-0002 For the Mansfield resident autistic program 396,489

5011-0003 For the cost of providing services to certain children and adolescents for which funds were transferred to the department of mental health from item 4000-0760 1,000,000

5011-0004 For a reserve to meet the costs of providing a four per cent cost of living increase to providers of community-based programs for the mentally ill and mentally retarded in the department of mental health. Funds transferred shall be used to stabilize the service delivery system and insure that program will be available to meet the needs of clients. No funds transferred shall be used to (a) increase the number of clients in a program; (b) start new programs; or (c) expand existing programs. Programs eligible for transfer of funds from this reserve shall be limited to those programs fully operational on January first, nineteen hundred and eighty-four. The method of allocation of funds appropriated herein shall address the problem of salary inequities among direct care staff positions within community-based programs. The commissioner of the department of mental health is hereby authorized and directed to transfer funds to appropriation items where amounts otherwise available are insufficient. The commissioner of the department of mental health shall submit, in writing, to the house and senate committees on ways and means on, or before, November first, nineteen hundred and eighty-four, a report detailing expenditures from this item. Said report shall include,

	the contract number, the vendor's name, whether the contract is for a consent or 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	$ 5,733,096
5011-0006	For the cost of providing for the continuity of services to developmentally disabled persons whose age no longer entitles them to services under special education programs	2,000,000
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 seventeen temporary positions	828,777
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	973,440
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	3,525,003
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	4,138,434
5011-0017	For new community systems; provided, however, that no funds may be expended from this item for a medium secure treatment center located on the the grounds of Taunton state hospital; provided that not less than eight hundred and fifty thousand dollars shall be expended on programs for the mentally ill and retarded homeless citizens of the commonwealth; and, provided further, that no more than one million nine hundred and sixteen thousand, four hundred and fifty-four dollars shall be expended on programs and community placement required by the Brewster Consent	

	decree; and provided further, that not less than one hundred forty-two thousand five hundred and sixty dollars shall be expended for the Mill Pond development for geriatric mentally ill in Littleton; and provided further that not less than three hundred thousand dollars shall be expended for supported work programs for the mentally ill		$ 4,516,324
5011-0018	For a program of recreational services and activities involving olympic style games for the clients of the state schools for the mentally retarded and community residences within the commonwealth of Massachusetts		125,000
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		246,812
5011-8850	For the purposes of a federally funded grant entitled, Medfield State Hospital/Construction of Wastewater Treatment Works		788,849
	General Federal Grants Fund	100.0%	
5011-8851	For the purposes of a federally funded grant entitled, Templeton Colony, Fernald School/Construction of Wastewater Treatment Works		1,069,500
	General Federal Grants Fund	100.0%	
5012-9109	For the purposes of a federally funded grant entitled, Manpower Planning and Development Grant		66,505
	General Federal Grants Fund	100.0%	
5016-0104	For the expansion of services to retarded people in the community who are not eligible for services through chapter seventy-one B of the General Laws or consent decrees; provided however, that not less than one hundred and twenty-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-five; 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, prior appropriation continued		12,550,000
5017-0100	For the office of the court monitor		132,601
5018-0100	For furnishings and equipment for capital projects at the state schools for the mentally retarded; provided, that any items purchased from this item shall have a value of not more than one hundred dollars or a life expectancy of less than five years		790,000

5021-0000 For a program of children's services, for the purpose of providing mental health and 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 a sum of not less than one hundred and twenty-five thousand dollars shall be expended for an inpatient program for deaf adolescents; 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 $ 1,970,701

5021-9101 For the purposes of a federally funded grant entitled, Community Support Systems Program 278,235

General Federal Grants Fund 100.0%

5024-0100 For programs for children and adolescents who are inappropriately placed on adult inpatient units at state mental hospitals and mental health centers, provided, that not less than six hundred thousand dollars shall be expended for three residential programs to provide appropriate residential treatment for such children and adolescents; provided further, that not less than one hundred and forty thousand dollars shall be expended for a prevocational rehabilitation program for adolescents; provided further, that not less than four hundred thirty-three thousand dollars shall be expended for two statewide residential treatment programs 1,400,000

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; provided, further, that not less than sixty-seven thousand five hundred dollars be expended for a psychiatric residency program at the University of Massachusetts Medical Center through the Greater Worcester Area; 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-five 2,370,000

Region One.

5145-0000 For the administration of region one, including not more than two hundred and seventeen permanent positions and not more than eighty-three temporary positions 6,762,903

5146-0000	For mental health community services	$ 18,752,940
5147-0000	For child and adolescent mental health services	5,576,416
5148-0000	For mental retardation community services; *provided* that not less than thirteen thousand seven hundred and fifteen dollars be used for the fiscal year nineteen hundred and eighty-three item 4000-0500 salary adequacy award for a program in the Berkshire area	16,883,915
5183-0010	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	26,659,351
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	11,390,665
	Region Two.	
5245-0000	For the administration of region two, including not more than two hundred and forty-six permanent positions and not more than fifty-three temporary positions	6,658,269
5246-0000	For mental health community services	4,642,233
5247-0000	For child and adolescent mental health services	1,798,649
5248-0000	For mental retardation community services	9,887,231
5271-0100	For the maintenance of the Irving A. Glavin regional center at Shrewsbury, including not more than one hundred and fifty-nine permanent positions and seventeen temporary positions	3,615,750
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	30,291,274
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 seven hundred and ten permanent positions and not more than eight temporary positions	15,891,444
	Region Three.	
5345-0000	For the administration of region three, including not more than two hundred and eight permanent positions and not more than twenty-seven temporary positions	5,565,745

5346-0000	For mental health community services; provided that not 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; provided further, that no less than one hundred and nine thousand dollars shall be expended for a supervised apartment for men to be located in the city of Lawrence, including not more than eight temporary positions; and, provided further, that not less than seven hundred eighty-seven thousand nine hundred and fifty-three dollars be expended for providing community mental health services in the Greater Lowell Area	$ 8,686,099
5347-0000	For child and adolescent mental health services; provided that no less than five hundred ninety-seven thousand seven hundred nineteen dollars be expended for child and adolescent mental health services in the Greater Lowell Area	3,422,034
5348-0000	For mental retardation community services; provided that no less than one million two hundred fifty-nine thousand nine hundred and sixty-four dollars be expended for mental retardation community services in the Greater Lowell Area	12,250,941
5351-0100	For the maintenance of the Dr. Harry C. Solomon mental health center, including not more than one hundred and twenty-four permanent positions and not more than twenty-eight temporary positions	3,766,250
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	16,433,226
5395-0100	For the maintenance of Danvers state hospital, provided that, no funds may be expended from this item for salaries 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	10,889,187

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	3,732,215
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	4,372,271
5447-0000	For child and adolescent mental health services	1,189,048
5448-0000	For mental retardation community services	7,740,237

5451-0100	For the maintenance of the Cambridge/Somerville mental health and retardation center; including not more than one hundred and forty permanent positions	$ 2,834,498
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	48,284,557
5495-0100	For the maintenance of 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; provided, however, that notwithstanding any provision of the law to the contrary, revenues generated from the collection of third party reimbursements and from individuals in excess of six hundred and thirty-one thousand dollars but not exceeding eight hundred and seventy-seven thousand dollars may be expended without further appropriation, including not more than six hundred and forty-five permanent positions and not more than thirty-nine temporary positions	14,843,133
5496-0100	For the maintenance of the William C. Gaebler Children's Center, including not more than one hundred and twelve permanent positions and sixty temporary positions	3,376,664
	Region Five.	
5540-0100	For the maintenance of the Brockton multi-service center, including not more than two hundred and five permanent positions and fifty temporary positions	6,980,858
5541-0000	For the maintenance of the John C. Corrigan mental health center, including not more than seventy-five permanent positions and six temporary positions	3,993,258
5542-0000	For the maintenance of the Pocasset mental health center, including not more than thirty-nine permanent positions and not more than five temporary positions	1,197,546
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	8,637,044
5546-0000	For mental health community services	2,867,285
5547-0000	For child and adolescent mental health services	1,663,937
5548-0000	For mental retardation community services	8,551,352
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	1,944,872

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 eighty-four temporary positions. $ 39,590,520

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 sixty permanent positions and not more than thirty-eight temporary positions 8,362,152

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-five 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-five share for a residential program for chronically mentally ill homeless persons; and provided further, that not less than two hundred ninety-eight thousand eight hundred and eighty dollars shall be expended on salaries of personnel delivering services at the Boston juvenile court clinic, including not more than twenty-four permanent positions and not more than thirteen temporary positions 1,640,739

5646-0000 For mental health community services; 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 3,002,770

5647-0000 For child and adolescent mental health services; provided, that not less than four hundred and ten thousand dollars shall be expended for professional 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; and, provided further, 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 2,727,326

5648-0000 For mental retardation community services 11,681,492

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 five permanent positions and not more than four temporary positions 7,277,197

5652-0100 For the maintenance of the Dr. Solomon Carter Fuller mental health center, including not more than one hundred and forty-seven permanent positions and not more than sixty-seven temporary positions 5,894,784

5653-0100	For the maintenance of the Erich Lindemann mental health center, including not more than two hundred and five permanent positions	$ 4,789,888
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 forty-five temporary positions	3,962,754
5655-0100	For the maintenance of the Dorchester mental health center, including not more than three hundred and four permanent positions and not more than two temporary positions	6,791,163
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; provided further, that not less than two hundred and forty thousand dollars shall be expended on services to mentally ill homeless persons or those in danger of becoming homeless, including not more than two hundred and twenty-eight permanent positions and not more than two temporary positions	4,592,146

Region Four B.

5845-0000	For the administration of region four B, including not more than two hundred and seventy-two permanent positions and not more than seventy-two temporary positions	7,867,960
5846-0000	For mental health community services	4,938,569
5847-0000	For child and adolescent mental health services	1,630,489
5847-0100	For the purpose of two beds for child and adolescence mental health services	53,000
5848-0000	For mental retardation community services	10,537,286
5851-0100	For *the maintenance* of the Quincy mental health center, including not more than seventy permanent positions	1,932,920
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	43,709,046
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	10,216,097
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 four hundred and sixteen permanent positions and not more than thirty temporary positions	8,843,802

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 six temporary positions		$ 405,957
	Highway Fund	100.0%	
6000-0180	For the purposes of a federally funded grant entitled, Statewide Assistance Rural Public Transportation		1,553,552
	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%	
6000-9923	For the purposes of a federally funded grant entitled, UMTA Technical Studies		126,155
	General Federal Grants Fund	100.0%	
6000-9949	For the purposes of a federally funded grant entitled, Elderly and Handicapped Transportation		858,222
	General Federal Grants Fund	100.0%	
6000-9954	For the purpose of a federally funded grant entitled, Local Rail Service Assistance		100,000
	General Federal Grants Fund	100.0%	
6000-9961	For the purpose of a federally funded grant entitled, Transportation Improvement Program		948,750
	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		105,500,000
	General Fund	80.0%	
	Highway Fund	20.0%	

6005-0012	For certain debt service contract assistance to the Massachusetts Bay Transportation Authority in accordance with the provisions of section twenty-eight of chapter one hundred and sixty-one A of the General Laws		$ 59,305,000
	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		500,000
	General Fund	80.0%	
	Highway Fund	20.0%	
6005-0014	For reimbursement to common carriers of passengers for certain motor vehicle and fuel excise taxes in accordance with the provisions of paragraph (c) of section twenty-five B of chapter fifty-eight of the General Laws		400,000
	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-four to be paid in fiscal year nineteen hundred and eighty-five, 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-four and ending June thirtieth, nineteen hundred and eighty-five, 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 per cent, 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		21,181,200

	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 Transportation 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-five, 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; provided, further, that fifty thousand dollars shall be spent for the improvement of commuter rail shuttle service between Back Bay and South Station in the city of Boston		$ 8,794,760
	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-four; provided that such reimbursements shall be made on the basis of a schedule approved by the house and senate committees on ways and means		4,119,870
	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		18,300,000
	Highway Fund	100.0%	
6005-0100	For contracts to provide for the operation of commuter boat services		124,800
6005-0200	The MBTA is hereby authorized and directed to expend the following appropriated sum for the removal and replacement of all asbestos-lined materials on all Red Line rapid transit cars		350,000

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 fifteen permanent positions $ 375,210

DEPARTMENT OF PUBLIC WORKS.
Highway Activities.

Personal Services.

6010-0001 For personal services of the department, 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 department shall reconstruct a portion of Route 109 from the Medway, Millis line to Route 115 in Millis, said reconstruction shall be completed by December thirty-first, nineteen hundred and eighty-five; 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-five, including not more than two thousand eight hundred and sixty permanent positions and four hundred and eighty-three temporary positions 76,078,070

Highway Fund 100.0%

6010-0009 For a program for planning and design of projects necessary to alleviate traffic congestion at various locations as determined by the department 240,000

Administrative and Engineering Expenses.

6020-2401 For the purchase of all administrative and engineering equipment 100,000

Highway Fund 100.0%

6020-2501 For certain administrative and engineering expenses of the commission, the office of the public works commissioner and the division of administrative services, highway engineering, highway maintenance, highway construction and the district and other highway activity offices; provided, that of the sum appropriated herein not less than one hundred and fifty thousand dollars shall be expended for the purpose of the design of a District Seven office to be located in Plymouth County; and provided further that not more than two hundred thousand dollars shall be expended for the rental of such office pending construction of said facility; and provided further that the department of public works shall reimburse the town of Norwood for expenses of not more than seventy-five

thousand dollars incurred for the design, construction and installation of a traffic signal system at the intersection of Neponset Street and Wedgewood Drive in the town of Norwood upon certification and approval by the commissioner of the department of public works of said expenses; and provided, further, 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-five on or before the fifteenth of January, nineteen hundred and eighty-five, with the house and senate committees on ways and means $ 5,926,010

Highway Fund 100.0%

Outdoor Advertising Division.

6020-2505 For the administration of the division, including not more than three permanent positions 100,000

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 12,500,000

Highway Fund 100.0%

6030-7301 For expenses in connection with traffic line painting, including the cost of materials 1,057,652

Highway Fund 100.0%

6030-7302 For a study, the preparation of plans, if necessary and construction, reconstruction, purchase and installation of traffic signals; provided that not less than one hundred and ten thousand dollars of the amount appropriated herein shall be expended for the installation of traffic signals at the intersection of North street and Andover road in the town of Tewksbury; and provided further than not less than one hundred and ten thousand dollars of the amount appropriated herein shall be expended for the installation of traffic signals at the intersection of Federal street and Middlesex avenue in the town of Wilmington 220,000

6030-7303 For a study, the preparation of plans, if necessary, and construction, reconstruction, purchase and installation of traffic signals at 666 state road in the town of Westport, said traffic signals shall be located in front of the greenwood terrace elderly housing project 75,000

6030-7304 For a study, the preparation of plans, if necessary, and construction, reconstruction, purchase and installation of traffic control signals systems at the entrances to the Chelmsford Mall on route 110 in the town of Chelmsford; provided that the funds appropriated herein shall be in addition to

	the amounts authorized in chapter seven hundred and fifty-seven of the acts of nineteen hundred and eighty-one; and provided further that of the sum appropriated herein, an amount of twenty thousand dollars shall be made as a direct grant to the town of Norwood for the purpose of conducting a parking study of the downtown area as a result of the reconstruction and redesign of Route 1-A through Norwood Center		$ 50,000
6030-7401	For the purchase of materials and supplies for the main tenance and operation of state highways and bridges, excluding those specifically provided for in items 6030-7201 and 6030-7301		2,438,875
	Highway Fund	100.0%	
6030-7403	For the expenses of fleet management and maintenance equipment, prior appropriation continued		3,529,376
	Highway Fund	100.0%	
6030-7501	For a study, the preparation of plans, demolition, reconstruction and construction for the replacement of the Butler Street Foot Bridge in the Dorchester section of the city of Boston		150,000
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		6,360,851
	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%	
6034-0010	For the installation and maintenance of traffic signals lights at the intersection of Route 6 and Anthony Street/School Street/Warren Avenue in the town of Seekonk		120,000
	Highway Fund	100.0%	
6034-0011	For the installation and maintenance of traffic signal lights at the intersections of Route 44 and New Street and Route 44 and Blanding Road in the town of Rehoboth		120,000
	Highway Fund	100.0%	
6034-0014	For a special road salt testing study		55,760
	EDUCATION.		
	Libraries.		
7000-9101	For the administration and expenses of the board of library commissioners, including not more than ten permanent positions and four temporary positions		426,602
7000-9401	For state aid to regional public libraries		8,260,229
	Local Aid Fund	100.0%	
7000-9501	For state aid to public libraries		2,869,591
	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		274,044

	General Federal Grants Fund	100.0%	
7000-9705	For the purposes of a federally funded grant entitled, LSCA - Title I		$ 1,431,285
	General Federal Grants Fund	100.0%	
7000-9707	For the purposes of a federally funded grant entitled, Public Library Construction - 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-six temporary positions		4,145,678
7010-0007	For certain payments for the use of the facilities of the Massachusetts World War II Memorial; provided that all organized school groups and teachers of all schools located in the commonwealth shall be admitted without charge		93,500
	Local Aid Fund	100	
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 in cluding those costs incurred pursuant to chapter seventy-one B of the General Laws 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-four, provided, further, that reimbursements for incremental instructional costs shall in no case exceed the average per-pupil instructional costs, exclusive of administrative costs, and the incremental special education cost, as defined by the board of education 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		$ 10,775,512
	Local Aid Fund	100.0%	
7010-0013	For the purposes of a federally funded grant entitled, Race Desegregation Assistance Administration		212,000
	General Federal Grants Fund	100.0%	
7010-0014	For the costs of planning and development of a specialized high school in the commonwealth; provided, that a detailed report including but not limited to information and recommendations regarding facilities, curriculum, school characteristics, program definitions, and admissions policies, shall be filed on or before December first, nineteen hundred and eighty-four to the joint committee on education and the house and senate committees on ways and means		250,000
7010-0019	For payments to certain institutions for the admittance of groups sponsored by elementary and secondary schools of the commonwealth free of charge and for other programs deemed appropriate by the council on scientific cultural organizations and approved by the board of education; provided, that not less than twenty-five thousand dollars shall be allocated to the A.G. Wallace Planetarium and; provided, further that not less than two hundred and fifty thousand dollars shall be allocated to the New England Aquarium		2,000,000
7010-0025	For the development, administration and scoring of a statewide assessment test; provided, that the department of education report, on a quarterly basis, the activities and results of said test to the house and senate committees on ways and means		500,000
7010-0042	For grants to cities, towns or regional school districts for the cost of providing magnet educational programs in accordance with the provisions of section thirty-seven I and thirty-seven J of chapter seventy-one of the General Laws; provided, however, that any payment made under this appropriation shall be deposited with the treasurer of such city, town or regional school district and held as a separate account and shall be expended by the school committee of such city, town or regional school district without appropriation, notwithstanding the provisions of any general or special law to the contrary; provided further, that any portion of this appropriation item may be expended by the state board of education to purchase magnet educational programs; 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	$	4,100,000
	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 appropriation; 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, prior appropriation continued		7,308,900
	Local Aid Fund	100.0%	
7010-0051	For the purposes of establishing a science collaborative at the Museum of Science; provided, that not less than two hundred and sixty-two thousand eight hundred dollars shall be expended for the purpose of a Science Kit Resource program		364,777
7010-9711	For the purposes of a federally funded grant entitled, National Desegregation Origin		158,476
	General Federal Grants Fund	100.0%	
7010-9728	For the purposes of a federally funded grant entitled, Sex Discrimination		233,037
	General Federal Grants Fund	100.0%	
7010-9732	For the purposes of a federally funded grant entitled, Education Consolidation and Improvement Act of 1981, Chapter II - Administration		2,495,008
	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 thirty-six temporary positions $ 1,378,911

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 ten temporary positions 694,774

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 firefighting 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 24,500

7027-9001 For the purposes of a federally funded grant entitled, Vocational Education Act 18,000,000

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 1,771,057

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 ten permanent positions and forty-five temporary positions 9,834,783

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 $ 2,059,211

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 15,400,000

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 308,144

7028-0601 For the purposes of a federally funded grant entitled, Education of the Handicapped, Administration 1,781,405

General Federal Grants Fund 100.0%

7028-0801 For the purposes of a federally funded grant entitled, State-Operated Programs for the Handicapped and Personnel Development 9,884,000

General Federal Grants Fund 100.0%

7028-1001 For the purpose of a federally funded grant entitled, Training and Personnel Development 184,540

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-four and September twelfth, nineteen hundred and eighty-four, including not more than forty-nine permanent positions and two temporary positions		$	2,545,607
7030-0191	For the purposes of a federally funded grant entitled, Coordination of Technical Assistance for Bilingual Education Programs - S.E.A.S.			87,000
	General Federal Grants Fund	100.0%		
7030-9726	For the purposes of a federally funded grant entitled, Education Consolidation and Improvement Act of 1981, Chapter II - Distribution			8,160,000
	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			70,536
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			370,000
	Local Aid Fund	100.0%		
7032-0402	For the purposes of a federally funded grant entitled, Educationally Deprived Children - Administration			775,000
	General Federal Grants Fund	100.0%		
7032-0610	For grants to cities, towns and regional school districts for school based substance abuse programs; 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 without appropriation; provided, further, that all substance abuse programs shall be coordinated with the activities of the narcotics unit of the state police			100,000
7035-0001	For the adult education and extended services program; provided, that the division may, with the approval of the board of education, expend in addition to the sums herein appropriated, and without further appropriation, income derived from such courses as may be conducted at no expense to the commonwealth to an amount not exceeding four hundred thousand dollars, including not more than twenty-nine permanent positions, prior appropriation continued			489,061
7035-0002	For the expenses of providing basic educational attainment and work-related programs in reading, writing and mathematics at adult learning			

	centers		$ 1,500,000
7035-0004	For the reimbursement of cities, towns, and regional school districts, and independent vocational schools for certain expenditures for transportation of pupils pursuant to the provisions of sections seven A, seven B, and thirty-seven D of chapter seventy-one of the General Laws; section eight of chapter seventy-one A of the General Laws; section fourteen of chapter seventy-one B of the General Laws; and section eight A of chapter seventy-four of the General Laws; provided, that the commonwealth's obligation shall not exceed the amount appropriated herein		53,733,756
	Local Aid Fund	100.0%	
7035-0006	For the reimbursement of regional school districts for the transportation of pupils		22,028,903
	Local Aid Fund	100.0%	
7035-0007	For the administration of a transportation efficiency program by the department, including the development of pilot programs provided, that the commissioner shall file a report with the house and senate committees on ways and means detailing the type of automation system to be used under said programs; provided, further, that said program shall utilize all available resources within the institutions of higher education of the commonwealth		104,576
7035-0010	For the purposes of a federally funded grant entitled, Educationally Deprived Children - Distribution		61,200,000
	General Federal Grants Fund	100.0%	
7035-0012	For the purposes of a federally funded grant entitled, Children in Institutions		341,000
	General Federal Grants Fund	100.0%	
7035-0013	For the purposes of a federally funded grant entitled, Education of the Handicapped - Discretionary Allocation Accounts		800,000
	General Federal Grants Fund	100.0%	
7035-0014	For the purposes of a federally funded grant entitled, Children in State Adult Correctional Institutions		161,000
	General Federal Grants Fund	100.0%	
7035-0015	For the purposes of a federally funded grant entitled, Children of Migratory Workers		6,000,000
	General Federal Grants Fund	100.0%	
7035-0313	For the purposes of a federally funded grant entitled, Educationally Handicapped - Entitlement Subsidy		27,848,000

	General Federal Grants Fund	100.0%	
7035-0713	For the purposes of a federally funded grant entitled, Early Childhood Incentive	$	1,066,894
	General Federal Grants Fund	100.0%	
7038-0002	For the purposes of a federally funded grant entitled, Adult Basic Education		1,996,000
	General Federal Grants Fund	100.0%	
7038-9721	For the purposes of a federally funded grant entitled, Transitional Refugee Program - Administration		9,500
	General Federal Grants Fund	100.0%	
7038-9722	For the purposes of a federally funded grant entitled, Transitional Program - Distribution		950,000
	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		1,085,982
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-five shall not exceed ten million dollars of which amount not more than six million 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		10,813,510
	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		90,523,478

	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		205,166
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		4,705,676
	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		965,000
	Local Aid Fund	100.0%	
7053-2105	For the purpose of a federally funded grant entitled, Cash in Lieu of Commodities		390,000
	General Federal Grants Fund	100.0%	

7053-2111	For the purpose of a federally funded grant entitled, Special Milk Program	$	645,000
	General Federal Grants Fund	100.0%	
7053-2112	For the purposes of a federally funded grant entitled, School Lunch, Sec. II - Special Assistance		38,030,000
	General Federal Grants Fund	100.0%	
7053-2113	For the purposes of a federally funded grant entitled, Community School Lunch Program		10,580,000
	General Federal Grants Fund	100.0%	
7053-2114	For the purposes of a federally funded grant entitled, School Breakfast Program		4,910,000
	General Federal Grants Fund	100.0%	
7053-2117	For the purposes of a federally funded grant entitled, Child Care Food Program		12,750,000
	General Federal Grants Fund	100.0%	
7053-2118	For the purposes of a federally funded grant entitled, Nutrition Education		174,160
	General Federal Grants Fund	100.0%	
7053-2202	For the purposes of a federally funded grant entitled, Special Summer Food Service Program for Children		1,890,000
	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 seven hundred thousand dollars of this appropriation 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-five 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-five chapter seventy distribution to eligible regional school districts		62,867,368
	Local Aid Fund	100.0%	

7061-0004 For additional assistance to cities and towns in which the total regional school assessment in fiscal year nineteen hundred and eighty-four exceeded eighty per cent of the fiscal year nineteen hundred and eighty-four allowable tax levy as determined by the commissioner of revenue. The amount to be distributed to each eligible municipality shall be equal to one-half of the amount by which said total assessment was in excess of eighty percent of said allowable levy; provided, further, that no adjustments for any prior year shall be paid out of this item $ 100,000

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 eighty-five and six-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 no more than four hundred thousand dollars may be expended for grants to cities, towns and regional school districts for direct cost 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 one billion three million and nine thousand dollars; provided, further, that the amount paid to regional school districts from this item in fiscal year nineteen hundred and eighty-five shall be equivalent to the amount paid from this item in fiscal year nineteen hundred and eighty-four 974,856,948

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 8,200,000

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%

7061-0012 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		14,000,000
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		105,000
7062-0008	For the purpose of a federally funded grant entitled, State Administration - Expenses		2,644,000
	General Federal Grants Fund	100.0%	

BOARD OF REGENTS.

7066-0000	For the office of the board of regents; 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 year nineteen hundred and eighty-four and fiscal year nineteen hundred and eighty-five and projected for fiscal year nineteen hundred and eighty-six, 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-four, 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 seventy-two temporary positions		2,776,000

7066-0001	For the administration of the intern program, including not more than two temporary positions	$ 60,010
7066-0002	For intern program stipends and payments	125,000
7066-0003	For the initiation and maintenance of an enrollment auditing system by the board of regents	100,000
	Compact for Education.	
7066-0005	For the commonwealth's share of the cost of the compact for education	41,600
7070-0004	For a collaborative engineering program and a program of mathematics and science stipends; provided, that said programs shall be administered by the board of regents; provided, further, that by the first day of October, nineteen hundred and eighty-four, the board shall submit to the house and senate committees on ways and means a detailed report of said programs including student residency requirements and the provisions of "payback" service or monetary payback to the commonwealth for the mathematics and science stipends program, prior appropriation continued	250,000
7070-0019	For the purposes of a business school at Roxbury Community College; provided, that the city of Boston shall enter into an agreement of affiliation on an interim basis between the Boston Business School and Roxbury Community College for a period of up to five years; provided, further, that the city of Boston shall enter into a lease with the chancellor of the board of regents for the land and building at 989 Commonwealth avenue (the Boston Business School) during the affiliation period for the sum of one dollar per annum	1,100,000
	New England Board of Higher Education.	
7077-0020	For the expenses of the New England Board of Higher Education and for the expenses of the members of said board	309,096
7077-0021	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 internship 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

7077-0022 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

7077-0023 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

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; provided, that of the sum appropriated herein, not less than ninety-four thousand dollars shall be expended for the purposes of an upward bound program to be administered by the University of Massachusetts at Boston; and provided, further, that of the sum appropriated herein, not less than sixty thousand dollars shall be expended for the purposes of a Veterans Educational Training program to be administered by the University of Massachusetts at Boston; provided, further, that of the sum appropriated herein, not less than one hundred thousand dollars shall be expended for a study of Massachusetts infrastructure, including but not limited to, the survey and assessment of capital projects, including educational facilities; public health care facilities, modes of transportation, and public utilities to be administered by the University of Massachusetts at Amherst; provided, further, that said study shall include business and economic forecasting and the preparation of cost estimates relating to infrastructure options; provided, further, that a copy of said study shall be filed with the house and senate committees on ways and means on or before the first day of January, nineteen hundred and eighty-five; provided, further, that of the sum appropriated herein, not less than five hundred eighty-

eight thousand two hundred dollars shall be expended for the purposes of the area health education centers program, also known as "AHEC," to be administered by the University of Massachusetts Medical School; and provided, further, that the said board provide to the sewer division of the metropolitan district commission access to the Quinobin property located in the town of Dover to implement the gravity sewer line as provided in item 2430-5841 of section six of chapter seven hundred and twenty-three of the acts of nineteen hundred and eighty-three, provided, further, that of the sum appropriated herein, not less than one hundred and fifty thousand dollars shall be expended for the development of an automated library network for those state college and community college libraries that do not participate in the On Line Computer Library Center (OCLC), provided that two hundred twenty-nine thousand dollars be for supportive staff for new program sections of the Roxbury Community College, including not more than thirteen thousand five hundred and thirty-eight permanent positions and four hundred and two temporary positions $ 425,818,011

7100-0101 For a program in county cooperative extension works 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, Hampshire, and Suffolk County Cooperative Extension Services; provided, that upon passage of this act, all persons employed and positions budgeted for by the Suffolk County Cooperative Extension service immediately prior to December 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 service 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-four; including not more than seventy-three temporary positions 1,596,282

7100-0103 For a 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 Essex and Norfolk County Cooperative Extension Services; provided, that on the first day of April, nineteen hundred and eighty-five, all persons employed and positions budgeted for by the Essex and Norfolk County Cooperative Extension Service immediately prior to December 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; including not more than twenty temporary positions $ 146,232

7100-0110 For a reserve for the establishment of collaborative education programs between the institutions of higher education and public elementary and secondary schools of the commonwealth; provided, that notwithstanding any provision of law to the contrary, the chancellor of the board of regents shall allocate such appropriation to said institutions of higher education in accordance with an allocation plan approved by the house and senate committees on ways and means; provided, further, that such appropriation may be expended for the purpose of direct assistance, including direct payments to local education agencies for the improvement of elementary and secondary education in the commonwealth; provided, further, that such direct payments made to local education agencies shall be deposited with the treasurer of the 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 any provision of law to the contrary 3,700,000

7110-0115 For a reserve for the planning, initiation, and maintenance of new satellite campuses of the institutions of higher education; 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 1,122,000

7100-0200 For a reserve for data processing and information systems for the system of higher education; provided, that eight 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 1,015,000

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

7100-9800 For payments to the town of Bridgewater by State College at Bridgewater for said college's share of the cost for expansion of the town sewer system 150,000

7105-0001 For the operation of a data processing system; provided, that notwithstanding any provision of law to the contrary, that services may be rendered to agencies of the commonwealth and educational institutions at no expense to the system; and provided, further, that charges for such service shall be allocated to the agencies and institutions utilizing the system; provided, further that the system shall develop a proposal for the establishment of fees for services provided to agencies and institutions of the commonwealth, including a plan for implementation; provided, further, that a copy of said proposal shall be filed with the house and senate committees on ways and means on or before December first, nineteen hundred and eighty-four, including not more than forty-four temporary positions 2,252,228

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

7400-0115 For a program for a silver haired legislature to be under the direction of the institute of government service 50,000

7400-0200 For the expenses of the Massachusetts corporation for educational telecommunications as established pursuant to chapter five hundred and sixty of the acts of nineteen hundred and eighty-two; provided, that the corporation shall prepare and file a plan for the coordination of its activities with those of the office of telecommunications within the executive office of administration and finance with the house and senate committees on ways and means on or before the first day of December, nineteen hundred and eighty-four; provided, further, that the corporation shall

submit quarterly reports to the house and senate committees on ways and means detailing all expenditures including, but not limited to all contractual services, and progress made by the corporation $ 377,000

7411-3000 For the operation of a Family Practice Residency program by the University of Massachusetts at Worcester; provided, that a report shall be filed with the house and senate committees on ways and means by October first, nineteen hundred and eighty-four, which includes the activities of said program, the number of participants and the place of employment after completion of residency, prior appropriation continued 205,000

7416-2005 For the expenses of a Public Policy Center at the University of Massachusetts at Boston 300,000

7416-2006 For expenses of a Gerontology Institute at the University of Massachusetts/ Boston, College of Public and Community Service 175,000

7416-2007 For the purpose of research and analytical studies by the Black Studies Department at the University of Massachusetts at Boston 164,000

7416-2008 For the purpose of maintaining the air conditioning units at Mount Wachusett Community College 25,000

7416-2009 Urban Small Business Technical Assistance Program, Roxbury Community College 125,000

7452-0200 For the purpose of club football at the University of Massachusetts at Boston 100,000

EXECUTIVE OFFICE OF PUBLIC SAFETY.
Office of the Secretary.

8000-0100 For the office of the secretary, including not more than four permanent positions and five temporary positions 352,197

Highway Fund 85.0%

General Fund 15.0%

8000-0102 To meet the expenses of the operation of a road block program for the apprehension of drunk drivers and other motor vehicle violators; provided that no expenditure or commitment made pursuant thereto shall be incurred in excess of funds appropriated herein; and provided further, that the secretary of the executive office of public safety shall develop, within sixty days of the effective date of this act, guidelines for reimbursements to various law enforcement agencies of the commonwealth and local police departments for the costs of said program; provided further that the secretary shall file copies of said guidelines with the house and senate committees on ways and means prior to the expenditure of funds from this item 100,705

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		$ 3,157,947
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		1,802,882
	Highway Fund	50.0%	
	General Fund	50.0%	
8000-0150	For the LEAPS/CJIS Terminal Network		1,105,850
	Highway Fund	50.0%	
	General Fund	50.0%	
8000-0160	For the operation of the State Board of Building Regulations and Standards, including not more than five temporary positions for the purpose of implementing and enforcing the provisions of sections sixteen through twenty-three of chapter twenty-three B of the General Laws		225,000

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 less than nine thousand dollars shall be expended for the development of a curriculum of rape victimology; and provided, further, that not less than one hundred and twenty-five thousand dollars shall be expended as the cost of providing training to county correctional personnel, including not more than seven permanent positions and twenty temporary positions		1,282,779
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		290,733
8200-0240	For the administration and operation of the northeast regional police institute, including not more than three temporary positions		71,885
8200-0250	For the administration of a crime prevention program encompassing support and services to assist various neighborhood Crime Watch programs through the local Crime Prevention Officer; prior appropriation continued		200,120

8200-0300	For the administration and operation of the southeast regional police institute, including not more than three temporary positions		$ 71,885
8200-0350	For the training in intervention, the detection and prevention of suicide. This training shall include: training in the nature and symptoms of suicide, training in communication with suicidal detainees, training in appropriate suicide prevention techniques and emergency procedures. This training shall be given to members of police departments, members of the police force of the metropolitan district commission and members of the uniformed branch of the state police. This training shall be approved and coordinated by the Massachusetts Criminal Justice Training Council and shall be included in the curriculum of all police training schools and academies, including the State Police Academy		5,000
8200-0375	For the administration and operation of a regional criminal justice training center in Fall River, including not more than three temporary positions		71,000
	Department of Public Safety.		
8311-1000	For the administration of the department; including not more than seventy-six permanent positions and eight temporary positions		1,589,247
8311-1500	For the expense of making 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; prior appropriation continued.		
8311-2058	For the purposes of a federally funded grant entitled, Hazardous Waste Enforcement		70,000
	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		1,150,542
	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 provided, further, that not less than two hundred thousand dollars shall be expended on the operation of a Missing Persons Resource Unit with particular emphasis placed on investigations concerning the location of missing children, including not more than one thousand eighty-seven permanent positions and fifty-seven temporary positions		32,631,582
	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		$ 3,224,380
	General Fund	15.0%	
	Highway Fund	85.0%	
8312-0205	For a reserve to be administered by the executive office of public safety to provide for certain expenses associated with any state police officer position authorized by item of appropriation 8312-0200 and assigned by the commissioner of public safety to duty with various offices of district attorneys of the commonwealth. Funds appropriated herein shall be allocated to items of appropriation for various offices of district attorneys of the commonwealth, pursuant to recommendations by the commissioner of public safety, upon notification to the house and senate committees on ways and means, and to the commissioner of administration. Said district attorneys are hereby authorized to expend amounts allocated from this reserve for the purposes of said certain expenses		435,000
	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		240,477
	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; provided, further, that not less than one hundred thousand dollars shall be used to reduce the backlog of cases in elevator inspections, including not more than thirty-nine permanent positions and four temporary positions $ 1,195,618

State Boxing Commission.

8317-1000 For the administration of the commission, including not more than four permanent positions 45,142

8319-1000 For the administration of an eye examination program for all boxers participating in events regulated by the State Boxing Commission 50,000

Architectural Barriers Board.

8321-1000 For the expense of the board, including not more than five permanent positions and two temporary positions 48,577

Board of Fire Prevention Regulations.

8340-1000 For the expenses of the board of fire prevention regulations pursuant to section fourteen of chapter twenty-two of the General Laws, including not more than fourteen permanent positions and one temporary position 50,625

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 not less than fifty-one thousand five hundred and forty dollars shall be expended for the operation of a registry office in the town of Orange; provided, further, that from the amount appropriated no less than fifty thousand six hundred dollars shall be used for the purpose of leasing additional space for the branch office in the town of Plymouth; and provided, further, that not less than one hundred and fifty thousand dollars shall be spent for a registry office in the Roxbury/Dorchester/Mattapan/Hyde Park sections of the city of Boston; provided, further, that no new position shall be filled until such time as the registrar shall certify to the house and senate committees on Ways and Means that Sweda Cash Registers, so called, or similar machines providing for security and accurate recording of deposits have been installed and are in use in all locations where the registry is in receipt of money from the public during the regular course of business, including not more than nine hundred and thirty-nine permanent positions and one hundred and fourteen temporary positions 23,529,932

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		$	3,165,693
	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; prior appropriation continued			200,000
	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			1,332,865
	Highway Fund	100.0%		
8400-0100	For expenses of the merit rating board authorized by chapter six of the General Laws; provided, however, that as of January first, nineteen hundred and eighty-five, that notwithstanding any general or special law to the contrary, no safe driver insurance plan shall require the payment of an unsafe driver point surcharge for the first offense for non-criminal, motor vehicle traffic violations as described in chapter ninety C of the General Laws, including not more than eighty-two temporary positions			2,017,663

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		335,806
9000-0102	For the expenses of the Massachusetts Technology Park Corporation		1,250,000
9000-0105	For the expenses of the Comprehensive Offenders Employment Resources System; provided, that not less than seventy thousand dollars of the amount appropriated herein shall be used for an employment training and placement program designed for probationers, parolees, and ex-offenders		298,400
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		641,666
9000-0400	For the expenses of the Bay State Skills Corporation, prior appropriation		

continued $ 1,862,500

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-one of the General Laws 1,336,892

9000-1621 For purposes of a federally funded grant entitled, JTPA; provided, that the secretary of manpower affairs shall file detailed quarterly expenditure reports for all administrative costs associated with this program with the joint committee on federal financial assistance and the house and senate committees on ways and means 63,850,000

General Federal Grants Fund 100.0%

Division of Employment Security.

9081-0100 For the purposes of a federally funded grant entitled, Administration 50,000,000

General Federal Grants Fund 100.0%

Department of Commerce and Development.

9091-0100 For the administration of the department, including not more than sixty-four permanent positions and one temporary position 1,630,526

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 129,606

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 1,800,000

9091-0275 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 heritage parks of the commonwealth; provided, further, that no salaries or expenses of employees shall be chargeable to this item; provided, further, that no funds appropriated herein shall be used for the maintenance and administration of the department; provided, further, that not less than five hundred thousand dollars shall be expended for the purpose of promoting the heritage parks within the Merrimack Valley 1,000,000

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; pro-

vided, 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-four; provided, further, that no funds appropriated herein shall be used for the maintenance and administration of the department $ 7,606,564

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 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; provided, further, that not more than forty-five thousand dollars shall be expended to advertise and promote the use of railroad freight service with the commonwealth 1,000,000

9091-0404 For the expenses of the foreign business council; and provided that no funds from this account be expended for any travel by members of the general court 137,500

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 administration 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 454,125

9091-0516 For the expenses of the state office of minority business assistance, including not more than thirteen permanent positions, of which no less three shall be

for the implementation of MBE certification and contract compliance pursuant to executive order 237 of 1984, and one temporary position $ 300,000

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 non-federal contribution for calendar year nineteen hundred and eighty-five 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-five 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 94,970

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 148,700

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 475,000

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 functions of the office of the secretary, planning and policy, and program planning and management are maintained, including not more than twenty-eight permanent positions and thirty-two temporary positions 2,070,376

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, Title III-B, Nursing and Social Services 7,150,529

General Federal Grants Fund 100.0%

9110-1173 For the purposes of a federally funded grant entitled, Title III-C, Nutrition 10,139,191

General Federal Grants Fund 100.0%

9110-1175 For the purposes of a federally funded grant entitled, Title IV-A, Training Project $ 88,000

General Federal Grants Fund 100.0%

9110-1178 For the purposes of a federally funded grant entitled, Community Service Employment Program 1,578,502

General Federal Grants Fund 100.0%

9110-1181 For the purposes of a federally funded grant entitled, Cash in lieu of Commodities Program 2,114,962

General Federal Grants Fund 100.0%

9110-1620 For volunteer programs for the elderly; provided, that not less than seven hundred ninety-one thousand five hundred forty dollars shall be expended for an elder service corps; provided further, that all funds appropriated under this item for an elder service corps 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; provided further, that the stipend for full-time corpsmen shall not exceed the maximum allowable under earnings limitation sections of the Social Security Act and stipend for part-time corpsmen shall not exceed one hundred and twenty dollars permonth; provided further, that not less than one hundred twelve thousand five hundred dollars shall be expended for expansion of existing foster grandparent programs; provided further, that not less than thirty-seven thousand five hundred dollars shall be expended for expansion of existing senior companion programs; and provided further, that not less than fifty-four thousand dollars shall be expended for the retired senior volunteer program 995,540

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 program, in which all qualified elders shall participate; provided that, with the exceptions of protective services and respite care, no new programs shall be established without prior approval of the house and senate committees on ways and means; provided further, that not less than one million five hundred thousand dollars shall be expended for a program of services to protect the elderly from abuse and neglect; provided further, that not less than two hundred fifty thousand dollars shall be expended for a program of respite care services; provided further, that said home care 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; provided further, that no more than two per cent of the funds appropriated herein may be used to meet matching requirements of Title III, the Older American Act; provided further, that the department of elder affairs shall submit a detailed monthly report of all caseload trends and expendi-

tures 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; provided further, that, to the extent practicable, the department shall maximize available federal and third party reimbursement for program expenses including reimbursements under Title XIX of the Social Security Act; provided further, that one hundred per cent of the 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 purpose of providing community-based services for elders; provided further, that said department shall notify the house and senate committees on ways and means at least thirty days prior to the projected implementation of any negotiated increase in case management salaries including the cost thereof; and provided further, that any funds received from the federal government for the purpose of this item shall be credited to the General Fund, prior appropriation continued $ 91,699,523

9110-1640 For a reserve to fund demonstration projects; provided 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 adult foster care programs; provided further, that not less than seventy-five thousand dollars shall be expended for guardianship services for the elderly; and provided further, that a schedule of all demonstration projects and amounts allocated and expended for the purposes of this line-item shall be filed on a quarterly basis with the house and senate committees on ways and means 623,684

9110-1660 For a program of congregate and shared housing services for the elderly 273,173

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 2,204,200

9110-1713 For the purpose of a federally funded grant entitled, National Long Term Care Channeling Demonstration 496,118

General Federal Grants Fund 100.0%

9110-9002 For grants to councils on aging 2,000,000

EXECUTIVE OFFICE OF CONSUMER AFFAIRS.

Office of the Secretary.

9200-0100 For the office of the secretary, including not more than two permanent positions and eight temporary positions 364,878

State Racing Commission.

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 $ 1,900,049

Alcoholic Beverage Control Commission.

9212-0001 For the administration of the commission, including not more than forty permanent positions; provided, however, that at least forty thousand dollars shall be expended to improve the data information on unredeemed deposits on beverages as are required to be reported by law 1,070,126

Community Antenna Television Commission.

9215-0001 For the administration of the community antenna television commission, including not more than eight permanent positions 250,450

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 686,826

DEPARTMENT OF BANKING AND INSURANCE.

Division of Banks.

9221-1000 For the office of the commissioner, including not more than one hundred and eighty-six permanent positions 4,734,585

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 purpose 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 seventy-three permanent positions $ 4,380,282

General Fund 65.0%

Highway Fund 35.0%

9222-0199 For the expenses and administration of the board of appeal on motor vehicle liability policies and bonds, including not more than fifteen permanent positions and one temporary position 450,346

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 3,117,254

For the services of the following agencies in the division:

9230-0150 Board of registration and discipline in medicine; provided, however, that not less than one hundred and three thousand dollars shall be expended for the purposes of providing an additional Federation of State Medical Boards examination, also known as the "FLEX" exam, including not more than eight permanent positions and ten temporary positions 491,130

Department of Public Utilities.

9270-0001 For the general administration, including not more than sixty-four permanent positions and thirty-five temporary positions 2,484,964

Commercial Motor Vehicle Division.

9272-0001 For the administration of the division, including not more than nineteen permanent positions 481,146

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 energy programs including but not limited to the following: (1) an energy policy and data program, (2) a program to encourage energy conservation in publicly owned buildings, (3) a program to encourage energy conservation in residential buildings, (4) a program to encourage energy conservation in commercial buildings, and (5) a program to encourage the use of renewable energy resources.

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, including the total cost of each program, 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-two temporary positions	$	886,558
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, prior appropriation continued.		

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		414,637
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, and the commercial and apartment conservation service program pursuant to section twelve of chapter twenty-five A of the General Laws, including not more than two temporary positions		260,292
9300-0800	For the advancement of photovoltaic research, productivity improvement, cell and module manufacturing, and testing; to include a photovoltaic technology transfer program between private and public institutions of higher education in the commonwealth; provided that supplemental funds shall be sought from the federal government and from private sources; and provided further that said funds shall be jointly administered by the executive office of energy resources and the executive office of economic affairs		300,000
9300-9642	For the purposes of a federally funded grant entitled, Institutional Conservation		60,854

	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 Fuel Oil		5,000
	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		490,800
	General Federal Grants Fund	100.0%	
9300-9745	For the purposes of a federally funded grant entitled, Acceptable Peat Resources		1,000
	General Federal Grants Fund	100.0%	
9300-9754	For the purposes of a federally funded grant entitled, Alternative Energy Newsletter		9,000
	General Federal Grants Fund	100.0%	
9300-9755	For the purposes of a federally funded grant entitled, Solar Bank		1,147,000
	General Federal Grants Fund	100.0%	
9300-9756	For the purposes of a federally funded grant entitled, Oil Overcharge, Section 155		6,700,000
	General Federal Grants Fund	100.0%	
9300-9757	For the purposes of a federally funded grant entitled, Northeast Regional Biomass Program		19,000
	General Federal Grants Fund	100.0%	
9300-9758	For the purposes of a federally funded grant entitled, Oil Overcharge, AMOCO		365,772
	General Federal Grants Fund	100.0%	
9300-9759	For the purposes of a federally funded grant entitled, Oil Overcharge, Northeast Petroleum		378,481
	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 seven temporary positions		$ 294,479

Department of Labor and Industries.

9410-0100	For general administration of the department, including not more than seven permanent positions and two temporary positions		259,786

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 six temporary positions		2,077,631
9411-2013	For the purposes of a federally funded grant entitled, Mine Safety and Health Training		83,143
	General Federal Grants Fund	100.0%	
9411-4203	For the purposes of a federally funded grant entitled, O.S.H.A. Statistical Survey		83,446
	General Federal Grants Fund	100.0%	
9411-9701	For the purposes of a federally funded grant entitled, O.S.H.A. Onsite Consultation program		763,670
	General Federal Grants Fund	100.0%	
9412-0100	Division of occupational hygiene, including not more than fourteen permanent positions; provided, however, that not less than seventy-five thousand dollars of the amounts appropriated herein shall be expended for the study of the health effects of Video Display Terminals (VDT's) in the workplace		573,090
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		370,399
9413-0100	For the expenses of the department in enforcing the minimum wage laws, including not more than fourteen permanent positions		323,886
9414-0100	Division of employment agencies, including not more than four permanent positions		97,750

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	$ 411,492
	Board of Conciliation and Arbitration.	
9420-0100	Board of conciliation and arbitration, including not more than seventeen permanent positions	533,954
9421-0100	For a Joint Labor-Management Committee	406,612
	Labor Relations Commission.	
9430-0100	For the administration of the commission, including not more than eighteen permanent positions and seven temporary positions	747,184
	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	2,825,099
	Office of Self-Insurance.	
9440-0300	For the service of the office, including not more than four permanent positions	101,525
	Industrial Accident Rehabilitation Board.	
9440-0400	For the service of the board, including not more than six permanent positions	31,185

SECTION 3. Notwithstanding the provisions of any general or special law to the contrary, during the nineteen hundred and eighty-five fiscal year, the amount paid to each city, town, regional school district and county maintaining an agricultural school, under the provisions of item 7061-0008, shall be distributed as is necessary under the provisions of chapter seventy of the General Laws, but in no event shall be greater than the total for each city or town, regional school district and county maintaining an agricultural school, as indicated herein below, 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, town, regional school district and county maintaining an agricultural school, pursuant to this section is as follows:

CITIES AND TOWNS:

ABINGTON	3,279,043
ACTON	1,524,040
ACUSHNET	1,534,370
ADAMS	508,327
AGAWAM	4,826,179
ALFORD	17,672
AMESBURY	3,793,697
AMHERST	4,801,304

ANDOVER	2,869,250
ARLINGTON	9,445,711
ASHBURNHAM	498,402
ASHBY	30,996
ASHFIELD	115,536
ASHLAND	1,384,972
ATHOL	967,932
ATTLEBORO	7,920,324
AUBURN	2,647,328
AVON	822,030
AYER	2,391,926
BARNSTABLE	2,350,435
BARRE	577,129
BECKET	68,468
BEDFORD	1,673,332
BELCHERTOWN	1,634,130
BELLINGHAM	4,057,628
BELMONT	2,892,954
BERKLEY	563,720
BERLIN	308,265
BERNARDSTON	219,776
BEVERLY	6,368,449
BILLERICA	7,986,151
BLACKSTONE	403,211
BLANDFORD	10,525
BOLTON	206,837
BOSTON	246,018,443
BOURNE	1,361,059
BOXBOROUGH	249,723
BOXFORD	517,970
BOYLSTON	327,978
BRAINTREE	6,623,746
BREWSTER	208,813
BRIDGEWATER	3,058,485
BRIMFIELD	232,605
BROCKTON	34,778,994
BROOKFIELD	478,615
BROOKLINE	7,464,792
BUCKLAND	100,186
BURLINGTON	4,765,033
CAMBRIDGE	27,135,540
CANTON	3,032,328
CARLISLE	313,428
CARVER	979,423
CHARLEMONT	58,458
CHARLTON	102,158
CHATHAM	416,745
CHELMSFORD	6,303,004
CHELSEA	11,928,906
CHESHIRE	71,088

CHESTER	41,625
CHESTERFIELD	80,313
CHICOPEE	15,418,032
CHILMARK	16,145
CLARKSBURG	495,086
CLINTON	3,827,147
COHASSET	1,024,042
COLRAIN	53,678
CONCORD	1,737,623
CONWAY	102,687
CUMMINGTON	52,767
DALTON	641,462
DANVERS	3,021,675
DARTMOUTH	3,189,650
DEDHAM	4,062,565
DEERFIELD	346,992
DENNIS	285,698
DIGHTON	640,273
DOUGLAS	637,019
DOVER	312,520
DRACUT	4,910,807
DUDLEY	255,912
DUNSTABLE	123,808
DUXBURY	1,550,271
EAST BRIDGEWATER	2,326,942
EAST BROOKFIELD	328,232
EAST LONGMEADOW	1,973,973
EASTHAM	133,613
EASTHAMPTON	3,930,398
EASTON	3,111,564
EDGARTOWN	114,801
EGREMONT	60,696
ERVING	167,316
ESSEX	327,582
EVERETT	6,237,178
FAIRHAVEN	3,128,853
FALL RIVER	37,497,585
FALMOUTH	2,089,117
FITCHBURG	10,628,394
FLORIDA	42,045
FOXBOROUGH	2,552,444
FRAMINGHAM	9,364,449
FRANKLIN	4,339,417
FREETOWN	430,702
GARDNER	4,485,297
GAY HEAD	7,236
GEORGETOWN	1,291,073
GILL	17,800
GLOUCESTER	4,241,294
GOSHEN	32,968

GOSNOLD	2,960
GRAFTON	2,113,201
GRANBY	1,431,682
GRANVILLE	139,877
GREAT BARRINGTON	657,446
GREENFIELD	4,724,593
GROTON	438,729
GROVELAND	654,190
HADLEY	410,758
HALIFAX	814,763
HAMILTON	482,243
HAMPDEN	804,860
HANCOCK	65,390
HANOVER	2,800,181
HANSON	1,800,494
HARDWICK	380,603
HARVARD	1,778,288
HARWICH	755,281
HATFIELD	397,862
HAVERHILL	13,134,024
HAWLEY	13,526
HEATH	21,553
HINGHAM	2,951,681
HINSDALE	142,624
HOLBROOK	3,136,542
HOLDEN	1,659,281
HOLLAND	110,681
HOLLISTON	2,921,946
HOLYOKE	17,241,971
HOPEDALE	756,008
HOPKINTON	1,058,332
HUBBARDSTON	189,504
HUDSON	4,222,691
HULL	3,529,011
HUNTINGTON	65,697
IPSWICH	1,772,589
KINGSTON	595,337
LAKEVILLE	464,297
LANCASTER	1,064,400
LANESBOROUGH	364,392
LAWRENCE	21,270,997
LEE	1,150,082
LEICESTER	2,727,863
LENOX	988,490
LEOMINSTER	7,920,552
LEVERETT	110,135
LEXINGTON	3,426,880
LEYDEN	36,893
LINCOLN	581,711
LITTLETON	965,722

LONGMEADOW	2,559,474
LOWELL	30,239,635
LUDLOW	3,511,156
LUNENBURG	1,839,663
LYNN	31,837,062
LYNNFIELD	1,536,448
MALDEN	16,605,228
MANCHESTER	550,639
MANSFIELD	2,188,511
MARBLEHEAD	1,932,778
MARION	273,800
MARLBOROUGH	5,455,269
MARSHFIELD	3,755,379
MASHPEE	250,900
MATTAPOISETT	390,763
MAYNARD	1,907,006
MEDFIELD	1,897,140
MEDFORD	13,823,671
MEDWAY	1,980,058
MELROSE	6,983,064
MENDON	89,617
MERRIMAC	783,598
METHUEN	6,489,168
MIDDLEBOROUGH	3,884,645
MIDDLEFIELD	2,939
MIDDLETON	429,671
MILFORD	5,525,120
MILLBURY	3,225,047
MILLIS	1,326,258
MILLVILLE	101,274
MILTON	3,095,941
MONROE	13,701
MONSON	1,651,702
MONTAGUE	174,742
MONTEREY	34,870
MONTGOMERY	7,518
MOUNT WASHINGTON	3,971
NAHANT	425,900
NANTUCKET	320,072
NATICK	5,145,444
NEEDHAM	3,274,218
NEW ASHFORD	9,106
NEW BEDFORD	35,625,955
NEW BRAINTREE	107,786
NEW MARLBOROUGH	48,592
NEW SALEM	10,914
NEWBURY	453,130
NEWBURYPORT	2,940,071
NEWTON	10,252,019
NORFOLK	673,288

NORTH ADAMS	5,570,669
NORTH ANDOVER	2,117,003
NORTH ATTLEBOROUGH	4,370,539
NORTH BROOKFIELD	1,382,522
NORTH READING	2,234,499
NORTHAMPTON	6,022,206
NORTHBOROUGH	1,519,170
NORTHBRIDGE	3,244,007
NORTHFIELD	202,029
NORTON	3,531,305
NORWELL	1,929,458
NORWOOD	4,946,757
OAK BLUFFS	139,010
OAKHAM	78,832
ORANGE	1,438,549
ORLEANS	179,908
OTIS	62,468
OXFORD	3,812,955
PALMER	2,330,033
PAXTON	425,735
PEABODY	10,142,990
PELHAM	64,254
PEMBROKE	1,666,097
PEPPERELL	97,688
PERU	53,862
PETERSHAM	71,178
PHILLIPSTON	18,787
PITTSFIELD	14,986,190
PLAINFIELD	38,210
PLAINVILLE	616,949
PLYMOUTH	1,994,699
PLYMPTON	125,057
PRINCETON	297,294
PROVINCETOWN	308,457
QUINCY	25,014,011
RANDOLPH	7,378,825
RAYNHAM	1,292,911
READING	3,729,370
REHOBOTH	939,284
REVERE	14,369,080
RICHMOND	181,659
ROCHESTER	263,509
ROCKLAND	4,837,048
ROCKPORT	534,175
ROWE	41,000
ROWLEY	469,385
ROYALSTON	21,542
RUSSELL	26,054
RUTLAND	925,093
SALEM	7,728,250

SALISBURY	677,400
SANDISFIELD	46,600
SANDWICH	585,494
SAUGUS	4,389,121
SAVOY	69,631
SCITUATE	3,093,578
SEEKONK	1,718,243
SHARON	2,712,189
SHEFFIELD	163,772
SHELBURNE	111,239
SHERBORN	309,925
SHIRLEY	1,656,616
SHREWSBURY	3,306,457
SHUTESBURY	56,770
SOMERSET	1,679,248
SOMERVILLE	29,040,405
SOUTH HADLEY	3,544,066
SOUTHAMPTON	514,511
SOUTHBOROUGH	730,717
SOUTHBRIDGE	4,591,485
SOUTHWICK	1,472,057
SPENCER	2,723,132
SPRINGFIELD	63,307,158
STERLING	684,248
STOCKBRIDGE	108,028
STONEHAM	3,717,677
STOUGHTON	4,902,306
STOW	560,181
STURBRIDGE	675,509
SUDBURY	2,041,135
SUNDERLAND	267,695
SUTTON	966,296
SWAMPSCOTT	1,756,847
SWANSEA	2,589,958
TAUNTON	12,958,520
TEMPLETON	514,684
TEWKSBURY	5,280,496
TISBURY	176,577
TOLLAND	9,871
TOPSFIELD	655,285
TOWNSEND	184,605
TRURO	110,522
TYNGSBOROUGH	1,080,334
TYRINGHAM	19,052
UPTON	193,506
UXBRIDGE	1,570,757
WAKEFIELD	4,121,890
WALES	189,940
WALPOLE	3,468,490
WALTHAM	9,586,670

WARE	2,418,340
WAREHAM	2,471,009
WARREN	670,709
WARWICK	53,649
WASHINGTON	45,292
WATERTOWN	7,361,215
WAYLAND	1,679,240
WEBSTER	3,534,179
WELLESLEY	3,028,563
WELLFLEET	91,759
WENDELL	8,134
WENHAM	287,728
WEST BOYLSTON	988,049
WEST BRIDGEWATER	1,268,056
WEST BROOKFIELD	310,766
WEST NEWBURY	295,190
WEST SPRINGFIELD	3,763,945
WEST STOCKBRIDGE	80,760
WEST TISBURY	51,745
WESTBOROUGH	1,760,345
WESTFIELD	8,755,492
WESTFORD	2,773,284
WESTHAMPTON	67,981
WESTMINSTER	442,674
WESTON	1,163,434
WESTPORT	1,724,382
WESTWOOD	1,700,001
WEYMOUTH	14,012,435
WHATELY	87,519
WHITMAN	2,822,866
WILBRAHAM	1,831,605
WILLIAMSBURG	272,195
WILLIAMSTOWN	730,763
WILMINGTON	3,547,602
WINCHENDON	2,506,592
WINCHESTER	3,040,971
WINDSOR	36,118
WINTHROP	5,167,094
WOBURN	6,778,816
WORCESTER	60,653,635
WORTHINGTON	4,660
WRENTHAM	834,362
YARMOUTH	493,214

REGIONAL SCHOOL DISTRICTS:

ACTON-BOXBOROUGH	763,203
ADAMS-CHESHIRE	2,204,646
AMHERST-PELHAM	2,324,468
ASHBURNHAM-WESTMINSTER	485,229

ATHOL-ROYALSTON	2,812,431
BERKSHIRE HILLS	667,824
BERLIN-BOYLSTON	275,235
BLACKSTONE-MILLVILLE	2,100,285
BRIDGEWATER-RAYNHAM	1,276,209
BUCKLAND-SHELBURNE	388,062
CENTRAL BERKSHIRE	1,012,584
CONCORD-CARLISLE	437,927
DENNIS-YARMOUTH	1,533,793
DIGHTON-REHOBOTH	708,982
DOVER-SHERBORN	317,809
DUDLEY-CHARLTON	2,817,404
NAUSET	584,489
FREETOWN-LAKEVILLE	1,018,461
FRONTIER	231,466
GATEWAY	1,030,628
GROTON-DUNSTABLE	608,301
GILL-MONTAGUE	1,340,268
HAMILTON-WENHAM	620,905
HAMPDEN-WILBRAHAM	757,027
HAMPSHIRE	498,620
HAWLEMONT	43,139
KING PHILIP	1,316,318
LINCOLN-SUDBURY	636,997
MARTHA'S VINEYARD	195,675
MASCONOMET	656,952
MENDON-UPTON	771,462
MOUNT GREYLOCK	711,466
MOHAWK TRAIL	406,328
NARRAGANSETT	1,584,779
NASHOBA	302,348
NEW SALEM-WENDELL	113,382
NORTHBOROUGH-SOUTHBOROUGH	318,613
NORTH MIDDLESEX	3,214,797
OLD ROCHESTER	355,014
PENTUCKET	864,954
PIONEER VALLEY	121,567
PLYMOUTH-CARVER	1,344,050
QUABBIN	951,294
RALPH C. MAHAR	995,371
SILVER LAKE	2,444,491
SOUTHERN BERKSHIRE	362,338
SPENCER-EAST BROOKFIELD	1,027,350
TANTASQUA	904,397
TRITON	460,435
WACHUSETT	1,063,610
WARREN-WEST BROOKFIELD	660,342
WHITMAN-HANSON	1,597,932
ASSABET VALLEY	1,586,407
BLACKSTONE VALLEY	1,751,289

BLUE HILLS	1,797,796
BRISTOL-PLYMOUTH	1,774,884
CAPE COD	1,098,323
QUINOBIN REGIONAL	310,508
FRANKLIN COUNTY TECHNICAL	602,001
GREATER FALL RIVER	2,489,404
GREATER LAWRENCE	3,899,245
GREATER NEW BEDFORD	4,753,136
GREATER LOWELL	5,068,444
SOUTH MIDDLESEX	1,253,362
MINUTEMAN	1,477,398
MONTACHUSETT	2,515,945
NORTHERN BERKSHIRE	1,078,788
NASHOBA VALLEY	983,741
NORTHEAST METROPOLITAN	1,807,099
NORTH SHORE	691,755
OLD COLONY	950,353
PATHFINDER	623,329
SHAWSHEEN VALLEY	1,562,987
SOUTHEASTERN	3,087,855
SOUTH SHORE	767,537
SOUTHERN WORCESTER COUNTY	1,825,127
TRI-COUNTY	1,096,754
UPPER CAPE COD	427,701
WHITTIER	2,661,935

COUNTIES:

BRISTOL	519,703
ESSEX	1,069,313
NORFOLK	381,254

SECTION 4. The fourth paragraph of section 48 of chapter 6 of the General Laws, as most recently amended by section 2 of chapter 494 of the acts of 1978, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:- The commission may also appoint the following positions which shall be exempt from the provisions of chapter thirty-one and section nine A of chapter thirty:- one semi-senior accountant, the junior accountants, the senior bookkeepers, the senior chemists, the assistant chemists, one head clerk, the principal clerks, the senior clerks, the junior clerks, the chief of laboratory, the laboratory technicians, the supervisors of licenses and registration, state racing commission, one head administrative assistant and one special assistant to the commissioner.

SECTION 5. Section 9 of chapter 8 of the General Laws, as most recently amended by section 22 of chapter 579 of the acts of 1980, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- The superintendent shall, under the supervision of the governor and council, have charge of the care and operation of the state house, the John W. McCormack state office building, the Leverett Saltonstall state office building, the Springfield office building, the Pittsfield office building, the Erich Lindemann building, the Charles F. Hurley building, the building at

100 Nashua Street in the city of Boston and all state parking areas related thereto, and any other state properties as are designated by law, to be the responsibility of the superintendent of state office buildings, and shall see that the chambers and lobbies of the general court and of its committees are kept clean and in good order; shall superintend all ordinary repairs thereof and shall have charge of the current expenses for the care and preservation of the state house, and for the ordinary repairs of the furniture and fixtures therein.

SECTION 6. Section 11 of chapter 15 of the General Laws is hereby amended by striking out the fourth paragraph, as appearing in section 1 of chapter 636 of the acts of 1974, and inserting in place thereof the following paragraph:-

The commonwealth shall, subject to appropriation and upon approval of the board, pay to a city, town, or regional district school committee one hundred per cent of the cost of transportation of non-white pupils and minority pupils as defined in regulations promulgated under the federal Emergency School Aid Act, Public Law 92-318, as amended, transferred from schools in which racial imbalance exists and one hundred per cent of the cost of transportation of white pupils transferred from schools in which racial isolation exists to schools in which racial imbalance or racial balance exists for the purpose of reducing or eliminating racial imbalance as provided by said section thirty-seven D.

SECTION 7. Said chapter 15 is hereby further amended by inserting after section 1S the following section:-

Section 1T. There shall be within the department of education, the council on scientific cultural organizations, hereinafter referred to as the council. The purpose of said council shall be to provide grants to public scientific cultural organizations. Such organizations shall be deemed eligible for grants distributed by the council, provided that each such organization is approved by a majority vote of both the board of education and the council, and is a nonprofit organization, public or private, whose primary focus is informal science education, such as a museum, zoo, aquarium, or nature center, as defined by the board of education and the council, and which (a) provides informal educational programs in the sciences to grades kindergarten through twelve of the public, private, or parochial schools of the commonwealth; (b) owns or utilizes, maintains and regularly exhibits tangible objects to the public or provides a regular schedule of public programs or services; (c) has demonstrated to the satisfaction of the board of education and the council, the ability to provide effective educational programs; (d) is professionally staffed to conduct science education programs; and (e) is exempt from income taxation pursuant to 28 USC section 501 (c) (3).

The council shall consist of five members who shall be appointed by the governor for terms of five years. Members shall have demonstrated scholarship or creativity in, or distinguished service to science, and shall be broadly representative of all areas of science.

Elected public officials shall not be eligible for membership on the council. The governor shall designate the chairman of the council. Upon expiration of the term of office as a member, his successor shall be appointed in a like manner, and shall serve until the qualification of his successor. Any vacancy, occurring for any reason other than the expiration of the term, shall be filled for the unexpired term in the same manner as the original appointment.

The council may hold public and private hearings, may enter into contracts with individuals, organizations and institutions for services furthering the objectives of the council's program; may enter into contracts with local or regional associations for cooperative endeavors furthering the council's program; may accept gifts, grants, contributions and bequest of funds from individuals, foundations and from federal, state or other governmental bodies

for the purpose of furthering the council's program; may make and sign any agreements and may do and perform any and all acts which may be necessary for furthering the council's program. The council may request from any department, division, board, bureau, commission or agency of the commonwealth such assistance and data as will enable it to properly carry out its powers and duties.

The members of the council shall serve without compensation but shall be reimbursed for their expenses actually and necessarily incurred in the discharge of their official duties.

The council shall establish, and from time to time issue or revise as necessary, guidelines, rules, rulings or regulations for its operations and procedures.

SECTION 8. Section 10 of chapter 15A of the General Laws, as amended by section 2 of chapter 344 of the acts of 1983, is hereby further amended by adding the following two paragraphs:-

Notwithstanding the provisions of any general or special law to the contrary, the board of trustees of each of the public universities of the commonwealth may exempt up to 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. 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 filed with the house and senate committees on ways and means. The board of trustees of each such university shall fix the compensation for such (01) permanent faculty who have received exemptions and are not members of a collective bargaining unit. The board of trustees of each such university and the appropriate collective bargaining unit shall fix the compensation for such (01) permanent faculty who have received exemptions and are members of said collective bargaining unit.

SECTION 9. Chapter 16 of the General Laws is hereby amended by striking out section 13, as most recently amended by section 19 of chapter 706 of the acts of 1975, and inserting in place thereof the following section:-

Section 13. There shall be within the department an outdoor advertising division, for the purpose of regulating and controlling, in the public interest, the erection and maintenance of billboards, signs or other advertising devices.

SECTION 10. The first paragraph of section 14 of chapter 19 of the General Laws is hereby amended by striking out, in line 9, as appearing in section 1 of chapter 189 of the acts of 1979, the words ", Cushing hospital".

SECTION 11. The first sentence of section 14A of said chapter 19 is hereby amended by striking out, in line 8, as appearing in section 2 of said chapter 189, the words ", Cushing hospital".

SECTION 12. The third paragraph of section 24 of chapter 19 of the General Laws is hereby amended by striking out the first sentence, inserted by section 5 of chapter 450 of the acts of 1983, and inserting in place thereof the following sentence:- 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 shall include a

determination of eligibility for existing federal, state, and municipal programs to provide for social and economic needs as well.

SECTION 13. Section 17A of chapter 21 of the General Laws is hereby amended by striking out the fourth sentence, as amended by section 65 of chapter 706 of the acts of 1975, and inserting in place thereof the following sentence:- The department may construct such roads, parking areas, docks, ramps, trails, shelters, comfort stations and related facilities as may be designated by said board and shall maintain, operate and improve such facilities and associated land and water areas; provided, however, that the department may enter into agreements with other public agencies to transfer operation of such areas to said agency.

SECTION 14. Chapter 25A of the General Laws is hereby amended by inserting after section 11 the following section:-

Section 11A. (a) The secretary of energy resources is hereby authorized to prepare a state plan and to promulgate such regulations as may be necessary to implement the Massachusetts commercial and apartment conservation service program, including requiring all utilities, as defined in section one of chapter four hundred and sixty-five of the acts of nineteen hundred and eighty, to offer the program requirements to qualified customers, as determined by the secretary, in such manner and at such times as the secretary may require, and to establish and regulate the fees to be charged by utilities for such services. The secretary is hereby authorized to adopt such additional state program requirements beyond the minimum federal program requirements, establish in accordance with Title VII of the National Energy Conservation Policy Act, Public Law 95-619, which are found to be in the public interest.

(b) The secretary of energy resources shall have the power to enforce the provisions of said program pursuant to the same remedies and procedures established in section eight of said chapter four hundred and sixty-five, including, without limiting the foregoing, the authority to assess civil penalties up to twenty-five thousand dollars against any person, utility, energy auditor, supplier, installer, or lender participating under the state plan who violates any provision of the plan, or this section, or any rule or order adopted or issued hereunder.

SECTION 15. Section 46 of chapter 30 of the General Laws is hereby amended by striking out paragraph (12), added by section 5 of chapter 293 of the acts of 1981, and inserting in place thereof the following paragraph:-

(12) Notwithstanding the provisions of any general or special law to the contrary, no employee shall receive compensation from any agency, department, commission, board or other undertaking of the commonwealth if said employee is also an employee of a county and would receive compensation from such county in excess of twenty thousand dollars. Any employee covered by the provisions of this paragraph shall have thirty days prior to separation from the payroll of the commonwealth within which to resign from the employ of each county.

SECTION 16. Section 102 of chapter 32 of the General Laws is hereby amended by striking out paragraph (c), as amended by section 1 of chapter 542 of the acts of 1980, and inserting in place thereof the following paragraph:-

(c) In any case where such former employee, spouse, or other beneficiary is receiving an annual retirement allowance, pension or annuity which is eight thousand dollars or more exclusive of additional annuity obtained by special purchase under paragraph (g) of sub-

division (1) of section twenty-two, or any similar law, the cost-of-living adjustment, shall be in an amount determined by applying the percentum of change determined by the general court to the sum of eight thousand dollars. Beginning annually in July, nineteen hundred and eighty-one, whenever the cost-of-living adjustment pursuant to paragraph (a) indicates an increase or decrease in the cost-of-living of at least three percent, the dollar amounts of such increase or decrease as determined in the first sentence of this paragraph shall be added to or deducted from each retirement allowance, pension or annuity which is in excess of eight thousand dollars. The sum of the dollar amount of such cost-of-living adjustments, together with the amount of retirement allowance, pension or annuity to which the cost-of-living percentum factor is applied and any amounts in excess of said eight thousand dollars shall become the fixed retirement allowance, pension or annuity for all future purposes including the application of subsequent cost-of-living adjustments in future years; provided, however, that the limitations of this paragraph shall continue to apply.

SECTION 17. Chapter 38 of the General Laws is hereby amended by striking out section 5, as most recently amended by sections 6 and 7 of chapter 941 of the acts of 1977, and inserting in place thereof the following section:-

Section 5. 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 18. Section 13 of chapter 71B of the General Laws, as appearing in section 6 of chapter 699 of the acts of 1983, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

In transporting children and mentally retarded persons pursuant to this section, the department shall take appropriate steps to ensure the safety of said persons. If the department determines that said persons cannot be transported safely without the assistance of monitors, said transportation services shall include provision of monitors. Monitors for mentally retarded persons shall be trained and certified by the department of mental health. Monitors for children attending programs of the department of public health shall be provided by the department of public health. Nothing in this section shall preclude parents from voluntarily serving as unpaid monitors when their preschool aged children are being transported.

SECTION 19. The third paragraph of section 12A of chapter 76 of the General Laws, as appearing in section 7 of chapter 636 of the acts of 1974, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- Such financial assistance shall include payments for: (i) the cost per pupil of educating each non-resident child, as approved by the board; (ii) the cost of transportation of each such child, as approved by the board; and (iii) the cost, as approved by the board, of special

education services provided to each such child determined to be in need of such services pursuant to chapter seventy-one B. The board shall, by regulation, define the special education costs eligible for such financial assistance.

SECTION 20. Section 19C of chapter 78 of the General Laws is hereby amended by striking out clause (3), as most recently amended by section 278 of chapter 351 of the acts of 1981, and inserting in place thereof the following clause:-

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

Over 1,000 population	$1.00 per capita
750-999 population	$1.10 per capita
Under 750 population	$1.30 per capita

SECTION 21. Chapter 111 of the General Laws is hereby amended by inserting after section 64, under the caption CUSHING HOSPITAL AND THE CENTER ON CARE OF THE AGING, RESEARCH AND EDUCATION, the following thirteen sections:-

Section 64A. The department, subject to the provisions of sections sixty-four B to sixty-four M, inclusive, shall have general supervision of the Cushing Hospital.

Section 64B. The Cushing Hospital shall be maintained in the town of Framingham as a chronic care hospital, primarily to provide a comprehensive program of health care services to aging citizens. Subject to the provisions of section twenty-five B to twenty-five G, inclusive, such health care services are authorized to include long term chronic care; acute inpatient and outpatient care, including but not limited to medical, surgical, restorative, and rehabilitative services; dental services; skilled nursing care and intermediate care facility services; hospice services; congregate housing services; and home health services.

The Cushing Hospital may also engage in research into the causes and prevention of premature aging and the prevention and cure of diseases associated with aging individuals. Said hospital may develop educational programs for providers of health care and other services to the elderly, and for the general public, to improve the quality of such care and services received by the elderly. Said hospital may serve as a teaching facility for the education of highly skilled professionals in relevant areas of medicine and surgery.

Section 64C. There shall be a board of trustees of the Cushing Hospital which shall consist of twelve members appointed by the governor. Each member shall serve a term of six years and two members shall be appointed each January, to take office on the first Wednesday of the following February. Members of the board may be removed for cause and shall serve without compensation, but shall be reimbursed for all expenses reasonably incurred in the performance of their duties. The board of trustees shall meet at least four times in each year.

Section 64D. The trustees shall be a corporation for the purpose of taking and holding, by them and their successors, in the name of the commonwealth, and in accordance with the terms thereof, any grant or devise of land or any gift or bequest of money or other personal property made for the use or benefit of the hospital or its patients. The trustees shall also receive all payments and third party reimbursements, including the entire payments, both state and federal, made pursuant to Title XVIII and Title XIX of the Social Security Act, for patient care as provided in section sixty-four E.

The trustees may invest any such gifts, payments or reimbursements in any investment as is legal for savings banks in the commonwealth. For said purposes, the trustees may employ such agents as it may from time to time determine to be wise and proper, including

any trust company or other corporation authorized by law to administer trusts and may from funds received as aforesaid or the income thereof pay such expenses as may be necessary for the prudent administration of such gifts, payments or reimbursements.

Section 64E. The trustees may appoint all persons necessary for the proper administration of the affairs of the hospital, and may incur all expenses necessary for the maintenance thereof.

The trustees shall deposit all monies received in payment or reimbursement for patient services into a general trust fund for the hospital. All monies so deposited may be expended without further appropriation. Any monies in such fund at the end of a fiscal year shall remain in such fund and shall not revert to the General Fund.

The monies from the general trust fund shall be expended in accordance with the following purposes:

(a) to pay for the operating expenses of Cushing Hospital, including administrative and health care delivery services;

(b) for the capital improvement and development of the medical school, including, but not limited to, the repair and maintenance of the present buildings, construction of a new facility, and the acquisition of medical and academic equipment and materials;

(c) to provide compensation, including additional fringe benefits, for employees of the hospital as the board of trustees may authorize and direct; and

(d) for medical research into innovative procedures for the long term care of elderly persons.

Section 64F. The trustees shall annually prepare a projected revenue and disbursement schedule of the general trust fund. Such schedule shall be filed with the commissioner, the secretary of the executive office of human services, the commissioner of administration, and the house and senate committees on ways and means.

Section 64G. The trustees may from time to time establish other trust funds. In the use, management, and administration of gifts or other monies held in trust, the trustees or their agents shall in their discretion so act as most effectively to aid the beneficiaries in accordance with the terms of such gift or trust. Any unrestricted balances remaining in a trust fund upon its termination shall be transferred to the general trust fund and used for the purposes authorized for the general trust fund.

The trustees shall have the authority to assent to federal laws designed to benefit the hospital and to enter into contracts or agreements with the federal government or agencies thereof, as well as into contracts or agreements with agencies of other governments, colleges or university foundations, corporations, interstate compact agencies and individuals where such contracts or agreements, in the judgment of the trustees, will promote the objectives of the hospital.

Section 64H. The trustees of the hospital may adopt, amend or repeal such rules and regulations for the management, control and administration of inpatient fees, and for regulating or limiting the method and amounts which may be disbursed from the trust funds, particularly the general trust fund. The trustees shall publish such rules and regulations and shall file copies thereof with the commissioner, the secretary of the executive office of human services, the commissioner of administration and the house and senate committees on ways and means.

Section 64I. All members of the professional and non-professional staff of the hospital shall continue to be employees of the commonwealth, irrespective of the source of funds from which their salaries are paid. They shall have the same privileges and benefits of other employees of the commonwealth, such as retirement benefits, group insurance, industrial accident coverage, and other coverage enjoyed by all employees of the commonwealth.

Section 64J. The Trustees may, except as to the duties imposed on powers granted under section sixty-four H, delegate their authority or any portion thereof to the superintendent of the hospital or any other officer of the hospital whenever in their judgment such delegation may be necessary or desirable.

Section 64K. (a) The superintendent of the hospital may deposit in any bank organized and existing under the law of the commonwealth funds belonging to persons who are patients or residents at such facility, funds deposited by relatives or friends of such persons, and other funds belonging to such persons except that independent funds shall only be deposited with the consent of the resident. The interest earned by any funds so deposited shall be credited to the account of any such person except that such person shall have an unrestricted right to manage and spend in his sole discretion all his independent funds.

(b) Any funds held in trust by the superintendent for any persons who have been discharged from or who have otherwise left Cushing Hospital which shall have remained unclaimed for more than seven years, shall be paid by the superintendent to the state treasurer to be held subject to being paid to the person establishing a lawful right thereto, with interest at the rate of five per cent per annum from the time when it was so paid to the state treasurer to the time when it is paid by him to such person; provided, however, that the department shall first be paid from such funds for any sum due it for charges to the person for whom such funds were originally deposited, and provided, further, that if such amount does not exceed fifty dollars, the superintendent may pay such sum to the state treasurer immediately. The balance of such funds, after six years from the date when such funds were paid to the state treasurer, may be used as part of the ordinary revenue of the commonwealth. Any person may, however, establish his claim to such funds after the expiration of such six year period and any claim so established shall be paid from the ordinary revenue of the commonwealth. Any person claiming a right to funds deposited with the state treasurer under this section may establish the same by a petition to the probate court, provided, however, that in cases where claims amount to less than fifty dollars, the claims may be presented to the comptroller who shall examine the same and allow and certify for payments such as may be proved to his satisfaction.

(c) Personal property belonging to or deposited for the benefit of any person who has been discharged from or who has otherwise left Cushing Hospital which remained unclaimed for more than one year shall be sold, or if without value, otherwise disposed of by the superintendent; provided, however, that not less than thirty days prior to such disposition the superintendent shall send notice of the intended sale or disposition of such property to the person at his last known residential address, to the nearest relative or guardian or conservator of such person or the person with whom such person last resided. If such person, relative or other person does not within such thirty day period object to such sale or disposition, the department may sell or dispose of the property in accordance with its regulations. Funds received as a result of such sale or disposition shall be disposed of in accordance with the provisions of subsection (b).

(d) All fiduciaries of persons who are patients at Cushing Hospital shall register with the superintendent of such facility on a form supplied by the department.

(e) The department shall establish procedures to make the fiduciaries accountable to the department for all funds belonging to such patients and residents. These procedures shall require an annual report by the fiduciary to the department on a form supplied by the department indicating the manner in which such funds were managed or expended during the report period. The annual report shall be submitted by the fiduciary under penalty of perjury pursuant to sections one and one A of chapter two hundred and sixty-eight.

(f) A fiduciary who fails to register with the department or who fails to submit an

annual report to the department shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than five hundred dollars.

(g) A fiduciary who embezzles or fraudulently converts or appropriates money, goods, or property held or possessed by him for the use and benefit of the resident shall be subject to penalties prescribed in section fifty-seven of chapter two hundred and sixty-six.

(h) A guardian, trustee, or conservator shall be removed from his duties upon his conviction of any of the offenses enumerated in paragraphs (f) and (g). The department shall petition the appropriate federal agency for the removal of a representative payee from his duties upon his conviction of any of the offenses enumerated in said paragraphs (f) and (g).

Section 64L. The board of trustees of the hospital, with the approval of the commissioner, shall appoint a superintendent who shall be the chief executive officer of the hospital. The person appointed as superintendent shall have a doctoral degree or a master's degree from an accredited college or university in the area of medicine, law, gerontology, psychology, rehabilitation, or hospital administration. The superintendent, with the approval of the trustees, may appoint and remove subordinate officers and employees as are necessary to carry out the purposes of the hospital. Such employees shall not be subject to section forty-five, forty-six, and forty-six C of chapter thirty or to any other limits on the number and classification of permanent and temporary positions.

Section 64M. There shall be a center on the care of the aging, research, and education, hereinafter referred to as the care center. The care center shall provide research into long term care of the aging, develop innovative models of delivery of such care, and provide technical assistance and training to other providers of long term care to the elderly.

The care center shall consist of an affiliation agreement between Cushing Hospital, the University of Massachusetts medical school, the University of Massachusetts programs on gerontology at Boston and Worcester, and any other appropriate organizations which may, from time to time, become a party to such agreement.

The care center shall be administered by a board of directors, which shall consist of five members, one of whom shall be the superintendent of Cushing Hospital, who shall serve as chairman of the board, one of whom shall be the dean of the University of Massachusetts medical school, one of whom shall be an official of a gerontology program of the University of Massachusetts to be appointed by the board of trustees of said university, one of whom shall be the director of the medical assistance program of the department of public welfare, and one of whom shall be the secretary of the executive office of elder affairs or his designee.

The care center shall be authorized, subject to the affiliation agreement, to expend money and appoint employees to carry out activities within its purposes.

SECTION 22. Chapter 211 of the General Laws is hereby amended by adding the following section:-

Section 25. There is hereby created under the superintendence of the supreme judicial court, hereinafter called the court, a disability benefits project, hereinafter called the project, for the exclusive purpose of providing increased legal assistance for mentally or physically disabled persons to secure federal disability benefits provided through the Social Security Disability Insurance program under Title II of the Social Security Act, through the Supplemental Security Income program under Title XVI of the Social Security Act, and through such other programs subsequently established by Congress to accomplish similar purposes for persons with disabilities. The purpose and intent of said project shall be to

make funds available, subject to appropriation for such purposes, to organizations, including qualified legal services programs as defined in section one of chapter two hundred and twenty-one A, and other groups, corporations or associations to fund a program of statewide legal assistance, such funds to be distributed pursuant to contracts which set general goals for case-handling, or include other appropriate measures of service, for each organization receiving financial assistance and which require, where appropriate, that a portion of said financial assistance be made available to private attorneys to further effectuate the intent of the project. The court may administer or contract with any organization for the purpose of administering the project. The court may further appoint a disability advisory committee, consisting of members of the legal community including those with experience in advocacy for persons with disabilities, and members of the disabled community, for the purpose of assisting the court in matters pertaining to the project. The composition of the committee, the terms of its members, and the scope of its responsibilities shall be determined by the court.

SECTION 23. Section 2 of chapter 469 of the acts of 1954 is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- Said hospital shall be under the control of the department of public health and shall be operated as a public medical institution within the meaning of section two of chapter one hundred and eighteen E of the General Laws.

SECTION 24. Section 82A of chapter 289 of the acts of 1983 is hereby amended by striking out, in line 8, the word "January" and inserting in place thereof the word:- June.

SECTION 25. 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-five to incur liabilities and incidental expenses for the purchase of supplies, as provided by said section fifty-one, including material to be disposed of as surplus, so-called, by the federal government through agencies of the federal government in an amount not exceeding five hundred and fifty thousand dollars, in addition to any amount heretofore provided for the purpose, and the comptroller may certify for payment such incidental expenses and liabilities so incurred to an amount not exceeding five hundred and fifty thousand dollars, in addition to any amount heretofore provided for said purpose.

SECTION 26. 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 fifty 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 fifty dollars, the recipient shall be paid monthly in advance the difference between such income and fifty 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 27. 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 28. 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 29. 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-four and shall be available to the department for use on the purposes provided herein during fiscal year nineteen hundred and eighty-five. 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 30. 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 31. 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 32. 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 33. For the fiscal year beginning July first, nineteen hundred and eighty-four 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-four and a final report by June thirtieth, nineteen hundred and eighty-five 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 34. 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 35. 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 36. 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 37. 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 not more than ten dollars and all other fees for application for admission shall not be less than forty dollars. A board of trustees of a community college shall establish the fee for application for admission of residents of the commonwealth at not more than ten dollars and all other fees for application for admission shall not be less than thirty-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 38. No positions authorized and funded by federal funds on or after June thirtieth, nineteen hundred and eighty-four shall be funded with appropriations authorized in section two of this act during fiscal year nineteen hundred and eighty-five 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 39. 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 40. 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, and any contract for such services shall be for a term of not less than one fiscal year; provided that the provisions of this sentence shall not apply to line items 5011-0015, 5011-0017, 5016-0104, and 5024-0100. No expenditures or commitment of monies for such services, either by contract or other agreement, shall be made in excess of the amount of monies appropriated for such services.

SECTION 41. 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 42. Notwithstanding the provisions of any general or special law to the contrary, revenues in an amount not to exceed two 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-four and shall be available to the department for use on the purposes provided herein during fiscal year nineteen hundred and eighty-five. 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 43. Notwithstanding the provisions of section one of this act to the contrary, items 0320-0001 to 0340-1111, inclusive, in section two of this act are hereby charged as follows:-

General Fund	20.0%
Local Aid Fund	80.0%

SECTION 44. 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-four 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-five. 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 one million dollars authorized for expenditures pursuant to this section, and shall file said report for fiscal year nineteen hundred and eighty-four with the house and senate committees on ways and

means on or before October first, nineteen hundred and eighty-four and for fiscal year nineteen hundred and eighty-five a similar report shall be filed with said committees on or before December thirtieth, nineteen hundred and eighty-four, and a final report shall be filed with said committees on or before August first, nineteen hundred and eighty-five.

SECTION 45. 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-four 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-five. 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-four with the house and senate committees on ways and means on or before October first, nineteen hundred and eighty-four, and for fiscal year nineteen hundred and eighty-five, a similar report shall be filed with said committees on or before December thirtieth, nineteen hundred and eighty-four, and a final report shall be filed with said committees on or before August first, nineteen hundred and eighty-five.

SECTION 46. The amount of any unexpended balance of federal grant funds received prior to June thirtieth, nineteen hundred and eighty-four, 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-five, 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-four, the amounts of any such unexpended balances for each item of appropriation including such unexpended balances as are appropriated in said section two.

SECTION 47. 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 48. Notwithstanding any provision of law to the contrary, expenditures for any item of equipment, except data or word processing equipment, having a purchase price not exceeding three thousand dollars may be approved by the secretary of administration and finance or paid for by the comptroller without the prior approval of the house and senate committees on ways and means.

No state agency or office of the judiciary may make any expenditure from amounts appropriated for the purchase of any item of equipment having a purchase price of more than three thousand dollars, including motor vehicles, and for the lease or purchase of data or word processing equipment unless prescribed in schedules approved by the house and senate committees on ways and means.

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 state auditor, and the office of the attorney general, and the office of the lieutenant governor, the office of the secretary of state, the office of the treasurer and the office of the governor.

SECTION 49. 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 house and senate committees on ways and means shall forward to the commissioner of administration a list of all new permanent or temporary positions funded for fiscal year nineteen hundred and eighty-five on or before August fifteenth, nineteen hundred and eighty-four.

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 is included on a schedule approved by the house and senate committees on ways and means or included on a previously approved schedule.

The secretary of administration and finance shall file a recommended schedule of all permanent or temporary positions and vacant titles no later than September fifteenth, nineteen hundred and eighty-four with the house and senate committees on ways and means. Such schedules shall include recommendations for approval of the list of new permanent or temporary positions which were forwarded to said secretary on or before August fifteenth, nineteen hundred and eighty-four. Such schedules shall also include all reallocation of permanent and temporary positions and vacant titles and changes in compensation rates.

The personnel administrator shall, not later than two weeks after the receipt of a personnel schedule approved by the house and senate committees on ways and means, notify

said committees of the action taken by the personnel administrator regarding new permanent or temporary positions or reallocations of positions contained in said schedules.

The commissioner of administration 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 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.

Nothing in this section shall be interpreted so as to affect any employee's civil service rights. Any employee who exercises any such right to return to a permanent position in any agency shall be allowed to exercise such right, notwithstanding the fact that such agency may have filled all the permanent and temporary positions allowed pursuant to this section. In such circumstances, said commissioner shall file a notice of the exercise of such right, including the position number and agency affected, with the house and senate committees on ways and means.

State agencies are hereby authorized to transfer any authorized job title from the list of vacant titles to and from the list of scheduled permanent and temporary positions, subject only to notification of the personnel administrator and subject to the total number of permanent and temporary positions allowed under this section.

The provisions of this section, and of clause (d) of paragraph (4) 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 50. Notwithstanding the provisions of section six of chapter fifteen A and 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 51. 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, in an amount not to exceed the sum appropriated for this purpose in item 4100-0010 in section two of this act.

SECTION 52. 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 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 twenty-five, and the purchasing agent is hereby authorized to incur liabilities and incidental expenses for fiscal year nineteen hundred and eighty-five 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 53. 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, in the food stamp program of the department of public welfare, in the day care services of the department of social services, and in housing support services where income is a factor of eligibility. 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, subject to federal privacy laws, 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 of a state and federally chartered savings bank, state and federally chartered savings and loan association, cooperative bank, state and federally chartered credit union, trust company, national banking association, 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

person 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 willfully renders false information in reply to such request, he 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 the unreasonableness of a refusal to so provide information.

The commissioner shall examine the data available to him, so as to identify 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 state and federally chartered savings banks, state and federally chartered savings and loan associations, cooperative banks, state and federally chartered credit unions, trust companies, national banking associations, benefit associations, insurance companies or safe deposit companies, and the amount of wages received or amount of financial resources. Upon the receipt of such information, such administering agencies, and where appropriate, 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 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 January first, nineteen hundred and eighty-five. 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. If the commissioner determines that it would be cost-effective to process only a sample of the entire caseload of a program, he may in such manner operate the reporting system for such program; provided, however, that prior notification of such sampling technique is provided to the house and senate committees on ways and means; and provided, further, that any such sample shall constitute not less than thirty per cent of the entire caseload of said program. Where the provisions of the wage reporting system established pursuant to chapter sixty-two E of the General Laws conflict with the provisions set forth in this section, the provisions set forth in this section shall govern.

SECTION 54. 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 fifty-five 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 55. Notwithstanding any general or special law to the contrary, during fiscal year nineteen hundred and eighty-five, the boards of trustees of every public college and university in the commonwealth are 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. 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 revenue fund authorized by section fifty-four of this act.

SECTION 56. 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 to 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 57. The department of social services is hereby authorized to continue the revolving fund established during fiscal year nineteen hundred and eighty-four, for the receipt and expenditure of SSI and SSA cash benefits received by the department on behalf of children in its care. Said revolving fund may accrue receipts for expenditure of not more than the sum of five million dollars in the aggregate; but provided, that of said five million dollars, not more than the sum of one million nine hundred thousand dollars may be allocated to and expended during fiscal year nineteen hundred and eighty-five by item of appropriation 4800-0100; provided, further, that of said five million dollars, not more than the sum of three million one hundred thousand dollars may be allocated to and expended during fiscal year nineteen hundred and eighty-five by the following items of appropriation: 4801-0200, 4802-0200, 4803-0200, 4804-0200, 4805-0200, and 4806-0200; but provided, further, that said sums shall not be allocated except pursuant to recommendations submitted by the commissioner of said department and approved by the commissioner of administration and the house and senate committees on ways and means; and provided, further, that said cash benefits received in excess of five million dollars and the balance remaining in said revolving fund which is not expended during fiscal year nineteen hundred and eighty-five shall be credited to the General Fund.

SECTION 58. Any reduction in the 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. 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 forty-nine of this act, 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 of "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
8000-0100
9091-3001
9200-0100
9270-0001
9300-0003

SECTION 60. The department of public welfare shall provide for coverage under chapter one hundred and eighteen E of the General Laws, of psychiatric institutional services for children under the age of twenty-one. The department shall implement this benefit with administrative requirements to ensure appropriate provision and utilization of such services to persons eligible under the law. Such requirements may include but need not be limited to utilization review and case management. The department shall report on the status of the provision of coverage of such services quarterly to the house and senate committees on ways and means.

SECTION 61. Notwithstanding the provisions of any general or special law to the contrary, 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 patient care. Each hospital shall report the amounts of revenue generated from the collection charges for services from third pary 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 hospitals and the authorized amounts of revenues to be expended are as follows: for Lakeville Hospital, revenues in excess of four million seven hundred and eighty thousand dollars but not exceeding six million dollars; for Lemuel Shattuck Hospital, revenues in excess of six million nine hundred thousand dollars but not exceeding eight million six hundred and twenty-five thousand dollars; for the Massachusetts Hospital School, revenues in excess of three million five hundred and forty thousand dollars but not exceeding four million four hundred and twenty-five thousand dollars; for Rutland Heights Hospital, revenues in excess of three million five hundred and thirty thousand dollars but not exceeding four million four hundred and thirteen thousand dollars; for Tewksbury Hospital, revenues in excess of thirteen million three hundred and fifty-five thousand dollars but not exceeding sixteen million six hundred and ninety-four

thousand dollars; and for Western Massachusetts Hospital, revenues in excess of three million seven hundred and forty-four thousand dollars but not exceeding four million six hundred and eighty thousand dollars. Any remaining balances of the amounts available to the hospitals within the department, at the end of fiscal year nineteen hundred and eighty-four, pursuant to section seventy-six of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three, shall not revert to the General Fund, but shall be available to said hospitals within the department for the purposes provided herein during fiscal year nineteen hundred and eighty-five.

SECTION 62. Notwithstanding the provisions of any general or special law to the contrary, the commissioner of administration is hereby authorized during fiscal year nineteen hundred and eighty-five to incur liabilities and incidental expenses for the purchase or rental of telecommunications services and equipment in an amount not to exceed one million 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 and equipment 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 and equipment.

SECTION 63. 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-four, 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 64. Notwithstanding any general or special law to the contrary, monies received by the commonwealth from rentals, commission fees, parking fees and from any and all other sources pertaining to the operation of the State Transportation Building shall be credited on the books of the commonwealth to a fund to be known as the State Transportation Building Management Fund. Said fund shall be used for maintenance and operation of said building.

The division of capital planning and operations shall enter into a contract for the provision of building management services for the operation and maintenance of the State Transportation Building with one of the public agency tenants of said building, which agency shall have experience in operating building facilities.

The building manager shall collect all monies payable to the commonwealth relating to the operation of the State Transportation Building and deposit the same in the State Transportation Building Management Fund and may expend, without further appropriation, such monies from said fund as may be required to meet expenses for the maintenance and operation of said building provided, however, that such monies collected in excess of six million dollars shall be transferred to the General Fund.

The building manager shall file, on a quarterly basis, an itemization of all such expenditures from the fund with the commissioner of administration and the house and senate committees on ways and means.

SECTION 65. Notwithstanding the provisions of any general or special law to the contrary, no state agency or office of the judiciary shall employ or hire for services from subsidiary account 03, except under written contract which contract shall contain the name of the agency or office, the person or firm so engaged, the specific services or duties to be performed, the manner in which the said services are to be rendered including the tools, implements, equipment necessary and a description of the physical setting in which said services are to be performed or rendered, the total amount to be paid for such services, the length of time said services shall be required; provided, however, that all contracts shall be reviewed by the secretary of administration and finance; except that in the systems of higher education all such contracts shall be filed with the board of regents of higher education and in the various divisions of the trial court all such contracts shall be reviewed only by the chief administrative justice.

The said secretary shall quarterly submit to the house and senate committees on ways and means a complete report detailing each agency or office making such a contract for services, the action taken by said secretary, the number of employers and employees or firms so engaged and such other information and data as the said secretary may deem necessary to determine the extent of such employment and services in the commonwealth.

SECTION 66. The commissioner of administration shall conduct a review and study of the use by all state departments, boards, agencies, or offices of the judiciary, of all seasonal, intermittent, emergency appointments and temporary employment resulting in or which has resulted in payment of unemployment compensation benefits by any such department, state agency or office; said review and study shall include a detailed analysis of employment patterns and profiles in such departments or agencies, detailing the said department or agency management's reasons for the use of such employees and recommending specific measures which the department or agency intends to implement to reduce such employment compensation expenses.

Said commissioner shall compile said information and file a written report with the house and senate committees on ways and means on or before January thirty-first, nineteen hundred and eighty-five.

SECTION 67. Notwithstanding the provision of any general or special law to the contrary, the commissioner of administration shall submit quarterly to the house and senate committees on ways and means a written report listing by state agency, including the judiciary, the number of claims by former employees of said respective agencies for unemployment benefits filed after January first, nineteen hundred and eighty-three, with the division of employment security and which have not been contested.

SECTION 68. The commissioner of administration shall submit a written report to the house and senate committees on ways and means which shall list by individual job-title and annual salary, the number of full-time equivalents in every item of appropriation who are scheduled or paid as permanent, temporary or excess quota positions, as defined in section forty-nine of this act and who are assigned, whether expressly or impliedly, to another item of appropriation to which the performance of their functional job duties are related. Said report shall be filed by November thirtieth, nineteen hundred and eighty-four, and on November thirtieth of each succeeding calendar year.

SECTION 69. Notwithstanding the provisions of section thirteen A of chapter seven hundred and eight of the acts of nineteen hundred and sixty-six, the Massachusetts housing finance agency shall, for the purposes of the interest subsidy program authorized by said section thirteen A, expend from its Working Capital Fund, the sum of five million dollars.

SECTION 70. Notwithstanding the provisions of any general or special law to the contrary, in order to meet the estimated cost of heat, light, power and other services and the estimated costs of employee fringe benefits to be furnished by the commonwealth to projects of the Massachusetts State College Building Authority, the board of trustees of state colleges shall transfer to the General Fund from the funds received from the operation of said projects the sum of nine hundred sixty-five thousand dollars for the current fiscal year.

SECTION 71. The department of elder affairs, as part of its home care program, is hereby authorized and directed to provide case management services to those persons placed on waiting lists due to the unavailability of funds, in order to assist them in obtaining other services in the community. Such persons shall not be considered as part of the regular client caseload, but for reporting purposes shall be considered as a separate category to be known as "referral services". In submitting its monthly report to the house and senate committees on ways and means, pursuant to the requirements of item of appropriation 9110-1630, the department shall furnish information relating to trends and expenditures incurred in providing said "referral services".

SECTION 72. Notwithstanding the provisions of section five of chapter fifteen A of the General Laws, or any general or special law to the contrary, any increase in tuition rates approved by the board of regents for fiscal year nineteen hundred and eighty-five for in-state students determined to be residents of the commonwealth pursuant to subsection (r) of said section five at the institutions of public higher education shall not exceed the annual rate of increase of seven per cent of the tuition levels established pursuant to said section five for fiscal year nineteen hundred and eighty-four, provided, however, the provisions of this section are not applicable to sections fifty-four and fifty-five of this act.

SECTION 73. Notwithstanding the provisions of section two of chapter eighty-five, section eight of chapter eighty-nine, or chapter ninety of the General Laws or any other provision of the law, or any rules or regulations of the department of public works to direct, govern, or restrict the movement of vehicles on the highways to the contrary, the town of Norwood is hereby authorized to erect and maintain a traffic signal system at the intersection of Neponset street and Wedgewood drive in said town.

The shape, size, color and placement of said signal system, and related signs and markings, shall conform to the rules and regulations of the department.

SECTION 74. There is hereby established a special committee of the house of representatives, to consist of seven members, for the purpose of making an investigation and study of the fees charged or to be charged to any other broadcast outlet for access to the legislative coverage. Said committee shall work in conjunction and cooperation with the WGBH Foundation. Said committee shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect by filing the same with the clerk of the house of representatives on or before the last Wednesday in December, nineteen hundred and eighty-four.

SECTION 75. On or before July fifteenth, nineteen hundred and eighty-four, there shall be established a special committee, to consist of twelve members of the house of representatives, eight of whom shall be elected by the democratic caucus and four of whom shall be elected by the republican caucus for the purpose of making an investigation and study relative to considering improvements in the procedure and process of developing and enacting general appropriations bills for the nineteen hundred and eighty-five and nineteen hundred and eighty-six legislation sessions. Said committee shall report to the general court the results of its investigation and study, and its recommendations, together with drafts of rule changes necessary to implement improvements, if any, of said process, by filing the same with the clerk of the house of representatives on or before December fifteenth, nineteen hundred and eighty-four.

SECTION 76. Notwithstanding the provisions of any general or special law to the contrary, the commissioner of public works is hereby authorized and directed to make application to the United States Department of Transportation, the Federal Highway Commission, for a grant from the rural technical assistance program provided for in the Department of Transportation Appropriation Act of 1983 for the purpose of research and technical assistance through a college or university in the commonwealth with rural transportation research capacity. Said grant application shall be made to the United States Department of Transportation by September thirtieth, nineteen hundred and eighty-four.

SECTION 77. The commissioner of administration shall expend the funds appropriated in item 1599-3388 of section two solely to provide for the lease of data processing equipment for those activities funded by the following appropriation items:

1101-2100
1101-2300
1101-2304
1102-3210
1102-4050
1103-1000
1103-5010
1104-1000
1107-2500
1111-0010
1120-1000
1201-0100
1231-0100
2410-1000
3000-0100
4100-0100
4237-1010
4311-0001
4380-0001
4400-1010
4510-0100
4513-0200
4516-0201
4531-0001
5011-0000

7030-0100
9221-1000
9222-0199
9230-0001
9300-0003
9300-0500
9300-0600
9421-0100

SECTION 78. 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 commission 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 recommendation 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 September first, nineteen hundred and eighty-four.

Notwithstanding any general or special law to the contrary, no state agency may expend funds appropriated in this act to replace or purchase motor vehicles from any item of appropriation other than items 1102-5221, and 1599-3408 of section two of this act, unless justified by extraordinary circumstances certified by the commissioner of administration and submitted to the house and senate committees on ways and means.

SECTION 79. 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 of the General Laws and provided, further, that any invitation 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 80. 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-five 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 81. 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.

One hundred 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 home care program account (line-item 9110-1630) and may be expended without further appropriation for diversified home care services. 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, including proposed regulations, for the revised sliding scale fee system no later than September first, nineteen hundred and eighty-four, to the house and senate ways and means committees, and shall implement said plan no later than October first, nineteen hundred and eighty-four.

SECTION 82. The commissioner of the department of public health is hereby authorized to establish and maintain 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 stan-

dards 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; 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-four shall not revert to General Fund and shall be available to the department for use on the purposes as provided herein during the fiscal year nineteen hundred and eighty-five.

SECTION 83. Notwithstanding the provisions of any general or special law to the contrary, 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 patient care. Each hospital shall report the amounts of revenues 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 hospitals and the authorized amounts of revenues to be expended are as follows: for Danvers State Hospital, revenues in excess of two hundred eighty thousand and thirty-four dollars but not exceeding five hundred thousand dollars; for Northampton State Hospital, revenues in excess of one million, five hundred twenty-nine thousand, two hundred eighty-eight dollars but not exceeding two million, five hundred thousand dollars; for Medfield State Hospital, revenues in excess of five hundred eighteen thousand, two hundred seventy-seven dollars but not exceeding one million dollars; for Metropolitan State Hospital, revenues in excess of six hundred thirty-one thousand dollars but not exceeding one million five hundred thousand dollars; for Taunton State Hospital, revenues in excess of two million, two hundred forty-one thousand, six hundred thirty-five dollars but not exceeding three million, five hundred thousand dollars; for Westborough State Hospital, revenues in excess of four million, seven hundred fifty thousand, three hundred seventeen dollars but not exceeding six million dollars; and for Worcester State Hospital, revenues in excess of one million, four hundred forty-eight thousand, three hundred eighty-three dollars but not exceeding two million, five hundred thousand dollars.

Any remaining balances at the end of fiscal year nineteen hundred and eighty-four of the amounts available to be expended without further appropriation authorized under section seventy-five of chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three, shall not revert to the General Fund, but shall be available to said hospitals within the department for the purposes provided herein during fiscal year nineteen hundred and eighty-five.

SECTION 84. Notwithstanding any provision of law to the contrary, each district attorney of the commonwealth is hereby authorized and directed to expend from the funds appropriated in section two the amounts specified therein to increase child support collections, provided that said efforts shall be undertaken pursuant to cooperative agreements between the district attorneys and the department of public welfare. Each district attorney shall submit to the house and senate committees on ways and means and to the department a quarterly status report which provides the following information for all spousal and child

support cases involving (i) applicants for or recipients of assistance under the program of aid to families with dependent children; (ii) all other individuals, prosecuted by said district attorney: the number, type and final disposition of cases prosecuted; the number and amount of support orders entered, including orders for restitution and arrearages; the number and amount of orders for medical support; the number and amount of fines ordered; the number of defendants extradited and disposition of their cases; the amount of actual collections received by probation offices as a result of the above orders; and such additional information as may be required for purposes of compliance with federal regulations and for maximization of federal financial participation.

SECTION 85. Notwithstanding any general or special law to the contrary, any state agency or office which is authorized in any section of this act or in section forty-seven of chapter ninety-four C of the General Laws, to expend certain revenues without further appropriation shall file within thirty days after the end of each quarter with the house and senate committees on ways and means and the commissioner of administration a report detailing the source and amount of all such revenues and the purpose and amount of all expenditures therefrom.

SECTION 86. Notwithstanding the provisions of section fifty-three of chapter forty-four of the General Laws or any other general or special law to the contrary, a city, town, or district may establish in its treasury a revolving fund which shall be kept separate and apart from all other monies by the treasurer and into which shall be deposited the receipts received in connection with the distribution of water conservation devices under a program of water conservation grants from the commonwealth administered by the department of environmental quality engineering. The receipts shall be expended at the direction of the authority, commission, board, or official of such city, town, or district with the responsibility for a water conservation program without further appropriation and only for the purpose of continuing a water conservation program.

SECTION 87. There is hereby established the court clinic services committee, hereinafter referred to as the committee. The purpose of the committee shall be to research and evaluate the current court clinic programs; conduct a needs assessment to identify critical gaps in the current system of court clinic programs; develop a feasability plan for addressing such gaps; and establish the framework for a comprehensive court clinic program throughout the judicial system.

The committee shall consist of nine persons including the commissioner of the department of mental health, or his designee, the chief administrative justice of the trial court, or his designee, the administrative justice of the superior court department or his designee, the administrative justice of the district court department or his designee, the administrative justice of the probate and family court department or his designee, the administrative justice of the juvenile court department or his designee, the commissioner of the office of probation, or his designee, one member to be appointed by the governor, and one member to be appointed by the chief justice of the supreme judicial court; each such member to serve without compensation. The committee shall select a chairperson as its first order of business.

The committee shall file a report with the clerks of the house of representatives and the senate setting forth its findings, and recommendations on or before March thirty-first, nineteen hundred and eighty-five.

SECTION 88. The bureau of systems operations shall determine monthly the amount of

all direct and indirect expenditures relating to the activities of the bureau and the operation of the bureau's facility, and the portion of such amount reasonably allocable to each agency of commonwealth utilizing the bureau's services or facility. This allocation shall be based on a rate structure which shall provide incentives for efficient use of the bureau's resources and shall be subject to review and prospective amendment by the commissioner of administration. The bureau shall issue a memorandum invoice by the fifteenth day of each month to each user agency, itemizing the agency's proportionate share of the bureau's expenditures for the preceding month. The bureau shall submit to the comptroller a copy of the invoices for the department of mental health, the Massachusetts rehabilitation commission, the department of public health, the motor vehicle management bureau, and the state purchasing agent. The bureau may submit to the comptroller a copy of invoices for those services and functions provided for the first time during fiscal year nineteen hundred and eighty-five to all other agencies. Invoices submitted to the comptroller may not include invoices for services related to the personnel management information system, also known as, "PMIS." The comptroller shall charge the amount of all invoices received to the respective agencies' appropriation account. The first six hundred thousand dollars of monies charged shall be transferred to the general fund. Amounts charged in excess of six hundred thousand dollars, but no more than two hundred and fifty thousand dollars shall be transferred to appropriation item 1101-2300 contained in section two of this act and may be expended without further appropriation. Any monies charged in excess of eight hundred and fifty thousand dollars shall be transferred to the general fund. The bureau shall submit a report to the house and senate committees on ways and means within thirty days after the end of each quarter summarizing each user agency's proportionate share of the bureau's expenditures for the quarter and for the fiscal year to date, the rate structure upon which these shares were based, and the effect of the pilot chargeback system upon the five participating agencies' use of the bureau's services and facility. The bureau shall submit to the house and senate committees on ways and means by January first, nineteen hundred and eighty-five a report containing plans for implementing a full chargeback system in fiscal year nineteen hundred and eighty-six.

SECTION 89. All employees of the Cushing Hospital are hereby transferred to the employ of the department of public health. Any collective bargaining agents which represented such employees prior to the effective date of such transfer shall continue to represent such employees until such bargaining agent shall be changed by such employees in accordance with chapter one hundred and fifty E of the General Laws. All employees so transferred shall also remain in the same collective bargaining unit, subject to said chapter one hundred and fifty E. Any collective bargaining agreements in effect prior to the effective date of this act shall remain in effect until they expire under their own terms.

SECTION 90. All employees of Cushing Hospital which are transferred to the employ of the department of public health by this act, who, immediately prior to the effective date of this act, hold positions related to the exercise of such powers or the performance of such duties and either hold permanent appointment in positions classified under chapter thirty-one of the General Laws or have tenure in their positions by reason of section nine A of chapter thirty of the General Laws shall be transferred to the employ of said department without impairment of civil service status, seniority, retirement or other rights of the employee and without interruption of service within the meaning of said chapter thirty-one or said section nine A and without reduction in compensation or salary grade notwithstanding any change in title or duties resulting from such transfer, subject to the provisions of said chapter thirty-one and the rules and regulations adopted thereunder.

All employees of said hospital who, immediately prior to said effective date, hold positions related to the exercise of such powers or the performance of such duties but neither hold permanent appointments in such positions nor have such tenure, are so transferred without impairment of seniority, retirement and other rights of the employee, and without the 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 this act or to prohibit any reduction of salary or grade, transfer, reassignment, suspension, discharge, layoff, or abolition of position not prohibited prior to said effective date.

The status of the incumbent 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 91. All books, papers, records, documents, equipment, lands, interests of 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 Cushing Hospital, shall remain in the custody of said hospital and shall not be affected by this act. All duly existing contracts, leases and obligations of said hospital in force immediately prior to the effective date of this act shall thereafter be performed by said hospital. No existing right or remedy of any character shall be lost, impaired or affected by the provisions of this act. All monies heretofore appropriated for said hospital remaining unexpended on the effective date of this act shall be available for expenditure by said hospital for the purposes for which funds were originally appropriated.

All powers, duties and other statutory provisions which prior to the effective date of this act were assigned to, or executed by said hospital shall continue to be exercised and performed by, and to be assigned to, said hospital.

SECTION 92. The commissioner of mental health shall transfer to the commissioner of public health all books, papers, furnishings, records, documents, equipment, lands, interest in lands, buildings, facilities and other property, both real and personal, relative to and for the use of Cushing Hospital, which prior to the effective date of this act were in the custody of the commissioner of mental health. Said commissioner of mental health shall execute all deeds, contracts and assignments necessary to transfer such property.

SECTION 93. Each individual serving as a member of the board of trustees of Cushing Hospital on the date immediately prior to the effective date of this act shall serve as members of the board of trustees of Cushing Hospital established by this act. Such members shall be eligible for reappointment to such board of trustees.

The five additional members authorized by this act shall be appointed by October first, nineteen hundred and eighty-four for such initial terms so that each year two members of the board of twelve shall have their terms expire.

SECTION 94. As of October first, nineteen hundred and eighty-four, Cushing Hospital shall be eligible to bill third party payors for services provided to its patients, including the medical assistance program administered by the department of public welfare, and any such monies received by Cushing Hospital shall be deposited in the general trust fund of the hospital. Cushing Hospital shall receive the full state and federal share of such medical assistance payments as of said date. Prior to October first, nineteen hundred and eighty-

four all such third party reimbursements to the hospital shall be deposited into the General Fund.

Any revenues received during the fiscal year ending June thirtieth, nineteen hundred and eighty-four by Cushing Hospital and not expended by said June thirtieth shall be retained by said hospital and deposited into the general trust fund of said hospital and may be expended without further appropriation for the purposes of said general trust fund.

SECTION 95. The governor's office of human resources established by an executive order by the governor shall establish a grant program for the development of regional child care resource and referral centers hereinafter referred to as RCCRRC in various regions of the commonwealth. The RCCRRC's shall provide current information to consumers on the availability, type, and quality of all child care resources within the region.

The grant program shall provide funding to begin the RCCRRC's and shall be reduced and finally cease over a three year period. Under such program, the institution developing the RCCRRC's shall provide matching funds of twenty per cent of the total cost of the project in the first year, forty per cent of such total cost in the second year, and sixty per cent of such total cost in the third year. In the fourth year, each RCCRRC shall be self-supporting and no RCCRRC shall receive funding under said grant.

Such grants shall be distributed to institutions of higher education, local governments, or other agencies which can lawfully receive such grants under the provisions of Article XVIII of the Massachusetts Constitution.

SECTION 96. The department of elder affairs and the agencies within the executive office of human services are hereby authorized to provide respite care services to their clients either with their own employees or through the purchase of such services from a private vendor. All such agencies and departments which offer respite care services shall establish a system of sliding fees charged for such services. Such system of sliding fees shall consider the income and resources of both the client and his family. The term "respite care services" shall mean a support system for a family administering care to a client who is a member of such family, provided that such system uses planned or crisis relief on a short term basis for such family performed by a qualified respite care worker for a specified time in the home of such family, the home of such worker, or in another residential setting.

The executive office of human services is hereby authorized and directed to establish procedures to coordinate the respite care services of the agencies within said executive office to maximize client participation and to minimize overlapping and duplicative services.

SECTION 97. The department of public welfare is hereby authorized and directed to establish a primary physician sponsor program under the medical assistance program. Such program shall consist of regular monthly payments to physicians if they agree to manage the access to the health care system of their patients who are recipients of medical assistance. The department shall establish sites for this program in areas of the state where there are an insufficient number of health maintenance organizations or neighborhood health centers or where utilization of hospital outpatient departments or emergency rooms is excessive.

Participation of such recipients of medical assistance is voluntary; provided that once a recipient or recipient family agrees to participate in such program, they shall participate for a minimum period of one year unless such time requirement is substantially waived by said department. Recipients participating in said program are required to contact their physician in the program prior to their receiving reimbursable medical services, except in emergency circumstances as established by said department.

The department shall report quarterly to the house and senate committees on ways and means on the primary physician sponsor program, including the amount expended under the program, the number and location of participating physicians, the number of participating recipients, and the estimated savings from said program.

SECTION 98. Any individual who has not attained the age of twenty-two shall not be confined or allowed to reside in any state mental health hospital or inpatient unit of a state funded mental health clinic under the direction and control of the department of mental health unless such individual is housed within a separate unit with individuals of the same age grouping. Such units shall provide living arrangements, staffing, mental health services, and other programs appropriate to the age grouping. Said department shall establish appropriate age groupings and programs and services designed to meet the needs of individuals in such age groupings.

SECTION 99. With regard to services funded by monies appropriated in item 5016-0104 of section two and provided to retarded people in the community not eligible for such services through chapter seventy-one B of the General Laws or the consent decrees, the department of mental health shall consider the needs of such persons who are not presently in emergency situations as well as those who are considered to be in emergency situations. The department shall file an interim report no later than January thirty-first, nineteen hundred and eighty-five, and a final report no later than July thirty-first, nineteen hundred and eighty-five, with the house and senate committees on ways and means detailing the amounts expended for such persons considered to be in emergency situations and for such persons considered to be in nonemergency situations.

SECTION 100. There is hereby established a regional student medical contract program under the New England Board of Higher Education with the purpose of increasing the number of physicians serving in areas of the state declared to be medically underserved or with a health manpower shortage pursuant to the criteria established by the United States department of health and human services or by the secretary of the executive office of human services. The area health education centers hereafter referred to as AHEC are hereby authorized to establish such program to require physicians who received financial assistance from the state to attend medical school to repay such assistance through service for an established period of time in such areas of the state after the completion of all internship and residency requirements. Such physicians, as a condition of the receipt of such assistance, shall agree to participate in such program administered by AHEC. Successful completion of such program by a physician is hereby declared sufficient to satisfy the payback requirement of item 7077-0021 of section two.

SECTION 101. There is hereby established a specialized high school committee to consist of the commissioner of education or his designee, the chancellor of the board of regents or his designee, and thirteen persons to be appointed by the governor, of whom two shall be employees of the Museum of Science in Boston, two administrators and two teachers employed in the public schools of the commonwealth, two parents of children attending said public schools, one representative of independent colleges or universities in the commonwealth, one representative of private industry located in the commonwealth, and three education specialists.

Said committee shall investigate the development of a specialized high school for gifted and talented science and mathematics students in grades eleven and twelve, and shall file a written report of its findings with the joint committee on education, and the house and

senate committees on ways and means, not later than November thirtieth, nineteen hundred and eighty-four. Said report shall include information and recommendations regarding facilities, curriculum, school characteristics unique to the commonwealth, program definitions, admissions policies, and possible locations for the school. Said recommendations also shall include the establishment of a board of trustees, appointed by the governor, to be composed of representatives of public education, higher education, and the business community located in the commonwealth.

SECTION 102. The department of public welfare is hereby authorized and directed to revise the fee structure under the medical assistance program to obstetricians and gynecologists for pre-natal and child birth services, provided to pregnant women. The revised fee structure shall consist of a single fee for all such services, payable after a final post-partum examination by such obstetrician or gynecologist. The amount of such single fee shall be equal to the average cost of such services as they were provided on a fee for service schedule. Said department shall establish minimum standards for office visits and other care for physicians providing such care to medical assistance recipients.

SECTION 103. 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 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, nineteen hundred and eighty-three and nineteen hundred and eighty-four as in the judgement of said commissioner will add to the 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-five, 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 104. A special commission, to consist of four members of the senate and five members of the house of representatives, is hereby established for the purpose of making an investigation and study of the finances, operations, management and other related matters regarding the Massachusetts Port Authority. Said investigation and study shall include, but not be limited to, the port of the city of Boston and the reimbursement in lieu of taxes paid to said city. Said commission shall report to the general court on or before the last Wednesday of December, nineteen hundred and eighty-four.

SECTION 105. The secretary of public safety shall conduct a review and study of the adequacy and capability of municipal fire departments to protect state facilities and property, especially universities, colleges, community colleges, and hospitals, and to analyze and estimate costs for state assistance to municipal fire departments to ensure adequate firefighting capabilities at state facilities, and to establish a priority for the commonwealth to assist said municipal fire departments. Said secretary shall compile such information and file a written report with the committee on public safety on or before December first, nineteen hundred and eighty-four.

SECTION 106. The University of Massachusetts at Boston is hereby directed to enter into good faith, formal, contract negotiations with WGBH, Boston for the acquisition, by the state secretary, of the documentary, "Vietnam: A Television History", and upon acquisition to house the same in an appropriate location in Boston; provided, however, that the William Joiner Center at the University of Massachusetts at Boston shall be responsible for the utilization of said documentary for the benefit of the people.

SECTION 107. Notwithstanding the provisions of any general or special law to the contrary, one of the permanent positions set forth in item 7100-0100 in section two of this act, shall be for a full professorship in the department of psychiatry at the University of Massachusetts Medical School specializing in the study of the violently mentally ill. Said professorship shall be known as the Arnold Frank Zeleznik Professorship in Psychiatry, in recognition of the tragedy suffered by the Zeleznik family.

SECTION 108. This act shall take effect as of July first, nineteen hundred and eighty-four. Section sixteen shall take effect on July first, nineteen hundred and eighty-five and section ninety-eight shall take effect on Janaury first, nineteen hundred and eighty-five.

This Bill was returned July 14, 1984 by the Governor to the House of Representatives, the Branch in which said Bill originated, with his objections in writing to the following:

1599-2111	2150-0506	6030-7302
2100-0163	2150-0509	6030-7303
2120-0500	2150-0532	6030-7304
2150-0504	6005-0200	6030-7501

and reductions in writing to the following:

Item	New Amount
0330-2501	$ 119,078
0331-0600	5,504,298
0331-2200	194,731
0331-3100	936,930
0331-3200	882,276
0331-3300	2,857,884
0332-0100	313,660
0332-1600	687,260
0332-1800	1,095,306
0332-2100	923,449
0332-2400	727,712
0332-2700	1,054,517
0332-3200	435,811
0332-3800	168,067

Item	New Amount
0332-4000	$ 1,532,418
0332-4400	1,209,266
0332-6900	1,848,211
0332-7400	614,196
0332-7700	288,501
0332-7900	220,328
0333-0700	1,258,359
0333-0800	384,245
0333-0911	152,919
0333-1100	1,852,116
0333-1111	87,924
0333-1200	1,140,469
0339-2100	990,589
0340-0400	3,008,308
0340-0500	1,896,022
0526-0900	600,000
1599-3100	0
1599-3416	400,000
2150-0531	90,000
2150-0536	100,000
2430-9001	500,000
2518-2500	55,603
2350-0100	2,050,231
2340-0100	1,650,000
4170-0400	7,000,000
4403-2000	335,311,632
4405-2000	105,104,654
7010-0019	700,000

and with amendments to the following sections:

7, 21, 54, 94, 98, and 100.

The remainder of this Bill was approved by the Governor July 14, 1984.

Chap. 235. AN ACT AUTHORIZING THE TOWN OF FRAMINGHAM TO ESTABLISH A SPECIAL ACCOUNT FOR THE MINUTEMAN LIBRARY NETWORK.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section fifty-three of chapter forty-four of the General Laws to the contrary, the town of Framingham is hereby authorized to establish in its treasury a special account which shall be known as the Minuteman library network reserve account. Support charges, so called, which shall be paid by a member, city, or town to maintain and support the automated computer facilities housed in the Framingham public 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 Minuteman library network 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.

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

Approved July 18, 1984.

Chap. 236. AN ACT AUTHORIZING CITIES, TOWNS AND DISTRICTS TO BORROW MONEY IN ANTICIPATION OF CERTAIN GRANTS OR REIMBURSEMENTS FROM THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately aid cities and towns in financing state aided projects by borrowing the state's share of the cost prior to reimbursement and to permit the immediate use of such reimbursement to repay the sum borrowed, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter 44 of the General Laws is hereby amended by striking out section 6A, as most recently amended by section 1 of chapter 668 of the acts of 1979, and inserting in place thereof the following section:-

Section 6A. If a city, town or district has been allotted a grant by the commonwealth, or any agency or department thereof, for any purpose for which the city, town or district may

incur debt that may be payable over a term of five years or longer, and is required primarily to pay that proportion of the expense for which reimbursement is to be received from the commonwealth, such reimbursement first having been agreed upon by the commonwealth or such agency or department, in order to provide the necessary funds to meet the expense for which reimbursement is to be made, the treasurer of the city may, with the approval of the official whose approval is required by the city charter in the borrowing of money, the treasurer of the town may, with the approval of the board of selectmen, and the treasurer of the district may, with the approval of the prudential committee, if any, otherwise the commissioners, incur debt outside the debt limit and issue notes therefor for a period not exceeding two years from their dates, and may refund the same from time to time; provided, however, that no loan shall be so refunded unless the auditor, in the case of a city, or the accountant or chief accounting officer in the case of a town or district which has such an officer, otherwise the treasurer, shall certify in a writing filed in the office of the treasurer, where it shall be open to inspection by the public, that at the time such loan is refunded, the city, town or district remains entitled to receive reimbursement in an amount at least equal to the amount of the refunding loan. The proceeds of such reimbursement shall be applied to the discharge of the loan, without the necessity of further appropriation. In the event the city, town or district shall no longer be entitled to receive reimbursement in an amount sufficient to pay all or any portion of a loan issued under this section at the time such loan matures, the loan shall be paid from revenue funds of the city, town or district to the extent it can no longer be refunded under this section. A payment made by a city, town or district as provided in the preceding sentence shall be reported by the auditor or accountant of the city, town or district, or other officer having similar duties, or by the treasurer if there be no such officer, to the assessors, who shall include the amount so reported in the determination of the next annual tax rate, unless the city, town or district has otherwise made provision therefor.

Approved July 21, 1984.

Chap. 237. AN ACT SETTING THE MAXIMUM TERM FOR CERTAIN BONDS OF THE CITY OF MALDEN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of Section 8(9) of Chapter 44 of the General Laws the bonds of the City of Malden authorized for emergency appropriation purposes by a loan order

approved by the Mayor on May 22, 1984 shall be payable within a period not to exceed three years from their dates.

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

Approved July 21, 1984.

Chap. 238. AN ACT DIRECTING THE CITY OF LYNN TO GRANT A PENSION TO ALFRED J. BARBUZZI.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the creditable service requirements for eligibility for an ordinary disability pension for veterans contained in section six of chapter thirty-two of the General Laws to the contrary, the city of Lynn is hereby authorized and directed to retire Alfred J. Barbuzzi under the provision of said section six; provided, however, that said Alfred J. Barbuzzi meets all other requirements pursuant to said section six.

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

Approved July 21, 1984.

Chap. 239. AN ACT RELATIVE TO THE APPOINTMENT AND REMOVAL OF CERTAIN STATE DEPARTMENT HEADS.

Be it enacted, etc., as follows:

SECTION 1. Section 25 of chapter 504 of the acts of 1983 is hereby amended by striking out, in line 3, the word "eighty-four" and inserting in place thereof the word:- eighty-five.

SECTION 2. This act shall take effect as of June thirtieth, nineteen hundred and eighty-four.

Approved July 21, 1984.

Chap. 240. AN ACT AUTHORIZING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO LEASE THE RETAIL, RESTAURANT AND OTHER COMMERCIAL PORTIONS OF THE STATE TRANSPORTATION BUILDING.

Be it enacted, etc., as follows:

SECTION 1. (a) As used in this act, the term "retail store" shall mean any retail, commercial or restaurant establishment other than an establishment licensed to sell alcoholic beverages including beer and wine.

(b) The division of capital planning and operations, hereinafter called the division, is hereby authorized to execute and deliver, in the name and on behalf of the commonwealth, a lease and garage operating agreement in one or more instruments, with the Theatre District Limited Partnership, a Massachusetts limited partnership, hereinafter called the tenant, with respect to the portions of the department of transportation building, located in the Park Square area of the city of Boston, which have been set aside for retail, restaurant and other commercial uses, consisting of approximately forty-three thousand square feet of gross floor area on the first floor, approximately seven thousand square feet of gross floor area on the second floor, and including the right to use certain other areas on the first and second floors in common with the commonwealth, including approximately five thousand square feet of gross floor area on the first floor; provided, however that a minimum of fifty-one per cent of the net available first floor space shall be dedicated to retail stores.

The annual rental payment to the commonwealth over the term of the lease shall be ten per cent of the gross receipts or fifty per cent of the net profits, whichever is the greater; provided, however, that annual minimum rental payment shall not be less than fifty thousand dollars for years one through five of the lease, nor less than one hundred thousand dollars for years six through ten of the lease, and thereafter the annual minimum rental payment shall be increased by the annual percentage increase in the consumers price index; provided, further, that said rent shall not be reduced from year eleven on below the preceding years annual minimum rent paid to or due the commonwealth for any year in which the consumers price index should go below the index for the year preceding; and provided, further, that said minimum rent shall be in accordance with the terms of the lease and of this act, and said rental payment shall not be subordinated to any lease-hold mortgage of the tenant.

Within sixty business days after the commencement of the lease, tenant shall pay an initial security deposit of fifty thousand dollars to the commonwealth or shall deliver to the commonwealth an irrevocable and unconditional letter of credit in the amount of fifty thousand dollars to secure tenant's performance of its obligations under the lease, including the payment of minimum rent, and said security deposit or letter of credit, as the case may be, shall not be released until the commonwealth has received a total of at least one hundred thousand dollars in net profits from the prior years operation of the leased pre-

mises. The lease shall provide that the commonwealth may repossess the leased premises if payment of the minimum rent, the commonwealth's share of profits or any other sum is not timely paid, or if the tenant otherwise defaults and that notwithstanding such default, the tenant will continue to owe the minimum rent and any other sums due under lease and shall also be obligated for the commonwealth's cost of releasing the premises. The tenant shall carry, in an amount approved in writing by the deputy commissioner of the division, hereinafter called the deputy commissioner, comprehensive general liability insurance protecting tenant and the commonwealth against personal injuries and property damage occurring in said leased premises and appurtenant common areas, and such fire and extended risk insurance, as said deputy commissioner deems appropriate covering all nonstructural portions of said leased premises. Said lease shall require tenant to furnish to said deputy commissioner insurances covering and protecting said buildings against damages resulting from tenants' renovation work in amounts deemed necessary and adequate by said deputy commissioner. Said lease and agreement shall be in such form and contain such provisions consistent herewith as the division in consultation with the secretary of transportation and construction may determine.

Said lease shall be for an original term not exceeding thirty-six years, and may provide options to extend the term for two consecutive periods of ten years each. If the division so determines, in order to facilitate financing or refinancing by the tenant, the second option period may exceed ten years in the event of a foreclosure by or transfer in lieu of foreclosure to a leasehold mortgage lender, but in no event shall the second option period as extended be for a term in excess of twenty years.

Said lease shall provide that the second floor of said building shall be used primarily for restaurant or other food service facilities; provided, however, that the lease shall also contain provisions satisfactory to the deputy commissioner for the reversion to the commonwealth of said second floor premises or portions thereof in the event the deputy commissioner determines that the tenant is not providing adequate levels of food service for state employees occupying said building. The deputy commissioner shall abide by and implement the provisions of sections one hundred and thirty-three A, one hundred and thirty-three C, one hundred and thirty-three E and one hundred and thirty-three F of chapter six of the General Laws with regard to the portions of said building not subject to the lease and agreement authorized hereby.

Said deputy commissioner shall provide the house and senate chairmen of the joint committee on state administration and the inspector general with a copy of said lease and agreement at least twenty business days prior to the execution thereof by said

deputy commissioner. Said inspector general shall review and comment within fifteen business days of the receipt of such lease and agreement by the inspector general. A copy of said review and comment, and any recommendations thereon by the inspector general, shall be sent to the house and senate chairmen of the joint committee on state administration. Said lease and agreement, when executed by the deputy commissioner, shall be deemed conclusively authorized hereby; provided, however, that it contains provisions consistent with the provisions of this act. The deputy commissioner from time to time is hereby also authorized to execute and deliver, in the name and on behalf of the commonwealth, a notice of lease for recording and any and all other agreements and instruments related to the lease and agreement authorized hereby which said division may determine appropriate from time to time. Any such notice of lease, agreement or instrument, when executed by the deputy commissioner, shall be deemed conclusively authorized hereby; provided, however, that it contains provisions consistent with this act.

Said lease shall include provisions, satisfactory to the division, to ensure that the net profits or gross receipts will be computed in a fair and reasonable manner. In computing the gross receipts or net profits from such operations, fees for specified activities may be paid to the tenant and deducted as an expense; provided, however, that the amount of any such fee shall be approved by the division. In addition the lease shall require that any other payment to any party which is affiliated with the tenant shall not exceed the most favorable available cost of similar or equivalent service from third party suppliers, and no deduction, offset or expense shall be taken for wages, salaries, fringe benefits or other costs of the tenant's employees, principals or personnel, except those employees stationed and those employees of the tenant not stationed on-site who are regularly engaged in the provision of service for the operation and maintenance of the premises or common areas. No wages, salaries, fringe benefits, deductions, offset or expense, or other costs of the tenant shall be paid to any owner or principal of the tenant; nor to the spouse, parents, children, brothers, sisters, grandparents, grandchildren, aunts, uncles, nieces, nephews, natural or otherwise; nor to the father-in-law, mother-in-law, brother-in-law, or sister-in-law of said tenant. The lease shall require the tenant to submit, prior to the first day of each calendar year, an annual operating expense budget, which shall be subject to the approval of the division. The division shall have the right to object to any item included therein. The lease shall require the tenant to obtain an annual financial audit of the financial books and records relating to such lease from an independent certified public accountant or accounting firm approved by the division, and the commonwealth shall have the audit rights described in subsection (k).

(c) Any operating agreement with the tenant pertaining to said garage shall be for an original term expiring on December thirty-first, nineteen hundred and eighty-six; provided, however, that such operating agreement may be extended thereafter for additional periods not exceeding five years each in accordance with the terms of the lease authorized hereby; and, provided further, that each such extension shall be granted only for the immediately succeeding extension period.

If the lease with tenant is terminated and at such time the tenant is the garage operator, the operating agreement with the tenant for the garage shall immediately terminate and any and all further obligations of the commonwealth to the tenant with regard to the garage operating agreement including the division of net rental income shall be null and void and without recourse to either party.

The operating agreement with the tenant for said garage shall provide that the commonwealth shall receive not less than eighty per cent of the net profits from the operation of said garage, as such terms are to be defined in the operating agreement authorized hereby, until six years after the commencement date; provided, however, that thereafter, any subsequent extensions shall provide that the commonwealth will receive not less than eighty per cent of the net profits of said garage.

Any operating agreements for said garage with any party other than the tenant shall provide that the commonwealth will receive not less than eighty per cent of the net profits of said garage.

The operating agreement shall include provisions, satisfactory to the division, to ensure that gross receipts or net profits will be computed in a fair and reasonable manner. In computing the net profits from such operations, fees for specified activities may be paid to the tenant and deducted as an expense, provided, however, that the amount of any such fee shall be approved by the division. In addition the agreement shall require that any other payment to any party which is affiliated with the tenant shall not exceed the most favorable available cost of similar or equivalent service from third party suppliers, and no deduction, offset or expense shall be taken for wages, salaries, fringe benefits or other costs of the tenant's employees, principals or personnel, except those employees stationed and those employees of the tenant not stationed on-site who are regularly engaged in the provision of service for the operation and maintenance of the premises or common areas. No wages, salaries, fringe benefits, deductions, offset or expense, or other costs of the tenant shall be paid to any owner or principal of the tenant; nor to the spouse, parents, children, brothers, sisters, grandparents, grandchildren, aunts, uncles, nieces, nephews, natural or otherwise; nor to the father-in-law, mother-in-law,

brother-in-law, or sister-in-law of said tenant. The agreement shall require the tenant to submit, prior to the first day of each calendar year, an annual operating expense budget, which shall be subject to the approval of the division. The division shall have the right to object to any item included therein. The agreement shall require the tenant to obtain an annual financial audit of the financial books and records relating to such agreement from an independent certified public accountant or accounting firm approved by the division, and the commonwealth shall have the audit rights described in subsection (k) of this act.

(d) The lease and agreement for the retail, restaurant, parking garage, or other commercial areas of said building as described in this act and any renewal, extension, or transfer of such lease and agreement, shall not be effective until thirty business days after a statement required under the provisions of section forty J of chapter seven of the General Laws, has been filed with the division and a copy of same has been sent to the inspector general, and the joint committee on state administration.

Each sublease shall require each subtenant to comply with the provisions of said section forty J.

(e) The premises shall be used as a first-class mixed use retail mall containing commercial, retail, restaurant and entertainment uses normally and usually found in a first-class urban shopping center consistent with the public nature of the building. The public name of the premises and the name of each establishment located on said premises shall be consistent with such standard of use.

(f) Prior to the execution of the lease and prior to the deputy commissioner's consenting to any assignment of the lease, the tenant shall furnish the deputy commissioner with a written statement, in a form satisfactory to the deputy commissioner, listing the names and addresses of all persons who have a direct or indirect beneficial interest in the tenant. Prior to execution of each sublease of any portion of the premises and prior to the effective date of an assignment, renewal or extension of any such sublease, the subtenant thereunder shall furnish the deputy commissioner with a written statement, in a form satisfactory to the deputy commissioner, listing the names and addresses of all persons who have a direct or indirect beneficial interest in such subtenant. The deputy commissioner shall immediately submit a copy of each such statement to the commissioner of revenue for review. If, within thirty business days after delivery of a statement to the commissioner of revenue, the commissioner of revenue determines that, in the case of the lease, the tenant or any such person with such a beneficial interest in the tenant, or, in the case of a sublease, such subtenant or any such person with such a beneficial interest in such subtenant,

has neglected or refused to file any returns or pay any taxes required to be paid to the commonwealth under the General Laws 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 or that such person is not otherwise contesting such tax in accordance with law, and if the commissioner of revenue shall so notify the deputy commissioner and the tenant in writing prior to the expiration of such thirty business day period, then, in the case of the lease, the deputy commissioner shall not execute and deliver to the tenant the lease or its consent to an assignment thereof, as the case may be, and, in the case of a sublease, the tenant shall not execute and deliver such sublease or, in the case of renewal, extension or assignment of a sublease, the same shall not be effective, unless and until the deputy commissioner receives a certificate issued by the commissioner of revenue that such person is in good standing with respect to any and all returns due and taxes payable to the commonwealth under the General Laws as of the date of issuance of such certificate. If the commissioner of revenue shall not, in any such case, within such thirty business day period so notify the deputy commissioner and the tenant of any such neglect or refusal, then, in the case of the lease, the deputy commissioner may thereupon execute and deliver the lease or the consent to an assignment thereof and, in the case of a sublease, the tenant may thereupon execute and deliver such sublease or, in the case of renewal, extension or assignment of a sublease, the same may thereupon become effective. The provisions of this subsection shall not apply to the granting of any leasehold mortgage by the tenant, but this subsection shall apply to a foreclosure, or transfer in lieu of foreclosure, of a leasehold mortgage.

(g) No lease, nor any sublease shall be granted or assigned for the use of any retail or commercial space within, or upon any land which makes up such building to any individual, corporation, company, business, partnership, or any other entity for the purposes of engaging in, on the premises, the sale, rental, or other dissemination of pornographic materials, including but not limited to, books, magazines, movie films, video tapes, video cassettes, video disks, slides, still pictures, live nude or erotic entertainment, erotic devices and associated paraphernalia, or any advertisement of the aforementioned.

No lease, nor any sublease shall be granted or assigned to any individual, corporation, company, business, partnership, or any other entity for the keeping and operating of a video arcade, within, or about the premises of said building.

No lease, nor any sublease, shall be granted or assigned to any individual, corporation, company, business, partnership, or any other entity (i) for the purpose of operating any establishment with an alcoholic beverage license unless such establishment

prepares food for consumption on the premises, or (ii) for the purpose of operating any establishment where dancing to live, recorded, or transmitted music is permitted unless such establishment has an alcoholic beverage license and prepares food for consumption on the premises.

No lease, nor any sublease shall be granted or assigned to any individual, group of individuals, commission, committee, association, corporation, political party, or any other entity which has as its purpose electing, promoting, or endorsing the political campaign of any individual, group of individuals, profit or nonprofit organization, or political party, including any ballot question or legislation, at a local, county, state, or national level and which anticipates using the premises for such purposes. This section shall not prevent the lease or sublease to any governmental unit of the commonwealth or any creation or subdivision thereof.

All leases and subleases on such premises shall contain language which shall prohibit the uses and activities proscribed by this section.

The deputy commissioner shall report to the committee on state administration and the inspector general in writing any violation hereof.

(h) The lease, and all subleases, shall contain appropriate restrictions prohibiting discrimination by the tenant and any subtenants, contractors, employees or other persons dealing with the tenant with respect to the leased portions of the building described in subsection (b) on the basis of race, creed, color, sex, age, national origin, religion or handicap; and shall require observance of appropriate affirmative action provisions.

(i) The leasehold interests under a lease authorized by this act shall be assessed and taxed to the tenant thereof or his assigns under section two B of chapter fifty-nine of the General Laws in the same manner and the same extent as if such tenant or his assigns were the owner thereof in fee, except that no part of the value of land shall be included in any such assessment. No tax assessed to the tenant under section two B of chapter fifty-nine shall be retained out of rent or recovered under section twelve C of said chapter fifty-nine.

(j) Licenses may be granted or transferred, as provided for in chapter one hundred and thirty-eight of the General Laws or by rule or regulation of the alcoholic beverages control commission, for the sale of alcoholic beverages within establishments covered by a lease, sublease, or other agreements authorized by this act.

Any transfer or grant of such alcoholic beverage license shall require the prior written approval of the deputy commissioner. The deputy commissioner shall provide a copy of such written approval to the joint committee on state administration at least thirty business days prior to the transfer or grant of any such

alcoholic beverage license. Nothing contained in this act shall be construed to increase the total number of alcoholic beverage licenses which may be granted by the city of Boston.

(k) The lease and agreement authorized by this act shall contain language which shall permit the auditor of the commonwealth, or his designee, to inspect, and to audit, any of the tenant's financial books and records relating to such lease and agreement at any time upon reasonable notice. The lease shall require the tenant to obtain an annual audit of the financial books and records relating to such lease and agreement from an independent certified public accountant or accounting firm approved by the deputy commissioner. The deputy commissioner shall annually on or before September first file a copy of such audit with the state auditor, the clerk of the house of representatives and the clerk of the senate, the house and the senate committees on ways and means and the joint committee on state administration.

(l) The leasehold interest and other rights created by the lease and agreement authorized by this act may be subleased, assigned, pledged, mortgaged and otherwise dealt with subject to and in accordance with the terms of such lease and agreement, and any pledge or mortgage may be foreclosed subject to the terms of such lease and agreement.

(m) The provisions of sections forty H and forty I of chapter seven and section twenty A of chapter nine of the General Laws shall not apply to the lease and renewals or extensions or amendments and agreements authorized by this act, but shall be applicable to all future leases entered into by the commonwealth with respect to said department of transportation building, and all renewals and extensions of such future leases.

(n) The division and the Massachusetts Port Authority may enter into a contract for the provision of building management services by the authority to the division for the operation and maintenance of said building as described in subsection (b). The initial contract shall be for a term which shall not extend beyond June thirtieth, nineteen hundred and eighty-five. The division shall annually review said authority's performance against explicit maintenance performance criteria which shall be incorporated into the contract. The division may negotiate twelve month contract renewals, if warranted by the authority's performance. The deputy commissioner shall thirty business days prior to the renewal of such contract send a copy thereof, together with a copy of the division's evaluation of said authority's performance against such maintenance performance criteria, to the inspector general for his review and comment. The inspector general shall issue his review and comment within fifteen business days of his receipt thereof. Neither the initial contract, nor subsequent amendments or renewals thereof, shall become effective until the inspector general has reviewed and

commented on said contract, or any such amendments or renewals. The house and senate chairmen of the joint committee on state administration shall be sent a copy of the review and any comments thereon by said inspector general.

In carrying out its duties and responsibilities under said building management services contract, the Massachusetts Port Authority shall abide by all laws applicable to public agencies; provided, however, that building projects at said building, the estimated cost of which exceed twenty-five thousand dollars and that involve structural or mechanical work, shall remain under the control and supervision of the division in accordance with section forty B of chapter seven of the General Laws and shall be undertaken in accordance with all laws applicable to state agencies.

The deputy commissioner shall annually, on or before September first, submit to the joint committee on state administration a comprehensive report on the maintenance, repair and management of said property.

The division and the authority are hereby authorized to enter into a lease or other agreement consistent with the provisions of section one of this act to develop the portions of the building which have been set aside for retail, restaurant and other commercial and parking uses. Said deputy commissioner shall provide the house and senate chairmen of the joint committee on state administration and the inspector general with a copy of such lease or agreement at least twenty business days prior to the execution thereof by the said deputy commissioner.

(o) There shall be established and set up on the books of the commonwealth a separate fund, to be known as the Transportation Building Management Fund. Said fund shall consist of all revenues received by the division from the operation of said building and the parking garage therein, including any rental charges paid to the division by public agencies occupying space in said building, and all other monies credited or transferred thereto from any other fund or source pursuant to law. Said funds shall be expended, subject to appropriation and the laws relating to state finances, for the operation, maintenance, and repairs to said building and for the establishment of reserve accounts for working capital, maintenance and repairs. The division at its discretion may transfer monies between those reserve accounts. The division shall send written notification to the house and senate chairmen of the joint committee on state administration and the house and senate committees on ways and means of any such transfer.

The deputy commissioner shall file with the commissioner of administration, the house and senate chairmen of the joint committee on state administration, and the state auditor not later than September first of each year an annual report of the fund's income, expenditures, and available balances, based upon the

status of the fund on June thirtieth of the preceding fiscal year. The report shall include the deputy commissioner's recommendations, if any, regarding the transfer of surplus monies from said fund into the General Fund. The fund shall be subject to an annual audit by the state auditor, a copy of which shall be sent to the house and senate chairmen of the joint committee on state administration and the house and senate committee on ways and means.

SECTION 2. In the event that the division of capital planning and operations is unable to successfully negotiate the lease authorized by this act with the Theatre District Limited Partnership or the Massachusetts Port Authority, said division is authorized to enter into one or more leases that comply with the aforementioned provisions of this act; provided, however, that said division shall comply with the provisions of sections forty H and forty I of chapter seven of the General Laws in obtaining proposals to enter into a lease or leases authorized by this section.

SECTION 3. If any provisions of this act shall be held invalid in any circumstances, such invalidity shall not affect any other provisions and shall be severable.

Approved July 21, 1984.

EMERGENCY LETTER - July 23, 1984 @ 10:13 A.M.

Chap. 241. AN ACT FURTHER REGULATING ABSENTEE VOTING BY CERTAIN OVERSEAS CITIZENS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Section 92 of chapter 54 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by section 2 of chapter 84 of the acts of 1976, and inserting in place thereof the following paragraph:-

A voter who has received by mail an official absent voting ballot as provided in section eighty-nine may vote by mailing the same to the city or town clerk. A voter within the United States shall mark said ballot in the presence of an official authorized by law to administer oaths, and, except as provided in section ninety-eight, of no other person. Before marking the ballot he shall exhibit it to said official, who shall satisfy himself that it is unmarked, but he shall not allow said official to see how he marks it. Except as provided in section ninety-eight, said official shall hold no communication with the voter, nor he

with said official, as to how he is to vote. Thereafter the voter shall enclose and seal the same in the envelope provided for by subsection (c) of section eighty-seven. He shall then execute before said official the necessary affidavit on said envelope as set forth in said subsection (c) and shall enclose and seal the envelope provided for in subsection (d) of said section, and mail the same within the time prescribed in section ninety-three, postage prepaid. A voter outside the United States shall mark the ballot in the presence of no person, except as provided in section ninety-eight, enclose and seal it in the envelope provided for in subsection (c) of section eighty-seven, execute the affidavit on that envelope, and enclose and seal that envelope in the envelope provided for in subsection (d) of that section. The voter shall mail the envelope within the time prescribed in section ninety-three, postage prepaid.

SECTION 2. Section 95 of said chapter 54, as most recently amended by chapter 267 of the acts of 1975, is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

Envelopes purporting to contain official absent voter ballots which are received on the day of the election, or in the case of ballots from outside the United States, after the day of a state election in accordance with section ninety-nine, shall be processed in the office of the registrars by two election officers appointed pursuant to the provisions of section eleven to eleven B, inclusive. Said envelopes shall be processed in the same manner as those received on or before the close of business on the day preceding the day of the election. Said ballots may be counted at the office of the registrars after the hour of the closing of the polls and after the canvass and the count has been completed said registrars shall amend each precinct tally sheet, official return book and check list delivered to the office of the registrars.

SECTION 3. Said chapter 54 is hereby further amended by striking out section 99, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 99. All envelopes received by clerks of cities and towns after the hour fixed for closing of the polls on the day of election shall be retained by them unopened until the time set by law for the destruction of ballots cast, at which time the envelopes shall likewise be destroyed, unopened and unexamined; provided, however, that such envelopes received within ten days following only a state election and mailed on or before the day of election, from a location outside the United States, shall be processed in accordance with the second paragraph of section ninety-five. A postmark, if legible, shall be evidence of the time of mailing.

SECTION 4. Said chapter 54 is hereby further amended by striking out section 112, as most recently amended by section 2 of chapter 94 of the acts of 1982, and inserting in place thereof the following section:-

Section 112. The clerk of each city and town and in Boston the Board of Election Commissioners, within fifteen days after the day of any election therein for a senator in congress, representative in congress, governor, lieutenant governor, councillor, state secretary, state treasurer, state auditor, attorney general, clerk of courts, register of probate, sheriff, district attorney, senator or representative in the general court, or for presidential electors, shall transmit to the state secretary copies of the records of votes cast for such officers, together with copies of the records of votes cast on any constitutional amendment, law or proposed law, and on any question submitted to them by statute in any senatorial or representative district or in two or more cities or towns. Said record shall be certified, attested, and sealed by the city or town clerk or election commissioners. The city or town clerk shall within fifteen days after an election for county treasurer or register of deeds, transmit to the county commisssioners, and within fifteen days after an election for county commissioners, transmit to the clerk of the courts the records of votes for such officers, certified, attested and sealed as aforesaid; except that in Chelsea, Revere and Winthrop the records of votes for register of deeds shall be transmitted to the election commissioners of Boston. Such copies shall be transmitted in envelopes, upon which shall be stated the offices for, questions on which and districts in which the votes were cast.

Approved July 21, 1984.

EMERGENCY LETTER - July 23, 1984 @ 10:13 A.M.

Chap. 242. AN ACT EXEMPTING CERTAIN POSITIONS IN THE OFFICE OF THE CITY CLERK OF THE CITY OF SPRINGFIELD FROM THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. All positions in the office of the city clerk of the city of Springfield shall be exempt from the provisions of chapter thirty-one of the General Laws.

SECTION 2. The provisions of section one shall not impair the civil service status of any person employed in the office of the city clerk on the effective date of this act.

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

Approved July 27, 1984.

Chap. 243. AN ACT RELATIVE TO REDUCTION IN RANK FOR CERTAIN PUBLIC EMPLOYEES IN THE CITY OF FALL RIVER.

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 reduction in force in the fire department in the city of Fall River, 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 section shall only apply to demotions in higher ranks and shall not effect the overall seniority of any employee within the service.

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

(The foregoing was laid before the Governor on the 27th day of June and again on the 19th day of July, 1984 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. 244. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF NORFOLK COUNTY TO BORROW MONEY TO MAKE CERTAIN IMPROVEMENTS AT THE NORFOLK COUNTY HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Norfolk county are hereby authorized to expend for the Norfolk County Hospital a sum not exceeding one million two hundred thousand dollars to pay for certain improvements in the areas known as Ward S and Ward G, including architectural and engineering fees and other costs incidental thereto and connected therewith, said improve-

ments having been authorized by a certificate of need granted on March fourth, nineteen hundred and eighty-one.

SECTION 2. For the purposes authorized by section one, the treasurer of Norfolk county, with the approval of the county commissioners and with the approval of the Norfolk county advisory board at a regularly scheduled meeting when a quorum is present and voting and after a submittal of plans of any such improvements by the Hospital Corporation of America to such board, may borrow upon the credit of the county such sums as may be necessary, not exceeding in the aggregate one million two hundred thousand dollars and may issue bonds or notes of the county therefor, which shall bear on their face the words, Norfolk County Hospital Loan, Act of 1984. Each authorized issue shall constitute a separate loan and such loans shall be payable not more than twenty years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

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

Approved September 25, 1984.

Chap. 245. AN ACT RELATIVE TO THE LICENSING PERIOD FOR THE LICENSING AND KEEPING OF DOGS IN THE TOWN OF BROOKLINE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 536 of the acts of 1981 is hereby amended by adding the following section:-

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 licensing of dogs in the town of Brookline 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 September 27, 1984.

Chap. 246. AN ACT PROVIDING FOR THE RECALL OF ELECTED OFFICIALS IN THE TOWN OF AVON.

Be it enacted, etc., as follows:

SECTION 1. Any holder of an elective office in the town of Avon may be recalled, and removed therefrom by the qualified voters of said town as herein provided.

SECTION 2. Any qualified voter of the town of Avon may file with the town clerk of said town an affidavit containing the name of the officer sought to be recalled and a statement of the grounds of recall. Said town clerk shall thereupon deliver to the voter making such affidavit a sufficient number of copies of petition blanks demanding such recall, printed forms of which he shall keep on hand. The 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 grounds of recall as stated in such 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 said town clerk within thirty days after the filing of the affidavit. Said petition before being returned and filed shall be signed by ten per cent of the qualified voters from each precinct in said town and to every signature shall be added the place of residence of the signer, giving the street and number. The said recall petition shall be submitted at or before five o'clock in the afternoon of the Monday preceding the day on which it must be filed, to the registrars of voters in said 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 said 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 date fixed by them not less 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 seventy days after the date of said certificate, said selectmen may, in their discretion, postpone the holding of said recall election to the date of such other election. If a vacancy occurs in said office after a recall elec-

tion has been so ordered, the election shall nevertheless proceed as in this section provided.

SECTION 4. Any officer sought to be recalled may be a candidate to succeed himself, and unless he requests otherwise in writing, said 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.

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 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 in said town shall submit the following propositions in the order indicated:

For the recall of (name of officer)

Against the recall of (name of officer)

Immediately at the right of each proposition there shall be a square in which the voter by making a cross mark (X) may vote for either of such propositions. Under the proposition shall appear the word "Candidates" and the direction "vote for one" and beneath this the names of candidates nominated as herein before provided. In case of machine voting, or punch card balloting, or other forms of balloting, appropriate provision shall be made to allow the same intent of the voter.

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 cast on the recall question is in the negative, the ballots for candidates to fill the potential vacancy need not be counted.

SECTION 7. No recall petition shall be filed against an officer of said town within six months after he takes office, nor in the case of an officer subjected to a recall election and not removed thereby, until at least six months after that election.

Approved September 27, 1984.

Chap. 247. AN ACT AUTHORIZING ROSAIRE J. ST. JEAN TO WAIVE HIS SALARY AS CITY COUNCILLOR FOR THE CITY OF GARDNER.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of chapter thirty-two of the General Laws to the contrary, Rosaire J. St. Jean is hereby authorized to continue in the position of city councillor for the city of Gardner after his retirement; provided, however, that said Rosaire J. St. Jean waives the right to salary for said position upon said retirement.

SECTION 2. This act shall take effect on August fifth, nineteen hundred and eighty-four.

Approved September 27, 1984.

Chap. 248. AN ACT AUTHORIZING AND DIRECTING THE STATE TREASURER TO PAY A CERTAIN SUM OF MONEY TO THE CITY OF REVERE TO ENABLE SAID CITY TO SATISFY AN OUTSTANDING JUDGMENT.

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 Revere, therefore 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, the state treasurer is hereby authorized and directed to advance from the Local Aid Fund to the city of Revere an amount not to exceed two million dollars to offset the cost of a nineteen hundred and eighty-four court judgment mandating the repayment of certain property taxes. The city of Revere shall certify to the state treasurer the amount of said judgment against the city. Said payment shall be made in addition to all other sums the city of Revere shall be entitled to receive from the commonwealth.

Said amount shall be repaid to the commonwealth in equal installments over a ten-year period commencing in fiscal year nineteen hundred and eighty-six, pursuant to an agreement to be entered into between the city of Revere and the secretary of the executive office for administration and finance, which

agreement may provide for the payment of interest. To facilitate such repayment, the commissioner of revenue is hereby authorized to deduct the amount of said payment from the first distribution of local aid made each year pursuant to section eighteen C, of chapter fifty-eight. Any amount so deducted shall be credited to the Local Aid Fund.

SECTION 2. For the purpose of carrying out the provisions of section one, two million dollars is hereby appropriated from the Local Aid Fund.

Approved October 3, 1984.

Chap. 249. AN ACT DESIGNATING THE BRIDGE ON FAYETTE STREET IN THE CITY OF LYNN AS THE JAN E. MATZELIGER MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The bridge over the railroad tracks on Fayette street in the city of Lynn shall be designated and known as the Jan E. Matzeliger Memorial Bridge, in memory of Jan E. Matzeliger's contribution to the shoe industry. Suitable markers bearing said designation shall be attached thereto by the department of public works in compliance with the standards of said department.

Approved October 9, 1984.

Chap. 250. AN ACT PROVIDING FOR THE REESTABLISHMENT OF A HOUSING REVIEW BOARD IN THE CITY OF LOWELL.

Be it enacted, etc., as follows:

SECTION 1. Declaration of Emergency. The general court finds and declares that a serious public emergency exists in the city of Lowell with respect to availability and quality of the housing of a substantial number of residents of said city. This emergency has been created by housing demolition, expanding student population, deterioration within the existing housing stock and the national and area economic conditions which have deterred new construction of housing accommodations and placed such new housing above the means of low and moderate income residents. The general court further finds that because of the substantial and increasing shortage of rental housing accommodations, abnormally high rents have resulted and, unless residential rents become subject to review and control on a case-

by-case basis, such emergency and the further inflationary pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the residents of Lowell; that such emergency should be met by the commonwealth immediately with due regard for the rights and responsibility of the city of Lowell.

SECTION 2. The city of Lowell is hereby authorized to establish a Housing Review Board, hereinafter referred to as the board, to accept individual petitions by tenants on a form approved by the board, and to determine when rent increases appear, in the judgment of said board, to be excessive and unreasonable. Any such petitions shall be filed with the board within thirty days after the tenant's receipt of the landlord's notice of the rent increase.

SECTION 3. The board shall consist of seven members, who shall be residents of the city of Lowell, appointed by the city manager and confirmed by the city council of said city, to serve without compensation for a term of one year. The board shall consist of one owner of rental residential property, one tenant, and five persons who own single family residences.

The board shall promulgate rules and regulations for the conduct of its business as are allowed and are consistent with the provisions of this act.

The board shall have jurisdiction to accomplish the purpose of this act over all rental units in the city of Lowell except (1) rental units in motels, inns, and tourist homes, and rental units in rooming or boarding houses in which the tenant petitioner has resided for a period of three months or less; (2) rental units which a governmental unit, agency or authority either owns, operates, finances or subsidizes; (3) rental units in any hospital, convent, monastery, asylum, public institution, college or school dormitory operated exclusively for charitable or educational purposes; (4) rental units in nursing homes and rest homes for the aged; (5) rental units in owner-occupied two, three or four family houses; and (6) rental units in cooperatives or condominiums.

The board shall secure such information and conduct such studies, either directly or through other municipal agencies, and may summons such persons, papers or documents as it finds necessary for the performance of its duties.

SECTION 4. The board may deny, regulate or modify rent increases which it finds to be unreasonable or excessive.

The board shall deny rent increases when it determines that the affected premises do not comply with Chapter 11 of the State Sanitary Code, the State Building Code or any other applicable municipal code, ordinance, or state law, regulating the condi-

tions of residential housing accommodations. However, the board may allow a rental increase in any case if it determines that the tenant is more than thirty days in arrears in tendering rent, unless such arrearage is due to a withholding of rent pursuant to the provisions of section one hundred and twenty-seven L of chapter one hundred and eleven or section eight A of chapter two hundred and thirty-nine of the General Laws.

The board shall deny a rent increase in any case where it finds that the landlord has not served the tenant with a written notice to quit including an offer to establish a new tenancy pursuant to section twelve of chapter one hundred and eighty-six of the General Laws.

SECTION 5. Within thirty days of receipt of a petition of a tenant presenting a rental dispute the board shall conduct a hearing to settle said dispute in a fair and equitable manner and to adjust the rent of the rental unit involved, if said unit is not exempt under section three, in a fair and reasonable manner, and the board shall allow the landlord in each such case a fair and reasonable net operating income, in accordance with such standards as shall be established by the board, with the approval of the city manager and city council.

Standards to determine a fair and reasonable net operating income for landlords shall be reviewed and reestablished annually by the board prior to October first of any succeeding year, and shall be submitted annually prior to October first of any succeeding year for the approval of the city manager and city council.

Every decision of the board shall be rendered within fourteen days of the close of a hearing. The decision shall be in writing and parties to the proceedings shall be notified of the decision in person or by mail.

Any orders issued by the board shall remain in effect for a period of one year unless modified by the board.

SECTION 6. Any aggrieved party may file a civil action against the board in the district court of Lowell, or in any housing court having jurisdiction within thirty days of receipt of a decision by the board. The court shall review and decide such action pursuant to the standards set forth in paragraph (7) of section fourteen of chapter thirty A of the General Laws.
The district court of Lowell, or such housing court, shall have jurisdiction to enjoin any violation of this act.

SECTION 7. Any person who demands, accepts, receives or retains any payment of rent in excess of the amount authorized by the board shall be liable to the person from whom such payment is demanded, accepted, received or retained, or to the municipality, for reasonable attorney's fees and costs as deter-

mined by the court, plus liquidated damages in the amount of four hundred dollars.

SECTION 8. The necessity for the continuation of the board shall be reviewed annually by the city manager and city council. The board shall expire on the first day of October of each year, beginning in the year nineteen hundred and eighty-five, unless previously renewed by a vote of the city council based on the annual review.

SECTION 9. Any owner of residential property within the city of Lowell which is not exempt under the provisions of section three may not bring eviction proceedings against a tenant for a period of one year after the tenant has filed a complaint with the board, unless (1) the tenant has failed to pay the rent to which the landlord is entitled; (2) the tenant has violated an obligation or covenant of his tenancy other than the obligation to surrender possession upon proper notice and has failed to cure such violation after having received notice thereof from the landlord; (3) the tenant is committing or permitting to exist a nuisance in or is causing substantial interference with the comfort, safety, or enjoyment of the landlord or other occupants of the same or any adjacent accommodation; (4) the tenant is convicted of using or permitting the rental unit to be used for any illegal purpose; (5) the tenant, following the termination of a written lease or rental agreement after this act has taken effect, has refused, after written request or demand by the landlord, to execute a written extension or renewal thereof for a further term of like duration and on such terms that are not inconsistent with or violative of any provisions of law; (6) the tenant has refused the landlord reasonable access to the unit for the purpose of making necessary repairs or improvements required by the laws of the United States, the commonwealth, or the city of Lowell, or for the purpose of inspection as permitted or required by the lease or by law, or for the purpose of showing the rental unit to any prospective purchaser or mortgagor; (7) the person holding at the end of a lease term is a subtenant not approved by the landlord; (8) the landlord seeks to recover possession in good faith for use and occupancy of himself, or his children, parents, brother, sister, father-in-law, mother-in-law, daughter-in-law or son-in-law; (9) the landlord seeks to recover possession to demolish or otherwise remove the unit from housing use; or (10) that landlord seeks to recover possession for any other just cause, provided that his purpose is not in conflict with the provisions and purpose of this act.

SECTION 10. This act shall take effect upon its passage.

Approved October 16, 1984.

Chap. 251. AN ACT VALIDATING THE AUTHORIZATION OF CERTAIN BONDS BY THE TOWN OF MANCHESTER.

Be it enacted, etc., as follows:

SECTION 1. All acts and proceedings taken by the town of Manchester at the adjourned session of its annual town meeting held May fourteenth, nineteen hundred and eighty-four, appropriating funds and authorizing the borrowing of two hundred thousand dollars for an ocean outfall for the town's wastewater treatment facility, are hereby validated, ratified and confirmed as if said appropriating and authorizing of borrowing had been voted by said town meeting in accordance with law.

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

Approved October 16, 1984.

Chap. 252. AN ACT RELATIVE TO THE COMPENSATION OF SCHOOL COMMITTEE MEMBERS IN THE CITY OF NORTHAMPTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, members of the school committee in the city of Northampton may be compensated by a majority vote of the city council.

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

Approved October 16, 1984.

Chap. 253. AN ACT PROVIDING FOR THE NOMINATING OF ELECTIVE MUNICIPAL OFFICERS IN THE CITY OF NORTHAMPTON.

Be it enacted, etc., as follows:

SECTION 1. In the city of Northampton, candidates for elective municipal offices shall be nominated as follows:-

(1) Preliminary Elections; Nominations. Not less than twenty-eight days nor more than forty-two days preceding every regular city election and every special election at which any municipal office is to be filled, there shall be held, except as otherwise provided in section seven, a preliminary election for

the purpose of nominating candidates therefor. Notices or warrants for regular, preliminary and special elections shall specify by name all the offices to be voted for and state, in the form in which it will appear upon the ballot, any question submitted to the voters. They shall specify the time when the polls shall be opened and when the polls shall be closed. The polls at such elections shall be open during such hours as the city council may prescribe, provided, that they shall be opened not earlier than fifteen minutes before six o'clock in the forenoon nor later than ten o'clock in the forenoon and shall be kept open at least six hours, but in no event later than eight o'clock in the evening. The ballots to be used at such elections shall be governed by the provisions of section eight.

(2) Prerequisites for Inclusion of Name on Official Ballot. Except as otherwise provided in section seven there shall not be printed on the official ballot to be used at any regular or special election the name of any person as a candidate for any office unless such person has been nominated as such at a preliminary election for nomination, held as provided in sections one to seven, inclusive. There shall not be printed on the official ballot for use at such preliminary election the name of any candidate for nomination at such election, unless he shall have filed, within the time limited by section three the statement and petition therein described.

(3) Candidates for Nomination, Persons Eligible; Statement and Petition. Any person who is qualified to vote for a candidate for any elective municipal office and who is a candidate for nomination thereto, shall be entitled to have his name as such candidate printed on the official ballot to be used at a preliminary election, provided, that within the time prescribed by section ten of chapter fifty-three of the General Laws in the case of preliminary elections in cities he shall file with the city clerk a statement in writing of his candidacy, and with it the petition of at least fifty voters, qualified to vote for a candidate for the said office. Said statement and petition shall be in substantially the following form:-

STATEMENT OF CANDIDATE

Form of Statement. - I, ( ), on oath declare that I reside at (number, if any) on (name of street) in the city of ; that I am a voter therein, qualified to vote for a candidate for the hereinafter mentioned office; that I am a candidate for the office of (name of office) for (state the term) to be voted for at the preliminary election to be held on Tuesday, the day of , nineteen hundred and and I request that my name be printed as such candidate on the official ballot for use at said preliminary election.

(Signed)
Commonwealth of Massachusetts
Subscribed and sworn to on this ss.
day of nineteen hundred and
before me,
(Signed)
Justice of the Peace,
or, Notary Public

PETITION ACCOMPANYING STATEMENT OF CANDIDATE

Form of petition. - Whereas (name of candidate) is a candidate for nomination for the office of (state the office) for (state term) we, the undersigned, voters of the city of 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 of said office be printed on the official ballot to be used at the preliminary election to be held on the
Tuesday of nineteen hundred and
We further state that we believe him to be of good moral character and qualified to perform the duties of the office. No acceptance by the candidate for nomination named in the said petition shall be necessary to its validity or its filing, and the petition, which may be on one or more papers, need not be sworn to.

(4) List of Candidates; Official Ballots. On the first day, other than Sunday or a legal holiday, following the expiration of the time for filing the above described statement and petition, the city clerk shall post in a conspicuous place in the city hall, the names and residences of the candidates for nomination who have duly qualified as candidates for nomination, as they are to appear on the official ballots to be used at the preliminary election, except as to the order of the names, and shall cause the ballots which shall contain said names, in their order as drawn by the clerk, and no others, with a designation of residence, and of the office and term of service, to be printed, and the ballots so printed shall be official and no others shall be used at the preliminary election. In drawing for position on the ballot the candidates shall have an opportunity to be present in person or by one representative each. Blank spaces shall be left at the end of each list of candidates for nomination for the different offices equal to the number to be nominated therefor, in which the voter may insert the name of any person not printed on the ballot for whom he desires to vote for nomination for such office. There shall be printed on such ballots such directions as well and the voter, as for example "vote for one", "vote for two", and the like, and the ballots shall be headed as follows:-

OFFICIAL PRELIMINARY BALLOT

Candidates for nomination for the offices of ( ), in the city of Northampton, at a preliminary election to be held on the day of in the year nineteen hundred and

(The heading shall be varied in accordance with the offices for which nominations are to be made).

(5) Counting, etc., of Votes; Duties of Election Officers and Clerk. The election officers shall, immediately upon the closing of the polls at preliminary elections, count the ballots and ascertain the number of votes cast in the several voting places for each candidate, and forthwith make return thereof upon blanks to be furnished, as in regular elections, to the city clerk who shall canvass said returns and shall forthwith determine the result thereof, insert the same in one or more newspapers published in the city, and post the same in a conspicuous place in the city hall.

(6) Candidates for Election, How Determined. The two persons receiving at a preliminary election the highest number of votes for nomination for an office shall, except as provided by section seven, be the sole candidates for that office whose names may be printed on the official ballot to be used at the regular or special election at which such office is to be filled, and 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 or special 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, except as provided by section seven be the sole candidates for that office whose names may be printed on the official ballot.

If the preliminary election results in the vote among candidates for nomination receiving the lowest number of votes, which, but for said tie vote, would entitle a person receiving the same to have his name printed upon the official ballot for the election, all candidates participating in said tie vote shall have their names printed upon the official ballot, although in consequence there be printed thereon candidates to a number exceeding twice the number to be elected.

(7) Candidates for Nomination, When Deemed Nominated; Preliminary Election, When Unnecessary. If at the expiration of the time for filing statements of candidates to be voted for at any preliminary election not more than twice as many such statements have been filed with the city clerk for all offices as are to be elected to such office, the candidates whose statements have thus been filed shall be deemed to have been nominated to said office, and their names shall be voted on for such office at the

succeeding regular or special election, as the case may be, and the city clerk shall not print said names upon the ballot to be used at said preliminary election and no other nomination to said office shall be made. If in consequence, it shall appear that no names are to be printed upon the official ballot to be used at any preliminary election in any ward or wards of the city, no preliminary election shall be held in any such ward or wards.

(8) Party or Political Designations Abolished. No ballot used at any biennial or special city election shall have printed thereon any party or political designation or mark, and there shall not be appended to the name of any candidate any such party or political designation or mark, or anything showing how he was nominated or indicating the candidate's views or opinions.

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

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

Approved October 16, 1984.

Chap. 254. AN ACT AUTHORIZING THE SPENCER-EAST BROOKFIELD REGIONAL SCHOOL DISTRICT TO HOLD ANNUAL DISTRICT WIDE ELECTIONS WITH RESIDENCY REQUIREMENTS AND VALIDATING CERTAIN PROCEEDINGS TAKEN IN SAID DISTRICT AND IN THE MEMBER TOWNS OF SPENCER AND EAST BROOKFIELD.

Be it enacted, etc., as follows:

SECTION 1. The Spencer-East Brookfield Regional School District, consisting of the member towns of Spencer and East Brookfield, may, by amendment to its regional school district agreement, provide that members of its regional district school committee may be elected from the district at an annual district wide election to be called by said district. Said amendment may provide for residency requirements relating to the composition of the regional district school committee. Said amendment may also provide for the duties to be performed by the secretary and other officials of said district and by the clerks, registrars of voters and other officials of said member towns with respect to the annual district wide election, which duties may be the same as, or similar to, the duties performed for town elections. Said amendment may further provide for the annual district wide election to be combined with and held at the same time and place as the annual town elections in all of the member towns whenever

such annual town elections shall be held on the same date as the annual district wide election.

SECTION 2. The amendment to its regional school district agreement proposed by the regional district school committee by the vote passed on April ninth, nineteen hundred and eighty-four containing provisions authorized by section one are hereby validated, ratified and confirmed.

SECTION 3. The proceedings taken by the regional district school committee of said district on April ninth, nineteen hundred and eighty-four and at town meetings held in the town of Spencer on May tenth, nineteen hundred and eighty-four and in the town of East Brookfield on May eleventh, nineteen hundred and eighty-four at which said amendments were considered, are hereby validated, ratified and confirmed in all respects, as though this act had been in full force and effect at the time of said proceedings.

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

Approved October 16, 1984.

Chap. 255. AN ACT AUTHORIZING THE TOWN OF WEYMOUTH TO PAY A CERTAIN SUM OF MONEY TO THOMAS C. SMITH, HARBORMASTER.

Be it enacted, etc., as follows:

SECTION 1. The town of Weymouth is hereby authorized to appropriate money for the payment of, and after such appropriation, the treasurer of said town is hereby authorized to pay to Thomas C. Smith, the sum of four hundred dollars for longevity payments, due as follows: two hundred dollars for fiscal year nineteen hundred and eighty-two and two hundred dollars for fiscal year nineteen hundred and eighty-three for services performed as harbormaster in said town.

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

Approved October 16, 1984.

Chap. 256. AN ACT DESIGNATING A PORTION OF INTERSTATE HIGHWAY ROUTE 290 IN THE CITY OF WORCESTER AS TROOPER GEORGE L. HANNA MEMORIAL HIGHWAY.

Be it enacted, etc., as follows:

That portion of interstate highway, Route 290, in the city of Worcester, excluding that portion between Posner square and Lincoln square, shall be designated and known as Trooper George L. Hanna Memorial highway in memory of George L. Hanna, a member of the Massachusetts State Police force who was killed in the line of duty. The department of public works shall erect suitable markers along said highway bearing said designation, in compliance with the standards of said department and as authorized by the federal highway administration.

Approved October 16, 1984.

Chap. 257. AN ACT DESIGNATING THE STATE FISH PIER AT GLOUCESTER AS THE EVERETT R. JODREY STATE FISH PIER.

Be it enacted, etc., as follows:

The state fish pier located in the city of Gloucester shall be designated and known as the Everett R. Jodrey State Fish pier, in memory of Everett R. Jodrey, who was widely known as the "Father of the Fish Pier". A suitable marker bearing such designation shall be attached thereto by the department of environmental quality engineering.

Approved October 16, 1984.

Chap. 258. AN ACT INCREASING THE PAYMENTS TO CITIES AND TOWNS FOR THE STATE CENSUS.

Be it enacted, etc., as follows:

Chapter 9 of the General Laws is hereby amended by striking out section 7A, as most recently amended by section 1 of chapter 365 of the acts of 1975, and inserting in place thereof the following section:-

Section 7A. Subject to appropriation therefor, the state treasurer shall reimburse each city and town towards the cost of the census taken by it under section seven a sum equal to the total number of inhabitants reported in such city or town by the secretary in his report to the general court of the census, as provided in section seven, multiplied by one dollar; provided, however, that where a person is properly listed by one city or town as an inhabitant of another city or town and is assigned by the state secretary in his report as an inhabitant of such other

city or town, only the city or town that originally counts the person shall receive reimbursement thereof under this section. No later than thirty days following the submission of the aforesaid report by the state secretary, the governor shall recommend to the general court the appropriation of sufficient funds to pay the amount owed to cities and towns under this section, and the method of financing such state expenditure. The state treasurer shall reimburse to each city and town the sum owed to it hereunder, not later than ninety days following the effective date of the act appropriating the required amount from the state treasury.

Approved October 16, 1984.

EMERGENCY LETTER - October 16, 1984 @ 4:50 P.M.

Chap. 259. AN ACT RELATIVE TO CERTAIN LOAN LIMITATIONS OF CERTAIN BANKS.

Be it enacted, etc., as follows:

Section 14 of chapter 167E of the General Laws is hereby amended by striking out paragraph A, as most recently amended by section 25 of chapter 371 of the acts of 1983, and inserting in place thereof the following paragraph:-

A. The total obligations of one borrower to a stock corporation under this chapter and chapter one hundred and sixty-seven F shall not exceed the limitations prescribed in the following table:

1. Obligations of one person including in the liabilities of a firm the liabilities of its several members.	(a) 20% of the total of the capital stock, surplus account and undivided profits, if the capital stock of such corporation is $500,000; or more; (b) 20% of the capital stock, or 10% of the total of the capital stock, surplus account and undivided profits, whichever is greater, if the capital stock of such corporation is less than $500,000;

	(c) 25% of the total of the capital stock, surplus account and undivided profits, if the amount of such obligations in excess of the limitations set forth in (a) or (b) is fully secured by obligations of the United States of like value; (d) 100% of the total of the capital stock, surplus account and undivided profits, if the amount of such obligations in excess of the limitations set forth in (a) or (b) 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; (e) In addition to the limitations prescribed in (a), (b), (c) or (d), 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 in section thirty-eight of chapter one hundred and sixty-eight.
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 capital stock, surplus account, and undivided profits.
3. Obligations of a political subdivision of a New England state other than this commonwealth.	20% of capital stock, surplus account, and undivided profits.
4. Obligations of a political subdivision of a state contiguous to any of the New England states.	20% of capital stock, surplus account, and undivided profits.

5. Obligations of a foreign government or a political subdivision thereof.	10% of capital stock, surplus account, and undivided profits.
6. Obligations of all foreign governments and the political subdivisions thereof.	20% of capital stock, surplus account, and undivided profits.

Approved October 16, 1984.

EMERGENCY LETTER - OCTOBER 17, 1984 @ 10:21 A.M.

Chap. 260. AN ACT EXEMPTING THE POSITION OF PLUMBING INSPECTOR IN THE TOWN OF MIDDLEBOROUGH FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the position of plumbing inspector in the town of Middleborough shall be exempt from the provision 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 the position of plumbing inspector in the town of Middleborough.

Approved October 16, 1984.

Chap. 261. AN ACT DESIGNATING A SECTION OF STATE HIGHWAY ROUTE 138 IN THE CITY OF FALL RIVER AS THE SEAMAN SECOND CLASS PAUL ROMEO PELLETIER MEMORIAL VIADUCT.

Be it enacted, etc., as follows:

That section of state highway route 138 in the city of Fall River known as the Davol Street Viaduct, shall be designated and known as the Seaman Second Class Paul Romeo Pelletier Memorial Viaduct, in memory of Paul Romeo Pelletier, who was the third person from the city of Fall River killed in World War II and the first to be killed after the formal Declaration of War. Suitable markers bearing said designation shall be attached

thereto by the department of public works in compliance with the standards of said department.

Approved October 16, 1984.

Chap. 262. AN ACT PLACING THE MEMBERS OF THE POLICE FORCE AND THE FIRE DEPARTMENT OF THE TOWN OF HOPEDALE UNDER THE PROVISIONS OF THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The positions of regular or permanent member of the police force and the fire department of the town of Hopedale shall be subject to the provisions of chapter thirty-one of the General Laws and the tenure of any incumbent thereof shall be unlimited, subject, to the provisions of said chapter thirty-one.

SECTION 2. The provisions of section one shall not apply to any person who becomes a member of the police force or the fire department of said town on or after the effective date of this act.

Approved October 16, 1984.

EMERGENCY LETTER - October 16, 1984 @ 4:49 P.M.

Chap. 263. AN ACT PROVIDING FOR RECALL ELECTIONS IN THE TOWN OF HALIFAX.

Be it enacted, etc., as follows:

SECTION 1. Any holder of an elected office in the town of Halifax may be recalled therefrom by the qualified voters of the town as herein provided.

SECTION 2. Any ten qualified voters of the town of Halifax may initiate a recall petition by filing with the town clerk of said town an affidavit containing the name of the officer sought to be recalled and a statement of the grounds of recall. Said town clerk shall thereupon deliver to the voter making such affidavit a sufficient number of copies of petition blanks demanding such recall, printed forms of which he shall keep on hand. The 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 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 twenty days after 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 said recall petition shall be submitted, to the town clerk by three o'clock p.m. on the Friday preceding the day which it must be filed, to the registrars of voters in said 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 said 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 recalled does not resign within five days thereafter, thereupon order an election to be held on a date fixed by them, not less than sixty days and not 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 sixty days after the date of said certificate, said selectmen may, in their discretion, postpone the holding of said recall election to the date of such other election. If a vacancy occurs in said office after a recall election has been so ordered, the election shall nevertheless proceed as in this section provided.

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 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 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 elec-

tion, 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 herein before 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 twenty-five 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. No person who has been removed from an office or who has resigned from office while recall proceedings were pending against him, shall be appointed to any town office within two years after such removal or such resignation.

Approved October 16, 1984.

Chap. 264. AN ACT ESTABLISHING THE OFFICE OF TOWN TREASURER-COLLECTOR IN THE TOWN OF CHATHAM.

Be it enacted, etc., as follows:

The office of town treasurer-collector of the town of Chatham is hereby established. Said town treasurer-collector 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 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 town treasurer-collector,

the terms of office of the persons holding the offices of treasurer and collector of taxes shall terminate.

Approved October 16, 1984.

Chap. 265. AN ACT ESTABLISHING A MUNICIPAL WATER DEPARTMENT IN THE TOWN OF CHATHAM.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section thirty-nine A of chapter forty of the General Laws and the ongoing existence of the Chatham Water Company, a private corporation, supplying water in and to certain portions of the town of Chatham; said town of Chatham is hereby authorized to place an article in their next town meeting warrant to ascertain by a majority vote of the registered voters in attendance whether the inhabitants of said town wish to vote to authorize the board of selectmen for said town to set up a municipal water department with said board of selectmen acting as water commissioners and to do all else as provided by said section thirty-nine A in conjunction with the provision of public water to said inhabitants.

Approved October 16, 1984.

Chap. 266. AN ACT RELATIVE TO THE DISMISSAL OF CERTAIN PERSONS FROM EMPLOYMENT OR THE REFUSAL TO EMPLOY SUCH PERSONS DUE TO AGE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 149 of the General Laws is hereby amended by striking out section 24A, as amended by chapter 142 of the acts of 1978, and inserting in place thereof the following section:-

Section 24A. Whoever dismisses from private sector employment any person over the age of forty, or refuses to employ such person because of his age, except as permitted by subsection 17 of section 4 of chapter one hundred and fifty-one B, shall be punished by a fine of not more than five hundred dollars.

SECTION 2. Said chapter 149 is hereby further amended by striking out section 24B, as appearing in section 2 of chapter 367 of the acts of 1937, and inserting in place thereof the following section:-

Section 24B. Any provision in any contract, agreement or understanding entered into on or after September first, nineteen hundred and eighty-four, which shall prevent the private sector employment of any person over the age of forty because of his age, except as permitted by subsection 17 of section 4 of chapter one hundred and fifty-one B, shall be null and void.

SECTION 3. Said chapter 149 is hereby further amended by striking out section 24G, as so appearing, and inserting in place thereof the following section:-

Section 24G. If the commissioner or any of his authorized representatives has reason to believe that any employer has dismissed from private sector employment or has refused to employ any person over the age of forty because of his age, except as permitted by subsection 17 of section 4 of chapter one hundred and fifty-one B, the commissioner may, on ten days notice, summon such employer to appear before him to show cause why the name of such employer should not be published as having failed to observe the provisions of sections twenty-four A to twenty-four J, inclusive. After such hearing and the finding by the commissioner of nonobservance of the provisions of said sections, the commissioner may cause to be published in a newspaper or newspapers circulating within the commonwealth or in such other manner as such commissioner may deem appropriate, the name of such employer as having failed to observe the provisions of said sections. Neither the commissioner nor any of his authorized representatives, nor any newspaper publisher, proprietor, editor, nor employee thereof shall be liable to an action for damages for publishing the name of any employer as provided for in this section, unless guilty of some wilful misrepresentation.

SECTION 4. Section 1 of chapter 151B of the General Laws is hereby amended by striking out subsection 8, as amended by chapter 405 of the acts of 1966, and inserting in place thereof the following subsection:-

8. The term "age" unless a different meaning clearly appears from the context, includes any duration of time since an individual's birth of greater than forty years.

SECTION 5. Subsection 1 of section 4 of said chapter 151B is hereby amended by striking out the word ", age", inserted by section 6 of chapter 697 of the acts of 1950.

SECTION 6. Said section 4 of said chapter 151B is hereby further amended by inserting after subsection 1A, the following two subsections:-

1B. For an employer in the private sector, by himself or his agent, because of the age of any individual, to refuse to hire or

employ or to bar or to discharge from employment such individual, or to discriminate against such individual in compensation or in terms, conditions or privileges of employment, unless based upon a bona fide occupational qualification.

1C. For the commonwealth or any of its political subdivisions, by itself or its agent, because of the age of any individual, to refuse to hire or employ or to bar or discharge from employment such individual in compensation or in terms, conditions or privileges of employment unless pursuant to any other general or special law.

SECTION 7. Said section 4 of said chapter 151B is hereby further amended by adding the following subsection:-

17. Notwithstanding any provision of this chapter, it shall not be an unlawful employment practice for any person, employer, labor organization or employment agency to:

(a) observe the terms of a bona fide seniority system or any bona fide employee benefit plan such as a retirement, pension, or insurance plan, which is not a subterfuge to evade the purposes of this section, except that no such employee benefit plan shall excuse the failure to hire any person, and no such seniority system or employee benefit plan shall require or permit the involuntary retirement of any person because of age except as permitted by paragraph (b)

(b) require the compulsory retirement of any person who has attained the age of sixty-five and who, for the two year period immediately before retirement, is employed in a bona fide executive or high policymaking position, if such person entitled to an immediate nonforfeitable annual retirement benefit from a pension, profit-sharing, savings or deferred compensation plan, or any combination of such plans, of the employer, which equals, in the aggregate, at least twenty-seven thousand dollars.

(c) require the retirement of any employee who has attained seventy years of age and who is serving under a contract of unlimited tenure or similar arrangement providing for unlimited tenure at an independent institution of higher education, or to limit the employment in a faculty capacity of such an employee, or another person who has attained seventy years of age who was formerly employed under a contract of unlimited tenure or similar arrangement, to such terms and to such a period as would serve the present and future needs of the institution, as determined by it; provided, however, that in making such a determination, no institution shall use as a qualification for employment or reemployment, the fact that the individual is under any particular age.

Approved October 16, 1984.

EMERGENCY LETTER - October 16, 1984 @ 4:49 P.M.

Chap. 267. AN ACT AMENDING THE CHARTER OF THE TOWN OF STOUGHTON TO PROVIDE FOR THE PLACEMENT OF THE NAMES OF CANDIDATES FOR PUBLIC OFFICE ON THE OFFICIAL BALLOT USED IN MUNICIPAL ELECTIONS IN THE TOWN OF STOUGHTON TO BE DRAWN BY LOTTERY.

Be it enacted, etc., as follows:

SECTION 1. Article 8 of the charter of the town of Stoughton 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 striking out section 8-5 and inserting in place thereof the following section:-

Section 8-5 Position of Candidates for Town Offices. The names of candidates for town office shall be placed in numerical sequence based upon a random number drawn by the candidate or his representative at the time of filing nomination papers. This number shall be affixed to the nomination papers of the candidate in his presence or in the presence of his representative by the town clerk. Candidates for the final election that have been nominated in a preliminary election shall draw for their ballot position on the day following the preliminary election. In the event the candidate or his representative cannot be present for this drawing of ballot position, the town clerk shall draw for the candidate.

SECTION 2. The town shall place upon the ballot at any annual or special town election of said town the following question: "Shall an act passed by the general court in the year nineteen hundred and eighty-four, entitled 'An Act amending the charter of the town of Stoughton to provide for the placement of the names of candidates for public office on the official ballot used in municipal elections in the town of Stoughton to be drawn by lottery', be accepted?" Said vote shall be taken by ballot in accordance with the provisions of the General Laws.

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 16, 1984.

Chap. 268. 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:

Chapter 127 of the acts of 1983 is hereby amended by striking out section 1 and inserting in place thereof the following section:-

Section 1. The county commissioners of Norfolk county are hereby authorized to expend 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 twenty thousand dollars for cost of both handicapped ramps.

Approved October 16, 1984.

Chap. 269. AN ACT ESTABLISHING THE OFFICE OF TREASURER-COLLECTOR IN THE TOWN OF HANSON.

Be it enacted, etc., as follows:

SECTION 1. The office of treasurer-collector of taxes in the town of Hanson is hereby established. Said treasurer-collector of taxes shall be appointed by the board of selectmen of said town for a term not to exceed three years and shall perform all 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 for such office as deemed necessary and appropriate. Any vacancy in said office shall be filled in a like manner for the unexpired portion of such term.

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

Approved October 16, 1984.

Chap. 270. AN ACT INCREASING THE MEMBERSHIP OF THE LICENSING BOARD OF THE CITY OF NEWBURYPORT.

Be it enacted, etc., as follows:

Notwithstanding the provision of section four of chapter one hundred and thirty-eight of the General Laws or any other provision of law to the contrary, the licensing board of the city of Newburyport shall consist of five members.

Approved October 16, 1984.

Chap. 271. AN ACT AUTHORIZING THE TOWN OF BROOKLINE TO IMPOSE A LICENSE FEE OF THREE PER CENT OF GROSS SUBSCRIBER REVENUES UPON ITS CABLE TELEVISION OPERATION.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section nine of chapter one hundred and sixty-six A of the General Laws, the town of Brookline may impose upon any operator of a cable television communications system within its jurisdiction a license fee of three per cent of the operator's gross revenues per year from subscribers and cable operations in said town.

SECTION 2. In lieu of the three per cent of annual gross revenues to be tendered to the town of Brookline as provided in section one of this act, for the first three years from execution of a final license to operate a cable television communications system in said town, said town may require an annual payment of not more than fifty thousand dollars per year.

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

Approved October 17, 1984.

Chap. 272. AN ACT RELATIVE TO THE REGISTRATION OF PROFESSIONAL LAND SURVEYORS.

Be it enacted, etc., as follows:

SECTION 1. Section 81D of chapter 112 of the General Laws is hereby amended by striking out the definition of "Land surveyor", as amended by section 3 of chapter 707 of the acts of 1970, and inserting in place thereof the following definition:-

"Professional land surveyor", a professional specialist in the technique of measuring land, educated in the basic principles of mathematics, the related physical and applied sciences, and the relevant requirements of law for adequate evidence and all re-

quisite to the surveying of real property and engaged in the practice of land surveying.

SECTION 2. Section 81E of said chapter 112 is hereby amended by striking out the first sentence, as amended by section 4 of said chapter 707, and inserting in place thereof the following sentence:- The board shall examine applicants for registration as professional engineers and as professional land surveyors and applicants desiring to take written or oral examinations to evidence qualification for registration as professional engineers or professional land surveyors.

SECTION 3. The introductory paragraph of section 81J of said chapter 112, as appearing in section 5 of said chapter 707, is hereby amended by inserting after the word "or", in line 3, the following word:- professional.

SECTION 4. Subsection (2) of said section 81J of said chapter 112 is hereby amended by inserting after the word "a", in line 1, as so appearing, the following word:- professional.

SECTION 5. Clause (a) of said subsection (2) of said section 81J of said chapter 112, as so appearing, is hereby amended by inserting after the word "registered", in line 6, the following word:- professional.

SECTION 6. Clause (b) of said subsection (2) of said section 81J of said chapter 112, as so appearing, is hereby amended by inserting after the word "registered", in line 8, the following word:-professional.

SECTION 7. Clause (c) of subsection (3) of said section 81J of said chapter 112, as so appearing, is hereby amended by inserting after the word "registered", in line 5, the following word:- professional.

SECTION 8. Clause (d) of said subsection (3) of said section 81J of said chapter 112, as so appearing, is hereby amended by inserting after the word "registered", in line 8, the following word:- professional.

SECTION 9. The fourth paragraph of said subsection (3) of said section 81J of said chapter 112, as so appearing, is hereby amended by inserting after the word "or", in line 2, the following word:- professional.

SECTION 10. The first paragraph of section 81K of said chapter 112, as amended by section 2 of chapter 588 of the acts of 1975, is hereby further amended by inserting after the word

"registered", in line 8, the following word:- professional.

SECTION 11. The second paragraph of said section 81K of said chapter 112, as most recently amended by section 162 of chapter 572 of the acts of 1980, is hereby further amended by inserting after the word "and", in line 2, the following word:- professional.

SECTION 12. Said chapter 112 is hereby further amended by striking out section 81M, as most recently amended by section 9 of chapter 707 of the acts of 1970, and inserting in place thereof the following section:-

Section 81M. The board shall issue a certificate of registration upon payment of the registration fee to any applicant who, in the opinion of the board, has satisfactorily met all the requirements of said sections. In the case of a registered professional engineer, the certificate shall authorize the practice of engineering. In the case of a registered professional land surveyor, the certificate shall authorize the practice of land surveying. Certificates of registration shall show the full name of the registrant, shall have a serial number and be under seal of the board.

The issuance of a certificate of registration by the board shall be prima facie evidence that the person named therein is entitled to all the rights and privileges of a registered professional engineer or of a registered professional land surveyor, as the case may be, while such certificate remains unrevoked or unexpired.

Each registrant hereunder shall, upon registration, obtain a seal of the design authorized by the board, bearing the registrant's name and the legend "Registered Professional Engineer" or "Registered Professional Land Surveyor". Plans, specifications, plats and reports prepared by a registrant shall be stamped with the said seal when filed with public authorities, while the registrant's certificate is in force, but it shall be unlawful for anyone to stamp or seal any documents with said seal after the certificate of the registrant named thereon has expired or has been revoked, unless said certificate shall have been renewed or reissued.

Plans, specifications, plats and reports whenever stamped with the seal of a registered professional engineer or professional land surveyor shall be signed by the registrant named thereon. The use of a facsimile signature stamp shall not be deemed to comply with this section.

SECTION 13. Section 81N of said chapter 112 is hereby amended by striking out the fifth sentence, as appearing in section 1 of chapter 472 of the acts of 1960, and inserting in place thereof the following sentence:- If a registrant fails to renew his certificate within two years of the expiration date, he

shall be temporarily dropped from the roster of registered professional engineers or of registered professional land surveyors, subject to reinstatement as hereinafter provided.

SECTION 14. The second paragraph of section 81P of said chapter 112, as amended by section 2 of chapter 282 of the acts of 1971, is hereby further amended by striking out clauses (b) and (c) and inserting in place thereof the following two clauses:-

(b) Any gross negligence, incompetency or misconduct in the practice of professional engineering or land surveying as a registered professional engineer or as a registered professional land surveyor; or

(c) The affixing of his signature to plans, drawings, specifications or other instruments of service which have not been prepared by him or in his office, or under his immediate and responsible direction, or permitting his name to be used for the purpose of assisting any person, not a registered professional engineer or registered professional land surveyor, to evade the provisions of this chapter.

SECTION 15. The last paragraph of said section 81P of said chapter 112, as appearing in section 9C of chapter 722 of the acts of 1941, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- If, after such hearing, three or more members of the board vote in favor of finding the accused guilty, the board shall revoke the certificate of registration of such registered professional engineer or registered professional land surveyor.

Approved October 17, 1984.

Chap. 273. AN ACT AUTHORIZING THE ASHBURNHAM WESTMINSTER REGIONAL SCHOOL DISTRICT TO HOLD ANNUAL DISTRICT WIDE ELECTIONS.

Be it enacted, etc., as follows:

SECTION 1. The Ashburnham Westminster Regional School District consisting of the member towns of Ashburnham and Westminster may, by amendment to its regional school district agreement, provide that members of its regional district school committee may be elected from the district at an annual district wide election called by said district. Said amendment may provide for residency requirements relating to the composition of the regional district school committee. Said amendment may also provide that the annual district election shall be held concurrently with the annual town election in each town and may fur-

ther provide for the duties to be performed by the secretary and other officials of said District and by the clerks, registrars of voters and other officials of said member towns with respect to the annual district election, which duties may be the same as, or similar to, the duties performed for town elections.

SECTION 2. The amendment to its regional school district agreement proposed by the regional district school committee by the vote passed on January fourth, nineteen hundred and eighty-four, containing provisions authorized by section one of this act is hereby validated, ratified, and confirmed.

SECTION 3. The proceedings taken by the regional district school committee of said District on January fourth, nineteen hundred and eighty-four, and at town meetings held in the towns of Ashburnham and Westminster on February twenty-first, nineteen hundred and eighty-four, at which said amendment was considered and voted upon are hereby validated, ratified, and confirmed in all respects and as though this act had been in full force and effect at the time of said proceedings.

Approved October 23, 1984.

Chap. 274. AN ACT EXEMPTING THE POSITION OF CHIEF OF THE FIRE DEPARTMENT OF THE TOWN OF NATICK FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The position of chief of the fire department of the town of Natick 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 office of chief of the fire department of the town of Natick on the effective date of this act.

SECTION 3. This act shall be submitted for acceptance to the voters of the town of Natick at the state election to be held in November, nineteen hundred and eighty-four, or the next special or regular town election held thereafter, in the form of the following question which shall be placed on the official ballot to be used for said election: "Shall an act passed by the general court in the year nineteen hundred and eighty-four, entitled 'An Act exempting the position of chief of the fire department of the town of Natick from the provisions of the civil service law', be

accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall take full effect, but not otherwise.

Approved October 26, 1984.

Chap. 275. AN ACT AUTHORIZING THE CERTIFICATION AND APPOINTMENT OF HOWARD J. HUNTER AS A POLICE OFFICER NOTWITHSTANDING CERTAIN PHYSICAL REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize the certification and appointment of Howard J. Hunter 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 Howard J. Hunter 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 a post trauma limitation of movement of the right wrist; provided, however, that he fulfills all other requirements for certification and appointment, including a retesting under the department of personnel administration's public safety medical standards.

Approved October 30, 1984.

Chap. 276. AN ACT RELATIVE TO THE MUTUAL SAVINGS CENTRAL FUND AND PROVIDING FOR A CONVERSION OF A FEDERAL SAVINGS BANK TO A STATE-CHARTERED SAVINGS BANK.

Be it enacted, etc., as follows:

SECTION 1. Chapter 167E of the General Laws is hereby amended by striking out section 3A, as appearing in section 9 of chapter 155 of the acts of 1982, and inserting in place thereof the following section:-

Section 3A. Any note or mortage secured by a first lien on a dwelling house of four or fewer separate households occupied or to be occupied in whole or in part by the mortgagor may provide for monthly payments of interest only for up to the first ten

years of its or their term and subsequent monthly payments in such amounts that aggregate principal reduction at any time during the remaining term of such note shall not be less than that which would be required in the case of a note of like amount and interest rate providing for complete amortization by equal monthly payments over the term of the loan which payment shall be first applied to interest and the balance thereafter remaining applied to principal.

SECTION 2. The second paragraph of section 36 of chapter 168 of the General Laws, as appearing in section 29 of said chapter 155, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- Such corporation shall, however, participate in any distribution made under the provisions of section ten of said chapter forty-three, but such distribution shall be limited to an amount equal to the amount the corporation would have received had the Deposit Insurance Fund been liquidated at the time such corporation accepted its federal charter; and provided however, that such corporation may also participate in any dividends paid pursuant to section three of said chapter forty-three to the extent the board of directors of said Mutual Savings Fund, Inc., declares dividends for payment to former member banks which have accepted federal charters, subject to the prior approval of the commissioner as provided for in said section three of said chapter forty-three.

SECTION 3. Said chapter 168 is hereby further amended by striking out section 38, as amended by section 54 of chapter 371 of the acts of 1983, and inserting in place thereof the following section:-

Section 38. Any federal savings and loan association or federal savings bank may convert to a savings bank under the provisions of this chapter upon a vote of fifty-one per cent or more votes of members of such federal savings and loan association or two-thirds of the board of trustees of such federal savings bank present and voting at an annual meeting or at any special meeting called to consider such action. Notice of such meeting to vote on such conversion shall be mailed at least twenty, and not more than thirty days prior to the date of such meeting to each member or trustee of record at his last known address shown on the books of the association or bank.

Copies of the minutes of the proceedings of such meeting of members or trustees verified by the affidavit of the secretary or an assistant secretary or clerk shall be filed in the office of the commissioner and mailed to the Federal Home Loan Bank Board, Washington, D.C., within ten days after such meeting. Such verified copies of the proceedings of the meeting when so filed

shall be presumptive evidence of the holding and action of such meeting. At the meeting at which conversion is voted upon, the members or trustees shall also vote upon the persons who shall be the corporators and trustees of the state-chartered savings bank after conversion takes effect.

The commissioner may provide, by regulation, for the procedure to be followed by any such federal savings and loan association or federal savings bank converting into a savings bank.

Upon the conversion of a federal savings and loan association or federal savings bank into a savings bank authorized to conduct business in the commonwealth the corporate existence of such association or bank shall not terminate, but such state-chartered savings bank shall be deemed to be a continuation of the entity of the association or bank so converted and all property of the converted association or bank including its rights, titles and interests in and to all property of whatsoever kind, whether real, personal, or mixed, and things in action, and every right, privilege, interest, and asset of any conceivable value or benefit then existing, or pertaining to it, or which would inure to it, shall immediately by act of law and without any conveyance or transfer and without any further act or deed remain and be vested in and continue and be the property of such savings bank into which the federal association or federal savings bank has converted itself, and such savings bank shall have, hold and enjoy the same in its own right as fully and to the extent as the same was possessed, held and enjoyed by the converting association or bank and such savings bank as of the time of the taking effect of such conversion shall continue to have and succeed to all the rights, obligations, and relations of the converting association or bank. All pending actions and other judicial proceedings to which the converting federal association or federal savings bank is a party shall not be deemed to have been abated or to have been discontinued by reasons of such conversion, but may be prosecuted to final judgment, order or decree in the same manner as if such conversion into such savings bank had not been made and such savings bank resulting from such conversion may continue such action in its corporate name as a savings bank, and any judgement, order or decree may be rendered for or against it, which might have been rendered for or against such converting federal association or bank theretofore involved in such judicial proceedings.

Upon the completion of the conversion of a federal savings and loan association or federal savings bank into a savings bank under the provisions of this chapter, said savings bank shall become a member of the Mutual Savings Central Fund, Inc., hereinafter called the Fund, and of the Deposit Insurance Fund thereof. Before such succeeding corporation shall commence business as a savings bank, it shall pay into the Liquidity Fund of the Fund, an amount equal to the deposit required of a mem-

ber bank thereof a similar size, as of the date of said certificate, plus such additional amount based upon the surplus of said Reserve Fund, as the directors of the Fund, with the approval of the commissioner, shall determine to be equitable. In addition to the payment to said Reserve Fund, the succeeding corporation shall pay to said Deposit Insurance Fund or make provisions for payment thereto of a sum based upon the relation which the total amount of all assessments paid into such Deposit Insurance Fund by all member banks, exclusive of annual assessments, plus the amount of the earned surplus account of said fund, less all losses and expenses incurred by said fund with respect to savings banks which it has assisted or liquidated, bears to the insured liabilities of all member banks; provided, however, that such payment shall be not less than the sum of six times the average applicable annual assessments paid by member banks during the proceeding five years; and provided, further, that the succeeding corporation shall pay to said Deposit Insurance Fund such proportion of the current and annual assessments as shall have accrued to the date of said certificate.

After compliance with the foregoing requirements, the succeeding corporation shall thereafter be entitled to exercise all of the rights and privileges, and shall be subject to all of its duties and obligations of a savings bank and shall conduct its business subject to the provisions of this chapter and of other applicable laws; provided, however, that, with the approval of the commissioner, the succeeding corporation shall have reasonable time after the effective date of the conversion within which to comply with any particular provisions of such laws not hereinbefore specifically provided for and which it shall be unable to comply with on or before said date.

The commissioner may require the succeeding corporation to divest itself, within a reasonable time after the effective date of the conversion, of any branch office not in conformity with law, if he shall determine that the public interest so requires.

SECTION 4. Section 15B of chapter 171 of the General Laws, inserted by section 65 of chapter 371 of the acts of 1983, is hereby amended by striking out, in line 9, the word "bank" and inserting in place thereof the words:- credit union.

SECTION 5. Section 3 of chapter 43 of the acts of 1934 is hereby amended by striking out the first sentence, as appearing in section 6 of chapter 324 of the acts of 1956, and inserting in place thereof the following two sentences:- The corporation may pay dividends to member banks at such rates and at such times as the directors may determine, subject to the prior approval of the commissioner of any such payment, rates and times and subject to his prior approval as to the terms, conditions and use of such payment to member banks, upon the amounts paid in by

such banks to the Deposit Insurance Fund or upon the unexpended portion thereof and in reduction of unpaid portions of principal of participating interests in assessments to which a bank which shall have become a member of the Federal Deposit Insurance Corporation may be entitled as provided in section fifteen. The corporation may also pay dividends at such rates and at such times as the directors may determine, subject to the prior approval of the commissioner of any such payment, rates and times and subject to his prior approval as to the terms, conditions and use of such payment, to banks which have previously been member banks but which are no longer member banks under the provisions of section thirty-six of chapter one hundred and sixty-eight of the General Laws.

SECTION 6. Nothing in this act shall be construed to allow any former member bank which has ceased to be a member in the Mutual Savings Central Fund by reason of conversion to federal charter in accordance with the provisions of section thirty-six of chapter one hundred and sixty-eight of the General Laws, to regain membership in said Mutual Savings Central Fund, Inc., or said Deposit Insurance Fund, thereof, or to receive any other benefit accruing to a state-chartered savings bank resulting from membership in the said Mutual Savings Central Fund, Inc., or Deposit Insurance Fund.

SECTION 7. Any dividend received by a bank pursuant to this act shall be income pursuant to applicable tax law.

SECTION 8. 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 banks, and three persons to be appointed by the governor, one of whom shall be appointed from a list submitted by the Savings Banks Association of Massachusetts, one of whom shall be appointed from a list submitted by the Massachusetts Co-operative Bank League, and one of whom shall be appointed from a list submitted by the Credit Union League of Massachusetts, for the purpose of making an investigation and study of the state systems for the insurance of deposits made in financial institutions located in the commonwealth.

Said commission shall, in the course of its investigation and study, consider the present and projected adequacies of the state deposit insurance systems to protect the interest of Massachusetts residents, the federal systems for deposit insurance and their comparisons, if any, with the state systems, and such other related matters as the commission may deem relevant. Said commission may employ such assistance as it may deem necessary. All costs for the administration and operation of said commission shall be borne by the Deposit Insurance Fund, estab-

lished by chapter forty-three of the acts of nineteen hundred and thirty-four, the Share Insurance Corporation, established by chapter two hundred and ninety-four of the acts of nineteen hundred and sixty-one.

Said commission shall report to the general court the results of its investigations and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before the first Wednesday of July, nineteen hundred and eighty-five.

Approved October 30, 1984.

EMERGENCY LETTER - October 31, 1984 @ 10:31 A.M.

Chap. 277. AN ACT RELATIVE TO THE POLICE CADET PROGRAM IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 174 of the acts of 1978 is hereby amended by striking out the first sentence, as amended by section 1 of chapter 560 of the acts of 1979, and inserting in place thereof the following sentence:- Notwithstanding the provisions of chapter thirty-one of the General Laws, any person who has completed not less than two years of service as a police cadet in the police department of the city of Boston, or any person who has completed any such service as a cadet; provided, however, that such person has also completed at least two years of service as a civilian employee of said department performing the same or similar function as performed while a cadet in the police department of said city under the provisions of section twenty-one A of chapter one hundred and forty-seven of the General Laws, or any employee who has completed two years of service as a civilian within said department; provided, further, that he is performing duties similar to those of police cadets and providing also that he, while of eligible age, was unable to obtain appointment during the period from nineteen hundred and seventy-three to nineteen hundred and seventy-eight, when the cadet program was discontinued, may, subject to a program established by the police commissioner of said city and approved by the personnel administrator of the state division of personnel administration and the Massachusetts criminal justice training council, be appointed to fill a vacancy in a position in the lowest grade in the police force of said city without certification from an eligible list prepared under the provisions of chapter thirty-one of the General Laws; and provided, further, that such person either is on a police entrance

eligible list prepared under said chapter thirty-one or passes a qualifying examination to be given by said personnel administrator.

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

Approved November 5, 1984.

EMERGENCY LETTER - November 13, 1984 @ 4:14 P.M.

Chap. 278. AN ACT AUTHORIZING THE STATE SECRETARY TO AUTHORIZE THE SOLEMNIZATION OF A CERTAN 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 section thirty-nine, the solemnization of a marriage by Simon S. Cohen, as he is a retired judge of the superior court of the state of Connecticut, in the city of Boston on November tenth, nineteen hundred and eighty-four between Nancy Shapiro of the town of Nahant and William Gutfarb of the town of Nahant, and the state secretary shall issue to said Simon S. Cohen in his capacity as aforesaid a certificate of such authorization.

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

Approved November 5, 1984.

Chap. 279. AN ACT RELATIVE TO CERTAIN CLAIMS AGAINST THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 258 of the General Laws, as appearing in section 15 of chapter 512 of the acts of 1978, is hereby amended by adding the following paragraph:-

Notwithstanding that a public employee shall not be liable for negligent or wrongful acts as described in the preceding paragraph, if a cause of action is improperly commenced against a public employee of the commonwealth alleging injury or loss of property or personal injury or death as the result of the negligent or wrongful act or omission of such employee, said employee may request representation by the public attorney of the com-

monwealth. The public attorney shall defend the public employee with respect to the cause of action at no cost to the public employee; provided, however, that the public attorney determines that the public employee was acting within the scope of his office or employment at the time of the alleged loss, injury, or death, and, further, that said public employee provides reasonable cooperation to the public employer and public attorney in the defense of any action arising out of the same subject matter. If, in the opinion of the public attorney, representation of the public employee, under this paragraph would result in a conflict of interest, the public attorney shall not be required to represent the public employee. Under said circumstances, the commonwealth shall reimburse the public employee for reasonable attorney fees incurred by the public employee in his defense of the cause of action; provided, however, that the same conditions exist which are required for representation of said employee by the public attorney under this paragraph.

SECTION 2. The first sentence of section 6 of said chapter 258, as so appearing, is hereby amended by inserting after the word "employer", in line 2, the following words:- or public employee of the commonwealth.

SECTION 3. This act shall apply to civil actions currently pending against public employees and to such civil actions commenced against public employees after June thirtieth, nineteen hundred and eighty-four.

Approved November 5, 1984.

EMERGENCY LETTER - November 13, 1984 @ 4:14 P.M.

Chap. 280. AN ACT RELATIVE TO THE AMOUNT OF SURETY BOND REQUIRED FOR A COLLECTION AGENCY LICENSE SUBJECT TO THE SUPERVISION OF THE COMMISSIONER OF BANKS.

Be it enacted, etc., as follows:

Section 25 of chapter 93 of the General Laws is hereby amended by striking out the second sentence, as amended by chapter 652 of the acts of 1971, and inserting in place thereof the following four sentences:- Such bond shall be in the sum of ten thousand dollars for the initial license. The amount of the bond upon renewal of any license shall be in the amount of ten thousand dollars, or two times the average monthly net collections received from commonwealth debtors or due to commonwealth creditors paid directly to the collection agency for the

preceding year computed to the next highest one thousand dollars, whichever sum is greater, but in no event more than twenty-five thousand dollars. Each application for renewal shall be accompanied by a statement of the preceding year's net collections. Such bond shall provide that the person giving the same, shall, upon written demand, pay and turn over to or for the person whom any account, bill or other indebtedness is taken for collection the proceeds of such collection in accordance with the terms of the agreement upon which it was received for collection.

Approved November 5, 1984.

Chap. 281. AN ACT RELATIVE TO THE BLACKSTONE RIVER AND CANAL COMMISSION.

Be it enacted, etc., as follows:

Chapter 568 of the acts of 1981 is hereby amended by striking out section 1, as amended by section 3 of chapter 51 of the acts of 1982, and inserting in place thereof the following section:-

Section 1. There is hereby established the Blackstone River and Canal commission, hereinafter called the commission, to consist of one member of the house of representatives to be appointed by the speaker of the house of representatives, one member of the senate to be appointed by the president of the senate, one person to be appointed by the city manager of the city of Worcester; one person to be appointed by the board of selectmen of each of the towns of Blackstone, Millville, Uxbridge, Northbridge, Grafton, Sutton, and Millbury, the commissioner of the department of public works, ex officio, or his designee, the commissioner of environmental management, ex officio, or his designee, the executive director of the central Massachusetts regional commission, ex officio, and the executive director of the Blackstone river watershed association, ex officio, the president of the Blackstone Valley chamber of commerce, ex officio, or his designee, the president of the Worcester County League of Sportsmen's Club, ex officio, or his designee, the commissioner of the department of fisheries, wildlife and recreational vehicles, ex officio, or his designee, the commissioner of the department of environmental quality engineering, ex officio, or his designee, the commissioner of commerce and development, ex officio, or his designee, and the executive director of the Worcester County Convention and Visitors Bureau, ex officio, or his designee. Persons appointed from the membership of the general court and from said municipalities shall be appointed for two year terms. In selecting a person from each of the said municipalities, preference shall be

given to residents who are members of historic commissions or other nonprofit organizations concerned with the preservation and use of the former Blackstone canal.

Approved November 5, 1984.

Chap. 282. AN ACT AUTHORIZING THE ADJUTANT GENERAL TO PERMIT THE PARKING ON THE WEBSTER ARMORY GROUNDS IN THE TOWN OF WEBSTER ON THANKSGIVING DAY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately permit the parking on the Webster armory grounds in the town of Webster on Thanksgiving Day, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section one hundred and twenty-two of chapter thirty-three of the General Laws or any other general or special law to the contrary, the adjutant general is hereby authorized to approve the application of the town of Webster's public schools athletic department to use as a parking lot, the land in the rear of the Webster armory facility in said town for the annual Thanksgiving Day football game.

Approved November 15, 1984.

Chap. 283. AN ACT AUTHORIZING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO GRANT TO THE CITY OF FALL RIVER PERMANENT EASEMENTS IN CERTAIN LAND IN SAID CITY UNDER THE CONTROL OF THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT.

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 grant to the city of Fall River, permanent easements, approved as to form by the attorney general, in, over, across

and upon certain land in said city, under the control of the division of waterways in the department of environmental management, for the purpose of the installation, replacement, repair, renewal, maintenance and operation of a storm drain with all necessary fittings and appurtenances, said land being a certain parcel situated on the westerly side of Water street, in the city of Fall River, bounded and described as follows:-

Beginning at the southeasterly corner of said Commonwealth of Massachusetts land, said corner being opposite and fourteen and 00/100 (14.00) feet right of baseline station 6+51.68 on said Water Street;

thence westerly along the southerly property line of said Commonwealth of Massachusetts land a distance of two hundred sixty-seven (267±) feet more or less to a corner;

thence northwesterly at an interior angle of 120°-00'-00" a distance of fifty-one (51±) feet more or less to a corner;

thence easterly at an interior angle of 60°-00'-00" a distance of twenty-eight (28±) feet more or less to a corner;

thence southeasterly at an interior angle of 120°-00'-00" a distance of thirty-seven (37±) feet more or less to a corner;

thence easterly at an interior angle of 120°-00'-00" a distance of one hundred forty-four (144±) feet more or less to an angle, said line being twelve (12) feet northerly and parallel to said southerly property line of Commonwealth of Massachusetts land;

thence continuing easterly a distance of one hundred three (103±) feet to a corner on the existing westerly line of said Water Street, said line being eight and 00/100 (8.00) feet northerly and parallel to said southerly property line of Commonwealth of Massachusetts land;

thence southerly along the existing westerly line of said Water Street a distance of eight (8±) feet more or less to the point and place of beginning. The above described parcels contain an area of four thousand and forty (4,040±) square feet of land, more or less.

Being shown as parcel 8 on plan entitled, "Plan showing the 1983 Revised Layout of Water Street, Fall River, Massachusetts, between 310± feet north of Anawan Street to the vicinity of Ferry Street, drawn by C. E. Maguire, Inc., One Davol Square, Providence, Rhode Island, June 1983, Scale 1" = 20'" which plan is recorded with the Fall River district registry of deeds in the county of Bristol in Plan Book 73, Pages 34-36.

The consideration for the above described easement shall be subject to an agreement between the department of environmental management and said city and shall provide in part that said city shall maintain said storm drainage system and shall release said department from any liability caused by or incurred in its use and operation.

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

Approved November 20, 1984.

EMERGENCY LETTER - November 20, 1984 @ 4:00 P.M.

Chap. 284. AN ACT AUTHORIZING THE TOWN OF NORTH ANDOVER TO TAKE WATER FROM THE MERRIMACK RIVER.

Be it enacted, etc., as follows:

SECTION 1. The town of North Andover, in accordance with such conditions as may be set forth by the department of environmental quality engineering and the water resources commission is hereby authorized to take, hold and convey into and throughout said municipality, from the Merrimack river at an approved point within said municipality, without liability to pay any compensation or other damages than the commonwealth itself would be legally liable to pay, sufficient water for the use of said municipality and the inhabitants thereof for the extinguishment of fires, domestic use, human consumption, irrigation, industrial, commercial and other purposes not to exceed twelve million gallons per day; and also to take and hold, by purchase or otherwise, land in said municipality for sinking wells or making excavations in order to obtain water by filtration or percolation, or from subterranean streams, and to construct such works as may be necessary therefor; and to lay and maintain reservoirs or canals and such other work as may be deemed necessary or proper for conveying, raising, forcing, retaining, distributing or disposing of said water in such a manner as may be deemed in the public interest.

The rights of the Essex Company, as granted by chapter one hundred and sixty-three of the acts of eighteen hundred and forty-five, and the rights of any successor to such company are preserved insofar as these rights may be exercised in a manner reasonable and consistent with the public interest and the proper utilization of the Merrimack river as determined by the department of environmental quality engineering and the water resources commission provided that there shall be an adequate flowage of the river to supply the city of Lawrence and the city known as the town of Metheun and the town of Tewksbury and the town of North Andover.

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

Approved November 21, 1984

Chap. 285. AN ACT AUTHORIZING THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT TO LEASE CERTAIN PREMISES WITHIN THE SUDBURY STATE FOREST LOCATED IN THE TOWN OF STOW TO THE DEPARTMENT OF EDUCATION FOR USE BY THE MASSACHUSETTS FIREFIGHTING ACADEMY.

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

Be it enacted, etc., as follows:

The deputy commissioner of the division of capital planning and operations is hereby authorized to lease a portion of land within the Sudbury state forest in the town of Stow, presently under the control of the department of environmental management, to the department of education for use by the Massachusetts firefighting academy. Said department of environmental management shall retain control of the insect pest control building and its associated structures which are located on said land and shall have ingress and egress to said building and structures.

Said land is shown on a plan and overlay on file with the commissioner of the department of environmental management. Said plan is entitled "Topographical Plan of Land, Stow, Massachusetts prepared for the Massachusetts Firefighters' Academy", surveyed by Clyde Wheeler dated February sixth, nineteen hundred and eighty-four. Said overlay was prepared by Gifford Pierce dated June twenty-second, nineteen hundred and eighty-four.

Approved November 21, 1984.

Chap. 286. AUTHORIZING THE TOWN OF CANTON TO CONVEY CERTAIN LAND IN SAID TOWN TO STEPHEN AND ALICE BRACONI IN EXCHANGE FOR CERTAIN OTHER LAND IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. In consideration of the conveyance to the town of Canton by Stephen and Alice Braconi, said town, by its board of selectmen, is hereby authorized to convey to said Stephen

Braconi and Alice Braconi, its right, title and interest in a certain portion of an easement held by the said town for a right of way into lands under the care, custody and control of the conservation commission of said town, over lands owned by the said Stephen and Alice Braconi, said portion consisting of approximately three hundred and thirty-seven square feet and being bounded and described, as follows:

Beginning at a point on the northerly sideline of Tolman Street, said point being located at the terminous of the layout of said street; thence running southwesterly, as a continuation of such sideline, a distance of 30.0 feet to a point; thence turning southeasterly and running a distance of 44.0 feet; thence turning northeasterly and running a distance of 71.5 feet to the point of beginning.

SECTION 2. In consideration of such conveyance, Stephen Braconi and Alice Braconi shall convey to said town all their right, title and interest in and to a certain parcel of land being the northwesterly portion of lot 146 as shown on the town of Canton assessors' map 12, said parcel containing approximately eight thousand nine hundred square feet and being bounded and described as follows:

Beginning at a drill hole located at the northwest corner of property now or formerly of Stephen Braconi and Alice Braconi; thence running northeasterly a distance of 76.0 feet to a point; thence turning southwesterly and running a distance of 236.7 feet, parallel with an existing drain easement; thence turning northwesterly and running a distance of 238.0 feet to the point of beginning.

SECTION 3. Land conveyed to the town of Canton by Stephen Braconi and Alice Braconi under the provisions of section two shall be managed and controlled by the conservation commission of said town under the provisions of section eight C of chapter forty of the General Laws.

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

Approved November 21, 1984.

Chap. 287. AN ACT AUTHORIZING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO CONVEY A CERTAIN PARCEL OF LAND USED FOR PUBLIC HEALTH PURPOSES IN THE TOWN OF TEWKSBURY TO SAID TOWN.

Be it enacted, etc., as follows:

The division of capital planning and operations in the name and on behalf of the commonwealth, is hereby authorized to grant and convey, by a deed approved as to form by the attorney general, to the town of Tewksbury for recreational purposes, a certain parcel of land of the commonwealth under the control of the department of public health situated in said town and bounded and described as follows:-

Beginning at a point on the easterly side of North Street at the Southerly side of the Boston and Maine Railroad, thence

1. South 67-35-32 East a distance of 1735.39 feet by the southerly side of the Railroad to a stone bound, thence,
2. South 29-54-20 West a distance of 331.50 feet by land of Yee Ark Sing to a stone bound, thence,
3. South 39-57-18 West a distance of forty-eight feet to a point thence,
4. South 60-26-35 East a distance of 230 feet by land of Yee Ark Sing to a point, thence
5. South 63-54-52 West a distance of 1563.09 feet by other land of the State Hospital to a point, thence
6. North 77-03-54 East a distance of 526.84 feet by land of North Street Associates to a point, thence
7. North 18-41-00 East a distance of 131.00 feet by land of Dennis Sullivan to a point, thence
8. North 50-15-00 East a distance of 458.73 feet by land of the Town of Tewksbury to a point, thence
9. North 34-15-00 East a distance of 277.73 feet by land of the Town of Tewksbury, thence
10. North 64-45-00 East a distance of 131 feet by land of the Town of Tewksbury to a point, thence
11. North 50-45-00 West a distance of 679.00 feet by land of the Town of Tewsbury, thence
12. North 46-20-42 East a distance of 371.00 feet by land of John W. Strem, thence
13. North 59-11-30 West a distance of 232.00 feet by land of John W. Strem to a point, thence
14. Northeasterly by a curve to the left having a radius of 900.35 feet and a length of 35.12 feet by the easterly sideline of North Street to a point, thence
15. Northeasterly by a curve to the right having a radius of 646.31 feet and a length of 139.50 feet by the northeasterly sideline of North Street to a point, thence
16. North 37-32-00 East a distance of 13.50 feet by the Northeasterly sideline of North Street to the point of beginning.

Containing 40 acres more or less.

Said above described land being shown as lot 1 on a plan titled "Compiled Subdivision Plan of Land in Tewksbury, Mass.

owned by Commonwealth of Massachusetts State Hospital" dated January 20, 1983 by William G. Troy and Associates.

Approved November 21, 1984.

Chap. 288. AN ACT ESTABLISHING THE BRAINTREE WATER AND SEWER COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. It is hereby declared essential that the town of Braintree, for the benefit of people of said town, shall continue to maintain economical and efficient sewer and water systems; that said town be provided a means to improve its water and sewer systems and ensure the continued availability of water and sewer services operated in a modern, efficient, financially self-sustaining, and environmentally sound manner; that just, equitable and sufficient fees, rates and charges for water and sewer service within said town be established and all consumers, public and private, taxpayer and tax exempt, pay their fair share of the costs of such services; all to the public benefit and good, as and to the extent and in the manner provided herein. This act may be referred to and cited as the Braintree Water and Sewer Reorganization Act of 1984.

SECTION 2. As used in this act the following words shall, unless the context requires otherwise, have the following meanings:-

"Sewer Works System", The existing sewer works system in the possession of and under the jurisdiction, ownership, control and regulation of the town and its sewer department, and all facilities, betterments, extensions, improvements and enlargements thereto hereafter constructed or acquired.

"Water Works System", The existing water supply and distribution system in the possession of and under the jurisdiction, ownership, control, and regulation of the town and its water department, and all facilities, betterments, extensions, improvements and enlargements thereto hereafter constructed or acquired.

"Town", The town of Braintree.

SECTION 3. There is hereby created the Braintree water and sewer commission. Except as otherwise provided in this act, the powers of the commission shall be exercised by a board of five members. They shall be elected by ballot at the annual town election next after the passage and acceptance of this act, with two commissioners to be elected for three years, two commissioners to be elected for two years, and one commissioner to be

elected for one year. Upon the expiration of the initial terms, each of said commissioners shall be thereafter elected for three year terms.

SECTION 4. The Braintree water and sewer commission shall appoint, employ and determine the compensation, duties and conditions of employment of a superintendent and such other officers and employees and consultants as the commission may deem necessary, subject to the applicable laws of the town and commonwealth. All appropriations for wages and salaries of personnel, and the establishment or amendment of a wage and salary classification plan, shall be subject to the provisions of the town personnel by-law. The superintendent shall be the chief executive officer of the commission and shall administer and direct its affairs as authorized or approved by the commission and shall have such powers and perform such duties of said commission as said commission may from time to time have delegated to him. The commission and its employees shall be subject to the provisions of chapter one hundred and fifty E of the General Laws, to the extent that said provisions are applicable. For the purposes of said chapter, and without otherwise limiting the generality of the foregoing, the town shall be considered an "employer" or "public employer" as defined therein, and the board of selectmen may designate a representative to act in its interest in dealing with employees. The commission shall operate on the same fiscal year as the town of Braintree and subject to what sums of money the town shall vote, for such purposes as the town may vote, at either an annual or special town meeting, to raise and appropriate or transfer from available funds to pay interest and maturing debts; for charges, expenses, outlays; for a reserve fund.

SECTION 5. The Braintree water and sewer commission shall assume all of the rights, duties and obligations of the sewer commission of the town and the water commission of the town. It shall assume the care, custody and control of all property, personal or real, which, on the effective date of this act, resides in the care, custody and control of the aforesaid sewer commission and water commission. All orders, rules, regulations and by-laws duly promulgated by the town or the aforesaid sewer commission and water commission shall remain in full force and effect, to the extent consistent with this act, until superseded, revised or rescinded by the commission and town as applicable. All contracts, including collective bargaining agreements, leases, and agreements including interdepartmental agreements, pertaining to the sewer and water works systems shall continue in full force and effect until their expiration dates. All benefits and obligations thereunder, and all other rights and benefits pertaining to the sewer and water works

systems and existing by-law, including without limiting the generality of the foregoing, all rights, benefits and obligations not inconsistent with the provisions of this act, which pertain to the sewer and water works systems and which are vested in the aforesaid sewer commission and water commission by general or special law, shall be transferred to, assumed by and imposed upon the commission by operation of law including, without limitation, chapter two hundred and seventeen of the acts of eighteen hundred and eighty-five, chapter two hundred and sixty-nine of the acts of eighteen hundred and eighty-six, chapter five hundred and forty-six of the acts of nineteen hundred and ten, chapter seventeen of the acts of nineteen hundred and thirty, and chapter forty-five of the acts of nineteen hundred and thirty-six.

SECTION 6. This act shall be submitted to an annual or special town meeting for acceptance, and if accepted shall be effective upon the date of election of the board of commissioners at the annual town election next after its acceptance. On that effective date of this act, employees in the existing sewer department and water department of the town shall be transferred to the commission and become employees of the Braintree water and sewer commission subject to the provisions of this act; and the existing sewer commission and water commission and water department and sewer department of the town shall be abolished. The terms of office of such employees shall not be deemed to be interrupted by such transfer. The rights, seniority, wages, salaries, hours and working conditions of such employees, including, but only so long as such an employee holds the position which is comparable to the position in which he was classified prior to transfer, rights under the provisions of chapter thirty-one of the General Laws, shall be preserved in their employment by said commission, provided that after such transfer such employees shall perform their duties subject to the direction, control and supervision of said commission. Nothing in the foregoing shall be construed as a limitation on the powers of said commission, subject to the provisions of this act and other applicable laws of the town and commonwealth, to thereafter create, amend or abolish job positions.

SECTION 7. Upon the effective date of this act, except as otherwise provided herein, any provisions of any special laws and parts of special laws, and all by-laws and parts of by-laws pertaining to the sewer and water works system of the town, which are inconsistent with the provisions of this act, shall be inoperative and cease to be effective.

SECTION 8. This act being necessary for the welfare and living conditions of the town and its inhabitants, shall be liberally construed to effect the purposes hereof.

Approved November 21, 1984.

Chap. 289. AN ACT RELATIVE TO THE LICENSING AND KEEPING OF DOGS IN THE TOWN OF HAMPDEN.

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 registering, numbering, describing and licensing of dogs, if kept in the town of Hampden 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 Hampden for the issuance of licenses for dogs shall be established by the board of selectmen of said town.

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 Hampden 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 Hampden county.

Approved November 21, 1984.

Chap. 290. AN ACT AUTHORIZING THE TOWN OF BOLTON TO LEASE CERTAIN PARCELS OF TOWN LAND.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section three of chapter forty of the General Laws or any other law to the contrary, the town of Bolton is hereby authorized, acting by and through its board of selectmen, to lease two certain parcels of land owned by said town and commonly known as the Derby land, and the

Flatley land, adjoining said Derby land, to the Bolton Farmers and Mechanics Association, for a term not to exceed twenty-five years upon such terms and conditions as said board of selectmen shall determine, said two parcels being identified on Map 4C as Parcel 4 and on Map 4C as Parcel 38 in the town of Bolton Assessor's Maps.

Approved November 21, 1984.

Chap. 291. AN ACT INCREASING THE PENALTY FOR VIOLATION OF ZONING ORDINANCES OR BYLAWS.

Be it enacted, etc., as follows:

The second paragraph of section 7 of chapter 40A of the General Laws, as appearing in section 3 of chapter 808 of the acts of 1975, is hereby amended by striking out, in line 1, the word "one" and inserting in place thereof the word:- three.

Approved November 27, 1984.

Chap. 292. AN ACT PROVIDING THAT THE OFFICE OF CHIEF OF POLICE AND THE MEMBERS OF THE POLICE DEPARTMENT OF THE TOWN OF PROVINCETOWN SHALL BE EXEMPT FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any law to the contrary, the office of chief of police and appointments to the police department of the town of Provincetown 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 chief of police holding permanent civil service or the permanent or probationary civil service status of any member of the police department in said town on the effective date of this act.

This act shall be submitted for acceptance to the voters of the town of Provincetown at its next annual town election in the form of the following question which shall be placed on the official ballot to be used for the election of town officers at said meeting: "Shall an act passed by the General Court in the year nineteen hundred and eighty-four, entitled 'An Act providing that the office of chief of police and the members of the police department of the town of Provincetown shall be exempt from the

provisions of the civil service law', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved November 27, 1984.

Chap. 293. AN ACT EXEMPTING THE POSITION OF TOWN ACCOUNTANT AND THE CUSTODIANS IN THE SCHOOL DEPARTMENT OF THE TOWN OF SWAMPSCOTT FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The positions of town accountant and custodians 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 November 27, 1984.

Chap. 294. AN ACT RELATIVE TO THE PUNISHMENT OF CERTAIN YOUNG ADULTS WHO VIOLATE THE ALCOHOLIC BEVERAGE LAW.

Be it enacted, etc., as follows:

SECTION 1. Chapter 276 of the General Laws is amended by inserting after section 87 the following section:-

Section 87A. The conditions of probation imposed by a court upon a person pursuant to section eighty-seven of this chapter, section fifty-eight of chapter one hundred and nineteen or section one or section one A of chapter two hundred and seventy-nine, may include, but shall not be limited to, participation by said person in specified rehabilitative programs or performance by said person of specified community service work for a stated period of time.

SECTION 2. Section 1 of chapter 276A of the General Laws, as appearing in chapter 781 of the acts of 1974, is hereby amended by striking out the definition of "Program" and inserting in place thereof the following definition:-

"Program", any program of community supervision and services certified or approved by the commissioner of probation under the provision of section eight, including, but not limited to, medical, educational, vocational, social and psychological services, corrective and preventive guidance, training, performance of community service work, counseling, provision for residence in a halfway house or other suitable place, and other rehabilitative services designed to protect the public and benefit the individual.

Approved November 27, 1984.

Chap. 295. AN ACT RELATIVE TO THE ZONING BOARD OF THE TOWN OF BARNSTABLE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 215 of the acts of 1984 is hereby amended by striking out section 5 and inserting in place thereof the following section:-

Section 5. There is hereby established a zoning board of appeals in the town of Barnstable consisting of five members and as many associate members as required to be appointed by the board of selectmen. The members shall be appointed for three year terms so arranged that as nearly as possible one-third of the terms shall expire each year. The board of selectmen may appoint not more than six associate members for similar terms in the same manner. The board shall elect a chairman and clerk from its own membership each year. Members may only be removed for cause by the board of selectmen after a hearing.

The board shall hear and decide on appeals from decisions of administrative officials, applications for special permits and for variances, all as provided for in chapter forty A of the General Laws and the zoning by-laws of the town. The board shall act as a board of appeals on matters relating to subdivision control under the applicable sections of chapter forty-one of the General Laws.

SECTION 2. This act shall take effect as of July thirteenth, nineteen hundred and eighty-four.

Approved November 27, 1984.

Chap. 296. AN ACT AUTHORIZING THE CITY OF PITTSFIELD TO LEASE CERTAIN PARCELS OF CITY LAND LOCATED AT THE MUNICIPAL AIRPORT.

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 Pittsfield is hereby authorized, subject to the approval of the mayor and city council of said city, to lease certain parcels of land owned by the city and located at the municipal airport of said city, for a term not to exceed forty years, with an option to renew for a similar period, upon such terms and conditions as the Pittsfield airport commission shall determine, said parcels being identified as Map E4, Block 1, Lot 1 and Map E4, Block 2, Lot 1 in the city of Pittsfield assessor's maps.

Approved November 27, 1984.

Chap. 297. AN ACT RELATIVE TO TOWN MEETING MEMBERSHIP IN THE TOWN OF NORTH ATTLEBOROUGH.

Be it enacted, etc., as follows:

Section 3 of chapter 57 of the acts of 1976, as amended by section 1 of chapter 23 of the acts of 1981, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

The membership of the representative town meeting shall consist of eighteen members in each precinct with one-third of its members elected annually at the April town election for a three year term. No candidate for membership shall be so elected unless the candidate receives twenty-five or more votes in the precinct. Any registered voter in the town of North Attleborough shall be eligible for election to the town meeting.

Approved November 27, 1984.

Chap. 298. AN ACT DESIGNATING THE CHESTNUT STREET BRIDGE IN THE CITY OF LYNN AS THE FRED S. CARTER AND HORACE B. EATON MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The Chestnut street bridge over railroad tracks in the city of Lynn, identified in the master bridge index of the department of public works by bridge key number 900-592-010 and also identified by plan number L-18-10 shall be known and designated as the Fred S. Carter and Horace B. Eaton Memorial Bridge. Suitable markers bearing said designation shall be attached thereto by said department in compliance with the standards of said department.

Approved November 27, 1984.

Chap. 299. AN ACT AUTHORIZING THE DEPUTY COMMISSIONER OF CAPITAL PLANNING AND OPERATIONS TO TRANSFER THE CARE, CUSTODY AND CONTROL OF CERTAIN LAND IN THE CITY OF PEABODY TO THE DEPARTMENT OF PUBLIC WORKS FOR HIGHWAY PURPOSES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith authorize the transfer of the care, custody and control of certain land in the city of Peabody to the department of public works for highway 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:

The deputy commissioner of capital planning and operations is hereby authorized to transfer the care, custody and control of three parcels of land in the city of Peabody, now under the control of the department of environmental management to the department of public works, in accordance with the provisions of section one of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five. All funds received by the department of environmental management as a result of such transfer shall be deposited in the General Fund. Said department of public works is hereby authorized and directed to lay out as a state highway and as a city of Peabody street the said parcels of land in conjunction with state auto Route 128 and interstate auto Route 95 in the city of Peabody.

Said land to be so transferred is presently being used by the department of environmental management for solid waste processed residue disposal and shall be used by the department of public works for highway purposes, which parcels of land are shown on a plan, entitled "The Commonwealth Of Massachusetts

Department of Public Works Interstate Route 95 & State Route 128 Peabody Plan of Proposed Taking for State Highway Purposes Requiring Legislative Action Date: March 8, 1984", which parcels of land are more particularly described as follows:

Parcel No. 17-36

A parcel of land adjoining the northwesterly location line of the State auto route 128 and I-95 alteration at about station 34+00 and is bounded as follows: Southeasterly by land now or formerly of the City of Peabody about 139 feet; easterly, northeasterly and northwesterly by land now or formerly of the Commonwealth of Massachusetts, under the care, custody and control of its Department of Environmental Management, about 67 feet, about 113 feet and about 315 feet, respectively; southwesterly by land now or formerly of Gilbert Holmes and Sabatina Holmes, about 67 feet; southerly by said State highway, about 215 feet to the point of beginning. Containing about 1.07 acres of land, more or less.

Parcel No. 17-24C

A parcel of land located about 200 feet northerly of the State auto route 128 and I95 alteration and is bounded as follows: Southeasterly by land now or formerly of said City of Peabody, about 64 feet; northeasterly and northerly by land now or formerly of the Commonwealth of Massachusetts, under the care, custody and control of its Department of Environmental Management, about 86 feet, about 506 feet and about 203 feet, respectively; southwesterly by land now or formerly of Henry W. Dearborn, about 95 feet; southerly and southeasterly by land now or formerly of said Department of Environmental Management, about 81 feet, and about 115 feet, respectively; southwesterly and northwesterly by land now or formerly of Henry W. Dearborn, about 40 feet and 5 feet, respectively; southwesterly by land now or formerly of said Department of Environmental Management, about 424 feet to the point of beginning. Containing about 1.13 acres of land, more or less.

Parcel No. 17-D-7-C

A parcel of land located about 240 feet northerly of the State auto route 128 and I-95 alteration and is bounded as follows: Southeasterly, northeasterly, northerly, northwesterly and southwesterly by land of said Commonwealth of Massachusetts, under the care, custody and control of its Department of Environmental Management, about 48 feet, about 30 feet, about 5 feet, about 68 feet and about 30 feet (by relocated Dearborn Road), respectively. Containing about .04 acre of land, more or less.

Approved November 28, 1984.

Chap. 300. AN ACT RELATIVE TO THE HISTORIC NANTUCKET DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 395 of the acts of 1970 is hereby amended by striking out section 5 and inserting in place thereof the following section:-

Section 5. No building or structure shall hereafter be erected, reconstructed, altered or restored within the Historic Nantucket District unless and until an application for a building permit shall have been approved as to exterior architectural features which are subject to view from a travelled way, proprietors road, a street or way shown on a land court plan, or shown on a plan recorded in the registry of deeds, a street or way shown on a plan approved and endorsed in accordance with the subdivision control law. Evidence of such required approval shall be a certificate of appropriateness issued by the Historic District Commission.

SECTION 2. Section 9 of said chapter 395 is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:-

(a) It shall be the function and the duty of the Historic District Commission to pass upon the appropriateness of exterior architectural features of buildings and structures hereafter to be erected, reconstructed, altered or restored within the Historic Nantucket District wherever such exterior features are subject to view from a travelled way, a street or way shown on a land court plan, or shown on a plan recorded in the registry of deeds, a proprietors road, a street or way shown on a plan approved and endorsed in accordance with the subdivision control law. All plans, elevations and other information deemed necessary by the commission to determine the appropriateness of the exterior features to be passed upon shall be made available to the commission by the applicant. It shall also be the duty of the commission to pass the removal of any building within said districts as set forth in section six and the erection or display of occupational or other signs as set forth under section seven.

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

Approved November 28, 1984.

Chap. 301. AN ACT AUTHORIZING THE CITY OF NEWTON TO SELL AND CONVEY TO PAUL PATTISON CERTAIN SURPLUS LAND ACQUIRED FOR RECREATION PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The city of Newton is hereby authorized to sell and convey to Paul Pattison, upon such terms and conditions as the city may impose, a certain parcel of open land, under the control of the recreation commission, said parcel being bounded and described as follows:-

Beginning at a point on the southerly line of Beacon Street, distant 94.32 feet westerly of a point on the curve of said street; thence S.8° 03' 30" W, 75.00 feet; thence S.47° 28' 34" W, 38.25 feet, thence S.84° 00' 00" W, 74.00 feet, thence N.46° 09' 31" E, 155.70 feet by land of Buyer, to the point of beginning.

The above-described parcel being shown as Lot A on a plan entitled "Plan of Land in Newton, Mass., Scale 1" = 10', May 26, 1983, by Apex Associates, Land Surveyors", said plan to be recorded with the deed to this parcel.

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

Approved November 28, 1984.

Chap. 302. AN ACT AUTHORIZING THE CITY OF WORCESTER TO MAKE EMERGENCY REPAIRS ON PRIVATE WAYS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the city of Worcester is hereby authorized to make temporary repairs on private ways within its corporate and municipal limits which have been open to public use for six years or more and in such cases the provisions of section twenty-five of chapter eighty-four of the General Laws shall not apply.

SECTION 2. After a vote by the city council of the city of Worcester, pursuant to petition by at least two-thirds of the abutters thereon, that conditions exist on a private way which require temporary repairs by public necessity, the commissioner of public works of said city shall cause the temporary repairs to be made. Said temporary repairs shall include only the filling in of holes or depressions with sand, gravel, cinders or other

suitable materials in order to make said way passable, and shall not include construction, reconstruction, or resurfacing of said ways. Drainage shall not be included. Betterment charges shall not be assessed. Said city shall have no liability in tort on account of the performance by such repairs.

In no event shall temporary repairs be made to any private way where the cost of said repairs shall exceed the sum of three dollars per linear foot as delineated by the commissioner of public works of said city.

SECTION 3. The city of Worcester is hereby authorized to appropriate money for the purposes of this act.

Approved November 28, 1984.

Chap. 303. AN ACT RELATIVE TO THE ELIGIBLE LIST FOR LIEUTENANT IN THE FIRE DEPARTMENT OF THE TOWN OF WATERTOWN.

SECTION 1. Notwithstanding the provisions of section twenty-five of chapter thirty-one of the General Laws or any other general or special law or regulation to the contrary, the current eligible list for lieutenant in the fire department of the town of Watertown shall remain in full force and effect until its expiration date of December thirtieth, nineteen hundred and eighty-four and shall not be consolidated with the eligible list established from the examination held on May fifth, nineteen hundred and eighty-four. The eligible list established from the examination held on May fifth, nineteen hundred and eighty-four shall become effective as of December thirty-first, nineteen hundred and eighty-four.

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

Approved November 29, 1984.

Chap. 304. AN ACT ESTABLISHING AN IMPROVED SLUDGE MANAGEMENT AT THE DEER ISLAND SEWERAGE TREATMENT PLANT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 561 of the acts of 1983 is hereby amended by inserting after section 1 the following section:-

Section 1A. The secretary of environmental affairs is hereby authorized to expend a sum not to exceed two million five hundred thousand dollars for the purpose of establishing an im-

proved sludge management program in the metropolitan district commission's Deer Island sewerage treatment plant located in Suffolk county. Said program shall consist first of the electron disinfection of digested sludge followed by wide area ocean dispersal in a programmed manner. Any designated site for said dispersal shall be at a site approved for discharge by the Federal Environmental Protection Agency.

SECTION 2. Section 3 of said chapter 561 is hereby amended by striking out, in line 5, the words "ten million" and inserting in place thereof the words:- twelve million five hundred thousand.

Approved November 29, 1984.

Chap. 305. AN ACT AUTHORIZING FRANCIS PAPPAS TO TAKE A CIVIL SERVICE EXAMINATION FOR POLICE OFFICER IN THE TOWN OF TEWKSBURY NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize Francis Pappas 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 an applicant for appointment as a police officer, Francis Pappas shall be eligible to take the next open competitive examination for police officer in the town of Tewksbury, and provided he meets all other requirements, shall be eligible for certification and appointment.

Approved December 3, 1984.

Chap. 306. AN ACT FURTHER REGULATING CERTAIN POWERS OF THE UNIVERSITY OF MASSACHUSETTS BUILDING AUTHORITY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately increase certain powers of the University of Massachusetts Building Authority, therefore it is hereby declared to be an emergency law, neces-

sary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 10 of chapter 773 of the acts of 1960, as most recently amended by section 11 of chapter 708 of the acts of 1983, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

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 indebtedness of the Authority incurred under this act or any other authority for any such purpose. Such guaranty shall be executed on each bond by the signature or facsimile signature of an officer of the trustees. In case any officer of the trustees whose signature or facsimile signature shall appear on any bond shall cease to be such officer before the delivery thereof, such signature or facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until such delivery. 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 expenses of the Authority to be allocated thereto, and such other provisions, as the trustees may require.

SECTION 2. Said section 10 of said chapter 773 is hereby further amended by striking out the third paragraph and inserting in place thereof the following paragraph:-

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. Such guaranty shall be executed on each note by the signature or facsimile signature of an officer of the trustees. In case any officer of the trustees whose signature or facsimile signature shall appear on any note shall cease to be such officer before the delivery thereof, such signature or facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until such delivery.

Approved December 3, 1984.

Chap. 307. AN ACT AUTHORIZING SHEILA ANGELO 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 Sheila Angelo to take a civil service examination for police officer notwithstanding the maximum age requirement, therefore 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 an appointment as a police officer, Sheila Angelo of the town of Marshfield 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 to such position.

Approved December 3, 1984.

Chap. 308. AN ACT FURTHER REGULATING THE ADMINISTRATION OF CERTAIN HEALTH MAINTENANCE ORGANIZATIONS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 5 of chapter 176A of the General Laws, as most recently amended by chapter 513 of the acts of 1954, is hereby further amended by adding the following sentence:- Any such corporation shall contract with a corporation formed under chapter one hundred and seventy-six B for the joint administration of their business when acting as a carrier under chapter one hundred and seventy-six G.

SECTION 2. The second paragraph of section 3 of chapter 176B of the General Laws, as amended by chapter 143 of the acts of 1953, is hereby further amended by inserting after the word "certificates", in line 4, the words:- , and shall contract with a corporation formed under chapter one hundred and seventy-six A for the joint or cooperative administration of their affairs when acting as a carrier under chapter one hundred and seventy-six G.

SECTION 3. The provisions of this act shall apply only to contracts made on or after the effective date of this act.

Approved December 3, 1984.

Chap. 309. AN ACT MAKING AN APPROPRIATION TO FUND A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE COMMONWEALTH AND THE STATE POLICE ASSOCIATION OF MASSACHUSETTS (UNIT 5A).

Be it enacted, etc., as follows:

SECTION 1. To provide for the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the commonwealth and the State Police Association of Massachusetts (Unit 5A), 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 thirty-four of the acts of nineteen hundred and eighty-four.

SECTION 2.
EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.
Collective Bargaining.

1599-3267 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 State Police Association (Unit 5A); 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-five, such amounts as are necessary to meet the cost of said adjustments and benefits for the fiscal years nineteen hundred and eighty-four, nineteen hundred and eighty-five 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 such transfers shall be made without the prior approval of the house and senate committees on ways and means $7,310,000

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

Approved December 4, 1984.

Chap. 310. AN ACT FURTHER REGULATING CERTAIN MEDEX CHARGES.

Be it enacted, etc., as follows:

Section 6 of chapter 176B of the General Laws is hereby amended by adding the following paragraph:-

(f) A statement, in the case of any subscription certificate providing supplemental coverage to medicare or other governmental programs, that no participating physician or other participating provider of health services shall charge to, or collect from, a subscriber or covered dependent any amount in excess of the maximum allowable compensation determined by the governmental agency administering such program as the basis for the government's payment thereunder to such participating physician or other participating provider of health services.

Approved December 4, 1984.

Chap. 311. AN ACT REDUCING THE TIME PERIOD BEFORE CERTAIN DIVORCES BECOME FINAL.

Be it enacted, etc., as follows:

Section 21 of chapter 208 of the General Laws, as most recently amended by section 26 of chapter 400 of the acts of 1975, is hereby further amended by striking out, in line 3, the

words "six months" and inserting in place thereof the words:- ninety days.

Approved December 4, 1984.

Chap. 312. AN ACT INCREASING THE AGE REQUIREMENTS TO TWENTY-ONE OF A PERSON LICENSED TO SELL OR ALLOWED TO PURCHASE ALCOHOL OR ALCOHOLIC BEVERAGES.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of the first paragraph of section 12 of chapter 138 of the General Laws is hereby amended by striking out the word "twenty", inserted by section 2 of chapter 15 of the acts of 1979, and inserting in place thereof the word:- twenty-one.

SECTION 2. The third sentence of the fourth paragraph of said section 12 of said chapter 138 is hereby amended by striking out the word "twenty", inserted by section 3 of said chapter 15, and inserting in place thereof the word:- twenty-one.

SECTION 3. The second sentence of the first paragraph of section 14 of said chapter 138 is hereby amended by striking out the word "twenty", inserted by section 4 of said chapter 15, and inserting in place thereof the word:- twenty-one.

SECTION 4. Said chapter 138 is hereby further amended by striking out section 30E, as most recently amended by section 5 of said chapter 15, and inserting in place thereof the following section:-

Section 30E. Every retail pharmacist licensed under section thirty A shall keep a book in which he shall enter, at the time of every such sale, the date thereof, the name of the purchaser, the kind, quantity and price of said beverage, the purpose for which it was sold, and the residence by street and number if any, of said purchaser. If such sale is made upon the prescription of a physician, the book shall also contain the name of the physician and shall state the use for which said beverage is prescribed and the quantity to be used for such purpose, and the prescription shall be cancelled in the manner provided in the preceding section with reference to certificates. Said book shall be in form substantially as follows:

Date	Name of Purchaser	Residence	Kind and Quantity	Purpose of Use	Price	Name of Physician

The certificate mentioned in the preceding section shall be a part of said book and shall not be detached therefrom, and shall be in form substantially as follows:

CERTIFICATE

I wish to purchase . . . . . and I certify that I am not a person under age twenty-one and that the same is to be used for *Mechanical *Chemical *Medicinal purpose.

(*Draw a line through the words which do not indicate the purpose of the purchase.)

Signature
Cancelled

SECTION 5. Said chapter 138 is hereby further amended by striking out section 34, as most recently amended by section 13 of chapter 627 of the acts of 1982, and inserting in place thereof the following section:-

Section 34. No person shall receive a license or permit under this chapter who is under twenty-one years of age. Whoever makes a sale or delivery of any alcoholic beverages or alcohol to any person under twenty-one years of age, either for his own use or for the use of his parent or any other person, or whoever, being a patron of an establishment licensed under section twelve or fifteen, delivers or procures to be delivered in any public room or area of such establishment if licensed under section twelve, fifteen, nineteen B or nineteen C, or in any area of such establishment if licensed under section fifteen, nineteen B or nineteen C, any such beverages or alcohol to or for use of a person who he knows or has reason to believe to be under twenty-one years of age or whoever procures any such beverages or alcohol for a person under twenty-one years of age in any establishment licensed under section twelve, or procures any such beverage or alcohol for a person under twenty-one years of age who is not his child, ward or spouse in any establishment licensed under said section fifteen, nineteen B or nineteen C shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than six

months, or both. Nothing in this section shall prohibit any person licensed under this chapter from employing any person eighteen years of age or older for the direct handling and selling of alcoholic beverages or alcohol.

Notwithstanding the provisions of clause (14) of section sixty-two of chapter one hundred and forty-nine, any licensee under this chapter may employ a person under the age of eighteen who does not directly handle, sell, mix or serve alcohol or alcoholic beverages.

SECTION 6. Said chapter 138 is hereby further amended by striking out section 34A, as most recently amended by section 7 of chapter 15 of the acts of 1979, and inserting in place thereof the following section:-

Section 34A. Any person under twenty-one years of age who purchases alcoholic beverages or alcohol, or makes arrangements with any person to purchase or in any way procure such beverages, or who willfully misrepresents his age, or in any way alters, defaces or otherwise falsifies his identification offered as proof of age, with the intent of purchasing alcoholic beverages, either for his own use or for the use of any other person shall be punished by a fine of three hundred dollars and whoever knowingly makes a false statement as to the age of a person who is under twenty-one years of age in order to procure a sale or delivery of such beverages or alcohol to such person under twenty-one years of age, either for the use of the person under twenty-one years of age or for the use of some other person, and whoever induces a person under twenty-one years of age to make a false statement as to his age in order to procure a sale or delivery of such beverages or alcohol to such person under twenty-one years of age, shall be punished by a fine of three hundred dollars.

The commission shall prepare and distribute to business establishments which sell, serve or otherwise dispense alcohol or alcoholic beverages to the general public, posters to be displayed therein in a conspicuous place. Said posters shall contain a summary and explanation of this section.

SECTION 7. Section 34B of said chapter 138 is hereby amended by striking out the first two paragraphs, as amended by section 8 of said chapter 15, and inserting in place thereof the following two paragraphs:-

Any person who shall have attained age twenty-one may apply for a liquor purchase identification card. Such cards shall be issued by the registry of motor vehicles upon the payment of a fee of five dollars, and shall bear the name, signature, date of birth, address and photograph of such person. The commission with the advice and consent of the registrar of motor vehicles shall prescribe rules and regulations governing the uniformity of

form of said card and the manner in which an applicant for such a card shall be required to identify himself.

Any licensee, or agent or employee thereof, under this chapter who reasonably relies on such a liquor purchase identification card or motor vehicle license issued pursuant to section eight of chapter ninety, or a valid motor vehicle license issued by any other jurisdiction, for proof of a person's identity and age shall not suffer any modification, suspension, revocation or cancellation of such license nor shall he suffer any criminal liability for delivering or selling alcohol or alcoholic beverages to a person under twenty-one years of age; provided, however, that nothing herein shall affect the applicability of section sixty-nine.

SECTION 8. Said chapter 138 is hereby further amended by striking out section 34C, as most recently amended by section 9 of said chapter 15 and inserting in place thereof the following section:-

Section 34C. Whoever, being under twenty-one years of age and unaccompanied by his parent or legal guardian, knowingly transports or carries on his person any alcohol or alcoholic beverages shall be punished by a fine of not more than fifty dollars; provided, however, that this section shall not apply to any person between the age of eighteen and twenty-one who knowingly transports or carries on his person alcohol or alcoholic beverages in the course of his employment. A police officer may arrest without a warrant any person who violates this section. A conviction of a violation of this section shall be reported forthwith to the registrar of motor vehicles by the court if, at the time of the violation, the defendant was operating a motor vehicle upon a public way or a way to which the public had a right of access as invitees or licensees, and said registrar may suspend for not more than three months the license of such person to operate a motor vehicle.

SECTION 9. Section 64 of said chapter 138 is hereby amended by striking out the second sentence, as amended by section 10 of said chapter 15, and inserting in place thereof the following sentence:- If at any hearing a licensee is charged with serving or selling alcohol or alcoholic beverages to a person under twenty-one years of age, written notice of said allegations shall be sent by the licensing authorities to the parent or guardian of such person.

SECTION 10. The provisions of this act are severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction any decision of such court shall not impair any of the remaining provisions.

SECTION 11. This act shall take effect on June first, nineteen hundred and eighty-five.

SECTION 12. If an agreement among the states of Massachusetts, Maine, New Hampshire, Connecticut, New York and Vermont is reached for uniform adoption of a twenty-one year old drinking age on a date prior to June first, nineteen hundred and eighty-five, then this act shall take effect upon that date.

SECTION 13. The provisions of this act shall not apply to any person who has attained the age of twenty prior to the effective date of this act and who possesses a valid Massachusetts motor vehicle license issued pursuant to section eight of chapter ninety or a liquor purchase identification card issued pursuant to section thirty-four B of chapter one hundred and thirty-eight of the General Laws. Such person shall be deemed to have attained the age of twenty-one for all purposes of this act.

Approved December 4, 1984.

Chap. 313. AN ACT RELATIVE TO THE ADMINISTRATION OF THE HYANNIS FIRE DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The execution and administration of all governmental operations in the Hyannis Fire District in the town of Barnstable shall be vested in a board of five commissioners, who shall be elected by the voters of the district by ballot to serve three-year terms so arranged that the term of office of at least one, but not more than two commissioners shall expire each year. The board shall appoint all other officers and employees of the district except the moderator, as hereinafter provided. The commissioners shall be registered voters of the district at the time of their election and shall continue to be residents thereof throughout their terms. Vacancies shall be filled by the remaining commissioners for the balance of the unexpired term of the vacating commissioner. The fire chief, who shall not be subject to chapter thirty-one of the General Laws, may, subject to the approval of the board, have all of the powers of fire chiefs, firewards, fire engineers, enginemen and hosemen, as provided under the General Laws, and may delegate the same to subordinates upon the approval of the board and shall do so on the board's direction. The board shall adopt, and may from time to time amend, an order describing in detail the powers, duties and functions of the fire chief.

The clerk-treasurer shall be appointed for a three-year term

commencing at the end of the incumbent clerk-treasurer's term in May, nineteen hundred and eighty-six. The clerk-treasurer shall not have tenure, shall have all other powers, duties and responsibilities which are given to him by the General Laws and shall post bond in an amount determined by the commissioners.

The fire chief shall be appointed for a three year term and shall not have tenure. The deputy fire chief shall be appointed for a three year term, said initial appointment to be made so that the deputy chief's term is not coterminous with the chief's and shall not have tenure.

The legislative powers of the district shall remain in the voters thereof, who shall meet, deliberate, act and vote in the exercise of their corporate capacity in the manner provided in the General Laws.

The district shall choose a moderator by any method authorized by the General Laws.

SECTION 2. The terms of office of the board to be elected under section one of this act shall be established at any annual or special district meeting held after the effective date of this act as follows: upon passage of this act, the two elected members of the board of engineers and the prudential committee shall merge and constitute the board of five commissioners described in said section one. Thereafter, as the term of office of the member of the prudential committee or board of engineers would have otherwise ended he shall stand for election as a member of the board of commissioners. Eligibility of candidates shall be established under the election laws.

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

Approved December 6, 1984.

Chap. 314. AN ACT AUTHORIZING AND DIRECTING THE COUNTY TREASURER OF BERKSHIRE COUNTY TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section seventeen of chapter thirty-four of the General Laws or any other general or special law to the contrary, the county treasurer of Berkshire county is hereby authorized and directed, with the approval of the county commissioner and the county advisory board, to pay, from any available funds, to the firm of Hall and McChesney, Inc. of Syracuse, New York, the sum of one thousand two hundred dollars under invoice no. 505059, dated September 19, 1983 and an additional sum of five thousand

dollars under invoice no. 505060 for work performed by such firm in the re-creation of the indices of the Berkshire Middle district registry of deeds in the county of Berkshire, to Berkshire Weather Proofing, Inc., the sum of one thousand six hundred and five dollars for work and supplies furnished by such firm relating to the installation of storm windows at the county court house in the county of Berkshire, to the labor consulting firm of Sheridan and Associates, Inc., the sum of eight thousand five hundred dollars for services rendered in connection with collective bargaining between the county commissioners in the county of Berkshire and county employees bargaining units from August nineteen hundred and eighty-three through June nineteen hundred and eighty-four, to Pete's Leasing, Inc., the sum of four thousand three hundred twenty-two dollars for the leasing by such firm of an automobile for use by the executive director of the Berkshire County Development Commission from July first, nineteen hundred and eighty-three to June thirtieth, ninteen hundred and eighty-four, to American Express Credit Corporation of Newark, New Jersey, the sum of six hundred seven dollars and sixty-eight cents for travel expenses and meals which were charged on a credit card of such company by the said executive director of the Berkshire County Development Commission from July first, nineteen hundred and eighty-three to April twenty-first, nineteen hundred and eighty-four, and to Donald Saint Pierre, the former executive director of the said Berkshire County Development Commission, the sum of four hundred and seventy-eight dollars and forty cents as reimbursement for travel and lunch, said bills being legally unenforceable against said county.

SECTION 2. No bill shall be approved by the county commissioners of said county or paid by said county treasurer under the authority of this act unless and until a certificate has been signed and filed with 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 December 6, 1984.

Chap. 315. AN ACT AUTHORIZING AN ADDITIONAL TIME PERIOD FOR THE TOWN OF TRURO TO ADD OMITTED PROPERTY TO THE TAX LIST FOR THE FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-FOUR.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of sections 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-four by the town of Truro, 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-four, 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-four 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, 1984.

Chap. 316. AN ACT VALIDATING CERTAIN ACTIONS TAKEN BY THE TOWN OF ORLEANS AT ITS ANNUAL TOWN ELECTIONS IN THE YEARS NINETEEN HUNDRED AND EIGHTY-THREE AND NINETEEN HUNDRED AND EIGHTY-FOUR.

Be it enacted, etc., as follows:

SECTION 1. The votes taken by the town of Orleans on question number two placed on the official ballot for the annual town election held on May fourth, nineteen hundred and eighty-three and on question number one placed on the official ballot for the annual town election held on May ninth, nineteen hundred and eighty-four, which questions were each approved by a

majority of the voters voting thereon, are hereby ratified, validated and confirmed to the same extent as if there were no defects or errors in the publication of the warrant.

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

Approved December 6, 1984.

Chap. 317. AN ACT RELATIVE TO CERTAIN LAND IN THE CITY OF TAUNTON.

Be it enacted, etc., as follows:

The first paragraph of section 1 of chapter 406 of the acts of 1974 is hereby amended by adding the following sentence:- For purposes of this section, municipal industrial development shall include, but not be limited to, industrial purposes and any uses supportive of industrial development; provided, however, that such development and uses are compatible with the health and safety of the residents of the Paul A. Dever state school; and, provided, further, that such development and uses shall not endanger the quality of the water supply for said state school.

Approved December 6, 1984.

Chap. 318. AN ACT RELATIVE TO EXPLORATION BY THE TOWN OF NORFOLK OF LAND OWNED BY THE COMMONWEALTH IN SAID TOWN.

Be it enacted, etc., as follows:

The division of capital planning and operations is hereby authorized to grant to the town of Norfolk an easement to land owned by the commonwealth in said town for the purpose of exploration for water to be used for the development of a water system for said town.

Approved December 6, 1984.

Chap. 319. AN ACT RELATIVE TO SELF-SERVICE STORAGE FACILITIES.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by inserting after chapter 105 the following chapter:-

CHAPTER 105A.

SELF-SERVICE STORAGE FACILITIES.

Section 1. As used in this chapter, the following words shall, unless the context clearly requires otherwise, have the following meanings:-

"Self-service storage facility", any real property used for renting or leasing individual storage spaces in which the occupants themselves customarily store and remove their own personal property on a "self-service" basis.

"Rental agreement", any written agreement that establishes or modifies the terms, conditions, or rules concerning the use and occupancy of a self-service storage facility.

"Leased space", the individual storage space at the self-service facility which is rented to an occupant pursuant to a rental agreement.

"Occupant", a person, a sublessee, successor, or assign, entitled to the use of a leased space at a self-service storage facility under a rental agreement.

"Operator", the owner, operator, lessor or sublessor of a self-service storage facility, an agent or any other person authorized to manage the facility and shall not mean a warehouseman, unless the operator issues a warehouse receipt, bill of lading, or other document of title for the personal property stored.

"Personal property", movable property, not affixed to land, including but not limited to, goods, wares, merchandise, motor vehicles, watercraft, and household items and furnishings.

"Default", the failure to perform on time any obligation or duty set forth in the rental agreement.

"Last known address", that address provided by the occupant in the rental agreement or the address provided by the occupant in a subsequent written notice of a change of address.

Section 2. The operator may only lease space in a self-service storage facility by entering into a rental agreement with an occupant.

An operator may not knowingly permit a leased space at a self-service storage facility to be used for residential purposes.

An occupant may not use a leased space for residential purposes.

Section 3. The operator of a self-service storage facility shall have a lien on all personal property stored within each leased space for rent, labor, insurance or other charges in relationship to the property and for expenses necessary for the preservation of the property or reasonably incurred in its sale pursuant to this chapter.

An operator shall lose such lien on any goods which such

operator voluntarily delivers or which he unjustifiably refuses to deliver.

The rental agreement shall contain a statement, in bold type, advising the occupant: (a) that property stored in the leased space is not insured by the operator against loss or damage; (b) of the existence of the lien; and (c) that property stored in the leased space may be sold to satisfy the lien if the occupant is in default.

Section 4. After default, an operator's lien may be enforced by selling the property stored in the leased space at a public or private sale, but only in accordance with the following procedure:

(1) No sooner than five days after such default, the occupant and all other persons known to claim an interest in the goods shall be notified by regular mail sent to the last known address of any person to be notified.

(2) No sooner than fourteen days after default, the occupant and all other persons known to claim an interest in the goods shall be notified by certified mail, return receipt requested, sent to the last known address of any person to be notified, or by hand delivery of said notification.

(3) The notification shall include: (a) a statement that the contents of the occupant's leased space are subject to the operator's lien; (b) a general description of the contents, if known, by the operator; (c) a statement of the operator's claim, indicating the charges due on the date of the notice, the amount of any additional charges which shall become due before the date of sale, and the date such additional charges shall become due; (d) a demand for payment of the charges due within a specified time, not less than fourteen days after receipt of notification; (e) a statement that unless the claim is paid within the time stated, the contents of the occupant's space will be advertised for sale and sold at auction at a specified time and place; and (f) the name, street address, and telephone number of the operator, or his designated agent, whom the occupant may contact to respond to the notice.

(4) After the expiration of the time given in the notification, an advertisement of the sale must be published once a week for two consecutive weeks in a newspaper of general circulation in the city or town where the sale is to be held. The advertisement must include a description of the property, the name of the person on whose account they are being held, and the time and place of the sale. The sale must take place at least fifteen days after the first publication. If there is no newspaper of general circulation in the city or town where the sale is to be held, the advertisement must be posted at least ten days before the sale in not less than six conspicuous places in the neighborhood of the proposed sale.

(5) Before any sale pursuant to this section, any person claiming a right in the property may pay the amount necessary to satisfy the lien and the reasonable expenses incurred under this section. In such event, the property must not be sold, but must be released to the payor.

(6) The operator may buy at any public sale pursuant to this section.

(7) The sale shall be at the self-service storage facility where the personal property is stored or at the nearest suitable place.

(8) The sale must conform to the terms of the notification.

(9) A purchaser in good faith of goods sold to enforce an operator's lien takes the property free of any rights of persons against whom the lien was valid, despite noncompliance by the operator with the requirements of this section.

(10) The operator may satisfy his lien from the proceeds of any sale pursuant to this section by must hold the balance, if any, for release on demand to the occupant or to any person to whom he would have been bound to release the property.

(11) The rights provided by this section shall be in addition to all other rights allowed by law to a creditor against his debtor.

(12) The operator shall be liable for damages caused by failure to comply with the requirements for sale under this section and in case of willful violation shall be liable for conversion.

Section 5. If an occupant is in default for a period of five days or more, the operator may deny the occupant access to the leased space in a reasonable and peaceable manner; provided, however, that the occupant may have access at any time for the sole purpose of viewing the contents of his leased space in order to verify the contents therein.

Section 6. Unless otherwise specifically provided, all notices required by this chapter shall be sent by certified mail.

Notices sent to the operator shall be sent to the self-service storage facility where the occupant's property is stored. Notices to the occupant shall be sent to the occupant at the occupant's last known address.

Except in the case of certified mail, notices shall be deemed delivered when deposited with the United States Postal Service, properly addressed as provided in the second paragraph, with postage paid.

Section 7. Except as otherwise provided herein or as stated in the rental agreement, the exclusive care, custody and control of all property stored in the leased self-service space shall vest in the occupant until a lien sale under the provisions of this chapter.

Section 8. Any violation by an operator of the provisions of this chapter shall be deemed unfair or deceptive acts or trade practices under the provisions of chapter ninety-three A.

SECTION 2. This act shall effect storage contracts entered into on or after the effective date of this act.

Approved December 6, 1984.

Chap. 320. AN ACT AUTHORIZING MUNICIPAL LIGHT PLANTS TO PURCHASE CERTAIN EQUIPMENT.

Be it enacted, etc., as follows:

Chapter 164 of the General Laws is hereby amended by striking out section 51, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 51. A town which has acquired a plant for the manufacture or distribution of gas may purchase gas from another town authorized to sell the same or from any corporation selling gas; and a town which has acquired a plant for the manufacture or distribution of electricity may purchase electricity from another town authorized to sell the same or from any corporation selling electricity and may contract for the purchase, sale or maintenance of equipment, supplies or materials used in the ordinary course of business with any other town or towns having acquired such a plant or with any corporation selling electricity, except as provided in section fifty-two.

Approved December 6, 1984.

Chap. 321. AN ACT FURTHER REGULATING THE SALE OF CERTAIN BUSINESSES AND PROPERTY.

Be it enacted, etc., as follows:

Chapter 259 of the General Laws is hereby amended by adding the following section:-

Section 7. Any agreement to pay compensation for service as a broker or finder or for service rendered in negotiating a loan or in negotiationg the purchase, sale or exchange of a business, its good will, inventory, fixtures, or an interest therein, including a majority of voting interest in a corporation, shall be void and unenforceable unless such agreement is in writing, signed by the party to be charged therewith, or by some other person authorized. For the purpose of this section, the term "negotiating" shall include identifying prospective parties, providing information concerning prospective parties, procuring an introduction to a party to the transaction or assisting in the negotiation or consummation of the transaction. The provisions of this section shall apply to a contract implied in fact or in law to

pay reasonable compensation but shall not apply to a contract to pay compensation for professional services of an attorney-at-law or a licensed real estate broker or real estate salesman acting in their professional capacity.

Approved December 6, 1984.

Chap. 322. AN ACT PROVIDING FOR THE ANALYSIS OF NARCOTIC DRUGS, POISON, DRUGS, MEDICINES OR CHEMICALS AT THE UNIVERSITY OF MASSACHUSETTS MEDICAL SCHOOL.

Be it enacted, etc., as follows:

SECTION 1. Section 36B of chapter 75 of the General Laws, inserted by section 1 of chapter 700 of the acts of 1981, is hereby amended by striking out, in line 2, the words:- , without charge.

SECTION 2. Said section 36B of said chapter 75, as so inserted, is hereby further amended by adding the following sentence:- All operational and capital costs of this analysis shall be paid by the commonwealth, subject to appropriation.

Approved December 7, 1984.

Chap. 323. AN ACT AUTHORIZING THE DEPARTMENT OF VETERANS' SERVICES TO PAY A CERTAIN SUM OF MONEY TO THE TOWN OF HULL FOR CERTAIN 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 Hull, subject to appropriation and subject to the approval of the commissioner of veterans' services, a sum not exceeding ninety-one thousand five hundred and sixty-three 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 from September through December nineteen hundred and eighty and January through March nineteen hundred and eighty-one. Said reimbursement not being made because of a failure of said town to make a proper and seasonable report thereof to said commissioner. As a condition of payment said commissioner shall require the town of Hull to present evidence that the said sum was paid in compliance with

section five of chapter one hundred and fifteen of the General Laws.

Approved December 7, 1984.

Chap. 324. AN ACT DESIGNATING A PORTION OF STATE HIGHWAY ROUTE 140 IN THE TOWN OF MANSFIELD AS THE ATTORNEY GENERAL CLARENCE A. BARNES BOULEVARD.

Be it enacted, etc., as follows:

That portion of state highway Route 140 which extends from the Mansfield-Foxboro town line to the interstate highway Route 495 interchange in the town of Mansfield shall be designated and known as the Attorney General Clarence A. Barnes boulevard, in memory of Clarence A. Barnes, a former attorney general of the commonwealth. The department of public works shall erect suitable markers along said highway bearing said designation in compliance with the standards of said department and as authorized by the federal highway administration.

Approved December 7, 1984.

Chap. 325. AN ACT FURTHER REGULATING THE EXPENDITURES OF THE OLD ROCHESTER REGIONAL SCHOOL DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the total school construction grant under chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, as amended, approved by the board of education for the Old Rochester Regional School District shall be paid in fiscal year nineteen hundred and eighty-five.

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

Approved December 10, 1984.

Chap. 326. AN ACT MAKING AN APPROPRIATION TO FUND A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE BOARD OF REGENTS OF HIGHER EDUCATION AND THE AMERICAN FEDERATION

OF TEACHERS, LOCAL 1895, AFL-CIO FOR THE EDUCATIONAL SERVICES UNIT AT SOUTHEASTERN MASSACHUSETTS UNIVERSITY.

Be it enacted, etc., as follows:

SECTION 1. To provide for the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the board of regents of higher education and the American Federation of Teachers, Local 1895, AFL-CIO at Southeastern Massachusetts University, 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 thirty-four of the acts of nineteen hundred and eighty-four.

SECTION 2.
EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.
Collective Bargaining.

1599-3224 For a reserve to meet the cost of certain salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the board of regents of higher education and the American Federation of Teachers, Local 1895, AFL-CIO at Southeastern Massachusetts University, 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-five, such amounts as are necessary to meet the costs of said adjustments and benefits for fiscal years nineteen hundred and eighty-four and nineteen hundred and eighty-five and prior years where the amounts otherwise available are insufficient for the purpose; provided, further, that said 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 $196,820

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

Approved December 10, 1984.

Chap. 327. AN ACT RELATIVE TO INDEMNIFICATION OF DIRECTORS AND OFFICERS OF CHARITABLE CORPORATIONS.

Be it enacted, etc., as follows:

Section 6 of chapter 180 of the General Laws is hereby amended by striking out the fifth paragraph, as appearing in section 3 of chapter 819 of the acts of 1971, and inserting in place thereof the following paragraph:-

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 a 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 members or (iii) a vote adopted by a majority of the members 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 interests 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 or 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 December 11, 1984.

Chap. 328. AN ACT EXEMPTING CERTAIN EMPLOYEES OF COLLABORATIVES FROM CIVIL LIABILITY FOR EMERGENCY FIRST AID OR TRANSPORTATION RENDERED TO INJURED STUDENTS.

Be it enacted, etc., as follows:

Chapter 71 of the General Laws is hereby amended by striking out section 55A, as most recently amended by chapter 114 of the acts of 1983, and inserting in place thereof the following section:-

Section 55A. A child showing signs of ill health or of being infected with a disease dangerous to the public health as defined in accordance with section six of chapter one hundred and eleven shall be sent home immediately, or as soon as safe and proper conveyance can be found, or shall be referred to a school physician, who may direct that such child be sent home. In the case of schools remotely situated, such other steps may be

taken as will best effectuate the purpose of this section and ensure the safety of such child and other pupils. The superintendent of schools or collaborative director of a collaborative as set forth in section four E of chapter forty, shall immediately cause the board of health to be notified of all children excluded under this section by reason of any disease dangerous to the public health.

No public school or collaborative teacher of such collaborative, principal, secretary to the principal, nurse or collaborative employee of such collaborative who, in good faith, renders emergency first aid or transportation to a student who has become injured or incapacitated in a public school building or such collaborative operated building or on the grounds thereof shall be liable in a suit for damages as a result of his acts or omissions either for such first aid or as a result of providing emergency transportation to a place of safety, nor shall he be liable to a hospital for its expenses if under such emergency conditions he causes the admission of such injured or incapacitated student, nor shall he be subject to any disciplinary action by the school committee, or collaborative board of such collaborative for such emergency first aid or transportation.

Approved December 11, 1984.

Chap. 329. AN ACT INCLUDING WITHIN THE WAGE REPORTING SYSTEM THE BUREAU OF SPECIAL INVESTIGATIONS.

Be it enacted, etc., as follows:

SECTION 1. Clause (3) of section 30T of chapter 7 of the General Laws, as appearing in chapter 805 of the acts 1981, is hereby amended by inserting after the word "returns", in line 2, the words:- , wage reports.

SECTION 2. Section 1 of chapter 62E of the General Laws, as appearing in section 1 of chapter 643 of the acts of 1982, is hereby amended by inserting before the definition of "Commissioner" the following definition:-

"Bureau of special investigations", the bureau of special investigations established pursuant to section thirty R of chapter seven.

SECTION 3. Section 5 of said chapter 62E, as so appearing, is hereby amended by adding the following paragraph:-

The commissioner shall furnish the bureau of special investigations upon written request by the director, any information available for any person where the bureau of special investiga-

tions has reason to believe that such person has committed fraud under any assistance program administered by the department of public welfare.

Approved December 11, 1984.

Chap. 330. AN ACT RELATIVE TO THE LICENSING AND KEEPING OF DOGS IN THE TOWN OF HANOVER.

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 registering, numbering, describing and licensing of dogs, if kept in the town of Hanover 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 Hanover for the issuance of licenses for dogs shall be: males and females, seven dollars; neutered males and spayed females, four dollars. For kennels, 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. The town may further charge a late fee of fifteen dollars to be paid by owners of record as of January first each year who license said dog or dogs after August first.

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 Hanover 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 by the town treasurer to Plymouth county.

SECTION 4. Notwithstanding the provisions of section one hundred and sixty-one of said chapter one hundred and forty or any other provision of 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, after investigation as provided in said section one hundred and sixty-one, be paid from the treasury of said town, as provided by said section one hundred and sixty-one.

SECTION 5. This act shall take effect on April first, nineteen hundred and eighty-five.

Approved December 11, 1984.

Chap. 331. AN ACT RELATIVE TO THE USE OF THE PROCEEDS FROM THE SALE OF CERTAIN REAL ESTATE BY THE CITY OF MEDFORD.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section sixty-three of chapter forty-four of the General Laws or any other general or special law to the contrary, the city of Medford is hereby authorized to expend for any governmental purposes, the proceeds from the sale of real estate known as the Hancock School located on Hancock street in said city; provided, however, that there is no indebtedness outstanding relative to such real estate at the time of such sale.

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

Approved December 13, 1984.

Chap. 332. AN ACT FURTHER REGULATING THE OPERATION OF LIFE INSURANCE DEPARTMENTS OF SAVINGS BANKS.

Be it enacted, etc., as follows:

Section 8 of chapter 178 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- Expenses pertaining to the conduct of both the savings department and the insurance department, such as office rent and the salaries of general officers, shall be apportioned by the trustees equitably between the two departments in a manner approved by the state actuary.

Approved December 13, 1984.

Chap. 333. AN ACT INCREASING THE TERM OF VALIDITY OF LICENSES FOR FIREARMS DEALERS FROM ONE YEAR TO THREE YEARS.

Be it enacted, etc., as follows:

Chapter 140 of the General Laws is hereby amended by striking out section 124, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:-

Section 124. Licenses issued under sections one hundred and twenty-two and one hundred and twenty-two B shall expire three years from the date of issuance.

Approved December 13, 1984.

Chap. 334. AN ACT ESTABLISHING THE TOWN OF WINTHROP SCHOLARSHIP FUND.

Be it enacted, etc., as follows:

SECTION 1. The town of Winthrop 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 vehicles excise tax bill, whereby the taxpayers of said town can voluntarily check off, donate and pledge an amount not less than one dollar or other amount which will increase the amount otherwise due to benefit a certain charitable and civic purpose within the town, to wit: "The Town of Winthrop Scholarship Fund"; the purpose of said fund being to provide financial aid to deserving Winthrop residents in accordance with certain established criteria.

SECTION 2. Said fund shall be under the jurisdiction of the town treasurer acting for and in behalf of said 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 the 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 to consist of the superintendent of schools or his designee, and two citizens of the town, one of whom shall be a member of the dollars for scholars committee, shall be appointed to a three year term by the town moderator.

SECTION 4. 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 5. In selecting the annual recipients of financial aid from The Town of Winthrop 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.

SECTION 6. All costs for operation of this act shall be born by The Town of Winthrop Scholarship Fund, with the exception of the printing of the excise tax bills.

Approved December 13, 1984.

Chap. 335. AN ACT AUTHORIZING THE CITY OF CHICOPEE TO ISSUE CERTAIN ESTIMATED TAX BILLS AND EXTENDING THE TIME ALLOWED TO ISSUE TAX BILLS.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, the city of Chicopee is hereby authorized for fiscal year nineteen hundred and eighty-five to issue a notice of estimated tax for real and personal property in lieu of actual assessment and issuance of the tax bill, and require the payment of such estimated tax, which shall be in the amount of five hundred dollars per single family, two family, and three family residential property, and fifty per cent of the tax payable during fiscal year nineteen hundred and eighty-three for all other classes of property both real and personal.

Any taxpayer who qualified for an exemption in fiscal year nineteen hundred and eighty-four shall be entitled to have fifty per cent of the amount of that exemption applied to the notice of estimated tax for fiscal year nineteen hundred and eighty-five.

No later than May first, nineteen hundred and eighty-five the assessors of said city shall establish the tax rate for fiscal year nineteen hundred and eighty-five. 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 July fifteenth, nineteen hundred and eighty-five without the payment of interest. Said city of Chicopee is hereby further authorized to issue and mail tax bills for the first half of fiscal year nineteen hundred and eighty-six on or after December fifteenth, nineteen hundred and eighty-five, to be payable within thirty days from issuance.

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-five shall govern such rights or remedies.

Said city of Chicopee is hereby authorized to issue a final tax bill for fiscal year nineteen hundred and eighty-four payable on or before May first, nineteen hundred and eighty-six. 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.

If any tax, betterment or special assessment for fiscal year nineteen hundred and eighty-four remains unpaid fourteen days after demand therefor, the collector, in the case of any tax betterment or special assessment upon real estate, within three years from April first, nineteen hundred and eighty-four, shall collect the tax, together with all incidental charges and fees in the manner provided by law; and said taxes assessed upon land, shall with all of said incidental charges and fees be a lien thereon from January first, nineteen hundred and eighty-four. Except as provided in section sixty-one of chapter sixty of the General Laws such lien shall terminate at the expiration of four years from October first, in said year subject to the provisions of section thirty-seven of said chapter sixty.

The provisions of section twenty-one C of chapter fifty-nine of the General Laws shall apply to the tax rate for fiscal years nineteen hundred and eighty-four, nineteen hundred and eighty-five and nineteen hundred and eighty-six.

Approved December 13, 1984.

Chap. 336. AN ACT FURTHER REGULATING THE ELIGIBILITY REQUIREMENTS FOR STUDENT SCHOLARSHIPS AND STUDENT LOANS AWARDED BY THE BOARD OF REGENTS OF HIGHER EDUCATION.

Be it enacted, etc., as follows:

Section 7 of chapter 15A of the General Laws is hereby amended by adding the following paragraph:-

Every applicant for any scholarship or other financial aid administered under any program established, pursuant to this section, shall verify, if applicable, his compliance with the federal Military Selective Service Act in effect on July first, nineteen hundred and eighty-four.

(The foregoing was laid before the Governor on the nineteenth day of November and on the third day of December, 1984 and after ten days it had "the force of law", as prescribed by the Constitution, as it was not returned by him with his objections thereto within that time.)

Chap. 337. AN ACT AUTHORIZING THE TOWN OF MASHPEE TO RECALL ELECTED OFFICIALS.

Be it enacted, etc., as follows:

SECTION 1. Any holder of an elective office in the town of Mashpee with more than six months remaining in the term of the office, may be recalled and removed therefrom by the qualified voters of the town in the manner provided for herein.

SECTION 2. One hundred or more qualified voters may make and file with the town clerk an affidavit containing the name of the office holder sought to be recalled and a statement of the grounds for recall. The town clerk shall thereupon deliver to the ten persons first named on such affidavit a sufficient number of blank forms demanding said recall. These forms, available from the town clerk, may be completed by printing or typewriter and they shall contain the names of the ten persons to whom they are issued, the name of the person sought to be recalled, the office from which recall is sought, 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, signed and sealed by the town clerk. These recall petition forms shall be returned to the office of the town clerk not later than three o'clock in the afternoon on or before the first work day following twenty days after the date they are issued, signed by at least

twenty per cent of the total number of qualified persons registered to vote in the town as of the date of the most recent town election and to every such signature shall be added the place of residence of the signer, giving the street and number, if any. Such signatures need not all be on one paper. One of the ten persons to whom the recall petition forms is issued shall make an affidavit on each page that the statements therein contained are true, and that each signature appended to the petition is the genuine signature of the person whose name it purports to be.

The town clerk shall, within one work day following the day of such filing with the office of the town clerk, submit the recall petition forms to the board of registrars of voters which shall, within five work days after the day of receipt, certify in writing thereon the number of signatures which are those of qualified voters as of the date of the most recent town election. Signatures of persons who qualified to vote after the date of the most recent town election, shall not be certified. The board of registrars of voters, upon the completion of their certification, shall return the recall petition forms to the town clerk.

SECTION 3. If the recall petition forms shall be certified by the board of registrars of voters to contain at least twenty per cent of the qualified persons registered to vote as of the date of the most recent town election, the town clerk shall immediately give notice, in writing, to the elected officer whose recall is sought by sending to said officer a copy of the affidavit and the recall petition form together with notice of the number of qualified voters certified by the board of registrars of voters who signed the recall petition forms and the total number of qualified voters in the town as of the most recent town election.

If the officer to whom notice is directed by the town clerk does not resign the office within five days following receipt of the aforesaid notice from the town clerk, the town clerk shall give notice in writing to the board of selectmen not later than one work day following the expiration of the foregoing five days. The board of selectmen shall order a special election to be held not less than thirty-five nor more than sixty-five days after the receipt of notice from the town clerk as aforesaid. If, however, a regular town election is to be held within ninety days of receipt by the board of selectmen of notice from the town clerk, the recall election shall be held at such time and in conjunction with such regular election. If a vacancy occurs in the office for any reason after a recall election has been ordered by the board of selectmen, the recall election shall nevertheless proceed as provided for herein, but only the ballots for candidates need be counted.

SECTION 4. An officer whose recall is sought may be a candidate to succeed himself in the event the question of recall

is voted in the affirmative. The number of signatures of qualified voters required to place the name of a candidate on the official ballot for use at a recall election shall not be less than twenty-five. The publication of the warrant for the recall election and the conduct of the recall election shall be in accordance with the General Laws regulating election.

SECTION 5. The ballots used at the recall election shall submit the following proposition 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 propositions shall appear the word "candidates" and the directions of the voters required by the General Laws regulating elections, and beneath the word "candidates" shall be the names of candidates nominated in accordance with the provisions of law relating to elections.

If a majority of the votes cast is against the recall, the votes for the candidate need not be counted. If a majority of the votes cast is in favor of the recall, and further provided that at least twenty per cent of the total number of qualified voters as of the date of the most recent town election have participated at such recall election, the officer shall be deemed to be recalled and the ballots for candidates shall then be counted. The candidate receiving the higher number of votes shall be declared elected. If the officer is recalled, he shall be deemed removed upon certification of the election results by the town clerk. The candidate receiving the highest vote and therefore elected, shall serve for the balance of the unexpired term of the officer removed.

SECTION 6. No recall affidavit shall be filed against an officer within three months after his election, nor, in the case of an officer elected in a recall election, until three months after that election. No recall shall be filed against an officer subjected to a recall election and not thereby recalled until at least six months after the election at which his recall was not approved by the qualified voters.

SECTION 7. This act shall take effect upon its passage.

Approved December 17, 1984.

Chap. 338. AN ACT RELATIVE TO THE MEMBERSHIP OF THE GLOUCESTER FISHERIES COMMISSION.

Be it enacted, etc., as follows:

Chapter 260 of the acts of 1956 is hereby amended by striking out section 3, as most recently amended by section 1 of chapter 361 of the acts of 1980, and inserting in place thereof the following section:-

Section 3. The commission shall consist of thirteen members, one of whom shall be the mayor or his designee, and twelve persons to be appointed by the mayor, seven of whom shall be elected officers of organizations within the city, whose primary concern is the fishing industry and four of whom shall be other persons residing in the city and one of whom shall be a lay person. The chairman of the commission shall be elected by a vote of the majority of the members present and voting thereon.

Approved December 17, 1984.

Chap. 339. AN ACT PROVIDING A NEW SALARY SCHEDULE FOR JUSTICES OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Section 22 of chapter 211 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 8 of chapter 455 of the acts of 1982, and inserting in place thereof the following sentence:- The chief justice of the court shall receive a salary of seventy thousand dollars, and each associate justice a salary of sixty-seven thousand five hundred; and the chief justice and associate justice shall annually receive from the commonwealth upon the certificate of the chief justice, the amount of expenses incurred by them in the discharge of their duties.

SECTION 1A. Notwithstanding the provisions of section ninety-four of chapter two hundred and twenty-one of the General Laws, this act shall not cause the salaries of the clerk or assistant clerks of the supreme judicial court for Suffolk county to be increased.

SECTION 2. Said section 22 of said chapter 211 is hereby further amended by striking out the first sentence, as most recently amended by section 1 of this act, and inserting in place thereof the following sentence:- The chief justice of the court shall receive a salary of seventy-four thousand two hundred dollars and each associate justice a salary of seventy-one thousand six hundred dollars, and the chief justice and each associate justice shall annually receive from the commonwealth upon certificate of the chief justice, the amount of expenses incurred

by them in the discharge of their duties.

SECTION 3. Said section 22 of said chapter 211 is hereby further amended by striking out the first sentence, as most recently amended by section 2, and inserting in place thereof the following sentence:- The chief justice of the court shall receive a salary of seventy-eight thousand seven hundred dollars, and each associate justice a salary of seventy-five thousand nine hundred dollars; and the chief justice and each associate justice, the amount of expenses incurred by them in the discharge of their duties.

SECTION 4. Said section 22 of said chapter 211 is hereby further amended by striking out the first sentence, as most recently amended by section 3 of this act, and inserting in place thereof the following sentence:- The chief justice shall receive a salary of eighty-three thousand four hundred dollars, and each associate justice a salary of eighty thousand five hundred dollars; and the chief justice and each associate justice shall annually receive from the commonwealth upon the certificate of the chief justice the amount of expenses incurred by them in the discharge of their duties.

SECTION 5. Section 2 of chapter 211A of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 9 of said chapter 455, and inserting in place thereof the following sentence:- The chief justice shall receive a salary of sixty-seven thousand five hundred dollars and each associate justice a salary of sixty-five thousand dollars; and the chief justice and each associate justice shall annually receive from the commonwealth, upon the certificate of the chief justice, the amount of expenses incurred by them in the discharge of their duties.

SECTION 6. Said section 2 of said chapter 211A is hereby amended by striking out the first sentence, as most recently amended by section 5, and inserting in place thereof the following sentence:- The chief justice shall receive a salary of sixty-eight thousand nine hundred dollars and each associate justice a salary of sixty-six thousand two hundred and fifty dollars; and the chief justice and each associate justice shall annually receive from the commonwealth upon the certificate of the chief justice the amount of expenses incurred by them in the discharge of their duties.

SECTION 7. Said section 2 of said chapter 211A is hereby amended by striking out the first sentence, as most recently amended by section 6, and inserting in place thereof the following sentence:- The chief justice shall receive as a salary

seventy-three thousand dollars, and each associate justice a salary of seventy thousand two hundred and fifty dollars; and the chief justice and each associate justice shall annually receive from the commonwealth upon the certificate of the chief justice the amount of expenses incurred by them in the discharge of their duties.

SECTION 8. Said section 2 of said chapter 211A is hereby amended by striking out the first sentence, as most recently amended by section 7, and inserting in place thereof the following sentence:- The chief justice shall receive as a salary seventy-seven thousand four hundred dollars, and each associate justice a salary of seventy-four thousand five hundred dollars; and the chief justice and each associate justice shall annually receive from the commonwealth upon the certificate of the chief justice the amount of expenses incurred by them in the discharge of their duties.

SECTION 9. Section 4 of chapter 211B of the General Laws is hereby amended by striking out the third paragraph, as appearing in section 10 of said chapter 455, and inserting in place thereof the following paragraph:-

The chief administrative justice shall receive as a salary sixty-five thousand dollars.

SECTION 10. Said section 4 of said chapter 211B, as most recently amended by section 9, is hereby further amended by striking out the first three paragraphs and inserting in place thereof the following three paragraphs:-

The salaries of the justices of the trial court shall be paid by the commonwealth. Each associate justice shall receive as a salary sixty-three thousand six hundred dollars.

The administrative justice for the several departments shall receive as a salary sixty-six thousand two hundred and fifty dollars.

The chief administrative justice shall receive as a salary sixty-eight thousand nine hundred dollars.

SECTION 11. Said section 4 of said chapter 211B is hereby further amended by striking out the first three paragraphs, as most recently amended by section 10, and inserting in place thereof the following three paragraphs:-

The salaries of the justices of the trial court shall be paid by the commonwealth. Each associate justice shall receive as a salary sixty-seven thousand five hundred dollars.

The administrative justice for the several departments shall receive as a salary seventy thousand two hundred and fifty dollars.

The chief administrative justice shall receive as a salary

seventy-three thousand dollars.

SECTION 12. Said section 4 of said chapter 211B is hereby amended by striking out the first three paragraphs, as most recently amended by section 11, and inserting in place thereof the following three paragraphs:-

The salaries of the justices of the trial court shall be paid by the commonwealth. Each associate justice shall receive as a salary seventy-one thousand five hundred and twenty dollars.

The administrative justice of the several departments shall receive as a salary seventy-four thousand five hundred dollars.

The chief administrative justice shall receive as a salary seventy-seven thousand four hundred dollars.

SECTION 13. Section 9 of said chapter 211B is hereby amended by adding the following paragraph:-

There shall be created, subject to appropriation, a reserve fund administered by the chief administrative justice of the trial court, for the purpose of providing secretarial and administrative support staff and services to the justices of the superior court department of the trial court.

SECTION 14. Notwithstanding the provisions of section thirty-five A of chapter two hundred and seventeen of the General Laws to the contrary, this act shall not cause the salaries of the registers of probate and their assistants to be increased.

SECTION 15. Sections one, five, and nine of this act shall take effect as of January first, nineteen hundred and eighty-four.

SECTION 16. Sections two, six, and ten of this act shall take effect as of July first, nineteen hundred and eighty-four.

SECTION 17. Sections three, seven, and eleven of this act shall take effect on July first, nineteen hundred and eighty-five.

SECTION 18. Sections four, eight, and twelve of this act shall take effect on July first, nineteen hundred and eighty-six.

Approved December 17, 1984.

Chap. 340. AN ACT DIRECTING MIDDLESEX COUNTY TO PAY CERTAIN RETIREMENT BENEFITS TO THE SURVIVING SPOUSE OF EDWARD F. HENNEBERRY, JR.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, for the purpose of promoting the public good, the retirement board of Middlesex county is hereby authorized and directed to pay to Pauline Henneberry, the surviving spouse of Edward F. Henneberry, Jr., the sheriff of Middlesex county, an accidental death benefit as provided under the provisions of section nine of chapter thirty-two of the General Laws.

SECTION 2. This act shall take effect as of November eighteenth, nineteen hundred and eighty-four.

Approved December 17, 1984.

Chap. 341. AN ACT RELATIVE TO COMPENSATION PAID TO THE BOARD OF ASSESSORS IN THE TOWN OF RICHMOND.

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 Richmond, taken on June eighteenth, nineteen hundred and eighty-four at a special town meeting, appropriating the total sum of four thousand nine hundred thirty dollars to be paid in certain specified sums to named, present and former members of the board of assessors for said town for services performed during fiscal years nineteen hundred and eighty-two, nineteen hundred and eighty-three and nineteen hundred and eighty-four, is hereby ratified, validated and confirmed, and the town is hereby authorized to expend said monies as specified in said town meeting vote.

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

Approved December 18, 1984.

Chap. 342. AN ACT INCREASING THE MINIBOND AUTHORIZATION OF THE STATE TREASURER FROM TEN MILLION TO TWENTY-FIVE MILLION DOLLARS ANNUALLY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately place abandoned

property in the custody of the state treasurer, therefore 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 49A of chapter 29 of the General Laws is hereby amended by striking out clause (1), as amended by chapter 519 of the acts of 1979, and inserting in place thereof the following clause:-

(1) not more than twenty-five million dollars principal amount of minibonds shall be sold by the state treasurer in any one fiscal year.

Approved December 18, 1984.

Chap. 343. AN ACT PROVIDING FOR CIVIL PENALTIES IN RELATION TO THEFT OF ELECTRICITY OR GAS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide for civil penalties in relation to theft of electricity or gas, therefore 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 127A of chapter 164 of the General Laws, inserted by section 1 of chapter 305 of the acts of 1982, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- Any damages assessed under the provisions of this section in excess of the actual damages sustained by the corporation or person manufacturing, distributing or selling such electricity or gas shall be paid to the commonwealth; provided, however, that if a municipal lighting plant brings an action pursuant to this section such damages in excess of the actual damages shall be paid to such municipal lighting plant.

Approved December 18, 1984.

Chap. 344. AN ACT MAKING AN APPROPRIATION TO FUND A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE MASSACHUSETTS TRIAL COURT 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 employees benefits authorized by the collective bargaining agreement between the Massachusetts trial court and the Service Employees International Union, Local 254, AFL-CIO, the sum set forth in section two 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 thirty-four of the acts of nineteen hundred and eighty-four.

SECTION 2.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.
Collective Bargaining.

1599-3270 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 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-five, such amounts as are necessary to meet the cost of said adjustments and benefits for the fiscal year nineteen hundred and eighty-five 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 transfer or allocation shall be made without the prior approval of the house and senate committees on ways and means $1,348,225

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

Approved December 18, 1984.

Chap. 345. AN ACT VALIDATING CERTAIN ACTION TAKEN BY THE TOWN OF OAK BLUFFS AT ITS ANNUAL TOWN ELECTION IN THE YEAR NINETEEN HUNDRED AND EIGHTY-FOUR.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the vote taken at the annual town election of the town of Oak Bluffs held on April twelfth, nineteen hundred and eighty-four on the question placed on the official ballot for said election, which question was approved by a majority of the voters voting thereon, is hereby ratified, validated, confirmed and made effective, notwithstanding the fact that the question in the warrant for said election and on said official ballot was listed as a nonbinding question shall be deemed to be binding and valid.

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

Approved December 18, 1984.

Chap. 346. 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 ROCKLAND.

Be it enacted, etc., as follows:

SECTION 1. Declaration of Emergency. 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 Rockland, 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 parks rents and eviction of tenants are regulated and controlled such emergency will produce serious threats to the public safety, health, 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 Rockland.

SECTION 2. General Powers. The town of Rockland 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 the use or occupancy of mobile home park accommodations 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 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 home park accommodations, 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. Standard for Adjusting Rent. (a) In regulating such rents, for such mobile home parks 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 the mobile home park accommodations in said town are established at levels which yield to owners a fair net operating income for such units. Said town in its by-laws or said rent board by regulation may establish further standards and rules consistent with this act. The maximum rent of a mobile home park accommodation shall be the rent charged the tenant for the month of February, nineteen hundred and eighty-four. If the mobile home park accommodation was unoccupied at that time but was occupied at any time prior to the effective date of this ordinance, the maximum rent shall be the rent charged therefor for or during the month closest to February, nineteen hundred and eighty-four. If the maximum rent is not otherwise established, it shall be established by the board. Any maximum rent may be subsequently adjusted under this section.

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

SECTION 5. Conference Jurisdiction. 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 shall have jurisdiction to enforce the provisions of this act and any by-laws adopted thereunder and may restrain violations thereof.

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

SECTION 7. Severability. If any provision of this act or the application of such provision to any person or circumstances shall be held invalid, the validity of the remainder of this act and the application of such provision to other persons or circumstances shall not be affected thereby.

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

Approved December 18, 1984.

Chap. 347. AN ACT RELATIVE TO THE ESTABLISHMENT OF TITLE XIX RATES OF PAYMENT FOR ACUTE HOSPITALS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide for the establishment of hospital rates and charges, therefore 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 65 of chapter 6A of the General Laws is hereby amended by inserting after the first paragraph the following paragraph:-

The commission shall promulgate regulations establishing criteria for hospital credit and collection policies, after consultation with the Massachusetts Hospital Association and other concerned organizations as identified by the commission, to ensure that hospitals make reasonable efforts to collect payment for hospital services prior to attributing those services to bad debt or free care. In developing such criteria, the commission shall identify those populations which shall not require collection action. Such policies shall be in conformance with applicable credit laws of the commonwealth and the United States.

SECTION 2. Said chapter 6A is hereby further amended by inserting after section 65 the following section:-

Section 65A. No acute hospital shall deny access to care and services which the hospital would provide under chapter one hundred and eighteen E to recipients of benefits under chapter one hundred and seventeen.

SECTION 3. Section 68 of said chapter 6A is hereby amended by striking out subsection A as appearing in section 1B of chapter 372 of the acts of 1982, and inserting in place thereof the following subsection:-

A. Commencing in fiscal year ending nineteen hundred and eighty-three and for each fiscal year thereafter, for which the required federal approval is obtained and in effect, provided said federal approval is applied for by the appropriate state agency within forty-five days of the enactment of this chapter, rates of payment under Title XIX of the federal social security act for acute hospitals, shall be based upon the following methodology.

SECTION 4. Said section 68 of said chapter 6A, as most recently amended by section 3 of chapter 183 of the acts of 1984, is hereby further amended by striking out subsections B and C and inserting in place thereof the following two subsections:-

B. The medicaid payments for a particular fiscal year of the hospital shall be obtained as follows:

(a) 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.

(b) 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.

(c) The medicaid basis of payment for a particular fiscal year shall be obtained as follows:

(1) For fiscal years ending in nineteen hundred and eighty-three and nineteen hundred and eighty-four, the medicaid basis of payment shall be the product of: (i) medicaid costs, as reduced by the productivity factors prescribed in paragraph (a) or (b); multiplied by (ii) the medicaid payment ratio, as computed pursuant to subsection C.

(2) For fiscal years ending in nineteen hundred and eighty-five and thereafter, the medicaid basis of payment shall be equal to medicaid costs as reduced by the productivity factors prescribed in paragraph (a) or (b).

(3) For any fiscal year of any acute hospital that exhibits a payor mix where a minimum of sixty-eight per cent of the acute hospital's gross patient service revenue was attributable to Title XVIII and Title XIX of the federal social security act and local and state government subsidy and free care and bad debt, Title XIX reimbursement shall be calculated with the addition of free care as a definition of reimbursable costs. The Title XIX share of free care shall be calculated using Title XIX charges divided by total charges. Such relief shall be granted based upon projected budget year utilization data, by payor mix. The commission shall have the right to request any reasonably attainable data in order to approve or deny any requests for relief under the provisions of this subparagraph.

(d) Medicaid payments shall be computed by apportioning the medicaid basis of payment, derived under paragraph (c), to medicaid and all other payors pursuant to the apportionment methods specified in the hospital agreement using the charge data applicable to Title XIX beneficiaries. For fiscal years ending in nineteen hundred and eighty-five and thereafter, the resulting medicaid payments shall be adjusted by subtracting the amount determined pursuant to paragraph (e).

(e) The amount subtracted from medicaid payments pursuant to paragraph (d) shall be determined as follows:

(1) Apportion the fiscal year nineteen hundred and eighty-three medicaid costs, reduced by the fiscal year nineteen hundred and eighty-three productivity factor as specified in paragraph (a) or (b), to medicaid and all other payors pursuant to

the apportionment methods specified in the hospital agreement using the fiscal year nineteen hundred and eighty-three charge data applicable to Title XIX beneficiaries.

(2) Subtract from one (1) the medicaid payment ratio determined pursuant to subsection C for the fiscal year for which payments are being calculated.

(3) Calculate for the hospital the ratio of: (i) medicaid costs of the fiscal year for which medicaid payments are being calculated, excluding the portion, if any, attributable to free care under subparagraph (c), and excluding the portion, if any, attributable to all volume allowances, including volume allowances associated with exceptions approved pursuant to the applicable hospital agreement, accruing for fiscal years after fiscal year nineteen hundred and eighty-three, and further adjusted pursuant to section fifty-two A and reduced by the productivity factors specified in paragraph (a) or (b); to (ii) medicaid costs of fiscal year nineteen hundred and eighty-three, excluding the portion, if any, attributable to free care under this subparagraph of this subsection B, and reduced by the productivity factors specified in paragraph (a) or (b).

(4) Multiply: (i) the Title XIX portion of medicaid costs as determined pursuant to subparagraph (1); times (ii) the difference calculated pursuant to subparagraph (2); times (iii) the ratio calculated pursuant to subparagraph (3). This product is the amount which shall be subtracted from medicaid payments pursuant to paragraph (d).

C. The medicaid payment ratio used in subsection B is to be calculated in accordance with the following provisions:

(a) For the fiscal year ending in nineteen hundred and eighty-three, the medicaid payment ratio shall be calculated as specified in subparagraph (1) where the proportions are calculated relative to the total number of Title XIX days including Title XIX newborn and Title XIX administratively necessary days, and revised in accordance with subparagraphs (2) and (3) and subsection F.

(1) The proportion of fiscal year nineteen hundred and eighty-two Title XIX inpatient days, excluding Title XIX newborn days and administratively necessary days, multiplied by the fiscal year nineteen hundred and eighty-two Title XIX adult and children per diem rate, plus the proportion of fiscal year nineteen hundred and eighty-two Title XIX newborn days multiplied by the fiscal year nineteen hundred and eighty-two newborn per diem rate, plus the proportion of fiscal year nineteen hundred and eighty-two Title XIX administratively necessary days multiplied by the corresponding fiscal year nineteen hundred and eighty-two Title XIX administratively necessary day rates shall be multiplied by the total number of inpatient days including newborn days and administratively necessary days provided by the hospital in fiscal year nineteen hundred and eighty-two and

the result added to the fiscal year nineteen hundred and eighty-two Title XIX outpatient payment percentage multiplied by the total amount of outpatient charges. The result of this computation shall be divided by the total fiscal year nineteen hundred and eighty-two medicaid costs.

(2) If a hospital's fiscal year nineteen hundred and eighty-two Title XIX per diem rates were adjusted to reflect the 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.

(3) 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.

(b) For the fiscal year ending in nineteen hundred and eighty-four, and for each fiscal year thereafter, the medicaid payment ratio shall be calculated as follows, where the proportions are calculated relative to the total number of days for all payors, including total newborn and administratively necessary days. The proportion of fiscal year nineteen hundred and eighty-two inpatient days, excluding newborn and administratively necessary days, multiplied by the fiscal year nineteen hundred and eighty-two Title XIX adult and children per diem rate, plus the proportion of fiscal year nineteen hundred and eighty-two newborn days multiplied by the fiscal year nineteen hundred and eighty-two Title XIX newborn per diem rate, plus the proportion of fiscal year nineteen hundred and eighty-two administratively necessary days multiplied by the corresponding fiscal year nineteen hundred and eighty-two Title XIX administratively necessary day rates shall be multiplied by the total number of inpatient days including newborn days and administratively necessary days provided by the hospital in fiscal year nineteen hundred and eighty-two and the result added to the

fiscal year nineteen hundred and eighty-two Title XIX outpatient payment percentage multiplied by the total amount of outpatient charges.

The result of the computation shall be divided by the total fiscal year nineteen hundred and eighty-two medicaid costs. This medicaid payment ratio shall then be revised in accordance with paragraph (c) for hospital fiscal years ending in nineteen hundred and eighty-four and paragraph (d) for hospital fiscal years ending in nineteen hundred and eighty-five.

(c) Notwithstanding any provision to the contrary, the medicaid payment ratio for hospital fiscal years ending in nineteen hundred and eighty-four calculated pursuant to paragraph (b) shall be adjusted so that total Title XIX payments to acute hospitals for services provided during hospital fiscal years ending in nineteen hundred and eighty-four equal fifteen million dollars more than they would if the medicaid payment ratio as calculated pursuant to subparagraph (1) were used. Such adjustment shall be made in two parts.

(1) First, adjust the payment ratio defined in paragraph (b) so that total Title XIX payments to acute care hospitals equal ten million dollars more than they would if the medicaid payment ratio as calculated pursuant to said subparagraph (1) were used. This adjustment shall be made by adding to or subtracting from the medicaid payment ratio defined in said paragraph (b) an equal proportion of each hospital's medicaid payment ratio as calculated pursuant to said paragraph (b); provided, however, that in no case shall a hospital's medicaid payment ratio be less than that calculated pursuant to said subparagraph (1).

(2) Second, further adjust the medicaid payment ratio so that total Title XIX payments to acute care hospitals equal five million dollars more than they would if the medicaid payment ratio as calculated pursuant to subparagraph (1) were used. This adjustment shall be made by adding to the medicaid payment ratio calculated pursuant to said subparagraph (1) for each hospital an equal percentage of the difference between the medicaid payment ratio calculated pursuant to paragraph (b) and that calculated pursuant to said subparagraph (1).

(d) Notwithstanding any other provision to the contrary, the medicaid payment ratio for hospital fiscal years ending in nineteen hundred and eighty-five calculated pursuant to paragraph (b) shall be adjusted so that total Title XIX payments to acute hospitals for services provided during hospital fiscal years ending in nineteen hundred and eighty-five equal forty million dollars more than they would if the medicaid payment ratio as calculated pursuant to subparagraph (1) were used. Such adjustment shall be made by adding to the medicaid payment ratio as calculated pursuant to said subparagraph (1) for each hospital an equal percentage of the difference between the medicaid payment ratio as calculated pursuant to said paragraph (b)

and that calculated pursuant to said subparagraph (1).

(e) The medicaid payment ratio as calculated pursuant to this subsection shall be adjusted to reflect changes in fiscal year nineteen hundred and eighty-two medicaid per diem rates or outpatient rates which result from final disposition of administrative adjustments, audit adjustments, or appeals of rates to the division of hearing officers or the courts, and any changes in the nineteen hundred and eighty-two medicaid costs determined by the provisions of the hospital agreement which result from preliminary and final settlement of liability pursuant to said agreement. For those acute hospitals which exhibit a payor mix where a minimum of seventy-five per cent of the acute hospital's gross patient service revenue was attributable to Title XVIII and Title XIX of the federal social security act and local and state government subsidy and free care and bad debt, this calculation shall not be adjusted due to changes in fiscal year nineteen hundred and eighty-two Medicaid outpatient rates which may be required to conform to Volume 42 of the Code of Federal Regulations 447.321.

SECTION 5. Subsection F of said section 68 of said chapter 6A, as amended by section 4A of chapter 189 of the acts of 1984, is hereby further amended by striking out the last paragraph and inserting in place thereof the following paragraph:-

For each hospital's fiscal year nineteen hundred and eighty-three, the medicaid payment ratio, as calculated and revised pursuant to subsection C, shall be further revised by dividing it by one minus the percentum (positive or negative) of the medicaid payment ratio adjustment.

SECTION 6. Said chapter 6A is hereby further amended by adding the following section:-

Section 74. A. There shall be a rate setting commission hospital advisory and financial assistance board, in this section called the "board", to consist of one member designated by the secretary of the executive office of human services and six members to be appointed by the governor, one of whom shall be appointed from a list of at least three recommendations submitted by the Massachusetts Hospital Association, one of whom shall be a physician appointed from a list of at least three recommendations submitted by the Massachusetts Medical Society, one of whom shall be a representative of a nonprofit hospital service corporation under chapter one hundred and seventy-six A, one of whom shall be a representative of the Life Insurance Association of Massachusetts, Inc., and two of whom shall be nonproviders with experience in or knowledge of the delivery or financing of hospital and health care services who shall represent the interests and concerns of business and labor respectively. Each such member appointed by the governor shall serve

a term of three years and until his successor is duly qualified; provided however, that in making the initial appointments to the board, the governor shall appoint two members for terms of one year each, two members for terms of two years each, and three members for terms of three years each. The governor shall fill any vacancy for the remainder of the unexpired term. The board shall annually elect a chairman from among its members.

B. Acute hospitals may apply to the board for financial assistance pursuant to this section. The board shall make a recommendation to the commission regarding each such application. The board's recommendation shall include the plan required by subsection D and findings of fact regarding the criteria in subsection E. The commission shall, using the standards and criteria of subsections C, D, and E, approve or disapprove each recommendation within thirty days of its receipt from the board. Failure by the commission to act on a recommendation within said thirty days shall constitute approval of the board's recommendation. The commission may not approve assistance without a recommendation of assistance by the board. Total authorizations pursuant to subsections C and F shall not exceed ten million dollars during each fiscal year, the first fiscal year beginning October first, nineteen hundred and eighty-four.

C. Assistance provided pursuant to this section may be one or several of the following: loan guarantee, loan, or direct payments.

D. Assistance made pursuant to this section shall be contingent on the hospital's agreement to and continued compliance with a plan of action for the correction of those factors identified by the board as responsible for the financial weakness necessitating assistance.

E. The hospital in its application shall demonstrate the following:

(a) Whether failure to provide assistance will necessarily jeopardize the continued provision of essential hospital services to citizens of the commonwealth.

(b) Whether alternative methods exist to relieve the financial distress for which assistance is requested. Alternative methods to be considered shall include but need not be limited to merger and consolidation of services with neighboring hospitals or other health care providers and closure of under-utilized services.

(c) The extent to which the hospital serves a significant number of indigent patients.

The board in its recommendation and the commission in its approval or disapproval shall consider the foregoing factors, as well as the availability of funds in light of the annual limitation on assistance approvals contained in subsection B.

F. In order to carry out its obligations under this section, the board upon approval by the commission may enter into contracts and agreements, including agreements with professional

consultants, conduct investigations, initiate studies and require the filing of information relative to any matter affecting the cost and availability of services in any acute care hospital filing for relief under the provisions of this section. The board shall consult with agencies of the commonwealth and health systems agencies designated under federal health planning in order to determine whether the hospital is in conformance with the policies and goals of the state health plan as established under 42 USC 300k.

G. (a) Assistance payments approved by the commission and contracts and agreements entered into pursuant to subsection F for the purpose of determining whether and how to grant assistance shall be paid from a trust fund established for the purpose by the state treasurer.

(b) Each acute hospital shall pay to the commission for the creation of said fund an equal percentage of its patient care costs for fiscal year nineteen hundred and eighty-four. The commission will calculate this percentage so that this assessment for the creation of the fund totals one million dollars. The board may, with the approval of the commission, establish a schedule of periodic payments of this initial assessment based on its projection of the fund's need for cash, provided that all assessments must be paid in full by October first, nineteen hundred and eighty-five.

(c) Acute hospitals shall make additional payments to the commission for the trust fund pursuant to this paragraph. Each acute hospital shall be assessed by the board, subject to the approval of the commission, an equal percentage of its then-current patient care costs as necessary in the opinion of the board to assure the timely payment of all assistance approved pursuant to this section and of contracts and agreements entered into pursuant to subsection F. Assessments made for assistance which is in the form of a loan guarantee may be deferred indefinitely, to be paid only if and when the guarantee must be fulfilled. When making assessments, the board shall endeavor to anticipate the fund's needs in order to provide hospitals reasonable advance notice and payments. It shall also endeavor to avoid substantial cash balances in the fund for extended periods of time.

(d) Payments made to the assistance fund pursuant to this subsection shall not be included in patient care costs or otherwise recognized pursuant to the hospital agreement. Fifty per cent of payments made pursuant to paragraph (c) shall be added to the working capital allowance determined by the commission in accordance with section fifty-one.

(e) Payments to the trust fund shall be paid within thirty days of billing. Assessments which are not paid within thirty days of billing shall be charged interest.

H. The board shall annually on or before February first make a report of its activities to the general court. Said report shall include a summary of each application received, the action taken on each application, and the reason therefor. The report shall also contain financial statements for the fund established pursuant to subsection G.

I. In the event that this section ceases to be operative because Medicare experimental project P-98199/1-01 as amended ceases to be in effect for a period of six consecutive months, any unencumbered balance of the assistance fund shall be disbursed to acute hospitals in proportion to their payments into it.

J. Actions of the board or the commission pursuant to this section shall not be appealable pursuant to section thirty-six.

SECTION 7. Section six of chapter three hundred and seventy-two of the acts of ninteen hundred and eighty-two is hereby repealed.

SECTION 8. There shall be a study commission to consist of eight members which shall undertake an investigation and study of the organization, delivery, and financing of health care services for recipients of benefits under chapter one hundred and seventeen.

One member of the study commission shall be designated by the secretary of the executive office of human services, and seven members to be appointed by the governor, one member to represent each of the following: the Massachusetts Hospital Association, the Massachusetts Medical Society, Blue Cross of Massachusetts, Inc., the Life Insurance Association of Massachusetts, business, labor, and recipients of benefits under chapter one hundred and seventeen of the General Laws.

Said commission shall develop a plan to monitor the costs and utilization of health care services for recipients of benefits under chapter one hundred and seventeen, and to examine the composition and trends over time in the recipient caseload. The commission shall prepare a preliminary report to the general court which shall be filed with the clerk of the house of representatives on or before April first, nineteen hundred and eighty-six.

Said commission shall also explore the feasibility of a system of managed care for ensuring the appropriate utilization of health care services by this population, and shall evaluate financing options for these services. The commission shall file its final report with the results of its study and recommendations no later than April first, nineteen hundred and eighty-seven.

SECTION 9. If the Medicare experimental project P-98199/1-01 or any extension thereof or successor thereto ceases to be in

effect for a period of six consecutive months, then at the end of such six month period, provisions of this act will become void and cease to be in effect.

SECTION 10. If any clause, sentence, paragraph, subsection, section, or chapter of this act shall be adjudged to be invalid by any court of competent jurisdiction, the judgment shall not affect, impair, or invalidate the remainder thereof.

SECTION 11. No other section of this act shall become operative unless any federal approval of the provisions of sections three, four, and five of this act required by the terms of the waiver of Title XIX principles of reimbursement dated September thirtieth, nineteen hundred and eighty-two is obtained and in effect.

Approved December 18, 1984.

Chap. 348. AN ACT TO FACILITATE HOUSING PRODUCTION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately facilitate needed housing production for the citizens 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. The first paragraph of section 18 of chapter 6A of the General Laws, as most recently amended by section 8 of chapter 702 of the acts of 1979, is hereby further amended by striking out, in lines 12 and 13, the words "and the security and privacy council" and inserting in place thereof the words:- the security and privacy council; and the state board of building regulations and standards.

SECTION 2. Sections sixteen to twenty-three, inclusive, of chapter twenty-three B of the General Laws are hereby repealed.

SECTION 3. The second paragraph of section 4A of chapter 22 of the General Laws, as amended by section 1 of chapter 541 of the acts of 1974, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:- The commissioner may review, on his own initiative or on the application of any inspector, any action or refusal or failure of action by any local inspector the result of which does

not comply with the uniform implementation of the state building code; and may reverse, modify, or annul, in whole or in part, such action except with respect to the specialized codes as described in section ninety-six of chapter one hundred and forty-three; provided, however, that no order or action of the commissioner shall reverse, modify, annul, or contravene any order, action, determination, interpretation or any decision by the state board of building regulations and standards or the state building code appeals board.

SECTION 4. Section 1 of chapter 143 of the General Laws is hereby further amended by striking out the definition of "Commission".

SECTION 4A. Said section 1 of said chapter 143 is hereby further amended by inserting after the definition of "Alteration" the following definition:-

"Board", the state board of building regulations and standards established by section ninety-three.

SECTION 4B. Said section 1 of said chapter 143 is hereby further amended by striking out the definition of "State building code" and inserting in place thereof the following definition:-

"State building code", the state building code and amendments and rules and regulations thereto as promulgated by the state board of building regulations and standards under the provisions of section ninety-three, ninety-four and ninety-five.

SECTION 5. Section 2B of said chapter 143, as amended by section 14 of chapter 802 of the acts of 1972, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:- Said board and said superintendent shall enforce said regulations.

SECTION 6. Section 3 of said chapter 143, as most recently amended by section 15 of said chapter 802 is hereby further amended by striking out, in lines 21 and 27, the word "commission" and inserting in place thereof, in each instance, the word:- board.

SECTION 7. The second paragraph of section 3A of said chapter 143, as appearing in section 12 of chapter 541 of the acts of 1974, is hereby amended by striking out, in line 1, the word "commission" and inserting in place thereof the word:- board.

SECTION 8. The first sentence of section 3Q of said chapter 143 is hereby amended by striking out the words "state building

code commission", inserted by section 20 of chapter 802 of the acts of 1972, and inserting in place thereof the word:- board.

SECTION 9. The first paragraph of section 3R of said chapter 143, as appearing in section 21 of said chapter 802, is hereby amended by striking out, in lines 6 and 7 and in lines 10 and 11, the words "state building code commission" and inserting in place thereof, in each instance, the words:- state board of building regulations and standards,- and by striking out, in line 11, the word "commission" and inserting in place thereof the word:- board.

SECTION 10. Chapter 143 of the General Laws is hereby amended by adding the following eight sections:-

Section 93. There is hereby established within the executive office of public safety a board to be known as the state board of building regulations and standards, in this section and in sections ninety-four to one hundred, inclusive, called the board. The board shall adopt and administer a state building code. The board shall consist of eleven members, one of whom shall be the state fire marshall, or his designee, one of whom shall be the chief of inspections of the division of inspection of the department of public safety or his designee, both of whom shall serve ex-officio and shall be voting members of the board, and nine persons to be appointed by the governor, one of whom shall be a registered architect, one of whom shall be a registered professional engineer who is a mechanical engineer, one of whom shall be a registered professional engineer who is a structural engineer, one of whom shall be a representative of the building trades, one of whom shall be a general contractor of commercial or industrial buildings, one of whom shall be a building contractor of one or two-family homes, one of whom shall be a head of a local fire department, one of whom shall be an inspector of buildings in a town and one of whom shall be an inspector of buildings in a city. Organizations representing the appropriate constituencies shall submit names of persons for appointment as members to the board. Each member shall be appointed for a term of five years, except that in making his initial appointments, the governor shall appoint one member for one year and two members to serve for two, three, four and five years respectively, as he may designate. Any person appointed to fill a vacancy shall serve only for the unexpired term. Any member shall be eligible for reappointment. Any member of the board may be removed by the governor for cause, after being given a written statement of the charges and an opportunity to be heard thereon. No member shall act as a member of the board or vote in connection with any matter as to which his private right, distinct from public interest, is concerned.

A majority of the members of the board shall constitute a quorum for the purpose of conducting business, but a lesser number may adjourn from time to time.

The board shall annually elect a chairman and a vice chairman from its members; provided, however, that no member shall serve as chairman or vice chairman for more than two consecutive years.

Each member of the board who is not otherwise an employee of the commonwealth shall receive from the commonwealth fifty dollars for each day or portion thereof spent in the performance of his official duties; provided, however, that the total sum paid to any member in any fiscal year shall not exceed three thousand dollars. Each member shall be paid necessary traveling and other expenses incurred in the performance of his duties.

The chief of inspections shall be responsible for the proper administration of the activities of the board and the supervision of the staff thereof. The department may employ such other professional, technical and clerical staff as is deemed necessary to assist the board.

Section 94. The board shall have the following powers and duties:

(a) To formulate, propose, adopt and amend rules and regulations relating to (i) the construction, reconstruction, alteration, repair, demolition, removal, inspection, issuance and revocation of permits or licenses, installation of equipment, classification and definition of any building or structure and use or occupancy of all buildings and structures and parts thereof or classes of buildings and structures and parts thereof, except bridges and appurtenant supporting structures which have been or are to be constructed by or are under the custody and control of the department of public works, the Massachusetts Turnpike Authority, the Massachusetts Bay Transportation Authority, the metropolitan district commission or the Massachusetts Port Authority or for which said agencies have maintenance responsibility; (ii) the rehabilitation and maintenance of existing buildings; (iii) the standards or requirements for materials to be used in connection therewith, including but not limited to provisions for safety, ingress and egress, energy conservation, and sanitary conditions; (iv) the establishment of reasonable fees for inspections, which fees shall be collected and retained by the city or town conducting such inspections.

Such rules and regulations, together with any penalties for the violation thereof, as hereinafter provided, shall comprise and be collectively known as the state building code.

Whoever violates any provision of the state building code, except any specialized code as described in section ninety-six, shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both,

for each such violation. Each day during which a violation exists shall constitute a separate offense.

(b) To subpoena witnesses, take testimony, compel production of books and records and to hold public hearings. The board may designate one or more of its members to hold special public hearings and report on such hearings to the board.

(c) To make a continuing study of the operation of the state building code, and other laws relating to the construction of buildings to ascertain their effect upon the cost of building construction and the effectiveness of their provisions for health, safety, energy conservation and security.

(d) To recommend or require tests and approvals and specify criteria and conditions, of materials, devices, and methods of construction, either upon the initiative of the board or at the request of any interested person including, but not limited to, a manufacturer, builder, architect, engineer, inspector of buildings or building commissioner or local or state inspector, in order to ascertain the acceptability of said materials, devices and methods under the requirements of the state building code. The board shall issue certification of such acceptability, which certification shall be binding on all cities and towns.

(e) To review, on its own initiative or on the application of any inspector of buildings or building commissioner or of any local or state inspector, any interpretation under the state building code, and to reverse, modify or annul, in whole or in part, such interpretations except with respect to the specialized codes as defined in section ninety-six.

(f) To establish an advisory board to be known as the technical code council, to assist in and make recommendations relative to formulation, promulgation and administration of the state building code. Said council shall be convened regularly by the chief of inspections and shall establish its own rules for the conduct of its business. Said council shall include a representative from each state department, commission, agency, board, or division concerned with the state building code, including specialized codes referred to in section ninety-six, and such other members as may be determined by the board.

(g) To formulate administrative procedures and promulgate rules and regulations necessary to administer and enforce the state building code.

(h) To revise and amend the state building code exclusive of the specialized codes referred to in section ninety-six, at least once every five years, and to send a copy of such revisions or amendments to each inspector of buildings or building commissioner in every city or town and to each state inspector.

(i) To issue licenses to individuals engaged as construction supervisors. Fees for such licenses shall be collected and retained by the commonwealth.

(j) To designate and retain, where advisable, certain qualified third party agents to perform screening, testing, or technical services to the board to carry out its mandates.

Section 95. The powers and duties of the board set forth in section ninety-four shall be exercised to effect the following general objectives:

(a) Uniform standards and requirements for construction and construction materials, compatible with accepted standards of engineering and fire prevention practices, energy conservation and public safety.

In the formulation of such standards and requirements, performance for the use intended shall be the test of acceptability, in accordance with accredited testing standards.

(b) Adoption of modern technical methods, devices and improvements which may reduce the cost of construction and maintenance over the life of the building without affecting the health, safety and security of the occupants or users of buildings.

(c) Elimination of restrictive, obsolete, conflicting and unnecessary building regulations and requirements which may increase the cost of construction and maintenance over the life of the building or retard unnecessarily the use of new materials, or which may provide unwarranted preferential treatment of types of classes of materials, products or methods of construction without affecting the health, safety, and security of the occupants or users of buildings.

Section 96. The state building code shall incorporate any specialized construction codes, rules or regulations pertaining to building construction, reconstruction, alteration, repair or demolition promulgated by and under the authority of the various boards which have been authorized from time to time by the general court.

The specialized codes referred to in this section shall include, but not be limited to, the state plumbing code, electrical code, architectural barriers regulations, fire safety code, fire prevention regulations and elevator regulations.

Section 97. Except for the specialized codes, as defined in section ninety-six, which codes shall be amended only by the respective boards, commissions, departments or agencies authorized to do so by law, any person may propose amendments to the state building code. Public hearings shall be held in the city of Boston in May and November of each year, and at such other times and places as the board may determine, to consider petitions for such amendments. Petitions shall be submitted to the board no less than sixty days prior to the public hearing. The subject matter of a petition to be considered shall be indicated in all the required notices. The petitions shall be available for inspection at the office of the board and at the hearing. Any

significant changes to the petition shall be the subject of a further public hearing before adoption. Adoption of an amendment to the state building code shall occur upon an affirmative vote by a majority of the members of the board at a regularly convened meeting within ninety days of the final public hearing on the given amendment.

The board shall send a copy of any amendments to the state building code which are adopted to each inspector of buildings or building commissioner, as defined by section one of chapter one hundred and forty-three, and to the secretary of the executive office of public safety within a reasonable time after filing said amendments with the state secretary.

Section 98. The board of selectmen in a town or the mayor in a city may recommend to the board the adoption of rules and regulations imposing more restrictive standards than those established by the state building code for construction, alteration, repair, demolition, and removal in such a city or town. If the board finds that more restrictive standards are reasonably necessary because of special conditions prevailing within such city or town and that such standards conform with accepted national and local engineering and fire prevention practices, with public safety and with the general purposes of a statewide building code, the board may, after notice to said board of selectmen or mayor, and after a public hearing, adopt rules and regulations, impose conditions in connection with the adoption thereof and terminate such rules and regulations at such time and in such manner as the board may deem necessary, desirable or proper.

Section 99. The board shall prepare and administer a continuing educational program of instruction designed to assist all local and state inspectors of buildings in executing their responsibilities under this chapter. Regular attendance at these meetings shall be required of all state and local inspectors and such instruction shall be given at such times and places as will insure its availability to state and local inspectors. No state or local inspector who attends such course of instruction shall lose any rights relative to compensation or vacation time.

Section 100. There shall be in the executive office of public safety a building code appeals board, hereinafter called the appeals board, to consist of the board established under the provisions of section ninety-three.

Whoever is aggrieved by an interpretation, order, requirement, direction or failure to act by any state or local agency or any person or state or local agency charged with the administration or enforcement of the state building code or any of its rules and regulations, except any specialized codes as described in section ninety-six, may within forty-five days after the service of notice thereof appeal from such interpretation, order, requirement, direction, or failure to act to the appeals board.

Appeals hereunder shall be on forms provided by the appeals board and shall be accompanied by such fee as said appeals board may determine.

The state, city or town officer in charge of the records and all other papers and documents relative to an appeal shall forthwith, upon receipt of a request of the appeals board, transmit such papers and documents constituting such record to the appeals board.

An appeal shall stay all proceedings in furtherance of the action or failure to act appealed from unless the state or local agency or any person charged with the administration or enforcement of the state building code or any of its rules and regulations presents evidence that a stay would involve imminent peril of life or property.

The chairman of the appeals board may designate any three members of the appeals board to hold any public hearing under this section, and to hear testimony and take evidence.

The appeals board in hearings conducted under this section shall not be bound by strict rules of evidence prevailing in courts of law or equity.

Decisions on appeal shall be made by the three members of the appeals board conducting the public hearing. Every decision shall require the concurrence of at least two of the three members holding the public hearing and the appeals board shall state in writing its findings of fact, its conclusions, reasons for its decision and indicate the vote of each member of the appeals board upon the decision.

The chairman shall fix a convenient time and place for a public hearing before said three members. Said hearing shall be held not later than thirty days after the filing of such appeal unless such time is extended by agreement with the appellant. The chairman shall give at least ten days notice of the time and place of said hearing to all interested parties. Any such party may appear in person or by agent or attorney at such hearing. The appeals board shall issue a decision or order reversing, affirming or modifying in whole or in part such interpretation, order or requirement, or postponing the application thereof, within thirty days after such hearing, unless such time is extended by agreement with the appellant.

The appeals board may grant a variance from any provision of this code in any particular case, may determine the suitability of alternate materials and methods of construction, and may provide reasonable interpretations of the provisions of this code; provided, however, that appeals board decisions shall not conflict with the general objectives set forth in section ninety-five.

In exercising its powers under this section, the appeals board may impose limitations both as to time and use, and a continuation of any use permitted may be conditioned upon compliance

with regulations made and amended from time to time thereafter. A copy of such order or decision of the appeals board shall be sent forthwith by certified mail to all interested parties.

A record of all appeals board decisions and of votes thereunder, properly indexed, shall be maintained in the office of the appeals board and shall be open to public inspection at all times during regular business hours.

The appeals board may establish a local board of appeals in a city or town or a regional board of appeal for more than two or more cities or towns consisting of not less than three nor more than five members. The appeals board may require as a condition precedent to appeal to the appeals board that said appeal be first heard by such local or regional board of appeals. Such local or regional board of appeals may establish rules for its own procedure and shall have the same powers and duties relative to appeals as the building code appeals board. A copy of any decision by a local board of appeal shall be transmitted to the board within ten days after the rendering of such decision.

SECTION 11. That the general court hereby appropriates the sum of two hundred and fifty thousand dollars from the General Fund for the administration of the state building code.

SECTION 12. That the general court hereby further appropriates the sum of one hundred thousand dollars or development of the examination for the construction supervisor licensing program.

SECTION 13. The state board of building regulations and standards established under the provisions of section eighteen of chapter six A of the General Laws, within one hundred and eighty days of receiving its initial appropriations, shall establish a special commission for the purpose of making an investigation and study of the building construction regulatory system in the commonwealth. Said commission shall consist of said state board of building regulations and standards one member of the senate and one member of the house of representatives. Said commission shall include the following:- an examination of the national model codes and standards for possible use and adoption, in whole or in part in the commonwealth; a study and review of the permits, rules and regulations of the several boards, agencies and authorities which govern and control building construction and development of a proposal to create an effective means of coordinating such permits, rules and regulations to avoid conflicting requirements and jurisdictions; a study and report on methods and organizational structures used in other states for effective building and construction code and permit administration; a study and proposal for an on-going program for training

and certification of local building officials; and a study and proposal of methods and actions which will accomplish the foregoing in the best, most reasonable and economic way cognizant of the importance of construction activity and the public safety. Said commission shall report to the general court and to the governor 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-five.

SECTION 14. Section two hundred and seventy-two of chapter three hundred and fifty-one of the acts of nineteen hundred and eighty-one is hereby repealed.

SECTION 15. Item 8000-0160 of section 2 of chapter 234 of the acts of 1984 is hereby amended by striking out, in lines 3 and 4, the words "sixteen through twenty-three of chapter twenty-three B" and inserting in place thereof the words:- ninety-three to one hundred, inclusive, of chapter one hundred and forty-three of the General Laws.

Approved December 18, 1984.

Chap. 349. AN ACT AUTHORIZING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO SELL AND CONVEY CERTAIN LAND IN THE TOWN OF ERVING.

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 by deed approved as to form by the attorney general, all the right, title and interest of the commonwealth in and to a certain parcel of land in the town of Erving. Said parcel containing 9.6 acres more or less is bounded and described as follows:

A tract of land located north of Route 2 and on the westerly boundary line of land of Erving Paper Mills;

Beginning at an iron pin situated on the southerly side of Prospect Street Extension and being the northeast corner of land to be conveyed;

Thence proceeding S 4° 11' E, five hundred and ten (510) feet to an iron pin;

Thence S 4° 11' E, one hundred and eighty-five (185) feet to

a cement bound;

Thence N 78° 37' W, three hundred and twelve and 10/100 (312.1) feet to a cement bound;

Thence N 24° 28' E, thirty-six and 30/100 (36.3) feet to a stone bound;

Thence N 68° 11' W, one hundred ninety-six and 30/100 (196.3) feet to a stone bound;

Thence N 68° 11' W, one hundred ninety-seven and 80/100 (197.8) feet to a cement bound;

Thence N 3° 08' W, two hundred and forty (240) feet to an iron pin;

Thence N 3° 08' W, three hundred (300) feet to a point on the southerly side of Prospect Street Extension;

Thence proceeding easterly along the southerly side of Prospect Street Extension, six hundred and thirty-five (635) feet to the point beginning. Containing 9.6 acres more or less.

SECTION 2. In consideration for said conveyance provided for in section one, the commonwealth may receive payment in certain parcels of land of equal or greater value and importance for conservation purposes.

Approved December 18, 1984.

Chap. 350. AN ACT AUTHORIZING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO SELL AND CONVEY CERTAIN LAND IN THE TOWN OF HARWICH TO GENO C. CAPOZZI.

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 sell and convey to Geno C. Capozzi, by deed approved as to form by the attorney general, a certain parcel of land presently being used for conservation purposes, under the control of the department of environmental management, adjacent to the Cape Cod Rail Trail, so called, in the town of Harwich. Said parcel consisting of seven thousand one hundred and twenty-four square feet is located northerly of the intersection of said Cape Cod Rail Trail and Pleasant Lake avenue, and is bounded and described as follows:

Starting at a point which is at the southwest corner of the herein described parcel, said point being N44° 08' 10"W a distance of 128.33 feet from a concrete bound marking the northeast corner of the intersection of Pleasant Lake Avenue and the Cape Cod Rail Trail (formerly known as the Old Colony Railroad

right-of-way);

thence, running by a curve to the left with a radius of 1,868.83 feet, an arc distance of 96.00 feet;

thence, running N44° 44' 31"E, a distance of 69.24 feet;

thence, running by a curve to the left with a radius of 1,918.08 feet, an arc distance of 192.93 feet;

thence, running N44° 08' 10"W a distance of 66.38 feet to the point of beginning.

Said herein described parcel of land is shown as Lot 2 on a plan of land entitled, "Plan of Land in Harwich, Mass., as Prepared for Geno C. Capozzi", dated April 12, 1983, and on file with the department of environmental management.

The consideration to be paid for said parcel is to be determined by the average of two independent appraisals conducted by appraisers chosen by the department of environmental management. In lieu of payment of such amount, said land may be conveyed in consideration of said Geno C. Capozzi conveying certain land of equal value, as determined and approved by the commissioner of environmental management, to said department in the name of the commonwealth; provided however, that such exchange is determined, by said deputy commissioner of the division of capital planning and operations and said commissioner of the department of environmental management to be in the best interests of the commonwealth. Said values for such exchange are to be determined by the average of two independent appraisals conducted by appraisers chosen by the department of environmental management.

In addition to the foregoing, said conveyance shall be subject to any terms or conditions deemed by the division of capital planning and operations and the department of environmental management to be necessary to protect the interests of the commonwealth.

Approved December 18, 1984.

Chap. 351. AN ACT AUTHORIZING THE CITY OF GLOUCESTER TO PAY A CERTAIN SUM OF MONEY TO THE NORTH SHORE FURNITURE COMPANY.

Be it enacted, etc., as follows:

The city of Gloucester is hereby authorized to appropriate money for the payment of, and after such appropriation, the treasurer of said city is authorized to pay North Shore Furniture Company the sum of six thousand one hundred and five dollars

and eighty-four cents for work performed and goods supplied to the school department of said city during the year nineteen hundred and eighty-two.

Approved December 18, 1984.

Chap. 352. AN ACT AUTHORIZING THE TOWN OF AYER TO CONVEY A CERTAIN PARCEL OF LAND UNDER THE CONTROL OF THE SCHOOL DEPARTMENT TO THE CONTROL OF THE BOARD OF SELECTMEN.

Be it enacted, etc., as follows:

The town of Ayer is hereby authorized to convey a certain parcel of land formerly used as the Pleasant Street school from the school department of said town to the board of selectmen of said town. Said parcel of land, with improvements thereon, is more particularly described in deeds from John G. Park, et al to the town of Ayer, dated May 16, 1893, recorded in Middlesex south district registry of deeds, Book 2200, Page 510; deed of Mary G. Paine to the town of Ayer, dated May 7, 1906, recorded in Middlesex south district registry of deeds, Book 3229, Page 526 and deed of Levi W. Phelps to the town of Ayer, dated April 30, 1906, recorded in Middlesex south district registry of deeds, Book 3229, Page 533. The metes and bounds description is as follows:

BEGINNING at the southeasterly corner of the premises at a point on Pleasant Street;

THENCE running in a northerly direction along Pleasant Street a distant of four hundred sixty (460') feet to a point;

THENCE turning at a right angle and running in a northwesterly direction a distance of one hundred eighty (180') feet to a point on Jackson Street;

THENCE turning at a right angle and running in a southwesterly direction along Jackson Street a distance of four hundred sixteen and 3/10 (416.3') feet more or less to a point;

THENCE turning and running in a southeasterly direction a distance of one hundred eighty-five and 2/10 (185.2') feet, more or less, to the point of beginning.

The premises are shown as an unnumbered school house lot and lots numbered forty-four, forty-five, forty-six, forty-seven, fifty-seven, fifty-eight, fifty-nine, sixty and a portion of lot forty-three and a portion of lot fifty-six on a plan of "House Lots in Ayer, MA" belonging to the Heirs of John G. Park, surveyed May, eighteen hundred and ninety-five by H. C. Hovey, Engineer, recorded in Middlesex south district registry

of deeds, on October fifth, eighteen hundred and ninety-six, Plan Book 100, Plan no. 8.

Approved December 18, 1984.

Chap. 353. AN ACT ALLOWING THE DEPARTMENT OF PUBLIC WELFARE'S DIVISION OF HEARINGS TO HOLD HEARINGS ON CERTAIN FEDERAL INCOME TAX REFUND INTERCEPT MATTERS.

Be it enacted, etc., as follows:

Chapter 18 of the General Laws is hereby amended by inserting after section 16 the following section:-

Section 16A. Any person whose name was certified after January first, nineteen hundred and eighty-four, by the department for collection of child or spousal support arrearages pursuant to applicable federal law and who is notified by the Internal Revenue Service that his federal income tax refund has been intercepted in order to satisfy, in whole or in part, such child or spousal support arrearage, shall have a right to a hearing, under the provisions of section sixteen, upon appeal to the commissioner. The purpose of the hearing shall be to determine whether the certification and intercept were accomplished in conformity with federal law and regulation and whether the amount intercepted is equal to or less than the amount owed; provided, however, that said hearing shall not include any issue regarding a nondebtor spouse's share of the intercepted federal income tax refund.

Approved December 18, 1984.

Chap. 354. AN ACT RELATIVE TO THE STATE COMMISSION FOR THE CONSERVATION OF SOIL, WATER AND RELATED RESOURCES.

Be it enacted, etc., as follows:

SECTION 1. Section 18 of chapter 21 of the General Laws, as amended by section 68 of chapter 706 of the acts of 1975, is hereby further amended by adding the following three sentences:- The director shall also appoint, with the approval of the secretary, an executive secretary. The appointment and removal of said executive secretary shall not be subject to the provisions of section nine A of chapter thirty or chapter thirty-one. The director may request from the state commission, established under the provisions of section nineteen, a list of no

more than three candidates for such position.

SECTION 2. Said chapter 21 is hereby further amended by striking out section 19 of said chapter 21, as most recently amended by section 70 of said chapter 706, and inserting in place thereof the following section:-

Section 19. There shall be in the division a commission for conservation of soil, water and related resources, hereinafter called the state commission. Said commission shall consist of thirteen voting members. The thirteen voting members shall include four ex-officio and nine appointed members. The ex-officio members shall be the commissioners of the departments of food and agriculture, environmental quality engineering, environmental management, and fisheries, wildlife and recreational vehicles or their designees. The nine appointed members shall be appointed by said ex-officio members as follows:- the chairman or his designee of each of the six divisions of conservation districts, established by section twenty, one from a list of two names submitted by the executive committee of the State Grange, one from a list of two names submitted by the executive committee of the Massachusetts Farm Bureau Federation, and one from a list of two names submitted by the executive committee of the Massachusetts Association of Conservation Commissions. The state conservationist of the United States Soil Conservation Service, the state executive director of Agriculture Stabilization for Conservation Service and the dean of the college of food and natural resources at the University of Massachusetts, Amherst shall offer their technical expertise to the commission from time to time as advisory members. Appointed members shall serve for terms of four years, except that the nine members of the state commission initially appointed shall be appointed for terms of one, two, three and four years, respectively, as the members ex-officio may designate and until qualification of their successors. Each appointed member of the state commission shall receive, subject to appropriation, fifty dollars for each day for his services. The state commission shall hold regular meetings on the second Thursday in the months of January, April, July, October, and in addition shall hold meetings at the call of the chairman or on the request of any seven members. The state commission shall annually elect a chairman who is not an ex-officio member and a secretary from among the voting members of the commission. A majority of the voting members of the state commission shall constitute a quorum, and the concurrence of a majority in a matter within their duties shall be required for its determination.

Appointed members may be removed by the state commission after notice in writing that said member has failed to attend at least three regular meetings in any one year. Vacancies on the

commission shall be filled as provided for in this section.

SECTION 3. Said chapter 21 is hereby further amended by striking out section 20, as appearing in section 3 of chapter 664 of the acts of 1963, and inserting in place thereof the following section:-

Section 20. The state commission, unless otherwise specified, shall have the following powers and duties:-

(1) To encourage and assist educational work in the conservation and development of renewable natural resources, including soil, water, plant life, woodland, fish and wildlife, and recreation resources, the control and prevention of erosion, floodwater and sediment damages, and the conservation, development, utilization and disposal of water, through co-operation with all federal, state, county, local, public and private resource agencies.

(2) To advise the director in developing policies of the division of conservation services relating to the operation of conservation districts and to carry out policies and programs affecting conservation districts.

(3) To perform the functions hereinafter provided for, relating to the establishment, change of boundaries, or dissolution of conservation districts.

(4) To secure the co-operation and assistance of agencies of the United States, the commonwealth and its political subdivisions in promoting the organization and operation of conservation districts.

(5) To disseminate information concerning the activities and programs of conservation districts.

(6) To allot money appropriated for establishing and maintaining conservation districts and conservation district divisions and for the operation of their projects and programs.

(7) To develop annual budgets for the operation and maintenance of conservation districts, conservation district divisions, and the state commission for submission to the director.

(8) To establish program priorities and advise conservation districts and divisions on those programs which contribute to the conservation and best use of the natural resources of the commonwealth.

(9) To develop a natural resource plan for the commonwealth every five years commencing in January, nineteen hundred and eighty-five.

(10) To accept contributions, gifts or grants of money or property, whether real or personal, from any source, private or public, including but not limited to, the United States or its agencies, in order to promote the purpose of this chapter.

(11) To establish, with the approval of the majority of the chairmen of the conservation districts, six conservation district

divisions. In establishing said divisions, the state commission may include one or more conservation districts.

(12) To encourage educational activities which promote the conservation and development of renewable natural resources, including soil, water, plant life, woodland, fish, wildlife, recreation resources, prevention of soil erosion, floodwater and sediment damages and the conservation, development, utilization and disposal of water through cooperation with appropriate federal, state, county, public and private agencies.

(13) To set fees for pamphlets, publications or services which shall not exceed the cost of providing such pamphlets, publications or services and to promote uniform fees set by district supervisors.

SECTION 4. Section 21 of said chapter 21, as so appearing, is hereby amended by striking out, in lines 1, 4 and 5, 8, 12, 18 and 19, 21, 26, the word "committee" and inserting in place thereof, in each instance, the word:- commission.

SECTION 5. Said chapter 21 is hereby further amended by striking out section 22, as so appearing, and inserting in place thereof the following section:-

Section 22. Within sixty days after the state commission has established a conservation district it shall appoint a board of no less than five no more than seven district supervisors who shall be individual land occupiers residing on or owning land within the district. Supervisors originally appointed hereunder shall serve for terms of one, two, and three years, respectively. Successors shall serve for terms of three years. Successors for full terms of three years shall be elected or removed for cause by the land occupiers in the district. The state commission shall give public notice of each such election by publication in a newspaper published in the district or having a general circulation therein at least ten days prior thereto. The state commission shall prescribe regulations for the conduct of such elections, which elections shall be conducted by the chairman of the state commission or his designated representative. The person receiving the highest number of votes for any office to be filled at such election shall be declared elected. All supervisors shall serve until the qualification of their respective successors. Vacancies shall be filled by the state commission for the unexpired term. District supervisors shall be paid at a rate established by the director, with the concurrence of the state commission for each day of actual service rendered and their necessary traveling and other expenses, subject to appropriation.

SECTION 6. Section 23 of said chapter 21, as so appearing, is hereby amended by striking out, in line 6, the word "committee" and inserting in place thereof the word:- commission.

SECTION 7. Paragraph (9) of section 24 of said chapter 21, as so appearing, is hereby amended by inserting after the word "may", in line 4, the words:- establish reasonable fees with the approval of the commission, and may.

SECTION 8. Said section 24 of said chapter 21 is hereby further amended by adding the following three paragraphs:-

(10) To periodically review the natural resource management and management policies of state owned land within their respective districts and to advise the state commission from time to time as to their findings, if any.

(11) To adopt by-laws following a public hearing governing the operation of their districts, subject to the approval of the state commission.

(12) To elect by majority vote, a representative to the conservation district division in which the district is located.

SECTION 9. Said chapter 21 is hereby further amended by inserting after section 25 the following section:-

Section 25A. Conservation district divisions established pursuant to section twenty may exercise any and all powers set forth in sections twenty-one to twenty-five, inclusive.

Approved December 18, 1984.

Chap. 355. AN ACT EXTENDING THE LIEN FOR LABOR PERFORMED TO INCLUDE CERTAIN FRINGE BENEFITS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 254 of the General Laws is hereby amended by adding the following paragraph:-

For purposes of this chapter, a person shall include any employee of any employer and the trustee or trustees of any fund or funds, established pursuant to section 302 of the Taft Hartley Law (29 USC 186), providing coverage or benefits to said person. The trustee or trustees of any such fund or funds shall have all the liens under this chapter that any person has. The trustee or trustees shall also have the right to enforce said liens pursuant to this chapter.

SECTION 2. Section 4 of said chapter 254 is hereby amended

by inserting after the third paragraph the following paragraph:-

Such notice may also be filed by the trustee or trustees of a fund or funds, described in section one, providing coverage or benefits to any person performing labor under a written contract with a contractor, or with a subcontractor of such contractor.

SECTION 3. Section 13 of said chapter 254, as appearing in the Tercentenary Edition, is hereby amended by adding the following sentence:- Liens of a trustee or trustees of a fund or funds, described in section one, providing coverage or benefits for persons shall be considered as liens for personal labor.

SECTION 4. Section 27 of said chapter 254, as so appearing, is hereby amended by inserting after the word "therefor", in line 4, the words:- , or the trustee or trustees of any fund or funds, described in section one, providing coverage or benefits for persons.

SECTION 5. Section 28 of said chapter 254 is hereby amended by adding the following paragraph:-

Such notice may also be filed by the trustee or trustees of a fund or funds, described in section one, providing coverage or benefits to any person performing labor under a written contract with a contractor, or with a subcontractor of such contractor.

Approved December 18, 1984.

Chap. 356. AN ACT ESTABLISHING A CENTRAL REGISTER FOR MISSING CHILDREN.

Be it enacted, etc., as follows:

The General Laws are hereby amended by inserting after chapter 22 the following chapter:-

CHAPTER 22A.

CENTRAL REGISTER FOR MISSING CHILDREN.

Section 1. As used in sections two to eight, inclusive, the following words shall, unless the context clearly requires otherwise, have the following meanings:

"Central register", identifying data file of missing children.

"Commissioner", the commissioner of public safety.

"Department", the department of public safety.

"Law enforcement authority", any police department in the commonwealth or any of its political subdivisions.

"Missing child or children", any person under the age of eighteen years missing from his normal and ordinary place of

residence and whose whereabouts cannot be determined by the person responsible for such child's care.

Section 2. The commissioner, through electronic data processing and related procedures, shall establish a statewide central register containing all available identifying data of any missing child, including, but not limited to, fingerprints and blood types. The department may use existing data processing and data communication systems of the criminal justice information system.

Section 3. The commissioner shall promulgate rules and regulations which shall (1) insure the accuracy of the data contained in the central register; (2) prescribe the manner in which reports to the central register shall be made; (3) prescribe the manner which inquiries to the central register shall be made and processed; (4) prescribe the manner and extent of dissemination of the data contained in the central register to law enforcement personnel, other interested parties and the public; and (5) insure the prompt removal of all obsolete data from the central register.

The department shall not charge a fee for providing information in response to inquiries made pursuant to this section.

Section 4. Whenever a parent, guardian, or governmental unit responsible for a child, reports to any police officer or law enforcement official that a child is missing, such police officer or official shall immediately cause to be entered into the central register relevant information relative to said missing child. Such police officer or law enforcement official shall also immediately undertake to locate such missing child.

Police officers, law enforcement officials and others so designated by the commissioner solely for the purpose of locating a missing child shall have access to the fingerprints and other data and information concerning the missing child on file with the central register.

Section 5. Every county medical examiner shall furnish the department promptly with copies of fingerprints on standardized eight inch fingerprint cards, personal descriptions and other identifying data, including date and place of death, of all deceased persons whose deaths are in a classification requiring inquiry by the medical examiner where the deceased is not identified or the medical examiner is not satisfied with the decedent's identification. In any case where it is not physically possible to furnish prints of the ten fingers of the deceased, prints or partial prints of any fingers with other identifying data shall be forwarded by the county medical examiner to the department.

In addition to the foregoing provisions of this section, the county medical examiner shall cause a dentist to carry out a dental examination of the deceased. The medical examiner shall

forward the dental records to the department on a form supplied by the department for such purpose.

The department shall compare the fingerprints received from the county medical examiners to fingerprints on file with the department for purposes of attempting to determine the identity of the deceased. Other descriptive data supplied with the fingerprints shall also be compared to records maintained by the department concerning missing persons. The department shall submit the results of the comparisons to the appropriate medical examiner and if a tentative or positive identification is made, to the law enforcement authority which submitted the report of the missing person.

Section 6. When any person makes a report of a missing child to a law enforcement authority, the authority shall request a member of the family or next of kin of the missing child to authorize the release to the department of the medical and dental records of the person reported missing.

The department shall compare the dental records received from the medical examiner to dental records of missing children on file with the department. The department shall submit the results of the comparison to the medical examiner and if a tentative or positive identification is made, to the law enforcement authority which submitted the report of the missing child.

Section 7. The first paragraph of section 5A of chapter 210 of the General Laws is hereby amended by inserting after the second sentence the following sentence:- In any petition for adoption the department shall submit to the court verification that the adoptee is not registered with the federal register for missing children and the central register.

Section 8. Notwithstanding the provisions of any special or general law to the contrary, the department of social services, the department of youth services, the department of public health, and the department of mental health shall report a missing child under its custody to the central register and shall provide said central register with available identifying data relating to said missing child.

Approved December 18, 1984.

Chap. 357. AN ACT CHANGING THE NAME OF THE MASSACHUSETTS CORRECTIONAL INSTITUTION, WALPOLE TO THE MASSACHUSETTS CORRECTIONAL INSTITUTION, CEDAR JUNCTION.

Be it enacted, etc., as follows:

SECTION 1. Section 48 of chapter 31 of the General Laws, as

most recently amended by section 21 of chapter 767 of the acts of 1981, is hereby further amended by striking out, in lines 9 and 10, the word "Walpole" and inserting in place thereof the words:- Cedar Junction.

SECTION 2. Section 1 of chapter 125 of the General Laws, as most recently amended by section 8 of chapter 777 of the acts of 1972, is hereby further amended by striking out, in lines 31 and 37, the word "Walpole" and inserting in place thereof, in each instance, the words:- Cedar Junction.

SECTION 3. Section 49B of chapter 127 of the General Laws, as amended by chapter 79 of the acts of 1978, is hereby further amended by striking out, in line 3, the word "Walpole" and inserting in place thereof the words:- Cedar Junction.

Approved December 18, 1984.

Chap. 358. AN ACT RELATIVE TO THE ROOM OCCUPANCY EXCISE TAX.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 64G of the General Laws is hereby amended by striking out paragraph (b), as appearing in chapter 745 of the acts of 1967, and inserting in place thereof the following paragraph:-

(b) "Lodging house", a house where lodgings are let to four or more persons not within the second degree of kindred to the person conducting it, licensed or required to be licensed under section twenty-three of chapter one hundred and forty.

SECTION 2. The first paragraph of section 3 of said chapter 64G, as appearing in section 25 of chapter 14 of the acts of 1966, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- No excise shall be imposed if the total amount of rent is less than fifteen dollars per day or its equivalent.

SECTION 3. Section one of this act shall apply to the transfer of room occupancies occurring on or after January first, nineteen hundred and eighty-five.

Approved December 18, 1984.

Chap. 359. 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 is hereby amended by striking out the first sentence, as amended by chapter 196 of the acts of 1983, 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 five hundred dollars, as may be determined by vote of the board of directors of said corporation.

Approved December 18, 1984.

Chap. 360. AN ACT CEDING TO THE UNITED STATES OF AMERICA CONCURRENT JURISDICTION OVER UNITS OF THE NATIONAL PARK SERVICE IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. The commonwealth hereby cedes concurrent jurisdiction over those lands and buildings hereinafter provided and administered by the National Park Service of the United States Department of the Interior.

The lands and buildings so included are as follows:-

(a) Adams National Historic Site in the city of Quincy, as described in a plan of land titled "Adams National Historic Site, city of Quincy, Massachusetts", dated December, 1978.

(b) Boston Afro-American National Historic Site, in the city of Boston, as described in a plan of land titled "Boundary Map, Boston African American National Historic Site", numbered BOAF - 80,000 and dated March, 1980.

(c) Boston National Historical Park in the city of Boston, as described in a plan of land titled "Boston National Historical Park, Suffolk County, Massachusetts", dated April 22, 1977.

(d) Cape Cod National Seashore, in the towns of Chatham, Orleans, Eastham, Truro, Provincetown and Wellfleet, as described in a plan of land titled "Boundary Map, Cape Cod National Seashore", dated February, 1978.

(e) Longfellow National Historic Site in the city of Cambridge,

as described in a plan of land titled "Longfellow National Historic Site, Middlesex County, Massachusetts", dated May, 1973.

(f) John F. Kennedy National Historic Site in the town of Brookline, as described in a plan of land titled "John Fitzgerald Kennedy Birthplace National Historical Site, town of Brookline, Massachusetts", dated June, 1968.

(g) Frederick Law Olmsted National Historic Site in the town of Brookline, as described in a plan of land titled "Boundary Maps, Frederick Law Olmsted National Historic Site, Brookline, Massachusetts".

(h) Lowell National Historical Park in the city of Lowell, as described in a plan of land titled "Boundary Map, Lowell National Historical Park, Lowell, Massachusetts", dated April, 1980.

(i) Minuteman National Historical Park in the towns of Concord, Lexington and Lincoln, as described in a plan of land titled "Minuteman National Historical Park, Middlesex County, Massachusetts", dated April, 1971.

(j) Salem Maritime National Historic Site in the city of Salem, as described in a plan of land titled "Boundary Map, Salem Maritime National Historic Site, Salem, Massachusetts", dated February, 1978.

(k) Saugus Iron Works National Historic Site in the town of Saugus, as described in a plan of land titled "Saugus Iron Works National Historic Site, Essex County, Massachusetts", dated February, 1969.

(l) Springfield Armory National Historic Site in the city of Springfield, as described in a plan of land titled "Boundary Map, Springfield Armory National Historic Site, Springfield, Massachusetts", dated January, 1974. All of which maps are recorded in the Federal Register and are on file in the offices of the National Park Service, Department of the Interior.

SECTION 2. Said concurrent jurisdiction shall be vested upon acceptance by the United States of America when the Director of the National Park Service files a notice of such acceptance with the governor and the state secretary.

SECTION 3. Exclusive jurisdiction in and over such tracts shall revert to and revest in the commonwealth whenever such tracts shall cease to be used for the purpose set forth in section one.

Approved December 18, 1984.

Chap. 361. AN ACT RELATIVE TO A PENSION FOR THE WIDOW OF A CERTAIN STATE POLICE OFFICER.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the state retirement board is hereby authorized and directed to pay a pension to Nellie Marshall, widow of James H. Marshall who died on October twenty-first, nineteen hundred and sixty while in the performance of his duties as a sergeant in the Massachusetts state police, as provided in section one hundred of chapter thirty-two of the General Laws.

SECTION 2. The provisions of this act shall take effect on January first, nineteen hundred and eighty-five.

Approved December 18, 1984.

Chap. 362. AN ACT AUTHORIZING THE TOWN OF WALPOLE TO CONSTRUCT, INSTALL AND MAINTAIN A SEWER ON A CERTAIN PARCEL OF LAND UNDER THE CONTROL OF THE CONSERVATION COMMISSION.

Be it enacted, etc., as follows:

The selectmen and sewer commissioners of the town of Walpole are hereby authorized to construct, install, and maintain sewerage facilities in a certain parcel of land, under the care and control of the conservation commission, in said town containing 2.87 acres and shown as Lot No. 425-B-A on Walpole Assessor's Map No. F-4 and recorded at the registry of deeds in the county of Norfolk in Book 5189, Page 247.

Approved December 18, 1984.

Chap. 363. AN ACT FURTHER REGULATING THE MANAGEMENT CAPACITY OF CITIES AND TOWNS.

Be it enacted, etc., as follows:

SECTION 1. Section 7 of chapter 4 of the General Laws is hereby amended by inserting after clause Second the following clause:-

Second A, "Appointing authority", when used in connection with the operation of municipal governments shall include the mayor of a city and the board of selectmen of a town unless

some other local office is designated as the appointing authority under the provisions of a local charter.

SECTION 2. Said section 7 of said chapter 4 is hereby further amended by inserting after clause Third the following clause:-

Third A, "Board of selectmen", when used in connection with the operation of municipal governments shall include any other local office which is performing the duties of a board of selectmen, in whole or in part, under the provisions of a local charter.

SECTION 3. Said section 7 of said chapter 4 is hereby further amended by striking out clause Fifth, as appearing in the Tercentenary Edition, and inserting in place thereof the following three clauses:-

Fifth, "Charter", when used in connection with the operation of city and town government shall include a written instrument adopted, amended or revised pursuant to the provisions of chapter forty-three B which establishes and defines the structure of city and town government for a particular community and which may create local offices, and distribute powers, duties and responsibilities among local offices and which may establish and define certain procedures to be followed by the city or town government. Special laws enacted by the general court applicable only to one city or town shall be deemed to have the force of a charter and may be amended, repealed and revised in accordance with the provisions of chapter forty-three B unless any such special law contains a specific prohibition against such action.

Fifth A, "Chief administrative officer", when used in connection with the operation of municipal governments, shall include the mayor of a city and the board of selectmen in a town unless some other local office is designated to be the chief administrative officer under the provisions of a local charter.

Fifth B, "Chief executive officer", when used in connection with the operation of municipal governments shall include the mayor in a city and the board of selectmen in a town unless some other municipal office is designated to be the chief executive officer under the provisions of a local charter.

SECTION 4. Said section 7 of said chapter 4 is hereby further amended by inserting after clause Eighteenth A the following clause:-

Eighteenth B, "Legislative body", when used in connection with the operation of municipal governments shall include that agency of the municipal government which is empowered to enact ordinances or by-laws, adopt an annual budget and other spending authorizations, loan orders, bond authorizations and other

financial matters and whether styled a city council, board of aldermen, town council, town meeting or by any other title.

SECTION 5. Section 1 of chapter 41 of the General Laws, as most recently amended by chapter 129 of the acts of 1980, is hereby further amended by striking out the introductory paragraph and inserting in place thereof the following paragraph:-

Every town at its annual meeting shall in every year when the term of office of any incumbent expires, and except when other provision is made by law or by charter, choose by ballot from its registered voters the following town officers for the following terms of office:.

SECTION 6. Section 8 of chapter 43B of the General Laws, as appearing in section 1 of chapter 734 of the acts of 1966, is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection:-

(b) Each city or town shall provide its charter commission, free of charge, with suitable office space and with reasonable access to other facilities for holding public hearings, may contribute clerical and other assistance to such commission, and shall permit it to consult with and obtain advice and information from city or town officers and employees during ordinary working hours. Within twenty days after the election of a charter commission, the city or town treasurer shall credit to the account of the charter commission, with or without appropriation, the sum of two thousand dollars in a town of less than twelve thousand inhabitants, the sum of five thousand dollars in a city or town of twelve thousand or more but less than fifty thousand inhabitants, the sum of seven thousand five hundred dollars in a city or town of fifty thousand or more but less than one hundred thousand inhabitants and the sum of ten thousand dollars in any other city or town. Such sum shall be provided by taxation in the manner set forth in section twenty-three of chapter fifty-nine if payment is made prior to the fixing of the annual tax rate, and otherwise shall be provided by transfer by the treasurer from available funds or by borrowing in the manner and for the period provided in the case of final judgments under clause (11) of section seven of chapter forty-four, and subject to all other applicable provisions of said chapter forty-four except that such borrowing may be authorized by the city treasurer and city manager, if any, otherwise the mayor of the city and by the town treasurer and board of selectmen of a town. A city or town may appropriate such additional funds for its charter commission as is deemed necessary.

SECTION 7. Said chapter 43B is hereby further amended by adding the following section:-

Section 20. The provisions of any charter or charter amendment adopted pursuant to the provisions of this chapter shall be deemed consistent with the provisions of any law relating to the structure of city and town government, the creation of local offices, the term of office or mode of selection of local offices, and the distribution of powers, duties and responsibilities among local offices. Such provisions may provide:

(a) that any particular local office shall be either elected or appointed; provided, however, that in any town having a board of selectmen the members of such board shall always be elected; provided, further, that in any city or town having a school committee the members of such committee shall always be elected; and provided, further, that in any town having a form of town meeting open to all of its registered voters the town moderator shall always be elected and in every other case all of the members of the legislative body shall always be elected;

(b) that any particular local officer or employee shall be appointed by any particular local officer;

(c) for the number of persons to serve as members of any multiple member body; provided, however, that all such multiple member bodies shall always consist of an odd number of members;

(d) for the term of office to be served by any local elected officer; provided, however, that no term of office of a local elected officer shall be for more than five years, and the members of multiple member bodies shall serve for terms which, as nearly as possible, expire in different years;

(e) for the merger or consolidation of two or more local offices into a single office;

(f) that the powers, duties and responsibilities of one local office be divided and exercised by two or more local offices;

(g) for the confirmation of any appointment by another municipal agency.

Approved December 18, 1984.

Chap. 364. AN ACT FURTHER REGULATING THE CERTIFICATION BY APPOINTING AUTHORITIES OF QUALIFICATIONS FOR APPOINTMENT TO CLASSIFIED NONCIVIL SERVICE POSITIONS AND THE PERSONNEL ADMINISTRATOR'S POWER TO TERMINATE SUCH APPOINTMENTS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 38 of chapter 30 of the General Laws, as appearing in section 36 of chapter 835

of the acts of 1974, is hereby amended by adding the following sentence:- Whenever an appointing authority shall make an appointment to a position included in the classification plan established in accordance with section forty-five, such appointing authority shall certify to said administrator that the appointee possesses the qualifications for the position as established by said administrator in accordance with subclause (ii) of clause (c) of paragraph (1) of said section forty-five.

SECTION 2. Paragraph (2) of section 45 of said chapter 30, as appearing in section 37 of said chapter 835, is hereby amended by adding the following sentence:- Any appointment to a position within the classification plan shall be terminated forthwith by said administrator whenever said administrator shall determine that the person appointed does not possess the approved qualifications for the position established by said administrator in accordance with subclause (ii) of clause (c) of paragraph (1).

Approved December 18, 1984.

Chap. 365. AN ACT AUTHORIZING THE TOWN OF BROOKLINE TO GRANT A PENSION TO JOSEPH M. TYNAN, JR.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any law to the contrary and in order to promote the public good, the retirement board of the town of Brookline is hereby authorized to retire fire fighter Joseph M. Tynan, Jr., of the fire department of said town, who as the result of injuries sustained by him in the performance of his duties while responding to an alarm of fire is totally and permanently incapacitated for further services as a fire fighter. The annual amount of pension payable to Joseph M. Tynan, Jr. under this act, shall be fixed in an amount equal to the regular rate of compensation which would have been paid had he continued in service as a fire fighter of said town 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 is entitled to receive regular compensation. Upon the retirement of Joseph M. Tynan, Jr., the retirement board of said town shall forthwith pay to him all amounts standing to his credit in the annuity savings fund of the retirement system of said town.

SECTION 2. The provisions of section one hundred of chapter forty-one of the General Laws shall continue to apply to Joseph

M. Tynan, Jr. relative to his indemnification by the town of Brookline for any hospital, medical and related expenses which may be incurred by him after the date of his retirement as a result of the aforementioned incapacity.

SECTION 3. Upon the death of Joseph M. Tynan, Jr., if his wife Jacqueline Tynan survives him, and as long as she remains unmarried, the town shall pay to Jacqueline Tynan an annual annuity equal to the sum of three-fourths of the amount of the pension payable to him at the time of his death, and three hundred and twelve dollars for each child of Joseph M. Tynan, Jr. for such time as such child is either under eighteen years of age or totally physically or mentally incapacitated from working. If Jacqueline Tynan remarries, the town shall pay to her, in lieu of the aforesaid annuity, an annual annuity of five hundred and twenty dollars for each child of Joseph M. Tynan, Jr. for such time as such child is residing with her and is either under eighteen years of age on January first of the year in question or totally physically or mentally incapacitated from working.

Approved December 18, 1984.

Chap. 366. AN ACT AUTHORIZING THE TOWN OF DENNIS TO RELEASE A CERTAIN CONSERVATION EASEMENT.

Be it enacted, etc., as follows:

SECTION 1. The town of Dennis, acting through its board of selectmen, is hereby authorized to release the conservation easement granted to said town by George L. McCann and Elizabeth K. McCann by instrument dated December 9, 1976 and recorded with the Barnstable county registry district of the land court as document #226538, and noted on certificate of title #41165.

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

Approved December 19, 1984.

Chap. 367. AN ACT AUTHORIZING THE CITY OF GARDNER TO SELL AND CONVEY TO THE GARDNER FRANCO-AMERICAN CREDIT UNION CERTAIN PLAYGROUND 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 Gardner is hereby authorized to sell and convey to the Gardner Franco-American Credit Union all its right, title and interest in certain playground land bounded and described as follows:

A certain parcel of land situated on the northerly side of Parker Street, in Gardner, Worcester County, Massachusetts, bounded and described as follows:

Beginning at the southeasterly corner thereof, at a drill hole in the northerly line of Parker Street, at a corner of land of the Gardner Franco-American Credit Union, the grantees herein; thence N. 89° 00' 00" W., 83.86 feet; thence N. 89° 11' 00" W., 56.52 feet to a corner of other land of the City of Gardner, the grantor herein, the preceding two courses being by said street line; thence N. 1° 02' 25" E., 191.88 feet to a point; thence S. 87° 47' 18" E., 211.73 feet to a corner of land of the aforementioned grantee herein, the preceding two courses being by said city land; thence S. 40° 00' 00" W., 113.52 feet; thence S. 1° 00' 00" W., 99.00 feet to a drill hole in the northerly line of Parker Street and the point of beginning, the preceding two copies being by said grantee's land. Containing 29,900 Square Feet.

Being shown on a plan entitled: "Plan of Land to be Conveyed by City of Gardner, Gardner, MA, Scale:1 inch =40 ft.--Aug. 21, 1984, Brian M. Szoc, R. L. Surveyor, 32 Pleasant Street, Gardner, MA"-01440-".

The above described premises are to be conveyed subject to the right of the city of Gardner to keep in place, maintain and repair a storm water drain as it now exists, the approximate location of which is shown on the above referenced plan.

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

Approved December 19, 1984.

Chap. 368. AN ACT INCREASING THE AMOUNT OF MONEY THE TOWN OF MARION MAY BORROW FOR THE CONSTRUCTION OF HOUSING FOR ELDERLY PERSONS OF LOW INCOME.

Be it enacted, etc., as follows:

Section 2 of chapter 41 of the acts of 1977 is hereby amended by striking out, in line 5, the word "three" and inserting in place thereof the word:- eight.

Approved December 19, 1984.

Chap. 369. AN ACT AUTHORIZING THE INCREASE OF OCEAN DISCHARGE OF WASTEWATER BY THE TOWN OF DARTMOUTH AND PROVIDING FOR A STUDY OF THE OCEAN DISCHARGE OF WASTEWATER BY THE EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of sections thirteen through eighteen, inclusive, of chapter one hundred and thirty-two A of the General Laws, the town of Dartmouth is hereby authorized to improve its municipal wastewater treatment facility and appurtenances thereto, and, as a result of such improvement, to increase its ocean discharge of wastewater subject to the regulations and restrictions established by the department of environmental management; provided that said department determines that there is no other disposal method, including land application, that may be approved by federal and state agencies; that such improvement and increase are otherwise consistent with the provisions and intent of said sections thirteen through eighteen, inclusive, of said chapter one hundred and thirty-two A and are of equal or greater effectiveness in avoiding degradation of the water quality of the affected ocean sanctuary and the surface and ground waters of the area for which the facility is providing wastewater treatment; and that such discharge shall have, at a minimum, secondary treatment.

SECTION 2. This act shall be applicable for any single project of improvement of the wastewater treatment facility and appurtenances referred to in section one or resulting increase of ocean discharge approved within six years after the effective date of this act.

SECTION 3. The executive office of environmental affairs is hereby authorized and directed to study and investigate the consequences of, and alternatives to, ocean discharge of wastewater into the ocean sanctuaries of the commonwealth and shall report the results of such study and investigation to the General Court by filing the same with the clerks of the senate and house of representatives no later than July first, nineteen hundred and eighty-five. Said study and investigation shall be conducted in cooperation with representatives of the department of environmental quality engineering, the office of coastal zone management and the department of environmental affairs, together with such

representatives of affected communities or other interested parties as the secretary of said executive office shall designate.

Approved December 19, 1984.

Chap. 370. AN ACT AUTHORIZING THE TOWN OF NORWOOD TO USE CERTAIN PORTIONS OF MUNICIPAL LAND IN SAID TOWN FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

The town of Norwood is hereby authorized to use, for highway purposes, certain portions of municipal land on Nahatan street in the town of Norwood, as shown on the "Plan of Land in Norwood, Mass. for Taking of Parcels to Widen Nahatan Street dated August 20, 1984 by Walter R. Ryan Town Engineer" on file in the office of the town clerks. Said land being bounded and described as follows:-

Parcel "A" - Beginning at a point on the northerly side of Nahatan Street, said point being S 50°-56'-10"E, a distance of 108.19 feet from the intersection of the northerly line of Nahatan Street and the easterly line of Central Street. Thence running N 50°-56'-10"W a distance of 108.19 feet, thence running N 39°-48'-50"E a distance of 18.20 feet, thence running southwesterly, southerly, and southeasterly by a curve of radius 15.00 feet a distance of 23.76 feet, thence running S 50°-56'-10"E a distance of 92.95 feet, thence running S 39°-03'-50"W a distance of 3.00 feet to a point, said point being the terminus of the line of this taking and said point being the same as the beginning point of the line of this taking. The area contained within the line of this taking is 374 square feet, more or less, and is shown as parcel A on a plan titled, "Plan of Land in Norwood, MA., for Taking of Parcels to Widen Nahatan Street (near Central Street), dated August 20, 1984 by Walter R. Ryan, Town Engineer".

Parcel "B" - Beginning at a point on the northerly line of Nahatan Street, said point being S 50°-56'-10" E a distance of 108.19 feet from the intersection of the northerly line of Nahatan Street and the easterly line of Central Street, thence running N 39°-03'-50" E a distance of 3.00 feet, thence running S 50°-56'-10" E a distance of 121.59 feet, thence running S 39°-03'-50" W a distance of 3.00 feet, thence running N 50°-56'-10" W a distance of 121.59 feet to a point, said point being the terminus of the line of this taking and said point being the same as the beginning point of the line of this taking. The area contained within the line of this taking is 365 square feet, more or less, and is shown as parcel B on a plan titled,

"Plan of Land in Norwood, MA., for Taking of Parcels to Widen Nahatan Street (near Central Street), dated August 20, 1984 by Walter R. Ryan, Town Engineer".

Parcel "A" is presently being used for commercial purposes under a lease arrangement, and Parcel "B" is presently being used for municipal purposes as a civic center.

Approved December 19, 1984.

Chap. 371. AN ACT RELATIVE TO RECORDING OF PROCEEDINGS IN THE DISTRICT COURT DEPARTMENT.

Be it enacted, etc., as follows:

The second paragraph of paragraph (h) of section 27A of chapter 218 of the General Laws, as appearing in section 189 of chapter 478 of the acts of 1978, is hereby amended by striking out the second sentence and inserting in place thereof the following three sentences:- If the court is unable, for any reason, to provide a stenographer, the proceedings may be recorded by electronic means. The original recording of proceedings in a division of the district court department made with a recording device under the exclusive control of the court, whether in a jury of six session or otherwise, shall be the official record of such proceedings. Said record or a copy of all or a part thereof, certified by the administrative justice of the district court department, or his designee, to be an accurate electronic reproduction of said record or part thereof, or a typewritten transcript of all or a part of said record or copy thereof, certified to be accurate by the court or by the preparer of said transcript, or stipulated to by the parties, shall be admissible in any court as evidence of testimony given whenever proof of such testimony is otherwise competent.

Approved December 19, 1984.

Chap. 372. AN ACT PERTAINING TO THE METROPOLITAN WATER DISTRICT AND THE METROPOLITAN SEWER DISTRICT OF THE METROPOLITAN DISTRICT COMMISSION.

Whereas, The deferred operation of this act would tend to

defeat its purpose, which is to immediately establish the Massachusetts Water Resources Authority, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. It is hereby determined that:

(a) Providing water supply services and sewage collection, treatment and disposal services to areas of the commonwealth made up of the cities and towns now served by the metropolitan district commission is an essential public purpose. The preservation and improvement of the health, welfare and living conditions of the citizenry, the promotion and enlargement of industry and employment and all other aspects of commerce, the protection, conservation, management and development of water supplies and the environment depend upon the sound maintenance, operation and improvement of an adequate water supply distribution system and an adequate sewage collection, treatment and disposal system. The financing requirements for such water supply and sewage collection, treatment and disposal systems are substantial and require independent financial resources, including the ability to rely on user charges to recover costs of providing such services and the ability to fund capital programs without undue reliance on the general obligation credit of the commonwealth.

(b) It is in the best interests of the commonwealth and its citizens to create an authority to achieve the following goals, purposes and objectives:

(i) efficient and economical operation of water delivery and sewage collection, disposal and treatment systems including programs for leak detection and reduction of infiltration and inflow for the service areas of the Authority;

(ii) repair, replacement, rehabilitation, modernization and extension of the delivery of water sewage collection, disposal and treatment systems for the service areas of the Authority, including the financing on a self-sustaining basis of capital and operating expenses relating thereto;

(iii) establishment and administration of equitable charges, consistent with the objectives of this act to conserve water and improve the quality of the environment, for water delivery and sewage collection, disposal and treatment services;

(iv) professional and productive management of and system-wide planning for the delivery of water and sewage collection, disposal and treatment services;

all of which are declared to be for the public benefit, to neces-

sitate the creation of the authority, and to make it necessary and expedient to vest in the authority the powers granted by this act.

(c) The commonwealth faces important needs for fostering efficient use of water, for efficient planning and improvement of the delivery of water and sewage collection, disposal and treatment services to which end an authority should be established and vested with extensive operating, financing and regulatory powers to provide appropriate means for addressing these needs.

Therefore, it is declared to be in the best interest of the commonwealth and its inhabitants, to promote the general health and welfare, to improve commerce and living conditions, to conserve water, and to develop and protect in the public interest the natural resources of the commonwealth, that there be established the Massachusetts Water Resources Authority empowered to operate, regulate, finance, and improve the delivery of water and sewage collection, disposal and treatment systems and services, and to encourage conservation, as provided in this act.

This act may be cited as the Massachusetts Water Resources Authority Act.

SECTION 2. As used in this act, unless the context clearly indicates otherwise, the following words and phrases shall have the following meanings:

(a) "Advisory Board", the advisory board established by section twenty-three;

(b) "Authority", the Massachusetts Water Resources Authority created by section three;

(c) "Bonds", bonds, notes or other evidences of indebtedness of the Authority;

(d) "Cost", as applied to any project of the Authority any or all costs, whenever incurred, or carrying out and placing such projects in operation, including, without limiting the generality of the foregoing, amounts for the following: acquisition, construction expansion improvement and rehabilitation of facilities; acquisition of real or personal property; demolitions and relocations; labor, materials, machinery and equipment; services of architects, engineers and environmental and financial experts and other consultants; feasibility studies, plans, specifications and surveys; interest prior to and during the carrying out of any project and for a reasonable period thereafter; reserves for debt service or other capital or current expenses; costs of issuance; and working capital, administrative expenses; legal expenses and other expenses necessary or incidental to the aforesaid, to the financing thereof and to the issuance therefor of bonds under the provisions of this act;

(e) "Costs of issuance", any amounts payable or reimbursable directly or indirectly by the Authority and related to the sale

and issuance of bonds and the investment of the proceeds thereof and of revenues securing the same including, without limiting the generality of the foregoing, 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, underwriting or placement costs, 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;

(f) "Current expenses", the authority's current expenses, whether or not annually recurring, of maintaining, repairing and operating the systems and engaging in other activities authorized by this act including, without limiting the generality of the foregoing, amounts for administrative expenses of the division including costs of salaries and benefits, as provided in this act, cost of insurance, payments for engineering, financial, accounting, legal and other services rendered to the authority, taxes upon the authority or its income, operations or property and payments in lieu of such taxes, costs incurred or payable by the authority with respect to the system real property, costs of issuance not financed in the cost of a project, and other current expenses required or permitted by law to be paid by the authority, including the funding of reasonable reserves for upgrading, maintenance, repair, replacements, insurance, emergency contingencies or operations;

(g) "Division", the division of watershed management established by section forty-two.

(h) "Local body", a city, town, district, commission or other political subdivision or instrumentality of the commonwealth responsible for providing by itself or through an officer, board, department or division thereof local water supply or local sewer services; except as otherwise expressly provided herein, in any case where local water supply or local sewer services within the territorial boundaries of a local body are provided in whole or in part by a political subdivision or public instrumentality of the commonwealth separate from such local body, the term "local body" as used in this act shall mean, within the service area thereof, that political subdivision or public instrumentality.

(i) "MDC sewer system", the sewers and other works of the metropolitan district commission which comprise the system of sewage disposal of the metropolitan sewage district on the effective date of this act, including all interests in real and personal property, equipment, appurtenances, structures and facilities held by the commonwealth or the metropolitan district commission in connection with the ownership, maintenance and operation thereof;

(j) "MDC water system", the water works of the metropolitan district commission which comprise the system of metropolitan water works of the metropolitan water district on the effective date of this act, including all interests in real personal property, equipment, appurtenances, structures and facilities held by the commonwealth or the metropolitan district commission in connection with the ownership, maintenance and operation thereof;

(k) "Person", any natural or corporate person, including bodies politic and corporate, public departments, offices, agencies, authorities and political subdivisions of the commonwealth, corporations, societies, associations and partnerships, and subordinate instrumentalities of any one or more political subdivisions of the commonwealth;

(l) "Project", any undertaking or other activity by or on behalf of the Authority to maintain or improve the systems, including, without limiting the generality of the foregoing, any extension, expansion or addition thereto, any acquisition, construction, reconstruction or alteration of any part thereof and any other investment therein;

(m) "Revenues", all charges and other receipts derived by the Authority from operation of the waterworks and sewer systems and from all other activities or properties of the Authority including, without limiting the generality of the foregoing, proceeds of grants, gifts or appropriations to the Authority, investment earnings and proceeds of insurance or condemnation, and the sale or other disposition of real or personal property;

(n) "Safe yield", that amount of water that can be safely withdrawn from a water supply source without impairing the ability of such source to supply said amount of water on an average annual basis, as determined by the division of watershed management and commented on by the division of environmental protection within the department of the attorney general.

(o) "Sewer system", the sewer system of the Authority, consisting of (i) the system personal property formerly a part of the MDC sewer system transferred to the Authority in accordance with section four, (ii) the interest of the Authority created by this act in the system real property which was a part of the MDC sewer system immediately prior to the effective date of this act, (iii) all extensions, enlargements, improvements and additions to the former MDC sewer system acquired, constructed or operated by or on behalf of the Authority, and (iv) each other system for collection, treatment or disposal of sewage acquired or constructed by or on behalf of the Authority in accordance with the provisions of this act or as otherwise authorized by law. The sewer system shall include, without limiting the generality of the foregoing, sewers, pipes, conduits, pump stations, force mains, interceptors, treatment works and other structures, devices, appurtenances and facilities utilized for sewage collec-

tion, disposal and treatment and franchises privileges, plant, equipment and real and personal property and rights and interests of every kind relating thereto;

(p) "System", the sewer system and the waterworks system of the Authority and the watershed system of the division.

(q) "System personal property", all personal property held by or on behalf of the commonwealth in the MDC sewer system and the MDC water system, including, without limitation, all equipment, machinery, vehicles and appliances.

(r) "System real property", all real property held by or on behalf of the commonwealth immediately prior to the effective date of this act in and for the MDC sewer system and the MDC water system, including all land, easements, and other interests in real property, including, without limitation, real property interests in buildings, structures and improvements and in sources of water supply.

(s) "Transfer date", for those employees being transferred to the Authority, July first, nineteen hundred and eighty-five; for those employees being transferred to the division, January first, nineteen hundred and eighty-five.

(t) "Users", local bodies, utilizing water or sewer services of the Authority;

(u) "Watershed system", (i) all real and personal property interests held by or on behalf of the commonwealth immediately prior to the effective date of this act in and for the MDC water system which were part of or appurtenant to the Quabbin watershed, Quabbin Reservoir, Ware River watershed, Wachusett watershed, Wachusett Reservoir, North and South Sudbury watersheds, Sudbury Reservoir, Framingham reservoirs 1, 2 and 3, Blue Hills Reservoir, Bear Hill Reservoir, Spot Pond Reservoir, Fells Reservoir, Weston Reservoir, Norumbega Reservoir, Chestnut Hill Reservoir, including land, easements, buildings, structures, all equipment, machinery, vehicles, and appliances, improvements, water rights and rights in sources of water supply and, (ii) all enlargements and additions to the former MDC water system acquired or constructed by the division for the purposes of the watershed system, including land, easements, building structures, equipment, machinery, vehicles, and appliances, improvements, reservoirs, dams, water rights and rights in sources of water supply; but excluding in each case the waterworks system as defined herein;

(v) "Waterworks system", (i) all real and personal property interests in the system of waterworks held by or on behalf of the commonwealth immediately prior to the effective date of this act in and for the MDC water system, including all plants, works, connections, aqueducts, mains, pipe lines, pumping plans and facilities, waterworks buildings and structures, standpipes, tanks and appurtenances, all equipment, machinery, vehicles, and appliances, and all lands and easements directly appurtenant

or incident to the maintenance or operation thereof, and (ii) all extensions, enlargements, improvements and additions to the former MDC water system acquired, constructed or operated by the authority including all plants, works, connections, aqueducts, mains, pipe lines, pumping plants and facilities, waterworks building and structures, standpipes, tanks and appurtenances, all equipment, machinery, vehicles, and appliances, and all lands and easements directly appurtenant or incident to the maintenance or operation thereof;

SECTION 3. (a) There is hereby created and placed in the executive office of environmental affairs a body politic and corporate and a public instrumentality to be known as the Massachusetts Water Resources Authority, which shall be an independent public authority not subject to the supervision or control of the executive office of environmental affairs or of any other executive office, department, commission, board, bureau, agency or political subdivision of the commonwealth except to the extent and in the manner provided in this act. The exercise by the Authority of the powers conferred by this act shall be deemed to be the performance of an essential public function.

(b) The powers of the Authority shall be exercised by or under the supervision of a board of directors consisting of eleven members. One member of the board of directors shall be the secretary of the executive office of environmental affairs, serving ex officio, one member of the board of directors who is a resident of a Connecticut river basin community who represents water resources protection interests shall be appointed by the governor and shall serve coterminous with the governor, one member of the board of directors who is a resident of a Merrimack river basin community who represents water resources protection interests shall be appointed by the governor and shall serve coterminous with the governor, one member of the board of directors shall be appointed by the governor upon the recommendation of the mayor of Quincy in accordance with the procedure set forth in paragraph (c) and shall serve a term of four years, one member of the board of directors shall be appointed by the governor upon the recommendation of the board of selectmen of the town of Winthrop by majority vote, in accordance with the procedure set forth in paragraph (c) shall serve a term of four years; provided however, that one of the previous named five members shall be a minority person; three members of the board of directors shall be appointed by the mayor of the city of Boston and shall serve conterminous with the mayor, and three members of the board of directors shall be appointed by the advisory board as provided in section twenty-three of this act. Members appointed by the advisory board shall serve for terms of six years, provided, however, that, of the members first appointed by the advisory board, one shall serve for a term

expiring on June thirtieth, nineteen hundred and eighty-six, one shall serve for a term expiring on June thirtieth, nineteen hundred and eighty-eight, and one shall serve for a term expiring on June thirtieth, nineteen hundred and ninety, with the term of each to be designated by the advisory board at the time of appointment. Persons appointed to terms succeeding the terms of members initially appointed by the advisory board, shall be appointed to terms of six years. For the purposes of this paragraph a Connecticut river basin community shall include any city or town in thc commonwealth lying in whole or in part in the drainage area of the Connecticut river or its tributaries, a Merrimack river basin community shall include any city or town in the commonwealth lying in whole or in part in the drainage area of the Merrimack river or its tributaries, and a minority person shall be as set forth in the definition of "minority" contained in section forty C of chapter seven of the General Laws.

(c) The members of the board of directors to be appointed by the governor upon the recommendation of the mayor of the city of Quincy and the board of selectmen of the town of Winthrop shall be chosen by the governor from a list of three qualified persons submitted to the governor by said mayor and a list of three qualified persons submitted by said board.

The governor shall make such appointment within fourteen calendar days after receiving said list. If there should exist a vacancy in a position on the board of directors which is to be appointed in this manner, said vacancy shall be filled through the procedure set forth herein.

(d) Each member of the board of directors shall serve until his successor is appointed and qualified and each appointed member of the board of directors shall be eligible for reappointment. Each member of the board of directors appointed to fill a vacancy on the board shall be appointed for the unexpired term of the vacant position. Each member of the board of directors before entering upon his duties shall take an oath before the governor to administer the duties of office faithfully and impartially and a record of such oaths shall be filed in the office of the secretary of the commonwealth. Any member of the board of directors may be removed by the appointing authority for misfeasance, malfeasance or wilful neglect of duty upon the filing by the appointing authority with the secretary of the commonwealth of a statement of facts and circumstances which form the basis for such removal. The secretary of the executive office of environmental affairs shall be the chairman of the Authority. The board of directors annually shall elect one of its members as vice-chairman. Six members of the board of directors shall constitute a quorum and the affirmative vote of six members shall be necessary and shall suffice for any action taken by the board of directors. Any action of the board may take effect immediately and need not be published or posted unless otherwise

provided by law. No vacancy in the membership of the board of directors shall impair the right of a quorum to exercise the powers of the board of directors. The members of the board of directors shall serve without compensation but each member shall be reimbursed for all reasonable expenses incurred in the performance of his duties. The board of directors shall be deemed to be a governmental body for purposes of and shall be subject to section eleven A and one-half of chapter thirty A of the General Laws. The Authority shall be deemed to be an agency for all other purposes under said chapter thirty A. The Authority shall also be subject as an authority of the commonwealth to section forty-two of chapter thirty and section ten of chapter sixty-six of the General Laws. The Authority shall be deemed to be a public body and all monies of the Authority shall be deemed to be public funds for purposes of chapter twelve A of the General Laws.

(e) Notwithstanding any other provision of general or special law to the contrary, any member of the board of directors who is also an officer or employee of the commonwealth or of a city or town or other public body shall not thereby be precluded from voting for or acting on behalf of the Authority, the commonwealth or such city or town or other public body on any matter involving the Authority, the commonwealth or that city or town or other public body and any member, officer, employee or agent of the Authority shall not be precluded from acting for the Authority on any particular matter solely because of any interest therein which is shared generally with a substantial segment of the public. The Authority shall be deemed to be a state agency for purposes of chapter two hundred and sixty-eight A of the General Laws and a governmental body for purposes of chapter two hundred and sixty-eight B of the General Laws.

SECTION 4. (a) On July first, nineteen hundred and eighty-five, ownership, possession and control of the system personal property as it relates to the sewer and waterworks system shall pass to and be vested in the Authority without consideration or further evidence of transfer and shall thereafter be in the ownership, possession and control of the Authority. All records in custody of the metropolitan district commission under chapter one hundred and seventy-two of the acts of nineteen hundred and thirty-nine shall remain in the metropolitan district commission. All books, maps, papers, plans, records and documents of whatever description pertaining to the design, construction, operation, and affairs of the MDC sewer system and the MDC water system, exclusive of those pertaining to the MDC watershed system, which are in the possession of the metropolitan district commission on January first, nineteen hundred and eighty-five, or which thereafter come into the possession of the metropolitan district commission also shall be trans-

ferred and delivered to the Authority to its use, ownership, possession and control. All such system personal property as it relates to the watershed system shall remain in the metropolitan district commission and be assigned to the watershed management division.

(b) As of July first, nineteen hundred and eighty-five, the commonwealth grants to the Authority, subject to limitations under other law in force on the effective date of this act and limitations contained in this act, the exclusive right for so long as the Authority shall not have been terminated in accordance with section twenty-one to utilize for water supply purposes all such quantities of water as may be safely yielded from the watershed system or as otherwise may have been provided by the general court for the watershed system. The Authority's right to utilize the watershed system shall include the delivery, distribution and sale of water thereof by the Authority and the receipt by the Authority as its revenues of the Authority's charges therefor.

(c) The ownership of the system real property, as it relates to the sewer and waterworks systems shall not be transferred to the Authority under this act, but the Authority, as of July first, nineteen hundred and eighty-five, shall have the rights to enter, use, improve, operate, maintain and manage that portion of the system real property in accordance with this act, such right to be subject to revocation by the commonwealth through legislation enacted by the general court. The commonwealth hereby covenants that in the event such rights are revoked by the general court, such rights shall be transferred to such other public body as the general court shall designate, and the commonwealth further covenants that whatever public body assumes such rights shall discharge and provide for the satisfaction of all the obligations of the Authority, including, but not limited to, its obligations to provide for payment of the bonds of the Authority. The ownership of the system real property as it relates to the watershed system shall remain in the commonwealth and the watershed management division of the metropolitan district commission shall manage all such properties provided for by this act.

Under this act (i) no lands or easements taken or acquired for the purposes authorized by article ninety-seven of the Amendments to the Constitution of the Commonwealth shall be used for other purposes or disposed of, and (ii) no lands devoted to the public use shall be diverted to another inconsistent public use, except in all instances in accordance with the laws and the Constitution of the Commonwealth.

(d) On July first, nineteen hundred and eighty-five, all proceeds, exclusive of such amounts for the purposes of equipment, capital project needs, or land acquisition and improvements of that portion of the MDC water system comprising the water-

shed system, if any, of bonds referred to in section eleven and grants and other aid which are held by the commonwealth at the effective date of this act shall then and thereafter be deemed to be held in trust for, and shall upon demand of the Authority be transferred to the Authority to be applied by the Authority to projects for which such bonds, grants or other aid was authorized. On July first, nineteen hundred and eighty-five, all proceeds, if any, of bonds referred to in said section eleven and grants and other aid which are for the equipment, capital project needs, or land acquisition and improvements of that portion of the MDC water system comprising the watershed system, shall then and thereafter be expended by the division on projects for which such bonds, grants or other aid was authorized. All proceeds if any, of bonds, grants or other aid referred to herein, which shall be so held in trust and transferred upon demand, shall be in the amount as certified by the commissioner of the metropolitan district commission to the state treasurer.

(e) The requirements respecting budgets of the Authority in paragraph (b) of section eight shall first be effective commencing with current expenses and costs paid or incurred on and after July first, nineteen hundred and eighty-five. The charges of the Authority provided for in section ten shall first become effective on July first, nineteen hundred and eighty-five. During the fiscal year of the commonwealth commencing July first, nineteen hundred and eighty-four, the commonwealth may make, enforce and receive assessments and charges relating to the MDC sewer and water systems, comprising the sewer system, watershed system, and waterworks system as defined in this act, with provisions of chapter ninety-two of the General Laws in effect immediately prior to the effective date of this act only as follows: (i) with respect to all expenses and costs other than debt service which shall have been expended for operation of the MDC sewer system in the fiscal year of the commonwealth commencing July first, nineteen hundred and eighty-three; (ii) with respect to debt service relating to the MDC sewer system which shall be incurred in the fiscal year of the commonwealth commencing July first nineteen hundred and eighty-four; (iii) with respect to all costs and expenses including debt service which shall be incurred for operation of the water supply system for the fiscal year of the commonwealth commencing July first nineteen hundred and eighty-four. No repeal or amendment of laws pursuant to sections thirty through seventy-two of this act shall revoke the obligation of any person to make payments to the commonwealth, including, without limitation, charges or assessments under chapter ninety-two of the General Laws and section twenty of chapter fifty-nine of the General Laws, made prior to July first, nineteen hundred and eighty-four, pursuant to the authorization contained in the preceding sentence and during the fiscal year of the commonwealth commencing July first, nineteen

hundred and eighty-four, and all amounts received by the commonwealth on account of charges or assessments to be made under the authority of the preceding sentence and any other amounts derived from or related to the operation of said systems during the fiscal year of the commonwealth commencing July first nineteen hundred and eighty-four shall be received and held as funds of the commonwealth and shall not be transferred to the Authority. Notwithstanding any other provision of this act or other law, commencing on July first, nineteen hundred and eighty-five, all amounts of any kind received by the commonwealth, exclusive of amounts derived from or related to the activities authorized in section forty-two, which are derived from or related to the operation of the systems including the former MDC sewer system or MDC water system, exclusive of that portion of the MDC water system comprising the watershed system as defined in this act, shall be deemed to be held in trust for and shall be transferred and paid over to the Authority when received without further appropriation to be applied to the purposes of the Authority. For purposes of this section, all references to funds received by the commonwealth shall be deemed to include receipt of funds by the metropolitan district commission.

(f) All rules, regulations, licenses and permits duly promulgated by or on behalf of the metropolitan district commission respecting the MDC sewer system and the MDC water system, exclusive of that portion of the MDC water system comprising the watershed system as defined in this act, shall remain in full force and effect to the extent consistent with this act until revised or rescinded by the Authority. All such rules, regulations, licenses and permits respecting that portion of the MDC water system comprising the watershed system shall remain in full force and effect to the extent consistent with this act, including regulations promulgated pursuant to chapter seven hundred and thirty-seven of the acts of ninetecn hundred and seventy-two. All contractual rights and liabilities of the metropolitan district commission pertaining to either the MDC sewer system, and the waterworks functions of the MDC water system, or the watershed functions of the MDC water system, shall continue in full force and effect and all benefits, obligations and duties assumed by and imposed upon the Authority and the division, respectively, so far as consistent with the powers granted to the Authority and said division under this act. No liability in tort, or for water pollution under a statutory or other basis, arising prior to July first, nineteen hundred and eighty-five, however, shall be imposed upon the Authority and this sentence shall apply to all actions or proceedings, including those commenced prior to the effective date of this act. Except as expressly excepted by the previous sentence, actions and proceedings against or on behalf of the metropolitan district

commission, pertaining to either the MDC sewer system and the waterworks functions of the MDC water system, or the watershed system functions of the MDC water system, shall continue unabated and may be completed against or by the Authority or by the division, respectively.

(g) On July first, nineteen hundred and eighty-five, each employee of the metropolitan district commission paid as of the effective date of this act from funds derived from the accounts of the metropolitan sewerage district or the metropolitan water district shall become an employee of the Authority without impairment of civil service status and seniority and without reduction in compensation, notwithstanding any change in job titles or duties and without loss of accrued rights to holidays, sick leave, vacation and benefits, and shall thereafter perform his or her duties under the direction, control and supervision of the Authority, provided, however, that any employee subject to transfer under the foregoing provision of this sentence whose existing duties and responsibiiities are determined by the commissioner of the metropolitan district commission to relate directly and primarily to functions of the metropolitan district commission not passing to the Authority under this act and for whom a position at the metropolitan district commission is funded in whole or in part by items 2410-1000 or 2460-1000 of section two of chapter two hundred and thirty-four of the acts of nineteen hundred and eighty-four and any employee, so determined, to be transferred to the division of watershed management shall remain an employee of the commission, without change in civil service status, if any, without any reduction in seniority, compensation, salary, and without any loss of accrued rights to holidays, sick leave, vacation and other benefits of employment, and shall continue to perform duties under the direction, control and supervision of the metropolitan district commission, under funding arrangements not thereafter derived from the accounts of the metropolitan sewerage district or the metropolitan water district. It is the intention of the general court in the implementation of this provision that each employee of the metropolitan district commission whose compensation is funded from funds derived from the accounts of the metropolitan sewerage district or the metropolitan water district shall, upon the implementation of the foregoing provisions, then hold employment at the Authority or the metropolitan district commission, as the case may be, subject, so far as concerns the Authority, to the terms and conditions of employment established by this act, and so far as concerns the metropolitan district commission, to such rights as may now and hereafter be lawfully protected and provided. Terms of office of employees of the metropolitan district commission transferred to the Authority shall not be deemed to be interrupted by such transfer provided that all employees shall be governed by the provisions in section seven for retirement,

pension and group insurance benefits and for protection and preservation of retirement and pension rights based on their prior service. Rights and obligations under collective bargaining agreements with respect to employees transferred from the metropolitan district commission, except to the extent expressly inconsistent with this act, shall be assumed by and imposed upon the Authority pursuant to section seven (c). Every employee transferred to the Authority under this paragraph who immediately prior to such transfer holds a permanent appointment classified under chapter thirty-one or has tenure by reason of section nine A of chapter thirty of the General Laws shall be entitled to the rights and benefits of and shall be subject to the provisions relating to tenured employees under chapter thirty-one or section nine A of chapter thirty, respectively, with respect to that position.

(h) The deputy commissioner of capital planning and operations shall assist and cooperate with the Authority in making suitable office arrangements, exclusive of the office premises in the building located at twenty Somerset street in Suffolk county, in the city of Boston, for the administrative offices of the Authority including, without limitation of the foregoing, temporary arrangements in office premises of the commonwealth which may include such reduced rents prior to the transfer date as the deputy commissioner shall deem appropriate.

SECTION 5. (a) Notwithstanding any other provision of this act, on January first, nineteen hundred and eighty-five or as soon thereafter as a quorum of the board of directors may be appointed, the Authority shall undertake the following: (i) appoint an executive director and such additional staff as shall be necessary for the purposes of this section; (ii) develop its rules and regulations, including charges for implementation on July first, nineteen hundred and eighty-five; (iii) provide for the implementation of permanent financing and; (iv) any such other powers necessary for the provision of water delivery and sewer services on July first, nineteen hundred and eighty-five. Until the appointment and qualification of members of the board of directors of the Authority constituting a quorum of the board all such rights and powers authorized by the provisions of this section may be exercised by personnel of the metropolitan district commission with the approval of the secretary of the executive office of environmental affairs.

(b) An amount equal to all requirements incurred in the MDC Sewer Fund and the MDC Water Fund to the extent and in amounts expended for the purposes of the sewer and waterworks systems for the fiscal year of the commonwealth commencing July first, nineteen hundred and eighty-four and all amounts appropriated by the commonwealth for such period shall be repaid to the commonwealth by the Authority and credited on the books of

the commonwealth as of no later than June thirtieth, nineteen hundred and eighty-six. The Authority shall also reimburse the commonwealth to be credited on the books of the commonwealth as of no later than June thirtieth, nineteen hundred and eighty-six for all then outstanding and unreimbursed cash advances of funds of the commonwealth made on or prior to that date for the funding of projects for MDC sewer system or the MDC water system and, from January first, nineteen hundred and eighty-five through June thirtieth, nineteen hundred and eighty-five, for costs of projects of the Authority for the waterworks system and the sewer system, to the extent of and in amounts expended for the purposes of the sewer and waterworks systems. All amounts transferred between the commonwealth and the Authority under sections four and five shall be subject to adjustment upon final audit to be completed within two years of the effective date of this act.

(c) In order to provide funds in addition to amounts appropriated by the commonwealth for current expenses of the sewer and waterworks systems during the period from the effective date of this act until December thirty-first, nineteen hundred and eighty-five the state treasurer, on behalf of the commonwealth, is hereby authorized and directed to loan to the Authority through investment in a note or other appropriate instrument of the Authority, and the Authority is authorized to borrow from the state treasurer, at any time and from time to time on or prior to December thirty-first, nineteen hundred and eighty-five, on such terms and conditions as the state treasurer and the Authority shall agree, an amount not in excess of sixty-five million dollars. Any amount so borrowed by the Authority, with interest thereon at such reasonable rate as the state treasurer and the Authority shall agree, shall be repaid to the commonwealth to be credited on the books of the commonwealth as of no later than June thirtieth, nineteen hundred and eighty-six. Of the amount so loaned, the Authority may transfer to the state treasury such amounts as it deems appropriate to be administered in trust for the purpose of the water and sewer divisions of the metropolitan district commission; provided, however, that such amounts may be expended only after transfer to and subject to the wording of the appropriate line-item appropriations of said divisions, all outside sections pertaining to said items, and all other laws regulating the expenditures of state funds. For purposes of the first sentence of paragraph (b), amounts expended from such transfers to the state treasury shall not be deemed requirements incurred in the metropolitan district commission sewer fund or the metropolitan district commission water fund. Said transfers shall be approved by the secretary of environmental affairs.

(d) The Authority is also authorized to issue at one time or from time to time prior to June thirtieth, nineteen hundred and

ninety, notes of the Authority in the aggregate principal amount of six hundred million dollars outstanding at any one time, excluding notes refunded by other notes issued under this paragraph, for the purpose of providing funds for: (i) meeting the obligations of the Authority to repay or reimburse the commonwealth for all amounts described in paragraph (b) of this section; (ii) repaying the commonwealth for any amounts borrowed by the Authority from the commonwealth including interest thereon pursuant to paragraph (c); (iii) meeting the obligations of the Authority as required by section forty-two of this act; (iv) paying all or part of the cost of the Authority's projects undertaken at any time prior to December thirty-first, nineteen hundred and eighty-nine; (v) paying all or any part of the current expenses of the Authority in anticipation of receipt of revenues of the Authority, but in no event shall the aggregate amount of notes outstanding for this purpose exceed one-half of the budgeted current expenses of the Authority for the fiscal year in which such notes are outstanding; and, (vi) paying all or any part of the interest payable on any notes of the Authority issued under this paragraph. Notes issued by the Authority in accordance with this paragraph shall be issued for such term or terms as the Authority shall determine and may be renewed from time to time; provided, however, all such notes and any renewals thereof shall mature and be payable no later than June thirtieth, nineteen hundred and ninety except that notes issued in anticipation of revenues shall be payable and shall mature no later than one year from their date. Notes issued by the Authority in accordance with this paragraph, except notes issued in anticipation of revenues, shall be issued in anticipation of bonds to be issued by the Authority pursuant to section twelve. All notes issued pursuant to this paragraph shall be authorized, issued and sold in the same manner as, and shall otherwise be subject to, section twelve and the other provisions of this act relating to bonds; provided, however, that notes issued under this paragraph shall be issued at a fixed rather than a variable rate or rates of interest.

(e) The commonwealth, acting by and through the secretary of administration and finance with the approval of the governor, upon application of the Authority, shall guarantee the principal of and interest on notes of the Authority issued in accordance with paragraph (d). The secretary of administration and finance with the approval of the governor and without further authority may approve the form, terms and conditions of, and may execute and deliver on behalf of the commonwealth such guaranty and any related agreements with or for the benefit of the holders of such notes containing such terms, conditions and convenants of the commonwealth as the secretary of administration and finance may deem reasonable including provision for the payment of notes not paid or refunded by the Authority by application of

the proceeds of the loan authorized in paragraph (f). Without limiting the generality of the foregoing, such guaranty may take the form of an agreement to reimburse the issuer of a letter of credit or other credit facility which relates to such notes. The full faith and credit of the commonwealth shall be pledged for the guaranty provided for in this paragraph. The total principal amount of notes to be guaranteed under this paragraph shall not exceed six hundred million dollars in the aggregate; provided, however, that any note being refunded by the issuance of a guaranteed note shall not, and the refunding note shall, be included within such total amount.

(f) If the Authority shall fail or otherwise be unable to refund or pay when due any guaranteed note or notes, or the interest thereon, issued by the Authority in accordance with paragraph (e), such notes, and the interest thereon, upon presentation to the state treasurer, shall be paid by the commonwealth. For the purpose of providing funds to pay any such guaranteed notes and interest or to reimburse the treasury for any such payments the state treasurer shall, upon the request of the governor, issue and sell bonds of the commonwealth in an amount specified by the governor from time to time, but not exceeding in the aggregate the sum of six hundred million dollars for principal and ninety million dollars for interest. Bonds issued by the commonwealth under this paragraph shall be designated on their face, Massachusetts Water Resources Authority Loan, Act of 1984. Such bonds shall be issued for such maximum term or terms not exceeding twenty years as the governor may recommend to the general court in accordance with section three of Article LXII of the Amendments to the Constitution of the Commonwealth. The Authority shall reimburse the commonwealth in accordance with a schedule to be determined by the secretary of administration and finance at the time such bonds are issued, from any moneys of the Authority which are available for such purposes, including funds provided from charges of the Authority in accordance with paragraph (a) of section ten. Bonds and interest thereon issued by the commonwealth under the authority of this section shall, notwithstanding any other provisions of this act, be general obligations of the commonwealth, in anticipation of the receipt of proceeds of such bonds, the treasurer may issue and sell temporary notes and renewals thereof in an amount outstanding at one time not in excess of the amount of bonds specified by the governor pursuant to this paragraph, for a term not to exceed three years, including any renewals thereof. The principal of and interest on such notes may be paid from the proceeds of said renewal notes or bonds and to the extent not so paid shall be paid from any other funds or receipts; provided, however, that if and to the extent that the principal amount of such notes is paid from other than the proceeds of said renewal notes or bonds, the principal amount of

said bonds which may be issued under this section shall be reduced by a like amount. Such notes and any renewals thereof shall be general obligations of the commonwealth.

(g) The state treasurer may borrow, from time to time, on the credit of the commonwealth such amounts as may be necessary to make any loans required of the commonwealth under paragraph (c) and to pay any interest or other charges incurred in borrowing such money, and may issue notes of the commonwealth therefor, bearing interest payable at such times and at such rates as shall be fixed by him. No note issued under this paragraph shall mature more than one and one-half years from its date but notes may be refunded one or more times. Such notes shall be issued for such maximum term of years, not exceeding one and one-half years, as the governor may recommend to the general court in accordance with section three of Article LXII of the Amendments to the Constitution of the Commonwealth.

(h) The obligations of the Authority to make repayments and reimbursements to the commonwealth as described in paragraphs (b) and (c) and section forty-two shall be reduced by the sum of all amounts received by the commonwealth of account of operations of the system conducting in the fiscal year of the commonwealth commencing July first, nineteen hundred and eighty-four including, without limitation, all amounts so received on account of charges and assessments for purposes described in clauses (ii) and (iii) of the third sentence of paragraph (f) of section four. Attribution of charges and assessments received by the commonwealth during such year shall be made on a consistent basis with the certifications made to the state treasurer by the metropolitan district commission which are the basis of such charges. Except as otherwise expressly provided in this act, no amount to be repaid or reimbursed to the commonwealth by the Authority under this section five shall bear interest prior to such repayment or reimbursement. All amounts received by the commonwealth on account of operations of the system conducted in the fiscal year of the commonwealth commencing July first, nineteen hundred and eighty-four and all amounts repaid or reimbursed to the commonwealth by the Authority under this section and section forty-two shall be accounted for as appropriate on the books of the commonwealth in the Metropolitan Sewerage District Fund and the Metropolitan Water District Fund and such funds shall be closed on the books of the commonwealth as of the close of the fiscal year ending June thirtieth, nineteen hundred and eighty-six.

SECTION 6. The Authority shall have all powers necessary or convenient to carry out and effectuate the purposes and provisions of this act, including without limiting the generality of the foregoing, the powers:

(a) to adopt and amend by-laws for the regulation of its affairs and the conduct of its business;

(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 adopt a fiscal year to conform with the fiscal year of the commonwealth;

(e) to adopt and enforce procedures and regulations in connection with the performance of its functions and duties and without limitation on other reasonable means of enforcement, to establish reasonable penalties for violation of its regulations commensurate with the seriousness of the violation; provided, however, that no penalty may exceed ten thousand dollars for each such violation but the Authority may in the case of a continuing violation, make each day's violation a separate violation;

(f) to sue and be sued, to prosecute and defend actions relating to its properties and affairs, and to be liable in tort in the same manner as a private person except that the Authority and its members, employees and agents shall be immune from tort liability for acts and omissions constituting (i) the exercise of a legislative or judicial function, (ii) the exercise of an administrative function involving the determination of fundamental governmental policy or (iii) the exercise of a discretionary function or duty; provided, however, that property of the Authority, other than, in actions to enforce payment of bonds, the revenues and funds pledged to the payment of bonds, shall not be subject to attachment nor levied upon by execution, and, provided further, that the Authority is not authorized to become a debtor under the United States Bankruptcy Code;

(g) to employ personnel as hereinafter provided and to engage architectural, engineering, accounting, management, legal, financial and environmental consulting and other professional services;

(h) to receive and apply its revenues to the purposes of this act without appropriation or allotment by the commonwealth or any political subdivision thereof;

(i) to maintain, repair, operate, extend, enlarge, and improve the sewer and waterworks systems, to investigate, design, construct and acquire improvements and additions to said systems; to engage in activities, programs and projects on its own behalf or jointly with other public bodies; to provide technical assistance to local bodies and the division in furtherance of the management or improvement of water supply and sewage collection, disposal and treatment services; and to provide for the cost of activities, programs and projects from grants, the proceeds of bonds, or from other revenues available to the Authority for such purposes;

(j) pursuant to the provisions of section nine, to acquire and

take and hold title in its own name, by purchase, lease, lease-purchase, sale and leaseback, mortgage, exchange, gift or otherwise, or to obtain options for the acquisition of, and to dispose of, any property, real or personal, improved or unimproved, tangible or intangible, or any interest therein, and to exercise the power of eminent domain;

(k) to establish, adjust, collect and abate charges for services, facilities and commodities furnished or supplied by it;

(l) to borrow money and issue bonds and to pledge or assign or create security interests in funds or revenues of the Authority to pay or secure such bonds;

(m) to obtain insurance and to enter into agreements of indemnification necessary or convenient to the exercise of its powers under this act;

(n) to apply for, receive, administer and comply with the conditions and requirements respecting any grant, gift or appropriation of property, services or moneys;

(o) to enter into contracts, arrangements and agreements with other persons in all matters necessary or convenient to the operation of this act including, without limiting the generality of the foregoing, matters or technical cooperation, planning, management, administration and operations and to execute and deliver instruments necessary or convenient to the exercise of its powers under this act;

(p) to apply for and to hold permits, licenses, certificates or approvals as may be necessary or desirable to construct, maintain and operate the sewer and waterworks systems;

(q) to appear in its own behalf before other public bodies, including, without limiting the generality of the foregoing, the Congress of the United States and the general court of the commonwealth, in all matters relating to its powers and purposes;

(r) to do all things necessary, convenient or desirable for carrying out the purposes of this act or the powers cxpressly granted or necessarily implied by this act.

Specification elsewhere in this act of powers of the Authority with respect to the Authority's regulations, charges and operations shall not limit the generality of the powers granted in this section and in section ten or powers the Authority may exercise under any other special or general law insofar as it relates to the purposes of this act.

SECTION 7. (a) An executive director, who shall be a person professionally skilled and experienced in law, finance, public works or public utility programs, or public administration with significant experience in wastewater pollution abatement,

shall be appointed by the board of directors for a term not to exceed five years as chief executive officer of the Authority, and shall so serve until his successor is appointed and qualified and each such executive director shall be eligible for reappointment for like five year terms. An executive director may be removed at any time by the board for misfeasance, malfeasance or wilful neglect of duty upon the filing by the board with the secretary of the commonwealth of a statement of facts and circumstances which form the basis for such removal. The executive director shall administer the affairs of the Authority, including, without limiting the generality of the foregoing, matters relating to contracting, procurement, personnel and administration, under the supervision of the board of directors in accordance with such authorizations as the board of directors may from time to time reasonably adopt and continue in force. The Authority shall also appoint persons to hold the offices of secretary and treasurer to the Authority. The secretary shall be the custodian of the seal and of the books and records of the Authority and shall keep a record of the proceedings of the board of directors. The secretary may cause copies to be made of all minutes and other records and documents of the Authority and may give certificates under its official seal to the effect that such copies are true copies and all persons dealing with the Authority may rely upon such certificates. The treasurer shall have charge of the books of account and accounting records of the Authority and shall be responsible under the supervision of the executive director for financial control for the Authority. Upon the recommendation of the executive director, the board of directors shall also appoint and establish reasonable compensation, benefits and other terms of employment for other officers and other employees of the Authority as it deems necessary, including assistant secretaries and assistant treasurers in whom may be vested any of the powers of the secretary and the treasurer, respectively, and including architects, engineers, accountants, lawyers, planners and other management and professional personnel. Except as otherwise hereinafter provided for the appointment of said executive director, other officers and employees of the Authority shall serve at the pleasure of the board of directors or under collective bargaining agreements or contracts of employment; provided, however, that no contract of employment, except for that of the executive director, shall exceed a term of three years, which may be renewed upon the expiration thereof.

(b) The Authority may indemnify any present or past director, officer, employee or agent of the Authority and any member, officer, employee or agent of the retirement board established pursuant to paragraph (d) against liabilities, claims, costs and expenses, including legal expenses, in connection with any actual or threatened proceeding, including any settlement thereof

approved by the Authority, arising by reason of any act or omission within the scope of his duties for the Authority; provided, however, that no indemnification shall be provided to a person concerning a matter as to which such person is finally adjudicated to have acted either without the belief held in good faith that his or her conduct was in the best interests of the Authority or with reason to understand that his or her conduct was unlawful. Costs and expenses may be paid prior to a final disposition upon receipt of an undertaking, which the Authority may accept without regard to the financial resources of the person indemnified, that the person receiving the benefit of payments shall repay such payments if he shall be finally adjudicated not to be entitled to indemnification hereunder. The Authority may purchase insurance on behalf of itself and any of its directors, officers, employees or agents and any member, officer, employee or agent of the retirement board established pursuant to paragraph (d) against any liability arising out of such person's status as such, whether or not the Authority would have the power to indemnify such person against such liability.

(c) The Authority and its employees shall be subject to the provisions of chapter one hundred and fifty E of the General Laws, and for purposes of said chapter, the Authority shall be deemed to be an employer or public employer and a legislative body. The Authority may designate a representative to act in its interest in labor relations matters with its employees. Rights and obligations under collective bargaining agreements with respect to employees transferred from the metropolitan district commission, except to the extent expressly inconsistent with this act, shall be assumed by and imposed upon the Authority, and employees transferred to the Authority who are subject to such agreements shall continue to be represented by the employee organizations that are parties to such agreements until such time as they elect to be otherwise represented in accordance with the provisions of chapter one hundred and fifty E. Existing bargaining units as determined by the state labor relations commission for metropolitan district commission employees shall remain in full force and effect for those employees transferred to the Authority until the expiration date of collective bargaining agreements covering such employees. No collective bargaining agreement entered into by the Authority, however, shall limit inherent management rights which shall include, without limiting the generality of the foregoing, the following: (i) employment, assignment, and promotion of employees and the determination of standards therefor, (ii) termination and discharge of employees, provided that any collective bargaining agreement may protect employees against such actions on arbitrary, capricious or unreasonable grounds, (iii) determination of the Authority's levels of service, levels of staffing, and the methods, means and

personnel for performing operations, (iv) supervision, control, and evaluation and establishment of productivity standards for employees, and (v) use of part-time regular employees and of independent contractors or vendors. Notwithstanding the foregoing, each collective bargaining agreement in force on the effective date of this act covering former employees of the metropolitan district commission transferred to the employment of the Authority under section four, shall continue to be a valid collective bargaining agreement in effect with respect to such employees until the date which is two years subsequent to the stated date of expiration of such agreement; provided, however, that the Authority shall negotiate in good faith pursuant to the provisions of chapter one hundred and fifty E of the General Laws with respect to wages, hours, and other terms in conditions of employment to become effective as of the stated date of expiration of such agreement for the balance of the term of such agreement as herein extended.

(d) All employees of the Authority not employed by the metropolitan district commission prior to July first, nineteen hundred and eighty-five shall become members of a contributory retirement system to be referred to as the Massachusetts Water Resources Authority Retirement System, hereinafter referred to as the "Authority Retirement System", which shall be a separate system from the state employees' retirement system and which shall be established and maintained in accordance with sections one to twenty-eight L, inclusive, and section one hundred and two of chapter thirty-two of the General Laws and for all purposes thereunder shall be deemed to be a contributory retirement system of a governmental unit governed by the provisions thereof for the state employees' retirement system except as otherwise expressly provided herein. The Authority Retirement System shall become effective without further acceptance by the Authority on July first, nineteen hundred and eighty-five. The Authority Retirement System shall be administered by a separate retirement board established by the Authority which shall consist of three persons and which shall have custody of the funds of the Authority Retirement System and shall have the general powers and duties set forth in subdivision five of section twenty of chapter thirty-two of the General Laws. One member of the retirement board shall be the secretary of the Authority, serving ex officio. The second member of the retirement board shall be initially appointed by the Authority for a term expiring June thirtieth, nineteen hundred and eighty-six and thereafter the second member shall be a person elected by members in service and members retired from service in the Authority Retirement System from among their number to serve for a term expiring June thirtieth, nineteen hundred and eighty-nine and for successive triennial terms thereafter. The third member of the retirement board shall be appointed by the Authority for suc-

cessive triennial terms; provided, however, that the term of the member first appointed shall expire on June thirtieth, nineteen hundred and eighty-eight. Members of the retirement board shall serve until their successors are duly qualified and shall be eligible for re-election or reappointment. Members of the retirement board shall serve without compensation but each member may be reimbursed for all reasonable expenses incurred in the performance of his duties. Without limitation of other provisions of general law applicable by terms thereof to the retirement board, the retirement board shall be deemed to be a governmental body for purposes of and shall be subject to section eleven A and one-half of chapter thirty A of the General Laws and the members thereof shall be deemed to be state employees subject to chapter two hundred and sixty-eight A of the General Laws. Whenever a person, other than an employee of the metropolitan district commission transferred to the Authority under the provisions of this act, who is a member of a retirement system under chapter thirty-two of thc General Laws shall become a member of the Authority Retirement System by virtue of employment by the Authority, that person shall be entitled to all creditable service and all rights and benefits to which he was entitled as a member of such prior retirement system. Within ninety days of such employment, the amounts of the accumulated total deductions, including accumulated interest on such deductions, credited to such employee's accounts in the annuity savings fund and pension reserve fund of the prior retirement system shall be transferred and credited to the employee's accounts in the annuity savings fund and pension reserve fund of the Authority Retirement System. The amounts required to finance pension benefits earned by employees of the Authority in a given year shall be determined by the retirement board and shall be paid over by the Authority. Funds paid into the Authority Retirement System pursuant to this section shall cease to be funds of the Authority and shall be used solely for the purposes of the Authority Retirement System. This provision shall be deemed to constitute a contractual right and benefit on behalf of members of the Authority Retirement System who are or may be retired pursuant to said chapter thirty-two, and no amendment or alteration shall be made which would result in a diversion of the funds of the Authority Retirement System from the purposes thereof. Nothing in this act shall be deemed in any way to decrease or abridge the annuities, pensions, retirement allowances, refunds or accumulated total deductions or any right or benefit to which an employec transferred to the Authority retirement System pursuant to this act has become entitled by virtue of membership in any of the systems in the state retirement system prior to transfer to the Authority's employment, and the liability therefor shall become the liability of the Authority Retirement System upon the transfer of funds provided for in

this paragraph. All persons transferred to the Authority on July first, nineteen hundred and eighty-five who are members of the state employees' retirement system on account of employment by the metropolitan district commission prior to said date shall continue to be members of the state employees' retirement system and subject to the laws applicable thereto, and neither the Authority nor the Authority Retirement System shall have any liability for retirement allowances to or on account of such persons.

The Authority shall not be liable for retirement allowances to or on account of metropolitan district commission employees who are not transferred to the Authority pursuant to the provisions of this act, except for the costs of retirement contributions of employees of the watershed management division properly chargeable to the Authority.

(e) Subject to the last sentence of this paragraph, every employee who upon employment by the Authority is covered by the group insurance provided by chapter thirty-two A of the General Laws shall continue in uninterrupted coverage and all other employees of the Authority are hereby made eligible for said group insurance to the same extent as if they were employees of the commonwealth. The share of the commonwealth of the cost of such insurance, with respect to the employees of the Authority, shall be borne by the Authority, but with respect to persons retired from service with the metropolitan district commission who have not been employees of the Authority, shall continue to be borne by the commonwealth. The Authority shall forward its contribution, together with all amounts withheld from the salaries or wages of its employees as provided in paragraph (a) of section eight of said chapter thirty-two A and all amounts paid by an employee as provided in paragraph (b) of said section eight, to the state employees group insurance commission at such time and in such manner as said commission may reasonably prescribe. The Authority is authorized to enter into reasonable alternative and substitute group insurance arrangements providing benefits to its employees substantially equivalent to or superior to benefits under said chapter thirty-two A, and thereupon may cease its arrangements for such benefits under said chapter thirty-two A.

(f) The Authority may contract, to the extent permitted by and in accordance with applicable requirements of the United States Internal Revenue Code, with any of its employees (i) to defer a portion of the employee's compensation and to invest such amounts under a deferred compensation program and (ii) to make contributions from amounts otherwise payable as an employee's current compensation to an individual retirement account; hereinafter referred to as IRA.

Investments of deferred compensation may be made in a life insurance or annuity contract, mutual fund or bank investment

trust and investments of IRA amounts may be made in the foregoing or in other investments authorized by the Internal Revenue Code. The treasurer of the Authority, before making any such investment of deferred compensation or making any deductions from compensation for purposes of an IRA, shall solicit sealed bids to be opened at a time and place designated by the treasurer from insurance companies authorized to conduct business within the commonwealth pursuant to chapter one hundred and seventy-five of the General Laws, mutual fund managers and banks. As applicable to investment of deferred compensation and IRA amounts, as the case may be, bids shall clearly indicate thc interest rate which shall be paid, any commissions for salesmen, any load imposed for purposes of administration, mortality projections, expected payments, tax implications for employees and such other information as the treasurer may require. For IRAs, upon the treasurer's determining which provider offers the product or products most beneficial to the employee in each category for which bids were solicited, the treasurer may offer such employee the opportunity to establish an IRA with one or more such providers. The employee who wishes to invest his IRA funds with any such provider, or combination of providers, may authorize the treasurer to deduct from amounts otherwise payable to the employee, at one time or on a periodic basis, amounts to be paid into the employee's IRA. If the employee so elects, the treasurer shall pay to the providers the amount designated by the employee, in the name of the employee, to the employee's IRA. Amounts so paid to the providers for the employee's IRA account shall belong exclusively to the employee. Except as otherwise provided herein, the treasurer may restrict an employee's right to contract to have contributions made to an IRA through deductions and payments by the treasurer to those providers selected as the result of the competitive bidding process outlined herein, but the authority conferred upon the treasurer shall not be construed to restrict or limit the right of any employee to establish one or more IRAs with such banks, insurance companies, or similar authorized institutions as the employee may choose in any manner other than through an authorized deduction by the treasurer of a portion of the employee's compensation as outlined herein. Notwithstanding any provisions to the contrary, the treasurer shall not be required to solicit bids from providers of investment products for deferred compensation investments or IRA contributions, provided: (i) the treasurer elects to invest such deferred compensation in, or is authorized by the employee to pay IRA contributions into, the same investment products as provided through a deferred compensation or IRA plan for employees of the commonwealth administered by the state treasurer, or a deferred compensation plan for employees of the Authority administered by the treasurer, provided such plan resulted from the solicitation of bids

in accordance with bidding requirements comparable to those required under this section; or (ii) the treasurer elects to invest such deferred compensation in, or is authorized by the employee to pay IRA contributions into investment products offered pursuant to a deferred compensation plan or an IRA investment option program, developed through a competitive selection process resulting from the solicitation of bids by a group of any combination of three or more city, town, county or public authority treasurers acting as a Common Group for purposes of soliciting such proposals in accordance with bidding requirements comparable to those required under this section. Any contract entered into between an employee and the Authority pursuant to this section shall include all information in terms the employee can reasonably be expected to understand. Such deferred compensation and IRA programs shall be in addition to and not a part of the retirement program or pension system as provided under the Authority Retirement System, under said chapter thirty-two or under any other benefit program provided by law for such employee. Any compensation deferred under such a plan and any compensation contributed by an employee to an IRA under such plan shall continue to be included as regular compensation, as defined in section one of said chapter thirty-two, for the purpose of computing the retirement and pension benefits earned by any such employee, but any compensation so deferred shall not be included in the computation of any taxes withheld on behalf of any such employee. For purposes of this paragraph, the word "employee" shall have the same meaning as "employee" in section one of chapter thirty-two of the General Laws and shall also include consultants and independent contractors who are natural persons paid by the Authority and whose duties require that their time be devoted to the service of the Authority during regular business hours.

(g) The Authority shall not be subject to the jurisdiction of the division of personnel administration established by section four A of chapter seven of the General Laws and shall not be governed by sections forty-five, forty-six, forty-six C to forty-six G, inclusive, of chapter thirty, and sections twenty-six, twenty-seven and twenty-seven A to twenty-seven E, inclusive, of chapter one hundred and forty-nine of the General Laws. No employee of the Authority shall be covered by section nine A of chapter thirty of the General Laws or by chapter thirty-one of the General Laws except for certain former employees of the metropolitan district commission transferred to the Authority from the metropolitan district commission under section four, to the extent of the rights provided for those employees in said section four; provided, however, that a veteran transferred to the Authority under said section four shall be entitled to include his service at the metropolitan district commission toward the three years of service provided for in section nine A of

chapter thirty, and if he completes such term of service at the Authority, he shall be entitled to rights under and shall be subject to the provisions of chapter thirty. All provisional employees who are transferred to the Authority and who are labor service employees as defined in section one of chapter thirty-one and who are not eligible for an examination as provided for in section twenty-six of chapter seven hundred and sixty-seven of the acts of nineteen hundred and eighty-one and who have worked in such positions for a period of one year prior to January first, nineteen hundred and eighty-five shall be made permanent employees.

The Authority shall engage consultants to perform only those services for the Authority which regular employees of the Authority are unable to perform owing to lack of special expertise or other inability to perform such services on the schedule or in the manner required by the Authority. The Authority shall be subject to section four of chapter one hundred and fifty-one B of the General Laws, shall be deemed to be an agency of the commonwealth for purposes of section two of said chapter, and shall be subject to the enforcement jurisdiction of the commission against discrimination under said chapter. The Authority shall develop policies and programs for affirmative action in employment, procurement and contracting in accordance with law and consistent with general policies and programs of the commonwealth.

The Authority shall also appoint a special assistant for affirmative action and compliance and provide appropriate support staff. The special assistant shall report directly to the chairman of the Authority and shall develop, supervise, monitor and provide for the enforcement of affirmative action plans for employment, procurement and contracting activities of the Authority. The chairman shall take such steps and impose such sanctions as may be appropriate to ensure enforcement. A quarterly report shall be filed at the close of each quarter with the state office of affirmative action and each member of the general court requesting a copy of such report on actions taken during the preceding quarter to implement the Authority's affirmative action plan and programs.

(h) The Authority shall establish an internal special audit unit which, under the direct supervision of the executive director, shall monitor the quality, efficiency and integrity of the Authority's operating and capital programs and make periodic recommendations and reports to the executive director and the board of directors. Employees of the Authority serving in the internal special audit unit shall devote their full-time efforts to the unit and shall not be assigned direct operating responsibilities.

SECTION 8. Without limiting the generality of the powers

granted to the Authority under other provisions of this act, the following provisions are made for the operation, improvement and enlargement of the sewer and waterworks systems by the Authority and for the attainment of the Authority's other purposes:

(a) The operations of the Authority specifically related to the separate functions of sewage collection, treatment and disposal and delivery of water shall be organized respectively into a sewer division and a waterworks division. The Authority shall maintain, except to the extent otherwise permitted in this act, segregated accounts for each of its divisions with respect to the revenues, expenses, assets and funds pertaining to the operation thereof. The board of directors may act to provide specified administrative or technical support services on a combined basis when, in the board's opinion, it would be more efficient to do so. in which event the board shall provide for a fair and equitable allocation of the costs to the accounts of the divisions in accordance with generally accepted accounting principles.

(b) The Authority shall adopt an annual budget for its current expenses which budget the Authority shall have submitted for comment and recommendation to the advisory board not less than sixty days prior to the adoption thereof. Except in case of an emergency, no current expenses may be incurred in excess of those shown in the annual current expense budget. The Authority may from time to time adopt amendments to current expense budgets which the Authority shall have submitted for comment and recommendation to the advisory board not less than thirty days prior to the adoption thereof. The Authority periodically shall also adopt and revise capital facility programs for the sewer system and waterworks system and capital expenditure budgets based thereon. The current expense budgets, capital expenditure budgets and the capital facility programs of the Authority shall be deemed not to be regulations or adjudications for purposes of chapter thirty A of the General Laws. The Authority shall consult in the preparation of its capital facility programs for the sewer and waterworks systems with the advisory board and the executive office of environmental affairs, and may consult with other agencies of federal, state and local government concerned with the programs of the Authority. Proposed capital facility programs and capital expenditure budgets for said systems shall be submitted to the advisory board for such consultation no less than sixty days prior to adoption or revision by the Authority. The Authority shall prepare a written response to reports respecting its finances submitted to it by the advisory board which response shall state the basis for any substantial divergence between the actions of the Authority and the recommendations contained in such reports of the advisory board. The Authority shall file copies of its capital facility programs with the deputy commissioner of capital planning and

operations in accordance with section thirty-nine C of chapter seven of the General Laws, shall prepare and file long-range capital facility development plans in accordance with section seven A of chapter twenty-nine of the General Laws, and shall be deemed to be a public agency subject to the recordkeeping and reporting requirements of paragraph (4) of section forty A of chapter seven of the General Laws.

(c) The sewer division of the Authority shall provide main sewer services for the area consisting of the following political subdivisions: Arlington, Ashland, Bedford, Belmont, Boston, Braintree, Brookline, Burlington, Cambridge, Canton, Chelsea, Dedham, Everett, Framingham, the north sewer district of Hingham, Holbrook, Lexington, Malden, Medford, Melrose, Milton, Natick, Needham, Newton, Norwood, Quincy, Randolph, Reading, Revere, Somerville, Stoneham, Stoughton, Wakefield, Walpole, Waltham, Watertown, Wellesley, Westwood, Weymouth, Wilmington, Winchester, Winthrop and Woburn. The Authority may also enter into (i) arrangements for a limited term with any person within or outside the foregoing political subdivisions to provide sewage treatment, collection or disposal services not involving extension of the sewer system; provided, however, that no such arrangement shall continue for a period in excess of six months, including any renewals thereof, unless it shall have been approved by the advisory board created by section twenty-three, and (ii) arrangements with any local body pursuant to which a sewage collection, treatment or disposal system or any part thereof shall become a part of the sewer system, provided that no extension of the sewer system shall be made to local bodies not listed in the previous sentence unless the Authority shall obtain the approval of the advisory board and the department of environmental quality engineering, after due consideration of feasible alternatives to such extension, and the Authority shall find (1) the safe capacity of the sewer system as extended will be sufficient to meet ordinary wet weather demand, (2) all feasible actions have been taken and shall continue to be taken by any local body to which the system is extended to minimize infiltration and inflow, and (3) an industrial pretreatment program is in effect within any such local body in accordance with applicable laws and regulations. Any local body within the limits of which any main sewer under the control of the Authority is situated shall connect its local sewers with such main sewers subject to the direction, control and regulation of the Authority and the Authority may also connect private sewers with such main sewers under such terms and conditions as the Authority may prescribe. Notwithstanding the foregoing, no new local body will be added to the sewer service area without prior approval of the governor and the general court.

(d) The waterworks division of the Authority shall provide water for local water systems of the following political subdivi-

sions: Arlington, Belmont, Boston, Brookline, Cambridge, Canton, Chelsea, Chicopee, Clinton, Dedham, Everett, Framingham, Leominster, Lexington, Lynn, Lynnfield Water District, Malden, Marblehead, Marlborough, Medford, Melrose, Milton, Nahant, Needham, Newton, Northborough, Norwood, Peabody, Quincy, Revere, Saugus, Somerville, Southborough, South Hadley Water District No. 1, Stoneham, Swampscott, Wakefield, Waltham, Watertown, Wellesley, Weston, Wilbraham, Winchester, Winthrop, Woburn and Worcester. The provisions of special acts and contracts in effect on January first, nineteen hundred and eighty-four under which water is supplied by the MDC water system shall continue in full force and effect under the respective terms thereof, subject to all rights of the Authority as successor to the metropolitan district commission. Continuation of delivery of water to local water systems supplied on a contractual basis on the effective date of this act upon the expiration of such contractual obligations, service to be supplied under willingness-to-service contracts on the effective date of this act and new communities entering the system, shall be made to the foregoing political subdivision on such reasonable terms and charges as the Authority may determine, provided that in each such instance the Authority shall find: (1) the safe yield to the watershed system, only on, advice of the division, is sufficient to meet projected demand; provided, however, that a local body receiving water on a contractual basis as of the effective date of this act which meets the requirements of having no local water supply capable of being developed under the provisions of clause (5), in this subsection, shall not be denied such continuation; (2) no existing or potential water supply source for the local body has been abandoned unless the department of environmental quality engineering has declared that the source is unfit for drinking and cannot be economically restored for drinking purposes; (3) a water management plan has been adopted after approval by the water resources commission established by section eight A of chapter twenty-one A of the General Laws; (4) effective demand management measures have been established, including but not limited to the establishment of a leak detection and other appropriate water system rehabilitation program; (5) a local water supply source feasible for development has not been identified by the local body or the department of environmental quality engineering; and (6) a water use survey has been completed which identifies all users in the area of the local body that consume in excess of twenty million gallons per year. Any provision for supply of water under special act in effect on the effective date of this act, and any contract for the supply of water by the metropolitan district commission in effect on the effective date of this act which does not provide for a specific term may be terminated by the Authority on or after, but not before, the fifth anniversary of the effective date

of this act, in which case continuation of service shall thereafter be governed by the provisions of the preceding sentence. Subject to the approval of the advisory board established by section twenty-three and regulatory bodies within the executive office of environmental affairs with jurisdiction in the matter as a result of other general or special laws applicable to the Authority, the Authority may extend the waterworks system to additional local bodies on such reasonable terms as the Authority may determine; provided, however, that in each instance the Authority shall find: (1) the safe yield of the watershed system, only on the advice of the division, is sufficient to meet such new projected demand; (2) no existing or potential water supply source for the local body has been abandoned unless the department of environmental quality engineering has declared that the source is unfit for drinking and cannot be economically restored for drinking purposes; (3) a water management plan has been adopted after approval by the water resources commission established by section eight A of chapter twenty-one A of the General Laws; (4) effective demand management measures have been established including, but not limited to, the establishment of a leak detection and other appropriate water system rehabilitation program; (5) a local water supply source feasible for development has not been identified by the local body or the department of environmental quality engineering; and (6) a water use survey has been completed which identifies all users in the area of the local body that consume in excess of twenty million gallons per year; and provided further that no new local body will be added to the water service area without prior approval of the governor and the general court. Connections to the water system shall be under the direction and control of the Authority, provided, however, that water shall be delivered by the Authority under sufficient pressure for use without local pumping, unless delivered in some other manner by agreement. The Authority may also enter into arrangements not involving the extension of the waterworks system to provide the delivery of water to any local body, any institution, agency or facility of the commonwealth or any institution, agency or facility of the United States provided (i) that as a condition to the entry into such arrangement the Authority shall find and declare that the demand on the waterworks system from the Authority's performance of the arrangement is not reasonably expected to jeopardize the delivery of water provided by the Authority to the inhabitants of the political subdivisions listed in the first sentence of this paragraph, after taking account of other water supply, resources reasonably available to such political subdivisions, and (ii) no such arrangement shall extend for a period in excess of six months, including any renewals thereof, unless it shall have been approved by said advisory board. Subject to the provisions of section forty of chapter forty of the General Laws, in

case of any emergency as determined by the department of environmental quality engineering, any local body deriving its water supply in whole or in part from the waterworks system may provide a connection and a supply of water to any adjoining local body having an inadequate water supply of water subject to reasonable provision for payment to the Authority and for approval by the Authority of the means of connection. No local body or private water company shall abandon any local water supply source and substitute for it water from the waterworks system unless the department of environmental quality engineering has declared that the water supply source abandoned or to be abandoned is unfit for drinking and cannot be economically restored for drinking purposes. Any local body which derives all or part of its water supply on the effective date of this act under a contract with the metropolitan district commission which contains a minimum purchase requirement may elect, upon such reasonable prior notice as the Authority may require, to terminate such minimum purchase requirement.

(e) In order to attain its statutory purposes to promote water conservation, protect the adequacy of a pure water supply, reduce wastewater flow and improve environmental quality, the Authority is authorized and directed: (i) to promote water conservation and environmental quality through its schedule of charges, to which end, without limiting the generality of the foregoing and the generality of the regulatory powers conferred on the Authority under section six and the powers to establish charges under section ten, the Authority shall prepare and publish no later than the second anniversary of the effective date of this act a comprehensive study of environmental, social and economic impacts of its charges to serve as a basis for the implementation of charges fully consistent with the objectives of this act, and shall consult with the division for the determination of such environmental impact; (ii) to conduct public programs of education and technical assistance in support of water conservation and environmental quality objectives; (iii) to terminate as promptly as feasible, and thereafter not to institute or reinstitute, any charge or charges for the waterworks system by which the unit price declines as volume of use increases; (iv) to identify and consider demand management and water conservation solutions to new and existing water consumption requirements and, wherever reasonably practicable, to implement such solutions in preference to solutions which would increase water withdrawals from any natural or artificial source of ground or surface waters; and (v) to prepare and submit an annual report to the governor, the general court and the water resources commission stating the means by which future water requirements of the Authority's service areas within the safe yield of the watershed system of the division, pursuant to any such determination made by the division.

Nothing contained in paragraphs (c) and (d) shall require a city or town not presently served by the Authority to accept an extension of the Authority's sewer and water works without a majority vote by the city council if a city or a majority vote of town meeting of a town.

(f) Officers or agents of the Authority may enter at reasonable times any public or private property, connected directly or indirectly to the sewer system, for purposes of (i) inspecting, sampling and gauging any sewage, drainage, substances or wastes conveyed through such a connection, (ii) inspecting any monitoring equipment or procedures maintained with respect to discharges thereof, (iii) examining any records or matters pertaining to such discharges or to the operation of pretreatment works, and (iv) determining any matter of compliance with requirements under this act. Officers or agents of the Authority may also enter any public or private property supplied directly or indirectly by the waterworks system for purposes of (i) inspecting water works or fixtures, (ii) determining water usage, (iii) preventing improper use or waste of water, (iv) determining any matter of compliance with requirements under this act. Entry upon private property for purposes of this section shall be made (i) under warrant, including, without limitation, warrants for administrative inspection upon a probable cause showing of a reasonable and valid public interest in the effective enforcement of matters governed by this act in accordance with a general plan justifying administrative inspection of premises specified in the application for such warrant, or (ii) under procedures for warrantless entry of non-residential premises during business hours conducted by administrative inspectors in accordance with regulations which the Authority shall adopt to further the urgent governmental interest in environmental protection committed to the Authority. This section shall not limit entries and administrative inspections, including seizures of property, without a warrant (1) with the consent of the owner or person in charge of the premises, (2) in situations presenting imminent danger to health or safety, (3) in any other exceptional or emergency circumstances where time or opportunity to apply for a warrant is lacking, or (4) in all other situations in which a warrant is not required by the laws and constitutions of the commonwealth or the United States.

(g) The Authority shall be deemed to be a public agency for purposes of, and shall be subject to, sections forty-four A to forty-four H, inclusive, of chapter one hundred and forty-nine of the General Laws, section thirty-nine M of chapter thirty of the General Laws and sections thirty B to thirty M, inclusive, of chapter seven of the General Laws, and shall comply with requirements applicable to an independent public authority for publication of contract information in the central register established under section twenty A of chapter nine of the General

Laws. The Authority shall not be subject to supervision under section twenty-two of chapter seven of the General Laws, but may enter into agreements under section twenty-two A and twenty-two B of chapter seven of the General Laws and in all respects not governed by general or special laws expressly made applicable to the Authority shall adhere to good business practices to be determined by the Authority in its procurement of equipment, materials, property, supplies and services.

(h) In operating its systems and performing its projects in relation thereto, the Authority may construct and maintain buildings, machinery, roads, conduits, pipes, sewers and aqueducts, may alter grades or directions of watercourses and may conduct aqueducts over or under any watercourse, railroad, pipeline, cable, or way, restoring the same to as good order and condition as practicable. Persons who sustain injury in their property by the entry upon or use thereof by the Authority under this section may recover their damages under chapter seventy-nine of the General Laws, unless a lawful alternative provision for such damages is otherwise made by the Authority.

(i) The Authority and the division shall be subject to the provisions of, and to regulation by the department of environmental quality engineering and any division thereof as may be duly exercised over an independent public authority of the commonwealth pursuant to sections fourteen, twenty-seven, thirty A to thirty-four C, inclusive, thirty-sever , forty and forty-two to forty-six A, inclusive, of chapter twenty-one A of the General Laws, sections four, six, seven and nine of chapter twenty-one C of the General Laws, sections three, six, seven, nine and ten of chapter twenty-one E of the General Laws, chapter ninety-one of the General Laws and sections two B, two C, five E, five G, seventeen, thirty-one D, one hundred and forty-two A to one hundred and forty-two E, inclusive, one hundred and fifty A, one hundred and fifty B, one hundred and sixty, one hundred and sixty A, one hundred and sixty B, one hundred and sixty-two and one hundred and sixty-five of chapter one hundred and eleven of the General Laws.

The Authority shall be deemed to be a public entity under section twenty-six A of chapter twenty-one of the General Laws and shall be eligible for grants and other assistance under the Massachusetts Clean Water Act and any other program of federal or state assistance for waterworks, wastewater treatment or related purposes to the most liberal extent of the eligibility of an agency of the commonwealth, a political subdivision of the commonwealth, or any other public body of the commonwealth. The Authority shall be subject to section four A and sections eight A to eight F, inclusive, of chapter twenty-one A of the General Laws, sections three, four, seven, ten and fourteen of chapter twenty-one D of the General Laws and sections one hundred and forty-two A to one hundred and forty-two E, inclusive, of

chapter one hundred and eleven of the General Laws. The Authority shall be deemed to be an agency of the commonwealth for purposes of, and shall be subject to, section one hundred and fifty A and section one hundred and fifty B of chapter one hundred and eleven of the General Laws. Without limitation on other public health or environmental regulation over the Authority exercisable pursuant to other law without conflict with the Authority's purpose of serving critical public needs on a broad geographic basis as a public instrumentality of the commonwealth, the Authority also shall be subject to sections forty and forty A of chapter one hundred and thirty-one of the General Laws, to sections sixty-one to sixty-two H, inclusive, of chapter thirty of the General Laws and to sections twenty-six C and twenty-seven C of chapter nine of the General Laws. The Authority and the division shall be subject to sections thirteen to sixteen, inclusive, and section eighteen of chapter one hundred and thirty-two A of the General Laws. In accordance with section eleven D of chapter twelve of the General Laws, the Authority shall give written notice to the attorney general of all adjudicatory proceedings or public hearings conducted by it or to which it is a party in which damage to the environment is or may be at issue.

(j) All powers to be exercised under this act, including powers to be exercised by the division of watershed management and the Authority, shall be subject to provisions regulating interbasin transfers as set forth in sections eight B to eight D, inclusive, of chapter twenty-one of the General Laws, including without limitation all approvals therein required to be obtained from the water resources commission and to provisions for the protection of scenic and recreational rivers and streams as set forth in section seventeen B of chapter twenty-one of the General Laws and in section two of chapter nine hundred and eighty-four of the acts of nineteen hundred and seventy-three, including without limitation all approvals respecting water diversions therein required to be obtained from the general court.

(k) Notwithstanding any rule or regulation or any provision of any general or special law to the contrary, the commissioner of public safety or his designee in the division of inspection of the department of public safety shall have exclusive jurisdiction and responsibility with respect to projects or operations of the Authority for inspection, approvals, enforcement, permitting and licensure authorized or required by (i) chapter one hundred and forty-three of the General Laws or (ii) any regulation adopted pursuant to chapter eight hundred and two of the acts of nineteen hundred and seventy-two.

(l) Notwithstanding the provisions of chapters one hundred and thirty-four and one hundred and forty-seven of the General Laws, if money, goods or other property which has been abandoned, mislaid or lost comes into the possession of the Authority

and remains unclaimed in its possession for a period of one hundred and twenty days, the Authority may sell the same, excepting money so unclaimed, at public auction after notice of such sale has been published in a newspaper published in the city or town where such sale is to take place. The net proceeds of such sale, after deducting the cost of storage and the expenses of such sale, and all money so unclaimed, shall become revenues of the Authority. If in the opinion of the Authority any such property in the possession of the Authority and unclaimed in its possession for a period of one hundred and twenty days is of the value of one hundred and fifty dollars or less, the Authority may donate the same to a charitable organization.

(m) The powers of the Authority shall include the powers to be exercised by procedures, regulations, incentive and other charges, and licenses and permits to require persons who are users of the sewer system or of any tributary system to the sewer system to comply with applicable provisions of federal and state law respecting (i) toxic waste and pretreatment standards, (ii) construction, operation and maintenance of pretreatment facilities, (iii) monitoring, recordkeeping and reporting of discharges to the sewer system, (iv) notification of proposed new discharges or substantial changes in discharges to the sewer system, and (v) user charges in accordance with law, and to regulate the nature and quantity of discharge of sewage, drainage, substances or wastes by any person into the sewer system or any sewer tributary thereto The procedures, regulations, charges and licensing, permitting and other programs of the Authority shall also reasonably provide for abatement, reduction and prevention of infiltration and inflow of ground waters, surface waters or storm waters into the sewer system; and the Authority is directed to continue, and is authorized in its discretion reasonably to require the extension and improvement of separation of sewers for the collection, treatment, and disposal of human and industrial sewage from drainage for surface or storm water. The procedures, regulations, charges, licensing, permitting and other programs of the Authority shall also reasonably provide for leak detection and repair, for programs for water conservation, including, without limiting the generality thereof, water use limitations in time of drought or other emergency, and may also reasonably provide for installation and maintenance of meters by any person and the metering of use made by any user or group of users of the sewer system or any system tributary thereto or by any user of water derived from the waterworks system. The Authority may regulate and require the taking of a permit from the Authority with respect to any building, construction, excavation or crossing within an easement or other property interest held by the Authority or in the immediate vicinity of a water or sewer main or other facility which is operated by the Authority. The provisions of this

paragraph shall not limit the generality of the regulatory powers conferred on the Authority under section six and the powers to establish charges under section ten.

(n) The Authority is authorized to take all necessary action, consistent with applicable special or general law, administrative regulation or practice, to secure any federal assistance which is or may become available to the Authority, the commonwealth or any local body for any of the sewer or waterworks purposes of this act. If any federal law, administrative regulation or practice requires any action relating to such federal assistance to be taken by any department or instrumentality of the commonwealth other than the Authority, such other department or instrumentality is authorized to take all such action, including without limitation filing applications for assistance, supervising the expenditure of federal grants or loans and making any determinations and certifications necessary or appropriate to the foregoing, and the Authority is authorized to take all action necessary to permit such department or instrumentality to comply with all federal requirements, such action; provided, however, that no such action or federal requirement shall be taken which is inconsistent with the provisions of any special or general law or the provisions of this act relating to waterworks, sewer works, wastewater treatment or water supply.

(o) Any person who without lawful authority injures, destroys or interferes with any property held or used by the Authority for the purpose of constructing, operating or maintaining the waterworks system or the sewer system, shall be subject to a criminal fine of not more than fifty thousand dollars, or imprisonment for not more than one year; provided, however, that in cases of continuing violation, such maximum fine may be ten thousand dollars per day for each day such violation occurs or continues. Notwithstanding any limitation on criminal penalties set forth in the preceding sentence, any person convicted of the wanton or malicious destruction of or injury to any property of the Authority used in the construction, operation or maintenance of the waterworks system or the sewer system shall also be liable in tort to the Authority for triple the amount of damages thereby caused. The provisions of this paragraph are in addition to and not in limitation of the Authority's power to adopt, issue and enforce regulations, permits and licenses and establish penalties for violation thereof and to set charges and provide for the collection and enforcement thereof.

SECTION 9. (a) Except for the acquisition of any water supply source or right to a water source, which right is vested exclusively in the division of watershed management, the Authority may acquire from any person real property, or any interest or rights therein, deemed by it essential for operation, improvement or enlargement of its sewer and waterworks systems

by eminent domain in accordance with the provisions of chapter seventy-nine or chapter eighty A of the General Laws subject to the prior approval of the governor and the general court; provided, however, that for takings related to main, trunk, intercepting and connecting sewers and pumping stations incidental thereto, and combined overflow treatment works and pumping stations incidental thereto, said prior approval shall not be required, and provided, that no property or rights, including water rights, comprising the watershed system shall be taken; and, provided further, that no property or rights already appropriated to public use shall be so taken without the prior approval of the governor and general court. Notwithstanding the provisions of this act, no taking by eminent domain of water or water rights shall be made by the Authority. No taking shall be made for a project of the Authority which requires regulatory approvals with respect to matters to which the Authority is subject under paragraph (i) of section eight until the Authority has certified that the Authority reasonably believes all such approvals will be obtained by the Authority in ordinary course. Before a taking is made by the Authority for which damages may be recovered under chapter seventy-nine, the Authority shall file with the secretary of the commonwealth security to the satisfaction of said secretary for the payment of all damages and costs which may be awarded for the property taken, and if, upon petition of the owner and notice to the Authority, any security taken appears to have become insufficient, the secretary shall require the Authority to give further security to the satisfaction of the secretary.

(b) The Authority may order the removal or relocation of any conduits, pipes, wires, poles or other property located in public ways or places, or in or upon private lands, which it deems to interfere with the laying out, construction, maintenance or operation of the sewer and waterworks systems, subject to the ability of the proper authorities lawfully to grant or otherwise make provisions for new locations for any such structure so removed or relocated. Such orders, to the extent specified therein, shall be deemed a revocation of the right or license to maintain such conduits, pipes, wires, poles or other property in such public ways or places, and the private owner of any such structures in public ways or places shall comply with such orders. If any such owner shall fail to comply with any such order of the Authority relating to any such structure in public ways and places within a reasonable time, to be fixed in the order, the Authority may discontinue and remove such conduits, pipes, wires, poles or other property, and may relocate the same, and the cost of such discontinuance, removal or relocation shall be repaid to the Authority by the owner. No such discontinuance, removal or relocation shall entitle the owner of the property thus affected to any damages on account thereof. Any

such structure in or upon private lands may be removed and relocated by the owner thereof, the reasonable expense thereof shall be repaid to him by the Authority.

(c) Subject to the prior approval of the governor and general court, and to applicable provisions of the laws and constitution of the commonwealth, including without limiting the generality of the foregoing, article ninety-seven of the Amendments to the Constitution of the Commonwealth, doctrines of laws concerned with diversion of lands devoted to public use to other inconsistent public use the Authority may, at public or private sale, sell, lease or dispose of any interest in real property of the sewer and waterworks systems acquired by the Authority pursuant to paragraphs (b) and (c) of section four, upon compliance with the following conditions: (i) such property or interest in property is no longer needed for the construction, maintenance or operation of the sewer and waterworks systems; (ii) such disposition shall not impair the maintenance and operation of said systems; and (iii) the Authority shall so notify the deputy commissioner of capital planning and operations, and said deputy commissioner shall proceed in accordance with section forty F of chapter seven of the General Laws.

(d) Real and personal property, or interests or rights therein, may be acquired by the Authority after July first, nineteen hundred and eighty-five if deemed essential for operation, improvement or enlargement of its sewer and waterworks systems. The Authority may, at public or private sale, dispose of said real property, or interest or rights therein no longer needed for the construction, maintenance or operation of the sewer and waterworks systems, subject to prior approval of the governor and the general court, provided, however, that such disposition shall not impair the maintenance and operation of said systems.

Any interest in real property so disposed of may be conveyed, subject to such easements, reservations and restrictions as the Authority deems necessary to secure the maintenance and operation of said systems, by deed duly executed by the Authority, with or without warranty. In any case where the Authority may dispose of such property, it may convey it and receive in complete or partial consideration therefor other property or interests therein, for the purpose of the sewer and waterworks systems, the title of the same to be taken in the name of the Authority. The Authority shall give sixty days notice of the proposed lease or disposition of any such property or any such interest in real property to the chief executive officer, as defined in section twenty-three, of any city or town in which the real property is located and to the deputy commissioner of capital planning and operations. The Authority shall be deemed to be a public agency for purposes of and shall comply with sections forty J and forty K of chapter seven of the General Laws. The Authority also from time to time at public or private sale conducted in a

commercially reasonable manner may sell or otherwise dispose of personal property of the Authority whether acquired pursuant to the provisions of paragraph (a) of section four or after the effective date of this act, which is no longer needed for the construction, maintenance or operation of said systems.

SECTION 10. (a) Said Authority shall establish and adjust charges which may be denominated as charges, fees, rates, assessments or otherwise as the Authority may reasonably determine, for services, facilities and commodities furnished or supplied by the Authority. The charges of the Authority shall be separately established in respect to the Authority's waterworks and sewer divisions and shall be fixed and adjusted so as to provide funds, in the aggregate and separately, with respect to costs and operations allocable to each division, sufficient in each fiscal year with other revenues of Authority, if any, available therefor (i) to pay all current expenses, (ii) to pay all debt service on bonds of the Authority as the same becomes due and payable, (iii) to create and maintain all reserves reasonably required by any bond resolution, trust agreement or other agreement securing bonds of the Authority or as otherwise determined by the Authority to be necessary or desirable, (iv) to pay all costs of maintenance and replacement of the sewer and waterworks systems, and costs of improving, extending and enlarging said systems as determined by the Authority to be necessary or desirable, to be funded as current expenses in order to carry out the purposes of the Authority, (v) to provide for payments to the commonwealth for debt service as herein provided, and (vi) to pay or provide for all amounts which the Authority may be obligated to pay or provide for by any law or contract including any bond resolution, trust agreement or other agreement securing bonds of the Authority and including any amount to be repaid to the commonwealth to reimburse the commonwealth for debt service paid by the commonwealth on a bond issued under paragraph (f) of section five. The charges of the Authority for delivery of water and for sewage collection, disposal and treatment services shall be established as charges of general application to be borne by the local body utilizing such services and shall be established at a level sufficient to meet the revenue requirements of the Authority as provided in this paragraph, notwithstanding the provisions of any other general or special law to the contrary.

Said Authority's charges of general application shall be adopted, and on not less than an annual basis reviewed and if necessary revised, in accordance with procedures for notice and a hearing as provided by chapter thirty A of the General Laws, and notice of such hearing shall also be delivered at least twenty-one days in advance of the hearing date, to the advisory board and published in newspapers of general circulation in

cities and towns receiving services. No later than the date of such publication, the Authority shall transmit to the advisory board and reasonably provide for other public review for the period preceding the hearing including (i) its most recent financial statements, (ii) its current expense budgets and capital expenditure budgets for the current fiscal year and, if then adopted or proposed, for the next fiscal year, and (iii) the proposed charges on which the Authority seeks public comment. Prior to any public hearing as provided herein, the Authority shall comply with requests of the ombudsman acting under paragraph (g) of section twenty-three for the inspection of the books, records, financial statements and documents of the Authority relating to the proposed charges. In establishing its charges the Authority shall continue provisions for subsidization of water charges to which any local body is entitled in accordance with contract or other lawful obligations assumed by the Authority as successor to the metropolitan district commission, to the same extent as the metropolitan district commission would be bound to provide such subsidization if such charges had continued to be established by the metropolitan district commission. The Authority may also provide for charges of special application to any person for compensation for special or temporary services entered into in accordance with paragraphs (c) and (d) of section eight. Charges of special application shall not be regulations for purposes of chapter thirty A of the General Laws and may be computed in the Authority's discretion with respect to the services or commodities provided on the basis of the Authority's costs, or the value of the benefits conferred on the payer, or market value. The charges of the Authority, whether of general or special application, shall not be subject to supervision or regulation by any office, department, division, commission, board, bureau or agency of the commonwealth or any of its political subdivisions. The charges of the Authority, whether of general or special application, shall give account to (i) actual costs to the Authority of providing services, (ii) reasonable provisions in the nature of incentives and disincentives to promote conservation of resources and protection of the environment and to induce the protection, maintenance and improvement of the sewer and waterworks systems and of sewer and water systems of local bodies, (iii) reasonable provisions reflecting the contribution made by local bodies through expenditures including, but not limited to, leak detection, system rehabilitation and other water management programs, sewerage inflow/infiltration reduction projects, separation of combined sewers and other projects which improve the overall efficiency of the Authority's and local bodies' service delivery, (iv) reasonable provisions to reflect respective local bodies' disproportionate historic investment in the sewer and waterworks systems and in the former metropolitan district commission sewer system and metropolitan

district commission water system used in the services delivered by the Authority, (v) reasonable interest charges and penalties for delinquency in payment.

(b) Said Authority, in such form as it determines, may certify to each local body to which services, facilities or commodities of the Authority are, delivered or furnished the amounts of the Authority's charges to such local body. The Authority may adopt and enforce procedures and regulations for the purposes of making, collecting and enforcing its charges which, without limiting the generality of the foregoing or the general powers with respect to its' regulations and charges provided or by any other general or special law, may impose requirements on any person including, but not limited to, local bodies and officers and boards thereof or subordinate thereto, respecting (i) the furnishing, to the Authority information reasonably deemed pertinent by the Authority concerning the volume and character of services, facilities and commodities furnished or supplied by the Authority, and the nature and quantity of services, facilities and commodities furnished to or to be furnished to or used by or to be used by users, and (ii) reasonable schedules for remittance to the Authority of its charges. In all actions pursuant to this paragraph, the Authority shall give due regard to local bodies' systems of billing and collection of water and sewer charges in order to avoid unnecessary expense and to achieve management and fiscal efficiency consistent with the attainment, of the Authority's statutory objectives. Local bodies, and officers and boards thereof or subordinate thereto, shall cooperate with the Authority to effect the prompt, accurate and efficient billing and collection of the Authority's charges. In the event any local body, which has received a certification of the Authority's charges, shall fail to pay the same to the Authority when due after demand by the Authority, the Authority may without any requirement of election of remedy provided that there is no duplication of recovery, (i) certify to the state treasurer the amount owing to the Authority by said local body, whereupon the state treasurer shall promptly pay over to the Authority any amount otherwise certified to the state treasurer for payment to the local body as receipts, distributions, reimbursements and assistance under sections eighteen A, eighteen B, eighteen C and eighteen D of chapter fifty-eight of the General Laws and any other amount for local reimbursement, grant or assistance programs entitled to be received by such local body until such time as any deficiency in the local body's payment of charges to the Authority shall be set off by such payments from the state treasurer, and (ii) recover from the local body in an action in superior court the amount of such unpaid amount together with such lost interest and other actual damages the Authority shall have sustained from the failure or refusal of the local body to pay over said amount. Any amount

paid to the Authority by the state treasurer as a set off under the provisions of the next preceding sentence which is later determined, upon audit, to be in excess of the actual amount of charges, interest and damages due to the Authority, shall, upon demand of the local body, be repaid by the Authority to the local body.

SECTION 11. (a) Debt for borrowed money incurred by the commonwealth in respect to the metropolitan district commission sewer system, or any predecessor thereof, shall not be assumed by said Authority; provided, however, that on and after July first, nineteen hundred and eighty-five, the Authority shall make payments to the state treasurer from the sewer division to reimburse the commonwealth for all payments made on and after July first, nineteen hundred and eighty-five by the commonwealth on account of principal, including sinking fund installments and interest on all bonds of the commonwealth issued for purposes of the former metropolitan district commission sewer system. The amount of such reimbursements, and the date on which the amounts to be reimbursed shall become due, shall be certified to the Authority by the treasurer, for each fiscal year no later than two hundred and eighty days prior to the commencement thereof; provided, however, that such amounts due on July first, nineteen hundred and eighty-five shall be certified ninety days prior thereto. The obligation of the Authority to make the reimbursements herein required shall be subordinate in every respect to the Authority's obligation for debt service on its bonds.

(b) Debt for borrowed money incurred by the commonwealth in respect to the metropolitan district commission water system, or any predecessor thereof, shall not be assumed by the Authority; provided, however, that on or after July first, nineteen hundred and eighty-five, the Authority shall make payments to the state treasurer from the water division of the Authority to reimburse the commonwealth for one-half of all payments made on or after July first, nineteen hundred and eighty-five by the commonwealth on account of principal, including sinking fund installments and interest on all bonds of the commonwealth issued for purposes of the former metropolitan district commission water system. The amount of such reimbursements, and the date on which such amounts to be reimbursed shall become due, shall be certified to the Authority by the treasurer, for each fiscal year no later than two hundred and eighty days prior to the commencement thereof; provided, however, that such amounts due on July first, nineteen hundred and eighty-five shall be certified ninety days prior thereto. The obligation of the Authority to make the reimbursements herein required shall be subordinate in every respect to the Authority's obligations for debt service on its bond.

SECTION 12. (a) Said Authority may provide, by resolution of the board of directors, for the issuance from time to time of bonds of the Authority for any of its corporate purposes and for reimbursement, pursuant to section forty-two, to the commonwealth for costs associated with the division, or for the borrowing of money in anticipation of the issuance of such bonds. Bonds issued by the Authority may be issued as general obligations of the Authority or as special obligations payable solely for particular revenues or funds as may be provided for in any bond resolution, trust agreement or other agreement securing bonds. The Authority may also provide by resolution of the board of directors for the issuance from time to time of temporary notes in anticipation of the revenues to be collected or received by the Authority, or in anticipation of the receipt of other grants or aid. The issue of such notes shall be governed by the provisions of this act relating to the issue of bonds of the Authority 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 grants, or other aid and renewals thereof, shall mature no later than six months after the expected date of receipt of such grant or aid. The aggregate principal amount of all bonds issued under the authority of this act, shall not exceed the sum of six hundred million dollars outstanding at any one time, provided, however, that bonds for the payment of redemption of which, either at or prior to maturity, refunding bonds shall have been issued, shall be excluded in the computation of outstanding bonds.

(b) 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 an index, banker's loan rate or other method determined by the Authority, and shall mature or otherwise be payable at such time or times, as may be determined by the Authority, and may be made redeemable before maturity at the option of the Authority or the holder thereof at such price or prices and under such terms and conditions as may be fixed by the Authority. Prior to the initial issuance of each series of bonds the Authority shall advise the advisory board created by section twenty-three and the executive office for administration and finance of the timing and terms thereof and the Authority shall also communicate such information to the finance advisory board. The Authority shall determine the form of bonds, including interest coupons, if any, to be attached thereto, and the manner of execution of such bonds, and shall fix the denomination or denominations of such bonds and the place or places of payment of principal, redemption premium, if any, 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 cou-

pons shall cease to be such officer before the delivery thereof, such signature or facsimile shall nevertheless be valid and sufficient for all purposes as if such officer had remained in office until delivery. The Authority may provide for authentication of bonds by a trustee, fiscal agent, registrar or transfer agent. Bonds may be issued in bearer or in registered form, or both, and, if notes, may be made payable to bearer or to order, 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, for the reconversion into coupon bonds of 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 Authority 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 Authority, and no instrument evidencing such bond or rights need be delivered to the registered owner by the Authority. A copy of the books or other records of the Authority pertaining to any bond registered under such registration system certified by an authorized officer of the Authority or by the agent of the Authority maintaining such system shall be admissible in any proceeding without further authentication. The Authority may adopt regulations with respect to the operation of such system. The board of directors may by resolution delegate to any director or directors or officer or officers of the Authority or any combination thereof the power to determine any of the matters set forth in this section. In the discretion of the Authority, bonds of the Authority may be issued with such terms as will cause the interest thereon to be subject to federal income taxation. The Authority may sell its bonds in the manner, either at public or private sale, for the price, at the rate or rates of interest, or at discount in lieu of interest, as it may determine will best effect the purposes of this act.

(c) Said Authority may issue interim receipts or temporary bonds, with or without coupons, exchangeable for definitive bonds when the bonds shall have been executed and are available for delivery. The Authority may also provide for replacement of any bonds which shall have become mutilated or shall have been destroyed or lost. The Authority, by itself or through such agent as it may select, may purchase and invite offers to tender for purchase any bonds of the Authority at any time outstanding, provided, however, that no such purchase by the Authority shall be made at a price, exclusive of accrued interest, if any, exceeding the principal amount thereof or, if greater, the redemption price of such bonds when next redeemable at the option of the Authority, and may resell any bonds

so purchased in such manner and for such price as it may determine will best effect the purposes of this act.

(d) In the discretion of the board of directors, any bonds issued hereunder may be secured by a bond resolution or trust agreement or other agreement in such form and executed in such manner as may be determined by the board of directors between the Authority and the purchasers or holders of such bonds or between the Authority and a corporate trustee which may be any trust company or bank having the powers of a trust company within or without the commonwealth. Such bond resolution, trust agreement or other agreement may pledge or assign, in whole or in part, the revenues and funds held or to be received by the Authority, 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 Authority, and the proceeds thereof. Such bond resolution, trust agreement or other agreement may contain such provisions for protecting and enforcing the rights, security and remedies of the bondholders as may be reasonable and proper, 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, restrictions on the individual right of action by bondholders and covenants setting forth the duties of and limitations on the Authority in relation to the acquisition, construction, improvement, enlargement, alteration, equipping, furnishing, maintenance, use, operation, repair, insurance and disposition of the sewer and waterworks systems, the custody, safeguarding, investment and application of moneys, the issue of additional or refunding bonds, the fixing, revision, charging and collection of charges, the use of any surplus bond proceeds, the establishment of reserves and the making and amending of contracts; provided, however, that the Authority shall not mortgage its real property or fixed assets to secure its bonds.

(e) In the discretion of the board of directors any bonds issued under authority of this act may be issued by the Authority in the form of lines of credit or other banking arrangements under terms and conditions, not inconsistent with this act, and under such agreements with the purchasers or makers thereof or any agent or other representative of such purchasers or makers as the board of directors may determine to be in the best interests of the Authority. In addition to other security provided herein or otherwise by law, bonds issued by the Authority under any provision of this act may be secured, in whole or in part, by financial guarantees, by insurance or by letters of credit issued to the Authority or a trustee or any other person, by any bank, trust company, insurance or surety company or other financial institution, within or without the commonwealth, and the Authority may pledge or assign, in whole or

in part, the revenues and funds held or to be received by the Authority, 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 Authority, and the proceeds thereof, as security for such guarantees or insurance or for the reimbursement by the Authority to any issuer of such letter of credit of any payments made under such letter of credit.

(f) 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 a bond resolution, trust agreement or other agreement of the Authority and to furnish indemnification and to provide security as may be required by the Authority. Any pledge of revenues and other funds made by the Authority under the provisions of this act shall be valid and binding and shall be deemed continuously perfected for the purposes of the uniform commercial code and other laws when such pledge is made. The revenues and funds, rights therein and thereto and proceeds so pledged and then held or thereafter acquired or received by the Authority 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 Authority, whether or not such parties have notice thereof. The bond resolution, trust agreement or any other agreement by which a pledge is created need not be filed or recorded to perfect such pledge except in the records of the Authority and no filing need be made under the uniform commercial code. It is hereby declared that any pledge or assignment made under the Authority of this act is an exercise of the political and governmental powers of the Authority, and revenues or funds, contract or other rights to receive the same and the proceeds thereof which are subject to the lien of a pledge or assignment created under this act shall not be applied to any purposes not permitted by such pledge or assignment.

(g) Any holder of a bond issued by the Authority under the provisions of the act or of any of the coupons appertaining thereto and any trustee or other representative under a bond resolution, trust agreement or other agreement securing the same, except to the extent the rights herein given may be restricted by the resolution, trust agreement or other 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 proceedings for the appointment of a receiver to take possession and control of the business and properties of the Authority, to operate and maintain the same, to make any necessary repairs, renewals and replacements in respect thereof and to fix, revise and collect

charges, protect and enforce any and all rights under the laws of the commonwealth or granted hereunder or under such bond resolution, trust agreement or other agreement, and may enforce and compel performance of all duties required by this act or by such bond resolution, trust agreement or other agreement, to be performed by the Authority or by any officer thereof.

(h) Before the issuance of any bonds of the Authority each member of the board of directors and each officer of the Authority charged with responsibility for the issuance thereof shall execute a surety bond conditioned on the faithful performance of the duties of the office of each such director and officer, in the sum of one hundred thousand dollars payable to the Authority, or, in lieu thereof, the Authority shall obtain a blanket bond in the same amount covering all such persons, and such bonds or bonds shall be filed in the office of the secretary of the commonwealth.

SECTION 13. Said Authority may issue refunding bonds for the purpose of paying any of its bonds issued pursuant to this act at or prior to maturity or upon acceleration or redemption or purchase and retirement. Refunding bonds may be issued at such times at or prior to the maturity, redemption or purchase and retirement of the refunded bonds as the board of directors deems to be in the interest of said Authority. Refunding bonds may be issued in sufficient amounts to pay or provide for payment of the principal of the bonds being refunded, together with any redemption premium thereon, any interest or discount accrued or to accrue to the date of payment of such bonds, the costs of issuance of the refunding bonds, the expenses of paying, redeeming or purchasing the bonds being refunded, the costs of holding and investing proceeds of refunding bonds pending such payment, redemption or purchase 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 bond resolution, trust agreement or other agreement securing bonds. The issue and sale of refunding bonds, the maturities and other details thereof, the security therefor, the rights of the holders thereof, and the rights, duties and obligations of the Authority 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 14. Bonds issued by said Authority are hereby made securities in which all public officers and agencies of the commonwealth and its political subdivisions, all insurance companies, trust companies in their commercial departments, savings banks, cooperative banks, banking associations, investment companies, executors, administrators, trustees and other fiduciaries may properly invest funds, including capital in their

control or belonging to them. Such bonds are hereby made securities which may properly be deposited with and received by any state or municipal officer of any agency or political subdivision of the commonwealth for any purpose for which the deposit of bonds or obligations of the commonwealth or any political subdivision is now or may hereafter be authorized by law.

SECTION 15. Bonds may be issued under this act without obtaining the consent of any executive office, department, division, commission, board, bureau or agency of the commonwealth or any political subdivision thereof, and without any other proceedings or the happening of any condition or acts other than those proceedings, conditions or acts which are specifically required therefor, and the validity of and security for any bonds issued by the Authority pursuant to this act shall not be affected by the existence or nonexistence of any such consent or other proceedings, conditions or acts. Provisions of this act relating to the preparation, adoption or approval of programs and budgets shall not affect the issue of bonds and bonds may be issued either before or after such preparation, adoption or approval.

SECTION 16. Bonds issued under the provisions of this act, excepting any notes or bonds guaranteed or issued by the commonwealth under paragraphs (e) or (f), respectively, of section five, shall not be deemed to be a debt or a pledge of the faith and credit of the commonwealth or of any of its political subdivisions, but shall be payable solely from the funds of the Authority from which they are made payable pursuant to this act. Bonds issued under the provisions of this act, excepting any notes or bonds guaranteed or issued by the commonwealth under paragraphs (e) or (f) of section five, shall recite that neither the commonwealth nor any political subdivisions thereof shall be obligated to pay the same and that neither the faith and credit nor the taxing power of the commonwealth or of any political subdivision thereof is pledged to the payment of the principal of or interest on such bonds. Further, every bond shall recite whether it is a general obligation of the Authority or a special obligation thereof payable solely from particular revenues or funds pledged to its payment. The aggregate principal amount of all bonds issued under the authority of this act shall not exceed the sum of six hundred million dollars outstanding, provided however, that bonds for the payment of redemption of which, either at or prior to maturity, refunding bonds shall have been issued shall be excluded in the computation of outstanding bonds.

SECTION 17. Notwithstanding any of the provisions of this

act or any recitals in any bonds issued hereunder, all such bonds shall be deemed to be investment securities under the uniform commercial code.

SECTION 18. All moneys received pursuant to the provisions, 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 19. (a) Bonds issued by the Authority, their transfer and the income therefrom, including any profit made on the sale thereof, shall, at all times, be exempt from taxation by and within the commonwealth.

(b) The Authority shall not be required to pay any taxes, betterments, assessments or excises upon its income, existence, operation or property; provided, however, that so long as there is no revocation of the Authority's title to sewer and waterworks systems as provided for in section four, the Authority is authorized and directed to make payments in accordance with sections five D to five F, inclusive, of chapter fifty-nine of the General Laws.

SECTION 20. It is expressly contemplated by this act that the Authority, to the extent deemed by it to be necessary and convenient to achieve its purposes under this act and under such supervision from agencies of the commonwealth as is expressly authorized in this act, shall provide water and sewage collection, treatment and disposal services within its service area on an exclusive basis. It is intended that this section shall not (i) diminish the powers or responsibilities of local bodies, (ii) override other provisions of this act regulating the procedures for abandonment of local water supplies, (iii) limit the lawful exercise of any local body, subject to applicable approvals by the department of environmental quality engineering and the water resources commission, to continue to use any source of water used by it or to develop or reactivate any source of water to be used by it, or (iv) impose responsibility on the Authority for operation of the sewer and waterworks systems except as the Authority is charged with responsibility or may elect to exercise responsibility under other provisions of this act. In addition to and without limiting the generality of the foregoing, said Authority shall be a "local government" insofar as concerns immunity under sections (4), (4A) or (4C) of the Clayton Act; 15 U.S.C.A SS. 15, 15A, and 15C from damages, interest on damages, costs or attorneys fees for a local government, for any official or employee thereof acting in an official capacity or for a person against, whom a claim is based on any official action directed by a local government, or official or employee thereof acting in an official capacity.

SECTION 21. The Authority and its corporate existence shall continue until terminated by law; provided, however, that no such law shall take effect so long as said Authority shall have bonds outstanding unless adequate provision has been made for the payment or satisfaction thereof. Upon termination of the Authority, the title to all funds and other properties owned by it which remain after provision for the payment or satisfaction of all bonds of the Authority shall vest in the commonwealth. The obligations, debts and liabilities of the Authority shall be assumed by and imposed upon the commonwealth, and the funds of the authority retirement system shall be transferred to the treasurer and receiver general or to such other successor as the general court may designate, to be held for the exclusive use and benefit of the members of the authority retirement system.

SECTION 22. (a) The Authority, 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 advisory board. Said Authority shall submit an annual report, in writing, 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 and the advisory board. Said report shall include financial statements relating to the operations, properties, and capital facility expenditures, including costs of land acquisitions, of the Authority maintained in accordance with generally accepted accounting principles so far as applicable, beginning with the fiscal year of the Authority commencing July first, nineteen hundred and eighty-five, and audited by an independent certified public accountant firm.

(b) Not later than December thirty-first, nineteen hundred and eighty-nine and every five years thereafter, the Authority shall 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 and the advisory board a progress report on the Authority's attainment of its statutory purposes. Each such five-year progress report shall be prepared by the Authority with the assistance of an independent citizen panel which shall include persons selected by the Authority and approved by the advisory board who are experienced in environmental protection, civil engineering and public management and finance. Said reports shall include recommendations concerning the future activities of the Authority including, but not limited to, changes in the provisions of this act or the Authority's administrative procedures necessary or desirable for improving the delivery of services. The costs of preparing the reports of said Authority shall be provided for in the current expense

budgets of said Authority.

SECTION 23. (a) There shall be an advisory board to the Authority consisting of (i) a voting representative of each of the following cities and towns: Arlington, Ashland, Bedford, Belmont, Boston, Braintree, Brookline, Burlington, Cambridge, Canton, Chelsea, Chicopee, Clinton, Dedham, Everett, Framingham, Hingham, Holbrook, Leominster, Lexington, Lynn, Lynnfield, Malden, Marblehead, Marlborough, Medford, Melrose, Milton, Nahant, Natick, Needham, Newton, Northborough, Norwood, Peabody, Quincy, Randolph, Reading, Revere, Saugus, Somerville, South Hadley, Southborough, Stoneham, Stoughton, Swampscott, Wakefield, Walpole, Waltham, Watertown, Wellesley, Weston, Westwood, Weymouth, Wilbraham, Wilmington, Winchester, Winthrop, Woburn and Worcester and (ii) a voting representative of the metropolitan area planning council to be designated by the board of the council and six persons to be appointed by the governor who shall be voting representatives from the following categories: (1) one person who represents the interests of persons and communities in the Connecticut river basin area, (2) one person who represents the interests of persons and communities in the Quabbin and Ware watershed area, (3) one person who represents the interests of persons and communities in the Wachusett watershed area, provided, however, that no such person appointed for categories (1), (2) or (3) shall live in a community which has a representation on the advisory board by virtue of clause (i) of this sentence, (4) one person with skill and expertise in matters relating to environmental protection, and (5) two persons qualified by membership or affiliation in organizations directly concerned with the recreational or commercial uses of Boston harbor and who are further qualified by professional experience in an environmental or scientific discipline. The member of the advisory board representing a city or town shall consist of the chief executive officer thereof; provided, however, that any chief executive officer, by writing filed with the Authority may appoint a permanent designee to serve in his stead as a member of said advisory board until the expiration of each term of office of the designating chief executive officer or the earlier vacancy of the office of the designating chief executive officer. For purposes of this section, the term "chief executive officer" shall mean the person designated as the chief executive officer under the provisions of a local charter of laws having the force of a charter, and otherwise the mayor in every city and the chairman of the board of selectmen or president of the town council, as the case may be, in every town. The members of said advisory board appointed by the governor shall serve coterminous with the governor.

(b) The total voting strength of the advisory board shall be one hundred votes, of which ninety-five votes shall be divided

on a fractional basis in the manner hereafter provided among the cities and towns listed in clause (i) of the first sentence of paragraph (a) of this section and five votes shall be divided on an equal fractional basis among the representatives provided for in clause (ii) of said sentence. The fractional vote of the representative of each city or town shall be determined on an annual basis by the Authority on a weighted basis by dividing a reasonable estimate of the charges for the Authority's services to users in that city or town by a reasonable estimate of the charges for the Authority's services to all users in all such cities and towns. For each year the determination of votes shall be certified to the advisory board by the Authority, provided, however, that within five days of the effective date of this act the executive office of environmental affairs shall prepare an interim voting value based on the most recent available annual records of the costs of water and sewer services of the metropolitan district commission, which interim voting value shall be conclusive upon the advisory board until July first, nineteen hundred and eighty-six. Said advisory board may act at a regular periodic meeting called in accordance with its by-laws or at a special meeting called by the Authority or by representatives of fifteen or more members of the advisory board. Except as specially provided in paragraph (e), a quorum of the advisory board shall consist of representatives who hold a total voting strength of fifty or more of the votes of the advisory board, and the advisory board may act, except as otherwise provided in paragraph (e), by the affirmative casting of a majority of the votes represented in the quorum. The advisory board shall be deemed to be a governmental body for purposes of, and shall be subject to, section eleven A and one-half of chapter thirty A of the General Laws and shall also be subject to section ten of chapter sixty-six of the General Laws.

(c) For the conduct of its business said advisory board shall adopt and may revise and amend by-laws. Said advisory board shall annually elect a chairperson, a vice chairperson and a secretary and such other officers as said advisory board may determine. Each officer shall serve until a successor is chosen and qualified. Each officer may be removed by vote of the advisory board with or without cause. In the event of a vacancy, said board shall fill the vacancy for the unexpired term. Each member of said advisory board shall serve without compensation but may be reimbursed, as an expense of said advisory board, for all reasonable expenses incurred in the performance of its duties as approved by the advisory board.

(d) The purposes of the advisory board shall be as follows:

(i) to appoint three members of the board of directors of the Authority, in the manner hereafter provided and in section three;

(ii) to consider matters committed to the approval of the

advisory board under paragraphs (c) and (d) of section eight;

(iii) to make recommendations to the Authority on annual current expense expenditure budgets submitted to the advisory board in accordance with paragraph (b) of section eight;

(iv) to make recommendations to the Authority on its charges;

(v) to hold hearings, which may be held jointly with the Authority at the discretion of the advisory board and said Authority, on matters relating to said Authority;

(vi) to review the annual report of the Authority and to prepare comments thereon to the Authority and the governor, and to make such examinations of the reports on the Authority's records and affairs as the advisory board deems appropriate; and

(vii) to make recommendations to the governor and the general court respecting the Authority and its programs. The advisory board shall have all powers necessary or convenient to carry out and effectuate the foregoing purposes.

(e) Three members of the board of directors of the Authority shall be appointed by the advisory board. Members of the board of directors so appointed may also be members of said advisory board. Said advisory board shall appoint successor members, which successor members shall replace those members of the board of directors appointed by the advisory board whose terms have expired or otherwise terminated. With respect to appointment of any member of the board of directors the advisory board shall act only if there is a special quorum consisting of a majority of those persons who are voting members of the advisory board and only by an affirmative vote of the majority of the members present, each voting member voting one unweighted vote, and in this instance the total voting strength of the advisory board shall equal the total number of persons entitled to vote.

(f) Within thirty days of receiving any proposed current expense budget of the Authority or within fifteen days of receiving any proposed amended expense budget of the Authority, the advisory board shall hold a public hearing on matters relating to such budget for the purpose of ascertaining, for subsequent report to the Authority if necessary, the views of the public thereon.

(g) The advisory board shall provide for the appointment of an ombudsman who, with assistance from such staff and consultants as the advisory board may authorize and appoint, shall act for and in the name of the advisory board in the following respects:

(i) preparation of analysis for the advisory board of the Authority's current expense budgets, capital expenditure budgets and capital programs and their effect on the charges of said Authority;

(ii) representation of the advisory board to said Authority in

all matters relating to said Authority's programs, operations, finances and charges;

(iii) reporting regularly to the advisory board on the activities of the ombudsman and other staff of the advisory board, on the affairs of the Authority, and on the effect of the Authority's program and operations on the costs to consumers of water and sewer services; and

(iv) exercising such other duties and responsibilities consistent with the powers of the advisory board as the advisory board may assign from time to time.

Reports of the ombudsman, after acceptance by the advisory board, shall be made available to the public.

(h) The advisory board may incur expenses, not to exceed thirty-five thousand dollars in the fiscal year commencing July first, nineteen hundred and eighty-four and not to exceed one hundred thousand dollars annually thereafter for expenses authorized under paragraph (c) and for personnel and office expenses. Such expenses shall be paid by the Authority in the fiscal year commencing July first, nineteen hundred and eighty-four from amounts appropriated to the Authority by the commonwealth, and thereafter shall be provided for in current expense budgets of the Authority. After the fifth anniversary of the transfer date, the maximum level of advisory board expenses may be increased from time to time upon the review and approval by the Authority of the justification for such increases submitted by the advisory board.

SECTION 24. The superior court department of the trial court shall have jurisdiction to enforce rights and duties created by the provisions of this act, and on complaint of the Authority may restrain violations of the Authority's regulations and otherwise enforce by any appropriate remedy, including without limiting the generality of the foregoing, injunctive relief, the regulations, licenses, permits, orders, penalties and charges of the Authority. Penalties and charges established by or under authorization of this act shall be collected for the account of the Authority and paid over to the Authority. Except for rights of action expressly conferred upon the Authority, no provision of this act shall create private rights of action in enforcement proceedings.

Notwithstanding any provision of the Massachusetts Water Resources Authority Act or of any special or general law to the contrary, the supreme judicial court shall have original and exclusive jurisdiction of all state actions in which the Authority is a defendant and water pollution is an issue. The attorney general shall appear on behalf of the Authority in any action involving water pollution in which the Authority is a plaintiff or defendant, and he shall do so to the same extent as is required by section three of chapter twelve when appearing on behalf of a

state agency.

SECTION 25. The provisions of this act shall be deemed to provide an additional, alternative and complete method for accomplishing the purposes of this act, and shall be deemed and construed to be supplemental and additional to, and not in derogation of, powers conferred upon the Authority and others by laws; 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, the provisions of this act shall be controlling.

SECTION 26. (a) All local bodies and all public agencies, instrumentalities, commissions and authorities of the commonwealth are hereby authorized and empowered to undertake activities, programs and projects in conjunction with the Authority in furtherance of the purposes of this act, including without limiting the generality of the foregoing, to join in investigations and studies, and to grant applications and applications for project approvals.

(b) Except with respect to real property acquired or held for purposes described in Article XCVII of the Amendments to the Constitution, all local bodies and all public agencies, instrumentalities, commissions and authorities of the commonwealth, are hereby authorized and empowered to lease, lend, grant or convey to the Authority upon such terms and conditions as the proper authorities of such public bodies, public agencies, instrumentalities, commissions and authorities of the commonwealth may deem appropriate and without the necessity of any action or formality other than the regular and formal action of said public bodies, agencies, instrumentalities, commissions and authorities of the commonwealth any interest in any real or personal property which may be necessary or convenient to effect the purposes of the sewer and waterworks of the Authority.

(c) All general and special laws relating to water and sewer services of local bodies shall be interpreted and construed liberally so as to effectuate the purposes and provisions of this act and the objectives of the Authority.

(d) For any local body in the service areas of the Authority, local officials lawfully so charged shall for their local body have the charge and control of the respective water, waterworks and sewer works owned and used by said local body and not in the ownership, possession and control of the Authority. Said local officials so charged shall have for their local body the charge and control of the water sources owned and used by said local body. Subject to the exercise of powers of the Authority provided for in this act or otherwise, and to other applicable law, said local officials shall manage and improve municipal water works and sewer works, extend the pipes and other works as

they may deep expedient, keep the pipes, fixtures and other works under their charge in good condition and repair, and prescribe for local water and sewer systems, rules and regulations under other law, provided, however, that without limiting the generality of the foregoing, written notice of rules and regulations relating to local sewer and delivery of water services proposed for adoption by any local body shall, except in an emergency, be given to the Authority not less than sixty days prior to adoption.

(e) Notwithstanding any provision of general or special law to the contrary, a local body may (i) for furnishing water supply, establish rates, fees or other charges on a flat rate per volume of water consumed or on an ascending unit rate based on quantity of water consumed; and may (ii) provide for furnishing water supply and sewer services in its charges or through abatement proceedings conducted in accordance with its regulations for assurance of service to persons who by reason of age, infirmity or poverty are unable to pay the charges of the local body otherwise applicable, provided that the aggregate liability of the local body for the total amounts owed to the Authority under section ten shall be in no way diminished thereby. Without limiting the generality of regulatory powers and powers with respect to charges established elsewhere in this act, the Authority may require that each local body adopt and administer user charges for local water services and sewage services which shall be in compliance with (i) all applicable requirements of state and federal law, and (ii) policies of the Authority directed to conservation of water, elimination of infiltration and inflow of surface water and ground water into the sewage collection, treatment and disposal system, and removal or pre-treatment of industrial wastes. No action shall be taken by the Authority, however, in violation of clause 1 of section 10 of Article I of the United States Constitution which shall substantially impair a contractual expectation entered into prior to the effective date of this act by a local body pursuant to a power granted it by law to issue revenue bonds.

(f) If, except in circumstances of temporary emergency, any volume of water from the watershed system of the division shall be directed under any provision of law for delivery of water purposes which are not subject to the charges of the Authority provided for in section ten, the Authority shall receive compensation from the user or users thereof in lieu of revenues which otherwise would have been received by the Authority in respect of the use of such water.

SECTION 27. Notwithstanding the provisions of any general or special law or provision of this act to the contrary, no officer of the Authority shall enter into any consent decree in any court of any jurisdiction without prior approval of the governor and

the general court.

SECTION 28. The provisions of chapter twelve A of the General Laws shall apply to the Authority.

SECTION 29. 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 any constitutional requirements. In carrying out the purposes and provisions of this act, all steps shall be taken which are necessary to meet constitutional requirements.

SECTION 30. On July first, nineteen hundred and eighty-five, the metropolitan sewerage district and the metropolitan water district shall be dissolved and the following sections of chapter ninety-two of the General Laws are hereby repealed: Sections one, one A, two, three, four, five, five A, five B, six, six A, six B, seven, eight, eight A, nine, ten to thirty-two, inclusive, seventy-seven, seventy-eight, eighty-one, eighty-two, and one hundred and two.

SECTION 31. Chapter 10 of the General Laws is hereby amended by striking out section 11 and inserting in place thereof the following section:-

Section 11. He shall annually as soon after the prorogation of the general court as is practicable, publish a statement showing the assessments for interest, principal, and maintenance requirements due from towns in the metropolitan parks districts; a statement showing the several classes of debts incurred for metropolitan district purposes, and the share of the towns in the district as measured by the basis used in computing the assessments mentioned in the first statement; and such other statements, if any, as he may deem advisable. The expense of printing shall be apportioned and paid from the maintenance fund of the parks districts.

SECTION 32. The second paragraph of section 33B of chapter 21 of the General Laws is hereby amended by striking out, in line 2, the words, "the metropolitan district commission" and inserting in place thereof the words:- , the Massachusetts Water Resources Authority.

SECTION 33. Said chapter 21 of the General Laws is hereby amended by striking out section 40 and inserting in place thereof the following section:-

Section 40. The director, his authorized representative, or personnel of the division of watershed management in the metropolitan district commission or of the Massachusetts Water Re-

sources Authority may enter at reasonable times any property, public or private, for the purpose of investigating or inspecting any condition relating to the discharge or possible discharge of pollutants and may make such tests as may be necessary to determine the existence and nature of such discharge; provided, however, that personnel of said division may investigate or inspect only such conditions as affect the watershed system under the care and control of said division, and provided, further, that personnel of the Massachusetts Water Resources Authority may investigate or inspect only such conditions as affect the sewer and waterworks systems under the care and control of said Authority. He may inspect any monitoring equipment or procedure required by the terms of a permit issued under section forty-three. The director or his authorized representative may examine any records pertaining to operation of treatment works, and any records required to be kept by the terms of a permit issued under said section forty-three.

SECTION 34. Section fifteen of chapter twenty-one A of the General Laws is hereby repealed.

SECTION 35. Section 38 of chapter 40 of the General Laws is hereby amended by striking out the third paragraph thereof and inserting in place thereof the following paragraph:-

Nothing in this section shall be construed as authorizing any city, town, or political subdivision which derives any part of its water supply from the Massachusetts Water Resources Authority, except in case of emergency, to use for water in contravention of any provision of the Massachusetts Water Resources Authority Act, and no such city, town, political subdivision nor any water company therein shall purchase water, except in case of emergency, from any municipality without written permission to do so by the said Authority.

SECTION 36. Chapter forty of the General Laws is hereby amended by striking out section forty and inserting in place thereof the following:-

Section 40. The division of watershed management of the metropolitan district commission in cities and towns supplied water by the Massachusetts Water Resources Authority, the city council in other cities, the selectmen or water commissioners in other towns, water commissioners of water supply and fire and water districts, officers having control of county institutions having water works, heads of state departments having control of state institutions having water works, hereinafter described as officers having control of such an institution, and water companies supplying any communities in the commonwealth, in cases of emergency, may, on behalf of their respective bodies politic or corporate, take by eminent domain under chapter

seventy-nine the right to draw water from any stream, pond or reservoir or from ground sources of supply by means of driven, artesian or other wells not already appropriated to uses of a municipal or other public water supply, or may purchase water from the Massachusetts Water Resources Authority, any other water supply district, fire and water district or any city, town or water company, or county or state institution having water works, for a period of not more than six months in any years in quantities necessary to relieve the emergency; but no such taking or purchase shall be made until after the department of environmental quality engineering has certified that an emergency exists and has approved the water as a proper source of water supply and unless and until, in the case of towns and water supply and fire and water districts, the selectmen or water commissioners have first been authorized so to take or purchase by a vote of the voters at a town meeting or a district meeting, as the case may be, or, in the case of water companies, said companies have first been authorized in writing by said department, and unless and until notice of such taking, including a copy of plans and specifications, has been given to the city council or to the board of selectmen, as the case may be, by certified mail at least ten days prior thereto. The proper authority as aforesaid may also take by eminent domain under said chapter seventy-nine the right to use any land for the time necessary to use such water; provided, that, in the case of such a taking by a water company, said department shall first prescribe the limits within which such rights shall be taken. The vote of a city council or of the voters of a town or of a water supply or fire and water district or the action of county or state officers as aforesaid or of the metropolitan district commission and the written authorization of said department of environmental quality engineering to a water company to make or authorize such taking or purchase as aforesaid shall be conclusive evidence of the existence of the emergency. Any water supply district or fire and water district and any city, town or water company or the aforesaid officers having control of any county or state institution having water works may, for a period of not more than six months in any year, sell to the Massachusetts Water Resources Authority, to any city, town, water supply or fire and water district, or water company, or to any county or state institution having water works, such quantities of water as may be available at the time, and the approval of said department of environmental quality engineering shall be conclusive evidence that such quantities are safely available for sale. In such emergencies the said parties interested may agree to install for the purpose temporary pipes and other works in any city or town; provided, that the installation or repair of such pipes or other works in or along any highway shall be done with the least possible hindrance to public travel,

and shall be subject to the direction and approval of the officers or departments having charge of the maintenance of said highways.

SECTION 37. Section 24 of chapter 40B of the General Laws is hereby amended by inserting after the word "commission", in line 17, the words:- the chairman of the board of directors of the Massachusetts Water Resources Authority.

SECTION 38. Chapter 59 of the General Laws is hereby amended by striking out section 5D and inserting in place thereof the following section:-

Section 5D. Property held by a city, town or district, including property held by or for the watershed system of the division of watershed management of the metropolitan district commission, and the waterworks system of the Massachusetts Water Resources Authority, as successors to the metropolitan water district, pursuant to the provisions of the Massachusetts Water Resources Authority Act, in another city or town for the purpose of a water supply, the protection of its sources or a sewage disposal, or of a public airport if yielding no rent, shall not be liable to taxation therein; but the city, town or district so holding it shall annually on July first, pay to the city or town in which such property is located an amount equal to that which such city or town would receive in taxes upon the average of the assessed taxable valuation of the land, which shall not include buildings or other structures except in the case of land taken for the purpose of protecting the sources of an existing water supply, for the three years last preceding the acquisition thereof, the valuation for each year being reduced by all abatements thereon. Payments made by the division of watershed management of said commission and by the metropolitan water and sewer authority pursuant to the provisions of this section for the year when a city or town shall have made a general revaluation of all its real property for purposes of taxation shall not be less than payment made to said city or town for the year immediately preceding the general revaluation. Whenever a city or town in which such land is located shall have made a general revaluation of all its real property for purposes of taxation, the valuation of such land for the purpose of payment authorized by this section shall be determined by the commissioner of revenue as of January first, between January first and June first, in the year succeeding such revaluation and in every fifth year thereafter, so that the payment with respect to such land shall remain substantially the same as that made prior to such revaluation. The city, town or district owning such land or the division of watershed management of said commission and the metropolitan water and sewer authority, if aggrieved by the determination of the commissioner, may within six months after written notice

thereof appeal to the appellate tax board. Any part of such land or buildings from which any revenue in the nature of rent is received shall be subject to taxation. Revenue received for the use of such areas of land within the property so held for the purpose of a public airport as are used for the take-off and landing of aircraft, including runways and taxi strips, or for the use of buildings on such property which are used as a terminal or administration building or for housing, servicing and repairing aircraft, shall not be deemed to be rent or revenue in the nature of rent within the meaning of this paragraph.

If such land is part of a larger tract which has been assessed as a whole, its assessed valuation in any year shall be taken to be that proportional part of the valuation of the whole tract which the value of the land so acquired, exclusive of buildings, bore in such year to the value of the whole tract.

SECTION 39. Said chapter 59 is hereby further amended by striking out section 5E and inserting in place thereof the following section:-

Section 5E. The assessors of a city or town where land is acquired by such other city, town or district for water supply or sewage disposal or for a public airport shall, within one year after such acquisition, determine the average valuation of such land under section five D and certify the amount so determined to such other city, town or district. The mayor or selectmen, the commissioners or prudential committee of a district, or the division of watershed management of the metropolitan district commission or the Massachusetts Water Resources Authority, within six months after receipt of said certificate, may appeal from such determination to the appellate tax board; and upon the approval of said board shall determine the valuation in the manner provided in the preceding section, and section sixty-five, so far as applicable, shall govern such appeal.

If land within any city or town shall have been taken from it for said purposes, and for any one of the three years prior to the taking shall have been used for any public purpose, and for that reason no taxes have been collected thereon, the city or town and the board or officer having charge of the land so taken may within six years after such taking agree as to the value of the land upon which the annual payment is to be made as aforesaid from the time of the taking, and if they cannot agree the board or officer shall notify the city or town thereof, and thereupon the value shall be determined by the appellate tax board under said section sixty-five, and said notice shall be deemed to be the notice referred to in said section sixty-five. This section and section five D shall apply to property held for the purposes of the watershed system of said division and the waterworks system of said Authority, except property situated in Ashland, Boylston, Holden, Hopkinton, Sterling or West Boyl-

ston, but shall apply only to property acquired by a city, town or district, prior to January first, nineteen hundred and forty-six, including land or property acquired for water supply purposes prior to such date by the metropolitan district commission, or a predecessor entity thereof and comprising any or all of the watershed system of said division or waterworks system of said Authority pursuant to the provisions of the Massachusetts Water Resources Authority Act.

SECTION 40. Said chapter 59 is hereby further amended by striking out section 5F and inserting in place thereof the following section:-

Section 5F. Land acquired on or after January first, nineteen hundred and forty-six, by a municipality or a district including land held by or for the watershed system of the division of watershed management and by or for the waterworks system of the Massachusetts Water Resources Authority, as successors to the metropolitan water district, and held on January first in any year for any public purpose by such municipality, in this section referred to as the holding municipality, or by such district, if such land is located in a municipality other than such holding municipality, or, in the case of land so acquired and held by a district, in a municipality other than the municipality or municipalities in which the district lies or which constitute the district, shall, with all buildings and other things erected thereon or affixed thereto, be exempt from taxation for the next following fiscal year except as hereinafter otherwise provided: such holding municipality or district shall, on July first of such year, pay to the municipality in which such land is located the amount which would be assessable for the next following fiscal year upon a valuation equal to the average of the assessed taxable valuations of the land and all buildings and other things erected thereon or affixed thereto on the three assessment dates next preceding the acquisition of the land, the assessed valuation for each assessment date being reduced by all abatements, if any. If land subject to this section was not separately assessed or was exempt from taxation on any of said assessment dates, the fair cash value of the land and all buildings and other things erected thereon or affixed thereto on such assessment date shall for the purposes of this section be deemed to be the assessed valuation thereof on such date. Payments made by said division or said Authority pursuant to the provisions of this section for the year when a city or town shall have made a general revaluation of all its real property for purposes of taxation shall not be less than payments made to said city or town for the year immediately preceding the general revaluation. Whenever a city or town in which such land is located shall have made a general revaluation of all its real property for purposes of taxation, the valuation of such land for the purpose of payments authorized

by this section shall be determined by the commissioner of revenue as of January first, between January first, and June first, in the year succeeding such general revaluation and in every fifth year thereafter. The division of watershed management of the metropolitan district commission or the Massachusetts Water Resources Authority or the holding municipality or district, if aggrieved by the determination of the commissioner, may within six months after written notice thereof appeal to the appellate tax board.

The assessors of the municipality where land subject to this section lies shall determine the average valuation in accordance with this section and certify such valuation to the holding municipality or district liable under this section. The division of watershed management of the metropolitan district commission, or the Massachusetts Water Resources Authority or the holding municipality or district, if aggrieved by such determination, may within three months, after such certification appeal to the appellate tax board, which shall determine the average valuation in accordance with this section.

If rent or any revenue in the nature of rent is received from any part of any real estate subject to this section, the party yielding such rent or revenue shall be subject to taxation. The tax shall be in addition to the amount payable under this section. Revenue received for the use of such portions of a public airport as are used for the taking-off and landing of airplanes, including runways, taxi and transition strips, or revenue received for the use of buildings on a public airport, which are actually and exclusively used for servicing and repairing airplanes, shall not be deemed to be rent or revenue in the nature of rent within the meaning of this paragraph.

SECTION 40A. Said chapter 59 of the General Laws is hereby further amended by inserting after section 5F the following section:-

Section 5G. The Massachusetts Water Resources Authority, on July first of each year, shall pay over to the division of watershed management, an amount to be held in trust for payment to each city or town in which property of the Quabbin watershed and Ware River watershed is held by said division for purposes of a water supply or the protection of its sources, said amount to equal that which such city or town would receive in taxes upon the fair cash valuation of the land, which shall not include buildings or other structures except in the case of land taken for the purposes of protecting the sources of an existing water supply, the valuation for each year being reduced by all abatements thereon; provided that in no event shall any city or town receive an amount less than the payment received from the metropolitan district commission in the prior fiscal year. Said division shall pay such amounts without, further appropriation to

such city or town no later than August first of each year. Payments made by said Authority pursuant to the provisions of this section for the year when a city or town shall have made a general revaluation of all its real property for purposes of taxation shall not be less than payment made to said city or town for the year immediately preceding the general revaluation. Whenever a city or town in which such land is located shall have made a general revaluation of all its real property for purposes of taxation, the valuation of such land for the purpose of payment authorized by this section shall be determined by the commissioner of revenue as of January first, between January first and June first, in the year succeeding such revaluation and in every fifth year thereafter, so that the payment with respect to such land shall remain substantially the same as that made prior to such revaluation; provided, however, that notwithstanding any other provisions of this section, the valuation of such land, held by and for the division of watershed management, for the purpose of payments in lieu of taxes pursuant to this section, shall be determined by the commissioner of revenue in accordance with the provisions of sections thirteen to seventeen, inclusive, of chapter fifty-eight of the General Laws. In no event shall any city or town receive an amount less than the payment received from the metropolitan district commission in the prior fiscal year. The city, town, district, or authority owning such land, or said division of watershed management, if aggrieved by the determination of the commissioner, may within six months after written notice thereof appeal to the appellate tax board. Any part of such land or buildings from which any revenue in the nature of rent is received shall be subject to taxation.

If such land is part of a larger tract which has been assessed as a whole, its assessed valuation in any year shall be taken to be that proportional part of the value of the whole tract which the value of the land so acquired, exclusive of buildings, bore in such year to the value of the whole tract.

The Massachusetts Water Resources Authority on July first of each year, shall pay over to the said division of watershed management, an amount to be held in trust for 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 amounts to be held in trust as payments in lieu of taxes shall be made only on lands which are above the high water mark of the total acreage in question that is held by each community; provided, however, that the sum of said payments shall not be less than fifty thousand dollars annually, and shall be valued in accordance with the provisions of sections thirteen to seventeen, inclusive, of chapter fifty-eight. In no event shall any city or town receive

an amount less than the payment received from the metropolitan district commission in the prior fiscal year.

SECTION 41. Section 1 of chapter 83 of the General Laws is hereby amended by striking out the fifth paragraph, inserted by section 7 of chapter 758 of the acts of 1969, and inserting in place thereof the following paragraph:-

Any city, town or district may enter into agreements and contracts with the Massachusetts Water Resources Authority for the purpose of making connections and for the collection, treatment and disposal of sewage. No connection shall be made until the plans have been approved by the department of public health, and in instances within the sewer system of the Massachusetts Water Resources Authority until the contract and plans are approved by the said Authority. The word "district", as used in this paragraph, shall be construed, so far as apt, as it is defined in section one A of chapter forty.

SECTION 42. Chapter 92 of the General Laws is hereby amended by inserting after section 103 the following seventeen sections:-

Section 104. As used in this chapter, unless the context clearly indicates otherwise, the following words and phrases shall have the following meanings:

(a) "Advisory committee", the watershed system advisory committee for the appropriate watershed system.

(b) "Authority", the Massachusetts Water Resources Authority.

(c) "Bonds", any bonds, notes or other evidences of indebtedness.

(d) "Commission", the metropolitan district commission.

(e) "Division", division of watershed management.

(f) "Quabbin watershed advisory committee", the committee established by section one hundred and fourteen.

(g) "Revenues", all charges, reimbursements and other receipts delived by the division from operation of the watershed system and from all other activities or properties of the division including, without limiting the generality of the foregoing, proceeds of grants, gifts, investments, earnings and proceeds of insurance or condemnation.

(h) "Watershed system", (i) all real and personal property interests held by or on behalf of the commonwealth immediately prior to the effective date of this act in and for the metropolitan district commission water system which were part of or appurtenant to the Quabbin watershed, Quabbin Reservoir, Ware River watershed, Wachusett watershed, Wachusett Reservoir, North and South Sudbury watersheds, Sudbury Reservoir, Framingham Reservoirs 1, 2 and 3, Blue Hills Reservoir, Bear Hill Reservoir, Spot Pond Reservoir, Fells Reservoir, Weston Reservoir,

Norumbega Reservoir, Chestnut Hill Reservoir, including land, easements, buildings, structures, all equipment, machinery, vehicles, and appliances, improvements, water rights and rights in source of water supply and (ii) all enlargements and additions to the former metropolitan district commission water system acquired or constructed by the division for the purposes of the watershed system, including land, easements, buildings, structures, equipment, machinery, vehicles, and appliances, improvements, reservoirs, dams, water rights and rights in sources of water supply, but excluding the waterworks system of the Authority;

Section 105. There shall be within the commission a division of watershed management which shall be subject to the provisions of chapter seven hundred and thirty-seven of the acts of nineteen hundred and seventy-two. The division shall construct, maintain and operate a system of watersheds, reservoirs, water rights and rights in sources of water supply, shall supply thereby a sufficient supply of pure water to the Massachusetts Water Resources Authority, and shall utilize and conserve said water and other natural resources in order to protect, preserve and enhance the environment of the commonwealth and to assure the availability of pure water for future generations. The division shall maintain a visitors' informational center at the Quabbin reservation.

Section 106. The division shall keep all bridges built by it across the reservoir upon the Nashua river safe, and shall have charge of, use, maintain and operate the same, and the commonwealth shall be exclusively responsible for all damages caused thereby or by any defect or want of repair therein. The commission shall have the exclusive right and control over all ponds, reservoirs and other property within the watershed system, and may order all persons to keep from entering in, upon or over the waters thereof and the lands of the commonwealth or towns surrounding the same.

Section 107. The division shall have the exclusive right to and interest in hydroelectricity developed, generated, transmitted, distributed and sold as an incident to the operation of the watershed and waterworks systems, may undertake such projects for such purposes and may authorize or contract with any other person otherwise lawfully qualified for such person to perform on reasonable terms and conditions such activities on behalf of or by arrangement with the division. The division may by lease, license or permit or on its own behalf provide for the installation and operation of electric and telecommunications transmission facilities within said systems, provided that such facilities shall not interfere with the proper operation of said systems and that no lease, license or permit for such purpose shall be made for a term of more than forty years. Subject to contractual requirements or other legal obligations in force on

the effective date of this act, the division shall permit use of water in reservoirs for hydroelectric generation only when and to the extent that water is otherwise subject to release for reasons of sound management of the reservoirs for watershed, waterworks and stream flow purposes. All revenues derived from the activities authorized herein shall annually be remitted by the division to the state treasurer who shall deposit said revenues into the general fund.

Section 108. The department of environmental quality engineering shall make rules and regulations for the sanitary protection of the watershed system of the division. The division shall cause such rules and regulations to be posted at or near the waters to which they respectively apply, and shall also cause the same to be published at least once in a newspaper published in the county where said waters are in whole or in part situated, and such posting and publication shall be sufficient notice to all persons. The sworn certificate of any member of the commission or of its secretary of such posting and publication, or of the posting or publication of an order made by the commission, shall be prima facie evidence thereof. A copy of any such rule, regulation or order, attested by any member of the commission or by its secretary, shall be prima facie evidence that said rule, regulation or order was made by department or by the commisioner, as the case may be.

Section 109. No person shall take or divert any water of the watershed system of the division, and no person shall corrupt, render impure, waste or improperly use any such water.

Section 110. The commission, and its employees designated for the purpose, shall enforce sections one hundred and four to one hundred and nine, inclusive, and the rules, regulations and orders made thereunder, and may enter into any building, and upon any land for the purpose of ascertaining whether sources of pollution there exist, and whether said sections and the rules, regulations and orders made as aforesaid are complied with.

Section 111. Any person who without lawful authority takes or diverts any water from any water supply within the watershed system of the division, or who corrupts or defiles any such water supply, or any source of such water supply, or who injures, destroys or interferes with any property held or used by the Authority for the purpose of constructing, operating or maintaining the watershed system, or who violates or refuses to comply with any rule, regulation or order of the commission shall be subject to a criminal fine of not more than fifty thousand dollars or imprisonment for not more than one year; provided, however, that in cases of continuing violation, such maximum fine may be ten thousand dollars per day for each day such violation occurs or continues. Notwithstanding any limitation on criminal penalties set forth in the preceding sentence, any

person convicted of the wanton or malicious destruction of or injury to any property used in the construction, operation or maintenance of the watershed system shall also be liable in tort to the commission for triple the amount of damages thereby caused. Any such fine or tort judgement shall be payable to the treasury of the commonwealth.

Section 112. The supreme judicial or superior court or any justice of either court shall, on petition of the commission or of any town or person interested, have jurisdiction in equity or otherwise to enforce sections one hundred and four to one hundred and eleven, inclusive, and any rule, regulation or order made thereunder, and to prevent any violation of said sections, rules, regulations or orders.

Section 113. The amount of fiscal year charges to the Authority representing one-half of the amounts appropriated for the division, debt service, the cost of capital improvements and other authorized charges of the division, less one-half of the amount of prior appropriations which may revert in accordance with law, less revenues received pursuant to section one hundred and seven, and less one-half the amounts paid in said fiscal year in trust by the Authority to the division for application to payments in lieu of taxes to be made by the division as provided in chapter fifty-nine of the General Laws shall be determined annually by the comptroller as of the close of each fiscal year. The comptroller shall certify to the state treasurer the amount of such determination. The state treasurer shall in each year, beginning with the portion of calendar year nineteen hundred and eighty-five ending June thirtieth thereof, and each fiscal year thereafter beginning with the fiscal year nineteen hundred and eighty-six, assess to the Authority the amount of such determination. All monies received under the provisions of this section shall be paid into the state treasury.

Section 114. The commissioner is hereby authorized and directed to establish the Quabbin watershed advisory committee. The purpose of the committee shall be to advise the division on its policies and regulations regarding fishing, boating and other recreational activities and environmental, wildlife and habitat matters within the Quabbin watershed and the Ware river watershed. The commissioner of the metropolitan district commission shall appoint to said advisory committee one person from three names nominated by each of the following organizations: the Massachusetts Council of Sportsmen, the Trout Unlimited, the Quabbin Fisherman's Association, the Worcester County League of Sportsmen, and the North Worcester County Quabbin Anglers, The Massachusetts Audubon Society, the New England Sierra Club and the Friends of Quabbin, Inc.

The commissioner shall also appoint one member from the general public. The committee shall elect a chairperson from among its members, shall meet at least twice each calendar year,

and may provide for alternate members to participate fully in its meetings whenever a regular member is unable to do so.

Section 115. The commissioner shall establish a watershed system advisory committee to advise the division on its policies and regulations regarding fishing, boating, and recreational activities and other environmental and wildlife matters in all of the watershed system areas under the control of the division, exclusive of the Quabbin watershed and the Ware river watershed. The committee shall consist of nine members, the qualifications of whom shall be determined by regulation by the commissioner. The committee shall elect a chairperson from among its members, shall meet at least twice each calendar year, and may provide for alternate members to participate fully in its meetings whenever a regular member is unable to do so.

Section 116. The commissioner shall at least once every five years, adopt after public hearing one or more periodic watershed management plans for the watershed system, which shall have been prepared with the participation of a professionally qualified forester and the appropriate watershed advisory committee. Any watershed management plan shall provide for, but need not be limited to, forestry, water yield enhancement and recreational activities. All forestry activities shall be subject to sections forty to forty-six, inclusive, of chapter one hundred and thirty-two of the General Laws.

Section 117. The commission, on behalf of the commonwealth, may take by eminent domain under chapter seventy-nine, or acquire by purchase or otherwise, lands in fee, easements, rights and other property that it deems necessary or desirable for carrying out the powers and duties conferred upon it by the provisions of this chapter relative to the construction maintenance and operation of the watershed system.

Section 118. The division shall be deemed to be a public entity under section twenty-six A of chapter twenty-one and shall be eligible for grants and other assistance under the Massachusetts Clean Water Act and other program of federal or state assistance for water supply, or related purposes.

Section 119. The commission shall have over the property of the watershed system all the general power and authority which it has over reservations so far as the same may be exercised consistently with the purposes for which the watershed system is maintained.

Section 120. The division shall not contract for services exclusive of contracts pursuant to provisions of any general or special act relating to forest cutting practices and for consultants performing only those services for the division which regular employees of the division are unable to perform, to accomplish any of its duties nor shall it enter into any interagency agreement for such purpose. Only officers and employees of the division shall perform its duties.

SECTION 43. Said chapter 92 is hereby further amended by striking out section 58 and inserting in place thereof the following section:-

Section 58. The amount of money required each year from every such town to meet the interest, sinking fund and serial or other bond requirements and the cost of maintenance for the metropolitan parks district as aforesaid, and the deficiency, if any, shall be estimated by the state treasurer, in accordance with the proportions determined as aforesaid by said commission, together with any amounts required by law to be specially assessed upon any particular town, and shall be included and made a part of the sum charged to such town, and shall be paid by such town into the state treasury as provided by section twenty of chapter fifty-nine and the total of such assessments for the metropolitan parks district shall be limited in accordance with section twenty A of chapter fifty-nine by reference to the total of such assessments for the metropolitan parks districts in the preceding fiscal year.

SECTION 44. Said chapter 92 is hereby further amended by striking out section 60 and inserting in place thereof the following section:-

Section 60. The expense of the salaries of the metropolitan district commissioners, and such expense of maintenance of the general office and otherwise as the commission shall determine are not clearly or wholly incurred in the maintenance work of either the metropolitan parks or boulevards shall be paid one-half as maintenance of reservations by the metropolitan parks district and one-half as maintenance of boulevards by the commonwealth. The state treasurer shall include the amounts required of each town of said district to meet said expenses in the sums assessed upon said towns and such amounts shall be paid by said towns to the commonwealth as provided by section twenty of chapter fifty-nine.

SECTION 45. Said chapter 92 is hereby further amended by striking out section 61 and inserting in place thereof the following section:-

Section 61. The police appointed or employed by the commission, except special police officers, shall have within the metropolitan parks district, within the cities and towns outside said district wherein property owned by or under management or control of the division of watershed management or the Massachusetts Water Resources Authority is situated, and within the waters of Boston harbor, including the coastline and coastal waters of the following cities and towns: Boston, Braintree, Cambridge, Chelsea, Cohasset, Everett, Hingham, Hull, Lynn, Marblehead, Milton, Nahant, Quincy, Revere, Saugus, Somerville, Swampscott, Weymouth, and Winthrop, all the powers of

police officers and constables of towns of this commonwealth, except the power of serving and executing civil process, and may carry within the commonwealth such weapons as the said commission shall authorize. Such special police officers shall have all said powers, except in relation to the service of civil process and to the carrying of weapons, but only within said parks district.

The police appointed or employed by the commission, except special police officers, shall have exclusive jurisdiction on and within all property of the division of watershed management and the Massachusetts Water Resources Authority.

Nothing in this section shall affect the powers and jurisdiction of the state police, the metropolitan district commission police, the city of Boston police department, the division of fisheries, wildlife and recreational vehicles, or the police officers of the respective cities and towns within the Boston Harbor or within the commonwealth as of the effective date of this section.

SECTION 46. Said chapter 92 is hereby further amended by striking out section 88 and inserting in place thereof the following section:-

Section 88. The commission may join with any city, town or county in the laying out, improvement, relocation, widening, repairing, maintaining and caring for any public way, bridge or stream which lies along or connects any reservation or boulevard owned or controlled by the commission, and in the expense of such work, and for such purposes or any of them, may make contribution to such city, town or county by a grant of land or rights in land, although the same be already a boulevard, or by payment of money for its portion of such expense.

SECTION 47. Said chapter 92 is hereby further amended by striking out section 97 and inserting in place thereof the following section:-

Section 97. If any apportionment for assessment upon the towns of the metropolitan parks district shall not have been finally determined by July first of any year, the last apportionment thereof shall remain in force for the purpose of assessment during such current year. Any difference between such apportionment when finally made by the commission for such year, and the pre-existing apportionment above referred to, shall be adjusted with such town by the state treasurer in the assessment of the succeeding year by a deduction therefrom or an addition thereto, as may be required to give effect to the said apportionment when made as aforesaid.

SECTION 48. Said chapter 92 is hereby further amended by striking out section 98 and inserting in place thereof the following section:-

Section 98. Annual appropriations shall be made for the maintenance of reservations and boulevards and such appropriations shall be apportioned and assessed by the state treasurer as provided in this chapter. Of the amount so assessed and collected, any balance remaining on November thirtieth in any year shall be carried forward to the next year, and shall be taken into account in making the assessments for that year.

SECTION 49. The first sentence of section 103 of said chapter 92, as appearing in section 1 of chapter 507 of the acts of 1982, is hereby amended by striking out the words "sewer, water", in lines 3 and 4, and inserting in place thereof the words:- watershed system.

SECTION 50. Chapter 111 of the General Laws is hereby amended by striking out section 174A and inserting in place thereof the following section:-

Section 174A. In order to preserve the purity and prevent the pollution of the waters of any reservoir, pond, and stream used for domestic water supply, by the watershed system of the division of watershed management of the metropolitan district commission, or by a town, water supply or fire and water district, public institution or water company, said division, the public board or commission, or the governing board in case of a water company, having control of such waters may authorize one or more of its employees, so far as permissible under federal law, to take such reasonable means and use such appliances and weapons as, in the judgment of such public board or commission, or governing board, as the case may be, will prevent the defilement of said waters by gulls or terns, any provision of chapter one hundred and thirty-one to the contrary notwithstanding. Every such division, public board or commission and governing board shall keep an accurate account of all birds killed by its employees under authority of this section and submit such account to the director of the division of fisheries and wildlife of the department of fisheries, wildlife and recreational vehicles at such times and covering such periods as he may prescribe.

SECTION 51. The seventh paragraph of section 105 of chapter 130 of the General Laws, as appearing in section 220 of chapter 706 of the acts of 1975, is hereby amended by inserting after the word "engineering", in line 6, the following words:- Massachusetts Water Resources Authority.

SECTION 52. The eighth paragraph of section 105 of said chapter 130, as so appearing, is hereby amended by inserting after the word "commission", in line 2, the following words:- Massachusetts Water Resources Authority.

SECTION 53. The third paragraph of section 40A of chapter 131 of the General Laws, as appearing in chapter 782 of the acts of 1982, is hereby amended by inserting after the word "commission,", in line 6, the following words:- Massachusetts Water Resources Authorty.

SECTION 54. The sixth paragraph of section 40A of said chapter 131, as so appearing, is hereby further amended by inserting after the word "commission", in line 15, the following words:- Massachusetts Water Resources Authority.

SECTION 55. Section 45 of said chapter 131, as appearing in section 1 of chapter 802 of the acts of 1967, is hereby amended by striking out, in lines 5, and 6, the words "or the first sentence of section seventeen of chapter ninety-two".

SECTION 56. The definition of "employer" or "public employer" in section 1 of chapter 150E of the General Laws, as most recently amended by chapter 484 of the acts of 1981 is hereby further amended by adding the following sentence:- In the case of employees of the Massachusetts Water Resources Authority, the employer shall mean the Massachusetts Water Resources Authority.

SECTION 57. Section 73 of chapter 152 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 19 of chapter 364 of the acts of 1983, 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, the Greater Lawrence Sanitary District, the Minuteman Regional Vocational Technical School District, the Massachusetts Water Resources Authority 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 58. Section 8 of chapter 233 of the General Laws, as most recently amended by chapter 466 of the acts of 1975, is hereby further amended by inserting after the word "commission", the first time it appears in line 14, the following words:- the Massachusetts Water Resources Authority.

SECTION 59. Section 7 of chapter 731 of the acts of 1981 is hereby amended by inserting after the word "Authority,", in line 3, the following words:- the Massachusetts Water Resources Authority.

SECTION 60. Without limiting the generality of paragraph (d) of section eight of this act, special acts which shall continue to govern certain water supply arrangements include: chapter three hundred and forty-eight of the acts of nineteen hundred and twenty-three, as amended by chapter five hundred and ninety-two of the acts of nineteen hundred and fifty-eight, and chapter six hundred and forty-three of the acts of nineteen hundred and seventy-four, relating to water supply for the town of Clinton from the Wachusett Reservoir; chapter six hundred and fifty-six of the acts of nineteen hundred and twelve, relating to water supply for the town of Framingham, provided upon the expiration of agreements in effect on the effective date of this act, the terms and charges upon which such service shall be provided shall be determined in accordance with the provisions of paragraph (d) of section eight of this act; chapter seventy-five of the acts of nineteen hundred and twenty-five with respect to water supply for the town of Sterling, chapter six hundred and forty-four of the acts of nineteen hundred and forty-one, relating to water supply for the town of Southborough; section eleven of chapter three hundred and seventy-five of the acts of nineteen hundred and twenty-six relating to water supply for the towns of Hubbardston, Barre, Oakham, Hardwick, New Braintree, Palmer and Ware from the Ware river; section twelve of chapter three hundred and seventy-five of the acts of nineteen hundred and twenty-six, as amended by chapter three hundred and forty of the acts of nineteen hundred and thirty-one and chapter six hundred and ninety-nine of the acts of nineteen hundred and forty-nine, relating to water supply for the city of Worcester from the Quinapoxet river; section twenty-two of chapter three hundred and twenty-one of the acts of nineteen hundred and twenty-seven relating to water supply from the watershed of the Swift river; and section twenty-two of chapter four hundred and eighty-eight of the acts of eighteen hundred and ninety-five with respect to water supply from the south branch of the Nashua River, as amended by section two of chapter three hundred and fifty-two of the acts of nineteen hundred and thirty-three, for various cities and towns. With respect to maintenance of flow and restriction on diversion, the Authority shall be bound to the same extent as was the metropolitan district commission immediately prior to the effective date of this act by those limitations which continue in force as of the date of this act set forth in two certain findings of the Secretary of War of the United States, acting upon the recommendation of the Chief of Engineers of the United States Army, dated

respectively March fourteenth, nineteen hundred and twenty-eight and May eleventh, nineteen hundred and twenty-nine; with respect to the Ware river by section four of chapter three hundred and seventy-five of the acts of nineteen hundred and twenty-six as amended by section seven of chapter five hundred and thirteen of the acts of nineteen hundred and thirty-nine; with respect to the Swift river and the Quinapoxet river, by section one of chapter three hundred and twenty-one of the acts of nineteen hundred and twenty-seven; with respect to the Nashua river, by chapter four hundred and eighty-eight of the acts of eighteen hundred and ninety-five; with respect to the Sudbury river, by chapter one hundred and seventy-seven of the acts of eighteen hundred and seventy-two and section three of chapter five hundred and fifty-seven of the acts of nineteen hundred and forty-seven; and with respect to the Charles river, by chapter six hundred and three of the acts of nineteen hundred and fifty. Duties, powers and rights of the metropolitan district commission relating to the sewer and waterworks systems under any of the foregoing acts shall hereafter be vested in the Authority subject to the powers of and limitations on the Authority contained elsewhere in this act.

SECTION 61. Effective July first, nineteen hundred and eighty-five the authority of the state treasurer to issue bonds and notes of the commonwealth for the purposes of the MDC sewer system and the MDC water system shall be void and of no further effect.

SECTION 62. Section 33 of chapter 21 of the General Laws, as most recently amended by section 3 of chapter 286 of the acts of 1982, is hereby amended by striking out the second paragraph thereof and inserting in place thereof the following paragraph:-

Where (i) the federal government has awarded a seventy-five per cent grant for the eligible costs of the project, the division may award a fifteen per cent grant for such eligible project costs, or (ii) the federal government has awarded a fifty-five per cent grant for the eligible costs of the project the division may award a thirty-five per cent grant for such eligible projects costs; provided, however, that in the event the grant awarded by the federal government is less than seventy-five per cent or fifty-five per cent of such eligible costs, as the case may be, the division may award a grant in such amount to assure that the public entity's share of the eligible costs of such project does not exceed ten per cent; and provided (iii) that in the event that a project eligible for such a federal grant has not been awarded a federal grant, the division may award a grant of up to thirty-five per cent of the eligible costs of such project. Where, because the project entails the use of innovative or

alternate technology, the federal government has awarded an eighty-five per cent grant for the eligible costs of the project, the division may award a nine per cent grant for such eligible project costs; provided, however, that in the event the grant awarded for such a project is less than eighty-five per cent the division may award a grant in such amount to assure that public entity's share of the eligible costs of such project does not exceed six per cent.

SECTION 63. Grants made under clause (iii) of the first sentence of the second paragraph of section thirty-three of chapter twenty-one of the General Laws shall be made in accordance with a priority system to be established by regulation of the director of the division of water pollution control, which priority system may include criteria applied in administering the FWPCA as defined in said chapter twenty-one of the General Laws and shall also include supplemental preferential criteria for the following factors: (a) that the project is necessary in order to abate violation of law found in a judicial proceeding or ordered to be abated under section thirty-three D of chapter twenty-one of the General Laws or other administrative proceeding of proper jurisdiction; provided, however, that the division may deny priority to a project where unreasonable and wilful dilatory conduct of a public entity has contributed to the entry of such judicial or administrative order; and (b) that the project will offer water quality improvements benefitting shellfish cultivation and saltwater recreation. Nothing in this section shall require the director in establishing such priority system and making such grants to take any action which would disqualify the commonwealth from the receipt of maximum available federal assistance under federal programs for wastewater treatment construction grants.

SECTION 64. It is the intention of the general court with respect to grants authorized by section thirty-three of chapter twenty-one of the General Laws provided from the proceeds of any bond issues previously authorized and lawfully available therefore and, as necessary, from future authorizations of bonds or other future appropriations, that: (a) total state expenditures in any fiscal year for the sum of all grants made under clauses (i), (ii) and (iii) of the first sentence of the second paragraph of said section thirty-three, computed on the basis that such grants under clause expenditure in said fiscal year for the aggregate of grants under clauses (i) and (ii) of said sentence of said paragraph of said section thirty-three, computed on the basis that such grants under clauses (i) and (ii) are made or deemed to be made in accordance with federal grant participation levels in effect on the effective date of this act, and (b) total aggregate expenditures in all years for grants

under said clause (iii) of the first sentence of said second paragraph of said section thirty-three shall not exceed three hundred million dollars. It is also the intention of the general court that from the effective date of this act, that the share of eligible costs to be borne by a public entity sponsoring any water pollution abatement facility funded by a grant from the federal government under the Federal Water Pollution Control Act shall not exceed ten per cent.

SECTION 65. Chapter seven hundred and thirty-seven of the acts of nineteen hundred and seventy-two shall continue in full force and effect.

SECTION 66. Notwithstanding any other provision of this act, employees of the metropolitan district commission whose duties as of the effective date of this act are directly or primarily related to forestry, biology, wildlife, police, management, maintenance or operation in any watershed system property; shall be transferred on January first, nineteen hundred and eighty-five to the division of watershed management.

SECTION 67. Any community, any part of which is within ten miles of the state house, may continue to use any source of water presently used by it, or may develop any source not presently used by it for domestic or industrial purposes. If the commissioner of the department of environmental quality engineering shall declare a source of water to be unfit for consumption, said town or community or part thereof, may abandon said unfit source and derive its entire water supply or portion thereof from the Authority. No water company owning a water pipe system in the towns of Hingham, Hull, Dedham, or Westwood shall charge more for water than a reasonable sum measured by the price ordinarily charged for a similar service in towns in the water works system of the Authority. The selectmen of either of said towns or any persons deeming themselves aggrieved by the price charged for water by any such company in either of said towns may, in nineteen hundred and twenty-three and every fifth year thereafter, apply by petition to the supreme judicial court, asking to have the rate fixed at a reasonable sum measured by the standard above specified; and two or more judges of said court, after hearing the parties, shall establish such maximum rates as they shall deem proper; and said, maximum rates shall be binding upon said water company until the same shall be revised or altered by said court pursuant to this section.

SECTION 68. The executive director of the Authority shall conduct a feasability study for construction of a septage waste processing facility for towns which have used in the past or now use the MDC sewer lines to discharge waste from septic systems.

Said feasability study shall require that the entire cost of building and maintaining such processing facility shall be born by the towns using it.

SECTION 69. The Authority shall not take any structural action in any donor basin, including any capital inprovements or expenditure of capital funds, which could reasonably be expected to (i) create a new interbasin transfer of water or (ii) increase the rate of any existing interbasin transfer of water without the express approval of the general court; provided, however, that this provision shall not be construed to require general court approval for actions undertaken to reduce leakage in an existing interbasin transfer. Any determinations made under the provisions of this section shall be made by the division.

SECTION 70. The Authority shall take all reasonable steps expeditiously to continue planning on design and to commence construction of wastewater treatment and delivery projects for which planning or design contracts have been approved by the metropolitan district commission prior to the effective date of this act and which are listed on the Construction Grants Project Priority List established by the department of environmental quality engineering and the division of water pollution control in effect on the effective date of this act.

SECTION 71. Notwithstanding any provision of this act to the contrary, the supply of water by the Authority to any political subdivision to which the metropolitan district commission was not providing water at the time of the effective date of this act shall be made only upon the determination by the Authority and the department of environmental quality engineering that the water supply source used by said political subdivision at the time of the passage of this act is unfit for drinking and cannot be economically restored for drinking purposes.

SECTION 72. Section 2 of chapter 234 of the acts of 1984 is hereby amended by inserting after item 2420-0200 the following item:-

2420-1400 For the operation and maintenance of the watershed management division, provided, that the secretary of environmental affairs shall file quarterly reports, by subsidiary, of expenditures for the purpose of this item with the house and senate committees on ways and means, including not more than one hundred and sixty-six permanent positions and not more than four temporary positions $2,681,186

SECTION 73. Sections six, ten, thirty, thirty-one, thirty-four, forty-three, forty-four, forty-six, forty-seven, forty-eight, fifty-five, sixty-one, sixty-eight and seventy shall take effect upon July first, nineteen hundred and eighty-five. All other provisions of this act shall take effect upon January first, nineteen hundred and eighty-five.

Approved December 19, 1984.

Chap. 373. AN ACT RELATIVE TO PUBLIC EMPLOYEE PENSION DEDUCTIONS.

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. Subdivision (4) of section 10 of chapter 32 of the General Laws is hereby amended by striking out 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 in section fifteen", inserted by section 3A of chapter 661 of the acts 1983.

SECTION 2. Paragraph (a) of subdivision (1) of section 11 of said chapter 32 is hereby amended by striking out the last four sentences, added by section 4 of said chapter 661, and inserting in place thereof the following four sentences:- For any such member who becomes a member subsequent to January first, nineteen hundred and eight-four, 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 becomes a member subsequent to January first, ninteen hundred and eighty-four, 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 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 interest

payable. For any such member who becomes a member subsequent to January first, nineteen hundred and eighty-four, the difference between the accumulated total deductions otherwise payable and the reduced accumulated deductions as provided for in this paragraph shall be transferred into the Pension Reserve Fund and shall be used to reduce the unfunded pension liability of the system.

SECTION 3. Subdivision (1) of section 22 of said chapter 32 is hereby amended by striking out paragraph (h), as amended by section 10 of said chapter 661, and inserting in place thereof the following paragraph:-

(h) The various amounts withheld under the provisions of this subdivision for deposit in the Annuity Savings Fund of any system shall, subject to the provisions of paragraphs (i), (j) and (k), be transferred forthwith to such system by the treasurer or other disbursing officer in charge of payrolls, accompanied on a prescribed form by a statement or voucher for such deductions. Such amounts shall be credited by the board to the accounts of the respective members for whom such deductions have been made, and shall be paid into and become a part of the Annuity Savings Fund of such system.

SECTION 4. Paragraph (1) of said subdivision (1) of said section 22 of said chapter 32 is hereby further amended by striking out the last paragraph, added by section 10A of said chapter 661.

SECTION 5. Subdivision (6A) of said section 22 of said chapter 32, inserted by section 15 of said chapter 661, is hereby amended by striking out paragraph (a) and inserting in place thereof the following paragraph:-

(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 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.

SECTION 6. Paragraph (a) of subdivision (8) of said section 22 of said chapter 32, as appearing in section 16 of said chapter 661, is hereby amended by striking out the second and third sentences and inserting in place thereof the following sen-

tence:- 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 and the undistributed accumulated total deductions as provided for in section eleven, shall be deposited in the PRIT Fund.

SECTION 7. This act shall take effect as of January first, nineteen hundred and eighty-four.

Approved December 21, 1984.

Chap. 374. AN ACT AUTHORIZING THE TOWN OF DOVER TO ESTABLISH A FUND FOR THE PURPOSE OF MAKING MEDICAL PAYMENTS FOR POLICE AND FIREMEN INJURED IN THE LINE OF DUTY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law or regulation to the contrary, the town of Dover is hereby authorized to appropriate in any year money to establish a fund, which shall be kept separate and apart from all other monies by the treasurer, for the purpose of making medical payments for police and firemen of the town of Dover who are injured in the line of duty. Said fund may be deposited or invested in such manner as may be legal for the town.

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

Approved December 21, 1984.

Chap. 375. AN ACT AUTHORIZING THE TOWN OF DOVER TO PROVIDE FOR THE PAYMENT OF ACCUMULATED UNUSED SICK LEAVE TO RETIRED POLICE OFFICERS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law or regulation to the contrary, the town of Dover is hereby authorized to appropriate in any year money to establish a fund, which shall be kept separate and apart from all other monies by the treasurer, to provide for the payment of accumulated unused sick leave in accordance with the presently existing

collective bargaining agreement between the town and the town's police association. Said fund may be deposited or invested in such a manner as may be legal for the town.

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

Approved December 21, 1984.

Chap. 376. AN ACT AUTHORIZING THE TOWN OF FREETOWN TO TRANSFER A CERTAIN SUM OF MONEY TO THE STABILIZATION FUND OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the town of Freetown is hereby authorized to transfer from its school loan account the balance therein raised from general obligation bonds issued October first, nineteen hundred and eighty in the amount of twenty-four thousand one hundred and eighty-three dollars and fifty cents to the Stabilization Fund of said town.

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

Approved December 21, 1984.

Chap. 377. AN ACT AUTHORIZING THE TOWN OF OAK BLUFFS 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 Oak Bluffs may establish in the town treasury a revolving fund which shall be kept separate and apart from all other monies by said 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 Oak Bluffs 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 December 21, 1984.

Chap. 378. 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 areas of 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 certain property at Westover Air Force Base described in an offer to purchase dated November fourteenth, nineteen hundred and eighty-four, containing approximately one hundred and eighty-three acres and approximately six hundred and eighty-two units of housing and an abandoned hospital, 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, four million dollars.

SECTION 3. For the purpose of making an appropriation under the provisions of section two, 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, four million dollars, and the

issuance of bonds therefor which shall bear on their face the words, Chicopee Land Acquisition and Development Loan, Act of 1984. 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 reasons 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 eighty-seven thousand and five hundred 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 city 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.

SECTION 9. Any project undertaken in accordance with the plan set forth in section eight 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., and the Westover Metropolitan Development Corporation and the Chicopee Redevelopment Authority with respect to the Westover property by which said organizations may purchase the property from said city for not less than the purchase price paid by said city; 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.

SECTION 11. Chapter ten of the acts of nineteen hundred and eighty-three is hereby repealed.

SECTION 12. 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 13. This act shall take effect upon its passage.

Approved December 21, 1984.

Chap. 379. AN ACT AUTHORIZING ESTIMATED TAX PAYMENTS FOR THE CITY OF LYNN FOR THE FIRST HALF OF FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-FIVE.

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 issue a first half notice of the estimated tax in lieu of the actual assessment and issuance of the tax bill for the fiscal year nineteen hundred and eighty-five 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. Payment of the balance of the tax bill after the establishment of the tax rate for fiscal year nineteen hundred and eighty-five, after credit is given for the estimated tax payment previously made, shall represent the second payment upon such bill; such payment shall be payable without interest on or before May first, nineteen hundred and eighty-five or thirty days after the mailing of

the actual tax bill, whichever is later, and any interest upon such payment shall be calculated from April first, nineteen hundred and eighty-five or the date of mailing of the bill, whichever is later.

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-five 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 the fiscal year nineteen hundred and eighty-five established by said city of Lynn.

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

Approved December 21, 1984.

Chap. 380. AN ACT MAKING AN APPROPRIATION TO FUND A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE COMMONWEALTH AND THE MASSACHUSETTS NURSES ASSOCIATION (UNIT 7).

Be it enacted, etc., as follows:

SECTION 1. To provide for the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the commonwealth and the Massachusetts Nurses Association (Unit 7), the sum set forth in section two 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 thirty-four of the acts of nineteen hundred and eighty-four.

SECTION 2.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

Collective Bargaining.

1599-3223 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 Nurses Association (Unit 7); 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-five, such amounts as are necessary to meet the cost of said adjustments and benefits for the fiscal year nineteen hundred and eighty-five 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 necessary to meet the cost of said adjustments and benefits; and provided, further, that no such transfers shall be made without the prior approval of the house and senate committees on ways and means $13,734,000

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

Approved December 21, 1984.

Chap. 381. AN ACT EXEMPTING CERTAIN POSITIONS IN VARIOUS DEPARTMENTS OF THE TOWN OF NORWOOD FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The positions of clerk and dispatcher in the police and fire departments, and clerks in the building inspector's department, the veterans' services department, the recreation department, the assessors' department, the public works

department and the board of health department in the town of Norwood shall be exempt from the provisions of chapter thirty-one of the General Laws.

SECTION 2. The provision of section one shall not impair the civil service status of any person employed in the position of clerk or dispatcher in any of the departments referred to in said section one on the effective date of this act.

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

Approved December 21, 1984.

Chap. 382. AN ACT AUTHORIZING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO GRANT A CERTAIN EASEMENT IN THE TOWN OF RUTLAND TO THE TOWN OF RUTLAND.

Be it enacted, etc., as follows:

The division of capital planning and operations, on behalf of the metropolitan district commission, is hereby authorized to grant a permanent easement in a certain parcel of land, under the control of the water division of said commission, located in the town of Rutland, for drainage purposes. Said easement shall be granted for such consideration and upon such terms as may be acceptable to said division and to said commission, provided that said commission shall provide for an independent appraisal of the value of said easement.

Said easement comprising 0.01 acre more or less, is bounded and described as follows:

The land in Rutland on the Southerly side of Crawford Road, bounded and described as follows:

BEGINNING: At a point in the Southerly line of Crawford Road, which point is 32.70 feet Easterly of Metropolitan District Commission Bound No. 130;

THENCE: S. 79 00' E. along a stone wall in the Southerly line of Crawford Road 15.72 feet to a point which is 1,070 feet, more or less Westerly of Route No. 122;

THENCE: S. 41 45' E., 25 feet more or less to a point in the Northerly bank of a brook;

THENCE: Westerly following the Northerly bank of the said brook 16 feet more or less to a point;

THENCE: N. 41 45' W., 25 feet more or less to the point of beginning, the last three (3) courses being by land of the Metropolitan District Commission;

CONTAINING: 0.01 acre more or less and being shown on a Plan of Commonwealth of Massachusetts, Metropolitan District

Commission Water Division, Right of Way Requested by the Town of Rutland, dated July 29, 1983 by R. H. Lonergan, C.E.

Approved December 21, 1984.

Chap. 383. AN ACT ESTABLISHING AN ADVISORY COMMITTEE ON WOMEN VETERANS UNDER THE COMMISSIONER OF VETERANS SERVICES.

Be it enacted, etc., as follows:

Section 2 of chapter 115 of the General Laws, as most recently amended by chapter 305 of the acts of 1976, is hereby amended by adding the following paragraph:-

He shall appoint an advisory committee on women veterans to investigate, foster and promote the interests of women veterans as defined in section seven of chapter four. The committee shall consist of at least eleven members, one of whom shall be the commissioner or his designee, one of whom shall be a person appointed by the governor as an advisor on women's issues, one of whom shall be the chairman of the Massachusetts commission against discrimination, or his designee, three of whom shall be members of veterans organizations as provided in section eight E of chapter twelve to be appointed by the governor, one of whom shall be a veterans agent to be appointed by the governor, and four of whom shall be women veterans appointed by the commissioner, no fewer than two of whom shall be participants in the Vietnam Veterans Outreach Program of the United States Veterans Administration. Any member shall be eligible for reappointment and shall serve without compensation. The terms of appointment shall be coterminous with the governor. The advisory committee may issue annual reports on their activities.

Approved December 21, 1984.

Chap. 384. AN ACT FURTHER REGULATING NOTICE REQUIREMENTS ON A LICENSE TO SELL REAL ESTATE ISSUED BY A COURT.

Be it enacted, etc., as follows:

Section 10 of chapter 202 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 5 and 6, the words "once in each of three successive weeks" and inserting in place thereof the words:- at such times and.

Approved December 21, 1984.

Chap. 385. AN ACT DIRECTING THE COMMONWEALTH TO REIMBURSE THE TOWN OF WESTMINSTER FOR CERTAIN MONIES EXPENDED FOR VETERANS' SERVICES.

Be it enacted, etc., as follows:

There shall be allowed and paid out of the state treasury to the town of Westminster, subject to appropriation and subject to the approval of the commissioner of veterans' services, such sum, not exceeding thirty-seven thousand six hundred and seventy-five dollars as said town would have been entitled to receive in reimbursement for veterans' benefits paid by it in fiscal years nineteen hundred and seventy-six, nineteen hundred and seventy-seven, nineteen hundred and seventy-eight, nineteen hundred and seventy-nine, nineteen hundred and eighty, nineteen hundred and eighty-one, nineteen hundred and eighty-two and nineteen hundred and eighty-three, under the provisions of section six of chapter one hundred and fifteen of the General Laws, had said town made a proper and seasonable report thereof to said commissioner, as required by said section six of said chapter one hundred and fifteen. As a condition of payment of such sum said commissioner shall require said town to present evidence that such sum was paid in compliance with section five of said chapter one hundred and fifteen.

Approved December 21, 1984.

Chap. 386. AN ACT ESTABLISHING A SPECIAL ACCOUNT FOR THE WORCESTER CITY HOSPITAL.

Be it enacted, etc., as follows:

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

SECTION 2. Notwithstanding the provisions of section fifty-three of chapter forty-four of the General Laws or any other provision of law to the contrary, the city of Worcester is hereby authorized to establish a special account to be known as the "Worcester City Hospital Operations Account", into which account shall be deposited all receipts, revenues and funds from any source derived from any activity of Worcester city hospital as established under the provisions of chapter two hundred and sixty-six of the acts of nineteen hundred and fifty-three. For the purpose of providing health care said city may, at any time during the fiscal year, appropriate monies into said account. Donations from private sources also may be received and placed

into such account, as well as monies from other sources as authorized by law.

SECTION 3. Said account shall be maintained by the city treasurer. Said treasurer may invest the monies in said account in the manner authorized by sections fifty-five and fifty-five A of chapter forty-four of the General Laws. The interest accruing upon said account shall inure solely to the benefit of Worcester city hospital. Said account shall be maintained in accordance with law. The books and records of the hospital pertaining to said special account shall be maintained in accordance with generally accepted principles of accounting. Said special account shall be audited annually by an independent certified public accountant. Such audit reports shall be submitted to the board of trustees of said hospital, the city manager, the city auditor, the city treasurer, and the members of the city council of said city.

SECTION 4. The superintendent of Worcester city hospital, with the city treasurer, shall file with the board of trustees, the city manager, the city council, the city auditor, and the bureau of accounts in the department of revenue a written report of the special account established pursuant to section two within one hundred and twenty days after the books of said hospital are closed for each fiscal year. Such report shall include audited financial statements relating to the operations, maintenance, capital, and real and personal properties of the hospital.

SECTION 5. The city treasurer, upon written request of the superintendent of the Worcester city hospital and approval by the board of trustees of said hospital, the city manager, and by two-thirds vote of the city council, shall advance funds from the General Fund of the city, in anticipation of the receipt of revenues of Worcester city hospital for the same fiscal year. All sums so advanced shall be deposited into the special account established under section two and the said hospital shall, prior to the end of the fiscal year in which advances were made from the General Fund, repay said advances from the special account. Said repayment shall include an amount equal to the interest, as determined by the city treasurer, allocable to any debt incurred by the city in anticipation of revenue, in order to make such advances to said hospital during that same fiscal year. Any deficiency resulting from advances hereunder may be raised by taxation, subject to all applicable provisions of chapter fifty-nine of the General Laws.

SECTION 6. Said superintendent shall annually, not later than ninety days prior to the expiration of each fiscal year, submit to the city manager a proposed line-item budget as ap-

proved by the board of trustees of said hospital. The city manager shall transmit to the city council, within thirty days thereafter, his recommendation concerning approval thereof in whole or in part. The city council may by majority vote make appropriations for the purposes recommended and may reduce or reject any amount recommended in the annual budget, but except on recommendation of the city manager, shall not increase any amount in or the total of the annual budget, nor add thereto any amount for a purpose not included therein. The city council shall act upon the budget within thirty days of its receipt and, once approved, the vote of the city council shall establish the total budget but may not limit the authority of said superintendent to determine expenditures within the total budget. The provisions of sections thirty-two through thirty-three B of chapter forty-four of the General Laws shall not apply to such budget.

Expenditures from said special account shall be made by said superintendent, without appropriation and not subject to line-item restrictions, to be used solely for the operation and maintenance and for the provision of capital, equipment, and plant for said hospital.

SECTION 7. This act shall take effect as of July first, nineteen hundred and eighty-four.

Approved December 21, 1984.

Chap. 387. AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO TRANSFER THE CARE, CUSTODY AND CONTROL OF CERTAIN PARCELS OF LAND IN THE TOWN OF NORTHBOROUGH TO THE DEPARTMENT OF PUBLIC WORKS.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized and directed to transfer the care, custody and control of two certain parcels of land in the town of Northborough to the department of public works in compliance with the provisions of section forty H of chapter seven of the General Laws, and also in accordance with the provisions of section one of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five. Said department of public works is hereby authorized and directed to lay out as a state highway the said parcels of land in conjunction with the reconstruction of the bridge carrying Whitney street over the tracks of the Consolidated Rail Corporation designated as bridge No. N-20-6.

Said public lands to be so transferred consist of two irregularly shaped parcels of land shown on a preliminary right of way plan in the town of Northborough prepared by C. E. Maguire, Inc., which parcels are more particularly described as follows:

PARCEL No. 5-1 Area = 1560 S.F.±

Begins at a Worcester County Highway Bound on the northerly location of the existing County Layout of 1954 for Whitney Street, said point bearing North 05°-30'-50" West and being 34.72 feet distant from Station 30+17.30 and extends thence North 58°-43'-10" East 102.63 feet to a point bearing North 28°-06'-14" East and being 58.62 feet distant from Station 29+50.00 and extends thence North 05°-32'-30" East 25.17 feet to a point bearing North 21°-22'-33" East and being 82.43 feet distant from Station 29+50.00 and extends thence North 58°-43'-10" East approximately 19 feet to a point on the westerly property line of the Consolidated Rail Corp. and extends thence southerly along said property line approximately 37 feet to a point on the northerly street line of Whitney Street and extends thence westerly along said street line approximately 120 feet to a Massachusetts District Commission Bound bearing South 77°-25'-55" West and being 60.56 feet distant from Station 29+50.00 and extends thence northerly approximately 12 feet to the point of beginning.

Parcel No. 5-2 Area = 3150 S.F.±

Begins at a Massachusetts District Commission Bound on the southerly street line of Whitney Street, said point bearing South 50°-01'-10" West and being 90.01 feet distant from Station 29+50.00 and extends thence easterly along said street line approximately 127 feet to a Massachusetts District Commission Bound on the westerly property line of the Consolidated Rail Corp., said bound bearing South 30°-33'-50" East and being 12.30 feet distant from Station 29+12.22 and extends thence southerly along said property line approximately 60 feet to a point and extends thence South 58°-43'-10" West approximately 20 feet to a point bearing South 14°-30'-17" East and being 62.67 feet distant from Station 29+50.00 and extends thence North 31°-16'-50" West 30.00 feet to a point bearing South 00°-11'-38" East and being 35.03 feet distant from Station 29+50.00 and extends South 57°-35'-11" West 84.16 feet to a Worcester County Highway Bound bearing South 05°-13'-58" West and being 36.89 feet distant from Station 30+30.31 and extends thence northerly approximately 22 feet to the point of beginning.

Approved December 21, 1984.

Chap. 388. AN ACT FURTHER REGULATING THE REIMBURSEMENT OF FUNDS TO CERTAIN REGIONAL SCHOOL DISTRICTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 645 of the acts of 1948 is hereby amended by inserting after section 9A, inserted by section 1 of chapter 564 of the acts of 1978, the following section:-

Section 9B. Any city or town which is newly admitted to a regional school district by an amendment to the agreement for the establishment of such district may be reimbursed in part by the board of education, hereinafter referred to in this section as the board, for part of the amount which such city or town is required to pay for such admission, subject to the limitations and in the manner prescribed by this section.

The board shall:-

(1) determine the cost of constructing and originally equipping the regional school building, including the cost of any addition constructed thereto. Included in such cost shall be (a) the cost of construction, either under this chapter or as determined by the board, or the most recently estimated cost of construction in the case where no such final cost of construction has been determined and (b) other capital and maintenance costs not to exceed five per cent of the costs in clause (a) as may be allowed by the board, and (c) the interest costs incurred on account of borrowing for the purpose of financing said school construction. Upon the determination of the above sum, the board shall deduct the amount of state aid paid to the regional school district on account of such construction and other capital costs;

(2) shall then determine the cost per student of such construction and other capital cost by dividing the cost figure arrived at in paragraph (1) by the number of students the buildings and additions, if any, can safely and adequately accommodate as determined by the board; and

(3) shall then determine the number of new students to be accommodated because of the admission of the new member city or town and that number, multiplied by the cost per student arrived at in subparagraph (2) shall comprise the maximum approvable amount upon which the board shall base its grant for reimbursement to the newly admitted member; provided, however, that if the amount which the newly admitted member is required to pay to the regional school district as a condition of membership is less than the maximum approvable amount upon which the board shall base its grant amount as determined above, the lesser amount shall be the maximum approvable amount upon which the board shall base its grant for reimbursement to the newly admitted member.

The amount required to be paid to the regional school district by the newly admitted member as a condition of membership may be paid in equal annual payments made over a period of time, as

specified in the amendment to the regional school district agreement by which the new member was admitted to the regional school district and approved by the commissioner of education.

Any such city or town acquiring membership in an existing regional school district shall receive a grant based upon a percentage of the amount determined to be the base amount upon which the state reimbursement shall be computed as prescribed above. The percentage to be applied against such amount shall be the greater of (1) the percentage applicable to the district as determined under clause (b) of section nine as though such city or town were not a member of the regional school district or (2) the percentage applicable to the district as determined under said clause (b) as though such city or town were a member of the district.

The grant shall be paid to such city or town in equal annual payments, over the same number of years during which such city or town is required to pay the amount of its admission, as specified in the amendment to the regional school district agreement by which such city or town was admitted, but in no case shall the number of annual payments by the commonwealth be fewer than five nor more than twenty. Such annual payments shall be certified by the board of education to the comptroller and the state treasurer shall, within thirty days after such certification, apply to such city or town the amount due from any funds which have been appropriated for the payment of annual payments to cities, towns, counties, and regional school districts.

In instances where the board determines that enlarged or additional facilities are required in an existing regional school district to accommodate students of a city or town acquiring membership in said existing regional school district under this section, any construction grant awarded by the board shall be based upon the greater of (1) the percentage applicable to the district as determined under clause (b) of section nine as though such city or town were not a member of the regional school district, or (2) the percentage applicable to the district as determined under said clause (b) as though such city or town were a member of the district. The provisions of this section shall apply to amendments to regional school agreements approved on or after January first, nineteen hundred and eighty-one.

SECTION 2. Section 14B of chapter 71 of the General Laws, as most recently amended by section 1 of chapter 650 of the acts of 1960, is hereby further amended by striking out clause (f), as appearing in section 1 of chapter 638 of the acts of 1949, and inserting in place thereof the following clause:-

(f) the terms by which any city or town may be admitted to or separated from the regional school district; provided, how-

ever, that in the case of admission such terms shall not be inconsistent with the provisions of section nine B of chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight.

Approved December 21, 1984.

Chap. 389. AN ACT INCREASING SURVIVOR BENEFITS FOR CERTAIN SPOUSES AND CHILDREN.

Be it enacted, etc., as follows:

SECTION 1. Option (d) of subdivision (2) of section 12 of chapter 32 of the General Laws, as most recently amended by section 1 of chapter 793 of the acts of 1972, is hereby further amended by striking out the tenth and eleventh paragraphs and inserting in place thereof the following two paragraphs:-

The normal monthly member-survivor allowance provided for under this option to a spouse of a deceased member shall not be less than two hundred and fifty dollars, subject to the provisions of paragraph (e) of section one hundred and two; provided, however that the deceased member was a member in service as described in subparagraph (i) of paragraph (a) of subdivision (1) of section three on the date of death and that the member had not less than two full years of creditable service and had been married to such spouse for not less than one year; and provided, further, that such member and such spouse were living together on the date of death of the member, or that the board finds that they were living apart for justifiable cause other than desertion or moral turpitude on the part of such spouse.

In the event of the remarriage of such spouse any additional amount that is required to make the allowance under this option equal to the amount of two hundred and fifty dollars a month, subject to the provisions of paragraph (e) of section one hundred and two, shall be terminated; and thereafter such spouse shall receive the regular monthly member-survivor allowance, if any, provided for in the first and fourth paragraphs of this option, as increased by any adjustment and increase provided for in section one and section two of chapter four hundred and eight of the acts of nineteen hundred and sixty-seven, with the actual year in which the member died as the basis of the adjustment or increase provided for therein.

SECTION 2. Section 12B of said chapter 32 is hereby amended by striking out the first paragraph, as amended by chapter 429 of the acts of 1980, and inserting in place thereof the following paragraph:-

If a member in service, as described in subparagraph (i) of paragraph (a) of subdivision (1) of section three, including such a member in the uniformed division of the state police, who has not nominated a beneficiary under Option (d) of subdivision (2) of section twelve other than the spouse of such member and who has two full years of creditable service, dies and leaves a spouse to whom such member had been married for at least one year and with whom such member was living at the time of the death of such member, or who the board finds had been living apart from said member for justifiable cause other than desertion or moral turpitude on the part of such spouse who is eligible to receive a member-survivor allowance under the provisions of said Option (d), and so elects, and if there are any surviving children of said deceased member who are under age eighteen or over said age and physically or mentally incapacitated from earning on the date of death of the member, or under age twenty-two if a full-time student, there shall be paid to such spouse for the benefit of all such children an additional allowance of one hundred and twenty dollars a month for one child plus an allowance of ninety dollars a month for each additional child subject to the provisions of paragraph (e) of section one hundred and two.

SECTION 3. Said section 12B of said chapter 32 is hereby further amended by striking out the third paragraph, as appearing in section 2 of chapter 793 of the acts of 1972, and inserting in place thereof the following paragraph:-

If a spouse remarries, the allowances payable for the benefit of any children under this section shall terminate and thereafter there shall be paid to a legally appointed guardian for the benefit of each eligible surviving child and allowance of one hundred and twenty dollars a month for one child plus an allowance of ninety dollars a month for each additional child subject to the provisions of paragraph (e) of section one hundred and two.

SECTION 4. Said chapter 32 is hereby further amended by striking out section 101, as most recently amended by section 43 of chapter 189 of the acts of 1984, and inserting in place thereof the following section:-

Section 101. In the event of the death of any former employee who had been retired under the provisions of this chapter after having been found to be incapacitated for further duty by reason of injuries sustained while in the performance of this duties, or who had been retired for ordinary disability under the provisions of this chapter, under which retirement he was unable to provide for any annual allowance to be paid to his widow at the time of his death, there shall be paid to such widow an annual allowance in the amount of three thousand dollars, subject to the provisions of paragraph (e) of section one

hundred and two, for as long as she remains unremarried; provided, however, that any allowance payable under this section shall be in the alternative to any allowance to which such widow would be entitled under the provisions of any other section of this chapter. Any allowance which such widow may be receiving or any allowance which she may have potential rights to receive, based on her own service to the commonwealth or any political subdivision thereof, shall not make her ineligible to receive the allowance provided in this section. The allowance provided by this section shall be paid by the same retiring authority and from the same source as the allowance payable to the deceased former employee referred to in this section.

SECTION 5. Section 102 of said chapter 32 is hereby amended by striking out paragraph (e), as appearing in section 1 of chapter 126 of the acts of 1976, and inserting in place thereof the following paragraph:-

(e) Notwithstanding any provision of this section to the contrary, the supplemental payments due and payable to a spouse receiving the minimum allowance under the provisions of Option (d) of subdivision (2) of section twelve, or under section one hundred and one, or under the provisions of chapter five hundred and twenty-six of the acts of nineteen hundred and sixty-three or to any spouse, child or children under the provisions of section twelve B, shall be, at all times, in an amount equal to the cumulative percentum of change in the cost of living resulting from the determination by the life actuary, with the average of the cost of living for the year nineteen hundred and seventy-two serving as the basis of the comparison to be made by the actuary as set forth in paragraph (a).

SECTION 6. Chapter 526 of the acts of 1963 is hereby amended by striking out section 1, as most recently amended by section 6 of chapter 793 of the acts of 1972, and inserting in place thereof the following section:-

Section 1. For the purpose of promoting the public good, and in consideration of long and meritorious service of any member of the uniformed branch of the state police who has been retired for reasons of superannuation of for reasons of disability after having completed at least twenty years of service, and who at the time of his retirement did not have the right to elect to receive a lesser retirement allowance so as to provide a survivor allowance for his widow, the state board of retirement shall pay to the surviving widow of such member an annuity amounting to three thousand dollars, subject to the provisions of paragraph (e) of section one hundred and two of chapter thirty-two of the General Laws; provided however, that such widow is not receiving a retirement allowance or pension under the provision of any general or special law.

SECTION 7. On the effective date of this act the amount of the member-survivor allowances being paid, as provided by chapter two hundred and eighty-four of the acts of nineteen hundred and forty-eight, to a widow who has not remarried and who meets the eligibility set forth in the tenth paragraph of Option (d) of subdivision (2) of section twelve of chapter thirty-two of the General Laws shall be increased to two hundred and fifty dollars a month, subject to the provisions of paragraph (e) of section one hundred and two of said chapter thirty-two, and further subject to the provisions of the eleventh paragraph of said Option (d).

SECTION 8. On the effective date of this act the amount of the widow's allowance being paid as provided in section twelve B of chapter thirty-two of the General Laws to a widow shall be increased to two hundred and fifty dollars a month, subject to the provisions of paragraph (e) of section one hundred and two of said chapter thirty-two; provided, however, that such allowance shall terminate upon her remarriage or death.

SECTION 9. On the effective date of this act the amount of the annual allowance being paid to a widow under the provisions of section one hundred and one of chapter thirty-two of the General Laws shall be increased to three thousand dollars, subject to the provisions of paragraph (e) of section one hundred and two of said chapter thirty-two, and such amount shall be payable so long as such widow remains unremarried.

SECTION 10. Notwithstanding any general or special law to the contrary, any additional costs of survivors' or children's allowances imposed by this act upon any political subdivision of the commonwealth shall be reimbursed by the commonwealth.

Approved December 21, 1984.

Chap. 390. AN ACT REQUIRING BANKS TO DISCLOSE TO DEPOSITORS THE TIME PERIOD IN WHICH ITEMS DEPOSITED FOR COLLECTION SHALL BE AVAILABLE FOR WITHDRAWAL AND AUTHORIZING THE COMMISSIONER OF BANKS TO ESTABLISH REGULATIONS GOVERNING THE SAME.

Be it enacted, etc., as follows:

SECTION 1. Chapter 167D of the General Laws is hereby amended by adding the following section:-

Section 34. (a) For the purposes of this section, the following terms shall have the following meanings:

"Account", demand deposit, negotiable withdrawal order account, savings deposit, share account or other asset account;

"Banking institution", every state-chartered bank and credit union, every federally chartered bank as defined in section one, and foreign banks authorized to do business in the commonwealth; and

"Item", and item as defined in section 4-104 of chapter one hundred and six.

(b) Each banking institution, shall disclose to account holders its policy relative to the time period between the deposit of funds by means of a check, negotiable order of withdrawal or money order and the availability of such deposit for withdrawal or use as of right.

Such disclosure shall be given to a customer in writing at the time such account is opened and shall be included with any monthly or other periodic statement issued relative to each such account.

Every such banking institution shall also post in a conspicuous place in each of its offices, other than an electronic branch as defined in section one of chapter one hundred and sixty-seven B, a notice which sets forth such policy.

(c) The commissioner shall promulgate regulations, which may be amended from time to time, establishing a reasonable period of time within which a banking institution must permit a retail banking customer to draw, as of right, on an item which has been received for deposit in the customer's account. The commissioner is authorized to gather from banking institutions such information as may be required for the promulgation of the regulations required by this section.

SECTION 2. On or before the first day of June, nineteen hundred and eighty-five, the commissioner of banks shall file with the clerk of the senate and house of representatives a report containing the regulations promulgated, pursuant to section one, the policy of each banking institution relative thereto, and the degree of compliance with such regulations by such banking institutions.

Approved December 21, 1984.

Chap. 391. AN ACT RELATIVE TO THE BOARD OF LICENSING COMMISSIONERS IN THE CITY OF CHICOPEE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section four of chapter one hundred and thirty-eight of the General Laws, the

board of licensing commissioners of the city of Chicopee shall consist of five persons, who shall not be engaged, directly or indirectly, in the manufacture or sale of alcoholic beverages, and who have been residents of the city of Chicopee for at least two years immediately preceding their appointment. No more than three members of the board shall be of the same political party. If any member of said board engages, directly or indirectly, in such manufacture or sale, his office shall immediately become vacant.

SECTION 2. Notwithstanding the provisions of section five of chapter one hundred and thirty-eight of the General Laws, the terms of office of the board of licensing commissioners of the city of Chicopee shall be so arranged as to expire at the end of one, two, three, four and five years from the first Monday in June of the year of their appointment, the date of expiration to be specified in their respective commissions; and thereafter a member shall be appointed for a term of five years from the first Monday in June of the year in which the previous term expires.

SECTION 3. All other provisions of sections four to nine, inclusive, of chapter one hundred and thirty-eight of the General Laws, not in conflict with the above provisions of this act, shall remain in full force and effect.

SECTION 4. The city of Chicopee may require by ordinance that the planning board be notified by the board of licensing commissioners, within three days of the date of application, of all applications under the provisions of chapter one hundred and thirty-eight of the General Laws for original licenses, transfers of licenses from one location to another, or applications for a change in the description of the licensed premises. The planning board shall conduct a public hearing within fifteen days of the date of application. Notice of such public hearing shall be published, at the applicant's expense, in a newspaper of general circulation in the city of Chicopee at least five days prior to the date of the hearing. The planning board shall submit to the board of licensing commissioners, within five business days of the conclusion of the hearing, a written report concerning the suitability of the proposed location for the original license, transfer of license or change in description requested.

SECTION 5. This act shall take effect upon its acceptance by the city of Chicopee.

Approved December 21, 1984.

Chap. 392. AN ACT DIRECTING THE STATE BOSTON RETIREMENT BOARD TO RETIRE DENNIS A.

VITALE, A POLICE OFFICER OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any law to the contrary and in order to promote the public good, the state Boston retirement board is hereby authorized and directed to retire Dennis A. Vitale, a police officer of the city of Boston, who as a result of gunshot injuries sustained while in the performance of his duties on September first, nineteen hundred and eighty-three, 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 paid had he continued in service as a police officer in the police department of the city of Boston 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. Upon such retirement, the state Boston retirement board shall forthwith pay to him the amount credited to him as accumulated total deductions in the annuity savings of the state Boston retirement system.

SECTION 2. Said Dennis Vitale shall be entitled to receive such indemnification for all hospital, medical and related expenses that have been, or may be, incurred after the date of his retirement as a result of the injuries sustained by him while in the performance of his duties, according to the provisions of chapter forty-one of the General Laws.

SECTION 3. Upon the death of said Dennis A. Vitale, leaving Anne M. Vitale, his wife, surviving him, the state Boston retirement board shall 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 Dennis A. Vitale during such time as such child is under eighteen years of age or over said age and physically or mentally incapacitated from earnings. If said Anne M. Vitale remarries, said city shall pay, in lieu of the aforesaid annuity to her, an annuity of five hundred and twenty dollars to or for the benefit of each child during the time aforesaid.

Approved December 21, 1984.

Chap. 393. AN ACT VALIDATING CERTAIN ACTIONS TAKEN BY THE TOWN OF RUSSELL RELATIVE TO TOWN CAUCUSES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 498 of the acts of 1983 is hereby amended by striking out section 2 and inserting in place thereof the following section:-

Section 2. The town of Russell is hereby authorized to conduct town caucuses pursuant to the provisions of sections one hundred and seventeen to one hundred and twenty, inclusive, of chapter fifty-three of the General Laws.

SECTION 2. The action taken at the town caucuses held on March nineteenth, nineteen hundred and eighty-four, and the town election held on May seventh, nineteen hundred and eighty-four, are hereby validated, ratified and confirmed as if section one were in effect at the same time caucuses were held.

Approved December 21, 1984.

Chap. 394. AN ACT INCREASING AID FOR SCHOOL CONSTRUCTION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately increase aid for school construction, therefore 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 645 of the acts of 1948 is hereby amended by striking out section 7, as most recently amended by section 2 of chapter 515 of the acts of 1983, and inserting in place thereof the following section:-

Section 7. Any city, town, regional school district or county may apply to the commission for a school construction grant to meet in part the cost of an approved school project. Such cost shall include the entire 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, as well as any premiums, fees, or charges for credit or liquidity enhancement facilities or services issued or rendered to any such city, town, regional school district or county. Such costs shall also include all costs and legal fees to enforce rights on any contracts for the construction of an approved school project. Such application shall be made, in the case of projects, the construction of which has been undertaken before the effective date of this act, within ninety days after such effective date, and in the case of all other projects, before

construction has been undertaken. Such application shall be in the form prescribed by the commission, and shall be accompanied by such additional information, drawings, plans, estimates of cost, and proposals for defraying such costs, as the commission may require.

SECTION 2. The first paragraph of section 8A of said chapter 645, as appearing in section 4 of chapter 302 of the acts of 1976, is hereby amended by adding the following three sentences:- In the event of a project approved on the basis of unequal annual payments as provided in section nine or by other legislation of similar intent, the arithmetic average of the estimated annual payments for that project may be the amount included in the said aggregate of first annual payments. The unused portion of the prior year authorization shall be available for use in the next following fiscal year. Projects approved under provisions of individual special legislation shall not be subject to the limitations of this authorization.

SECTION 3. The first paragraph of section 9 of said chapter 645, as most recently amended by section 18 of chapter 492 of the acts of 1974, is hereby further amended by striking out subsections (a), (b) and (c) and inserting in place thereof the following:-

The total construction grant for any approved school project in any city, town, regional school district, or county shall be fifty per cent of the final approved costs of such project, including costs referred to in section seven, multiplied by a percentage, which shall be the proportion, to the nearest tenth of one per cent, which the most recent equalized valuation per school attending child for the entire commonwealth bears to the most recent equalized valuation per school attending child of the city or town, or in the case of regional school districts, of the towns comprising such district, or in the case of a county, of the towns comprising such county; provided, however, that no grant shall be approved for any amount less than sixty per cent nor greater than seventy-five per cent of such approved costs.

SECTION 4. Said section 9 of said chapter 645 is hereby further amended by striking out the second and third paragraphs, inserted by section 2 of chapter 613 of the acts of 1982, and inserting in place thereof the following three paragraphs:-

Notwithstanding the provisions of this section or any other provisions of this act to the contrary, the total construction grant for any approved school project for a district classified as a growth district which is approved or submitted after December thirty-first, nineteen hundred and eighty-two shall be sixty per cent of the product of the final approved cost of the project, including costs referred to in section seven, multiplied by a

percentage, which shall be the proportion, to the nearest tenth of one per cent, which the most recent equalized valuation per school attending child for the entire commonwealth bears to the most recent total equalized valuation per school attending child of the towns comprising such district; provided, however, that no grant shall be approved for any amount less than seventy per cent nor greater than seventy-five per cent of such approved costs. In order for a district to be classified as a growth district the board by a written finding shall determine that the district conforms to the following criteria:

(1) The actual increase in school attending children in the district has been more than five per cent over the past eight years; or

(2) The projected increase in enrollment for the next five years will be five per cent or more; and

(3) Such projected increase in enrollment for the next five years is greater than the state-wide projection. For the purposes of this paragraph district shall mean any city, town, or regional school district within the commonwealth.

The board may on or before March fifteenth of each year designate, for the following fiscal year, up to one per cent of all school districts in the commonwealth as districts of extreme critical need. Such designation shall be made independent of any plans of such districts for school construction and regardless of whether such districts have made application for grants under this section. In making such a designation the board shall consider (1) the necessary use of double shifts; (2) the amount of square footage per pupil; (3) safety conditions in existing facilities; (4) inappropriate grouping of students in existing facilities; (5) any other criteria determined by the board to be evidence of extreme critical need.

Any district receiving approval for a grant under this section, other than a grant to assist a district eliminating racial imbalance, in the same fiscal year that such district has also been designated a district of extreme critical need shall receive an additional five per cent on the portion of its grant that is for other than interest.

SECTION 5. Section 11 of chapter 15 of the General Laws is hereby amended by striking out the third paragraph, as most recently amended by section 1 of chapter 708 of the acts of 1981, and inserting in place thereof the following paragraph:-

The board shall, notwithstanding any contrary provision of chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, approve grants for schoolhouse construction of ninety per cent of the approved costs 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 as provided by said section thirty-seven D or imbalance of minority students, as defined in regulations promulgated under the federal Emergency School Aid Act, Title VII of Public Law 92-318; and the commonwealth shall, subject to appropriation and upon the approval of the board, pay to a city, town, or regional district school committee ninety per cent of the cost of other measures, except transportation as hereinafter provided of pupils, employed by a school committee thereof or such regional district school committee to provide places for pupils for the purpose of reducing or eliminating racial imbalance as provided by said section thirty-seven D or imbalance of minority students, as defined in regulations promulgated under the federal Emergency School Aid Act, Title VII of Public Law 92-318.

SECTION 6. The board shall on or before March fifteenth, nineteen hundred and eighty-five, designate retrospectively those districts in extreme critical need in accordance with the provisions of section four for fiscal year nineteen hundred and eighty-five. Any district so designated that also has a construction grant approved during fiscal year nineteen hundred and eighty-five shall receive the premium provided for by said section four.

SECTION 7. This act shall apply to all grants approved after June thirtieth, nineteen hundred and eighty-four.

Approved December 27, 1984.

Chap. 395. AN ACT PROVIDING FOR THE CONVERSION OF OIL TO COAL BY ELECTRIC GENERATING FACILITIES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the conversion of oil to coal by electric generating facilities, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 164 of the General Laws is hereby amended by striking out section 94G1/2 and inserting in place thereof the following section:-

Section 94G 1/2. An electric company or other person which distributes to retail customers all or a portion of the output of any existing oil-burning electric generating facility which is proposed to be converted from oil to coal-fired operation may file

with the department an application, in such form as the department may prescribe, for an adjustment in its rates through the oil conservation adjustment described in this section; provided, however, that environmental controls for sulfur and particulates will be required to ensure that approved long-term emissions from the facility shall not significantly contribute to any condition of non-attainment of ambient air quality standards established and approved by the environmental protection agency and the department of environmental quality engineering and, provided further, that the conversion of any electric generating facility in an urban area with a population in excess of two hundred thousand people will enhance the air quality in the area by reducing sulfur dioxide emissions. Such application may be filed prior to the time the applicant incurs costs in connection with the conversion and operation of the facility.

Within thirty-five days of receipt of such application the department shall hold a public hearing to determine the oil conservation adjustment, and the manner in which said adjustment shall be recovered from all retail customers of the applicant. The department shall render a decision upon such application within one hundred and twenty days of the beginning of such hearing. Said adjustment shall not be authorized unless it is determined by the department that there is a substantial probability that the share of the cost of conversion of such facility attributable to the applicant's retail customers, together with any incremental operating expenses necessitated by the conversion will be less than or equal to the fuel cost savings to accrue to said retail customers over the remaining life of the electric generating facility.

The oil conservation adjustment shall be determined by the department in such manner that the applicant will recover the total cost of conversion within eighty-four months of the effective date of the adjustment, such conversion being hereinafter referred to as a short-term conversion, or will recover the total cost of conversion over a period more than seven years but within twelve years of the effective date of the adjustment, such conversion being hereinafter referred to as a long-term conversion. The effective date of the adjustment shall be the earlier of the date of initial conversion or, in the case of a cancellation of the conversion, the date on which the department makes the finding required by the next paragraph concerning such cancellation.

All revenues derived through said adjustment shall be applied solely to the cost of conversion of said facility. Except as provided in this section, said adjustment, once authorized by the department, shall not be disapproved, reduced, terminated, suspended or, without the consent of the applicant, otherwise modified by the department nor shall any portion thereof be applied by the department to reduce or modify the otherwise

lawfully authorized rates and charges of the applicant provided, however, that in the event a conversion is cancelled, the department shall review the reasons therefor and may modify the adjustment to allow recovery only of those costs prudently incurred at the time of their incurrence or may cancel the adjustment if no costs were prudently incurred; and provided further that, in the case of a long-term conversion any application for a delayed order of compliance or any similar request with respect to environmental protections shall work as an automatic denial of any application for an oil conversion adjustment or as an automatic revocation of any adjustment authorized by this section. The department shall not recognize for purposes of establishing any rate, price or charge, pursuant to section ninety-four or section ninety-four G, costs of conversion which are recovered from said customers under said adjustment.

The applicant may assign to any person or entity, in whole or in part, the revenues to be collected under the oil conservation adjustment in connection with financing the cost of conversion. If such assignment is made, or if the applicant has filed its application in whole or in part for the benefit of any other person or entity that proposes to own and finance all or part of the assets to be added to the facility in connection with the conversion, the revenues to be collected by applicant under said adjustment shall constitute revenues of such person or entity and not revenues of the applicant. The applicant shall collect such revenues solely for the benefit of such person or entity.

In this section the following words and phrases shall have the following meanings, unless the context requires otherwise:

"Coal", coal used as a primary energy source and any other primary energy source which is derived from coal or synthetic fuels which use coal as a base.

"Cost of conversion", costs as determined by the department to be reasonable and necessary for the conversion of an oil-burning electric generating facility to the burning of coal. Such costs shall include, but not be limited to, engineering, administrative and legal costs, the cost of environmental studies, and control equipment, coal handling and storage equipment, equipment and facilities necessary to permit the combustion of coal, the cost of retro-fitting or refurbishing boilers to permit the combustion of coal, the cost of on-site and off-site facilities for handling, storing, and disposing of wastes resulting from the combustion of coal, and the cost of all other facilities reasonable and necessary to allow the conversion of an oil-burning electric generating facility to burn coal, whether such costs are incurred before or after the date of initial conversion of such facility. Such costs shall also include the reasonable costs of capital for such conversion until such costs are recovered as provided in this section. In no case shall costs of conversion include any costs incurred pursuant to an expansion of an electric generat-

ing facility's generating capacity above the generating capacity of said facility that existed prior to the oil conservation adjustment period.

"Date of initial conversion", the first day on which an existing oil-burning electric generating facility or is certified as having the capacity to do so generates electricity for continuous distribution to customers by the combustion of coal, whether or not additional facilities must be constructed or installed.

"Fuel cost saving", the differential costs between an equal amount of coal and oil calculated on the basis of British Thermal Units.

"Oil conservation adjustment", in the case of a short-term conversion, shall be an amount which is the greater of (a) two-thirds of the fuel cost savings per kilowatt hour sold accruing to retail customers on the date of initial conversion or (b) the cost of conversion of an existing oil-burning electric generation facility to coal divided by the estimated kilowatt hours to be generated for sale by the facility during the first eighty-four calendar months after the date of initial conversion; provided, however, that if the total amount of cost of conversion per kilowatt hour initially calculated by application of method (b) exceeds one hundred per cent of the fuel cost savings per kilowatt hour sold accruing to retail customers on the date of initial conversion, the eighty-four month period referred to in said method (b) shall be extended so that the total amount of cost of conversion per kilowatt hour shall be no more than one hundred per cent of such fuel cost saving per kilowatt hour; or, in the case of a long-term conversion, amounts which will provide sufficient revenues during a period not to exceed twelve years to repay or otherwise discharge all obligations incurred by or on behalf of the applicant in connection with financing arrangements that the department determines to be reasonably necessary for financing the cost of conversion. The oil conservation charge determined by the department shall permit recovery by the applicant of the cost of conversion net of such federal, state, or local taxes based on revenue and income which may be imposed upon the applicant for receipt of proceeds of the oil conservation adjustment which cannot be reasonably avoided by the applicant using due diligence. In no event shall the oil conservation adjustment include amounts attributable to non-retail customers.

Upon recovery by the applicant of its share of the cost of conversion as herein provided, the applicant shall terminate the oil conservation adjustment. Upon such termination the applicant shall demonstrate to the department that its oil conservation adjustment revenue collections are in compliance with orders issued pursuant to this section. In the event such collections are lesser or greater than the applicant's share of the cost of conversion, the department shall make such determinations and

issue such orders as are necessary to result in compliance with this section.

In the event the facility or the applicant should become entitled, by reason of the conversion, to any federal or state grant, the department shall make such determinations and issue such orders as are necessary to reduce the amount of conversion costs which the applicant would otherwise recover by means of such oil conservation adjustment, or if such grant is received after termination of such adjustment make such determinations and issue such orders as are necessary to result in the applicant receiving no more than the cost of conversion after taking into account the retail customers' apportioned share of such grant.

In the case of a long-term conversion, the department shall, every six months, review the revenues collected pursuant to the oil conservation adjustment in order to determine whether the applicant is recovering the cost of conversion over the period approved by the department. In the event any overcollection of such cost of conversion has occurred, the department shall order such overcollection to be returned to the ratepayers.

In the case of a short-term conversion, the department shall, upon its own initiative or upon petition of the original applicant, but in any event at least twice each year, review the actual cost of conversion and fuel cost savings and changes in estimates thereof, and may, where necessary after notice and public hearing, modify the oil conservation adjustment to permit, if method (a) referred to in the definition of "oil conservation adjustment" in this section was initially used, recovery by the applicant of two-thirds of the recalculated fuel cost saving per kilowatt hour accruing to retail customers on the date of recalculation of the saving by the department or, if method (b) referred to in said definition was initially used, to permit recovery by the applicant of the recalculated cost of conversion over such recalculated number of months as would not result in a charge exceeding the fuel cost saving per kilowatt hour accruing to retail customers on the date of recalculation of the saving by the department. Said adjustment also may be modified to permit switching from said method (a) to method (b) or from method (b) to method (a), where necessary to either permit the applicant to recover the cost of conversion as promptly as possible, consistent with the intent of this section that no adjustment for a short-term conversion shall exceed fuel cost savings accruing to retail customers or prevent such adjustment from exceeding fuel cost savings accruing to retail customers.

Any corporation or agent for the corporation responsible for said coal conversion projects shall give priority in employment to individuals residing within the city, town or political subdivision in which said project is taking place provided that those individuals have displayed the necessary qualifications for employment.

SECTION 2. The provisions of this act are severable and if any of its provisions shall be held invalid in any circumstances, such invalidity shall not effect any other provisions or circumstances.

Approved December 27, 1984.

Chap. 396. AN ACT AUTHORIZING THE TOWN OF SEEKONK TO ESTABLISH A SPECIAL ACCOUNT FOR THE AUTOMATED BRISTOL LIBRARY EXCHANGE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section fifty-three of chapter forty-four of the General Laws or any other general or special law to the contrary, the town of Seekonk is hereby authorized to establish in its treasury a special account which shall be known as the "Automated Bristol Library Exchange Account". Support charges, so-called, which shall be paid by a member, city or town to maintain and support the automated computer facilities housed in the Seekonk public 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 Automated Bristol Library Exchange without appropriation in such manner and at such times as shall best provide for the general maintenance, repair and up-grading of the computer facilities at said library.

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

Approved December 27, 1984.

Chap. 397. AN ACT PROVIDING TUITION BENEFITS FOR CERTAIN VIETNAM VETERANS.

Be it enacted, etc., as follows:

SECTION 1. Section 16 of chapter 15A of the General Laws, as amended by section 1 of chapter 716 of the acts of 1983, is hereby further amended by adding the following sentence:- For the purposes of this section, a Vietnam veteran who did not enter the service from the commonwealth, but who has resided for two consecutive years in the commonwealth immediately prior to receiving tuition benefits, shall be deemed qualified. Said veteran shall file an affidavit, under oath, as to such residency.

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

Approved December 27, 1984.

EMERGENCY LETTER - December 28, 1984 @ 4:47 P.M.

Chap. 398. AN ACT TO ASSIST NEEDY PREGNANT WOMEN.

Be it enacted, etc., as follows:

The first paragraph of section 2 of chapter 118 of the General Laws, as most recently amended by section 174 of chapter 351 of the acts of 1981, is hereby further amended by striking out the first sentence and insert in place thereof the following two sentences:- The department shall aid a parent in properly bringing up, in his or her own home, each dependent child, but no aid shall be granted, under this chapter, for, or on account of, any child unless the said child resides in the commonwealth. Further, the department shall render aid to any pregnant women, who is otherwise eligible, upon medical verification of pregnancy.

Approved December 27, 1984.

EMERGENCY LETTER - January 16, 1985 @ 9:07 P.M.

Chap. 399. AN ACT FURTHER REGULATING THE ADMINISTRATIVE ACTIVITIES OF DISTRICT ATTORNEYS.

Be it enacted, etc., as follows:

SECTION 1. Section 18 of chapter 12 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 3 of chapter 659 of the acts of 1977, and inserting in place thereof the following sentence:- If there is no assistant district attorney, the district attorney may employ a clerk to aid him; and in the northern, eastern, middle, Norfolk, Plymouth, Berkshire, Hampden and northwestern districts, the district attorney may appoint, for the sitting at which the appointment is made, a competent person to act as an assistant to the district attorney.

SECTION 2. Section 19 of said chapter 12, as amended by section 8 of said chapter 478, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- The district attorney for the Suffolk dis-

trict may appoint a messenger and such stenographers, telephone operators and other office assistants as in his opinion the interests of the commonwealth require.

SECTION 3. Said chapter 12 is hereby further amended by striking out section 20, as most recently amended by section 9 of said chapter 478, and inserting in place thereof the following section:-

Section 20. The district attorneys may each employ additional legal assistants. The length of time of such employment shall in no instance exceed six months. The amount of compensation shall be determined by the district attorney providing that for legal assistants who devote their entire time to the duties of legal assistants and do not, either directly or indirectly, engage in the private practice of law said compensation shall in no instance exceed ten thousand dollars and for part-time legal assistants shall in no instance exceed five thousand dollars. Such compensation shall be paid, subject to appropriation, by the commonwealth upon presentation of bills approved by the district attorney. In matters connected with the work for which he is so employed a legal assistant shall have all the powers and authority of an assistant district attorney.

SECTION 4. Section 22 of said chapter 12, as most recently amended by section 10 of said chapter 478, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- The district attorney for the Northern, Norfolk and Plymouth districts may employ persons for clerical or stenographic work and may remove them at his pleasure.

SECTION 5. Section 23 of said chapter 12, as appearing in section 10 of said chapter 478, is hereby amended by striking out, in line 6 and in lines 16 and 17, the words "a justice of the superior court" and inserting in place thereof the words:- the district attorney.

SECTION 6. Section 24 of said chapter 12, as so appearing, is hereby amended by striking out, in lines 13 and 14, the words ", otherwise upon the approval of a justice of the superior court".

Approved December 27, 1984.

Chap. 400. AN ACT RELATIVE TO THE ISSUANCE OF REGISTERED BONDS AND NOTES BY CITIES, TOWNS AND DISTRICTS.

Be it enacted, etc., as follows:

SECTION 1. Section 16 of chapter 44 of the General Laws is hereby amended by adding the following two paragraphs:-

Except as otherwise provided by law or by the vote authorizing the debt, the officers authorized to issue bonds or notes of a city, town or district shall determine the form and details of the bonds or notes, and may provide for a system of registration and exchange or transfer of registered bonds or notes. Any bonds or notes issued in exchange for bonds or notes originally issued in registered form shall be signed by the officers authorized to sign the original bonds or notes, and the provisions of section four of chapter one hundred and seven shall not apply to any such exchange.

In connection with the issuance by a city, town or district of original or replacement bonds or notes in registered form, the treasurer of the city, town or district, with the approval of the other officer or officers authorized to sign such bonds or notes, is authorized to contract for and engage the services of any banks, trust companies, or other banking or financial institutions within or without the state to perform authentication, registration, transfer, exchange, record and paying agent functions, including without limitation the preparation, signing and issuance of checks in payment of such bonds or notes, the preparation and maintenance of records, reports and accounts and the performance of such related duties as may be necessary or desirable in connection with such bonds or notes. The treasurer, with such approval, may also enter into agreements with banks, trust companies, or other banking or financial institutions to act as custodian or financial intermediary in connection with the establishment and maintenance by others of a central depository system for the transfer of interests in such bonds or notes. Any agreement entered into under this section shall include provisions for indemnifying the city, town or district for losses sustained by it on account of the negligence of a designated bank, trust company, or other banking or financial institution or on account of the failure of such designated bank, trust company, or other banking or financial institution to perform faithfully its duties and obligations under the agreement. Such agreement may include additional provisions necessary or desirable to protect the city, town or district and may provide for the limitation of liabilities of the parties, indemnification or payment of liquidated damages.

SECTION 2. Said chapter 44 is hereby further amended by striking out section 16A, inserted by section 1 of chapter 58 of the acts of 1957, and inserting in place thereof the following section:-

Section 16A. Any officer authorized to sign bonds or notes of a city, town or district may execute such bonds or notes or cause them to be executed by a facsimile signature in lieu of his

manual signature, provided that at least one signature required or permitted to be placed thereon shall be manually subscribed. In the case of registered bonds issued in exchange for or in replacement of prior bonds, no manually subscribed signature of an authorized officer shall be required if the signature of an authorized signer of a bank, trust company, or other banking or financial institution acting as trustee, authenticating agent, transfer agent or similar agent is manually subscribed. The facsimile signature of an authorized officer on a bond or note shall have the same legal effect as his manual signature.

SECTION 3. Section sixteen C of said chapter forty-four is hereby repealed.

Approved December 27, 1984.

Chap. 401. AN ACT RELATIVE TO MORTGAGE DISCHARGES.

Be it enacted, etc., as follows:

Section 54 of chapter 183 of the General Laws, as most recently amended by section 18 of chapter 580 of the acts of 1959, is hereby further amended by inserting after the third sentence the following sentence:- The recordation of a duly executed and acknowledged deed of release or written acknowledgment of payment or satisfaction as provided herein shall be conclusive evidence that the mortgage has been discharged notwithstanding the fact that the party signing such instrument may have assigned the note or other evidence of debt to another party, unless such assignment had been duly recorded prior to the instrument discharging the mortgage.

Approved December 27, 1984.

Chap. 402. AN ACT EXEMPTING THE TOWN OF GOSNOLD FROM ASSESSMENT OF CERTAIN COUNTY TAXES.

Be it enacted, etc., as follows:

SECTION 1. In apportioning the taxes upon the several towns in the county of Dukes County, the town of Gosnold shall not be assessed for any part of the appropriations for beach control, cooperative extension service, mental and public health, Cape and Islands emergency medical service and county civil defense, salary increases, police training school, alcohol program, youth

center, council on aging, rat control program, communication center, and county veterans' agent, nor shall said town benefit from any receipts or estimated receipts of said departments. In calculating the apportionment, the assessment of said town shall be made after eliminating both estimated receipts and estimated appropriations for the above departments.

SECTION 2. This act shall take effect for fiscal years commencing on or after July first, nineteen hundred and eighty-four, provided that section one has been approved by majority vote of both the county commissioners and the advisory board of the county of Dukes County; and provided, further, that if in any subsequent year said county commissioners and said advisory board vote to revoke the provisions of said section one, said section one shall no longer be effective.

Approved December 27, 1984.

Chap. 403. AN ACT PROVIDING THAT THE BOARD OF PHARMACY BE CONSULTED RELATIVE TO CERTAIN REGISTRATION OF PERSONS WHO MAY POSSESS CONTROLLED SUBSTANCES.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of paragraph (g) of section 7 of chapter 94C of the General Laws, added by section 3 of chapter 565 of the acts of 1983, is hereby amended by striking out, in lines 8 and 9, the words "and the board of registration of nursing" and inserting in place thereof the words:- , the board of registration in nursing and the board of registration in pharmacy.

SECTION 2. Section 80E of chapter 112 of the General Laws, inserted by section 8 of said chapter 565, is hereby amended by inserting after the word "medicine", in line 6, the words:- after consultation with the board of registration in pharmacy.

Approved December 27, 1984.

Chap. 404. AN ACT RELATIVE TO PROJECT C.O.A.C.H., INC.

Be it enacted, etc., as follows:

Notwithstanding any general or special law to the contrary,

any political subdivision of the Commonwealth is hereby authorized to appropriate and transfer funds to Project Community Organization for Alternative Court Help, Inc., otherwise known as Project C.O.A.C.H., Inc., a nonprofit corporation located in the Commonwealth and engaged in the operation of alternative sentencing programs; provided that such appropriations or transfers are for the purpose of furthering the goals, aims and purposes thereof. Any state or government agency in the Commonwealth is hereby authorized, subject to appropriation, to make contracts or to provide grants to Project C.O.A.C.H., Inc., for such purposes. All such appropriations, contracts and grants shall be subject to the provisions of law regulating the disbursement of public funds.

Approved December 27, 1984.

Chap. 405. AN ACT PROVIDING FOR THE TRANSFER OF A CERTAIN PARCEL OF LAND IN THE CITY OF WESTBOROUGH TO THE MASSACHUSETTS TECHNOLOGY PARK CORPORATION FOR THE PURPOSES OF THE MASSACHUSETTS MICROELECTRONICS CENTER.

Be it enacted, etc., as follows:

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

SECTION 2. The deputy commissioner of the division of capital planning and operations is hereby authorized, subject to the provisions of sections forty E to forty J, inclusive, of chapter seven of the General Laws, to convey or lease to the Massachusetts Technology Park Corporation, a public instrumentality of the commonwealth established by chapter three hundred and twelve of the acts of nineteen hundred and eighty-two, for the purposes of the Massachusetts Microelectronics Center, by a deed or lease approved as to form by the attorney general and for the nominal fee of one dollar, all or part of a parcel of land, with the buildings thereon, located in the town of Westborough and commonly referred to as the Lyman School for Boys, hereinafter referred to in whole or in its relevant part as the "site", subject to the requirements of sections two and three and to such additional terms and conditions as the deputy commissioner may prescribe in a land disposition agreement or lease; provided, however, that the deputy commissioner shall make adequate provision for the accommodation or relocation of state agencies to be affected by such transfer as he determines appropriate.

SECTION 3. No deed or lease for the site prepared by or on behalf of the commonwealth shall be valid unless such deed provides that said site shall not be used for any purpose or activity which is inconsistent with the public purpose and delegated powers of the corporation as set forth in said chapter three hundred and twelve of the acts of nineteen hundred and eighty-two.

Such deed or lease shall, if and to the extent determined by the deputy commissioner of the division of capital planning and operations to be necessary or appropriate, also grant to the corporation rights of way or easements over certain lands adjoining the site and retained by the commonwealth. The land disposition agreement or lease, if any, shall, at least fifteen days prior to its execution, be submitted by the said deputy commissioner to the office of the inspector general for review and written comment which shall be filed with the clerk of the house of representatives and the senate.

SECTION 4. At the time as said corporation indicates that it no longer requires said property, or pursuant to the operation of the provisions of the fifth paragraph of section five of chapter forty J of the General Laws, the site shall revert to the commonwealth.

SECTION 5. The land and tangible personal property of the Massachusetts Technology Park Corporation shall be deemed to be public property used for essential public and governmental purposes and shall be exempt from taxation and from betterments and special assessments.

Approved December 27, 1984.

Chap. 406. AN ACT INCREASING BOND AUTHORIZATIONS FOR THE MASSACHUSETTS HOUSING FINANCE AGENCY.

Be it enacted, etc., as follows:

Paragraph (b) of section 8 of chapter 708 of the acts of 1966 is hereby amended by striking out the sixth 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 issued to make mortgage loans pursuant to section five, outstanding at any one time shall not exceed the sum of one billion nine hundred million dollars of which one hundred and fifty million dollars shall be used only to make mortgage loans in cities and towns which have been found to have a rate

of unemployment of at least six percentum in the issue of "Area Trends in Employment and Unemployment" published by the United States Department of Labor for the October preceding the making of any such loan.

Approved December 27, 1984.

EMERGENCY LETTER - January 8, 1985 @ 5:22 P.M.

Chap. 407. AN ACT RELATIVE TO THE FUNDING OF THE NANTUCKET ISLAND LAND BANK.

Be it enacted, etc., as follows:

SECTION 1. Chapter 669 of the acts of 1983 is hereby amended by adding at the end of section 2 the following sentence:- The land bank is hereby constituted a body politic and corporate and a public instrumentality and the exercise of powers herein conferred upon the land bank shall be deemed to be the performance of an essential governmental function.

SECTION 2. Said chapter 669 is hereby further amended by inserting after section 4 the following seven sections:-

Section 4A. The town of Nantucket is hereby authorized to appropriate money to be deposited in the Nantucket islands land bank fund as provided in section eight and to provide funds to repay notes of the town issued pursuant to section four C and, when authorized by a two-thirds vote as defined in section one of chapter forty-four of the General Laws, to incur debt of the town for such purposes in accordance with the provisions of clause (3) of section seven of said chapter forty-four.

Section 4B. The land bank is hereby empowered to issue its bonds and notes, including notes in anticipation of bonds, for the purpose of acquiring land and interests in land as provided in section four. The proceeds of such bonds or notes may be used to pay, in whole or in part, acquisition costs; to provide reserves for debt service and other expenses; to pay consulting, appraisal, advisory and legal fees and costs incidental to the issuance and sale of such bonds or notes; to purchase, refund or renew bonds or notes previously issued; and to pay any other costs and expenses of the land bank necessary for the accomplishment of its purposes. Bonds or notes issued under this act shall be authorized by the Commission which shall have full power and authority to determine the amount, form, terms, conditions, provisions for the payment of interest and all other details thereof and to provide for their sale and issuance at such price and in such manner as the Commission shall determine, subject only to any limitations set forth in this act. Unless the

town of Nantucket shall have authorized by a two-thirds vote of a town meeting the pledging of the full faith and credit of the town of Nantucket or of Nantucket county to secure an issue of bonds or notes of the land bank, all bonds or notes issued hereunder shall be payable solely from the fees and other revenues of the land bank pledged to their payment and shall not be deemed a pledge of the full faith and credit of the town or county of Nantucket, the commonwealth or any political subdivision thereof or therein.

The Commission may enter into any agreements, including without limitation a loan agreement and a trust agreement, necessary to effectuate and to secure any bonds or notes issued by the land bank. Such agreements may pledge or assign, in whole or in part, the revenues and other money held or to be received by the land bank. Such agreements may contain such provisions for protecting and enforcing the rights, security and remedies of the holders of such bonds or notes, 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 land bank in relation to the custody, safeguarding, investment and application of money, the issuance of additional debt obligations, the use of any surplus proceeds of the borrowing, including any investment earnings thereon, and establishment of special funds and reserves.

The pledge of any such agreement shall be valid and binding and shall be deemed continuously perfected for the purposes of the Uniform Commercial Code from the time when the pledge is made; the revenues, money, rights and proceeds so pledged and then held or thereafter acquired or received by the land bank 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 town or county, irrespective of whether such parties have notice thereof. No document by which a pledge is created need be filed or recorded except in the records of the land bank and no filing need be made under the Uniform Commercial Code.

The trustee with respect to any such trust agreement entered into pursuant to this section shall be a trust company or a bank having the powers of a trust company within the commonwealth. Any such trust agreement may provide that any money received thereunder may be held, deposited or invested by the trustee, notwithstanding the provisions of section eight, pending the disbursement thereof, in any deposits or investments which are lawful for the funds of savings banks and shall provide that any officer with whom or any bank or trust company with which such money shall be deposited shall act as trustee of such money and shall hold and apply the same for the purposes hereof and

thereof, subject to such regulation or limitation as this act or such trust agreement may provide.

It shall be lawful for any bank or trust company within the commonwealth to act as depository of the proceeds of bonds or notes, revenues or other money hereunder and to furnish such indemnifying bonds or to pledge such security, if any, as may be required by the Commission. Any trust agreement entered into pursuant to this section may set forth the rights and remedies of the holders of any bonds or notes and of the trustee and may restrict the individual right of action by any such holders. In addition to the foregoing, any such trust agreement may contain such other provisions as the Commission may deem reasonable and proper. All expenses incurred in carrying out the provisions of such trust agreement may be treated as part of the cost of operation of the land bank and paid from the revenues or other funds pledged or assigned to the payment of the principal of and the premium, if any, and interest on the bonds or notes or from any other funds available to the land bank. In addition to other security provided herein or otherwise by law, bonds or notes issued under this section may be secured, in whole or in part, by insurance or by letters or lines of credit or other credit facilities issued to the land bank by any bank, trust company or other financial institution, within or without the commonwealth, and the land bank may pledge or assign any of its revenues as security for the reimbursement by the land bank to the issuers of such letters or lines of credit, insurance or credit facilities of any payments made thereunder.

Section 4C. If at any time any principal or interest is due or about to come due on any bonds or notes of the land bank to secure which the full faith and credit of the town of Nantucket or Nantucket county shall have been pledged and funds to pay the same are not available, the Commission shall certify to the town treasurer and selectmen of the town or to the county treasurer and county commissioners of the county, as appropriate, the amount required to meet such obligations and the town treasurer or the county treasurer shall thereupon pay over to the land bank the amount so certified from any funds in the treasury. For the purpose of providing or restoring to the treasury the sums so paid over to the land bank, the town treasurer, with the approval of the selectmen, is authorized to incur debt outside the town's debt limit and issue notes therefor for a period not exceeding two years and to renew or refund the same from time to time until the town shall have received from the land bank sufficient funds to repay such notes and the interest thereon in full. Whenever the town or the county shall have been required to pay over any sums of money to the land bank under this section, the land bank shall be precluded from acquiring any additional property, or issuing any of its bonds or notes for purposes other than repaying the town, until the land

bank shall have repaid the town in full for all sums paid to the land bank hereunder, including interest on any notes issued for such purpose, unless the town shall have appropriated sufficient funds for such purpose at a town meeting.

Section 4D. Bonds and notes issued under the provisions of this act are hereby made securities in which all public officers and public bodies of the commonwealth and its political subdivisions, all insurance companies, trust companies in their commercial departments, savings banks, cooperative banks, banking associations, investment companies, executors, administrators, trustees and other fiduciaries may properly and legally invest funds, including capital in their control or belonging to them. Such bonds and notes are hereby made securities which may properly and legally be deposited with and received by any state or municipal officer or any agency or political subdivision of the commonwealth for any purpose for which the deposit of bonds or obligations of the commonwealth is now or may hereafter be authorized by law.

Section 4E. Notwithstanding any of the provisions of this act or any recitals in any bonds or notes issued under this act, all such bonds and notes shall be deemed to be investment securities under the Uniform Commercial Code.

Section 4F. Bonds and notes may be issued under this act without obtaining the consent of any department, division, commission, board, bureau or agency of the town or county of Nantucket, except that the full faith and credit of the town or county of Nantucket shall not be pledged for the payment of such bonds or notes unless such pledge shall have been authorized by a two-thirds vote as provided in section four, 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. The validity of and security for any bonds and notes issued by the land bank shall not be affected by the existence or nonexistence of any such consent or other proceedings, conditions or things.

Section 4G. The land bank and all its revenues, income and real and personal property used solely by the land bank in furtherance of its public purposes shall be exempt from taxation and from betterments and special assessments and the land bank shall not be required to pay any tax, excise or assessment to or for the commonwealth or any of its political subdivisions. Bonds and notes issued by the land bank, 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 3. Clause (m) of section 12 of said chapter 669 is hereby amended by striking out in lines 5 to 10, inclusively, the words, "provided that the purchaser intends to made 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", and inserting in place thereof the words:- provided that the purchaser makes the real property interest which is the subject of the transfer the purchaser's actual domicile within two years of the time of transfer.

SECTION 4. Said chapter 669 is hereby further amended by inserting after section 14 the following three sections:-

Section 14A. Upon termination or dissolution of the land bank, the title to all funds and other properties owned by it which remain after payment or the making of provision for payment of all bonds, notes and other obligations of the land bank shall vest in the town of Nantucket.

Section 14B. This act, being necessary for the welfare of the town and county of Nantucket and their inhabitants, shall be liberally construed to effect the purposes hereof.

Section 14C. 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 5. Section 4 of subsection (c) of section 14 of chapter 669 of the acts of 1983 is hereby amended by inserting, in line 18, after the word "sixty-two" the letter:- C.

Approved December 27, 1984.
EMERGENCY LETTER - January 3, 1985 @ 9:42 A.M.

Chap. 408. AN ACT FURTHER REGULATING CERTAIN MEAL PROGRAMS FOR ELDERLY PERSONS.

Be it enacted, etc., as follows:

Chapter 15 of the General Laws is hereby amended by striking out section 1L, as most recently amended by section 8 of chapter 354 of the acts of 1978, and inserting in place thereof the following section:-

Section 1L. The school committee of any city or town with the approval of the commissioner of education may extend the school lunch period for the purpose of serving lunches to authorized elderly persons. Independent schools in any city or town so

approved may also participate.

The governing body of each city and town shall be responsible for developing a plan for a year-round hot lunch program for the elderly.

The bureau of nutrition education and school food services in the department of education may contract with nonprofit public or private agencies and independent and public school systems for the preparation and serving of meals to the elderly in accordance with the provisions of this section.

Such meals may be prepared by schools and served on site or be prepared in central production centers for service at sites more convenient to the elderly.

The operation of such school lunch programs by public or independent schools shall be subject to the following conditions and restrictions:

(1) The charge to such persons for each lunch shall not exceed fifty cents.

(2) The lunches served shall meet the nutritional standards established in accordance with Title III of the Older Americans Act of 1965, as amended.

(3) The procedures determined by each designated school committee or independent school in serving such lunches shall be approved by the bureau of nutrition education and school food services in the department of education.

As used in this section, the words "authorized elderly persons" shall mean persons sixty years of age and over and their spouses. Subject to appropriation, the commonwealth may reimburse any city, town, or regional public or independent school system or any public or private nonprofit agency for such costs as are incurred in excess of fifty cents for each such lunch prepared and served, upon written request by such city, town, or regional public or independent school system or any public or private nonprofit agency to the commissioner of education on such form as he may prescribe. If the commissioner approves such request, he shall certify to the comptroller that such payments are due and the state treasurer pay the same. Any federal funds provided annually for the purposes of this program shall be expended prior to the use of any funds appropriated by the commonwealth.

Approved December 27, 1984.

Chap. 409. AN ACT EXEMPTING CERTAIN MEDICAL EQUIPMENT FROM THE RETAIL SALES TAX ON CERTAIN TANGIBLE PERSONAL PROPERTY.

Be it enacted, etc., as follows:

Paragraph (l) of section 6 of chapter 64H of the General Laws is hereby amended by inserting after the word "oil", in line 13, as appearing in section 1 of chapter 757 of the the acts of 1967, the words:- ; and the rental, sales and repairs of kidney dialysis machines, enteral and parenteral feedings, and feeding devices, suction machines, oxygen concentrators, oxygen regulators, oxygen humidifiers, oxygen masks, oxygen cannulas, ultrasonic nebulizers, life sustaining resuscitators, incubators, heart pacemakers, canes, all types of hospital beds for home use, tripod quad canes, breast prosthesis, alternating pressure pad units and patient lifts, when prescribed by a physician.

Approved December 27, 1984.

Chap. 410. AN ACT DESIGNATING A CERTAIN BUILDING AT THE PAUL A. DEVER STATE SCHOOL AS THE CHARLES F. COLTON BUILDING.

Be it enacted, etc., as follows:

The Hospital 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 Charles F. Colton building. A suitable marker bearing said designation shall be attached at the entrance thereof by the department of mental health.

Approved December 27, 1984.

Chap. 411. AN ACT RELATIVE TO THE APPOINTMENT OF THE CLERK OF THE APPEALS COURT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 211A of the General Laws is hereby amended by striking out section 6, as most recently amended by section 8 of chapter 632 of the acts of 1981 and inserting in place thereof the following section:-

Section 6. The justices of the appeals court shall appoint the clerk of the appeals court for a term of five years from the date of his appointment, and may remove him. Said justices may appoint four assistant clerks of said court for terms of three years from the dates of their respective appointments, and may remove them. Said clerk shall receive as a salary the sum of forty-five thousand dollars. Each of said assistant clerks shall receive as a salary the sum of forty-two thousand dollars. Said clerk and assistant clerks shall devote their entire time during

ordinary business hours to their respective duties and shall not, directly or indirectly, engage in the practice of law.

SECTION 2. Notwithstanding the provisions of the preceding section one of this act, the tenure of any assistant clerk of the appeals court who shall have served in said office for a period of two years prior to the effective date of this act shall be unlimited until he attains age seventy and he shall hold office during good behavior, unless incapacitated by mental or physical disability from performing his duties; provided, however, that he may be removed for just cause after due notice and hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

Approved December 27, 1984

EMERGENCY LETTER - December 28, 1984 @ 4:47 P.M.

Chap. 412. AN ACT PROVIDING FOR THE ORDERLY DISTRIBUTION OF STATE PUBLICATIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 5 of the General Laws is hereby amended by inserting after section 6 the following section:-

Section 6A. Each state agency shall also provide two copies of its publication, as defined in section thirty-nine of chapter six to the state secretary, one of which shall be retained for two years as a reference copy. The state secretary shall determine which publications are of sufficient public interest and may then either reproduce the publications in appropriate quantities or acquire the publications in appropriate quantities directly from the issuing agency, at the cost of printing, for distribution by said secretary.

SECTION 2. Chapter 6 of the General Laws is hereby amended by striking out section 39 and inserting in place thereof the following section:-

Section 39. As used in sections thirty-nine to thirty-nine B, inclusive, the following words shall have the following meanings, unless the context otherwise requires:-

"Agency", each agency, office, state-supported institution of higher education, department, authority, executive office, bureau, officer, board, committee, task force, commission, special commission, division, executive office of the commonwealth, whether permanent or temporary in nature, including any state agency supported wholly or in part by public funds.

"Publication", any document, study, rule, regulation, report, directory, pamphlet, brochure, periodical, newsletter, bibliography, microphotographic form, tape or disc recording, annual, biennial or special report, statistical compendium, or other printed material regardless of its format or manner of duplication, issued in the name of or at the request of any agency of the commonwealth regardless of the source of funding, provided they constitute "public records" as defined in clause Twenty-sixth of section seven of chapter four, excepting correspondence, blank forms, and university press publications.

"Regional public libraries", those libraries as defined in section nineteen C of chapter seventy-eight. These definitions shall not include any records of the general court.

SECTION 3. Said chapter 6 is hereby further amended by striking out section 39A, inserted by chapter 259 of the acts of 1966, and inserting in place thereof the following two sections:-

Section 39A. (1) In order that all state publications of the commonwealth are preserved and made available for the use of citizens of the state, the state library is hereby designated as the depository library for Massachusetts state publications.

(2) The state library shall maintain a complete collection of Massachusetts state publications, both current and historic.

(3) A depository library system, providing for the distribution of state documents to the Library of Congress and to each of the regional public libraries in the state shall be established and maintained by the state library.

Section 39B. Each state agency shall furnish the state library eight copies of its publications. Said copies shall be forwarded to the state library no later than five working days after they are received from the printer or contractor. The state library shall make three copies available for public consultation in the library and for permanent historic preservation by the library. The others shall be provided to the Library of Congress and to each of the state's regional public libraries.

Approved December 27, 1984.

Chap. 413. AN ACT TRANSFERRING THE CAPITOL POLICE TO THE EXECUTIVE OFFICE OF PUBLIC SAFETY AND ESTABLISHING A DEPARTMENT OF CAPITOL POLICE.

Be it enacted, etc., as follows:

SECTION 1. Section 18 of chapter 6A of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by section 8 of chapter 702 of the acts of

1979, and inserting in place thereof the following paragraph:-

The following state agencies are hereby declared to be within the executive office of public safety: the department of public safety and all other state agencies within said department, including the several boards established by sections eleven A, thirteen A and fourteen of chapter twenty-two; the boards established by sections seventy-one A and seventy-one H of chapter one hundred and forty-three, and the board of school-house structural standards established by section one of chapter six hundred and seventy-five of the acts of nineteen hundred and fifty-five; the registry of motor vehicles; the governor's highway safety committee; the Massachusetts Criminal Justice Training Council; the criminal history systems board; the security and privacy council; and the department of capitol police.

SECTION 2. Chapter 8 of the General Laws is hereby amended by striking out section 4, as most recently amended by section 17 of chapter 579 of the acts of 1980, and inserting in place thereof the following section:-

Section 4. The superintendent of state office buildings may, with the approval of the deputy commissioner of capital planning and operations, appoint such clerks, engineers, electricians, firemen, oilers, mechanics, elevator operators, janitors, cleaners and other persons as may be necessary to enable him to perform his duties.

SECTION 3. Sections four A and four B of said chapter eight are hereby repealed.

SECTION 4. Section twelve of said chapter eight is hereby repealed.

SECTION 5. The General Laws are hereby amended by inserting after chapter 22A the following chapter:-

CHAPTER 22B.
CAPITOL POLICE.

Section 1. There is hereby established the department of capitol police, hereinafter called the department, under the supervision and control of the chief of the capitol police.

Section 2. The governor, upon recommendation by the secretary of public safety, shall appoint and fix the salary, subject to appropriation, of the chief of the capitol police. Said chief shall not be subject to the provisions of chapter thirty-one or section nine A of chapter thirty and shall be the executive and administrative head of the department.

The chief of the capitol police may, with the approval of the secretary of public safety, appoint such police officers and other

personnel necessary to carry out the duties of the department.

Section 3. All capitol police officers shall, when on duty, wear and display a metallic badge bearing the seal of the commonwealth and the words "capitol police". The chief of the capitol police shall be responsible for the fitness and good conduct of all officers in the department.

Section 4. The secretary of public safety in the event of any public emergency, or of any unusual demand for service of capitol police officers, or whenever he deems it otherwise in the public interest, may require said officers to work additional hours of duty and prevent such officers from taking time off when entitled thereto, or at the time assigned therefor; provided, however, that such members shall be compensated for any additional work in accordance with the provisions of section thirty C of chapter one hundred and forty-nine.

Section 5. The chief of the capitol police may authorize the payment, out of the General Fund, of the reasonable hospital, medical and surgical expenses of any member of the capitol police who is temporarily or permanently disabled, mentally or physically, by reason of injuries sustained through no fault of his own in the actual performance of his duty.

Section 6. The chief of the capitol police shall, subject to appropriation, indemnify a capitol police officer, to an amount not more than the amount recommended by the secretary of public safety, for expenses or damages sustained by him while acting as a police officer, or incurred by him in the defense or settlement of an action brought against him for acts done by him while so acting; provided, however, that the defense or settlement of such claim shall have been made by the attorney general; and such damages shall include loss of pay by reason of absence from duty on the part of such officer because of temporary incapacity caused by injury suffered through no fault of his own while in the actual performance of duty; and, if such officer be dead, such expenses or damages shall be payable to his widow, or, if he leaves no widow, then to his next of kin, who, at the time of his death, were dependent upon his salary for support. This section shall be construed to require the secretary of public safety to pay compensation, in the manner herein provided, for damages for personal injuries, whether or not death results; provided, however, the amount of such compensation shall have been approved by the attorney general.

Section 7. The chief of the capitol police shall take proper care to prevent any trespass on, or injury to, the state house or its appurtenances, or any other building or part thereof owned by or leased to the commonwealth for public offices; and, if any such trepass or injury is committed, he shall cause the offender to be prosecuted therefor. For any criminal offense committed in any part of the state house or the grounds appurtenant thereto, or in any other building owned by or leased to

the commonwealth, the capitol police shall have the same power to make arrests as the state police officers. A capitol police officer may, upon view of any misdemeanor committed in his presence, while on duty, arrest the person committing such misdemeanor, and shall have all the powers of police officers in the enforcement of traffic rules, regulations and ordinances on streets adjacent to any building owned, or occupied wholly or in part, by the commonwealth; and a capitol police officer shall have all the powers of state police officers while going to or from any such building on any assigned duty. The chief of the capitol police may arm his capitol police and, in case of emergency, may arm and detail as capitol police for extra duty such employees in his department as, in his judgement, the emergency requires for the proper protection of state property under his jurisdiction. The capitol police shall have such additional duties as may be from time to time assigned by the secretary of public safety, and shall have, when so assigned, all the powers of the state police officers.

The capitol police may, through an independent contractor, remove from any area or way subject to their jurisdiction or control and store in any convenient place any vehicle parked or standing thereon in violation of any law, ordinance, by-law, rule, regulation or order; provided, however, that such removal and storage shall be at no expense to and without liability on the part of the commonwealth. The owner or person in charge of such vehicle, in addition to any penalty for such violation, shall be liable for the charges for such removal and storage, not exceeding fifteen dollars for removal nor two dollars and fifty cents per day for storage.

SECTION 6. All books, papers, records, documents, equipment, both personal and real, which immediately prior to the effective date of this act, are in the custody of the superintendent of state office buildings or any other agency from which powers and duties are transferred to the executive office of public safety as provided for in section eighteen of chapter six A of the General Laws, 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 secretary of public safety. All questions regarding the identification of such property and to whom custody thereof is so transferred shall be determined by the secretary of public safety.

SECTION 7. All monies heretofore appropriated by the capitol police or to the superintendent of state office buildings on behalf of said capitol police from which or from whom powers and duties are transferred by the provisions of this act which relate to the exercise of such powers or the performance of such duties, and remaining unexpended on the effective date of this act, are

hereby transferred to, and shall be available for expenditure by the secretary of public safety. All questions regarding the identification of such monies shall be determined by the secretary of public safety.

SECTION 8. All duly existing contracts, leases and obligations of the capitol police or superintendent of state office buildings on behalf of the capitol police, from which, or from whom, powers and duties are transferred to the executive office of public safety 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 said capitol police as so transferred and the secretary of public safety, as the case may be. This section shall not affect any renewal provision or option to renew contained in any such lease in existence on said effective date, all of which may thereafter be exercised by the secretary of public safety. All questions regarding the identification of such contracts, leases and obligations and of the agency or executive office to which the performance thereof is so transferred shall be determined by the secretary of public safety.

SECTION 9. All petitions, hearings and other proceedings duly brought before, and all prosecutions and legal and other proceedings duly begun by, the superintendent of state office buildings with reference to the functions of the capitol police, which are pending immediately prior to the effective date of this act shall continue unabated and remain in force notwithstanding the pasage of this act, and to the extent that the power to determine or bring such proceedings is transferred by this act to the secretary of public safety, they shall be completed before or by said secretary 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 capitol police 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 said capitol police as so transferred, unless a contrary intent clearly appears.

SECTION 10. All orders, rules and regulations duly made by the superintendent of state office buildings with reference to the functions of the capitol police 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 secretary of public safety, they shall thereafter be enforced, until superseded, revised, rescinded or cancelled in accordance with law,

by said secretary unless a contrary intent clearly appears.

All orders, rules and regulations duly made by the capitol police, 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 law, by said capitol police, as so transferred.

All questions regarding the identification of such petitions, hearings, prosecutions, proceedings, orders, rules, regulations, licenses, permits, certificates and approvals, and to whom the completion or enforcement thereof is so transferred, shall be determined by the secretary of public safety.

SECTION 11. All employees of the capitol police who, immediately prior to the effective date of this act, held positions classified under chapter thirty-one of the General Laws or had tenure in their positions by reason of section nine A of chapter thirty of the General Laws shall continue on said department without impairment of civil service status, seniority, retirement and other rights of the employees, without interruption of their service within the meaning of said chapter thirty-one or said section nine A of said chapter thirty, and without reduction in their compensation and salary grades. All such employees who, immediately prior to the effective date of this act, are not classified under the provisions of said chapter thirty-one, or are not subject to said section nine A of said chapter thirty, shall continue to serve in their respective offices or positions without impairment of their retirement, seniority or other rights and they shall not be lowered in rank or compensation.

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.

Approved December 27, 1984.

Chap. 414. AN ACT PROVIDING FOR HEALTH INSURANCE COVERAGE FOR CERTAIN DIVORCED OR SEPARATED SPOUSES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 32A of the General Laws is hereby amended by inserting after section 11 the following section:-

Section 11A. (a) In the event of the granting of a judgment absolute of divorce or of separate support to which an employee or retiree who has health insurance or coverage under a plan or contract authorized by this chapter is a party, the person who

was the spouse of said employee or retiree prior to the issuance of such judgment shall be and remain eligible for benefits under said plan or contract, whether or not said judgment was entered prior to the effective date of said plan or contract, without additional premium or examination therefor, as if said judgment had not been entered; provided, however, that such eligibility shall not be required if said judgment so provides. Such eligibility shall continue through the employee's or retiree's participation in the plan or contract until the remarriage of either the employee or retiree or such spouse, or until such time as provided by said judgment, whichever is earlier.

(b) In the event of the remarriage of the employee or retiree referred to in paragraph (a), the former spouse thereafter shall have the right, if so provided in said judgment, to continue to receive benefits as are available to the employee or retiree, by means of the addition of a rider to the family plan or contract or the issuance of an individual plan or contract, either of which may be at additional premium rates determined by the group insurance commission to be just and reasonably in accordance with the additional insuring risks involved.

(c) The name, address, and certificate number of a person eligible for health insurance or coverage pursuant to paragraph (a) or (b), if available, shall be forwarded by the plan or contractor, whichever is applicable, to the department of public welfare within thirty days of the date when coverage of said person under said paragraph (a) or (b) is commenced.

SECTION 2. Chapter 32B of the General Laws is hereby amended by inserting after section 9G the following section:-

Section 9H. (a) In the event of the granting of a judgment absolute of divorce or of separate support to which a member or subscriber of a group hospital, surgical, medical, or dental insurance plan, a group nonprofit hospital service contract, a group nonprofit medical service plan or a group health maintenance contract authorized by this chapter is a party, the person who was the spouse of said member or subscriber prior to the issuance of such judgment shall be and remain eligible for benefits under said plan or contract, whether or not said judgment was entered prior to the effective date of said plan or contract, without additional premium or examination therefor, as if said judgment had not been entered; provided, however, that such eligibility shall not be required if said judgment so provides. Such eligibility shall continue through the member's or subscriber's participation in the plan or contract until the remarriage of either the member or subscriber or such spouse, or until such time as provided by said judgment, whichever is earlier.

(b) In the event of the remarriage of the group plan member or subscriber referred to in paragraph (a), the former spouse

thereafter shall have the right, if so provided in said judgment, to continue to receive benefits as are available to the member or subscriber, by means of the addition of a rider to the family plan or contract or the issuance of an individual plan or contract, either of which may be at additional premium rates determined by the appropriate public authority to be just and reasonable in accordance with the additional insuring risks involved.

(c) The name, address, and policy number of a person eligible for health insurance coverage pursuant to paragraph (a) or (b), if available, shall be forwarded by such insurance company, nonprofit hospital service corporation, nonprofit medical service corporation or health maintenance organization whichever is applicable to the department of public welfare within thirty days of the date when coverage of said person under said paragraph (a) or (b) is commenced.

SECTION 3. Section 1101 of chapter 175 of the General Laws, inserted by chapter 735 of the acts of 1981, is hereby amended by striking out subsections (a) and (b) and inserting in place thereof the following two subsections:-

(a) In the event of the granting of a judgment absolute of divorce or of separate support to which a member of a group hospital, surgical, medical, or dental insurance plan provided for in section one hundred and ten is a party, the person who was the spouse of said member prior to the issuance of such judgment shall be and remain eligible for benefits under said plan, whether or not said judgment was entered prior to the effective date of said plan, without additional premium or examination therefor, as if said judgment had not been entered; provided, however, that such eligibility shall not be required if said judgment so provides. Such eligibility shall continue through the member's participation in the plan until the remarriage of either the member or such spouse, or until such time as provided by said judgment, whichever is earlier.

(b) In the event of the remarriage of the group plan member referred to in subsection (a), the former spouse thereafter shall have the right, if so provided in said judgment, to continue to receive benefits as are available to the member, by means of the addition of a rider to the family plan or the issuance of an individual plan, either of which may be at additional premium rates determined by the commissioner of insurance to be just and reasonable in accordance with the additional insuring risks involved.

SECTION 4. Chapter 176A of the General Laws is hereby amended by inserting after section 8E the following section:-

Section 8F. (a) In the event of the granting of a judgment absolute of divorce or of separate support to which a subscriber

of a group nonprofit hospital service contract is a party, the person who was the spouse of said subscriber prior to the issuance of such judgment shall be and remain eligible for benefits under said contract, whether or not said judgment was entered prior to the effective date of said contract, without additional premium or examination therefor, as if said judgment had not been entered; provided, however, that such eligibility shall not be required if said judgment so provides. Such eligibility shall continue through the subscriber's participation in the plan until the remarriage of either the subscriber or such spouse, or until such time as provided by said judgment, whichever is earlier.

(b) In the event of the remarriage of the group contract subscriber referred to in paragraph (a), the former spouse thereafter shall have the right, if so provided in said judgment, to continue to receive benefits as are available to the subscriber, by means of the addition of a rider to the family contract or the issuance of an individual contract, either of which may be at additional premium rates determined by the commissioner of insurance to be just and reasonable in accordance with the additional insuring risks involved.

(c) The name, address, and policy number of a person eligible for health insurance coverage pursuant to paragraph (a) or (b), if available, shall be forwarded by such nonprofit hospital service corporation to the department of public welfare within thirty days of the date when coverage of said person under said paragraph (a) or (b) is commenced.

SECTION 5. Chapter 176B of the General Laws is hereby amended by inserting after section 6A the following section:-

Section 6B. (a) In the event of the granting of a judgment absolute of divorce or of separate support to which a subscriber of a group nonprofit medical service plan is a party, the person who was the spouse of said subscriber prior to the issuance of such judgment shall be and remain eligible for benefits under said plan, whether or not said judgment was entered prior to the effective date of said plan, without additional premium or examination therefor, as if said judgment had not been entered; provided, however, that such eligibility shall not be required if said judgment so provides. Such eligibility shall continue through the subscriber's participation in the plan until the remarriage of either the subscriber or such spouse, or until such time as provided by said judgment, whichever is earlier.

(b) In the event of the remarriage of the group plan subscriber referred to in paragraph (a), the former spouse thereafter shall have the right, if so provided in said judgment, to continue to receive benefits as are available to the subscriber, by means of the addition of a rider to the family plan or the

issuance of an individual plan, either of which may be at additional premium rates determined by the commissioner of insurance to be just and reasonable in accordance with the additional insuring risks involved.

(c) The name, address, and policy number of a person eligible for health insurance coverage pursuant to paragraph (a) or (b), if available, shall be forwarded by such nonprofit medical service corporation to the department of public welfare within thirty days of the date when coverage of said person under said paragraph (a) or (b) is commenced.

SECTION 6. Chapter 176G of the General Laws is hereby amended by inserting after section 5 the following section:-

Section 5A. (a) In the event of the granting of a judgment absolute of divorce or of separate support to which a member of a group health maintenance contract is a party, the person who was the spouse of said member prior to the issuance of such judgment shall be and remain eligible for benefits under said contract, whether or not said judgment was entered prior to the effective date of said contract, without additional premium or examination therefor, as if said judgment had not been entered; provided, however, that such eligibility shall not be required if said judgment so provides. Such eligibility shall continue through the member's participation in the contract until the remarriage of either the member or such spouse, or until such time as provided by said judgment, whichever is earlier.

(b) In the event of the remarriage of the member referred to in paragraph (a), the former spouse thereafter shall have the right, if so provided in said judgment, to continue to receive benefits as are available to the member, by means of the addition of a rider to the family contract or the issuance of an individual contract, either of which may be at additional premium rates determined by the commissioner of insurance to be just and reasonable in accordance with the additional insuring risks involved.

(c) The name, address, and policy number of a person eligible for health insurance coverage pursuant to paragraph (a) or (b), if available, shall be forwarded by such health maintenance organization to the department of public welfare within thirty days of the date when coverage of said person under said paragraph (a) or (b) is commenced.

Approved December 27, 1984.

Chap. 415. AN ACT DIRECTING THE STATE BOSTON RETIREMENT BOARD TO RETIRE FRANK TARANTINO, A POLICE OFFICER OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any law to the contrary and in order to promote the public good, the state Boston retirement board is hereby authorized and directed to retire Frank Tarantino, a police officer of the city of Boston, who as a result of gunshot injuries sustained while in the performance of his duties on May sixteenth, nineteen hundred and eighty-three, 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 paid had he continued in service as a police officer in the police department of the city of Boston 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. Upon such retirement, the state Boston retirement board shall forthwith pay to him the amount credited to him as accumulated total deductions in the annuity savings of the state Boston retirement system.

SECTION 2. Said Frank Tarantino shall be entitled to receive such indemnification for all hospital, medical and related expenses that have been, or may be, incurred after the date of his retirement as a result of the injuries sustained by him while in the performance of his duties, according to the provisions of chapter forty-one of the General Laws.

SECTION 3. Upon the death of said Frank Tarantino, leaving Andrea R. Tarantino, his wife, surviving him, the state Boston retirement board shall 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 Frank Tarantino during such time as such child is under eighteen years of age or over said age and physically or mentally incapacitated from earnings. If said Andrea R. Tarantino remarries, said city shall pay, in lieu of the aforesaid annuity to her, an annuity of five hundred and twenty dollars to or for the benefit of each child during the time aforesaid.

Approved December 27, 1984.

Chap. 416. AN ACT ALLOWING THE EMPLOYEES OF THE TOWN OF AMHERST TO CONVERT CERTAIN BENEFITS.

Be it enacted, etc., as follows:

Notwithstanding any general or special law to the contrary, the town of Amherst is hereby authorized to amend its by-laws pertaining to the administration of personnel to permit the personnel board to make available to the employees of said town, in accordance with the provisions of said by-laws, a limited right to elect conversion of accrued vacation and sick leave to other employee benefits such as disability insurance, additional term life insurance, vision care, day care or preschool expense, deferred compensation, physical examinations, dental care, twenty-five per cent health insurance contribution, health or spa club expenses, individual retirement accounts, financial planning or health promotion activities.

Approved December 27, 1984.

Chap. 417. AN ACT AUTHORIZING THE TOWN OF AYER TO GRANT AN EASEMENT TO SAN-VEL CONCRETE CORPORATION.

Be it enacted, etc., as follows:

SECTION 1. The town of Ayer, acting through its board of selectmen and its conservation commission, is hereby authorized to grant an easement to San-Vel Concrete Corporation over a portion of the land acquired by the town of Ayer and under the control of the conservation commission of said town, by deed of Doris Helen O'Brien, Thomas Francis O'Brien, Edward Lloyd O'Brien, and Edward Roy O'Brien dated March 21, 1977, and recorded with the south registry of deeds in the county of Middlesex, Book 13162, Page 715, the land to be subject to said easement being bounded and described as follows:

AN EASEMENT situated on the Southeasterly side and Southeasterly of the Boston & Maine Railroad, in the Town of Ayer, County of Middlesex, Commonwealth of Massachusetts bounded and described as follows:

BEGINNING At an iron pipe on the Southeasterly side of the Boston and Maine Railroad and at the most Westerly corner of land of Carol N. Veasey:

THENCE S 25°-16'-55" E by land of said Veasey and land of Gary P. Wolanyk & Sharon J. Haughn one hundred thirty-seven and 75/100 (137.75') feet to an iron pipe:

THENCE S 33°-03'-05" W by land of said Wolanyk & Haughn one hundred sixty-nine and 33/100 (169.33') feet to a point:

THENCE N 85°-00'-00" W one hundred eighty-one and 28/100 (181.28') feet to a point:

THENCE Westerly on a curve to the left having a radius of seventy-five (75.00') feet, an arc distance of thirty-nine and 64/100 (39.64') feet to a point:

THENCE S 64°-43'-05" W two hundred seventy-nine and 74/100 (279.74') feet to a point:

THENCE Westerly and Northwesterly on a curve to the right having a radius of one hundred thirteen and 74/100 (113.74') feet, an arc distance of one hundred nineteen and 60/100 (119.60') feet to a point:

THENCE Northwesterly and Westerly on a curve to the left having a radius of forty-five and 08/100 (45.08') feet, an arc distance of forty-seven and 40/100 (47.40') feet to a point:

THENCE S 64°-43'-05" W seven hundred fifteen (715'±) feet more or less to a point in the centerline of Swamp Brook:

THENCE Northwesterly, Northerly and Northeasterly by various courses by the centerline of Swamp Brook one hundred two (102'±) feet more or less to a point on the Southeasterly side of the Boston and Maine Railroad:

THENCE N 64°-43'-05" E by the Southeasterly side of the Boston and Maine Railroad six hundred ninety-five (695'±) feet more or less to a point:

THENCE S 55°-02'-05" E sixty-six and 68/100 (66.68') feet to a point:

THENCE Southeasterly and Easterly on a curve to the left having a radius of sixty-three and 74/100 (63.74') feet, an arc distance of sixty-seven and 02/100 (67.02') feet to a point:

THENCE N 64°-43'-05" E two hundred seventy-nine and 74/100 (279.74') feet to a point:

THENCE Easterly on a curve to the right having a radius of one hundred twenty-five (125.00') feet, an arc distance of sixty-six and 07/100 (66.07') feet to a point:

THENCE S 85°-00'-00" E one hundred seventeen and 58/100 (117.58') feet to a point:

THENCE Easterly and Northeasterly on a curve to the left having a radius of fifty-six and 13/100 (56.13') feet, an arc distance of sixty and 69/100 (60.69') feet to a point:

THENCE N 33°-03'-05" E seventy-seven and 72/100 (77.72') feet to a point:

THENCE N 25°-16'-55" E one hundred twenty-four and 84/100 (124.84') feet to a point on the Southeasterly side of the Boston & Maine Railroad:

THENCE N 64°-43'-05" E by the Southeasterly side of the Boston & Maine Railroad forty-six and 05/100 (46.05') feet to a point:

THENCE S 25°-16'-55" E by the Boston & Maine Railroad fifteen (15.00') feet to a point:

THENCE N 64°-43'-05" E by the Southeasterly side of the Boston & Maine Railroad three and 95/100 (3.95') feet to the point of beginning:

SAID easement area containing 2.1 acres ± (more or less) as shown on a plan entitled "Plan of Easement in Ayer, Mass. made for San-Vel Concrete Corporation" dated September, 1984 by

Charles A. Perkins Co., Inc.; Civil Engineers & Surveyors, Clinton, Mass. Plan No. 5542.

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

Approved December 28, 1984.

Chap. 418. AN ACT FURTHER REGULATING THE DETERMINATION OF NEED IN CERTAIN HEALTH CARE FACILITIES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately regulate determination of need in certain health care 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. Section 25C of chapter 111 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by section 4 of chapter 541 of the acts of 1980, and inserting in place thereof the following paragraph:-

Notwithstanding any contrary provisions of law, except as provided in section twenty-five C 1/2, no person or agency of the commonwealth or any political subdivision thereof shall make substantial capital expenditures for construction of a health care facility or substantially change the service of such facility unless there is a determination by the department that there is need therefor. No such determination of need shall be required for any substantial capital expenditure for construction or any substantial change in service which shall be related solely to the conduct of research in the basic biomedical or applied medical research areas, and shall at no time result in any increase in the clinical bed capacity or outpatient load capacity of a health care facility, and shall at no time be included within or cause an increase in the gross patient service revenue of a facility for health care services, supplies, and accommodations, as such revenue shall be defined from time to time in accordance with section thirty-one of chapter six A. Any person undertaking any such expenditure related solely to such research which shall exceed or may reasonably be regarded as likely to exceed one hundred and fifty thousand dollars or any such change in service solely related to such research, shall give written notice thereof to the department and the rate setting commission at least sixty days before undertaking such expenditure or change in service. Said notice shall state that such expenditure or change shall be related solely to the conduct of research in the

basic biomedical or applied medical research areas, and shall at no time be included within or result in any increase in the clinical bed capacity or outpatient load capacity of a facility, and shall at no time cause an increase in the gross patient service revenue, as defined in accordance with said section thirty-one of said chapter six A, of a facility for health care services, supplies and accommodations. Notwithstanding the preceding three sentences, a determination of need shall be required for any such expenditure or change if the notice required by this section is not filed in accordance with the requirements of this section, or if the department finds, within sixty days after receipt of said notice, that such expenditure or change will not be related solely to research in the basic biomedical or applied medical research areas, or will result in an increase in the clinical bed capacity or outpatient load capacity of a facility, or will be included within or cause an increase in the gross patient service revenues of a facility. A research exemption granted under the provisions of this section shall not be deemed to be as evidence of need in any determination of need proceeding.

SECTION 2. Section two and three of chapter seven hundred and seventeen of the acts of nineteen hundred and eighty-one are hereby repealed.

Approved December 28, 1984.

Chap. 419. AN ACT FURTHER REGULATING THE ISSUANCE OF REVENUE BONDS BY THE MASSACHUSETTS HEALTH AND EDUCATIONAL FACILITIES AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 614 of the acts of 1968, as amended by section 7 of chapter 777 of the acts of 1981, is hereby further amended by inserting after the word "education", in line 7, the words:- and schools for the handicapped,- and by inserting after the word "education", in line 20, the words:- , schools for the handicapped.

SECTION 2. Paragraph (b) of section 3 of said chapter 614, as amended by section 8 of said chapter 777, is hereby further amended by inserting after the word "education", in lines 2, 10, and 12, in each instance, the words:- or participating institution for the handicapped.

SECTION 3. Said section 3 of said chapter 614 is hereby further amended by striking out paragraphs (m) and (n), as

appearing in section 11 of said chapter 777, and inserting in place thereof the following four paragraphs:-

(m) "Institution", an institution for higher education, a school for the handicapped, a hospital or a cultural institution.

(n) "Participating institution", a participating institution for higher education, a participating school for the handicapped, a participating hospital or a participating cultural institution.

(o) "School for the handicapped", a nonprofit primary, secondary, or post-secondary school within the commonwealth which (i) serves students at least seventy per cent of whom are handicapped as determined by one or more appropriate educational, rehabilitation, medical or mental health authorities; (ii) is accredited by a recognized accrediting body; and (iii) is determined by the authority to be a major resource of benefit to the handicapped.

(p) "Participating school for the handicapped", a school for the handicapped which, pursuant to the provisions of this act, undertakes the financing and construction or acquisition of a project or undertakes the refunding or refinancing of obligations or of a mortgage or of advances as provided in this act.

Approved December 28, 1984.

EMERGENCY LETTER - January 7, 1985 @ 4:24 P.M.

Chap. 420. AN ACT RELATIVE TO THE ISSUANCE OF CERTAIN LICENSES BY THE COMMISSIONER OF PUBLIC SAFETY.

Be it enacted, etc., as follows:

SECTION 1. Section 130 of chapter 140 of the General Laws is hereby amended by striking out the first sentence, as amended by chapter 161 of the acts of 1973, and inserting in place thereof the following sentence:- Whoever sells or furnishes a firearm or machine gun or ammunition therefor to any alien or to a minor or whoever sells or furnishes a rifle or shotgun or ammunition therefor to an alien who does not hold a permit card issued to him under section one hundred and thirty-one H, or a license to carry firearms issued under section one hundred and thirty-one F, or to a minor eighteen years of age or older, except to such minor who being eighteen years of age or older displays either a license to carry firearms or a firearms identification card and a sporting or hunting license issued to him in the case of ammunition, or displays such license to carry, or firearm identification card together with said sporting or hunting license, and the written consent of his parent or guardian that a rifle or shotgun be sold to him or furnished to him in the case of a rifle

or shotgun, or to a minor under eighteen years of age, shall have his license to sell firearms, machine guns or ammunition revoked and shall not be entitled to apply for such a license for ten years from the date of revocation and shall be punished by a fine of not less than five hundred nor more than one thousand dollars.

SECTION 2. Section 131 of said chapter 140 is hereby amended by striking out the first sentence, as appearing in chapter 415 of the acts of 1972, and inserting in place thereof the following sentence:- The chief of police or the board or officer having control of the police in a city or town, or the commissioner of public safety, or persons authorized by them, respectively, after an investigation, may, upon the application of any person, including a minor eighteen years of age or older who has the written consent of his parent or guardian, residing or having a place of business within their respective jurisdiction, except an alien whose license to carry firearms may only be issued under the provisions of section one hundred and thirty-one F, a person who has been convicted of a felony or of the unlawful use, possession or sale of narcotic or harmful drugs or a minor under the age of eighteen, issue a license to such applicant to carry firearms in the commonwealth or to possess and carry therein a machine gun if it appears that he is a suitable person to be so licensed, and that he has good reason to fear injury to his person or property, or for any other proper purpose, including the carrying of firearms for use in target practice only; provided however, that no minor shall be issued a license to possess and carry a machine gun.

SECTION 3. The first paragraph of section 131F of said chapter 140, as most recently amended by section 102 of chapter 189 of the acts of 1984, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- A temporary license to carry firearms, or ammunition therefor, within the commonwealth, may be issued by the commissioner of public safety, or persons authorized by him, to a nonresident or any person not falling within the jurisdiction of a local licensing authority or to an alien which resides outside the commonwealth for purposes of firearms competition and subject to such terms and conditions as said commissioner may deem proper; provided, however, that no license shall be issued to a person convicted of a felony, or convicted of the unlawful use, possession or sale of narcotic or harmful drugs.

SECTION 4. The first paragraph of section 131H of said chapter 140 is hereby amended by striking out the first sentence, as appearing in section 13 of chapter 799 of the acts of 1969, and inserting in place thereof the following sentence:- No

alien shall own or have in his possession or under his control a firearm except as provided in section one hundred and thirty-one F or a rifle or shotgun except as provided in this section or section one hundred and thirty-one F.

Approved December 28, 1984.

Chap. 421. AN ACT AUTHORIZING THE TOWN OF WEYMOUTH TO PAY A CERTAIN SUM OF MONEY AND CONVEY CERTAIN LANDS TO THE FORMER OWNER OF SUCH LAND.

Be it enacted, etc., as follows:

The town of Weymouth is hereby authorized to deed back to the former owners certain lands which were taken by eminent domain for conservation purposes by an order of taking recorded on September sixth, nineteen hundred and seventy-three; and to pay the sum of five thousand nine hundred dollars to said former owners in addition to the return of said land. Said land is shown as Parcel G on a Plan of land for Well location for Water Supply dated January 6, 1971, and recorded at the registry of deeds in Norfolk county in Plan Book #239 as Plan No. 1253 of 1973; also shown in the appendix of the warrant.

Approved December 28, 1984.

Chap. 422. AN ACT FURTHER REGULATING THE SHERWOOD FOREST ROAD MAINTENANCE DISTRICT IN THE TOWN OF BECKET.

Be it enacted, etc., as follows:

Section 2 of chapter 380 of the acts of 1982 is hereby amended by striking out paragraph H and inserting in place thereof the following paragraph:-

H. To receive and accept from any federal agency, the commonwealth, the municipality, or from a charitable foundation, a private corporation or any individual, grants, gifts, loans and advances for or in aid of the purpose of this district. Without limiting the generality of the foregoing, the district is hereby specifically empowered to accept the following:

(1) Revenue sharing funds and community development block grant funds;

(2) Funds made available by the commonwealth for the reconstruction, maintenance and repair of district streets or ways under the provisions of section thirty-one of chapter eighty-one

and of section thirty-four of chapter ninety of the General Laws;

(3) One or more conveyances from time to time by deed from the fee owner or owners of the streets or ways included within the district under this section, may be accepted by the district, and the land so acquired shall be held by the district, all in the manner provided for the receipt, holding and disposition of land acquired by gift or devise by cities and towns under the provisions of the General Laws of the commonwealth.

Approved December 28, 1984.

Chap. 423. AN ACT RELATIVE TO ADOPTING MOTHERS.

Be it enacted, etc., as follows:

Section 105D of chapter 149 of the General Laws, inserted by section 1 of chapter 790 of the acts of 1972, is hereby amended by inserting in the first paragraph, after the word "birth", in line 6, the following words:- or for adopting a child under three years of age,.

Approved December 28, 1984.

Chap. 424. AN ACT RELATIVE TO CERTAIN PERSONS ENROLLED IN VOCATIONAL EDUCATIONAL PROGRAMS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 74 of the General Laws is hereby amended by striking out section 8, as most recently amended by chapter 730 of the acts of 1970, and inserting in place thereof the following section:-

Section 8. A town where a person resides who is admitted to the school of another town under section seven shall pay a tuition fee to be fixed by the commissioner under the direction of the state board, and in default of payment shall be liable therefor in contract to such other town. If an approved vocational school established by a regional school district accepts a student who resides in a town, other than a member town of said district, which does not maintain such a vocational school, the town in which such student resides shall pay a tuition fee to be fixed by the regional district school committee and approved by the commissioner under the direction of the state board; provided, however, that a town shall only be required to pay the tuition of any student residing therein who is enrolled in a

post-secondary vocational program to the extent provided in sections thirty-seven B through thirty-seven F, inclusive.

SECTION 2. Said chapter 74 is hereby further amended by inserting after section 37A the following five sections:-

Section 37B. The commissioner under the direction of the state board may approve nondegree granting vocational education programs at the post-secondary level. In making his decision, the commissioner shall take into consideration the availability of similar training opportunities at the secondary and public regional community college levels.

Upon the vote of the school committee or board of trustees of any industrial, technical, or vocational school, tuition and other related fees may be charged to students residing in its city, town or regional school district admitted to approved post-secondary vocational education programs in an amount not to exceed fifty per cent of the average per pupil cost of such program.

Section 37C. A student who resides in a city or town which does not offer approved vocational education programs at the post-secondary level may, upon the approval of the commissioner under the direction of the state board be admitted to such program in another city, town or regional district. In making his determination the commissioner shall take into consideration the opportunities for free vocational training where the applicant resides, the preparation, aptitude and previous record of the applicant, and other relevant circumstances, including the level of state assistance to such program. Tuition and other related fees shall be charged to a student admitted under this provision in an amount not to exceed fifty per cent of the average per pupil cost of such program, as approved by the commissioner under the direction of the state board. Such students shall be eligible to apply for state scholarship aid pursuant to section seven of chapter fifteen A.

Section 37D. A city, town, regional school district or independent vocational school admitting students under section thirty-seven C shall be entitled to receive state aid under the provisions of chapter seventy on account of each such student.

Section 37E. Each city or town required to pay the tuition of a student enrolled in a post-secondary vocational program under the provisions of this chapter shall pay to the school committee or board of trustees of the industrial, technical, or vocational school in which such student is enrolled a tuition charge as determined by the commissioner. Said tuition charge shall be the difference between the average per pupil cost of the approved post-secondary program, and the sum of the tuition and other related fees charged to each student under section thirty-seven C and the per pupil school aid received under chapter seventy on account of students admitted pursuant to the

provisions of section thirty-seven C.

In the case of any city or town which fails to pay tuition on account of a student admitted to a post-secondary vocational program under the provisions of section thirty-seven C, the commissioner shall be authorized in the succeeding fiscal year, pursuant to section four of chapter seventy, to reduce the school aid to which such city or town is otherwise entitled under chapter seventy in an amount equivalent to the unpaid tuition. The commissioner is further authorized to increase the school aid paid to the city, town or regional school district which provided the post-secondary vocational program to said student in an amount equivalent to the tuition to which it was due under the provisions of this section.

Section 37F. All receipts from tuition and other related fees shall be paid to the school committee or board of trustees of the city, town, regional school district or independent vocational school admitting students under sections thirty-seven B and thirty-seven C, and shall be deposited with the treasurer of the city, town, regional school district or independent vocational school and held as a separate account. The receipts held in such separate accounts may be expended by said school committee or board of trustees without further appropriation for general educational purposes.

SECTION 3. This act shall take effect on September first, nineteen hundred and eighty-five and shall apply only to students admitted on or after such date.

Approved December 28, 1984.

Chap. 425. AN ACT TO FACILITATE VOTER REGISTRATION.

Be it enacted, etc., as follows:

Section 42B of chapter 51 of the General Laws, as most recently amended by chapter 216 of the acts of 1981, is hereby further amended by adding the following paragraph:-

Notwithstanding any other provision of this chapter, a registrar or assistant registrar at a session held under the provisions of this section shall receive affidavits of registration from registrants who reside in any other city or town of the commonwealth. The registrars shall forthwith transmit any such completed affidavits of registration to the registrars of the city or town where the registrant claims to reside, and said registrars shall receive such affidavits as provided in sections forty-six to forty-seven B, inclusive. The state secretary shall prescribe forms for the purposes of registrations conducted under this

section; provided, however, that such forms shall contain the information provided for in section thirty-six and shall also include space for the name of the registrar, assistant registrar or special registrar before whom said affidavit was executed, and shall also provide a space for the name of the city or town where such registration was conducted and what proof of residence was offered, if any; and, provided further, that all such forms shall contain the following statement: "A copy of this document may be forwarded to the department of revenue and the registry of motor vehicles".

Approved December 28, 1984.

Chap. 426. AN ACT AUTHORIZING THE TOWN OF SHARON TO CONVEY A CERTAIN PARCEL OF LAND TO NELSON BRENNER.

Be it enacted, etc., as follows:

SECTION 1. In consideration of the conveyance to the town of Sharon by Nelson Brenner as provided in section two of this act, said town acting through its board of selectmen is hereby authorized to convey to said Nelson Brenner, a certain parcel of land held for recreational purposes, bounded and described as follows:

Beginning at a point which lies 83.70 feet southwesterly from the westerly line of Beach Street, said point being the most easterly corner of the herein described premises and the most westerly corner of the lot described in section two; thence

S 73-28-04 W by land of Nelson Brenner a distance of 100.00 feet; thence

N 1-13-34 E by land of the Town of Sharon a distance of 15.00 feet; thence

N 81-58-55 E again by land of the Town of Sharon, a distance of 96.49 feet to the point of beginning, containing 714 square feet;

said lot also being shown on a preliminary plan entitled "Plan showing proposed land exchange, Sharon, Mass." prepared by Sharon Survey Service dated December 14, 1982, and on file in the office of the town clerk.

SECTION 2. In consideration of such conveyance, Nelson Brenner shall convey to the town of Sharon a certain parcel of land bounded and described as follows:

Beginning at a point on the westerly line of Beach Street, said point being the most easterly corner of the herein described premises; thence

S 24-47-34 W by land of Nelson Brenner a distance of 22.72

feet; thence

S 87-24-47 W again by land of Brenner a distance of 70.79 feet; thence

N 73-28-04 E by land of the Town of Sharon a distance of 83.70 feet to the point of beginning, containing 714 square feet;

said lot being shown on a preliminary plan entitled "Plan showing proposed land exchange, Sharon, Mass." prepared by Sharon Survey Service dated December 14, 1982, and on file in the office of the town clerk.

Approved December 28, 1984.

Chap. 427. AN ACT PROVIDING IDENTIFICATION FOR CERTAIN BLIND PERSONS.

Be it enacted, etc., as follows:

Section 135 of chapter 6 of the General Laws is hereby amended by adding the following two paragraphs:-

Any person who accepts a motor vehicle operator's license to verify the identity of another person for the purpose of granting credit and, including but not limited to, the cashing of checks, shall extend the same acceptance to the identification card issued by the commission under this section to legally blind residents of the commonwealth.

Identification cards issued by the commission under this section shall display, with the exception of class of operator, the same information as appears on a Massachusetts motor vehicle operator's license.

Approved December 28, 1984.

Chap. 428. AN ACT RELATIVE TO QUORUMS OF TOWN MEETINGS IN THE TOWN OF ARLINGTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any other general or special law to the contrary, the quorum for any special or annual town meeting in the town of Arlington shall be a majority of the town meeting members, unless otherwise established by the town by-laws; provided, however, that no nonprocedural action, or reconsideration requiring a two-thirds vote under the provisions of any general or special law shall be taken without the affirmative vote of at least eighty-five town meeting members.

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

Approved December 31, 1984.

Chap. 429. AN ACT PROVIDING FUNDS FOR EMERGENCY REMEDIAL MEASURES TO PREVENT CIVIL DISORDERS IN THE CITY OF LAWRENCE.

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 seciton 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 thirty-four of the acts of nineteen hundred and eighty-four, are hereby appropriated from the General Fund, unless specifically designated otherwise, for the fiscal year ending June thirtieth, ninteen hundred and eighty-five 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 FOR ADMINISTRATION AND FINANCE.

Miscellaneous.

Item		
1599-3470	For a reserve for the emergency operating costs of responding to the civil disorders which occurred in the city of Lawrence in August, nineteen hundred and eighty-four; provided, that such costs may include overtime of city and state employees, cost of equipment and supplies, and other expenses directly attributed for the quelling of said disorders; and provided, further, that said amount shall be paid by the comptroller only after receipt of an itemized accounting of such expenses which has been certified by the mayor of said city or another appropriate official	$400,000

EXECUTIVE OFFICE OF COMMUNITIES AND DEVELOPMENT.

Division of Community Development.

3722-9111 For a grant to enhance the management capa-

city, efficiency, and effectiveness of the government in the city of Lawrence, including economic development and financial planning, said funds to be allocated by the mayor of said city in accordance with a plan approved by the secretary of the executive office of communities and development; provided that such plan shall be submitted by said mayor to said secretary within forty-five days of the effective date of this act; appropriation expires June thirtieth, nineteen hundred and eighty-six $200,000

8314-1011 For reimbursements to the following communities for costs incurred between October fifteenth, nineteen hundred and eighty-four, and October twenty-fifth, nineteen hundred and eighty-four, in fighting a fire on Peaked Mountain in the town of Monson:-

Monson	$27,883.90
East Longmeadow	927.80
Chicopee	3,236.82
Leicester	106.95
Southbridge	425.46
Ware	705.00
Westfield	470.73
Agawam	1,712.71
West Springfield	1,554.77
Springfield	150.00
Sturbridge	159.76
Tolland	340.00
Wilbraham	3,589.56
Brimfield	550.00
Holland	1,117.67
Ludlow	2,055.00
Warren	1,855.80
Three Rivers	2,244.00
Palmer	7,095.00
Wales	400.00
Hampden	2,638.40
Bondsville	3,284.40
Total	$62,503.73

8314-1012 For a grant to the town of Wilmington for the purpose of meeting the cost of an

emergency cleanup of an oil spill caused by the rupture of oil tanks and the replacement of said tanks, near the headwaters of the Ipswich river in the town of Wilmington; provided, however, that this appropriation shall expire on June thirtieth, nineteen hundred and eighty-five $75,000

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

Approved December 31, 1984.

Chap. 430. 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 tend to defeat its purpose, which is to immediately facilitate the issuance of bonds and notes to carry out the purposes of various acts passed during the regular annual legislative session of the year nineteen hundred and eighty-three, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the bonds or notes which the state treasurer is authorized to issue under section three of chapter three hundred and twenty-five of the acts of nineteen hundred and eighty-three providing funds for renovations and equipment for the purpose of televising sessions of the house of representatives shall be issued for a maximum term not exceeding five years; provided, however, that all such bonds or notes shall be payable by June thirtieth, nineteen hundred and eighty-nine as recommended by the governor in a message to the general court dated May eighteenth, nineteen hundred and eighty-four in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 2. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section two of chapter three hundred and twenty-seven of the acts of nineteen hundred and eighty-three providing for a capital outlay program relative to the Massachusetts Technology Park Corporation shall be issued for terms not to exceed twenty years; provided, however, that all such bonds shall be payable by June thirtieth, two thousand and eight, and

the notes which the state treasurer is authorized to issue under section three of said act 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-four, as recommended by the governor in a message to the general court dated May eighteenth, nineteen hundred and eighty-four 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 notes which the state treasurer is authorized to issue under section two of chapter five hundred and sixty-one of the acts of nineteen hundred and eighty-three providing funds for the rehabilitation of the Deer Island sewage treatment facility located in Suffolk county 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 three of said act shall be issued for terms not to exceed twenty years; provided, however, that all such bonds shall be payable by June thirtieth, two thousand and seven, as recommended by the governor in a message to the general court dated May eighteenth, nineteen hundred and eighty-four 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 bonds which the state treasurer is authorized to issue under section three of chapter five hundred and seventy of the acts of nineteen hundred and eighty-three providing funds for establishing a Lowell Regional Skills Training Center shall be issued for terms not to exceed twenty years; provided, however, that all such bonds shall be payable by June thirtieth, two thousand and eight, and the notes which the state treasurer is authorized to issue under section four of said act 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-six, as recommended by the governor in a message to the general court dated May eighteenth, nineteen hundred and eighty-four 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 bonds which the state treasurer is authorized to

issue under sections thirty, thirty-two, thirty-four, thirty-six and thirty-eight of chapter five hundred and seventy-four of the acts of nineteen hundred and eighty-three providing funds for increased housing units in the commonwealth shall be issued for terms not to exceed twenty years; provided, however, that all such bonds shall be payable by June thirtieth, two thousand and eight, and the notes which the state treasurer is authorized to issue under sections thirty-one, thirty-three, thirty-five, thirty-seven and thirty-nine of said act 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-six, as recommended by the governor in a message to the general court dated May eighteenth, nineteen hundred and eighty-four 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 bonds which the state treasurer is authorized to issue under section forty-one of chapter five hundred and eighty-nine of the acts of nineteen hundred and eighty-three providing funds for the improvement of coastal facilities shall be issued for terms not to exceed twenty years; provided, however, that all such bonds shall be payable by June thirtieth, two thousand and eight, and the notes which the state treasurer is authorized to issue under section forty-two of said act 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, as recommended by the governor in a message to the general court dated May eighteenth, nineteen hundred and eighty-four 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 bonds which the state treasurer is authorized to issue under sections ten, thirty-seven and forty-four of chapter six hundred and thirty-seven of the acts of nineteen hundred and eighty-three providing funds for a transportation development and improvement program for the commonwealth shall be issued for terms not to exceed twenty years; provided, however, that all such bonds shall be payable by June thirtieth, two thousand and eight, and the notes which the state treasurer is authorized to issue under section eleven of said act 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-six, as recommended by the governor in a message to the general court dated May eighteenth, nineteen hundred and eighty-four in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 8. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section fourteen of chapter six hundred and thirty-seven of the acts of nineteen hundred and eighty-three providing funds for transportation services to certain elderly and handicapped persons shall be issued for terms not to exceed five years; provided, however, that all such bonds shall be payable by June thirtieth, nineteen hundred and ninety-three, as recommended by the governor in a message to the general court dated May eighteenth, nineteen hundred and eighty-four 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 four of chapter seven hundred of the acts of nineteen hundred and eighty-three providing funds for energy-related 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 three years after the date of debt represented by the date that renewable notes were originally incurred, and the bonds which the state treasurer is authorized to issue under section five of said act shall be issued for terms not to exceed twenty years; provided, however, that all such bonds shall be payable by June thirtieth, two thousand and eight, as recommended by the governor in a message to the general court dated May eighteenth, nineteen hundred and eighty-four 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 bonds which the state treasurer is authorized to issue under sections eleven, eleven C, eleven F, eleven I and eleven L of chapter seven hundred and twenty-three of the acts of nineteen hundred and eighty-three providing funds for a capital outlay program for the commonwealth 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-eight, as recommended by the governor in a message to the general court dated May eighteenth, nineteen hundred and eighty-four in pursuance of Section 3 of Article LXII of the

Amendments to the Constitution of the Commonwealth.

SECTION 11. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under sections eleven A, eleven D, eleven G, eleven M and eleven S of chapter seven hundred and twenty-three of the acts of nineteen hundred and eighty-three shall be issued for terms not to exceed seven years; provided, however, that all such bonds shall be payable by June thirtieth, nineteen hundred and ninety-five, as recommended by the governor in a message to the general court dated May eighteenth, nineteen hundred and eighty-four in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 12. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under sections eight A, eleven B, eleven E, eleven H, eleven J, eleven K and eleven N of chapter seven hundred and twenty-three of the acts of nineteen hundred and eighty-three shall be issued for terms not to exceed twenty years; provided, however, that all such bonds shall be payable by June thirtieth, two thousand and eight, as recommended by the governor in a message to the general court dated May eighteenth, nineteen hundred and eighty-four in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 13. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under sections eleven O, eleven P, eleven Q and eleven R of chapter seven hundred and twenty-three of the acts of nineteen hundred and eighty-three shall be issued for terms not to exceed twenty years; provided, however, that all such bonds shall be payable by June thirtieth, two thousand and thirteen, as recommended by the governor in a message to the general court dated May eighteenth, nineteen hundred and eighty-four in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 14. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section eight B of chapter seven hundred and twenty-three shall be issued and may be renewed one or more times for terms not exceeding one year and the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, nineteen hundred and ninety-four, as recommended by the governor in a message to the general court dated May eighteenth, nineteen hundred and eighty-four in

pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 15. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section eleven T of chapter seven hundred and twenty-three of the acts of nineteen hundred and eighty-three shall be issued and may be renewed one or more times for terms not exceeding one year and the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, nineteen hundred and ninety-three, as recommended by the governor in a message to the general court dated May eighteenth, nineteen hundred and eighty-four in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

Approved December 31, 1984.

Chap. 431. AN ACT RELATIVE TO THE ALLEVIATION OF THE FINANCIAL BURDEN INPOSED ON THE CITIES OF BEVERLY AND PEABODY BY FIRES OCCURRING ON TWO SEPARATE OCCASIONS IN THE YEAR NINETEEN HUNDRED AND EIGHTY-FOUR.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide funds immediately for the costs of those public services destroyed by the fire of May, nineteen hundred and eighty-four in the city of Peabody, 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 purpose of disaster relief and to meet the expense of restoring and providing police, fire, public works and other public services destroyed by fires in the cities of Peabody and Beverly, the sum of seven hundred and fifty thousand dollars is hereby made available to the city of Peabody for transfer by the secretary of administration to the mayor of said city and the sum of forty thousand dollars is hereby made available to the city of Beverly for transfer by the secretary of administration to the mayor of said city.

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 purposes 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. 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-nine.

SECTION 3. To meet the expenditures necessary in carrying out the provisions of section one of this act, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth to an amount to be specified by the governor from time to time.

All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, City of Peabody Disaster Relief Loan, Act of 1984 or the City of Beverly Disaster Relief Loan Act of 1984 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 30, nineteen hundred and ninety-four. All interest and payments on account of principal of such obligations shall be payable from the general fund.

Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provisions of this act, be general obligations of the Commonwealth.

Approved December 31, 1984.

Chap. 432. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH TO LICENSE HOSPICE PROGRAMS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 111 of the General Laws is hereby amended by inserting after section 57C the following section:-

Section 57D. The department shall, after a public hearing, promulgate rules and regulations for the licensing and conduct of hospice programs. For the purpose of this section, hospice shall mean a coordinated program of care and services for those who are determined to be terminally ill with a limited life expectancy. These services are to be provided by, or arranged to be pro-

vided through, an interdisciplinary team, which shall include health care and counseling providers, in a home setting, on an out-patient basis, and on a back-up in-patient basis, not to exclude those patients requiring only in-patient care. Such services shall include, but not be limited to, physician's services, nursing care provided by or under the supervision of a registered professional nurse, social services, volunteer services, and counseling services provided by professional or volunteer staff under professional supervision. The licensee, if contracting for in-patient back-up services, must have a written contract providing for such services. The department shall issue for a term of two years and renew for a like term a license to maintain a hospice program to any organization which it deems responsible and suitable to establish and maintain such program. Said licensees shall be subject to suspension, revocation, or refusal to renew for cause. The department shall determine the fee and renewal of said license.

SECTION 2. The first paragraph of section 6 of chapter 118E of the General Laws, as most recently amended by section 2 of chapter 698 of the acts of 1983, is hereby further amended by adding the following sentence:- The department shall provide financial assistance for the services of a hospice program; provided, however, that such program is licensed in accordance with section fifty-seven D of chapter one hundred and eleven.

Approved December 31, 1984.

Chap. 433. AN ACT AUTHORIZING THE TAKING OF CERTAIN INTERESTS IN LAND UNDER BOSTON COMMON BY THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. The Massachusetts Bay Transportation Authority is hereby authorized to take by eminent domain in accordance with the provisions of chapter seventy-nine or chapter eighty A of the General Laws as provided by paragraph (o) of section three of chapter one hundred and sixty-one A of the General Laws as a permanent subsurface easement a certain parcel of land located in the city of Boston, shown as Parcel A on sheet one of a plan entitled "Easement Plans for MBTA, Boston Common, Boston, Massachusetts", dated September 21, 1980, prepared by Bryant Associates, Boston, Massachusetts, on file with the Massachusetts Bay Transportation Authority, and is bounded and described as follows:

Commencing at a point on the southerly line of Beacon Street, which point is southwesterly, a distance of approximately 175 feet from the intersection of the southerly street line of Beacon Street and the westerly street line of Park Street;

Thence southeasterly a distance of approximately 178 feet to a point, said point being the point of beginning of Parcel No. (A);

Thence southerly approximately 14 feet to a point;

Thence easterly approximately 79 feet along the outside edge of the existing M.B.T.A. tunnel to a point;

Thence northerly approximately 10 feet along the outside edge of the existing M.B.T.A. tunnel to a point;

Thence westerly approximately 79 feet to the point of beginning;

Containing 948 square feet of land more or less. This easement extends vertically from approximately elevation 106 to elevation 131 based upon the Massachusetts Bay Transportation Authority Red Line Datum.

SECTION 2. The Massachusetts Bay Transportation Authority is hereby authorized to take by eminent domain in accordance with the provisions of chapter seventy-nine or chapter eighty A of the General Laws as provided by paragraph (o) of section three of chapter one hundred and sixty-one A of the General Laws as a permanent subsurface easement a certain parcel of land located in the city of Boston shown as Parcel B on sheet one of a plan entitled "Easement Plans for MBTA, Boston Common, Boston, Massachusetts", dated September 21, 1980, prepared by Bryant Associates, Boston, Massachusetts, on file with the Massachusetts Bay Transportation Authority, and is bounded and described as follows:

Commencing at a point on the southerly line of Beacon Street, which point is southwesterly, a distance of approximately 232 feet from the intersection of the southerly street line of Beacon Street and the westerly street line of Park Street;

Thence southeasterly a distance of approximately 218 feet to a point, said point being the point of beginning of Parcel No. (B);

Thence northerly approximately 14 feet to a point;

Thence easterly approximately 79 feet along the outside edge of the existing M.B.T.A. tunnel to a point;

Thence southerly approximately 10 feet along the outside edge of the existing M.B.T.A. tunnel to a point;

Thence westerly approximately 79 feet to the point of beginning;

Containing 948 square feet of land more or less. This easement extends vertically from approximately elevation 106 to elevation 131 based on the Massachusetts Bay Transportation Authority Red Line Datum.

SECTION 3. The Massachusetts Bay Transportation Authority is hereby authorized to take by eminent domain in accordance with the provisions of chapter seventy-nine or chapter eighty A of the General Laws as provided by paragraph (o) of section three of chapter one hundred and sixty-one A of the General Laws as a permanent easement a certain parcel of land located in the city of Boston, shown as Parcel C on sheet one of a plan entitled "Easement Plans for MBTA, Boston Common, Boston, Massachusetts", dated September 21, 1980, prepared by Bryant Associates, Boston, Massachusetts, on file with the Massachusetts Bay Transportation Authority, and is bounded and described as follows:

Commencing at a point on the southerly line of Beacon Street, which point is southwesterly, a distance of approximately 109 feet from the intersection of the southerly street line of Beacon Street and the westerly street line of Park Street;

Thence southeasterly a distance of approximately 299 feet to a point, said point being the point of beginning of Parcel No. (C);

Thence southerly approximately 28 feet to a point;

Thence westerly approximately 54 feet to a point;

Thence northerly approximately 28 feet to a point;

Thence easterly approximately 54 feet to the point of beginning;

Containing 1,512 square feet of land more or less.

SECTION 4. The Massachusetts Bay Transportation Authority is hereby authorized to take by eminent domain in accordance with the provisions of chapter seventy-nine or chapter eighty A of the General Laws as provided by paragraph (o) of section three of chapter one hundred and sixty-one A of the General Laws as a permanent easement a certain parcel of land located in the city of Boston, shown as Parcel D on sheet two of a plan entitled "Easement Plans for MBTA, Boston Common, Boston, Massachusetts", dated September 21, 1980, prepared by Bryant Associates, Boston, Massachusetts, on file with the Massachusetts Bay Transportation Authority, and is bounded and described as follows:

Commencing at a point on the northerly street line of Tremont Street, which point is southwesterly a distance of approximately 499 feet from the intersection of the northerly street line of Tremont Street and the westerly street line of Park Street;

Thence northwesterly a distance of 49 feet to a point, said point being the point of beginning of Parcel No. (D);

Thence southwesterly a distance of 10 feet to a point;

Thence northwesterly a distance of 10 feet to a point;

Thence northeasterly a distance of 10 feet to a point;

Thence southeasterly a distance of 10 feet to the point of beginning;

Containing 100 square feet of land more or less.

SECTION 5. The Massachusetts Bay Transportation Authority is hereby authorized to take by eminent domain in accordance with the provisions of chapter seventy-nine or chapter eighty A of the General Laws as provided by paragraph (o) of section three of chapter one hundred and sixty-one A of the General Laws as a temporary construction easement a certain parcel of land located in the city of Boston, shown as Parcel T-1 on sheet 2 of a plan entitled "Easement Plans for MBTA, Boston Common, Boston, Massachusetts", dated September 21, 1980, prepared by Bryant Associates, Boston, Massachusetts, on file with the Massachusetts Bay Transportation Authority, and is bounded and described as follows:

Commencing at a point on the northerly street line of Tremont Street, which point is southwesterly, a distance of approximately 288 feet from the intersection of the northerly street line of Tremont Street and the westerly street line of Park Street; said point being the point of beginning;

Thence northwesterly a distance of 29 feet to a point;
Thence northerly a distance of 488 feet to a point;
Thence westerly a distance of 105 feet to a point;
Thence southerly a distance of 120 feet to a point;
Thence easterly a distance of 230 feet to a point;
Thence southerly a distance of 245 feet to a point;
Thence southeasterly 13 feet to a point;
Thence northeasterly 40 feet to the point of beginning;
Containing 35,000 square feet of land more or less.

SECTION 6. The Massachusetts Bay Transportation Authority is hereby authorized to take by eminent domain in accordance with the provisions of chapter seventy-nine or chapter eighty A of the General Laws as provided by paragraph (o) of section three of chapter one hundred and sixty-one A of the General Laws as a temporary construction easement, a certain parcel of land located in the city of Boston, shown as Parcel T-2 on sheet two of a plan entitled "Easement Plans for MBTA, Boston Common, Boston, Massachusetts", dated September 21, 1980, prepared by Bryant Associates, Boston, Massachusetts, on file with the Massachusetts Bay Transportation Authority, and is bounded and described as follows:

Commencing at a point on the northerly street line of Tremont Street, which point is southwesterly, a distance of approximately 522 feet from the intersection of the northerly street line of Tremont Street and the westerly street line of Park Street, said point being the point of beginning.

Thence northwesterly a distance of 49 feet to a point;
Thence northeasterly a distance of 13 feet to a point;

Thence northwesterly a distance of 10 feet to a point;
Thence southwesterly a distance of 33 feet to a point;
Thence southeasterly a distance of 59 feet to a point;
Thence northeasterly a distance of 20 feet to the point of beginning;
Containing 1,310 square feet of land more or less.

Approved December 31, 1984.

EMERGENCY LETTER - January 8, 1985 @ 5:22 P.M.

Chap. 434. AN ACT AUTHORIZING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO TRANSFER A CERTAIN TRACT OF LAND IN THE TOWN OF WESTPORT TO SOUTHEASTERN MASSACHUSETTS UNIVERSITY FOR COASTAL EDUCATIONAL AND RESEARCH PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The division of capital planning and operations, on behalf of the department of environmental management, is hereby authorized to transfer to the board of trustees of Southeastern Massachusetts University the care, custody and control of all or part of a certain tract of land of approximately ten acres in the town of Westport, presently used for conservation purposes, bounded and described as follows:- Beginning at a granite bound on the west side of East Beach Road, said bound being approximately 496 feet northerly of the northwest corner of East Beach Road and West Beach Road; thence N 59°-32'-18" W by land of Andre Thibodeau, 80.00 feet, to a granite bound; thence S 09°-32'-22" W by land of said Andre Thibodeau and land of Everett J. Wordell, 145.07 feet to a granite bound; thence S 29°-58'-26" W by land of Edward & Shirley M. Tobol, Joel L. and Patricia A. Fernandez and Andrew J. & Nancy J. Farrissey, 216.68 feet to a stake, thence N 40°-00'-33" W by land of Vincent M. & Philomena Fasoli, Margaret M. McGuire, Priscilla A. Bates, and land of the Commonwealth of Massachusetts, 132.00 feet to a stake; thence N 43°-20'-38" W, 535.86 feet, to a stake; thence N 46°-39'-22" E, 826.86 feet, to a stake; thence S 43°-10'-59" E, 130.75 feet, to a stake; thence S 64°-07'-15" E, 263.15 feet, to a stake on the westerly sideline of East Beach Road; the last four courses being by land of the Commonwealth of Massachusetts; thence S 39°-39'-04" W along the westerly sideline of East Beach Road, 352.40 feet, to a granite bound; thence S 09°-30'-42" W along the westerly sideline of said East Beach Road, 291.01 feet,

to a granite bound at the point of beginning. Containing 10.06 acres and being shown on a plan entitled "Subdivision plan of land in Westport, Massachusetts to be conveyed to Southeastern Massachusetts University" Scale 1"=40' and dated June 29, 1979, by Tibbetts Engineering Corp.

Said tract shall be used by the board of trustees of Southeastern Massachusetts University for coastal zone resources educational and research purposes.

SECTION 2. The division of capital planning and operations, on behalf of the department of environmental management, is hereby authorized to grant to the board of trustees of Southeastern Massachusetts University easements across other lands of the department in the town of Westport adjacent to said tract as described in section one, and in such location as shall be mutually agreeable to the division of capital planning and operations, the department of environmental management, and the board of trustees of Southeastern Massachusetts University, for purposes of constructing and maintaining underground pipelines for circulation of seawater to and from the coastal zone resources tributary.

SECTION 3. The board of trustees of Southeastern Massachusetts University shall consult and cooperate with the department of environmental management in planning and implementing the development and use of the property described in section one, so as to avoid any adverse impact on the environment and recreational use of horseneck beach state reservation and to assure the integrity and best public use of said reservation.

SECTION 4. Notwithstanding the provisions of section one, the public shall be permitted to fish in the waters surrounding said tract; provided, however, that only fin fish may be taken from said waters unless authorized by the board of trustees of Southeastern Massachusetts University and the department of environmental management. Whoever violates the provisions of this section shall be punished by a fine not to exceed one hundred dollars for each such offense.

SECTION 5. Chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-nine is hereby repealed.

Approved December 31, 1984.

Chap. 435. AN ACT RELATIVE TO THE ALLEVIATION OF THE FINANCIAL BURDEN IMPOSED ON THE CITY OF LAWRENCE BY THE CIVIL DISTURBANCES OF NINETEEN HUNDRED AND EIGHTY FOUR.

Be it enacted, etc., as follows:

SECTION 1. To provide for the purpose of disaster relief, to meet the expenses of restoring and providing police, fire, public works and other public services destroyed or damaged by civil disturbances in the city of Lawrence, and to make needed infrastructure repairs or improvements to avert future disorders, the sum of one million dollars is hereby made available for transfer by the commissioner of administration to the mayor of said city; provided, that said commissioner shall transfer said amount to the mayor of said city for said purposes after the development of a plan for expending said amount by said mayor and the approval of said plan by said commissioner; and provided, further, that said plan shall be developed within forty-five days of the effective date of this act.

SECTION 2. To provide for the purpose of improving housing conditions in the city of Lawrence, the sum of one million dollars is hereby made available for transfer by the secretary of communities and development to the Lawrence housing authority; provided, that said secretary shall transfer said amount to said housing authority for said purposes upon the development of a plan by said housing authority and approval of said plan by said secretary; provided that said plan shall be developed within forty-five days of the effective date of this act; and provided that said monies may only be spent for the improvement of state or federal family housing projects, including purchase of land to reduce density and for the construction and operation of recreational facilities within such housing projects.

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 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 times and at such rates as shall be fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, but the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, nineteen hundred and ninety-nine.

SECTION 4. To meet the expenditures 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.

All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, City of Lawrence Disaster Relief Loan, Act of 1984, 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 bonds shall be payable not later than June thirtieth, ninteen hundred and ninety-four. All interest and payments on account of principal of such obligations shall be payable from the General Fund.

Bonds and interest theron issued under the authority of this section shall, notwithstanding any other provisions of this act, be general obligations of the commonwealth.

Approved December 31, 1984.

Chap. 436. AN ACT RELATIVE TO CERTAIN CIVIL SERVICE RIGHTS FOR ARMED SERVICES PERSONNEL WHO SERVED IN LEBANON.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, any individual who was unable to appear for any civil service examination because of his service in the armed forces of the United States in Lebanon during the calendar year nineteen hundred and eighty-four shall, if serving in a provisional civil service capacity, continue such capacity until the next scheduled civil service examination in the category for which he had intended to take such examination or, if not employed in such provisional capacity, shall be given an opportunity, upon application, to take a special examination and be included on any current civil service list in the category for which he or she is examined. The name of such person shall be inserted on such current list in accordance with the score achieved by such person on such examination, together with any applicable merit or preference provided by law, and the division of personnel administration shall forthwith issue an amended current list including the name of such person. In the event that any such provisional employee shall take and fail to pass said special examination, the provisions of this act shall no longer apply to such person.

Approved December 31, 1984.

Chap. 437. AN ACT ESTABLISHING THE CENTER FOR RURAL MASSACHUSETTS.

Be it enacted, etc., as follows:

SECTION 1. The Center for Rural Massachusetts, hereinafter referred to as the center, is hereby established and shall be located at the University of Massachusetts at Amherst.

SECTION 2. The Center shall be governed by a board to consist of ex officio, the director of economic development or his designee, the commissioner of food and agriculture or his designee, and the commissioner of environmental management or his designee, and the dean of the college of food and natural resources at the University of Massachusetts or his designee, the associate director of the cooperative extension service, the associate director of the agricultural experiment station, and three persons to be appointed by the dean of the college of food and natural resources, each of whom shall be a resident of a rural community and one of whom shall have demonstrated an interest and involvement in the field of human services; one in the field of agriculture; and one in the fields of land use and economic development.

SECTION 3. The Center shall be administered by a director who shall be appointed by and serve at the pleasure of the Dean of the College of Food and Natural Resources. Said director may appoint additional staff subject to the availability of funds.

SECTION 4. The Center may receive annual appropriations from the commonwealth to defray all or a portion of the costs of operation and administration of the Center. Such appropriation shall be considered by the board of trustees to be within the annual base budget of said University. The Center shall be deemed to be an administrative unit of the College of Food and Natural Resources of the University of Massachusetts. The Center may receive and accept gifts and may apply for and receive grants from any public or private sources and such funds shall not be subject to further appropriation.

SECTION 5. The Center shall promote the economic, social, and cultural welfare of rural residents of Massachusetts, conserve and enhance the scenic, historic, recreational and environmental values of the countryside of the commonwealth for the benefit of all residents of the commonwealth, ensure the protection of scarce and vulnerable natural resources of rural Massachusetts and encourage research and scholarship in the field of rural studies.

SECTION 6. The Center shall collect, hold and disseminate information relative to any and all aspects of rural life in the commonwealth including economic development, agriculture, law, community leadership, government, public administration, natural resource management, land use, human services, rural arts and literature, and all other appropriate and related fields.

Approved December 31, 1984.

Chap. 438. AN ACT RELATIVE TO THE FEDERAL HEAVY VEHICLE USE TAX.

Be it enacted, etc., as follows:

Section 1A of chapter 90 of the General Laws is hereby amended by adding the following paragraph:-

The registrar may refuse to accept an application for registration when the application is not accompanied by proof of payment, in the form prescribed by the United States Department of the Treasury, that the federal heavy vehicle use tax imposed by section 4481 of the Internal Revenue Code has been paid.

Approved December 31, 1984.

EMERGENCY LETTER - December 31, 1984 @ 12:29 P.M.

Chap. 439. AN ACT FURTHER REGULATING THE PAYMENT OF CERTAIN CHIROPRACTOR FEES UNDER CERTAIN INSURANCE CONTRACTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 175 of the General Laws is hereby amended by inserting after section 108C the following section:-

Section 108D. Whenever any policy, contract, agreement, plan or certificate of insurance, including any self-insured sickness, health or welfare plan issued within or without the commonwealth provides for reimbursement for any service which is within the lawful scope of practice of a chiropractor licensed under the provisions of chapter one hundred and twelve, the insured or other person entitled to benefits under such policy, contract, agreement, plan or certificate shall be entitled to reimbursement for such services, whether such services are performed by a medical physician or a chiropractor licensed by the commonwealth, notwithstanding any provision contained in such policy, contract, agreement, plan or certificate to the contrary. The

provisions of this section shall not apply to medical service corporations organized under the provisions of chapter one hundred and seventy-six B.

SECTION 2. The provisions of this act shall apply to all group and nongroup policies, contracts, agreements, plans or certificates issued or renewed on or after the effective date of this act.

Approved December 31, 1984.

Chap. 440. AN ACT RELATIVE TO THE REPORTING OF 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 1 of chapter 112 of the acts of 1983, is hereby further amended by adding the following sentence:- Said certificate shall be attached to the certificate issued under section twenty-eight and filed with the appropriate city or town clerk.

SECTION 2. Said chapter 207 is hereby further amended by striking out section 40, as most recently amended by section 2 of said chapter 112, 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, Imam of the Orthodox Islamic religion, clerk or keeper of the records of a meeting wherein marriages among Friends or Quakers are solemnized, and any person authorized to solemnize marriages according to the usage of any other church or religious organization which shall have complied with the provisions of the second paragraph of section thirty-eight 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 Imam of the Orthodox Islamic religion, or of said clerk or keeper of the records of a Friends or Quaker Monthly Meeting or any person authorized to solemnize marriages according to the usage of any other church or religious organization which shall have complied with the provisions of the second paragraph of section thirty-eight. The person who solemnized the marriage shall add the title of the 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", or "Imam of the Orthodox Islamic religion", or other appropriate title, 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 3 of said chapter 112, 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, by a Friends or Quaker Monthly Meeting, or any person authorized to solemnize marriages according to the usage of any other church or religious organization which shall have complied with the provisions of the second paragraph of section thirty-eight, 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 December 31, 1984.

Chap. 441. AN ACT INCREASING CERTAIN COMMUNITY DEVELOPMENT PROJECTS ACTION GRANT.

Be it enacted, etc., as follows:

SECTION 1. Section 16 of chapter 789 of the acts of 1981, is hereby amended by striking out, in lines 6 and 7, the word "seventeen" and inserting in place thereof the following word:- thirty-two.

SECTION 2. Item 2120-8844 of section 2B of chapter 723 of the acts of 1983 is hereby amended by striking out the number "30,800,000" and inserting in place thereof the following number:- 37,800,000.

SECTION 3. Item 2120-8841 of section 4 of said chapter 723 is hereby amended by striking out the number "13,000,000" and inserting in place thereof the following number:- 15,000,000.

SECTION 4. Section 11B of said chapter 723 of the acts of 1983, as most recently amended by section 21 of chapter 233 of the acts of 1984, is hereby further amended by striking out, in line 4, the words "sixteen million" and inserting in place thereof the following words:- twenty-three million.

SECTION 5. Section 11V of said chapter 723, as appearing in section 28 of chapter 233 of the acts of 1984 is hereby amended by striking out, in lines 6 and 7, the word "nineteen" and inserting in place thereof the following word:- twenty-one.

Approved December 31, 1984.

EMERGENCY LETTER - January 8, 1985 @ 5:22 P.M.

Chap. 442. AN ACT AUTHORIZING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO CONVEY A CERTAIN PARCEL OF LAND IN THE CITY OF FITCHBURG.

Be it enacted, etc., as follows:

The division of captal planning and operations is hereby authorized in the name of and on behalf of the commonwealth to convey by quitclaim deed, approved as to form by the attorney general, to the city of Fitchburg a certain parcel of land known as the "armory addition" and bounded and described as follows:- Beginning at the intersection of the easterly line of Grove Street with the southerly line of Elm Street at a point; thence south 57 degs. 30 mins. east by the southerly line of Elm Street thirty-eight and nine-tenths (38.9') feet to a point at land of the City of Fitchburg; thence south 31 degs. 00 mins. west by the City's land and the land of the Commonwealth ninety-one and three-tenths (91.3') feet to a stone bound at other land of the grantor; thence north 59 degs. 19 mins. west by other land of the grantor fifty-one and four one-hundredths (51.04') feet to a stone bound set in the easterly side line of Grove Street; thence north 38 degs. 28 mins. east by the easterly line of said street ninety-three and thirty-nine one-hundredths (93.39') feet to the

place of beginning, containing forty-one hundred thirty-six (4136) square feet of land be the same more or less or however otherwise bounded or described and shown upon a plan entitled: "Plan of Lot owned by Joseph W. Palmer, Fitchburg, Mass., 1914, made by Pratt & Davis, civil engineers, 280 Main Street, Fitchburg, Mass.".

Approved December 31, 1984.

Chap. 443. AN ACT AUTHORIZING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO CONVEY TO THE CITY OF WALTHAM A CERTAIN PARCEL OF PARK LAND IN SAID CITY UNDER THE CONTROL OF THE METROPOLITAN DISTRICT COMMISSION.

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 convey to the city of Waltham, without consideration, by deed approved as to form by the attorney general, a certain parcel of land shown on a plan entitled "plan of land between Totten Pond Road and Winter Street, Waltham, Massachusetts, to be conveyed by the Metropolitan District Commission Parks Division to the City of Waltham", dated June, 1983, signed by Edward F. Delaney, city engineer, said parcel being particularly bounded and described as follows:

Beginning at a point of intersection with the southerly line of a public way known as Winter Street and the property line between land of Paino-Lacava Realty Trust and Metropolitan District Commission: thence running south 37°-40'-58" east 34.18 feet along the southerly line of said Winter Street to a point of curvature; thence running in a general southeasterly direction by a curve to the left with a radius of 306.80 feet 180.72 feet to a point of tangency; thence running south 71°-25'-58" east 300.00 feet to an angle; thence turning and running south 18°-34'-02" west 105.94 feet across the easterly terminus of the parcel being described to a point on a curve with a radius of 1400.00 feet in the northerly line of a public way known as Totten Pond Road, laid out by county commissioners September 9, 1960; thence turning and running in a general northwesterly direction by a curve to the left with a radius of 1400.00 feet 515.93 feet along the northerly line of said Totten Pond Road to an angle; thence turning and running North 22°-59'-45" east 182.79 feet along said property line and across the westerly terminus of the parcel being described to the point of beginning.

The above described parcel contains 51,948 square feet, being a portion of the land conveyed by the city of Waltham to the commonwealth, through its metropolitan district commission, recorded with southern district registry of deeds in the county of Middlesex in book 11936, page 566 on December 28, 1970.

Said conveyance shall be on such terms and conditions as mutually agreed upon. Said parcel is park land under the control of the metropolitan district commission, provided, however, that said land shall be used by the city of Waltham for the purposes of constructing a public way.

SECTION 2. Except as otherwise provided by section one, the division of capital planning and operations shall comply with provisions of chapter five hundred and seventy-nine of the acts of nineteen hundred and eighty in the conveyance herein authorized.

SECTION 3. This act shall take effect upon its acceptance by the city of Waltham.

Approved December 31, 1984.

Chap. 444. AN ACT ESTABLISHING A CERTAIN ORDINANCE BY THE CITY OF BOSTON AND VALIDATING THE ACTION BY THE CITY OF BOSTON IN ESTABLISHING SUCH ORDINANCE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any law to the contrary, the city of Boston may establish an ordinance respecting reserves for anticipated future costs of appropriations to the state-Boston retirement system which may provide without limitation for the establishment in the pension reserve fund of the city under section twenty-two of chapter thirty-two of the General Laws of separate subaccounts designated for offsetting anticipated future retirement costs of particular departments of the city, the establishment of a separate subaccount in such pension reserve fund for the department of health and hospitals of the city effective September twelfth, nineteen hundred and eighty and the appropriation to and deposit in such subaccount pursuant to section five D of chapter forty of the General Laws of the amount of twelve million two hundred thirty-seven thousand dollars, together with accumulated investment earnings thereon, previously reserved by the city for such purpose. The amounts so deposited in such subaccount of the pension reserve fund shall be deemed appropriated by the city for such purpose

as of the respective dates when such amounts were previously reserved by the collector-treasurer of the city for such purpose.

SECTION 2. The action taken by the city council of the city of Boston at its meeting February second, nineteen hundred and eighty-four establishing the ordinance respecting reserves for anticipated future costs of appropriations to the state-Boston retirement system as provided in section one of this act is hereby validated and confirmed to the same extent as though this act had been in full force and effect at the time of said meeting.

Approved December 31, 1984.

Chap. 445. AN ACT ESTABLISHING A FOUR YEAR TERM FOR THE OFFICE OF THE MAYOR IN THE CITY OF BROCKTON.

Be it enacted, etc., as follows:

SECTION 1. The provisions of section fifty-eight of chapter forty-three of the General Laws shall not apply to the city of Brockton. The mayor of the city of Brockton shall be elected by and from the qualified voters of the city and shall be the executive officer of the city. He shall hold office for the term of four years from the first Monday in January following his election and until his successor is qualified.

SECTION 2. This act shall be submitted to the voters of the city of Brockton at the city election to be held in the year nineteen hundred and eighty-five 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-four, entitled 'An Act establishing a four year term for the office of the mayor in the city of Brockton', be accepted?" If a majority of the votes cast in answer to said question is in the affirmative then this act shall take full effect on January first, nineteen hundred and eighty-six.

Approved December 31, 1984.

Chap. 446. AN ACT AUTHORIZING THE TOWN OF HUBBARDSTON TO WITHDRAW FROM THE NORTHERN WORCESTER COUNTY HEALTH ASSOCIATION.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provision of section four A of chapter forty and section twenty-seven A of chapter one hundred and eleven of the General Laws or any other general or special law or regulations to the contrary, the town of Hubbardston is hereby authorized to terminate its membership from the Northern Worcester County Health Association.

SECTION 2. This act shall take effect on June thirtieth, nineteen hundred and eighty-five.

Approved December 31, 1984.

Chap. 447. AN ACT AUTHORIZING RETIREMENT AND DEFEASANCE OF CERTAIN COMMONWEALTH BONDS AND THE RELEASE AND TRANSFER OF CERTAIN PARK LAND IN THE CITY OF BOSTON.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is immediately to authorize the retirement and defeasance of certain commonwealth bonds and the release of certain land for park and other recreational purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public welfare and convenience.

Be it enacted, etc., as follows:

SECTION 1. It is hereby found and declared that it would be in the best interests of the commonwealth for the commonwealth to accept in trust certain moneys which may become available to it from the Boston housing authority for the purpose of retiring and defeasing certain commonwealth bonds issued to finance in part the renovation of a housing project of said authority, upon the assumption of the costs of financing such renovation by the federal government.

Accordingly, notwithstanding any provision of general or special law to the contrary, the Boston housing authority is hereby authorized to transfer in trust to the commonwealth an amount which shall be sufficient, together with amounts then held by the state treasurer as described in the following paragraph, to enable the state treasurer to make the finding described in the fourth paragraph hereof with respect to all bonds of the commonwealth which are outstanding at the time of such transfer and which were issued pursuant to sections twenty and twenty-one of chapter seven hundred and eighty-nine of the acts of nineteen hundred and eighty-one. Said authority may transfer such amount from unexpended amounts granted to said

authority from the proceeds of said bonds, amounts granted to said authority as herein provided, proceeds of federally-guaranteed notes of said authority, investment earnings on any of the foregoing or any other lawful source. The department of community affairs may grant to said authority, from funds authorized to be expended under section one of chapter six hundred and ninety-four of the acts of nineteen hundred and seventy and under section five of chapter five hundred and seventy-four of the acts of nineteen hundred and eighty-three, such amounts as may be necessary to enable said authority to effect the transfer in trust to the commonwealth described in this paragraph. To the extent of any amounts granted pursuant to the preceding sentence, amounts received by said authority from the federal government on account of the project financed by a grant funded by the proceeds of the aforesaid bonds shall be expended by said authority for purposes authorized under the sections cited in such sentence subject to the approval of the department of community affairs.

The state treasurer is hereby authorized and directed to accept in trust from the Boston housing authority any amount proffered by said authority pursuant to the provisions of the preceding paragraph and to apply such amount to the payment of the principal of and redemption premium, if applicable, and interest on the commonwealth bonds described in said paragraph, together with legal fees and other expenses of the commonwealth related to the transactions contemplated herein. The state treasurer is hereby further authorized and directed to combine with such amount received from said authority all amounts in the General Obligation - Federally Assisted Housing Bond Debt Service Fund established under said section twenty-one and all amounts which the state treasurer may then hold as unexpended proceeds of said bonds, together with such amount, not to exceed six hundred thousand dollars, as the state treasurer may in his sole discretion estimate to represent investment earnings received or accrued through such date of transfer on such amount in such Fund and on such unexpended proceeds. All such amounts, except for amounts provided for expenses as aforesaid, may be invested in direct obligations of, or obligations the principal of and interest on which is fully and unconditionally guaranteed by, the United States and shall be held in trust for the holders of said bonds by a trustee or escrow agent, which shall be a banking institution or trust company, on such terms as the state treasurer shall approve. Such trust or escrow agreement may authorize the trustee or escrow agent, at the direction of the state treasurer or otherwise, to pay all or a portion of such bonds at maturity, to call all or a portion of such bonds for redemption prior to maturity, to purchase all or a portion of such bonds directly from the holders thereof, in

open market transactions or by tender offer or otherwise, or any combination of the foregoing, provided that none of said bonds may be redeemed prior to the maturity date thereof or purchased unless, after such redemption or purchase, sufficient moneys or investment obligations, or both, shall remain to enable the finding described in the next paragraph to be made. Any bonds so purchased shall be cancelled by or at the direction of the state treasurer.

Upon a finding by the state treasurer that (i) there has been deposited with a trustee or escrow agent as aforesaid either moneys in an amount which shall be sufficient, or obligations as described in the preceding paragraph the principal of and interest on which when due shall provide moneys which, together with the moneys, if any, deposited with such trustee or escrow agent at the same time, shall be sufficient, to pay when due the principal and interest due and to become due on the bonds described in the second paragraph hereof on and prior to the maturity date thereof and (ii) all legal fees and other expenses of the commonwealth related to the transactions contemplated herein have been paid or provided for to the satisfaction of the state treasurer, said bonds shall no longer be secured by or payable from the revenues and moneys described in said sections twenty and twenty-one and the state treasurer, secretary of communities and development and Boston housing authority may agree to modify, amend or terminate any agreements they may have entered into with respect to such revenues and moneys. Notwithstanding the foregoing, said bonds shall remain general obligations of the commonwealth.

SECTION 2. Notwithstanding any provision of general or special law to the contrary, the city of Boston is hereby authorized to convey, surrender or otherwise dispose of all of its right, title and interest in and to certain park land and all rights appurtenant thereto acquired for playground and other recreational purposes, to the Boston housing authority, its successors and assigns, or to a Massachusetts limited partnership to be formed, the general partners of which are Peninsula Partners Limited Partnership, a Massachusetts limited partnership, and Columbia Point Community Task Force, Inc., a Massachusetts corporation, its successors or assigns, or to the developer selected by the Boston housing authority and the City of Boston for the revitalization of the Columbia Point public-housing project and the related area, its successors and assigns, for the purpose of facilitating the development of a mixed-income residential development and related facilities and amenities. Any such devotion, use or development said park land in conjunction with the development of the land currently owned by the Boston housing authority adjacent thereto and any conveyance thereof

authorized or empowered by section two are hereby declared to be in furtherance of a valid, proper and beneficial public purpose, namely redevelopment and revitalization of the Columbia Point peninsula and the Boston Harbor waterfront adjacent thereto, and the provision of housing and related facilities and amenities. The park land to be conveyed, surrendered or otherwise disposed of is all that land conveyed by the Boston housing authority to the city of Boston by deed dated May 14, 1970 and recorded in the registry of deeds in the county of Suffolk in Book 8388, Page 200, and is bounded and described in said deed as follows:

1. First (Land court) parcel:

Beginning at a point being located by two courses respectively, along the northerly sideline of Mount Vernon Street a distance of 896.28 ft, easterly from the northeasterly intersection of Wm. T. Morrissey Blvd. and along property line common to both Boston housing authority and land now or formerly of Family City Development Corporation N 41°01'27" E a distance of 848.88 ft. thence:

N 41°01'27" E by land now or formerly of Family City Development Corporation a distance of 1170.03 feet.

N 62°01'27" E by Southerly Branch Channel a distance of 85.00.

by Old Harbor by two courses respectively:

S 33°28'33" E a distance of 197.00 feet

S 57°13'33" E a distance of 361.37 feet by Old Harbor and by land now or formerly of Boston housing authority

S 24°55'27" W a distance of 847.85 feet by land now or formerly of Boston housing authority by five line respectively:

N 50°40'24" W a distance of 61.96 feet

N 58°22'56" W a distance of 61.75 feet

N 61°54'58" W a distance of 628.98 feet

S 86°40'17" W a distance of 25.83 feet

S 53°36'22" W a distance of 269.62 feet

to point of beginning and containing 622,956 square feet

Being part of the land shown on a plan entitled "Subdivision plan of Land, Columbia Point, Boston (Dorchester) Mass. John F. Hennessy, Civil Engineer, dated April 15, 1970" and recorded in the registry of deeds in the county of Suffolk with Book 8388, Page 200.

Being the lot shown on Land Court Plan No. 2667D.

2. Second (unregistered) Parcel

Beginning at a point being located by two courses respectively along the northerly sideline of Mount Vernon Street

a distance of 2033.20 feet easterly from the northeasterly intersection of Wm. T. Morrissey Blvd. and along registered line over land now or formerly of Boston housing authority

N 24°55'27" E a distance of 1007.07 feet thence:

all of the following courses are by land nor or formerly of Boston housing authority:

N 24°55'27" E a distance of 429.20 feet
S67°18'59" E a distance of 850.84 feet
S35°50'32" W a distance of 598.66 feet
S66°07'56" E a distance of 281.77 feet
S59°02'31" E a distance of 273.54 feet
S35°45'47" W a distance of 338.50 feet
by radius of 35.00 feet of a distance of 49.10 feet
N63°51'59" W a distance of 527.10 feet
by radius of 480.00 feet a distance of 123.28 feet
N 61°20'57" W a distance of 36.60 feet
N 28° 29'03" E a distance of 10.00 feet
N 3°59'43" W a distance of 62.39 feet
N 65°09'43" W a distance of 241.46 feet
N 8°58'31" E a distance of 62.86 feet
by radius of 134.52 feet a distance of 68.48 feet
N 20°11'32" W a distance of 162.44 feet
by radius of 240.00 feet a distance of 40.45 feet
N 35°39'02" E a distance of 154.90 feet
N 50°40'24" W a distance of 66.07 feet

to point of beginning and containing 827,290 square feet more or less.

The above parcel is shown as three lots containing 401,326 square feet, 216,966 square feet and 208,998 square feet on the plan recorded in the registry of deeds in the county of Suffolk at Book 8388, Page 200

Meaning to describe and hereby rendering subject to section two all of the land, buildings and fixtures of the city of Boston or the Boston housing authority currently located on the Columbia Point peninsula and now or formerly maintained, used, set aside or developed for park, playground and recreational uses.

Approved January 2, 1985.

Chap. 448. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF FRANKLIN COUNTY TO ESTABLISH A PROGRAM FOR SOLID WASTE DISPOSAL.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Franklin are hereby authorized to establish a comprehensive program for the disposal of solid waste generated in cities and towns within said county and cities and towns within other counties that may elect to participate in any such program.

Such program may include provisions for selecting a site or sites for and planning, designing, acquiring and constructing solid waste transfer facilities and may include provisions for the transfer, hauling and disposal of solid waste by said county to serve any city or town within or without said county. For purposes of this act, "solid waste transfer facilities" shall mean facilities for the transportation, receiving, handling or temporary storage of garbage, refuse and other discarded solid materials. Solid waste transfer facilities may include any or all property, rights, franchises necessary or desirable in connection therewith or incidental thereto.

SECTION 2. Any city or town in the county of Franklin and the cities and towns within other counties that may elect to participate in any such program are hereby authorized from time to time to contract with the county of Franklin, acting by and through its county commissioners, for the delivery of garbage, refuse and other discarded solid materials at solid waste transfer facilities owned or operated by the county of Franklin. Such contracts may be for such periods as may be agreed upon among the parties and, without limiting the generality of the foregoing, may include provisions for the delivery of minimum amounts of garbage, refuse and other solid waste and payment to be based thereon, whether or not such service is then available or rendered, unit prices, which may be graduated, and adjustments thereof. Such payments, unit prices or adjustments need not be specifically stated in such contract, but may be determined by formulae if set forth therein. Such contracts may be exclusive or non-exclusive, may be awarded with or without competitive bidding and may impose upon any such town restrictions against other means of disposal while the contract is in force. Such contracts may be entered into by the selectmen acting under authorization of the town meeting, which authorization may be general. Any contract entered into by a town shall not be subject to section four of chapter forty of the General Laws and shall not be precluded by the acceptance of section nine A of chapter ninety-two of the General Laws.

SECTION 3. The county of Franklin, acting by and through its county commissioners, is hereby authorized to contract with any city or town in the county of Franklin, with any of the cities or towns within other counties that may elect to participate in any such program, and with private parties for the delivery to the county of Franklin of garbage, refuse and other discarded solid materials at solid waste transfer facilities owned or operated by the county of Franklin. Such contracts may be upon such terms and may include such provisions as are described in section two. The county of Franklin, acting by and through its

county commissioners, is hereby further authorized to contract with private parties for the disposal of solid waste delivered to solid waste transfer facilities as aforesaid at any solid waste disposal facility operated by any private or public entity. Any such contract for the disposal of garbage, refuse or other discarded solid material may provide that the county share or otherwise be credited with a portion of the proceeds, if any, from any sale of steam, electricity or other by-products derived from the operation of any solid waste disposal facility at which the county of Franklin disposes of garbage, refuse and other discarded solid materials. For purposes of this section, solid waste disposal facilities shall include landfills, incinerators, waste-to-energy facilities and any other facilities intended to permanently dispose of garbage, refuse and other discarded solid materials, whether by combustion, processing or otherwise.

SECTION 4. The county commissioners of the county of Franklin are authorized to cause plans and specifications to be prepared for the acquisition and construction of solid waste transfer facilities under this act and to enter into contracts for the planning, design, acquisition and construction of such facilities and for the operation thereof, subject to the applicable provisions of law relating to such contracts. Said commissioners are further authorized to acquire land by lease, by purchase, by eminent domain under the provisions of chapters seventy-nine or eighty A of the General Laws or otherwise for the siting and construction of solid waste transfer facilities; provided, however, that no such land shall be so acquired in any town that has not voted to contract with the county of Franklin pursuant to section two without the consent of the board of selectmen or council of any such city or town.

SECTION 5. For the purposes authorized by sections one and four, including financing charges, interest on bonds and notes incurred prior to and during construction and for a period not exceeding one year after completion thereof, start-up costs, the establishment of reasonable reserves, and architectural, engineering, legal and other fees and costs incidental thereto, the treasurer of the county of Franklin with the approval of the county commissioners of said county, may borrow from time to time, upon the limited or unlimited credit of the county such sums as may be necessary, not exceeding, in the aggregate, one million dollars and may issue bonds or notes of said county therefor. Such bonds or notes shall bear on their face the words, "Franklin County Regional Solid Waste Management Program Loan Act of 1984" or such other title as said commissioners shall specify. Each authorized issue shall constitute a separate loan. The bonds or notes may be issued as serial bonds or

notes or as term bonds or notes, or in any combination thereof, and shall be payable in not more than twenty-five years from their respective dates. The first payment of principal of each issue of serial bonds or notes, and the first payment on account of principal of term bonds or notes made to the sinking or reserve fund established thereunder, shall not be later than three years from the date of such bonds or notes. For each issue, the amounts payable in the several years for or on account of principal and interest combined shall be as nearly equal as is practicable in the opinion of the county commissioners or, in the alternative, shall be in accordance with a schedule providing for a more rapid amortization of principal. The bonds or notes may be payable solely from the revenues of the solid waste transfer facility or facilities financed with the proceeds thereof and such revenues may be pledged to the holders of such bonds or notes in furtherance thereof.

If any bonds or notes are issued hereunder as term bonds or notes, the county treasurer shall establish or cause to be established a reserve or sinking fund for the payment or redemption of any such term bonds or notes. Payments to any such reserve or sinking fund of amounts available for the payment of principal and redemption premiums, if any, shall be made according to a schedule established at the time any such term bonds or notes are issued, subject to the requirements of this section. The amount of each scheduled annual payment shall be deemed to be debt maturing in that year for purposes of section thirty of chapter thirty-five of the General Laws.

Amounts deposited in any reserve or sinking fund, hereunder, amounts representing capitalized interest on bonds or notes and any amounts provided for the establishment of reasonable reserves hereunder, together with any investment income therefrom, shall be held by the county treasurer in trust, or may be deposited by the treasurer in trust, on such terms as the county treasurer shall approve, with a trustee or escrow agent, which trustee or escrow agent shall be a banking institution or trust company in the commonwealth, and shall be expended for the purposes provided therefor, as specified by the county treasurer, with the approval of the county commissioners and the advisory board on county expenditures, at the time any bonds or notes are issued hereunder.

Bonds or notes issued under this act shall be signed by the county treasurer and countersigned by a majority of the county commissioners. Said county may sell said securities at public or private sale, at par, premium or discount, and upon such terms and conditions as said county commissioners, with the approval of the advisory board on county expenditures, may deem proper. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws,

exclusive of section thirty-eight thereof; provided that any temporary notes issued pursuant to section thirty-seven B of said chapter thirty-five may be payable in not more than three years from their dates and such notes issued for a shorter period than three years may be refunded by other temporary notes, provided that the period from the date of issue of the original temporary notes to the date of maturity of the refunding notes shall not be more than three years.

SECTION 6. Chapter three hundred and forty of the acts of nineteen hundred and eighty-two is hereby repealed.

SECTION 7. This act shall take effect upon its passage.

Approved January 2, 1985.

Chap. 449. AN ACT AUTHORIZING THE ADOPTION OF A PERMANENT STATE PLAN OF OPERATION FOR THE FEDERAL SURPLUS PROPERTY PROGRAM.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize the adoption of a permanent state plan of operation for the federal surplus property program, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The purchasing agent's division rules and regulations as promulgated and referred to as the state plan of operation for the state agency for surplus federal property shall be the commonwealth's permanent plan as contemplated by section 203(j)(4)(A) of the Federal Property and Administrative Services Act of 1949, as amended by section 1(I) of Public Law 94-519. Said plan shall be administered by the purchasing agent's division.

Approved January 2, 1985.

Chap. 450. AN ACT AUTHORIZING THE TOWN OF CHARLTON TO APPOINT MARO CARRINGTON AS BOTH THE SUPERINTENDENT OF STREETS OF SAID TOWN, AND CHIEF OF THE FIRE DEPARTMENT AND FOREST WARDEN OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of chapter two hundred and sixty-eight A of the General Laws or of any other provision of law to the contrary, the board of selectmen of the town of Charlton is hereby authorized to appoint Maro Carrington as both the superintendent of streets of said town, and the chief of the fire department and forest warden of said town.

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

Approved January 2, 1985.

Chap. 451. AN ACT AUTHORIZING THE TOWN OF BELLINGHAM TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the town of Bellingham by a majority vote of its voters at a town meeting may authorize the payment of, and upon such authority the treasurer of said town shall pay, existing bills in an amount not exceeding six thousand dollars. Said bills being for services and goods provided to said town at the Jenckes reservoir project.

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

Approved January 2, 1985.

Chap. 452. AN ACT EXTENDING THE EXEMPTION OF CERTAIN SINGLE FAMILY DWELLINGS FROM CERTAIN PROVISIONS OF THE PROGRAM FOR THE DETECTION OF THE SOURCES OF LEAD POISONING.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide for exemption from the so-called "lead paint law" in certain single family dwellings, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The provisions of section one hundred and ninety-four of chapter one hundred and eleven of the General Laws relative to a program for the detection of sources of lead poisoning and relative to priority in the inspection of dwellings

shall not apply to owner-occupied single family houses unless a child residing therein has been found to have a case of lead poisoning.

SECTION 2. This act shall expire on January first, nineteen hundred and eighty-six.

Approved January 2, 1985.

Chap. 453. AN ACT RELATIVE TO COUNTY APPROPRIATIONS FOR NON-OPERATING PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Section 28B of chapter 35 of the General Laws is hereby amended by striking out subsection (h), as appearing in section 144 of chapter 351 of the acts of 1981, and inserting in place thereof the following two subsections:-

(h) At the closing of the treasurer's books on July tenth, the balance to the credit of each appropriation shall become a part of the general unappropriated balance in the county treasury, but no appropriation voted for special, non-operating purposes, shall lapse until the work for which it has been made has been completed. Such appropriation, however, may not be carried forward for more than one extra fiscal year. Any remaining unappropriated balance thereafter, shall become a part of the general unappropriated balance in the county treasury. Written notification of such balance to be carried forward shall be submitted by the county commissioners to the county treasurer, the advisory board, and the director of accounts on or before the tenth day following the close of the fiscal year for which it was originally appropriated.

The county commissioners shall send written notification of such balance to the county treasurer, the advisory board, and the director of accounts on or before the tenth day following the close of the fiscal year. This subsection shall not apply to funds appropriated for the purposes of construction of buildings.

(i) For the purpose of creating a Capital Improvement Fund the advisory board may appropriate in any year an amount not exceeding ten per cent of the amount raised in the preceding fiscal year by assessment upon the cities and towns or of such larger amount as may be approved by a two-thirds vote. The aggregate amount in the fund at any time shall not exceed ten per cent of the total equalized valuation of the municipalities in the county as defined in section one of chapter forty-four. Any interest shall be added to and become a part of the fund.

The treasurer shall be the custodian of said fund and may deposit the proceeds in national banks or invest the proceeds by deposit in savings banks, cooperative banks or in participation units in a combined investment fund under section thirty-eight A of chapter twenty-nine, or invest the same in such securities as are legal for the investment of funds of savings banks under the provisions of chapter one hundred and sixty-eight or in federal savings and loan associations situated in the commonwealth.

The Capital Improvement Fund may be appropriated by the county commissioners with the approval of the advisory board for any purpose authorized under sections seven and eight of chapter forty-four or for such other county purpose as is approved by a two-thirds vote of the advisory board.

SECTION 2. Section 32 of said chapter 35, as most recently amended by section 147 of said chapter 351, is hereby further amended by striking out the thirteenth paragraph and inserting in place thereof the following paragraph:-

No direct draft against the account known as the Reserve Fund as appearing in advisory board appropriations for counties shall be made, but transfers from such accounts to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners to and with the approval of the county advisory boards or their designated executive committee; provided, however, that if such county advisory board or its designated executive committee has not acted upon such request within forty-five days after such request has been received by it, then the county commissioner may submit such request to the bureau of accounts. The director of accounts shall be notified of the approval of such transfer by the county commissioner within fifteen days.

Approved January 2, 1985.

Chap. 454. AN ACT FURTHER REGULATING DEALERS AGREEMENTS FOR THE SALE OF GASOLINE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 93E of the General Laws is hereby amended by striking out section 5a, inserted by section 5 of chapter 64 of the acts of 1976, and inserting in place thereof the following section:-

Section 5a. (a) It shall be unlawful to include in any marketing agreement any term which provides for the termination of such marketing agreement by a supplier upon the death of the

retail dealer if the dealer, prior to his demise, designates a successor-in-interest in a form prescribed by and delivered to the supplier.

(b) For the purpose of this section, "successor-in-interest" shall be restricted to either a surviving spouse or adult child of the retail dealer; provided, however, that such spouse or child, at the time of the dealer's death, shall meet the reasonable qualifications then being required of dealers by the supplier for the operation of such service stations.

(c) This section shall not apply to a marketing agreement until the retail dealer has operated a service station pursuant to such marketing agreement with the supplier for a continuous three-year period.

(d) The designated successor-in-interest shall be allowed twenty-one days after the death of the retail dealer to give written notice to the supplier of his election to assume and operate the service station. Such notification shall contain such information regarding business experience and credit history as is reasonably required by the supplier. The successor-in-interest must offer to assume the marketing agreement in writing three days, excluding Saturdays, Sundays, and holidays, after such election and must commence operation of the service station within ten days after such assumption. Within twenty-one days after the successor-in-interest has elected in writing to assume and operate the service station, the supplier shall give written notice to the successor-in-interest of its approval or disapproval of the successor-in-interest, based upon whether such successor-in-interest meets the supplier's reasonable qualifications required of dealers by the supplier for the operation of such service stations. If the supplier does not approve the successor-in-interest, it shall state its reasons therefor. If the supplier does not reply within the specified twenty-one-day period, approval of the successor-in-interest shall be deemed granted.

(e) A supplier may require that a dealer desiring to designate a successor-in-interest pursuant to this section deposit with such supplier at the time of such designation such sum of money reasonably estimated to be necessary to compensate the supplier for rent for a period of twenty-one days. Such deposit is intended to compensate the supplier in the event that the designated successor-in-interest fails for such period after the death of the dealer to assume the marketing agreement obligation. Any unearned portion of such deposit resulting from the successor-in-interest assuming responsibility for the marketing agreement sooner than twenty-one days after the date of the dealer's death, or from the temporary operation of the service station by the supplier during such twenty-one days, shall be refunded by

the supplier to the estate or legal representative of the deceased dealer. In addition to such deposit, the supplier may require a dealer desiring to qualify under this section to arrange for the discharge or performance of other marketing agreement obligations such as, but not limited to, insurance, but excluding any obligation to be open to the public, for a period of up to twenty-one days after his demise.

(f) The marketing agreement available to the successor-in-interest pursuant to this section is intended to be no greater than or less than the marketing agreement as it existed in the name of the deceased dealer at the time of such dealer's death. This section is not intended to expand or diminish the rights of suppliers or dealers under either federal or state law.

(g) A retail dealer may designate a primary and one alternate successor-in-interest. The alternate, if one is designated, shall have no rights under this section in the event of any exercise of rights by the primary successor-in-interest. If an alternate desires to assume and operate the service station in the event the primary successor-in-interest fails to do so, the alternate must give notice of such election and otherwise comply with paragraph (d) of this section.

(h) Unless otherwise specifically provided herein, any actions to be performed by the supplier or by the successor-in-interest hereunder shall in each instance be performed within a reasonable time.

(i) Unless the supplier otherwise agrees in writing, there shall be no operation of the service station following the death of the retail dealer by anyone, other than the supplier for its own account, until all parts of the marketing agreement have been expressly assumed as herein provided, including, but not limited to, such items as lease or leases, products agreement, loaned equipment agreement, federal and state environmental law compliance agreements, licensing, and tax permits.

(j) Following the death of a retail dealer, and prior to the operation of the service station by the successor-in-interest as herein provided, the supplier shall have the option to operate the service station by contract or otherwise for its own account without obligation or duty to the heirs or estate of the deceased dealer or to the successor-in-interest except for the obligation to account to the heirs or the estate of the deceased dealer for the inapplicable portion of any prepaid rent or other sums prepaid to the supplier, and for any physical inventory salvaged from the service station and used or sold by the supplier.

(k) If the successor-in-interest assumes the marketing agreement and there has been no intervening operation of the service station by the supplier, the successor-in-interest shall account to the heirs or estate of the deceased dealer for the value or other disposition of personal property of the dealer located at or related to the service station.

(l) The attorney general shall enforce compliance with the provisions of this section. Upon receipt of a written notice of objection with reasons therefor, as provided in paragraph (d), the successor-in-interest may bring an action against the supplier in any court of competent jurisdiction for wrongfully impeding the transfer of the marketing agreement; provided, however, that any such action must be commenced within ninety days following receipt of such notice of objection. The court, upon finding that the stated reasons for objection are arbitrary, capricious, or unreasonable, may award money damages and grant such equitable relief as it deems proper.

SECTION 2. Said subsection (c) of said section 5a of said chapter 93E, inserted by section one of this chapter, shall apply to any marketing agreement in effect on the effective date of this act or thereafter.

SECTION 3. The provisions of this act are severable and if any of its provisions shall be held unconstitutional, void or unenforceable by any court of competent jurisdiction the decision of such court shall not affect or impair any of the remaining provisions.

Approved January 2, 1985.

Chap. 455. AN ACT AUTHORIZING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO LEASE CERTAIN LAND TO THE TOWN OF WEST BOYLSTON.

Be it enacted, etc., as follows:

The deputy commissioner of the division of capital planning and operations, subject to the provisions of sections forty E through forty J inclusive of chapter seven of the General Laws, is hereby authorized to lease to the town of West Boylston, for a term of five years, with an option to extend for like terms thereafter, certain land now under the control of the water division of the metropolitan district commission located in the Oakdale section of said town, for the purpose of developing and maintaining baseball, softball and sports fields, in accordance with such terms and conditions as the deputy commissioner, in consultation with the metropolitan district commission, may prescribe. Said land is as shown on a plan on file in the office of said commission, entitled "M.D.C. Property, Oakdale, Plan of Land to Accompany Lease to Town of West Boylston," dated May, 1982, revised July 29, 1982.

Parcel "A" approximately 6.4 acres±

Beginning at a point on the Southeast corner of May street, and at the most Northeasterly corner of the parcel described herein:

Thence S 86° - 20'W five hundred sixty-eight and 6/10 (568.6') feet to a point:

Thence N5° - 30'W thirty (30') feet to a point:

Thence N73° - 20'W eight and 3/10 (8.3') feet to a point:

Thence S 54° - 30'W one hundred fifty-eight and 2/10 (158.2') feet to a point:

Thence S 13° - 22'W two hundred twenty-seven and 4/10 (227.4') feet to a point:

Thence S 11° - 05' - 24'W two hundred nineteen and 3/10 (219.3') feet to a point:

Thence Easterly toward the Northwest side by Thomas Street on a curve to right having a radius of one thousand ninety-six and 28/100 (1096.28') feet an arc distance of three hundred forty-two (342') feet to a point:

Thence Due South to the Northwest side of Thomas Street, twenty-seven and 8/10 (27.8') feet to a point:

Thence N 59° - 19' - 04 E two hundred-five and 1/10 (205.1') feet to a point:

Thence Northeasterly along the Northeasterly side of Thomas Street on a curve to the right having a radius of six hundred seventy (670') feet an arc distance of two hundred-five and 1/10(205.1') feet to a point of beginning.

Containing 6.4 Acres ±.

Parcel "B" approximately 4.2 acres ±

Beginning At a point on the Southeasterly side of Route 140, and at the most northeasterly corner of the parcel described herein:

Thence Westerly along the south side of Route 140 on a curve to the left having a radius of one hundred twenty and 53/100 (120.53') feet an arc distance of one hundred thirteen and 74/100 (113.74') feet to a point:

Thence Southwesterly along Thomas Street on a curve to the left having a radius of one hundred ninety-four and 84/100 (194.84') feet an arc distance of one hundred forty-three and 35/100 (143.35') feet to a point:

Thence Southwesterly along Thomas Street on a curve to the left having a radius of seven hundred thirty (730.0') feet an arc distance of four hundred eleven and 9/10 (411.9') feet to a point:

Thence S 55° - 38' - 37" W two hundred sixty-seven and 5/10 (267.5') feet to a point:

Thence Southeasterly from Thomas Street on a curve to the right having a radius of three hundred nine and 67/100 (309.67') feet and an arc distance of five hundred twenty-seven and 61/100 (527.61') feet to a point:

Thence N 80' - 59' 30' W eight and 85/100 (8.85') feet to a

point adjacent to the Boston and Maine Railroad right-of-way.

Thence Northeasterly on a curve to the right having a radius of two thousand, nine hundred forty-two and 7/100 (2942.07') feet and an arc distance of nine hundred seventy-six and 78/100 (976.78') feet to the point of beginning.

Containing 4.2 Acres ±.

Approved January 2, 1985.

Chap. 456. AN ACT RELATIVE TO THE CARE AND PROTECTION OF DETAINEES IN CERTAIN LOCKUP FACILITIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 40 of the General Laws is hereby amended by inserting after section 36 the following three sections:-

Section 36A. Whenever a person is in police custody and commits suicide or dies at a lockup facility established pursuant to the provisions of section thirty-four of chapter forty, or under the jurisdiction of the metropolitan police, or whenever a person in police custody inflicts self-injury at a lockup facility which subsequently results in his death, the officer in charge of the lockup facility shall make a report of such incident, identifying the deceased and describing the circumstances of such death. One copy of said report shall be sent, within seven days of such death, together with copies of any incident pertaining thereto to the medical examiner's office in the county wherein such incident occurred, and one copy of said report shall be retained in the lockup files. Said report shall be in addition to the requirement of notification pursuant to section six of chapter thirty-eight.

Upon receipt for said reports, the medical examiner may send a copy, together with a copy of each incident report, autopsy reports and medical examiner's reports, upon request, to the next of kin of the deceased person. Upon request for said reports by the next of kin of the deceased, the medical examiner shall furnish said reports within fourteen days of the request. If an autopsy is performed, the next of kin may have a physician of his own choice present. The next of kin may waive this right in writing, or, if next of kin fails to designate a physician within forty-eight hours of the death, the right will be considered waived.

Whenever a person in police custody attempts or threatens suicide at a lockup facility, the officer in charge of the lockup shall, within twenty-four hours of such incident, record in the department of public safety computer the name, address, and the

age of such person, the charge or reason for such detention and the nature and date of said attempt or threat. Such information shall be made part of the criminal offender record information system. It shall be disseminated only to those agencies and offices authorized under section one hundred and seventy-two of chapter six.

Whenever a person in police custody attempts or threatens suicide at a lockup facility and said person is transferred to another lockup facility, the officer in charge shall notify in writing the receiving lockup facility of the exact nature of said attempt or threat.

Section 36B. Each cell within a lockup facility established pursuant to section thirty-four of chapter forty, whether under the jurisdiction of a local police department, the state police or the metropolitan district commission, shall have a protective covering of high-impact, transparent plastic over all bar structures accessible to persons detained in the cell.

Each cell within a lockup facility as defined herein shall have installed within it but beyond the access of any detainees within the cell, an electronic audio sytem whereby the duty desk within said lockup facility is within audible range of each cell.

Each lockup facility as defined herein shall have installed within the cell area, an electronic security device whereby police officers may record the times of their cell checks. Said device shall be so positioned that a cell check cannot be recorded until the police officer has walked past every cell. Each cell within a lockup facility shall be checked by police officers or other lockup personnel every fifteen minutes.

Section 36C. All members of municipal police departments, of the police the state police shall be trained in the detection, intervention and prevention of suicide. Said training shall include training in the nature and symptomatology of suicide, training in communicating with suicidal detainees, and training in appropriate suicide prevention techniques and emergency procedures. Said training shall be approved and coordinated by the Massachusetts Criminal Justice Training Council, and shall be included in the curriculum of all police training schools and academies, including the state police academy.

In-service training shall be provided for police officers having previous basic recruit training. Shift commanders shall complete such training within one year of the passage of this act, and all other officers shall complete such training within three years of the passage of this act. Completion of a refresher seminar in suicide prevention shall be a condition of promotion for all police officers affected by the provisions of this act.

All lockup facilities established pursuant to section thirty-four of chapter forty, or under the jurisdiction of the metropolitan district commission or the state police, shall establish written procedures to be followed in any situation which threatens or

may threaten the safety of persons detained therein.

SECTION 2. For the purpose of implementing the provisions of section one, the sum set forth in section three 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 thirty-four of the acts of nineteen hundred and eighty-four.

SECTION 3. Chapter 234 of the acts of 1984 is hereby amended by inserting after item 1599-3419 the following item:-

1599-3472 For a reserve to meet the costs of improvements to lockup facilities of cities and towns of the commonwealth, metropolitan district commission lockup facilities, and state police lockup facilities as prescribed by section thirty-six B of chapter forty of the General Laws, provided that the commissioner of administration is hereby authorized to distribute the sum appropriated herein to reimburse the documented, reasonable expenses of said cities and towns, state police, or metropolitan district commission incurred in making such improvements, and provided further that no expenditures shall be made from this item without the prior approval of the house and senate committees on ways and means $1,164,429

Approved January 2, 1985.

Chap. 457. AN ACT RELATIVE TO INDEMNIFICATION OF CERTAIN PUBLIC EMPLOYEES.

Be it enacted, etc., as follows:

Chapter 258 of the General Laws is hereby amended by striking out section 9A, inserted by chapter 345 of the acts of 1982, and inserting in place thereof the following section:-

Section 9A. If, in the event a suit is commenced against a member of the state police, the metropolitan district police, the capitol police, the registry of motor vehicle police or an employee represented by state bargaining unit five, by reason of a claim for damages resulting from an alleged intentional tort or by

reason of an alleged act or failure to act which constitutes a violation of the civil rights of any person under federal or state law, the commonwealth, at the request of the affected police officer, shall provide for the legal representation of said police officer.

The commonwealth shall indemnify members of the state police, the metropolitan district police, the capitol police, the registry of motor vehicle police or an employee represented by state bargaining unit five, respectively, from all personal financial loss expenses, including but not limited to legal fees and costs, if any, in an amount not to exceed one million dollars arising out of any claim, action, award, compromise, settlement or judgment resulting from any alleged intentional tort or by reason of an alleged act or failure to act which constitutes a violation of the civil rights of any person under federal or state law; provided, however, that this section shall apply only where such alleged intentional tort or alleged act or failure to act occurred within the scope of the official duties of such police officer.

No member of the state police, the metropolitan district police, the capitol police, the registry of motor vehicle police or an employee represented by state bargaining unit five shall be indemnified for any violation of federal or state law if such member or employee acted in a wilful, wanton, or malicious manner.

Approved January 2, 1985.

Chap. 458. AN ACT FURTHER REGULATING THE LAW RELATIVE TO ABANDONED PROPERTY.

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

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 200A of the General Laws, as most recently amended by section 102 of chapter 351 of the acts of 1981, is hereby further amended by striking out clause (4) and inserting in place thereof the following three clauses:-

(4) Increased or decreased the amount of deposit; or

(5) Owned other property for which clause (1), (2), (3) or (4) is applicable; provided, however, that the holder communicates in writing with the owner with regard to such property that would otherwise be presumed abandoned under this section

at the address at which communications regarding such other property regularly are received; or

(6) Had another relationship with the holder concerning which the owner has:

(i) communicated in writing with the holder, or

(ii) otherwise indicated an interest as evidenced by a memorandum on file prepared by an employee of the holder; provided, however, that if the holder communicates in writing with the owner with regard to the property that would otherwise be presumed abandoned under this section at the address at which communications regarding the other relationship regularly are received.

SECTION 2. Said chapter 200A is hereby further amended by inserting after section 3 the following section:-

Section 3A. The abandonment period of any property set forth in section three that is automatically renewable shall commence upon the expiration of its initial time period except that, in the case of any renewal to which the owner consents at or about the time of renewal by communicating in writing with the person holding the property or otherwise indicating such consent as evidenced by a memorandum on file prepared by an employee, the abandonment period shall commence upon the expiration of the last time period for which consent was given.

SECTION 3. Clause (1) of paragraph (b) of section 7 of said chapter 200A, as appearing in section 8 of chapter 130 of the acts of 1980, is hereby amended by striking out, in line 5, the word "twenty-five" and inserting in place thereof the word:- fifty.

SECTION 4. Clause (3) of said paragraph (b) of said section 7 of said chapter 200A, as so appearing, is hereby amended by striking out, in lines 3 and 4, the words "twenty-five dollars each may" and inserting in place thereof the words:- fifty dollars each shall.

SECTION 5. Said chapter 200A is hereby further amended by striking out section 7A, as so appearing, and inserting in place thereof the following section:-

Section 7A. If the person in possession of property in an amount of ten dollars or more presumed abandoned under this chapter has the last known address of the apparent owner which the person's records do not disclose to be inaccurate, the holder shall at least sixty days before filing the annual report send a notice by first class mail to inform the owner of the process necessary to rebut the presumption of abandonment.

SECTION 6. Section 8 of said chapter 200A, as so appearing, is hereby amended by striking out paragraph (d) and inserting in place thereof the following paragraph:-

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

SECTION 7. Section 8A of said chapter 200A, as so appearing, is hereby amended by striking out paragraph (c) and inserting in place thereof the following paragraph:-

(c) In the case of sums payable on traveler's checks, registered checks and money orders presumed abandoned under section six B, or any sums reported pursuant to clauses (1) and (2) of paragraph (b) of section seven are less than fifty dollars or any other sums for which the person holding the property does not know the names of the owners, such sums shall be paid to the treasurer at the time of filing the report.

SECTION 8. Section 9 of said chapter 200A is hereby amended by striking out paragraph (b), as amended by section 8 of chapter 377 of the acts of 1969 and inserting in place thereof the following paragraph:-

(b) The treasurer shall proceed with the liquidation of property not earlier than one year after its delivery to him under the provisions of this chapter except that property presumed abandoned pursuant to subsection (b) of section five B shall not be liquidated earlier than three years after it was delivered unless the treasurer shall in his opinion find it is in the best interests of the state to do so. If the treasurer sells any securities delivered pursuant to section five B before the expiration of the three year period, any person making a claim pursuant to this chapter before the end of the three year period is entitled to either the proceeds of the sale of the securities or the market value of the securities at the time the claim is made, whichever amount is greater. A person making a claim under this chapter after the expiration of this period is entitled to receive either the securities delivered to the treasurer by the holder, if they still remain in the hands of the treasurer, or the proceeds received from sale, but no person has any claim under this chapter against the commonwealth, the holder, any transfer agent, registrar, or other person acting for or on behalf of a holder for any appreciation in the value of the property occurring after delivery by the holder to the treasurer.

SECTION 9. Section 10 of said chapter 200A is hereby amended by adding the following paragraph:-

(h) If the claim is for property presumed abandoned under section five B which was sold by the treasurer within three

years after the date of delivery, the amount payable for that claim is the value of the property at the time the claim was made or the net proceeds of sale, whichever is greater.

SECTION 10. Said chapter 200A is hereby further amended by inserting after section 10 the following section:-

Section 10A. Whenever any property is paid or delivered to the treasurer other than money under this act, the treasurer upon receipt, shall credit to the owner's account any dividends, interest or other increments realized or accruing on the property at or before liquidation or conversion thereof into money.

SECTION 11. Said chapter 200A is hereby further amended by striking out section 15B, as appearing in section 13 of chapter 130 of the acts of 1980, and inserting in place thereof the following section:-

Section 15B. The holder of an interest under section five B shall deliver a duplicate certificate or other evidence of ownership if the holder does not issue certificates of ownership to the treasurer. Upon delivery of a duplicate certificate to the treasurer, the holder and any transfer agent, registrar, or other person acting for or on behalf of a holder in executing or delivering the duplicate is relieved of all liability of every kind in accordance with the provision of section fifteen D to every person, including any person acquiring the original certificate or the duplicate of the certificate issued to the treasurer, for any losses or damages resulting to any person by the issuance and delivery to the treasurer of the duplicate certificate.

SECTION 12. Said chapter 200A is hereby further amended by inserting after section 15C the following section:-

Section 15D. (1) If the holder pays or delivers property to the treasurer in good faith and thereafter another person claims the property from the holder or another state claims the money or property under its laws relating to escheat or abandoned or unclaimed property, the commonwealth, upon written notice to the treasurer of the claim, shall defend the holder against the claim and indemnify the holder against any liability on the claim.

(2) For the purposes of this section, "good faith" shall mean: (1) payment or delivery was made in a reasonable attempt to comply with this chapter; (2) the person delivering the property was not a fiduciary then in breach of trust in respect to the property and had reasonable basis for believing, based on the facts then known to him, that the property was abandoned for the purposes of this chapter; and (3) there is no showing that the records pursuant to which the delivery was made did not meet reasonable commercial standards of practice in the industry.

Approved January 7, 1985.

Chap. 459. AN ACT RELATIVE TO MULTIPLE ELECTIVE OFFICES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately allow for the holding of multiple elective offices in 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 20 of chapter 268A of the General Laws, as most recently amended by chapter 481 of the acts of 1983, is hereby further amended by striking out the last paragraph and inserting in place thereof the following two paragraphs:-

This section shall not prohibit an employee or an official of a town from holding the position of selectman in such town nor in any way prohibit such employee from performing the duties of or receiving the compensation provided for such office; provided, however, that such selectman shall not, except as hereinafter provided, receive compensation for more than one office or position held in a town, but shall have the right to choose which compensation he shall receive; provided, further, that no such selectman may vote or act on any matter which is within the purview of the agency by which he is employed or over which he has official responsibility; and, provided further, that no such selectman shall be eligible for appointment to any such additional position while he is still a member of the board of selectmen or for six months thereafter. Any violation of the provisions of this paragraph which has substantially influenced the action taken by any municipal agency in any matter shall be grounds for avoiding, rescinding or cancelling the action on such terms as the interest of the municipality and innocent third parties may require.

This section shall not prohibit any elected official in a town, whether compensated or uncompensated for such elected position, from holding one or more additional elected positions, in such town, whether such additional elected positions are compensated or uncompensated.

Approved January 7, 1985.

Chap. 460. AN ACT AUTHORIZING THE TOWN OF LANCASTER TO ENTER INTO A CONTRACT WITH ATLANTIC UNION COLLEGE FOR THE INCINERATION OF RUBBISH COLLECTED BY SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the town of Lancaster is hereby authorized to enter into a service contract with Atlantic Union College for the purpose of providing for the disposal of refuse collected by said town. Said contract shall provide that said College shall construct a building and shall improve and alter an existing incinerator on land owned by said College. As consideration for such contract, the town shall pay to said College a sum of money, which sum, or any part thereof, may be appropriated from available funds, raised by borrowing for that purpose, or taken from the stabilization fund, said sum not to exceed three hundred and eighty-five thousand dollars, under such terms and conditions as may be agreed upon by the parties. The contract shall provide that the town shall receive a credit for each ton of refuse it delivered to said College for disposal by incineration until the entire cost of the contract has been repaid to the town. In no event shall the term of the contract exceed nine years.

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

Approved January 7, 1985.

Chap. 461. AN ACT AUTHORIZING THE MERGER OF CERTAIN NONPROFIT RELIGIOUS CORPORATIONS.

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

Be it enacted, etc., as follows:

SECTION 1. The First Parish and Religious Society of Bolton and The First Baptist Church of Bolton, organized and existing as religious corporations under the laws of the commonwealth, are hereby authorized to merge into The Federated Church of Bolton, organized and existing as a religious corporation in the town of Bolton, under the provisions of chapter sixty-seven of the General Laws. The corporate existence of The Federated Church of Bolton shall continue under the name "The Federated

Church of Bolton-The First Parish of Bolton". The aforesaid merger shall have the effect set forth in section ten of chapter one hundred and eighty of the General Laws.

SECTION 2. An agreement to effect the aforesaid merger was approved in the manner set forth in section ten of chapter one hundred and eighty of the General Laws by the members of The First Parish and Religious Society of Bolton on January tenth, nineteen hundred and eighty-four, by the First Baptist Church of Bolton on January thirtieth, nineteen hundred and eighty-four and by the Federated Church of Bolton on April twenty-ninth, nineteen hundred and eighty-four. The aforesaid merger shall become effective upon the submission to the state secretary of the aforesaid agreement of merger within ninety days after enactment of this act with other information and in compliance with provisions other than the time of filing, set forth in said section ten of said chapter one hundred and eighty. The survivor shall be considered a corporation organized under said chapter one hundred and eighty.

Approved January 7, 1985.

Chap. 462. AN ACT FURTHER REGULATING THE ISSUANCE OF REVENUE BONDS BY THE MASSACHUSETTS INDUSTRIAL FINANCE AGENCY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately increase the availability of financial assistance and suitable facilities to industrial and commercial enterprises 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 last paragraph of section 30 of chapter 23A of the General Laws, as appearing in section 19 of chapter 189 of the acts of 1984, is hereby amended by inserting after the word "inclusive", in line 2, the words:- , and in any sections of chapter forty D applicable to the agency.

SECTION 2. Said last paragraph of said section 30 of said chapter 23A, as so appearing, is hereby further amended by inserting after the definition of "Bonds" the following definition:-

"Financing document", a lease, installment sale agreement, conditional sale agreement, mortgage or loan agreement between the agency as lessor, seller, mortgagee or lender and a user as

lessee, purchaser, mortgagor or borrower, or an agreement between the agency and a lending institution which has agreed to make a loan to a user to finance a project.

SECTION 3. Said last paragraph of said section 30 of said chapter 23A, as so appearing, is hereby further amended by inserting after the definition of "Industrial Mortgage Insurance Fund" the following definition:-

"Lending institution", any bank or trust company; Federal National Mortgage Association; approved mortgage banker; savings bank; credit union; national banking association; insurance company; financial institution or governmental agency approved by the agency to participate in the financing of a project.

SECTION 4. Said last paragraph of said section 30 of said chapter 23A, as so appearing, is hereby further amended by adding the following definition:-

"User", means one or more persons, other than a lending institution, acting as lessee, purchaser, mortgagor or borrower who has obtained or is seeking to obtain financing for a project, either from the agency or from a lending institution which has obtained or is seeking to obtain funds from the agency to finance a project and may include a party who transfers the right of use and occupancy to another party by lease, sublease or otherwise.

SECTION 4A. Section 31 of said chapter 23A is hereby amended by striking out paragraph (d), as appearing in section 3 of chapter 496 of the acts of 1978, and inserting in place thereof the following paragraph:-

(d) The provisions of chapter two hundred and sixty-eight A shall apply to all ex-officio directors or their designees and employees of the agency. The provisions of chapter two hundred and sixty-eight A shall apply to all other directors of the agency, except that the agency may purchase from, sell to, borrow from, loan to, contract with or otherwise deal with any person in which any director of the agency is in any way interested or involved provided that such interest or involvement is disclosed in advance to the members of the board and recorded in the minutes of the board, and provided, further, that no director having such an interest or involvement may participate in any decision of the board relating to such person. Employment by the commonwealth or service in any agency thereof shall not be deemed to be such an interest or involvement. Residence of a member of the board in the city or town where the project is or is to be located shall be deemed to be such an interest or involvement.

SECTION 5. Paragraph (k) of subsection (a) of said section 31 of said chapter 23A, as so appearing, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- Upon the termination of the existence of the agency, all right, title and interest in and to all of its assets and all of its obligations, duties, covenants, agreements and obligations shall vest in and be possessed, performed and assumed by the commonwealth.

SECTION 6. Section 32 of said chapter 23A, as so appearing, is hereby amended by striking out paragraph (g) and inserting in place thereof the following paragraph:-

(g) invest any funds held in reserves or sinking funds, or in the Industrial Mortgage Insurance Fund, or any funds not required for immediate disbursement, in such investments as may be provided in any resolution or trust agreement relating to the use of such funds, or, if not so provided, as the board may determine.

SECTION 7. Said section 32 of said chapter 23A, as so appearing, is hereby further amended by striking out paragraph (k) and inserting in place thereof the following paragraph:-

(k) consent, subject to the provisions of any contract with noteholders or bondholders, and without the requirement for making additional findings pursuant to section twelve of chapter forty D, whenever it deems it necessary or desirable in the fulfillment of the purposes of this chapter, to the modification, with respect to rate of interest, time of payment of any installment of principal or interest, maturity date or any other terms, of any bond, mortgage, mortgage loan, mortgage loan commitment, contract or agreement of any kind to which the agency is a party.

SECTION 8. Said section 32 of said chapter 23A, as so appearing, is hereby further amended by striking out paragraph (n) and inserting in place thereof the following paragraph:-

(n) enter into agreements or other transactions with any person, the purpose of which is to effectuate the accomplishment of the purposes of sections twenty-nine to thirty-eight, inclusive, including construction agreements, purchase or acquisition agreements, loan or lease agreements including agreements conditioned upon the subleasing of the demised premises, partnerships agreements including limited partnership agreements, joint ventures, participation agreements or loan agreements with leasing corporations or other financial institutions or intermediaries, and agreements with one or more persons for the servicing of loans made by the agency including the receipt by such servicer of payments made by a user under a financing docu-

ment. Any such payments shall constitute trust funds to be held and applied solely as provided in such agreement for the servicing of loans, shall constitute pledged funds of the agency and shall be entitled to the same protection when received by a person for the servicing of loans, without the need for filing and recording of the servicing agreement under the provisions of chapter one hundred and six or otherwise except in the records of the agency, as is afforded to funds received by an issuer and pledged to a trustee under section fourteen of chapter forty D.

SECTION 9. Said section 32 of said chapter 23A, as so appearing, is hereby further amended by striking out paragraph (q) and inserting in place thereof the following paragraph:-

(q) make loans to any person for the acquisition, construction, alteration, or any combination thereof, of a project, including but not limited to loans to lending institutions under terms and conditions requiring the proceeds of such loans to be used by such lending institutions for the making of loans to users for qualified projects.

SECTION 9A. Said chapter 23A is hereby further amended by striking out section 33, as most recently amended by section 20 of chapter 189 of the acts of 1984, and inserting in place thereof the following section:-

Section 33. There is hereby established an Industrial Mortgage Insurance Fund to which shall be credited all premiums received by the agency for insurance or reinsurance provided by it and not payable for reinsurance or insurance provided by other insurers, any other sums realized by the agency pursuant to its industrial mortgage loan insurance agreements or related financing documents, whether by way of subrogation or otherwise, and any state appropriations or other monies made available to the fund. The fund shall be held in the custody of one or more banks or trust companies having a principal place of business in the commonwealth. The fund shall be held for the security of the holders of industrial mortgage loans or reserves or portions thereof insured under section thirty-four, either as a single fund for all such holders or, subject to the rights of the holders of such loans so insured on November fifteenth, nineteen hundred and eighty-three, in such separate funds for the holders of such loans, reserves or portions thereof as the agency may determine. If any fund is established which is separate from that in existence on November fifteenth, nineteen hundred and eighty-three, the holders of insured loans secured by such existing fund on November fifteenth, nineteen hundred and eighty-three and the holders of insured loans, reserves or portions thereof secured by such separate fund shall be secured by such existing fund and such separate fund pro-rata, without

preference or priority; but the holders of insured loans, reserves or portions thereof secured by a separate fund established after November fifteenth, nineteen hundred and eighty-three shall not be secured by any other such separate fund unless the documents governing such separate fund otherwise provide. The Industrial Mortgage Insurance Fund or funds shall be governed by one or more trust agreements entered into by the agency with the trustees. Each trust agreement may contain provisions and limitations, which need not be uniform, as to the investment and disbursement of monies in the fund or funds to which it applies, the payment of expenses of such funds, the appointment, resignation and discharge of trustees, the delegation of enforcement and collection powers under the insurance agreements to the trustees, the duties of the trustees, amendments of the trust agreement and such other lawful provisions and limitations as may be deemed appropriate. Unless otherwise provided in the trust agreement applicable to any such fund, income earned by such funds may be used for the purposes of the agency. Without limiting the foregoing but subject to the pro-rata rights of holders of loans insured on November fifteenth, nineteen hundred and eighty-three, such trust agreement may require agency findings and loan criteria in addition to or stricter than those required by section thirty-four; may limit the amount and characteristics of insured loans, reserves or portions thereof to be secured by a fund or funds; may authorize, restrict or prohibit disbursement of monies in the fund or funds for costs of enforcing or preserving the mortgage security under the applicable financing documents, for costs of stop-loss or similar insurance to protect the fund or funds, or for other costs the agency considers appropriate to maintain the integrity of the fund or funds; may require income earned by the fund or funds to be retained for the benefit of the fund; may provide additional security for holders of particular loans, reserves or portions thereof; and may determine the order in which claims, costs and expenses or categories thereof will be paid from the fund or funds. The trust agreement may pledge premiums and other monies which are to be deposited in the fund or funds. Such pledge shall be valid and binding from the time when the pledge is made. The premiums and other monies so pledged and thereafter received by the fund or funds or on its or their behalf by the trustees shall immediately be subject to the lien of such pledge and shall be valid and binding as against all parties having claims of any kind against the fund or funds, irrespective of whether such parties have notice thereof. No filing need be made under the provisions of chapter one hundred and six. Whenever the agency issues bonds any part of the proceeds of which are used to finance insured loans, reserves or portions thereof, all provisions and limitations which may be contained in

a trust agreement governing the Industrial Mortgage Insurance Fund or funds may instead or in addition be contained in the resolution or trust agreement securing such bonds, without the need for any filing under the provisions of said chapter one hundred and six. Subject to the provisions of the trust agreement securing the same, any holder of the bonds of the agency the proceeds of which were used to finance the insured loans, and the trustee under any trust agreement securing such bonds shall have the right to bring suit to require the application of any amounts in the Industrial Mortgage Insurance Fund in accordance with the provisions of this section or of the trust agreement, including, but not limited to, appointment of a receiver for the Industrial Mortgage Insurance Fund or any fund held thereunder.

SECTION 10. Section 34 of said chapter 23A, as most recently amended by section 21 of said chapter 189, is hereby further amended by striking out paragraph (a) and inserting in place thereof the following paragraph:-

(a) The agency is empowered:-

(1) to provide insurance or reinsurance of loans or portions thereof, or their debt service, including amounts payable as premiums or penalties in the event of mandatory or optional prepayment, made to finance the acquisition, construction, rehabilitation or alteration, or any combination thereof, of industrial development facilities, pollution control facilities, and solid waste disposal facilities, and to provide insurance or reinsurance or reserves or portions thereof, or the yield therefrom, established to secure bonds issued to fund such loans or reserves;

(2) to enter into or arrange agreements for such insurance or reinsurance with users, mortgagors, lending institutions, insurers or others, the agency being authorized to reinsure or cede risks to such insurers in such amounts as the agency may determine and such insurers, if otherwise authorized to reinsure or insure such risks in the commonwealth, being hereby authorized to reinsure the agency or cede risks to the agency to the same extent as if the agency were a company, as defined in chapter one hundred and seventy-five, authorized under that chapter to reinsure or insure such risks;

(3) to fix a rate or rates of premium for such insurance or reinsurance, which need not be uniform and may reflect such risks and classifications of risk as the agency determines to be reasonable; and

(4) to exercise such other powers as are necessary or incidental to the foregoing, including without limitation making conditional or unconditional commitments for such insurance or reinsurance, authorizing such commitments to be pledged or

assigned as security for financing and setting appropriate fees therefor.

SECTION 11. Said section 34 of said chapter 23A is hereby further amended by striking out paragraph (b), as appearing in said section 21 of said chapter 189, and inserting in place thereof the following paragraph:-

(b) The insurance and reinsurance provided by the agency shall not be subject to the provisions of chapter one hundred and seventy-five, or any successor thereto, shall be payable solely from the Industrial Mortgage Insurance Fund established by section thirty-three and shall not constitute a debt or pledge of the faith and credit of the commonwealth or of any subdivision thereof.

SECTION 12. Paragraph (c) of said section 34 of said chapter 23A, as so appearing, is hereby amended by striking out the introductory clause and inserting in place thereof the following introductory clause:-

The board shall not approve the insurance or reinsurance of a loan unless it makes the following findings prior to the disbursement of the proceeds of a loan to a user or mortgagor:.

SECTION 13. Clause (1) of said paragraph (c) of said section 34 of said chapter 23A, as so appearing, is hereby further amended by inserting after the word "of", in line 1, the words:- or first security interest in,- and by inserting after the word "loan", in line 5, the words:- in connection with any such loan, any lending institution providing funds, a letter of credit or other property, or any reinsurer providing reinsurance or a commitment to reinsure such loan, may participate in any such mortgage, security interest or assignment and the proceeds thereof following any default, in such manner and in such order of priority of payment as the board shall determine; any such mortgage, security interest or assignment may be assigned by the agency or granted to the trustee for any bonds of the agency sold to provide funds for any such loan.

SECTION 14. Said paragraph (c) of said section 34 of said chapter 23A, as so appearing, is hereby further amended by striking out clause (3), and inserting in placé thereof the following clause:-

(3) that if not occupied by the user or mortgagor, the project or projects will, or are likely to be, occupied by a responsible party or parties.

SECTION 15. Said paragraph (c) of said section 34 of said chapter 23A, as so appearing, is hereby further amended by striking out clause (5) and inserting in place thereof the follow-

ing clause:-

(5) that the project will provide or retain employment having a reasonable relationship to the principal amount of loans to be insured therefor, taking into account, among other things, the investment per employee of comparable industrial development facilities.

SECTION 16. Said paragraph (c) of said section 34 of said chapter 23A, as so appearing, is hereby further amended by striking out clause (8) and inserting in place thereof the following clause:-

(8) that the principal amount of the loan, excluding any portion thereof the proceeds of which are to fund reserves and disregarding any other funds or other arrangements obtained for reserve purposes, does not exceed the sum of ninety per cent of the value of the industrial development facility exclusive of machinery and equipment, plus eighty per cent of the cost of the machinery and equipment, plus the reasonable cost of arranging, insuring and issuing bonds to finance such loan as determined by the agency.

SECTION 17. Said paragraph (c) of said section 34 of said chapter 23A, as so appearing, is hereby further amended by striking out clauses (12) and (13) and inserting in place thereof the following two clauses:-

(12) that with respect to all loans on account of a project or projects for any one user or mortgagor, excluding any portions of loans the proceeds of which are to fund reserves and disregarding any other funds or other arrangements obtained for reserve purposes, the debt service or portion thereof including amounts payable as premiums or penalties in the event of mandatory or optional prepayment insured or reinsured by the agency and not reinsured or insured by other insurers coming due in any one calendar year does not exceed twenty per cent of the amount in the particular fund or funds in the Industrial Mortgage Insurance Fund securing such loans when the finding is made; and

(13) that the balance of all loans or portions thereof, excluding portions of loans the proceeds of which are to fund reserves and disregarding any other funds or other arrangements obtained for reserve purposes, insured or reinsured by the agency and not reinsured or insured by other insurers does not exceed nine times the amount in the Industrial Mortgage Insurance Fund when the finding is made.

SECTION 18. The last paragraph of said section 34 of said chapter 23A, as so appearing, is hereby amended by inserting after the word "mean", in line 3, the words:- facilities used in

connection with any.

SECTION 19. Said section 34 of said chapter 23A is hereby further amended by adding the following paragraph:-

Any insurance or reinsurance provided by the agency under this section shall be conclusive evidence that the board has made such determinations and findings, has given such approvals and has reached such conclusions as are a prerequisite to providing such insurance or reinsurance and the validity of such insurance or reinsurance shall be incontestable except for fraud or misrepresentation on the part of the mortgagor or user.

SECTION 20. Paragraph (a) of section 35 of said chapter 23A, as appearing in section 3 of chapter 496 of the acts of 1978, is hereby amended by striking out, in line 10, the word "section" and inserting in place thereof the word:- chapter.

SECTION 21. Said section 35 of said chapter 23A, as so appearing, is hereby further amended by striking out paragraph (b) and inserting in place thereof the following paragraph:-

(b) the following provisions of chapter forty D shall not apply to the agency: sections two, three, four, five, six, the third paragraph of section eight, the fourth paragraph of section ten, section twelve, except the findings required to be made under subsection (2), the sixth to eleventh sentences, inclusive, of section eighteen, section nineteen and paragraphs (a) to (e), inclusive, of section twenty-one. The agency may issue bonds for any of its purposes without obtaining a certificate of convenience and necessity from the department of commerce and development.

SECTION 22. Paragraph (d) of said section 35 of said chapter 23A, as so appearing, is hereby amended by inserting after the word "therewith", in line 5, the words:- or from reserve funds.

SECTION 23. Said section 35 of said chapter 23A, as so appearing, is hereby further amended by striking out paragraph (e) and inserting in place thereof the following paragraph:-

(e) Notwithstanding the provisions of clause (ii) of section eight, sections nine, ten, thirteen and fourteen of chapter forty D or other provisions of this chapter, (1) the resolution or resolutions authorizing the issuance of bonds of the agency may delegate to the chairman, vice chairman, executive director, deputy director or any director of the agency or any combination of them, the power to determine any of the matters set forth in section ten of chapter forty D and the power to award the bonds to a purchaser or purchasers at public sale or to negotiate a

sale to a purchaser or purchasers, provided in the latter case that such issue of bonds is to be re-offered to the public; and (2) in such manner and upon such terms and conditions provided in the resolution of the agency authorizing the issuance of, or the trust agreement securing, such bonds, the agency may combine in a single offering and issue bonds, the proceeds of which will be used to finance more than one project approved or to be approved by the agency. Without limiting the powers of the agency contained elsewhere in this chapter or in chapter forty D, in connection with any such issue of bonds, the agency may create and establish one or more special funds, hereafter referred to as "bond reserve funds", and may establish one or more costs of issuance accounts, and shall pay into each such bond reserve fund or costs of issuance account any proceeds of sale of bonds to the extent provided in the resolution authorizing the issuance of, or trust agreement securing, such bonds and any other moneys which may be available to the agency for the purpose of each such fund or account from any other source or sources. Whenever the agency issues such bonds to fund reserves or costs of issuance, it may determine whether or not the cost of funding such reserves or costs of issuance, shall be treated as a cost of the project and whether or not a financing document shall be required to provide payments to amortize principal and interest of such bonds. In any event, the expected yield on bond reserve funds may, with the approval of the agency, be taken into account in determining the sufficiency of payments required under a financing document to amortize bonds issued for costs of the project. All moneys held in any bond reserve fund are hereby pledged to, and charged with, the payment of the principal of and the interest on the bonds with respect to which such bond reserve fund may be established, as the same shall become due, and the redemption or purchase price of such bonds retired by call or purchase as therein provided. Such pledge shall be valid and binding from the time when the pledge is made. The use and disposition of moneys to the credit of such bond reserve fund shall be subject to the provisions of the resolution authorizing the issuance of, or trust agreement securing, such bonds. Except as may otherwise be provided in such resolution or such trust agreement, such bond reserve fund shall be a fund for bonds issued to finance all such projects without any distinction or priority of any bond over another; provided the agency in any such resolution or trust agreement may provide that such bond reserve fund shall be the fund for a particular project and for the bonds issued to finance a particular project and may, additionally, permit and provide for the issuance of bonds having a subordinate lien in respect of the security authorized to other bonds of the agency and, in such case, the agency may create separate or other similar funds

in respect of such subordinate lien bonds. Not withstanding the provisions of paragraphs (a) and (c) of this section, the bonds of any such issue may be issued prior to the making by the agency of the findings required to be made by the finance board in chapter forty D, provided that the agency makes such findings prior to the disbursement of the proceeds of a loan to a user. If bonds are issued in anticipation of refinancing by the issue of other bonds or by the purchase of the related financing documents and the agency determines that refinancing by one or the other of such methods is reasonably assured, such financing documents shall be sufficient if they provide for payments sufficient to amortize the principal and interest required under such refinancing and such principal and interest, if any, of the bonds first issued as will be required assuming such refinancing occurs as expected.

SECTION 24. Section 36 of said chapter 23A, as so appearing, is hereby amended by inserting after the word "insurance", in lines 2 and 15, in each instance, the words:- or reinsurance or an insurance or reinsurance commitment.

SECTION 25. Said chapter 23A is hereby further amended by striking out section 37, as so appearing, and inserting in place thereof the following section:-

Section 37. The agency shall annually submit to the governor, the chairman of the senate ways and means committee, the chairman of the house ways and means committee, the commissioner of administration, and the comptroller within ninety days after the end of its fiscal year, a complete and detailed report setting forth its operation and accomplishments, including all projects, loans, or bonds insured under the guaranteed loan program and other insured loan programs secured by the mortgage insurance loan fund; its receipts and expenditures during such fiscal year in accordance with the categories and classifications established by the agency for its operating and capital outlay purposes; and its assets and liabilities at the end of the fiscal year, including a schedule of its commitments and the status of funds.

SECTION 26. The third paragraph of subsection (2) of section 12 of chapter 40D of the General Laws, as appearing in section 10 of chapter 495 of the acts of 1978, is hereby amended by striking out clause (k) and inserting in place thereof the following clause:-

(k) the project has, so far as feasible, been located in a low income area of a municipality so that employment opportunities will become available to residents of such area, and in the case of a project including a commercial enterprise which is not otherwise qualified as an industrial enterprise or incidental thereto, the project is located in a predominantly commercial area

for which a commercial area revitalization plan has been adopted by the governing body of the municipality and approved by the secretary of communities and development and the project is consistent with the plan. The purpose of a commercial area revitalization plan shall be to prevent or arrest and reverse the decay of the area covered by the plan. The plan shall describe the area, set forth the development or redevelopment, including public improvements, proposed to carry out the purposes of the plan, and detailed design standards and a design review process to insure that any project financed under this chapter is of architectural and design quality to further the purposes of the plan. Nothing herein shall preclude the undertaking of such development or redevelopment through urban renewal or an economic and industrial corporation or by other means, subject to the laws applicable thereto. In exercising the power of approval granted by this clause, the secretary shall, among other lawful and relevant considerations, seek to avoid and correct the deterioration of older commercial centers which results from the movement of commercial enterprise to previously noncommercial areas.

SECTION 27. The agency shall maintain its existing industrial mortgage insurance program as an account within the Industrial Mortgage Insurance Fund established pursuant to section thirty-three of chapter twenty-three A for the purpose of insuring mortgage loans or portions thereof which are eligible for insurance under section thirty-four of said chapter twenty-three A utilizing the assets of said account to continue this particular program. Said account shall be credited with any monies appropriated or authorized by the board from the operating funds of the agency for the purpose of ensuring the ongoing operation of the program.

Approved January 7, 1985.

Chap. 463. AN ACT RELATIVE TO THE MASSACHUSETTS COLLEGE STUDENT LOAN AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 15C of the General Laws is hereby amended by inserting after section 22, as amended by chapter 356 of the acts of 1982, the following section:-

Section 22A. The Authority shall be liable on all claims made as a result of the activities, whether ministerial or discretionary, of any member, officer, or employee of the Authority acting as such, except for willful dishonesty or intentional violation of the law, in the same manner and to the same extent as a private

person under like circumstances; provided, however, that the Authority shall not be liable to levy or execution on any real or personal property to satisfy judgment, for interest prior to judgment, for punitive damages or for any amount in excess of one hundred thousand dollars.

No person shall be liable to the commonwealth, to the Authority or to any other person as a result of his activities, whether ministerial or discretionary, as a member, officer or employee of the Authority except for willful dishonesty or intentional violation of the law; provided, however, that such person shall provide reasonable cooperation to the Authority in the defense of any claim. Failure of such person to provide reasonable cooperation shall cause him to be jointly liable with the Authority, to the extent that such failure prejudiced the defense of the action.

The Authority may indemnify or reimburse any person, or his personal representative, for losses or expenses, including legal fees and costs, arising from any claim, action, proceeding, award, compromise, settlement or judgment resulting from such person's activities, whether ministerial or discretionary, as a member, officer or employee of the Authority; provided that the defense of settlement thereof shall have been made by counsel approved by the Authority. The Authority may procure insurance for itself and for its members, officers and employees against liabilities, losses and expenses which may be incurred by virtue of this section or otherwise.

No civil action hereunder shall be brought more than three years after the date upon which the cause thereof accrued.

SECTION 2. Section 2 of said chapter 15C, as appearing in chapter 803 of the acts of 1981, is hereby amended by striking out, in line 2, the words "Massachusetts College Student Loan Authority Act" and inserting in place thereof the words:- "Massachusetts Education Loan Authority Act."

SECTION 3. Paragraph (b) of section 3 of chapter 15C of the General Laws, as appearing in section 13 of chapter 356 of the acts of 1982, is hereby amended by striking out, in line 1, the words "loans of the authority" and inserting in place thereof the words:- loans made by the authority to other parties.

SECTION 4. Paragraph (h) of said section 3 of said chapter 15C as so appearing is hereby amended by inserting after the words "Authority", the second time it appears, the words:- , or such a loan made directly by the Authority.

SECTION 5. The first sentence of paragraph (a) of section 4

of said chapter 15C, as appearing in chapter 803 of the acts of 1981, is hereby amended by striking out, in lines 2 and 3, the words "Massachusetts College Student Loan Authority" and inserting in place thereof the words:- "Massachusetts Education Loan Authority."

SECTION 6. The sixth sentence of said paragraph (a) of said section 4 of said chapter 15C, as so appearing, is hereby amended by inserting after the word "officio", in line 2, the words:- , or the designee of the secretary.

SECTION 6A. Section 5 of said chapter 15C is hereby amended by striking out paragraph (o), as so appearing, and inserting in its place the following paragraph:-

(o) notwithstanding any other provisions in this chapter, to commingle and pledge as security for one or more series or issues of bonds, only with the consent of all of the institutions of higher education which are participating in such series or issues, (a) the education loan series portfolios and some or all future education loan series portfolios of such institutions of higher education; and (b) the loan funding deposits of such institutions. Bonds may be issued in series under one or more resolutions or trust agreements in the discretion of the Authority.

SECTION 7. Paragraph (l) of section 5 of chapter 15C of the General Laws, as appearing in section 16 of chapter 356 of the acts of 1982, is hereby amended by inserting before the word "to,", the first time it appears, the words:- to make direct education loans or.

SECTION 8. Section 13 of said chapter 15C is hereby further amended by striking out the second, third and fourth sentences, as most recently amended by sections 21 and 22 of said chapter 356, and inserting in place thereof the following sentences:- The Authority may pledge as security for the issue of bonds or notes for a particular program the revenues, as described in paragraph (b) of section ten, from each such program and any other contract rights arising out of contracts entered into by the Authority or assigned to the Authority in connection with each such program. All such pledges shall be valid and binding from the time when the pledge is made; the revenues and contract rights so pledged by the Authority shall immediately be subject to the lien of such pledge without any physical act, delivery 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 Authority or any participating institution for higher education, irrespective of whether

such parties have notice thereof. Neither the bond resolution nor any financing statement, continuation statement or other instrument by which a pledge or security interest is created or perfected or by which the Authority's interest in such revenues or contract rights is assigned needs to be filed in any public records in order to perfect the security interest or lien thereof as against third parties except in the records of the Authority.

SECTION 9. Section 18 of said chapter 15C is hereby amended by striking out the first sentence, as most recently amended by section 23 of said chapter 356, and inserting in place thereof the following sentence:- Except as otherwise provided in paragraph (c) of section seventeen, or as provided in any bond resolution applicable to any bonds of the Authority, the Authority may invest any funds in (i) direct general obligations of the United States of America, (ii) obligations the payment of the principal and interest on which, by Act of the Congress of the United States or in the opinion of the Attorney General of the United States in office at the time such obligations were issued, are unconditionally guaranteed by the United States of America, (iii) bonds, debentures, participation certificates, notes or similar evidences of indebtedness payable in cash issued by any one or a combination of any of the following: Federal Banks for Cooperatives, Federal Land Banks, Federal Home Loan Banks, Federal Farm Credit Banks, Federal Intermediate Credit Banks, Export-Import Banks of the United States, Farmers Home Administration, Federal Home Loan Mortgage Corporation, Federal National Mortgage Association or Government National Mortgage Association, and the Student Loan Marketing Association, (iv) public housing bonds issued by public agencies or municipalities are fully secured as to the payment of both principal and interest by a pledge of annual contributions under an annual contributions contract or contracts with the United States of America; or temporary notes, preliminary notes or project notes issued by public agencies or municipalities, in each case fully secured as to the payment of both principal and interest by a requisition or payment agreement with the United States of America, (v) direct and general obligations of any state or political subdivision thereof or territory of the United States to the payment of the principal of and interest on which the full faith and credit of such state is pledged, provided that at the time of their purchase such obligations are rated in one of the four highest rating categories by any nationally recognized rating agency, (vi) bank time deposits evidenced by certificates of deposit of or time deposits constituting direct obligations of banks which are members of the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation, provided that, to the extent such time deposits exceed

available federal deposit insurance, such time deposits are fully secured by obligations described in items (i) through (iv) above, which at all times have a market value (exclusive of accrued interest) at least equal to such bank time deposits so secured, including interest, or such deposits are due within one year and are issued by banks the senior long-term debt securities of which are rated in one of the four highest categories by any nationally recognized rating agency, (vii) repurchase agreements for obligations of the type specified in clauses (i) through (iv) above with federally insured banking institutions which have a capital and surplus aggregating at least one hundred million dollars, provided such repurchase agreements are fully collateralized and secured by such obligations having a market value, exclusive of accrued interest, at least equal to the purchase price of such repurchase agreements and which shall be delivered to a trustee and (viii) investment agreements with banks the senior long-term debt securities of which are rated in one of the four highest categories by any nationally recognized rating agency and which have a capital and surplus aggregating at least one hundred million dollars.

SECTION 10. The third paragraph of section 96 of chapter 140 of the General Laws, inserted by section 26A of said chapter 356, is hereby amended by inserting after the word "hundred", in line 11, the words:- , except in the event of prepayment or refinancing, in whole or in part, of any existing loans by such institution to any such student, or to any such parent, legal guardian or sponsor of a student, which refinancing or prepayment occurs within eighteen months of the date such loan was made.

Approved January 7, 1985.

EMERGENCY LETTER - January 8, 1985 @ 4:36 P.M.

Chap. 464. AN ACT PROHIBITING ABUSE OF MENTALLY ILL PATIENTS.

Be it enacted, etc., as follows:

Section 21 of chapter 123 of the General Laws is hereby amended by striking out the third paragraph and substituting in place thereof the following:-

Restraint of a mentally ill patient may only be used in cases of emergency, such as the occurrence of, or serious threat of, extreme violence, personal injury, or attempted suicide; provided, however, that written authorization for such restraint is given by the superintendent or director of the facility or by a

physician designated by him for this purpose who is present at the time of the emergency or if the superintendent or director or designated physician is not present at the time of the emergency, non-chemical means of restraint may be used for a period of one hour provided that within one hour the person in restraint shall be examined by the superintendent, director or designated physician. Provided further, that if said examination has not occurred within one hour, the patient may be restrained for up to an additional one hour period until such examination is conducted, and the superintendent, director, or designated physician shall attach to the restraint form a written report as to why the examination was not completed by the end of the first hour of restraint.

Any minor child placed in restraint shall be examined by a physician within 15 minutes of the order for restraint. A physician shall review the restraint order, by personal examination of the child or consultation with ward staff attending the child, every hour thereafter. No order for restraint shall be valid for a period of more than three hours beyond which time it may be renewed by the superintendent, director or authorized physician only upon personal examination. The reasons for the original use of the restraint, the reason for its continuation after each renewal and the reason for its cessation shall be noted upon the restraining form by the superintendent, director or authorized physician at the time of each occurrence.

No person shall be kept in restraint without a person in attendance specially trained to understand, assist and afford therapy to the person in restraint. However, the person may be in attendance immediately outside the room in full view of the patient when an adult is being secluded without mechanical restraint. Provided, however, that in emergency situations when a person specially trained is not available, a person may be kept in restraint unattended for a period not to exceed two hours. In that event, the person kept in restraints must be observed at least every five minutes. Further, the superintendent, director, or designated physician shall attach to the restraint form a written report as to why the specially trained attendant was not available.

No "P.R.N." or "as required" authorization of restraint may be written.

No restraint is authorized except as specified in this section in any public or private facility for the care and treatment of mentally ill or mentally retarded persons including the intensive care unit and Bridgewater.

No later than eight hours after the period of restraint, a copy of the restraint form shall be delivered to the person who was in restraint. A place shall be provided on the form or on attachments thereto, for the person to comment on the circumstances

leading to the use of restraint and on the manner of restraint used.

A copy of the restraint form and any such attachments shall become part of the chart of the patient. Copies of all restraint forms and attachments shall be sent to the commissioner of mental health who shall review them and sign them within thirty days, and statistical records shall be kept therefor for each facility and each designated physician. Furthermore, such reports, excluding patient identification, shall be made available to the general public at the department's central office.

Responsibility and liability for the implementation of the provisions of this section shall rest with the department, the superintendent or director of each facility or the physician designated by such superintendent or director for this purpose.

Approved January 7, 1985.

Chap. 465. AN ACT PROVIDING FOR AN EXPEDITED PROCEDURE RELATIVE TO ABATEMENTS OF TAXES ON CERTAIN ABANDONED REAL PROPERTY.

Be it enacted, etc., as follows:

SECTION 1. Section 8 of chapter 58 of the General Laws, as most recently amended by section 37 of chapter 514 of the acts of 1978, is hereby further amended by adding the following two paragraphs:-

The commissioner shall make, and from time to time revise, such rules and regulations necessary for establishing an expedited procedure for denying or granting authority to abate taxes, assessments, rates, charges, costs or interest under this section for abandoned residential property, as defined in section 1 of chapter 60, of six units or less that are proposed to be rehabilitated into six units or less, and further, no real estate shall be eligible for this expedited process on which no residential structure of any kind now stands or no portion of a residential structure remains above ground level. Said rules and regulations for said expedited procedure shall include, but not be limited to, the following: (1) an informal hearing on an abatement petition, which petition shall be required to be submitted together with information including rehabilitation plans for the property and a statement as to how such abatement will benefit the municipality; (2) an opportunity for a petitioner to request a rehearing if an application is denied; (3) limitation of 15 units irrespective of the number of parcels in which they are contained except as hereinafter provided. In determining the said number of units, the commissioner shall authorize that

number of units which were the number of legal units last appearing on the certificate of occupancy for said parcel or parcels. The commissioner shall require said limitation of only fifteen units to be rehabilitated per year by the same developer, including all parcels in which said developer has a beneficial or equitable interest. Said limitation, however, shall not apply to a community development corporation as set forth in section one of chapter forty F or any other nonprofit business entity acting as a developer.

Upon the written request of the chief executive officer and the assessors or the board or officer responsible for assessing of a city or town, the commissioner may from time to time for two year periods authorize such assessors or board or officers to grant abatements for abandoned residential property of six units or less that are proposed to be rehabilitated into six units or less; provided, that the commissioner has approved, in writing, the plan and procedures pursuant to which such assessors or board or officer shall grant or deny the abatement petition; provided, further that prior to granting an abatement the assessors or board or officer shall certify, in writing, under pains and penalties of perjury that such procedures have been followed; and provided further that the commissioner shall conduct yearly post audit of such abatements by assessors or boards or officers as he deems necessary to ensure that any authority granted under this paragraph has been properly exercised, and shall withdraw any such grant of authority upon his written finding that the authority has been improperly exercised. The commissioner, may make, and from time to time revise, such reasonable rules and regulations that are consistent with provisions of the preceding paragraph as he deems necessary to carry out the provisions of this paragraph.

SECTION 2. Section 65 of chapter 60 of the General Laws, as most recently amended by chapter 345 of the acts of 1978, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- The land court in each petition filed by a city or town may, upon motion, order the payment of legal fees to a city or town, which amount shall be added to the tax title account of the land to which the right of redemption is being foreclosed; provided, however, that such legal fees shall not exceed five hundred dollars; in no event shall the legal fees awarded exceed the actual costs incurred and the judge shall consider the taxpayer's ability to pay said fees in any such fee award.

SECTION 3. Section 69A of chapter 60 of the General Laws, inserted by section 2 of chapter 226 of the acts of 1945, is hereby amended by adding the following sentence:- If said

foreclosure petition was filed for an unoccupied or abandoned building as set forth in sections one and eighty-one A, no petition to vacate a decree of foreclosure entered under section sixty-nine and no proceedings at law or equity for reversing or modifying such a decree shall be commenced by any person other than the petitioner except within ninety calendar days after the final entry of the decree, or within one year of the final entry of the decree, if the decree was entered prior to the effective date of this section. For any decree relating to a property which stands in the name of a deceased person or person under guardianship or conservatorship, a petition may be maintained for reversal or modification of such decree up to one year from the date of decree.

Approved January 7, 1985.

EMERGENCY LETTER - January 21, 1985 @ 9:20 A.M.

Chap. 466. AN ACT PROVIDING FOR THE ESTABLISHMENT OF THE MASSACHUSETTS ADVANCED MATERIALS CHARACTERIZATION AND APPLICATIONS CENTER AND AUTHORIZING A CAPITAL OUTLAY FOR THAT PURPOSE.

Be it enacted, etc., as follows:

SECTION 1. The Massachusetts Technology Park Corporation 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, and the commissioner of administration, a proposal relative to the development and operation of the Massachusetts advanced materials characterization and applications center, hereinafter called center. Such proposal shall include, but not be limited to the following:

(a) a detailed description of the proposed activities of the center, and the economic development benefits to be engendered thereby;

(b) a description of the lands, structures, fixtures, facilities and equipment deemed necessary or appropriate by the corporation for the construction and operation of the center; and a proposed location for the center;

(c) an estimate of the capital expenses found by the corporation to be necessary or appropriate for the construction and establishment of the center;

(d) an estimate of the annual operating expenses found by

the corporation to be necessary or appropriate for the operation and maintenance of the center;

(e) an estimate of the amount and a statement of the source of federal or private funds or resources potentially available for commitment towards the establishment or operation of the center;

(f) a proposed schedule relative to the financing, construction and commencement of operations at the center; and

(g) a recommendation for the effective governance and administration of the center by the corporation.

Such proposal shall be submitted by the corporation no later than June thirtieth, nineteen hundred and eighty-five.

SECTION 2. 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 said 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; and, provided further, that the provisions of clause (4) of paragraph (b) of said section six shall not apply to the establishment of said center but that, in lieu of such requirements, no funds shall be credited to the center fund for the establishment of said center until the board of directors of the Massachusetts Technology Park Corporation certifies to the commissioner of administration that the corporation has received commitments from agencies of the United States government or from participating businesses for matching funds or equivalent support which in the aggregate is at least equal in value to the amount of the proposed disbursement from the center fund for the establishment of the center.

SECTION 3. To meet the expenditures necessary to carry out the provisions of section two, 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 1984, 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 nine. 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 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 two 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-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. All payments on account of principal and interest on the said notes shall be repaid from the General Fund.

SECTION 5. Chapter forty J of the General Laws is hereby amended by inserting the following section:-

Section 12. (a) Definition. As used in this section: (i) "Center of Excellence" or "center" means a collaborative effort between private industry and one or more educational or research institutions which has been established by the Board pursuant to the provisions of this section; (ii) "Corporation" means the Massachusetts Centers of Excellence Corporation; (iii) "Educational Institution" means a state or independent, nonprofit, post-secondary educational institution located within the Commonwealth; (iv) "MCEC Board" means the board of directors of the Massachusetts Centers of Excellence Corporation; and (v) "Research Institution" means a nonprofit organization, which may, but need not, be associated with an educational institution, that is engaged in an on-going program of basic or applied research, development or technology transfer.

(b) Massachusetts Centers of Excellence Corporation; creation; board of directors; center governing boards.

There is hereby created a body, politic and corporate, to be known as the Massachusetts Centers of Excellence Corporation hereinafter referred to as the corporation. The corporation is hereby constituted a public instrumentality of the Commonwealth and the exercise by the corporation of the powers conferred in this section shall be deemed and held to be an essential governmental function. The corporation is hereby placed in the Ex-

ecutive Office of Economic Affairs but shall not be subject to the supervision or control of said office or of any board, bureau, department or other agency of the Commonwealth except as specifically provided in this chapter.

The Corporation shall be governed by a board of directors with nine members. The Secretary of Economic Affairs shall be chairperson. The Secretary of Energy Resources shall serve, ex officio, as a director. The Governor shall appoint an additional seven directors with general expertise in promoting new applications of existing technologies and developing emerging technologies, three each from private industry and educational or research institutions, and, two from government. Each gubernatorial appointee shall serve for a term of five years, except that in making the initial appointments the Governor shall appoint one director for a one year term, one director for a two year term, one director for three year terms, two directors for four year terms and two directors for five year terms. The board of directors shall meet at least four times in each year and shall have final authority over the activities of the Corporation.

The activities of each center shall be coordinated by a governing board of nine directors with special expertise in areas of technology relevant to the activities of the center to be appointed by the Governor. The Governor shall appoint three directors each from private industry, educational or research institutions, and government. Each director shall serve for a term of five years, except that in making initial appointments the Governor shall appoint three members, one from each sector, for one year terms, three, one from each sector, for three year terms, and three, one from each sector, for five year terms. The governing boards of each center shall meet at least four times each year. The governing boards shall function as liaisons to participating business and educational or research institutions to enhance their support of and participation in the activities of each center.

Any person appointed to fill a vacancy on a board shall be appointed in like manner and shall serve for the unexpired term of the predecessor director. Any director may be reappointed. Any director may be removed by the Governor for cause. Five directors shall constitute a quorum and the affirmative vote of a majority of the directors present and eligible to vote at a meeting shall be necessary for any action to be taken by a board. The directors shall serve without compensation, but each director shall be entitled to reimbursement for actual and necessary expenses incurred in the performance of official duties.

The provisions of chapter two hundred sixty-eight A shall apply to all directors, officer and employees of the corporation except that the corporation may purchase from, sell to, borrow from, contract with or otherwise deal with any organization in

which any director of the corporation is in any way interested or involved; provided, however, that such interest or involvement is disclosed in advance to the directors and recorded in the minutes of the proceedings of the corporation; and provided, further, that no director having such interest or involvement may participate in any decision relating to such organization.

Neither the corporation nor any of its officers, directors, agents, employees, consultants or advisors shall be subject to the provisions of sections three B of chapter seven, sections nine A, forty-five, forty-six and fifty-two of chapter thirty, chapter thirty-one or sections twenty-seven and twenty-seven A to thirty-seven E, inclusive, of chapter one hundred forty-nine provided, however, that in purchasing products or services, the corporation shall at all times follow generally accepted good business practices.

All officers and employees of the corporation having access to its cash or negotiable securities shall give bond to the corporation at its expense, in such amount and with such surety as the board may prescribe. The persons required to give bond may be included in one or more blanket or scheduled bonds.

Directors and officers who are not regular, compensated employees of the corporation shall not be liable to the Commonwealth, to the corporation or to any other person as a result of their activities, whether ministerial or discretionary, as such directors or officers except for willful dishonesty or intentional violations of law. The board of the corporation may purchase liability insurance for directors, officer and employees and may indemnify said persons against the claims of others.

(c) Powers.

(1) to make, amend and repeal by-laws, rules and regulations for the management of its affairs;

(2) to adopt an official seal;

(3) to sue and be sued in its own name;

(4) to make contracts and execute all instruments necessary or convenient for the carrying on of its business;

(5) to acquire, own, hold, dispose of and encumber personal or real property of any nature or any interest therein in the exercise of its powers and performance of its duties under this section;

(6) to enter into agreements or transactions with any federal, state or municipal agency or other public institution or with any private individual, partnership, firm, corporation, association or other entity;

(7) to appear in its own behalf before boards, commissions, departments or other agencies of federal, state or municipal government;

(8) to appoint officers and to engage and employ employees, including legal counsel, consultants, agents and advisors and

prescribe their duties and fix their compensation;

(9) to establish advisory boards to expand the participation and to draw on the experience of representatives from all aspects of the technology involved in a center or a proposed center including supporting organizations and industries such as finance and education;

(10) to procure insurance against any losses in connection with its property in such amounts, and from such insurers, as may be necessary or desirable;

(11) to invest any funds held in reserves or sinking funds, or any funds not required for immediate disbursement, in such investments as may be lawful for fiduciaries in the Commonwealth pursuant to sections thirty-seven and thirty-eight A of chapter twenty-nine.

(12) to accept, hold, use, apply and dispose of any and all donations, grants, bequests and devises, conditional or otherwise, of money, property, services or other things of value which may be received from the United States or any agency thereof, any governmental agency, any institution, person, firm or corporation, public or private, such donations, grants, bequests and devises to be held, used, applied or disposed of for any or all of the purposes specified in this chapter and in accordance with the terms and conditions of any such grant. Receipt of each such donation or grant shall be detailed in the annual report of the corporation; such annual report shall include the identity of the donor or lender, the nature of the transaction and any conditions attaching thereto;

(13) to approve plans for the establishment of centers pursuant to the provisions of this section, and to construct, reconstruct, remodel, maintain, manage, lease, as lessee or lessor, such centers and to enter into contracts for the management and operations of such centers and to engage in any activity reasonably related thereto;

(14) to establish rules and regulations for the use by participating businesses and participating institutions of a center established pursuant to the provisions of this section;

(15) to determine the manner of support and participation in the programs of the corporation which are required of participating businesses and participating institutions, to enter into contracts or agreements setting forth the terms and conditions of such support and participation and to determine and designate those businesses and institutions which qualify as participating businesses and institutions;

(16) to fix and revise from time to time and charge rents and collect rates, rents, fees and charges for the use of a center or any portion thereof by participating institutions or participating businesses, or any other user;

(17) to prepare, publish and distribute, with or without

charge as the corporation may determine, such technical studies, reports, bulletins and other materials regarding its facilities and activities as it deems appropriate;

(18) to provide, or make available, educational, training, testing and ancillary fabrication facilities and equipment, and to sell or otherwise dispose of products fabricated thereby and services available therefrom in futherance of the purposes specified in this section;

(19) to exercise any other powers of a corporation organized under chapter one hundred fifty-six B; and

(20) to do any and all things necessary or convenient to carry out the purposes of this section.

(d) Centers of Excellence Fund.

There is hereby established a fund for carrying out the purposes of this chapter, hereinafter referred to as the "Centers of Excellence Fund", to which shall be credited the proceeds of any bonds or notes of the Commonwealth issued for this purpose, and any appropriations authorized by the general court specifically designated to be credited to the Centers of Excellence Fund.

The corporation shall hold the fund in an account or accounts separate from other funds. All appropriations, grants and other funds received by the corporation, and the proceeds of all investments, including the proceeds of investments of the fund, may be used to pay for the start-up expenses, project costs and current expenses of the corporation.

Unless otherwise specified, all monies of the corporation, from whatever source derived, shall be paid to the treasurer of the corporation. Said monies shall be deposited in the first instance by the treasurer in one or more national banks, trust companies or banking companies in compliance with section thirty-four of chapter twenty-nine. Funds in such accounts shall be paid out on the warrant or other order of the treasurer of the corporation or of such other person or persons as the board may authorize to execute such warrant or warrants.

The Corporation shall draw upon the Centers of Excellence Fund to provide monies to fund the Centers of Excellence approved pursuant to section twelve (e).

(e) Establishment of Centers of Excellence.

The corporation shall establish the following four Centers of Excellence: (i) the Polymer Science Center; (ii) the Biotechnology Center; (iii) the Marine Science Center; and (iv) the Photovoltaics Center and take any and all action necessary or appropriate thereto, including disbursing available funds from the fund to meet the project costs and start-up expenses of such a center, only after (a) formulation of a detailed plan for the creation and operation of such a center; provided that the plan shall be supported by independently verifiable information; and

provided further that the plan shall include, but not be limited to:

(1) a detailed description of the proposed center, including an analysis of all lands, structures, facilities, machinery and equipment reasonably necessary for the successful operation thereof; an analysis of the feasibility of utilizing surplus state real property for such a center; and a statement of the proposed project costs reasonably associated with establishing such a center, with a detailed breakdown of such project costs, including an estimate of the cost to the commonwealth of the debt service on any bonds or notes issued or to be issued in support of such a center;

(2) a statement of the proposed annual start-up expenses, project costs and current expenses of the center for the first five years of its existence, including a detailed breakdown of such costs and expenses, with a reasonable projection of that portion of said costs and expenses which the corporation expects to meet through assistance provided by participating businesses, rates, rents, fees and charges imposed upon users and support from any other source;

(3) a description of the assistance to be provided to the corporation in support of the center by participating businesses and participating institutions, with evidence of such assistance and the terms and conditions thereof, if any;

(4) a description of the public benefits to be engendered by the center, including particularly an analysis of increased and enhanced employment and educational opportunities;

(5) a description of the proposed activities of the center, including the proposed utilization thereof by participating businesses and participating institutions;

(6) a proposal for a capital outlay appropriation from the commonwealth in support of the establishment of the center and such annual maintenance appropriations as may reasonably be required for the successful operation of the center; and

(b) the board has approved the establishment of the center described in the plan, having found and incorporated in its minutes that;

(1) the center as proposed in the plan will substantially further the basic purpose of this chapter to provide for the establishment and operation of centers for the education of qualified persons in a developing technology offering substantial employment opportunities in the commonwealth.

(2) there is no reasonable expectation that the center as proposed in the plan will duplicate the actual or proposed facilities or programs of a post-secondary educational institution or consortium of such institutions located within the commonwealth, or, to the extent that a possibility for such duplication may be found to exist, the center as proposed in the plan may reason-

ably be characterized as enhancing or supplementing the ability of such an institution or consortium of institutions to conduct such actual or proposed facilities or programs;

(3) the establishment and operation of the center as proposed in the plan are beyond the financial means of any single post-secondary educational institution or consortium of such institutions located in the commonwealth, either because the capital costs or operating costs associated therewith are prohibitive or because the capital costs or operating costs associated with maintaining such a center at a level consistent with developing technology are prohibitive;

(4) the corporation has received appropriate commitments from participating businesses and participating institutions to support the center and to maintain a continuing effort to support the center; provided, that the commitments from participating businesses for project costs and start-up expenses shall be for support which, in the aggregate, is equivalent in value to the amount of the proposed disbursement from the Centers of Excellence fund and which support includes provision of the equipment and machinery necessary and appropriate to establish the center as provided in the plan; provided, further, that the commitments from participating businesses to maintain a continuing effort to support the center shall include commitments to provide the equipment and machinery necessary and appropriate to ensure that the center is maintained at a level consistent with developing technology; provided, further, that the commitments from both participating businesses and participating institutions to maintain a continuing effort to support the center shall include commitments to provide qualified individuals from among the employees thereof to serve from time to time as instructors at the center; provided further, that the provision of equipment, machinery, instructors and support of any other kind by participating businesses and participating institutions shall be at no charge to the corporation; and provided, further, that the value of said equipment, machinery, instructors and other support shall be determined by the executive director of the corporation.

(c) submission by the board of the plan and findings formulated pursuant to this section to the governor, the president of the senate and the speaker of the house of representatives, the chairman of the senate committee on ways and means and the house committee on ways and means.

The secretary of the executive office of energy resources is hereby authorized to administer all programs and activities related to a photovoltaic center of excellence.

After the four Centers of Excellence enumerated above are clearly established, the Corporation may establish additional centers after finding a similar opportunity/need regarding an-

other area of technology.

Each year, every center must submit to the MCEC Board an annual report demonstrating compliance with the purpose of this section with a new proposal indicating any changes in participation, objectives, funding requirements and whatever other factors the MCEC Board may specify. The MCEC Board shall approve such a proposal when it meets the criteria established in section twelve (e).

(f) Annual Report. The Corporation shall submit an annual report of its activities to the Governor within ninety days after the end of the fiscal year.

(g) Annual Audit. The books and records of the corporation shall be subject to an annual audit by the auditor of the commonwealth.

Approved January 7, 1985.

Chap. 467. AN ACT AUTHORIZING THE TOWN OF STOCKBRIDGE TO PAY CERTAIN DEBTS OF THE DEPARTMENT OF WATER AND SEWER WORKS FROM THE GENERAL TAX REVENUES OF SAID TOWN.

Be it enacted, etc., as follows:

Notwithstanding the provisions of chapter six hundred and ninety of the acts of nineteen hundred and seventy-two or any other general or special law to the contrary, any debt incurred for the capital improvements for the department of water and sewer works of the town of Stockbridge may be paid by said town from the general tax revenues of said town.

Approved January 7, 1985.

Chap. 468. AN ACT RELATIVE TO THE PURCHASING AUTHORITY OF THE BOARDS OF TRUSTEES OF CERTAIN INSTITUTIONS OF HIGHER EDUCATION OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

The first sentence of 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 striking out, in line 2, the words "five hundred" and inserting in place thereof the words:- two-thousand.

Approved January 7, 1985.

Chap. 469. AN ACT AUTHORIZING THE DEPARTMENT OF VETERANS' SERVICES TO PAY A CERTAIN SUM OF MONEY TO THE TOWN OF PETERSHAM 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 Petersham, subject to appropriation and subject to the approval of the commissioner of veterans' services a sum, not exceeding five thousand five hundred thirty-one dollars and eighty-nine cents, 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 from February, nineteen hundred and eighty-one through December, nineteen hundred and eighty-one. As a condition of payment said commissioner shall require the town of Petersham to present evidence that the said sum was paid in compliance with the provisions of section five of chapter one hundred and fifteen of the General Laws.

Approved January 7, 1985.

Chap. 470. AN ACT RELATIVE TO THE ISSUANCE OF WRITS OF VENIRE FACIAS FOR GRAND JURORS.

Be it enacted, etc., as follows:

Chapter 277 of the General Laws is hereby amended by inserting after section 2G the following section:-

Section 2H. The clerk of the court for Bristol county shall, not less than twenty-eight days before the first Mondays of January and July respectively, issue writs of venire facias for fifty veniremen from whom the court shall select twenty-three grand jurors to serve in said court, who shall serve for each sitting thereof for six months and until another grand jury has been impanelled in their stead.

Approved January 7, 1985.

Chap. 471. AN ACT FURTHER REGULATING THE GOVERNMENT LAND BANK.

Be it enacted, etc., as follows:

Chapter 212 of the acts of 1975 is hereby amended by striking out section 7, as most recently amended by section 6 of chapter 732 of the acts of 1977, and inserting in place thereof the following section:-

Section 7. There shall be established and set up on the books of the commonwealth a separate fund, to be known as the Government Land Bank Fund. There shall be credited to said fund the following:

(a) after deducting the administrative expenses of the bank, all principal and interest received by the bank under a mortgage financed by the proceeds of an Industrial Development Bond or note as such term is defined by the Internal Revenue Code of 1954, issued on behalf or for the purposes of the bank;

(b) monies transferred from the reserves of the bank pursuant to a vote of the board of directors of the banks;

(c) all monies transferred pursuant to an authorization by the general court;

Revenue credited to the Government Land Bank Fund shall be used for debt service on bonds and notes issued by the commonwealth on behalf of the land bank, or, upon appropriation by the general court.

The comptroller of the commonwealth shall quarterly file a report with the senate committee on ways and means, the house committee on ways and means and the commissioner of administration detailing the balance of the fund.

The proceeds of an industrial development bond as such term is defined by the Internal Revenue Code of 1954 issued after September first, nineteen hundred and eighty-two shall not be used to reduce any deficit existing in said fund.

Approved January 7, 1985.

EMERGENCY LETTER - January 17, 1985 @ 11:25 A.M.

Chap. 472. AN ACT ESTABLISHING A GRANT PROGRAM WITHIN THE DEPARTMENT OF ENVIRONMENTAL QUALITY ENGINEERING TO REMOVE INFILTRATION AND INFLOW FROM THE SEWERAGE SYSTEMS OF TOWNS, CITIES AND SEWERAGE DISTRICTS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 12 of chapter 286 of the acts of 1982 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The division of water pollution control in the department of environmental quality engineering is hereby authorized and

directed to expend a sum, not to exceed three hundred and fifty million dollars, for the purpose of carrying out the provisions of this section and of the Massachusetts Clean Waters Act, as set forth in section fifty-three of chapter twenty-one of the General Laws.

SECTION 2. Said section 12 of said chapter 286 is hereby further amended by adding the following paragraph:-

From funds made available by bonds issued pursuant to the provisions of sections twenty-one and twenty-two, said director is authorized to expend a sum, not to exceed one hundred million dollars, for the purpose of making grants to towns, cities and sewerage districts and to any public entity discharging thereto, for the purpose of construction projects to rehabilitate abatement facilities in order to remove infiltration and inflow therefrom. Such grants made by the division shall not exceed ninety per cent of the total eligible costs of such project, as determined by the division, and shall be made in accordance with eligibility criteria and a system of priority established by regulation adopted in accordance with section twenty-seven of chapter twenty-one of the General Laws. Of said one hundred million dollars the director is authorized to expend such portion of such sum, as he deems appropriate and necessary, as a grant or grants to the metropolitan district commission, for the purpose of funding a project or projects to study, design, construct, and conduct a program for monitoring, gauging and characterizing flows and volumes of wastewater in the metropolitan district sewer system and systems tributary thereto; and provided, further, that of said sum the director is also authorized to expend a sum, not to exceed one million dollars, for the purpose of funding a project or projects to assess and make evaluations and recommendations regarding the effectiveness of the grants and grant program authorized by this paragraph.

SECTION 3. Section 22 of said chapter 286 is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

To meet the expenditure necessary in carrying out the provisions of this act, the state treasurer, upon the request of the governor, shall issue and sell bonds of the commonwealth to an amount in the aggregate not to exceed four hundred and thirty-three million two hundred and fifty thousand dollars, to be specified by the governor from time to time.

SECTION 4. Item 3722-9027 of section 2 of chapter 234 of the acts of 1984 is hereby amended by striking out, in line seventeen, the word "five" and inserting in place thereof the following word:- thirteen.

Approved January 7, 1985.

Chap. 473. AN ACT TO IMPROVE RETIREMENT REGULATIONS FOR TEACHERS.

Be it enacted, etc., as follows:

SECTION 1. Subdivision (2) of section 10 of chapter 32 of the General Laws, as most recently amended by chapter 1041 of the acts of 1973, is hereby further amended by striking out paragraph (a) and inserting in place thereof the following paragraph:-

(a) Any member who retires under the provisions of this section, who has completed twenty or more years of creditable service and who before attaining age fifty-five, fails of nomination or re-election, or fails of reappointment, or whose office or position is abolished, or is removed or discharged from his office or position without moral turpitude on his part, or who has completed thirty or more years of creditable service and whose resignation becomes effective before he attains age fifty-five, shall receive a normal yearly amount of retirement allowance which shall not be less than the sum of his annuity, which shall be the actuarial equivalent of his accumulated regular deductions at his attained age on the date the allowance becomes effective, and a pension equal to a sum of not less than one-third of his average annual rate of regular compensation received during any period of three consecutive years of creditable service for which such rate of compensation was the highest; provided, that such member has paid the full amount of regular deductions on the total income of regular compensation, including deductions specified in subdivision (3A) of section three and in paragraph (d) of subdivision (1) of section twenty-two. Any member of Group 1 or Group 2 or Group 4, who is a veteran as defined in section one, shall receive an additional yearly retirement allowance of fifteen dollars for each year of creditable service or fraction thereof; provided, however, that the total amount of said additional retirement allowance shall not exceed three hundred dollars in any case.

SECTION 2. The provisions of section one of this act shall apply to any member of a city, town, county, district, or authority retirement system only upon approval of the legislative body and chief executive officer of each such governmental unit. For the purposes of this section, "legislative body" shall mean a town meeting in a town with its own retirement system; 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 the purposes of this section, "chief executive officer" shall mean the board of selectmen in a town with its own retirement system; the mayor in a city, except in a city

with a Plan D or Plan E form of government where it shall mean the city manager; the town manager in a municipality with a council form of government with its own retirement system; and the county commissioners in a county. In a district or authority, "chief executive officer" shall mean the members of such district or authority.

Approved January 7, 1985.

Chap. 474. AN ACT RELATIVE TO THE RIGHTS OF LANDLORDS.

Be it enacted, etc., as follows:

Clause (iii) of subsection (4) 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 sentence:- Nothing in this section shall limit the right of a landlord to recover from a tenant, who wilfully or maliciously destroys or damages the real or personal property of said landlord, to the forfeiture of a security deposit, when the cost of repairing or replacing such property exceeds the amount of such security deposit.

Approved January 7, 1985.

Chap. 475. AN ACT FURTHER REGULATING THE COMMITMENT OF CERTAIN ALCOHOLICS.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 35 of chapter 123 of the General Laws is hereby amended by inserting after the third sentence, inserted by section 2 of chapter 643 of the acts of 1973, the following two sentences:- Upon presentation of such a petition, if there is reasonable grounds to believe that such person will not appear and that any further delay in the proceedings would present an immediate danger to the physical well-being of the respondent, said court may issue a warrant for the apprehension and appearance of such person before it. No arrest shall be made on such warrant unless the person may be presented immediately before a judge of the district court.

SECTION 2. The third paragraph of said section 35 of said

chapter 123 is hereby amended by striking out the first sentence, as appearing in section 4 of chapter 888 of the acts of 1970, and inserting in place thereof the following sentence:- If, after a hearing, the court based upon competent medical testimony finds that said person is an alcoholic and that there is a likelihood of serious harm as a result of his alcoholism, it may order such person to be committed for a period not to exceed thirty days.

Approved January 7, 1985.

Chap. 476. AN ACT INCLUDING STUDENTS OF VETERINARY MEDICINE IN THE STATE SCHOLARSHIP PROGRAM.

Be it enacted, etc., as follows:

Section 7 of chapter 15A of the General Laws, as most recently amended by section 1 of chapter 689 of the acts of 1981, is hereby further amended by deleting the third paragraph and inserting in place thereof the following paragraph:-

The board of regents may award full or partial scholarships to worthy and qualified students who have been residents of the commonwealth for a period of four years immediately prior to receiving such award and who are in need of financial assistance in order to pursue a course of study in medicine, veterinary medicine, dentistry or nursing. Recipients of scholarships shall be selected by the board from students nominated by the deans of medicine, veterinary and dental schools and the presidents of hospitals. The board of regents shall award such scholarships and notify all applicants on or before July first in each year. No scholarships shall be awarded for more than five years to any one student. In the event a student fails to complete his or her studies, any unused balance of the scholarship shall be returned to the General Fund. The board of regents may expend such sums as may be appropriated to carry out the provisions of this paragraph.

Approved January 7, 1985.

Chap. 477. AN ACT EXEMPTING MUNICIPAL PURCHASES FROM CERTAIN PUBLIC BIDDING LAWS WHEN PURCHASING EQUIPMENT SUPPLIES AND MATERIALS FROM OTHER GOVERNMENTAL AGENCIES.

Be it enacted, etc., as follows:

Chapter 40 of the General Laws is hereby amended by inserting after section 4G the following section:-

Section 4H. Notwithstanding the provisions of sections four B, four G or section twenty-three of chapter forty-three or of any other general or special law to the contrary, any city, town or regional school district, which accepts the provisions of this section, may purchase and enter into contracts to purchase equipment, supplies and materials from any agency or instrumentality of the federal government, the commonwealth or any of its political subdivisions.

Approved January 7, 1985.

Chap. 478. AN ACT VALIDATING CERTAIN ACTION TAKEN BY THE TOWN OF SWANSEA AT A SPECIAL TOWN MEETING IN THE YEAR NINETEEN HUNDRED AND SIXTY-TWO.

Be it enacted, etc., as follows:

Notwithstanding any general or special law to the contrary, the vote taken at the special town meeting of the town of Swansea, held on November 19, 1962 to adopt, by unanimous consent, Article Four of the Warrant as an amendment to the Zoning District Map, is hereby certified, validated, confirmed and declared to be a valid amendment to the Zoning District Map in the Town of Swansea, notwithstanding the fact that the amendment was not subsequently filed with the Department of the Attorney General.

Approved January 7, 1985.

Chap. 479. AN ACT RELATIVE TO CERTAIN RETIREMENT BENEFITS FOR HAROLD F. MacGILVARY, JR., A POLICE OFFICER OF THE METROPOLITAN DISTRICT COMMISSION POLICE.

Be it enacted, etc., as follows:

Section 2 of chapter 154 of the acts of 1983 is hereby amended by striking out, in line 2, the words "said retirement board"

and inserting in place thereof the words:- the metropolitan district commission.

Approved January 7, 1985.

Chap. 480. AN ACT RELATIVE TO THE WATER DEPARTMENT OF THE TOWN OF UXBRIDGE.

Be it enacted, etc., as follows:

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

SECTION 2. This act shall take effect upon the qualification of the members of the board of public works to be elected at the annual town election of nineteen hundred and eighty-five. Said board is established in accordance with the by-laws of the town of Uxbridge.

Approved January 7, 1985.

Chap. 481. AN ACT AUTHORIZING CERTAIN ORGANIZATIONS IN THE TOWN OF NANTUCKET TO FILE FOR CERTAIN PROPERTY TAX EXEMPTIONS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of paragraph (b) of clause Third of section five of chapter fifty-nine of the General Laws, the Nantucket Columbus Associates, the Nantucket Atheneum Library, the Nantucket Agricultural Society, The Homestead of Nantucket, the Nantucket Cottage Hospital, the Nantucket Grange, the Open Land Fund, The Theatre Workshop, the Nantucket Foundation, the American Legion and The Odd Fellows Lodge #66, all of whom are property owners in the town of Nantucket, shall, provided they meet all the other requirements of said clause Third, and proivded that the list of property required by section twenty-nine of said chapter fifty-nine is filed on or before January thirtieth, nineteen hundred and eighty-five, and provided all other requirements for such exemptions are complied with, be eligible for the exemption which is provided in said section five for the taxable year commencing July first, nineteen hundred and eighty-four and ending June thirtieth, nineteen hundred and eighty-five.

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

Approved January 7, 1985.

Chap. 482. AN ACT ESTABLISHING THE CO-OPERATIVE BANK INVESTMENT FUND.

Be it enacted, etc., as follows:

SECTION 1. The directors of The Co-operative Central Bank, established by chapter forty-five of the acts of nineteen hundred and thirty-two, hereinafter called the incorporators, are hereby constituted a corporation for a term ending upon the dissolution of the said The Co-operative Central Bank under the name of the Co-operative Bank Investment Fund, hereinafter referred to as the corporation. The successors from time to time of such directors shall, for the purposes of this act, be incorporators in place of their predecessors. The purpose of the corporation shall be to hold, invest, reinvest, and manage, one or more mutual investment funds, which shall include all property of the corporation, to be derived from voluntary subscription thereto made by co-operative banks now or hereafter during said term established under the laws of the commonwealth and subject to the provisions of chapter one hundred and seventy of the General Laws, hereinafter referred to as co-operative banks. As used in this act, the term "co-operative bank" or "co-operative banks" shall include the Co-operative Banks Employees Retirement Association formed under the provisions of section thirty of said chapter one hundred and seventy.

SECTION 2. The officers of the corporation shall be a president, one or more vice-presidents, a treasurer, a clerk, a board of not less than seven nor more than fifteen directors as fixed by the by-laws, and such other officers if any, as may be authorized by the by-laws. The treasurer shall be required to give bond for the faithful performance of his duties in such sum and with such sureties as the by-laws may prescribe. The clerk, who shall be a resident of the commonwealth, shall be sworn and shall record all votes of the corporation in a book to be kept therefor. Each director of the corporation shall first have qualified as, and at all times shall be, an officer or director of a co-operative bank, but not more than seven directors shall at any one time be directors of said The Co-operative Central Bank. The office of director and any office other than director may be held by the same person. The directors shall be elected by the incorporators, initially at any time after the

effective date of this act, and annually thereafter at a time fixed by the by-laws of the corporation, which time shall be at the annual meeting of said The Co-operative Central Bank or as soon thereafter as is feasible, but any director may be removed by vote of the incorporators at any meeting thereof. The officers of the corporation other than the directors shall be elected by such directors annually at a meeting held as soon after the election of the directors as is feasible, but any officer of the corporation other than a director may be removed by vote of such directors at any meeting thereof. The directors and other officers shall hold their several offices, unless sooner removed, until others are elected and qualified in their stead. Vacancies in the number of directors occurring at any time between the annual elections may be filled by election by the incorporators in the manner provided in the by-laws of the corporation. The existence of any vacancy, however, shall not invalidate any action of the board of directors if a majority of the full number fixed by the by-laws participates in such action, or is present at a meeting at which such action is taken. Vacancies in any of the offices other than that of director occurring at any time between the annual elections may be filled by election by the directors of the corporation.

The board of directors shall have full control of the business of the corporation except as herein specifically limited. By-laws for the conduct of the business of the corporation may be adopted by the directors of the corporation subject to the approval of the incorporators and of the commissioner of banks. Such by-laws may provide for and fix the time and place of all meetings of the corporation and of the directors, define the duties of the officers, establish an executive committee of not less than three nor more than five directors with such powers while the board of directors is not in session, including the purchase and sale of securities and any or all other powers of the board of directors, as shall be therein specified, and may provide for such other officers and committees as may seem advisable.

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

SECTION 3. The corporation shall have no capital stock, but the beneficial ownership of the fund shall be represented by shares of beneficial interest without par value which shall be issued from time to time by the corporation to the subscribers

thereto, and each share so issued shall be equal in every respect to every other share; provided, however, that if the directors elect to establish distinct investment funds as provided in section four, they may authorize shares to be issued in distinct classes and each class so authorized shall represent shares of beneficial interest in one distinct investment fund so established, and every share of any such class shall be equal in every respect to every other share of such class. Such shares shall not be sold to nor held by any persons other than co-operative banks, except as follows:

(a) they may be transferred and acquired by operation of law derived from the right of a co-operative bank, if such operation of law does not stem from the voluntary action of such co-operative bank, but thereafter thay shall be held subject to the provisions hereinafter specified;

(b) they may be pledged by a co-operative bank to the same extent that any other assets of a co-operative bank may be pledged, but upon foreclosure of the pledge the pledges shall hold them subject to the provisions hereinafter specified;

(c) they may be transferred by sale or pledge, or in any other manner permitted by law, by a co-operative bank to The Co-operative Central Bank, but when the transferring co-operative bank ceases to have any legal or equitable interest in the shares so transferred The Co-operative Central Bank shall hold them subject to the provisions hereinafter specified.

Whenever, as the result of a transfer of any kind described in clause (a), (b) or (c), any share is held by any person other than a co-operative bank, the following procedure shall apply unless the board of directors or executive committee of the corporation in the exercise of sound discretion shall determine that by reason of extraordinary conditions such procedure would be injurious to the fund or unfair to some or all of the other shareholders, and shall pass a vote reciting such determination and postponing the application of such procedure for a specified time:- No dividend shall be paid on such share after thirty days from the date, if known to the corporation, when the condition specified in any of said clause (a), (b) or (c) for the application of these provisions take effect, and the corporation shall offer to repurchase, and upon acceptance of the offer shall repurchase, any share so held at the net asset value on the date of repurchase if such repurchase occurs within said thirty days. If such repurchase does not occur within said thirty days said share shall thereafter be repurchased only at the net asset value as last determined during said thirty days, less any dividends paid thereon after said thirty days. Upon receiving notice that any share is so held by any person other than a co-operative bank, and upon expiration of said thirty days without repurchase, the corporation shall cause to be set aside sufficient

funds to repurchase it as provided herein. Shares of the corporation shall be issued and sold by, or under the direction of, the board of directors of the corporation in such amounts and at such times as the directors shall determine, subject to any restrictions imposed in the by-laws; provided, that whenever any shares, except so many shares first sold out of the initial issue as will be sufficient to net a total of not more than one million two hundred fifty thousand dollars, which shares may be sold at private sale free from any requirement as to offering, are issued for sale, they shall be sold only by offering them to each co-operative bank, and thereafter, if the issue is oversubscribed, by allotment among the applicants by the directors in such manner as they see fit, subject to any provisions of the by-laws. Any co-operative bank may purchase shares from another holder, and any holder of shares may sell them to any co-operative bank, at any time, subject to any restrictions imposed by general laws or otherwise. The initial sale of shares by the corporation shall be at a price which will net the corporation, before paying any taxes in connection with such issuance or sale, at least one thousand dollars per share, and thereafter shares, except shares of which the repurchase price has become fixed after thirty days as provided in this section, shall be sold and repurchased by the corporation only at prices equal to the net asset value of the shares outstanding, such net asset value to be determined in the manner provided in section five and as of a time as near as is feasible to, but in no event more than ten days before or after, the date of offering or sale, or the date of repurchase, as the case may be. Subject to the foregoing provisions, the corporation may repurchase shares at any time on such terms and subject to such restrictions as may be provided in the by-laws, but such shares shall be cancelled and shall not be resold. All obligations incurred in the conduct of the business shall be charged against the fund, and the directors shall in their discretion determine what items shall be charged or credited to principal and income, respectively, all as they shall deem to be in accordance with sound accounting practice.

For purposes of this section, the term "co-operative bank" shall include any savings bank incorporated as such in the commonwealth and subject to the provisions of chapter one hundred and sixty-eight of the General Laws.

SECTION 4. The board of directors shall have authority from time to time to invest the funds of the corporation, and the corporation shall have powers in that respect, subject to the limitations hereafter stated, as follows:

(a) to make and acquire such loans secured by mortgages on real property situated within the limits of the commonwealth as

the federal housing administrator insures, or issues a commitment to insure and to obtain such insurance to collect and apply payments due upon and otherwise to service any such mortgage loan originated or acquired by it and with respect to any such mortgage loan to make agreements with any mortgages approved by the federal housing administrator to collect and apply payments due upon and otherwise to service or contract for the servicing of any such mortgage loan; and to exercise any powers and to do any and all things, including the acquisition, by foreclosure or otherwise, and holding, of real estate and its sale or other disposal, incidental or necessary to give effect to this authority;

(b) in public funds authorized by section two of chapter one hundred and sixty-seven F of the General Laws;

(c) in bonds and other evidences of indebtedness of corporations, associations and trusts, including guarantors and assuming obligors; provided, that such securities are not in default at the time of such investment; and provided, further, that the securities are registered on a national securities exchange, as provided in the Securities Exchange Act of 1934, 15 USC 78, or price quotations for such securities are available through publications of The National Quotation Bureau, Inc. or any comparable service, or price quotations for such securities are available through a national securities market established in conformance with section eleven A of the Securities Exchange Act of 1934, 15 USC 78 (K-1), or the securities are of a class commonly known as "money market" instruments, including, but not limited to, commercial paper, bankers' acceptances, certificates of deposit and repurchase agreements entered into with a bank;

(d) in any shares of common stock or preferred stock, provided that (1) any such common stock is registered on a national securities exchange, as provided in the Securities Exchange Act of 1934, 15 USC 78 and (2) any such preferred stock, or the common stock of the corporation issuing or having issued such preferred stock, is so registered;

(e) in any shares of common stock or preferred stock, other than those registered on a national securities exchange, for which quotations are available through publications of The National Quotation Bureau, Inc. or any comparable service, or through a national securities market established in conformance with section eleven A of the Securities Exchange Act of 1934, 15 USC 78 (K-1);

(f) the authority granted in clauses (a) to (e), inclusive, shall be subject to the following limitations:

(i) the corporation shall not purchase the stock or obligations of any one issuer or obligor if such purchase at the time thereof would cause more than five per cent of the corporation's assets to be invested in such stock or obligations. The limitations in

the preceding sentence shall not apply to purchases of the following:

(1) direct obligations of the United States;

(2) obligations unconditionally guaranteed as to the payment of principal and interest by the United States;

(3) obligations of, or instruments issued by and fully guaranteed as to principal and interest by, the Federal National Mortgage Association, established under the National Housing Act, 12 USC 1701 et seq.;

(4) debentures, bonds or other obligations issued by a federal home loan bank or consolidated federal home loan bank debentures or bonds issued by the federal home loan bank board under the Federal Home Loan Bank Act, 12 USC 1421 et seq.;

(5) debentures issued by the central bank for cooperatives or consolidated debentures issued by said central bank and the twelve regional banks for cooperatives under the Farm Credit Act of 1933, 12 USC 2001 et seq.;

(6) collateral trust debentures or other similar obligations issued by any federal intermediate credit bank or consolidated debentures or other similar obligations issued by the twelve federal intermediate credit banks under the Federal Farm Loan Act, 12 USC 641 et seq.;

(7) farm loan bonds issued by any federal land bank under the Federal Farm Loan Act, 12 USC 641 et seq.;

(8) promissory notes representing domestic farm labor housing loans authorized by section five hundred and fourteen of the Federal Housing Act of 1949 by the Federal Housing Act of 1961, 12 USC 701 et seq.; of when such notes are fully guaranteed as to principal and interest by the Farmers Home Administration of the United States Department of Agriculture;

(ii) the corporation shall not purchase any shares of common stock or preferred stock pursuant to clause (e) if such purchase at the time thereof would cause more than ten per cent of the corporation's assets to be invested in such shares or obligations;

(iii) all investments authorized under this section shall be made in the exercise of the judgment and care under the circumstances then prevailing, which men of prudence, discretion and intelligence exercise in the management of their own affairs, not in regard to speculation, but in regard to the permanent disposition of their funds, considering the probable income as well as the probable safety to their capital;

(iv) the corporation shall not invest in securities of corporations, associations or trusts which are not organized pursuant to the laws of the United States or any state, territory, possession or political subdivision of the United States without the approval of the commissioner of banks;

(g) the corporation shall have no power to borrow money;

(h) the board of directors may invest and hold the funds of

funds, provided that any such distinct investment fund shall consist solely of investments described in one or more of paragraphs (a) to (e), inclusive, and provided that the limitations contained in sub-clause (i) and (ii) of clause (f) shall apply to each such distinct investment fund individually; the corporation shall at all times keep separate accounts with respect to each such distinct investment fund, showing separately the assets and liabilities of each such fund, and the general and administrative expenses of the corporation shall be allocated among such distinct funds as the by-laws or the board of directors may provide; and every reference in this act to "the fund" shall be deemed to refer separately to each such distinct fund, unless the context otherwise requires.

SECTION 5. The asset value of each share of each class of shares of the corporation, except shares on which the repurchase price has become fixed after thirty days as provided in section three, shall be determined by the board of directors at stated intervals, not less often than once a month, as may be provided in the by-laws, and at such other times as any holder of a share or shares shall, by a separate writing on each occasion, request. The power and duty to determine asset value may be delegated by the board of directors from time to time to any two or more of the officers and directors of the corporation, or to any custodian appointed pursuant to this act. In each case the asset value shall remain effective until a new asset value has been determined and become effective. The by-laws may provide rules for the determination of such asset value, including a specification of items which are to be considered assets and liabilities respectively, and the time and manner of their valuation.

SECTION 6. The corporation shall at all times employ a national bank located in the commonwealth, or any bank organized and existing under the laws of, and located in, the commonwealth and exercising trust powers as custodian, with authority as its agent, but subject to such restrictions, limitations and other requirements, if any, as may be contained in the by-laws of the corporation, to hold the securities owned by the corporation and deliver them upon written order; to receive and receipt for any moneys of or due to the corporation and deposit them in its own banking department, or with another bank or trust company as above described, as the board of directors may direct; and to disburse such funds upon orders or vouchers; and the corporation may also employ such custodian as its agent to keep the books and accounts of the corporation and furnish clerical and accounting service, and to compute the asset value of the shares of the corporation in accordance with the provi-

sions of section five, all upon such basis of compensation as may be agreed upon between the corporation and the custodian.

SECTION 7. The board of directors may in their discretion from time to time enter into one or more investment advisory or management contract whereby the other party to any such contract shall undertake to furnish to the board of directors such investment advisory, statistical and research facilities and services with respect to any one or more distinct investment funds and such other facilities and services, if any, and all upon such terms and conditions, as the directors may in their discretion determine; provided, however, that such contract has been approved by the incorporators and (1) precisely prescribes all compensation to be paid thereunder; (2) shall continue in effect for a period more than two years from the date of its execution only so long as such continuance is specifically approved at least annually by the board of directors; (3) provides, in substance, that it may be terminated at any time, without the payment of any penalty, by the board of directors or the incorporators on not more than sixty days' written notice to the investment adviser; and (4) provides, in substance, for its automatic termination in the event of its assignment by the investment adviser; and provided, further, that no such contract or contracts shall empower any one investment adviser to advise or control the disposition of any fund or combination of funds amounting in the aggregate to more than one-half of one per cent of the total of all deposits of co-operative banks, as determined by the board of directors or the incorporators at the time any such contract is approved.

SECTION 8. The board of directors may from time to time declare and pay dividends with respect to shares of any class of shares of the corporation, and, subject to the limitations contained in this section and in section three, the amount of such dividends and the payment of them shall be wholly in the discretion of the board of directors. The directors in declaring a dividend may fix a record date not earlier than the date of declaration as of which the shareholders entitled to receive such dividend shall be determined, notwithstanding any transfer or the repurchase or issuance of any shares occurring after such record date. Ordinary dividends shall be paid only out of undistributed net income which may include accumulations from prior years. To this account shall be credited the gross earnings of the corporation, including all interest income, but excluding all capital gains whether realized or unrealized, and against this account shall be charged all current expenses and taxes, except taxes allocated to capital gains, but excluding all capital losses whether realized or unrealized. Other adjustments

if any shall be made as the board of directors shall deem to be in accordance with good accounting practice.

Dividends may also be paid out of net realized capital gains, to the date of declaration, of the year in which the dividend is paid, or out of any excess or undistributed net realized capital gains of previous years over any net realized capital losses of the current year to date of declaration; but the shareholder shall be informed, at or before the time of payment thereof, that such dividends are paid from the foregoing sources.

Inasmuch as the computation of net income and capital gains for federal income tax purposes may vary from the computation thereof on the books, the above provisions shall be interpreted to give the directors the power in their discretion to distribute in any year as dividends, including capital gain dividends, amounts sufficient to enable the corporation as a regulated investment company to avoid any liability for federal income tax in respect of that year. The directors shall be entitled to rely upon estimates made in the last two months of the year as to the amounts of distributions necessary for this purpose.

Dividends may also be declared out of any available net assets of the fund, but any dividends declared except as provided in the preceding paragraphs of this section shall be deemed liquidating dividends and the shareholders shall be so informed.

SECTION 9. The board of directors shall at least semi-annually submit to the shareholders and the commissioner of banks, a written financial report of the corporation, including financial statements which shall at least annually be certified by independent public accountants. Such reports shall also show all the securities bought and sold during the period covered by the report. Any shareholder shall have the right to inspect the books and records of the corporation at such times within business hours, and in such manner, as may be reasonable. The corporation shall be subject to the supervision of the commissioner of banks within the meaning of section one of chapter one hundred and sixty-seven of the General Laws.

SECTION 10. No incorporator or director of the corporation shall in any event be individually liable for anything done or for any liability incurred or assumed by virtue of this act except by reason of his own wilful malfeasance, bad faith, gross negligence or reckless disregard of the duties involved in the conduct of this office.

SECTION 11. The corporation and its property shall be exempt from all taxes imposed by the commonwealth, except taxes on stock transfers.

SECTION 12. Paragraph 2 of section 3 of chapter 167F of the General Laws, as appearing in section 9 of chapter 155 of the acts of 1982, is hereby amended by inserting after the word "Fund", in line 2, the following words:- and the Co-operative Bank Investment Fund.

Approved January 7, 1985.

Chap. 483. AN ACT FURTHER REGULATING THE DISCLOSURE OF CONSUMER CREDIT COSTS AND TERMS.

Be it enacted, etc., as follows:

SECTION 1. Section two A of chapter seven hundred and thirty-three of the acts of nineteen hundred and eighty-one is hereby repealed.

SECTION 2. Section 25 of said chapter 733 is hereby amended by striking out the second sentence.

Approved January 7, 1985.

Chap. 484. AN ACT RELATIVE TO THE SYSTEM OF PUBLIC CONSTRUCTION AND THE DISPOSITION OF STATE-OWNED PROPERTY IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Subsection (b) of section 38A1/2 of chapter 7 of the General Laws, as appearing in section 5 of chapter 189 of the acts of 1984, is hereby amended by striking out clause (iii) and inserting in place thereof the following clause:-

(iii) if a corporation, sole proprietorship, joint stock company or other entity, the majority of the directors or a majority of the stock ownership and the chief executive officer are persons who are registered architects, landscape architects, or engineers, and the person to have the project in his or her charge is registered in the discipline required for the project.

SECTION 2. Subparagraph (e) of section 38C of said chapter

7, as so appearing, is hereby amended by adding the following sentence:- For those projects without an associated estimated construction cost, including but not limited to feasibility studies, projects shall be exempt from the jurisdiction of the board if the cost of the design service is less than two thousand five hundred dollars or less than ten per cent of the amount shown in the first sentence.

SECTION 3. Section 38D of said chapter 7, as so appearing, is hereby amended by striking out paragraph (a) and inserting in place thereof the following paragraph:-

(a) Each contract for designer services for a project subject to the jurisdiction of the board shall be publicly advertised by the board in a newspaper of general circulation in the area in which the project is located or to be located, and in the central register established under section twenty A of chapter nine, and in such places as the board requires by regulation, at least two weeks before the deadline for filing applications; provided, however, that each contract for designer services for a project whose estimated cost of construction is not less than ten thousand nor more than twenty-five thousand dollars shall not be required to be advertised in a newspaper of general circulation but shall be required to be advertised in the central register.

SECTION 4. Paragraph (c) of section 38F of said chapter 7, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

The board shall transmit a list of the chosen finalists to the deputy commissioner. No person or firm debarred pursuant to section forty-four C of chapter one hundred and forty-nine or disqualified pursuant to section thirty-eight D shall be so included as a finalist. The board shall transmit to the deputy commissioner all material made or received relating to such recommendation.

SECTION 5. Paragraph (e) of said section 38F of said chapter 7, as so appearing, is hereby amended by striking out clause (ii) and inserting in place thereof the following clause:-

(ii) is currently employed by, or is a consultant to or under contract to an applicant.

SECTION 6. Said chapter 7 is hereby further amended by striking out section 38H, as so appearing, and inserting in place thereof the following section:-

Section 38H. (a) When the board has required that applicants list consultants which the applicants may employ, in no event shall a consultant be used who is debarred pursuant to section forty-four C of chapter one hundred and forty-nine and any change in or addition to the consultants named in the appli-

cation and allowed by the board upon appointment must be approved by the deputy commissioner and reported to the board, along with a written statement by the designer or construction manager of the reasons for the change.

(b) If the designer's or construction manager's fee is negotiated, the designer or construction manager must file a truth-in-negotiations certificate prior to being awarded the contract by the deputy commissioner, which must be incorporated into the contract. The certificate must contain:

(i) a statement that the wage rates and other costs used to support the designer's compensation are accurate, complete, and current at the time of contracting; and

(ii) an agreement that the original contract price and any additions to the contract may be adjusted within one year of completion of the contract to exclude any significant amounts if the deputy commissioner determines that the fee was increased by such amounts due to inaccurate, incomplete or noncurrent wage rates or other costs.

(c) The board may specify other special conditions or requirements in selecting a particular applicant as a finalist. If any change is made by the applicant after appointment relating to such special conditions or requirements, the change must be approved by the deputy commissioner and reported to the board along with a written statement by the appointee of the reasons for the change.

(d) A designer or programmer appointed to do a feasibility study, master plan or program for a project shall be ineligible for appointment to perform the design services for that project. This paragraph shall not apply to designers performing studies for repair work; provided, however, that such work is limited to identifying and correcting existing deficiencies in a portion of a building or its equipment; and provided, further, that the designer's fee for the combined study and design of repairs is not greater than twenty-five thousand dollars.

(e) Every contract for design services awarded under sections thirty-eight A1/2 to thirty-eight O, inclusive, shall include the following:

(i) certification that the designer or construction manager has not given, offered or agreed to give any person, corporation or other entity any gift, contribution or offer of employment as an inducement for, or in connection with, the award of the contract for design services;

(ii) certification that no consultant to or subcontractor for the designer or construction manager has given, offered or agreed to give any gift, contribution or offer of employment to the designer or construction manager, or to any other person, corporation, or entity as an inducement for, or in connection with, the award to the consultant or subcontractor of a contract by the designer or construction manager;

(iii) certification that no person, corporation or other entity, other than a bona fide full time employee of the designer or construction manager, has been retained or hired by the designer or construction manager to solicit for or in any way assist the designer or construction manager in obtaining the contract for design services upon an agreement or understanding that such person, corporation or other entity be paid a fee or other consideration contingent upon the award of the contract to the designer; and

(iv) certification with respect to contracts which exceed ten thousand dollars or which are for the design of a building for which the budgeted or estimated construction costs exceed one hundred thousand dollars that the designer has internal accounting controls as required by subsection (c) of section thirty-nine R of chapter thirty and that the designer has filed and will continue to file an audited financial statement as required by subsection (d) of said section thirty-nine R.

(f) Contracts for design services shall include a requirement that the designer at his or her own expense obtain and maintain a professional liability insurance policy covering negligent errors, omissions and acts of the designer or of any person or business entity for whose performance the designer is legally liable arising out of the performance of such contracts for design services. The designer shall furnish a certificate or certificates of such insurance coverage to the public agency prior to the award of the contract. For the purpose of this paragraph only, "public agency" shall have the meaning set forth in section thirty-nine A. A professional liability insurance policy obtained and maintained pursuant to this paragraph shall provide for coverage of not less than ten per cent of the project's estimated cost of construction for the applicable period of limitations and include any added coverage and in such amounts as the public agency shall require.

At the request of the director, a consultant employed by a designer subject to this paragraph shall obtain and maintain a liability insurance policy covering negligent errors, omissions and acts of such consultant or of any person or business entity for whose performance the consultant is legally liable arising out of the performance of the contract for consultant services. The consultant shall furnish a certificate or certificates of such insurance coverage to the division in the case of a consultant hired by a designer selected pursuant to section thirty-eight F or to a public agency not subject to the jurisdiction of said board prior to the employment of such consultant by the designer. A liability insurance policy maintained under this paragraph shall provide for coverage of such type and duration and in such amount as the public agency shall require.

(g) A designer, construction manager, or programmer who has been determined by the board to have provided materially

false statements or information under this section shall be disqualified by the board from future work on any project for such time as the board determines is appropriate.

(h) Contracts for design service may include a requirement that the designer be responsible for overseeing the construction phase of the project.

(i) Awarding authorities in cities and towns may allow a designer who conducted a feasibility study to continue with the design of a project, provided that they shall commission an independent review, by a knowledgeable and competent individual or business doing such work, of the feasibility designer's work to insure its reasonableness and its adequacy prior to allowing such a designer to continue on said project.

SECTION 7. Section 39A of said chapter 7, as appearing in section 7 of chapter 579 of the acts of 1980, is hereby amended by striking out paragraphs (g) and (g) (1) and inserting in place thereof the following two paragraphs:-

(g) "capital facility project", an undertaking by a public agency for the planning, acquisition, design, construction, demolition, installation, repair or maintenance of a capital facility.

(g1/2) "building project", a capital facility project undertaken for the planning, acquisition, design, construction, demolition, installation, repair or maintenance of any building and appurtenant structures, facilities and utilities, including initial equipment and furnishings thereof; provided, however, that appurtenant buildings or structures which are required to be constructed as integral parts of the development of sewer, water and highway systems shall not be subject to section thirty-eight C.

SECTION 8. Said section 39A of said chapter 7, as so appearing, is hereby further amended by striking out paragraph (v) and inserting in place thereof the following paragraph:-

(v) "state agency", a state agency, board, bureau, department, division, section, or commission of the commonwealth or county; provided, however, that in sections forty E to forty L, inclusive, state agency shall not include counties.

SECTION 9. The second paragraph of said section 39B of said chapter 7, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- All rules, regulations, guidelines, procedures, policies, standards, and other similar items which are issued by the deputy commissioner and which control or significantly affect the activities of contractors, designers, or the general public shall be promulgated as regulations pursuant to the provisions of chapter thirty A.

SECTION 10. Section 40A of said chapter 7, as so appearing, is hereby amended by striking out paragraph (1) and inserting in place thereof the following paragraph:-

(1) Control and supervision of all building projects undertaken by any state agency, except to the extent provided for by sections forty B and forty-three C and that the division shall exercise oversight jurisdiction over building projects undertaken by a state agency that are financed or funded from sources other than an appropriation or the issuance of bonds, notes or other evidences of indebtedness of the commonwealth. Using agencies shall cooperate in any inquiries or inspections conducted by the division of capital planning and operations.

SECTION 11. Section 40C of said chapter 7, as so appearing, is hereby amended by striking out subsection (2) and inserting in place thereof the following subsection:-

(2) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:-

"Minority", a person with a permanent residence in the United States who is American Indian, Black, Cape Verdean, Western Hemisphere Hispanic, Aleut, Eskimo, or Asian.

"Minority business", any contracting or subcontracting business, or business that supply the contractors and subcontractors which is beneficially owned by one or more minority persons as follows:-

(1) the business must be at least fifty-one per cent owned by minority persons; in the case of a corporation having more than one class of stockholders, the ownership requirement must be met as to each class of stock;

(2) the minority owners must demonstrate that they have dominant control over management;

(3) the business has not been established solely for the purpose of taking advantage of a special program which has been developed to assist minority businesses;

(4) in the case of a joint venture between a minority business meeting the requirements of clauses (1) to (3), inclusive, and a nonminority business, the joint venture shall be found to be a minority business if the minority business meeting the requirements of said clauses (1) to (3), inclusive, shall have more than one-half control over management of the project bid upon and shall have the right to receive more than one-half of the profits deriving from that project.

"Women-owned business" means any contracting or subcontracting business which is beneficially owned by one or more women meeting the requirements set forth in clauses (1) to (4), inclusive, of the definition of minority business, except that the terms "women", "women owners", and "women-owned business", shall be substituted for the terms "minority" and "minority per-

sons", "minority owners", and "minority business" appearing in that definition. "Material Supplier" refers to a vendor engaged in sales to the construction industry from an established place of business or source of supply and that vendor manufactures goods from raw materials or substantially alters them before resale or provides and maintains a storage facility for materials utilized in the work consistent with normal industry practice. A material supplier may be given one hundred per cent credit of the total purchase order if it manufactures or substantially alters the materials supplies. A material supplier that does not manufacture supplies may be entitled to a credit in the amount of ten per cent of the total purchase order for the supplies.

The deputy commissioner, with the cooperation and approval of the state office of minority business assistance (SOMBA) established by section thirty-eight of chapter twenty-three A, shall, at the beginning of each fiscal year, establish a specific annual dollar value of contracting and subcontracting work on capital facility projects subject to the supervision and control of the division of capital planning and operations which shall be reserved for minority-owned businesses and women-owned businesses. The total specific annual dollar value reserved for minority-owned businesses under this section shall not constitute less than five per cent of the value of the contracts awarded on capital facility projects during the preceding fiscal year. The total specific annual dollar value when established shall be binding on both the division and SOMBA; both agencies are required to cooperate and to take whatever steps they jointly deem necessary to implement the requirements of this section. The deputy commissioner of the division and the director of SOMBA shall meet on a quarterly basis to determine what portion of the total specific dollar value reserved for minority-owned and women-owned businesses the division has already awarded to such businesses an what further steps both agencies deem necessary to achieve the purpose of this section.

The deputy commissioner will reserve five per cent of the estimated construction cost of each capital facility project for minority-owned businesses, and five per cent for women-owned business, except as follows:-

(1) A greater percentage may be reserved to reflect the percentage of the minority population within the standard metropolitan statistical or labor market area in which the capital facility is located; to reflect the numbers of minority-owned and women-owned businesses available to perform work on a project; or to achieve the specific annual dollar value reserved for minority-owned or women-owned businesses.

(2) If because of the size, nature, or location of a particular capital facility project, it is not feasible to reserve a minimum of five per cent for a minority-owned or women-owned business,

the division may either reserve a lesser portion of work for minority-owned or women-owned businesses or waive the participation requirements on that particular project.

SOMBA may hold any project for up to thirty days for review, before bid specifications are made public, if it believes that the size, nature, or location of the project does not justify a reduction in the women or minority business set-aside below five per cent.

No portion of contracting or subcontraction work reserved for minority-owned businesses under the provisions of this section shall be awarded to any women-owned business not meeting the requirements of a minority-owned business under this section; nor shall any portion of contracting and subcontracting work reserved for women-owned businesses under the provisions of this section be awarded to any minority-owned business not meeting the requirements of a women-owned business under this section.

The deputy commissioner with the cooperation and approval of SOMBA shall develop the contract specifications, terms, conditions, and language and shall take the administrative steps necessary to carry out the purpose of this section. SOMBA shall be responsible for establishing and updating, by periodic additions and deletion, a list of minority-owned and women-owned businesses under this section, and shall cause the list to be published in the central register established by section twenty of chapter nine, and filed with the joint committee on state administration, and in such other publications as the deputy commissioner shall designate.

The deputy commissioner shall by March fifteenth of each year submit to SOMBA, the commissioner of administration, the state commission against discrimination, the joint committee on state administration, and the general court a report describing the number of contracts and subcontracts awarded by the division of capital planning and operations to minority-owned and women-owned businesses within the preceding calendar year. The report shall, at a minimum, show the name and address of each such business, its designation as a minority-owned or women-owned business, the contract, or subcontract price, a description of the work performed of such contract by class of work and project type, and shall show separately the total number of contracts awarded to minority-owned and women-owned businesses as a percentage of the total number of contracts awarded and as a percentage of the total contract price.

SECTION 12. Said chapter 7 is hereby further amended by striking out section 40D, as so appearing, and inserting in place thereof the following section:-

Section 40D. The deputy commissioner shall, no less often than once every three months, prepare a comprehensive report

on the progress of all capital facility projects subject to the jurisdiction of the division of capital planning and operations as defined by section forty B of this chapter but not including those for which a city or town is the administering agency. At the discretion of the deputy commissioner, said reports may exclude capital facility projects with a total project cost of less than twenty-five thousand dollars for which the administering agency is other than a state agency. Said report shall include, but not be limited to, a statement of the name of each project, the administering agency and the using agency, a brief current description of the project and any substantial changes in the description of the project during the past three months, the source of funds, the state of progress of the project, a summary of the total and major costs of the projects as originally estimated and as currently expended or currently estimated to be expended, the original project schedule and the current and estimated progress of the project, and such other information as the deputy commissioner may require be included. Said report shall be submitted to the commissioner of administration and the clerks of the house of representatives and the senate and shall be a public document.

The deputy commissioner of capital planning and operations shall by February fifteenth of each year prepare a comprehensive annual report on the progress of all capital facility projects subject to the jurisdiction of the division of capital planning and operation defined by section forty A. At the discretion of the deputy commissioner, said annual report need not include capital facility projects with a total project cost of less than twenty-five thousand dollars for which the administering agency is other than a state agency. Said annual report shall constitute one of the four reports required by the previous paragraph of this section but shall contain in addition to the information required in the previous paragraph for each capital facility project, the following data: the authorizations for and sources of funds and expenditure and unencumbered balances thereof; identification of the designers and contractors who have contracted with the administering agency to provide materials or services therefor, the administering agency's project and contract numbers, the value of the contracts and the amount of money paid in accordance with the contracts; and such other information as the deputy commissioner may require be included. The deputy commissioner shall also include in his/her report a statement of the problems which have arisen in the capital facility procurement programs and procedures of public agencies and his/her specific recommendations for administrative and legislative action which in his/her view are necessary to remedy such problems. Said report shall be submitted to the commissioner of administration and the general court and shall be a public document available for general distribution.

The deputy commissioner shall by February fifteenth of each year prepare a comprehensive report including but not limited to, an analysis of the utilization, cost and method of acquisition of real property acquired for the use of state agencies; the sale or rental of such real property and revenue realized therefrom; and problems which have arisen in the management of real property by the commonwealth, with specific recommendations for administrative and legislative action which in his/her view are necessary to remedy such problems. Said report shall be submitted to the commissioner of administration, the joint committee on state administration, and the general court and shall be a public document available for general distribution.

The deputy commissioner shall develop and annually revise a proposed capital repair and maintenance plan for state buildings subject to the jurisdiction of the division of capital planning and operations. The plan shall be based upon repair and maintenance schedules formulated for each building and group of buildings by the director of facilities management in accordance with the provisions of sections forty-three A, forty-three C, and forty-three E. In addition to developing capital repair and maintenance schedules for state buildings, the plan shall analyze the costs and benefits of continuing minor repairs versus the costs and benefits of major renovation, rehabilitation, or replacement of the state buildings. The deputy commissioner shall by February fifteenth of each year, submit the proposed capital repair and maintenance plan required by this paragraph to the house and senate ways and means committees and the chairmen of the joint committee on state administration.

The deputy commissioner shall keep an up-to-date record, by years and cumulatively, on all capital repair and maintenance projects completed, in process, or scheduled for the future, on all building projects subject to the jurisdiction of the division of capital planning and operations.

The deputy commissioner shall, by February fifteenth of each year, prepare a report, by years and cumulatively, on all capital repair and maintenance projects completed, in process, or scheduled for the future, on all capital facility projects, said report shall include narrative statements indicating why such repairs or maintenance on such projects have been or will be postponed or cancelled. A copy of said report shall be sent to the house and senate committees on ways and means, and to the chairmen of the joint committee on state administration.

The governor may, include in his capital outlay budget or request, a budget narrative statement, indicating why any and all repairs or maintenance on capital facility projects of the commonwealth, have been or will be postponed or cancelled.

Upon completion of the final design of each state building project estimated to cost in excess of five million dollars, the deputy commissioner shall prepare an analysis detailing the

maintenance costs projected annually over the useful life of the building. The deputy commissioner shall, by February sixteenth of each year, prepare a report summarizing the annual maintenance costs projected for each building project described in this paragraph, for which final design was completed during the prior year. The report shall be filed with the chairmen of the joint committee on state administration and the agency responsible for the operation and maintenance of the building project.

In subsequent fiscal years for which the maintenance report indicates that maintenance will be required, the agency responsible for the operation and maintenance of the building shall include the projected annual maintenance costs contained in the report in its annual budget request, provided that revisions to the maintenance costs originally projected by the deputy commissioner shall be addressed in the agency's budget narrative.

The deputy commissioner shall be responsible for providing state agencies with comprehensive maintenance manuals for all new building projects constructed on behalf of an agency.

SECTION 13. Section 40E of said chapter 7, as amended by section 6 of chapter 189 of the acts of 1984, is hereby further amended by inserting before the first paragraph the following paragraph:-

Real property, record title to which is held in the name of a state agency or the board of trustees of a state agency or similar board of a state agency, shall be deemed to be real property of the commonwealth. No deed or other instrument shall be required to effect the transfer to the commonwealth of title to such real property, but the land court department of the trial court shall, upon petition of the division of capital planning and operations, issue in the name of the commonwealth a certificate of title to any real property, title to which is registered under chapter one hundred and eighty-five in the name of a state agency or the board of trustees of a state agency or similar board of a state agency.

SECTION 14. The first paragraph of said section 40E of said chapter 7, as appearing in said section 6 of said chapter 189, is hereby amended by striking out the last two sentences and inserting in place thereof the following two sentences:- The deputy commissioner may delegate to state agencies responsibility for the acquisition, control, and disposition of real property as provided for in this chapter; except that the deputy commissioner may not delegate responsibility for determining that property is surplus to state needs as required in section forty F. When responsibility is delegated to a state agency, the written approval of the deputy commissioner shall be required before the transaction is completed, and a copy of said written approval shall be sent to the joint committee on state administration.

SECTION 15. Said section 40E of said chapter 7, as so appearing, is hereby further amended by striking out the second paragraph.

SECTION 16. Said chapter 7 is hereby further amended by striking out section 40F, as amended by section 15 of chapter 636 of the acts of 1983, and inserting in place thereof the following section:-

Section 40F. The deputy commissioner of capital planning and operations shall be responsible for the acquisition, control and disposition of real property in the manner and to the extent provided in this chapter. The deputy commissioner may delegate such responsibility to an administrator, who has ten years of experience in the management of commercial, industrial, institutional or public real property. When responsibility is delegated to an administrator the written approval of the deputy commissioner shall be required before such transaction is finalized.

The deputy commissioner shall acquire interest in real property on behalf of the commonwealth for the use of state agencies by gift, purchase, devise, grant, eminent domain, rental, lease, rental-purchase or otherwise.

In acquiring buildings for the use of state agencies, first consideration shall be given to any structures that have been certified as historic landmarks as provided by sections twenty-six through twenty-seven C inclusive of chapter nine, that have been listed in the National Register of Historic Places as provided by 16 U.S.C. section 470a (1974) or that have been designated historic landmarks by local historic commissions, unless use of such buildings would not be feasible in terms of costs and requirements when compared with other available properties.

Notwithstanding any laws to the contrary, real property acquired for the use of state agencies shall be held in the name of the commonwealth.

The deputy commisioner shall assist in the preparation and shall approve of plans for the organization of all space within and around buildings and appurtenant structures used by state agencies, and shall assign the use of space within and around the state house, in accordance with the provisions of sections ten, sixteen A and seventeen of chapter eight the John W. McCormack State Office Building; the Leverett Saltonstall State Office Building; the Springfield Office Building; the Pittsfield Office Building; the Erich Lindemann Building; the Charles F. Hurley Building; any real property acquired for the use of state agencies, the greater part of which is not needed by any one state agency; and any other real property assigned by law to the division of capital planning and operations.

The deputy commissioner, with the written approval of the commissioner of administration, may transfer use of, and responsibility for maintenance of, buildings, including equipment

therein, within or between state agencies. No such transfer within or between state agencies which involves either a change in the purposes for which such building is currently used or a change in use in excess of fifty per cent of the usable floor space, shall be made without the prior approval of the general court. Any such transfer shall be based on a determination, made by the deputy commissioner with the advice of the executive heads of affected agencies and secretaries of the executive offices in which such agencies are located, that such property is not needed, is under utilized, or is not being put to optimum use under current conditions. The deputy commissioner shall notify the house and senate committees on ways and means and the representatives to the general court from the city or town in which such real property is located not less than thirty days prior to the final authorization of any transfer which does not require the approval of the general court, and such transfer shall only be made when the general court is in session except as provided hereafter. Such transfer may be made when the general court is not in session, and the thirty day notification requirement may be waived, only if the deputy commissioner certifies in writing that an emergency exists; provided that, any such transfer may be authorized for a period not to exceed six months, and provided further, that the deputy commissioner shall submit his/her certification to and notify the house and senate ways and means committees of such transfer at the earliest possible opportunity.

The deputy commissioner may, after notification to and with the advice of the executive heads of state agencies and secretaries of the executive offices, determine that real property is not needed for the use of any state agency. If he determines that such property is surplus to both the current and foreseeable needs of state agencies, the deputy commissioner shall determine whether any other public agency has a current or foreseeable direct public use for the property. For the purposes of determining whether property is surplus to direct public use, direct public use is defined in this section as use of property for a public agency's own operations, but does not include conveyance by such agency of any interest in the property to another party, but does include lease of the property by local housing authorities to public housing tenants.

When property is determined to be surplus, to either current state or current direct public uses, but not to foreseeable state or foreseeable direct public uses, the deputy commissioner shall take such action as is necessary to ensure that any disposition of the property is temporary and maintains the deputy commissioner's ability to make such property available to a state agency or other public agency at such time as it is needed.

If the deputy commissioner determines that the property is not needed for current or foreseeable state or direct public use as

defined above and that the property should be disposed of, he shall declare that the property is available for disposition and shall identify restrictions, if any, on the property's use and development necessary to comply with established state and local plans and policies, and he shall send written notification of such to the house and senate committees on ways and means, and the joint committee on state administration.

The deputy commissioner may convene an advisory committee to advise him on reuses and to recommend reuse restrictions for property declared surplus. If an advisory committee is convened, the deputy commissioner shall invite the representatives to the general court from the city or town in which the property is located to serve on the committee. The deputy commissioner shall prepare a preliminary report on his findings, which shall include both his recommendation, and those of the advisory committee if established, for reuse restrictions for the property.

The deputy commissioner shall conduct a public hearing to consider potential reuses and reuse restrictions for the surplus property and to review the deputy commissioner's preliminary report if the property exceeds two acres or if the deputy commissioner determines that a hearing should be held for a smaller parcel. If he determines to conduct a hearing, the deputy commissioner shall provide notice in the central register of the public hearing at least sixty days prior to (1) notification to the house and senate committees on ways and means and the joint committee on state administration, of a temporary disposition of property to a public agency for less than five years for a direct public use, or (2) submission of a request to the general court for authority to otherwise dispose of real property as provided in this section. A notice of the public hearing shall also be placed, at least once each week for the four consecutive weeks preceding the hearing, in newspapers with sufficient circulation to inform the people of the affected locality. The hearing shall be held in the locality in which the property is located no sooner than thirty days and no later than thirty-five days after the notice is published in the central register.

The deputy commissioner may, with the written approval of the commissioner, enter into agreements for the direct public use of surplus real property by public agencies other than state agencies, for a term not to exceed five years. Such agreement shall prohibit subsequent conveyance of interest in the property by the public agency to another party. The deputy commissioner shall notify the house and senate committees on ways and means and the joint committee on state administration thirty days prior to the final authorization of any such agreement. The notification shall include the deputy commissioner's report on recommended reuse restrictions. In no event shall any such agreement be made when the general court is not in session.

The deputy commissioner shall establish the value of surplus

property through procedures customarily accepted by the appraising profession as valid for determining property value. The value shall be calculated both for: (1) the highest and best use of the property as currently encumbered; and (2) uses and encumbrances defined by the deputy commissioner.

The deputy commissioner may, with the approval of the commissioner, request from the general court authorization to dispose of state real property determined to be surplus to state agency needs: (1) to public agencies of the commonwealth other than state agencies for direct public uses, over a period exceeding five years, (2) to a public agency of the commonwealth other than a state agency, for uses other than direct public uses, and (3) to an individual, entity, or the federal government; or any extension of any agreement for such use beyond a cumulative period of five years. Accompanying his request for authorization to dispose of property, the deputy commissioner shall submit his report including a description of the property, its current use, structures, and approximate metes and bounds, the value of the property and recommended restrictions, if any, on reuses of the property. The deputy commissioner shall also request authorization to negotiate real property disposition agreements with parties to be selected by the deputy commissioner after he evaluates competitive proposals. Disposition agreements subsequently negotiated by the deputy commissioner shall be consistent with the reuse restrictions approved by the general court.

Notwithstanding the provisions of this section, leases for agricultural purposes on land owned by the commonwealth shall be made for a term of not more than five years, and the renewal date for such leases shall not be less than one year prior to the end of the lease period. Holders of such leases shall be given the opportunity to renew such leases for a consideration equal to the current lease amount plus an escalation amount to be established annually by the deputy commissioner for application to all such leases.

The deputy commissioner shall monitor compliance with disposition agreements.

The deputy commissioner shall develop regulations governing the conditions under which he will recommend to the general court that a public agency, including but not limited to the government land bank, receive title to surplus property for other than direct public use.

For bills which authorize the sale, transfer, or other disposition of any state-owned real property filed by persons other than the deputy commissioner of capital planning and operations, the clerk of the house of representatives and the clerk of the senate shall, within ten days of the filing, forward a copy of said bill to the deputy commissioner. Within ninety days of the receipt of said copy, the deputy commissioner shall submit in writing a report to the commissioner of administration, the

legislative committee before which the bill is pending, and the joint committee on state administration together with a recommendation for either the approval or the disapproval of the bill and his reasons therefor.

If the deputy commissioner is recommending the approval of a bill proposing the disposition of a parcel exceeding two acres, said report shall include: (1) a description of the property including its current use, structures, and approximate metes and bounds; (2) the value of the property, determined through procedures customarily accepted by the appraising profession as valid for such purposes, calculated both for (a) the highest and best use of the property as currently encumbered and (b) uses and encumbrances that would be imposed by the bill if enacted; (3) all current and foreseeable direct public uses identified by following the division's procedures for such purposes as they apply to the property to be disposed (4) other potential public and private uses of the property; and (5) any other information the general court may require.

The deputy commissioner shall expeditiously review and recommend approval or disapproval of any proposal to the general court for the sale, rental or other disposition of real property acquired on behalf of state agencies, and shall dispose of real property as mandated by the general court. All legislation submitted to the general court by the division of capital planning and operations requesting authorization to convey or transfer real property under its jurisdiction shall be accompanied by a full report outlining the division's reasons for pursuing said conveyance or transfer.

SECTION 17. Said chapter 7 is hereby further amended by inserting after section 40F the following section:-

Section 40F1/2. (a) When authorized by the general court to sell, rent or otherwise dispose of real property, the deputy commissioner shall proceed in accordance with the provisions of this section, provided that any action or determination required hereunder which the deputy commissioner has undertaken within eighteen months prior to enactment of the authorization to dispose of the property need not be repeated if the deputy commissioner (1) files, as provided in subsection (b), a report fully describing such action or determination, a copy of which shall be sent to the clerks of the senate and the house of representatives, and the joint committee on state administration, and (2) certifies under penalties of perjury that such report is accurate and that the action or determination described therein was undertaken within eighteen months prior to the date of enactment of the authorization to dispose of the property.

The deputy commissioner shall, after notification to and with the advice of the executive heads of state agencies and secretaries of the executive offices, determine whether such property

is surplus to both current and foreseeable needs of state agencies. If the deputy commissioner determines that the property is not surplus to either current or foreseeable needs of state agencies, he shall make no disposition that is inconsistent with such determination.

If the deputy commissioner determines that such property is surplus to both the current and foreseeable needs of state agencies, he shall provide written notice, for each city or town in which the property is located, to the city manager in the case of a city under Plan E form of government, the mayor and city council in the case of all other cities, the chairman of the board of selectmen in the case of a town, the county commissioners, the regional planning agency, and the members of the general court. The deputy commissioner shall set forth in such notice a description of the property; a declaration that the property is surplus to the needs of state agencies and that subject to the approval of the deputy commissioner the property is available to any other public agency for a direct public use; and a statement that, if so requested by any public official or body entitled under this section to receive such notice, a public hearing will be conducted in the city or town where such property is located, to assist the deputy commissioner in determining whether any other public agency has a current or foreseeable direct public use for the property. Following such hearing, if any, but in no event earlier than thirty days following the notice, the deputy commissioner shall determine whether any other public agency has a current or foreseeable direct public use for the property. If he determines that the property is not surplus to either current or foreseeable direct public uses of public agencies, he shall make no disposition that is inconsistent with such determination.

When the property is determined to be surplus to either current state or current direct public uses, but not to foreseeable state or foreseeable direct public uses, the deputy commissioner shall take such action as is necessary to ensure that any disposition of the property is temporary and maintains the deputy commissioner's ability to make such property available to a state agency or other public agency at such time as it is needed.

If the deputy commissioner determines that the property is surplus to both current and foreseeable direct public uses of public agencies, he may dispose of the property to a public agency for other than direct public use, or to an individual or entity, provided that any such disposition shall be subject to the provisions of section forty H.

If the deputy commissioner determines that the property is not needed for current or foreseeable state or direct public use and that the property should be disposed of, either temporarily or permanently, he shall declare that the property is available for disposition and shall determine appropriate reuse restrictions.

The deputy commissioner shall ensure that any rental agreement, and in the case of a conveyance a deed or separate disposition agreement as deemed appropriate by the deputy commissioner, shall set forth all such reuse restrictions; shall provide for effective remedies on behalf of the commonwealth, including if deemed appropriate by the deputy commissioner that title to the property, or such lesser interest as is the subject of the disposition agreement, shall revert to the commonwealth in the event of a violation of any such reuse restriction; and shall provide, in the case of a disposition to a public agency for a direct public use, that the title to the property, or such lesser interest as is the subject of the disposition agreement, shall revert to the commonwealth in the event the property is no longer utilized for such direct public use.

In determining reuse restrictions, the deputy commissioner shall conform to all such restrictions pertaining to the property which may have been mandated by the general court, and may adopt additional restrictions, taking account of established state and local plans and policies. The deputy commissioner shall conduct a public hearing to consider reuse restrictions if the property exceeds two acres or if the deputy commissioner determines that a hearing should be held for a smaller parcel. Notice of the public hearing shall be placed at least once each week for four consecutive weeks preceding the hearing, in newspapers with sufficient circulation to inform the people of the affected locality. The hearing shall be held in the locality in which the property is located no sooner than thirty days and no later than thirty-five days after notice thereof is published in the central register.

The deputy commissioner shall establish the value of the property, through procedures customarily accepted by the appraising profession as valid for determining property value, for both the highest and best use of the property as currently encumbered and under the reuse restrictions as determined pursuant to this section.

No agreement for the rental or other disposition of state-owned real property, and no deed, executed by or on behalf of the commonwealth, shall be valid unless such agreement or deed contains the following declaration, signed by the deputy commisioner:

> The undersigned certifies under penalties of perjury that I have fully complied with the provisions of Section 40F1/2 of Chapter 7 of the General Laws in connection with the property described herein.
>
> _____
> Deputy Commissioner, DCPO
> Date: _____

(b) The deputy commissioner shall maintain, for a period of at

least six years next following enactment of an authorization by the general court to dispose of real property, a file containing a copy of each document necessary to establish fulfillment of the requirements of subsection (a). Such file shall be open to public inspection.

SECTION 18. Said chapter 7 is hereby further amended by striking out section 40H, as amended by section 7 of chapter 189 of the acts of 1984, and inserting in place thereof the following section:-

Section 40H. At least thirty days before opening proposals for the acquisition by purchase or rental of real property for the use of state agencies from an individual or entity, or for the sale or rental of real property used by state agencies (1) to a public agency other than a state agency for other than a direct public use, or (2) to an individual or entity, the deputy commissioner of capital planning and operations shall advertise in the central register published by the state secretary pursuant to section twenty of chapter nine stating therein the need for or availability of such property, and inviting submission of such proposals. The advertisement shall specify the geographical area, terms and requirements of the proposed transaction, and shall state the time and place for the submission of such proposals and for the opening thereof. In case of the rental or sale of over two thousand five hundred square feet of real property, such advertisement shall also be placed at least once each week for four consecutive weeks in newspapers with a circulation sufficient to inform the people of the affected locality. The last publication shall occur at least eight days preceding the day for opening proposals.

The advertising requirement may be shortened or waived if (1) the deputy commissioner certifies in writing that an emergency exists, a copy of such written certification shall be sent to the joint committee on state administration, provided that every reasonable effort be made to seek competitive proposals, and provided that the deputy commissioner shall disclose his reasons for declaring the emergency in the central register at the earliest opportunity; or (2) in the case of a proposed acquisition, if the deputy commissioner determines that such advertising will not be beneficial to the commonwealth's interest because of the unique qualities or location of the property needed, provided that the deputy commissioner shall set forth in writing his reasons for such determination, relating such unique requirements to the property proposed to be acquired, and that such determination and the reasons therefor shall be published in the central register not less than thirty days before any binding agreement to acquire such property is executed, together with the name of the parties having a beneficial interest in the property pursuant to section forty J, the location and

size of the property, and the proposed purchase price or rental terms.

Compliance with the foregoing provisions pertaining to advertising shall be a condition precedent to the validity of any deed or rental agreement executed by or on behalf of the commonwealth.

The deputy commissioner shall also place notification in the central register of the individual or firm selected as party to any such real property transaction, and the amount of such transaction. In no instance in which the state retains responsibility for maintenance of the property shall the terms provide for payment of less than the maintenance costs. If the deputy commissioner decides to dispose of the property at a price less than any of its values established pursuant to the provisions of section forty F one-half, the deputy commissioner shall include a justification for such decision in the notice and shall disclose the difference between the calculated value and the price received.

After the execution of a rental or sale agreement completing such transaction, all proposals relating thereto shall be retained by the deputy commissioner and shall be open to inspection by the public until the expiration of such agreement or six months from the date thereof, whichever occurs first, and may thereafter be destroyed by him/her.

SECTION 19. Said chapter 7 is hereby further amended by striking out section 40I, as appearing in section 12 of chapter 579 of the acts of 1980, and inserting in place thereof the following section:-

Section 40I. At least one hundred and twenty days prior to any purchase, sale, rental, lease, transfer, or significant change in use of one or more acres of real property by the commonwealth on behalf of state agencies, the deputy commissioner of capital planning and operations shall notify in writing, for each city or town in which the real property is located: the city manager in the case of a city under Plan E form of government, the mayor and the city council in the case of all other cities, the chairman of the board of selectmen in the case of a town, the county commissioners, the regional planning agency, and the members of the general court. Such one hundred and twenty day notification requirement may be shortened if: (1) the public officials referred to above agree to reduce the one hundred and twenty day period upon the request of the deputy commissioner; or (2) the deputy commissioner certifies in writing that an emergency exists, provided that deputy commissioner shall submit his/her certification to and notify the appropriate local officials of any such transaction at the first possible opportunity. The notice shall include a statement of the present use, the reason for the proposed action, and the proposed use of the property. The deputy commissioner shall at least sixty days

prior to any such purchase, sale, rental, lease, transfer, or significant change in use of one or more acres of real property, cause a public hearing to be held, after giving timely notice, in the city or town where such real property is located for the purpose of disclosing the conditions or reasons for the proposed action.

SECTION 20. The first paragraph of section 40K of said chapter 7, as so appearing, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- The real property inventory shall be published annually for distribution to state agencies and regional planning agencies, shall be filed by February fifteenth each year with the clerk of the house of representatives and the senate and the joint committee on state administration and shall be a public document available for general distribution.

SECTION 21. Said chapter 7 is hereby further amended by striking out section 40L, as so appearing, and inserting in place thereof the following section:-

Section 40L. The deputy commissioner of capital planning and operations shall establish rules and regulations for the acquisition, utilization and disposition of real property, which shall be applicable to state agencies and which shall be recommended to counties and building authorities and which shall be filed with the clerks of the house of representatives and the senate and the joint committee on state administration. The deputy commissioner shall review rules and regulations promulgated by the department of community affairs for the acquisition, utilization and disposition of real property and shall recommend approval or disapproval of such rules and regulations to the secretary of communities and development. The deputy commissioner may, at his/her discretion, delegate responsibility for the establishment of rules and regulations for the acquisition, utilization and disposition of real property, subject to his/her approval, to state agencies with special needs and a proven capability to promulgate such rules and regulations.

Such rules and regulations shall, at a minimum, provide for:

(a) a determination of the amount and type of real property needed to accommodate functions performed by agencies of the commonwealth;

(b) a standard format for rental agreements and rental specifications;

(c) current fair market rentals by geographical area;

(d) methods of procurement and evaluation of service contracts for state-owned and rented real property;

(e) procedures and criteria for determining when real property is not needed, is underutilized, or is not being put to optimum use;

(f) rates to be charged in the rental of real property to public and federal agencies and private individuals and entities;

(g) the method of procurement of independent determinations of property value, the number of such determinations, and the review of such determinations required before real property may be sold, purchased, or rented;

(h) procedures to be employed in determining prices and terms for the sale, rental, or purchase of real property and certification required for proof of such procedures;

(i) the satisfaction of requirements for the acquisition and disposition of real property as mandated by law and regulation;

(j) the organization of space within buildings to maximize utilization;

(k) a standard format for the disclosure of beneficial interest as mandated by section forty J; and

(l) the type and method of collection of information to be included in the real property inventory established by section forty K.

All such rules and regulations shall be filed in accordance with and subject to the provisions of section thirty-nine B by the deputy commissioner of the division of capital planning and operations.

SECTION 22. The first paragraph of section 41B of said chapter 7, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Except as otherwise provided in this section or by any appropriation act, the director of programming shall, in the manner and to the extent provided by this section, have control and supervision of the study and programming of all capital facility projects of state agencies and building authorities.

SECTION 23. Said section 41B of said chapter 7 is hereby further amended by striking out the fourth paragraph, as amended by section 9 of chapter 189 of the acts of 1984, and inserting in place thereof the following paragraph:-

The director shall create a depository for plans, studies, programs, and designs for building projects prepared for any using agency subject to the jurisdiction of the division of capital operations under section forty A of this chapter. Each such agency shall promptly send to the director a brief identification and description of each plan, study, program, and design after its completion. The designer selection board shall promptly send to the director a brief identification and description of any designs offered to it as part of any design competition administered by the board pursuant to section thirty G. Upon request by the director, the user agency or board shall send to him/her a copy of said plan, study, program, or design.

SECTION 24. The fourth paragraph of section 42B of said chapter 7, as appearing in section 12 of chapter 579 of the acts of 1980, is hereby amended by striking out, in lines 7 and 8, the words "7K of this chapter" and inserting in place thereof the words:- seven K of chapter twenty-nine.

SECTION 25. The third paragraph of section 42C of said chapter 7, as so appearing, is hereby amended by striking out, in line 11, the words "7K of this chapter" and inserting in place thereof the words:- seven K of chapter twenty-nine.

SECTION 26. Said section 42C of said chapter 7, as so appearing, is hereby further amended by striking out the fifth and sixth paragraphs and inserting in place thereof the following two paragraphs:-

The director shall be responsible for accepting or rejecting each project upon its completion and for directing final payment for work done thereon; provided, however, that if upon inspection of any project for acceptance he shall find that the plans, specifications, contracts or change orders for the project shall not have been fully complied with, he shall, until such compliance has been effected or adjustment satisfactory to him has been made, refuse to accept the project and direct such payment.

Upon acceptance of the project, the director shall release the same to the using agency, unless the using agency objects to said release, in which case the director shall work with the using agency to remove the causes of the objection. The director shall not refuse to accept the project from the contractor and shall not refuse to direct final payment to the contractor because of the using agency's objections if the director has determined that the contractor has completed the project in accordance with contract.

SECTION 27. Clause (5) of the second paragraph of section 42D of said chapter 7, as so appearing, is hereby amended by striking out, in line 12, the words "7K of this chapter" and inserting in place thereof the words:- seven K of chapter twenty-nine.

SECTION 27A. Section 42F of said chapter 7, as so appearing, is hereby amended by striking out, in lines 14 and 15, the words "7K of this chapter" and inserting in place thereof the words:- seven K of chapter twenty-nine.

SECTION 28. The third paragraph of section 43A of said chapter 7, as appearing in section 15 of said chapter 579, is hereby amended by inserting after the third sentence the following sentence:- Said inventory shall be filed by the deputy

commissioner by February fifteenth yearly with the clerks of the house of representatives and senate, and with the joint committee on state administration, and shall be a public document available for general distribution.

SECTION 29. Section 43E of said chapter 7, as so appearing, is hereby amended by inserting before the first paragraph the following paragraph:-

As used in this section, "using agencies" shall mean state agencies and building authorities.

SECTION 30. Section 20A of chapter 9 of the General Laws, inserted by chapter 634 of the acts of 1982, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

Every public agency or public authority of the commonwealth and every political subdivision thereof shall report to the secretary on a timely basis, in such form as the secretary shall prescribe by regulation, all contracting opportunities and proposed transactions publication of which in the central register is required by this section, regulations promulgated hereunder, or any other general or special law.

SECTION 31. Section 7C of chapter 29 of the General Laws, as appearing in section 47 of chapter 579 of the acts of 1980, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

Each public agency other than cities and towns shall prepare and submit to the deputy commissioner of capital planning and operations in addition to its long-range capital facilities development plan or revision thereof, an annual capital facility budget at such time as the said deputy commissioner shall require.

SECTION 32. The first paragraph of section 7D of said chapter 29, as so appearing, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- Each secretary shall furnish to the house and senate committees on ways and means and the legislative committees on post audit and oversight of the general court, copies of all such plans, requests, and reports.

SECTION 33. The second paragraph of section 7I of said chapter 29, as so appearing, is hereby amended by striking out, in line 14, the words "of this chapter".

SECTION 34. Section eight A of said chapter twenty-nine is hereby repealed.

SECTION 35. Paragraph (a) of section 39M of chapter 30 of

the General Laws, as most recently amended by section 2 of chapter 701 of the acts of 1983, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- Every contract for the construction, reconstruction, alteration, remodeling or repair of any public work, or for the purchase of any material, as hereinafter defined, by the commonwealth, or political subdivision thereof, or by any county, city, town, district, or housing authority, and estimated by the awarding authority to cost more than five thousand dollars, and every contract for the construction, reconstruction, installation, demolition, maintenance or repair of any building by a public agency, as defined by subsection one of section forty-four A of chapter one hundred and forty-nine, estimated to cost more than five thousand dollars but not more than twenty-five thousand dollars, shall be awarded to the lowest responsible and eligible bidder on the basis of competitive bids publicly opened and read by such awarding authority forthwith upon expiration of the time for the filing thereof; provided, however, that such awarding authority may reject any and all bids, if it is in the public interest to do so.

SECTION 36. Subparagraph (c) of section 39Q of said chapter 30, as amended by section 35 of chapter 189 of the acts of 1984, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- Within twenty-one calendar days of the receipt of a written decision or of the failure to issue a decision as stated in the preceding subparagraph, any aggrieved party may file a notice of claim for an adjudicatory hearing with the division of hearing officers or if the amount in controversy exceeds ten thousand dollars in lieu of appealing the decision of the chief executive official, the aggrieved party may file an action directly in a court of competent jurisdiction and shall serve copies thereof upon all other parties in the form and manner prescribed by the rules governing the conduct of adjudicatory proceedings of the division of hearing officers.

SECTION 37. Paragraph (b) of section 39R of said chapter 30, as appearing in section 62 of chapter 579 of the acts of 1980, is hereby amended by striking out clause (2) and inserting in place thereof the following clause:-

(2) until the expiration of six years after final payment, the office of inspector general, and the deputy commissioner of capital planning and operations shall have the right to examine any books, documents, papers or records of the contractor or of his/her subcontractors that directly pertain to, and involve transactions relating to, the contractor or his/her subcontractors, and.

SECTION 38. Said section 39R of said chapter 30 is hereby further amended by striking out paragraph (d), as so appearing, and inserting in place thereof the following paragraph:-

(d) Every contractor awarded a contract by the commonwealth or by any political subdivision thereof shall annually file with the deputy commissioner of capital planning and operations during the term of the contract a financial statement prepared by an independent certified public accountant on the basis of an audit by such accountant. The final statement filed shall include the date of final payment. All statements shall be accompanied by an accountant's report. Such statements shall be made available to the awarding authority upon request.

SECTION 39. Paragraph (e) of said section 39R of said chapter 30, as so appearing, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- A contractor's failure to satisfy any of the requirements of this section may be grounds for debarment pursuant to section forty-four C of chapter one hundred and forty-nine.

SECTION 40. Said section 39R of said chapter 30 is hereby further amended by striking out paragraph (f), added by section 1 of chapter 593 of the acts of 1982, and inserting in place thereof the following paragraph:-

(f) Records and statements required to be made, kept or filed under the provisions of this section shall not be public records as defined in section seven of chapter four and shall not be open to public inspection; provided, however, that such records and statements shall be made available pursuant to the provisions of clause (2) of paragraph (b).

SECTION 41. Section 28 of chapter 35 of the General Laws, as most recently amended by section 2 of chapter 121 of the acts of 1983, is hereby further amended by striking out subsection (d) and inserting in place thereof the following subsection:-

(d) Notwithstanding the provisions of this section, and unless otherwise specifically provided for by statute, county capital facility projects, as defined by section thirty-nine A of chapter seven, shall be subject to the provisions of sections seven A, seven B, seven C, and seven D of chapter twenty-nine and any other provisions of chapter twenty-nine applicable to capital facility projects to the same degrees and extent as other state agencies, as defined by section thirty-nine A of said chapter seven.

SECTION 42. Sections twenty-eight and twenty-eight A of chapter forty-three of the General Laws are hereby repealed.

SECTION 43. Chapter 149 of the General Laws is hereby

amended by inserting after section 29A the following two sections:-

Section 29B. Any agreement between an owner and a contractor to waive or cancel a payment bond which the specifications inviting bids for construction work state will be furnished for that construction work will be a false and deceptive act in commerce as set forth in section two of chapter ninety-three A as to all persons who furnished labor or labor and materials or materials for the construction work in reliance upon the specification provisions for the furnishing of the payment bond. No provision in the specifications reserving the right to waive or cancel the requirement for furnishing a payment bond shall be valid as a defense against a claimant who relied upon the provision requiring the furnishing of the payment bond unless that reservation appears in the specifications immediately following the provision requiring the furnishing of the payment bond.

Section 29C. Any covenant, promise, agreement or understanding in or in connection with or collateral to contract or agreement relative to the construction, reconstruction, alteration, remodeling, repair or demolition of a building, structure, highway, appurtenance and appliance, including moving and excavating connected therewith, purporting to indemnify or hold harmless the promisee or indemnitee against liability for damage arising out of bodily injury to persons or damage to property caused by or resulting from the negligence of the promisee, his agents or employees, or indemnitee, and any covenant, promise, agreement or understanding to insure or name as an insured the promisee or indemnitee against any such liability under any contract of insurance by the promisor, is against the public policy and is void and unenforceable.

SECTION 44. Subsection (2) of section 44A of said chapter 149, as appearing in section 55 of chapter 579 of the acts of 1980, is hereby amended by striking out, in line 3, the word "five" and inserting in place thereof the word:- twenty-five.

SECTION 45. Said section 44A of said chapter 149, as so appearing, is hereby further amended by striking out subsection (4) and inserting in place thereof the following subsection:-

(4) In cases of extreme emergency, the awarding authority may, with the prior approval of the deputy commissioner, award a contract for that portion of the work necessary to preserve the health or safety of persons or property on the basis of such competitive bids as it can obtain in time to care for the extreme emergency and without public opening of the bids.

Where the nature of the emergency prevents the awarding authority from obtaining the prior approval of the deputy commissioner, the awarding authority may contract for the necessary work without said prior approval; provided, however, that the

approval of the deputy commissioner shall still be sought at the earliest possible time; and provided, further, that if the deputy commissioner at that time fails to approve the emergency determination the awarding authority shall promptly cease all work for which the emergency determination was denied. In such cases, the contractor shall be entitled to payment for the fair value of the labor and materials furnished prior to cessation of the work.

The deputy commissioner shall maintain a record of all contracts awarded pursuant to this subsection, containing a description of the circumstances and the reasons for the deputy commissioner's determination.

SECTION 46. Said chapter 149 is hereby further amended by striking out section 44D, as so appearing, and inserting in place thereof the following section:-

Section 44D. (1) (a) Every bid submitted for a contract subject to section forty-four A shall be accompanied by a copy of a certificate of eligibility issued by the deputy commissioner showing that the bidder has the classification and capacity rating to perform the work required. The bid shall also be accompanied by an update statement in such form as the deputy commissioner shall prescribe. A blank copy of such form shall be furnished by the awarding authority to every person or business entity requesting a copy. The update form shall provide space for information regarding all projects completed by the bidder since the date of certification of eligibility, all projects which the bidder currently has under contract including the percentage of work on such projects not completed, the names and qualifications of the personnel who will have supervisory responsibility for the performance of the contract, any significant changes in the bidder's financial position of business organization since the date of certification of eligibility, and such other relevant information as the deputy commissioner shall prescribe. Any bid submitted without the appropriate certificate and update statement shall be invalid.

(b) The applicant shall certify under penalties of perjury at the conclusion of the application to bid that there have been no substantial changes in his/her financial position or business organization other than those changes noted within the application since the applicant's most recent prequalification statement and that the bid to be made will be in all respects bonafide, fair and made without collusion or fraud with any other person. "Person" here means any natural person, joint venture, partnership, corporation or other business or legal entity which sells materials, equipment or supplies used in or for, or engages in the performance of, the same or similar construction, reconstruction, installation, demolition, maintenance or repair work or any part thereof.

(2) The division of capital planning and operations shall

accept applications for certification in such form as the deputy commissioner shall prescribe, signed by the applicant under penalties of perjury, supplying information concerning the applicant's form of organization, its principals and key personnel; the applicant's experience on public and private construction projects over the past five years or on the twenty projects most recently completed; all legal or administrative proceedings currently pending against the applicant or concluded adversely to the applicant within the past five years which relate to the procurement or performance of any public or private construction contract; and such other information as the deputy commissioner shall deem relevant to the determination of the applicant's qualifications and responsibility. The application shall include a statement of financial condition prepared by a certified public accountant which shall contain information concerning the applicant's current assets and liabilities, plant and equipment; bank and credit references, bonding company and maximum bonding capacity; and such other information as the deputy commissioner shall deem relevant to an evaluation of the applicant's financial capacity and responsibility. The information contained in the application shall be current at the time of filing; provided, however, that the statement of financial condition shall pertain to the applicant's most recent, completed fiscal year. Any materially false statement in the application or update statement may, in the discretion of the awarding authority, result in termination of any contract awarded the applicant by the awarding authority, and shall constitute cause for debarring the applicant from future public work as provided in section forty-four C. Applications and evaluations shall not be public records as defined in section seven of chapter four and shall not be open to the public inspection.

(3) The division of capital planning and operations shall evaluate every applicant on the basis of the application and on relevant past performance according to procedures and criteria which the deputy commissioner shall prescribe by regulations or guidelines. Such criteria shall include the following:- the record of the applicant's performance including, where available, written evaluations of the applicant's performance on public and private jobs over the past five years; the applicant's prior experience on projects of various size and type; the experience and qualifications of supervisory personnel; the maximum amount of work the applicant is capable of undertaking as demonstrated by the applicant's financial condition, bonding capacity, size of previous projects, and present and anticipated work commitments; and any other relevant criteria which the deputy commissioner may prescribe. The regulations and guidelines shall provide that, to the extent possible, the criteria considered shall be assigned separate designated numerical values and weights, and the applicant shall be assigned an overall numerical rating

on the basis of all criteria. The applicant shall indicate among categories established by the deputy commissioner the classes of work and aggregate amount of work for which certification is sought. The division of capital planning and operations shall issue a certificate as warranted by the evaluation which shall be effective for one year from the date issued, showing the classes of work and aggregate amount of work on which the applicant is eligible to bid.

(4) The division of capital planning and operations shall promptly notify an applicant of its preliminary determination regarding the conditions of the certification, or a denial of certification, or of decertification pursuant to this section, and the reasons therefor. An applicant aggrieved by the division's preliminary determination may, within five business days of receipt of notice, request copies of the information upon which the division relied in making its preliminary determination. Within ten business days of receipt of notice, the applicant may submit further information to the division with a request for reconsideration. The division shall issue a final determination regarding an application for certification within thirty business days from the date of its preliminary determination, unless the applicant and the division agree to extend the thirty day period.

Any applicant aggrieved by the final determination of the division may appeal in writing to the commissioner of labor and industries within five business days of receipt of final notice thereof. Within thirty calendar days of such appeal, the commissioner shall investigate the matter and issue a written decision. The commissioner may institute and prosecute proceedings in the superior court to enforce the provisions of this section on the same terms as set forth in section forty-four H. Following such decision by the commissioner, or failure to render a decision within the thirty-day period, either the division or the applicant may seek remedies at law.

(5) The deputy commissioner may, upon receipt of additional information regarding a contractor's qualifications, decertify a contractor during the period for which the contractor was prequalified. Upon such a decision, the deputy commissioner shall follow the procedures established by this section.

(6) In determining who is the lowest responsible and eligible bidder as required in paragraph (2) of section forty-four A, the awarding authority shall consider the information submitted by the bidder in the update statement. If the awarding authority determines that the low bidder is not responsible and eligible, the awarding authority shall reject the bidder and evaluate the next low bidder in accordance with this section; the awarding authority shall give notice of such action to the division of capital planning and operations.

(7) The division of capital planning and operations shall develop a standard contractor evaluation form that shall be

completed by every public agency, upon completion of a building project under its control, and submitted to the division for the contractor's qualification file. The official from the public agency, or the architect or engineer responsible for the oversight of the building construction contract, shall certify that the information contained on the contractor evaluation form represents, to the best of his knowledge, a true analysis of the contractor's performance record on that contract. The public agency shall mail a copy of the contractor evaluation form to the contractor and the contractor may, within thirty days, submit a written response to the division disputing any information contained in the evaluation form. The division shall attach any such response to the evaluation form for inclusion in the contractor's qualification file.

(8) The provisions of this section do not apply to sub-bidders.

(9) The deputy commissioner may issue such rules, regulations, orders, guidelines and policies as deemed necessary or expedient to effectuate the purposes of this section.

SECTION 47. The first sentence of subsection (3) of section 44F of said chapter 149, as so appearing, is hereby amended by striking out, in line 16, the word "not" and inserting in place thereof the word:- nor.

SECTION 48. The fourth sentence of said subsection (3) of said section 44F of said chapter 149, as so appearing, is hereby amended by striking out, in line 6, the word "not" and inserting in place thereof the word:- nor.

SECTION 49. Said subsection (3) of said section 44F of said chapter 149, as so appearing, is hereby further amended by striking out the last paragraph and inserting in place thereof the following two paragraphs:-

Each sub-bidder shall list in the sub-bid form the name and bid price of each person, firm or corporation performing each class of work or part thereof for which the section of the specifications for that sub-trade requires such listing; provided that, in the absence of a contrary provision in the specifications, any sub-bidder may, without listing any bid price, list his own name for any such class of work or part thereof and perform that work with persons on his own payroll, if such sub-bidder, after sub-bid opening, shows to the satisfaction of the awarding authority that he does customarily perform such class of work or the part thereof with employees on his own payroll who are mechanics or laborers as referred to in section twenty-six, and is qualified so to do.

If a sub-trade for which the awarding authority is required to take filed sub-bids constitutes the predominant work of the

contract, the awarding authority may include that sub-trade work as part of the general bidder's work. The awarding authority shall award the general contract to the lowest responsible and eligible bidder who customarily performs that sub-trade with employees on his own payroll who are mechanics or laborers as referred to in said section twenty-six, except for any part of that sub-trade customarily performed by sub-contractors.

SECTION 50. Subsection (4) of said section 44F of said chapter 149, as so appearing, is hereby amended by striking out paragraph (a) and inserting in place thereof the following paragraph:-

(a) (1) If no sub-bid is filed for a sub-trade designated in the general bid form or if the only sub-bids which are filed are restricted to the use of one or more general bidders, the awarding authority may state, in an addendum issued with the list of sub-bidders required by subsection (3), that the general bidder shall include in the cost of his own work an amount to cover all the work required for any such sub-trade. The general contractor shall cause the work covered by such sub-trade to be done by a qualified and responsible sub-contractor, subject to the written approval of the awarding authority. If the awarding authority determines that any sub-contractor chosen by the general contractor under this section is not qualified or responsible, the general contractor shall obtain another sub-contractor who is satisfactory to the awarding authority with no adjustment in the general contractor's price.

(2) If a rejection of all sub-bids, other than as set forth above, for such a sub-trade occurs pursuant to subsection (1) or subsection (3), the awarding authority shall state, in an addendum issued with the list of sub-bidders required by said subsection (3), the amount to be included by a general bidder on the general bid form for such sub-trade; and without in any way affecting other sub-bidders who have conformed to the prescribed bidding procedure, new sub-bids for such sub-trade shall be requested forthwith by written invitation to three or more qualified sub-bidders and shall be publicly opened and read by the awarding authority at a time and place to be specified in such invitation. The general contractor shall cause the work covered by such sub-trade to be done by the lowest responsible and eligible sub-bidder against whose standing and ability the general contractor makes no objection or, if there is no such sub-bidder, by such sub-contractor against whose standing and ability the general contractor makes no objection and for such sum as the general contractor and the awarding authority may agree upon; and the contract price shall be adjusted by the difference between the sub-contract sum and the amount stated in the addendum. The general bidder shall include in the cost of his own work on the general bid form all expenses and profits

on account of such adjustments.

SECTION 51. Said section 44F of said chapter 149, as so appearing, is hereby further amended by striking out subsection (5) and inserting in place thereof the following subsection:-

(5) If a general bidder customarily performs, with employees on his own payroll who are mechanics or laborers as referred to in section twenty-six, a sub-trade for which the awarding authority invites sub-bids, he may submit a sub-bid for such sub-trade which shall be considered on a par with other sub-bids, and he shall also list under the appropriate sub-bid category in his general bid his own name and sub-bid price for such sub-trade. No such sub-bid shall be considered unless the general bidder can show (a) he does so customarily perform such sub-trade, and (b) he is qualified to do the sub-trade work.

In lieu of listing his name and sub-bid price in his general bid, such general bidder may list the name and amount of the lowest responsible and eligible sub-bidder for that sub-trade if (a) such sub-bidder's price is lower than his, (b) such sub-bid is available for his use; and (c) such sub-bid is not restricted to his use alone or to his use and that of another general bidder, or bidders.

SECTION 52. Said chapter 149 is hereby further amended by inserting after section 44I the following section:-

Section 44J. (1) No public agency or authority of the commonwealth or any political subdivision thereof shall award any contract for the construction, reconstruction, alteration, repair, development, installation, maintenance, or demolition, at public expense of any building, road, bridge or other physical property, if competitive bids are required for such contract pursuant to section forty-four A of this chapter or section thirty-nine M of chapter thirty, unless a notice inviting bids therefor shall have been posted no less than one week prior to the time specified in such notice for the receipt of said bids in a conspicuous place in or near the offices of the awarding authority, and shall have remained posted until the time so specified, and unless such a notice shall also have been published at least once not less than two weeks prior to the time so specified in the central register published by the state secretary pursuant to section twenty A of chapter nine and in a newspaper of general circulation in the locality of the proposed project. Said notice shall also be published at such other times and in such other newspapers or trade periodicals as the deputy commissioner of capital planning and operations may require, having regard to the locality of the work involved.

(2) Said notice shall specify the time and place where plans and specification of the proposed work may be had; the time and place of submission of general bids; and the time and place for

opening of the general bids. For contracts subject to the provisions of sections forty-four A to H, inclusive, of this chapter, said notice shall also specify the time and place for submission of filed sub-bids, where required pursuant to section forty-four F; and the time and place for opening of said filed sub-bids.

Said notice shall also provide sufficient facts concerning the nature and scope of such project, the type and elements of construction, and such other information as will assist applicants in deciding to bid on such contract.

(3) No contract or preliminary plans and specifications shall be split or divided for the purpose of evading the provisions of this section.

(4) General bids and filed sub-bids for any contract subject to this section shall be in writing and shall be opened in public at the time and place specified in the posted or published notice, and after being so opened shall be open to public inspection.

(5) The provisions of this section shall not apply to any transaction between the commonwealth and any public service corporation.

(6) The provisions of this section may be waived in cases of extreme emergency involving the health and safety of the people and their property, upon the written approval of said deputy commissioner. The written approval shall contain a description of the circumstances and the reasons for the deputy commissioner's determination.

(7) Whoever violates any provision of this section shall be punished by a fine of not more than ten thousand dollars or by imprisonment in the state prison for not more than three years or in a jail or house of correction for not more than two and one-half years, or by both said fine and imprisonment; and in the event of final conviction, said person shall be incapable of holding any office of honor, trust or profit under the commonwealth or under any county, district of municipal agency.

Each and every person who shall cause or conspire to cause any contract or preliminary plans and specifications to be split or divided for the purpose of evading the provisions of this section shall forfeit and pay to the commonwealth, a political subdivision thereof or other awarding authority subject to this section, the sum of not more than five thousand dollars and, in addition, such person or persons shall pay, apportioned among them, double the amount of damages which the commonwealth or political subdivision thereof or other awarding authority may have sustained by reason of the doing of such act, together with the costs of the action.

SECTION 53. Chapter 260 of the General Laws is hereby amended by striking out section 2B, as amended by section 2 of chapter 777 of the acts of 1973, and inserting in place thereof the following section:-

Section 2B. Action of tort for damages arising out of any deficiency or neglect in the design, planning, construction or general administration of an improvment to real property, other than that of a public agency as defined in section thirty-nine A of chapter seven shall be commenced only within three years next after the cause of action accrues; provided, however, that in no event shall such actions be commenced more than six years after the earlier of the dates of: (1) the opening of the improvement to use; or (2) substantial completion of the improvement and the taking of possession for occupancy by the owner.

Actions of tort for damages arising out of any deficiency or neglect in the design, planning, construction, or general administration of an improvement to real property of a public agency, as defined in said section thirty-nine A shall be commenced only within three years next after the cause of action accrues; provided, however, that in no event shall actions be commenced more than six years after the earlier of the dates of: (1) official acceptance of the project by the public agency; (2) the opening of the real property to public use; (3) the acceptance by the contractor of a final estimate prepared by the public agency pursuant to chapter thirty, section thirty-nine G; or (4) substantial completion of the work and the taking possession for occupancy by the awarding authority.

SECTION 54. Section ten of chapter five hundred and seventy-nine of the acts of nineteen hundred and eighty is hereby repealed.

SECTION 55. The deputy commissioner shall, on or before July first, nineteen hundred and eighty-five, promulgate rules and regulations setting forth criteria by which he shall determine whether property is surplus to current and forseeable state and direct public uses, as provided for in section twenty-two of this act.

SECTION 56. The provisions of section forty-six of this act shall apply only to contracts first advertised for bids on or after July first, nineteen hundred and eighty-five.

Approved January 7, 1985.

Chap. 485. AN ACT CHANGING THE METHOD OF TAXATION OF THRIFT INSTITUTIONS AND ESTABLISHING A THRIFT INSTITUTIONS FUND FOR CAPITAL AND ECONOMIC DEVELOPMENT.

Whereas, The deferred operation of this act would tend to

defeat its purpose, which is to immediately change the method of taxation of thrift institutions and establishing a Thrift Institutions Fund for Capital and Economic Development, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 12 of chapter 62C of the General Laws is hereby amended by striking out paragraph (b), as appearing in section 22 of chapter 415 of the acts of 1976.

SECTION 2. Section 1 of chapter 63 of the General Laws is hereby amended by striking out the definition of "Bank", as most recently amended by section 44A of chapter 698 of the acts of 1966, and inserting in place thereof the following definition:-

"Bank", any bank, banking association, trust company or federal or state savings and loan association, including all banks for cooperatives organized under the United States Farm Credit Act of nineteen hundred and thirty-three doing business within the commonwealth, whether of issue or not, existing by authority of the United States or of a foreign country, or of any law of the commonwealth not contained in chapter one hundred and sixty-nine or chapter one hundred and seventy-one, and any corporation authorized by section one of chapter one hundred and seventy-two A to do the business of a banking company.

SECTION 3. Section eleven of said chapter sixty-three is hereby repealed.

SECTION 4. Section fifteen of said chapter sixty-three is hereby repealed.

SECTION 5. Section sixteen of said chapter sixty-three is hereby repealed.

SECTION 6. Section seventeen of said chapter sixty-three is hereby repealed.

SECTION 6A. Section 1 of chapter 63B of the General Laws, as appearing in section 5 of chapter 714 of the acts of 1963, is hereby amended by striking out the definition of "Corporation" and inserting in place thereof the following definition:-

"Corporation", every corporation, company or association

subject to taxation under the provisions of chapter sixty-three, or under any special act which is in lieu of the provisions of said chapter sixty-three.

SECTION 7. All savings banks and cooperative banks organized under the laws of the commonwealth and all federal savings banks and federal savings and loan associations organized under the laws of the United States, which are subject to taxation under chapter sixty-three of the General Laws, hereinafter referred to as the member thrift institutions, are hereby constituted an association under the name of the Thrift Institutions Fund for Economic Development, hereinafter referred to as the fund. It shall be the purpose of the fund to provide funds within the limits and in the manner hereinafter described, to certain economic development projects which will serve a public purpose and fill a public need and which are unable to obtain capital in the usual manner, hereinafter referred to as "economic development projects".

For purposes of this act, "economic development projects" shall mean (1) industrial or residential development projects within the commonwealth eligible for assistance under the federal Urban Development Action Grant program, and commercial development projects located within commercial area revitalization districts, as designated by the secretary of communities and development pursuant to subsection one of section twelve of chapter forty D of the General Laws; loans for the development of small business as defined by the secretary of the executive office of manpower affairs within the commonwealth; loans to industrial firms for purposes consistent with the stabilization and advancement of muture industries within the commonwealth as defined by the secretary of the executive office of manpower affairs, including but not limited to investment in new product development and the financing of corporate restructuring intended to promote the viability of mature industrial firms; and (2) loans for the development of projects which it financed under tax exempt financing would be covered by the provision of 26 U.S.C.A. 103(n) of the Internal Revenue Code.

SECTION 8. The fund shall be organized and managed as follows: (a) There shall be fifteen members of the board of directors, including two minority persons, the word "minority" being as defined in subsection (2) of chapter forty C, as appearing in section seven of chapter five hundred and seventy-nine of the acts of nineteen hundred and eighty, which shall govern the operations of the fund. Seven members of the board shall be appointed by the governor as follows: one of whom shall be the secretary of consumer affairs and business regulation, ex officio, or his designee, one of whom shall be the

chairman of the Massachusetts Industrial Finance Agency, two of whom shall be representatives of small business, as defined by the United States Small Business Administration, and three of whom shall be persons not affiliated with any banks as previously defined in section two of this act, six of whom shall be appointed by the Savings Banks Association of Massachusetts, one of whom shall be appointed by the Massachusetts Cooperative Bank League, and one of whom shall be appointed by the Massachusetts Federal Savings Council. Each such appointment shall be made by letter to the appointee with a copy to the secretary of consumer affairs and business regulation and each person so appointed shall serve at the pleasure of the governor or organization which made the appointment and until his successor has been appointed in a like manner.

(b) The initial organizational meeting of the board of directors shall be held at a date and time to be determined by the secretary of the executive office of consumer affairs and business regulation; provided, however, that at least two weeks prior notice shall be given to the other members of such meeting. At such meeting, said board shall elect a chairman, vice-chairman and secretary from among the members.

(c) The board of directors shall have the authority to exercise all the powers of the fund. Said board shall have the authority to make, amend, and repeal by-laws, rules and regulations to govern the management and affairs of the fund. A majority of the members of said board shall constitute a quorum for the purpose of conducting the business of said board and said board shall act by a majority vote of the whole board in exercising its authority. A meeting of said board shall be held at least monthly and at such other times as may be provided in its by-laws.

(d) Said board of directors shall have the authority to enter into such service and other contracts as it deems necessary or incidental to the performance of its duty to conduct the management and affairs of the fund.

(e) The members of said board of directors shall serve without compensation but shall be paid their necessary expenses incurred in the discharge of their official duties.

(f) Said board of directors shall file a certificate with the state secretary to the effect that the Thrift Institutions Fund for Economic Development has been organized and listing the names and addresses of its officers and members. A copy of its by-laws and rules and regulations adopted by the board of directors shall be filed with the state secretary. Amendments to such certificate, by-laws or rules and regulations shall be filed with the state secretary.

(g) Said board of directors shall file a report of the activities and accomplishments of the fund including a summary of the

terms and characteristics of loans and investments and the number of employment opportunities created and retained with the governor and the commissioner of administration, and the house and senate committees on ways and means on or before January first, nineteen hundred and eighty-six and each year thereafter until the termination of the fund as provided in section nine. Said board shall file copies of said report with the clerk of the house of representatives.

(h) All reasonable expenses incurred pursuant to this section and section eleven of this act shall be considered to be incidental administrative expenses of the fund.

SECTION 9. The fund shall remain in existence until such time as the total amount of the loans required to be made pursuant to this act shall have been amortized and a final report of the fund shall have been filed with the commissioner of administration and the house and senate committees on ways and means. Upon dissolution of the fund, the remaining surplus or deficit, if any, in the fund, after the amortization of such loans, shall be returned or charged, as the case may be, to the member thrift institutions on the same prorated basis as the call for loans provided for in section eleven.

SECTION 10. Beginning January first, nineteen hundred and eighty-five, the fund shall have the power to (a) borrow funds for the purpose of making loans pursuant to sections twelve, twelve A, and thirteen from every savings bank as defined in chapter one hundred and sixty-eight of the General Laws, every cooperative bank as defined in chapter one hundred and seventy of the General Laws, every state or federal savings and loan association and every federal savings bank, located in the commonwealth; and (b) issue therefore its bonds, debentures, notes, or other evidences of indebtedness, subject to the provisions of section eight.

The banks and associations listed in this section shall make loans to the fund when called upon by it to do so, subject to the provisions of section eleven.

SECTION 11. Borrowing by the fund pursuant to section ten of this act shall be subject to the following provisions:

(a) In order to borrow funds pursuant to said section ten, the fund shall issue a call to the banks and associations listed in sections seven and ten to make loans to it at such times as the board of directors of the fund may determine are necessary for carrying out the purposes of the fund.

(b) Each such call for loans to the fund shall be prorated among the banks and associations listed in said sections seven and ten in the same proportion that the amount of total assets,

as of the April thirtieth preceding the call, of each institution bears to the aggregate of the amounts of total assets, as of the April thirtieth preceding the call, of all such institutions.

(c) In the aggregate, borrowing by the fund pursuant to said section ten shall be in such amounts as the board of directors of the fund may determine are necessary for carrying out the purposes of the fund; provided, however, that one hundred million dollars shall be borrowed during the existence of the fund and all such borrowing shall occur on or before July first, nineteen hundred and ninety-four.

(d) All loans made to the fund by the banks and associations listed in said sections seven and ten shall be made on terms and other conditions established by the board of directors of the fund; provided, however that (1) such loans shall be evidenced by bonds, debentures, notes, or other evidence of indebtedness of the fund, which shall bear interest at rates approved by the commissioner of banks which are based upon the costs incurred by the bank in making funds available to the fund; and (2) no loan to the fund shall be secured in any manner unless all outstanding loans to the fund shall be secured equally and ratably in proportion to the unpaid balance of such loans and in the same manner.

(e) All loans made to the fund by the banks and associations listed in said sections seven and ten shall be deemed to be legal investments for said banks and associations.

SECTION 12. Beginning February first, nineteen hundred and eighty-five, the fund shall have the power (a) to make loans of the funds borrowed pursuant to sections ten and eleven for any of its purposes to any economic development project; and (b) to establish and regulate the terms and conditions with respect to such loans, subject to the provisions of section thirteen.

SECTION 13. Lending by the fund shall be subject to the following provisions:

(a) The fund shall make loans at such times and in such amounts as the board of directors of the fund may determine are necessary for carrying out the purposes of the fund and shall be made in the amount or amounts requested and for a term or terms agreed upon by the parties. If no agreement can be reached the commissioner of banks shall set the term or terms of such loans.

(b) In determining the rates of interest for loans, said board of directors shall (1) take into account the cost incurred by the fund in obtaining funds, the reasonable cost of servicing such loans, including a bad debt reserve, and any other incidental administrative costs incurred directly or indirectly by the fund. The commissioner of banks shall make a determination that all

such costs and expenditures were necessary and proper for the operation of the fund.

(c) No member of said board and no bank or association listed in section ten or officer thereof shall be a recipient of any loan made pursuant to this act.

(d) The operation of the fund shall be examined annually by an independent certified public accounting firm. The results of such examination shall be filed with the clerk of the house of representatives in conjunction with the annual reporting requirement of paragraph (b) of this section.

(e) The fund, in making loans, shall give preference to those economic development projects located in cities and towns whose annual unemployment rate is greater than one hundred fifty per cent of the statewide average in three of the last four years.

(f) Loans made by the fund shall be made in accordance with reasonable lending practices to be established by the board of directors consistent with the overall purposes of this act.

SECTION 14. The fund shall file with the commissioner of banks a report subsequent to any call to borrow funds pursuant to section eleven. Such report shall contain the total amount of the call, the allocation of the call to each bank and association, and the amount loaned by each bank and association to the fund. Such report shall be filed within sixty days of any such call.

SECTION 15. The commissioner of banks shall include in the annual report filed pursuant to section thirteen of chapter one hundred and sixty-seven of the General Laws a listing of banks and associations where the amount of the call issued pursuant to section eleven exceeds the amount loaned to the fund.

SECTION 16. Sections one to six A, inclusive, shall apply to tax years commencing on or after October thirty-first, nineteen hundred and eighty-four. All other sections shall take effect upon passage.

Approved January 8, 1985.

Chap. 486. AN ACT RELATIVE TO THE DISPOSITION OF CERTAIN SEIZED CONTROLLED SUBSTANCES.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (a) of section 47 of chapter 94C of the General Laws, as most recently amended by section 1 of

chapter 132 of the acts of 1982, is hereby further amended by inserting after subparagraph (6) the following subparagraph:-

(6A) Real estate which has been proven to have been in the possession or ownership of the person and used in the furtherance of illegal drug activity by such person; provided, however, that such real estate is not the principal domicile inhabited by the immediate family of any person convicted under this chapter.

SECTION 2. Paragraph (d) of said section 47 of said chapter 94C, as amended by section 3 of chapter 556 of the acts of 1977, is hereby further amended by striking out the last sentence and inserting in place thereof the following four sentences:- Said proceeds once acquired shall be distributed equally between the prosecuting district attorney or attorney general and the city, town, state or metropolitan district police department. If more than one department is substantially involved in the seizure, the court having jurisdiction over the forfeiture proceedings, shall equitably distribute the fifty per cent among those departments. All such funds shall be deposited in a special law enforcement trust fund and shall be expended to defray the costs of protracted investigations, to provide additional technical equipment or expertise, to provide matching funds to obtain federal grants or for such other law enforcement purposes as the chief of police of such city or town, the commissioner of public safety, or the superintendent of the metropolitan district police deems appropriate, but such funds shall not be considered a source of revenue to meet the operating needs of such department. The reasonable expenses of the forfeiture proceedings and the balance thereof shall be deposited in said law enforcement trust fund.

Approved January 8, 1985.

Chap. 487. AN ACT FURTHER REGULATING THE PERSONNEL SYSTEM OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Section 41 of chapter 15 of the General Laws, as amended by section 23 of chapter 699 of the acts of 1981, is hereby amended by striking out the second and third sentences and inserting in place thereof the following sentence:- Subject to like consent of the council, the chairman may employ, remove, and fix the compensation of such additional officers, experts and other employees as may be needed, and may fix the compensation of the executive director.

SECTION 2. Paragraph (1) of section 46 of chapter 30 of the General Laws is hereby amended by striking out the salary schedule, as most recently amended by section 62 of said chapter 699, and inserting in place thereof the following schedule:-

GENERAL SALARY SCHEDULE
Effective September 30, 1984
(Weekly Rates on Total Cash Basis)

Job Group	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Increment
I	$213.05	$217.62	$222.19	$226.76	$231.33	$235.90	$240.47	$ 4.57
II	217.72	222.90	228.08	233.26	238.44	243.62	248.80	5.18
III	223.76	228.94	234.12	239.30	244.48	249.66	254.84	5.18
IV	228.51	234.14	239.77	245.40	251.03	256.66	262.29	5.63
V	236.64	242.27	247.90	253.53	259.16	264.79	270.42	5.63
VI	243.76	249.92	256.08	262.24	268.40	274.56	280.72	6.16
VII	250.39	257.09	263.79	270.49	277.19	283.89	290.59	6.70
VIII	261.07	268.42	275.77	283.12	290.47	297.82	305.17	7.35
IX	271.91	279.72	287.53	295.34	303.15	310.96	318.77	7.81
X	282.56	291.06	299.56	308.06	316.56	325.06	333.56	8.50
XI	295.47	304.37	313.27	322.17	331.07	339.97	348.87	8.90
XII	312.50	321.87	331.24	340.61	349.98	359.35	368.72	9.37
XIII	328.27	339.29	350.31	361.33	372.35	383.37	394.39	11.02
XIV	345.56	357.59	369.62	381.65	393.68	405.71	417.74	12.03
XV	363.36	376.82	390.28	403.74	417.20	430.66	444.12	13.46
XVI	384.34	398.41	412.48	426.55	440.62	454.69	468.76	14.07
XVII	402.01	417.23	432.45	447.67	462.89	478.11	493.33	15.22
XVIII	422.13	438.45	454.77	471.09	487.41	503.73	520.05	16.32
XIX	443.81	460.72	477.63	494.54	511.45	528.36	545.27	16.91
XX	463.68	481.89	500.10	518.31	536.52	554.73	572.94	18.21
XXI	485.98	505.41	524.84	544.27	563.70	583.13	602.56	19.43
XXII	510.05	530.02	549.99	569.96	589.93	609.90	629.87	19.97
XXIII	532.38	553.44	574.50	595.56	616.62	637.68	658.74	21.06
XXIV	554.69	576.98	599.27	621.56	643.85	666.14	688.43	22.29
XXV	574.59	597.97	621.35	644.73	668.11	691.49	714.87	23.38
XXVI	598.64	622.75	646.86	670.97	695.08	719.19	743.30	24.11
XXVII	621.09	646.36	671.63	696.90	722.17	747.44	772.71	25.27
XXVIII	645.56	672.00	698.44	724.88	751.32	777.76	804.20	26.44
XXIX	672.54	700.13	727.72	755.31	782.90	810.49	838.08	27.59

Job Group	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Increment
XXX	697.20	726.01	754.82	783.63	812.44	841.25	870.06	28.81
XXXI	724.22	754.18	784.14	814.10	844.06	874.02	903.98	29.96
XXXII	751.23	782.34	813.45	844.56	875.67	906.78	937.89	31.11
XXXIII	783.25	815.95	848.65	881.35	914.05	946.75	979.45	32.70

SECTION 3. Paragraph (1) of section 46C of said chapter 30 is hereby amended by striking out the salary schedule, as most recently amended by section 76 of said chapter 699, and inserting in place thereof the following schedule:-

MANAGEMENT SALARY SCHEDULE
Effective September 30, 1984
(Weekly Rates on Total Cash Basis)

Job Group	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Increment
M-I	$422.13	$438.45	$454.77	$471.09	$487.41	$503.73	$520.05	$16.32
M-II	463.68	481.89	500.10	518.31	536.52	554.73	572.94	18.21
M-III	510.05	530.02	549.99	569.96	589.93	609.90	629.87	19.97
M-IV	554.69	576.98	599.27	621.56	643.85	666.14	688.43	22.29
M-V	598.64	622.75	646.86	670.97	695.08	719.19	743.30	24.11
M-VI	645.56	672.00	698.44	724.88	751.32	777.76	804.20	26.44
M-VII	697.20	726.01	754.82	783.63	812.44	841.25	870.06	28.81
M-VIII	751.23	782.34	813.45	844.56	875.67	906.78	937.89	31.11
M-IX	816.67	851.04	885.41	919.78	954.15	988.52	1,022.89	34.37
M-X	887.88	925.83	963.78	1,001.73	1,039.68	1,077.63	1,115.58	37.95
M-XI	965.21	1,007.14	1,049.07	1,091.00	1,132.93	1,174.86	1,216.79	41.93
M-XII	1,049.18	1,095.52	1,141.86	1,188.20	1,234.54	1,280.88	1,327.22	46.34

SECTION 4. Except as hereinafter provided, effective September thirtieth, nineteen hundred and eighty-four, the salaries of all employees in the service of the commonwealth and paid from the treasury thereof shall be increased over the rates payable as of September twenty-ninth nineteen hundred and eighty-four, by five per cent of the rate payable on said September twenty-ninth, per week; provided, however, that this section shall not apply to salaries fixed by statute; nor to salaries payable to employees holding offices or positions which are allocated to the general salary schedule appearing in paragraph (1) of section forty-six of chapter thirty of the General Laws, inserted by section sixty-two of chapter six hundred and ninety-nine of the acts of nineteen hundred and eighty-one, or to the management salary schedule appearing in paragraph (1) of section forty-six C of said chapter thirty, inserted by section seventy-six of said chapter six hundred and ninety-nine; nor to salaries payable to employees who are represented by an employee organization certified by the labor relations commission or recognized by a public employer as an exclusive representative under the provisions of section four of chapter one hundred and fifty E of the General Laws; nor to salaries payable to officers and employees of the general court, of the governor, of the lieutenant-governor, of the executive council, of the state secretary, of the state treasurer, of the state auditor, and of the attorney general whose salaries are established under the appropriate sections of chapters three, six, nine, ten, eleven, and twelve of the General Laws, nor to salaries other than salaries fixed by the board of regents with reference to the general salary schedule

payable to officers and employees whose salaries are determined by the governor or by other officers, boards, or commissions with or without the approval of the governor or the governor and council, as the case may be; nor to salaries of executive officers, other officers, and members of the professional staff of a public institution of higher education fixed by the board of regents without reference to the general salary schedule under the provisions of subsections (v), (w), (x), (y) and (z) of section five of chapter fifteen A of the General Laws; nor to compensation payable to persons whose services are coded in accordance with the expenditure code manual under the subsidiary title "03 services-Non-Employees".

SECTION 5. Notwithstanding the provisions of section forty-six C of chapter thirty of the General Laws or any other law, rule or regulation to the contrary, when a management position classified under the provisions of sections forty-five and forty-six C of said chapter thirty includes a salary rate at the maximum of the Job Group to which the position is allocated that is less than or does not exceed the maximum salary rate of the Job Group of a classified position paid under a salary schedule included in a collective bargaining agreement under the provisions of chapter one hundred and fifty E of the General Laws by the amount of the increment of the Job Group of said manager's position, and said management position has a direct reporting relationship over the non-management position, the incumbent of the management position, effected may, with the recommendation of the appointing authority and personnel administrator, and with the approval of the commissioner of administration, be paid at the first step in range of the current or next higher Job Group of the management salary schedule which provides an increase in salary of an amount equal to said increment; provided, however, that said manager shall not be entitled to step-rate salary increases in said higher Job Group; provided, further, that the salary rates referred to in the foregoing shall not include any compensation other than the rate provided by the management or collective bargaining salary schedules.

Approved January 8, 1985.

EMERGENCY LETTER - January 10, 1985 @ 4:04 P.M.

Chap. 488. AN ACT RELATIVE TO THE PRESERVATION OF ART.

Be it enacted, etc., as follows:

SECTION 1. Chapter 231 of the General Laws is hereby amended by inserting after section 85R the following section:-

Section 85S. (a) The general court hereby finds and declares that the physical alteration or destruction of fine art, which is an expression of the artist's personality, is detrimental to the artist's reputation, and artists therefore have an interest in protecting their works of fine art against such alteration or destruction; and that there is also a public interest in preserving the integrity of cultural and artistic creations.

(b) As used in this section, the following words shall, unless the context clearly requries otherwise, have the following meanings:-

"Artist", the natural person who actually creates a work of fine art but not to include such art as is created by an employee within the scope of his employment. In case of a joint creation of a work of art, each joint creator shall have the rights of an artist with respect to the work of fine art as a whole.

"Fine art", any original work of visual or graphic art of any media which shall include, but not limited to, any painting, print, drawing, sculpture, craft object, photograph, audio or video tape, film, hologram, or any combination thereof, of recognized quality.

"Gross negligence", the exercise of so slight a degree of care as to justify the belief that there was an indifference to the particular work of fine art.

"Public view", means on the exterior of a public owned building, or in a interior area of a public building.

(c) No person, except an artist who owns or possesses a work of fine art which the artist has created, shall intentionally commit, or authorize the intentional commission of any physical defacement, mutilation, alteration, or destruction of a work of fine art. As used in this section, intentional physical defacement, mutilation, alteration, or destruction includes any such action taken deliberately or through gross negligence.

(d) The artist shall retain the right to claim and receive credit under his own name or under a reasonable pseudonym or, for just and valid reason, to disclaim authorship of his work of fine art. Credit shall be determined in accord with the medium of expression and the nature and extent of the artist's contribution to the work of fine art.

(e) The artist or any bonafide union or other artists' organization authorized in writing by the artist for such purpose may commence an action in the superior court department of the trial court of the commonwealth without having as prerequisites to a suit any need for: (1) damages, already incurred, (2) a show-

ing of special damages, if any, or (3) general damages in any monetary amount to recover or obtain any of the following (i) injunctive relief or declaratory relief, (ii) actual damages, (iii) reasonable attorneys' and expert witness fees and all other costs of the action, or (iv) any other relief which the court deems proper.

(f) In determining whether a work of fine art is of recognized quality, the court shall rely on the opinions of artist, art dealers, collectors of fine art, curators of art museums, restorers and conservators of fine art and other persons involved with the creation or marketing of fine art.

(g) The provisions of this section shall, with respect to the artist, or if any artist is deceased, his heir, legatee, or personal representative, continue until the fiftieth anniversary of the death of such artist, continue in addition to any other rights and duties which may now or in the future be applicable, and except as provided in paragraph (1) of subdivision (h) may not be waived except by an instrument in writing expressly so providing which is signed by the artist and refers to specific works with identification and such waiver shall only apply to work so identified.

The attorney general may, if the artist is deceased, assert the rights of the artist on the artist's behalf and commence an action for injunctive relief with respect to any work of art which is in public view.

(h) (1) If a work of fine art cannot be removed from a building without substantial physical defacement, mutilation, alteration, or destruction of such work, the rights and duties created under this section, unless expressly reserved by an instrument in writing signed by the owner of such building and properly recorded, prior to the installation of such art shall be deemed waived. Such instrument, if recorded, shall be binding on subsequent owners of such building.

(2) If the owner of a building wishes to remove a work of fine art which is a part of such building but which can be removed from the building without substantial harm to such fine art, the rights and duties created under this section shall apply unless the owner has diligently attempted without success to notify the artist, or, if the artist is deceased, his heir, legatee, or personal representative, in writing of his intended action affecting the work of fine art, or unless he did provide notice and that person failed within ninety days either to remove the work or to pay for its removal. If such work is removed at the expense of the artist, his heir, legatee, or personal representative, title to such fine art shall be deemed to be in such person.

SECTION 2. Chapter 260 of the General Laws is hereby amended by inserting after section 2B the following section:-

Section 2C. Actions commenced under the provisions of sec-

tion eighty-five S of chapter two hundred and thirty-one shall be commenced only within two years next after the cause of action accrues, or within one year next after the discovery of the act, whichever is later.

Approved January 8, 1985.

Chap. 489. AN ACT RELATIVE TO FINANCE CHARGES UNDER OPEN-END CREDIT PLANS AND REVOLVING CREDIT AGREEMENTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 140 of the General Laws is hereby amended by striking out section 114B, as most recently amended by section 2 of chapter 332 of the acts of 1982, and inserting in place thereof the following section:-

Section 114B. Notwithstanding the provisions of section one hundred and one hundred and fourteen A, a creditor may charge a daily, monthly or other periodic rate of finance charge on loans made pursuant to any open-end credit plan as defined by section one of chapter one hundred and forty D, equivalent to but not in excess of eighteen per cent determined in accordance with paragraph (2) of subsection (a) of section five of chapter one hundred and forty D; provided, however, that if the index rate for any calendar quarter, as hereinafter determined, exceeds eighteen per cent, the creditor may, during such calendar quarter, charge such daily, monthly or other periodic rate or rates as may be established by such creditor. The commissioner of banks shall determine as of the computation dates of December first, March first, June first and September first of each year, and not later than one business day after each such computation date, the index rate for the succeeding calendar quarter beginning January first, April first, July first and October first, respectively. The index rate determined on each computation date for the following calendar quarter shall be the number determined by doubling the average of the rates established and announced, as the auction average on a discount basis, for United States Treasury bills with maturities of ninety-one days at the auctions held during the three calendar months preceding the computation date. At the option of the creditor, the periodic rate that a creditor charges on an account may be adjusted to reflect a change in the index rate either on the first day of the respective calendar quarter or on the first day of the first billing cycle of the account immediately following such date; provided, however, that any limitation on finance charges imposed under this section shall remain in effect for three months

from the date so chosen. A finance charge not in excess of fifty cents for a monthly or longer billing cycle or the pro rata part of fifty cents for a billing cycle shorter than monthly may be assessed if the finance charge otherwise assessable is less than fifty cents. For the purpose of this section, a billing cycle shall be considered to be monthly if the billing dates are on the same day of each month or do not vary by more than four days therefrom. No creditor shall impose a delinquency charge, late charge, or similar charge on loans made pursuant to such an open end credit plan.

In addition to disclosures of such rate required by chapter one hundred and forty D, the commissioner of banks shall have the authority to promulgate regulations requiring additional disclosures by creditors concerning periodic rate, other costs of credit, and any other additional features of the agreement.

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

The provisions of this section shall not apply to any extension of credit made pursuant to the provisions of chapter two hundred and fifty-five D.

SECTION 2. Section 20 of chapter 140D of the General Laws, as most recently amended by chapter 733 of the acts of 1981, is hereby further amended by striking out said section and inserting in place thereof the following section:-

Section 20. If a finance charge is imposed under an open-end credit plan on balances resulting from the sale of goods or services at retail made in reliance on a credit card, the finance charge applicable to said balances for any cycle shall be computed on (i) the previous balance after deducting all payments on account received by the creditor during the cycle and all credits to the account during the cycle applicable to any sale reflected in the previous balance; or (ii) the average daily balance determined by adding the daily balances on the account for each day in the billing cycle and dividing the total by the number of days in the billing cycle; or (iii) daily balances; provided, however, that no finance charge may be computed on any new sale reflected for the first time in the account during the billing cycle if there was no balance outstanding in the

account at the beginning of the cycle, or if such balance is solely attributable to a finance charge assessed with respect to the preceding billing cycle, or if the sum of all payments received by the creditor during the cycle and all credits to the account applicable to any balance outstanding at the beginning of the cycle is equal to or exceeds the amount of such balance outstanding; and provided further, that the finance charge applicable to said balances for any cycle may not be computed on any new sale reflected for the first time in the account during the cycle on any extension of credit made pursuant to chapter two hundred and fifty-five D.

SECTION 3. The General Laws are hereby amended by inserting after chapter 140D the following chapter:-

CHAPTER 140E.
CONSUMER ACCOUNT DISCLOSURE.

Section 1. For the purposes of this chapter the following words shall, unless the context indicates otherwise, have the following meanings:-

"Account", a demand deposit, negotiable withdrawal order account, savings deposit, share account or other consumer asset account, other than an occasional or incidental credit balance in an open end credit plan as defined in chapter one hundred and forty D, established primarily for personal, family or household purposes, but such term does not include an account held by a financial institution pursuant to a bona fide trust agreement.

"Commissioner", the commissioner of banks.

"Consumer", a natural person.

"Financial Institution", a state or national bank, a state or federal savings and loan association, a state or federal savings bank, a co-operative bank, a state or federal credit union, or any person doing business similar to any business referred to in section one of chapter one hundred and sixty-seven.

"Term deposit account", an account evidenced by a passbook, certificate or statement for which deposits must be maintained for a specified period.

Section 2. (a) Before an account is opened, a financial institution shall disclose information on accounts to a consumer in a written statement which the consumer may retain. The commissioner shall promulgate rules and regulations prescribing the form, content and distribution of such information and the information to be disclosed which shall include but not be limited to the following: disclosure of the annual rate of simple interest; the effective annual yield; the formula used in calculating interest; the frequency of compounding and crediting of interest; date on which a deposit begins to earn interest; any delay in crediting a deposited instrument; grace periods for deposits and

withdrawals; the minimum balance required to earn interest; the method of determining the balance on which interest is paid; the minimum length of time funds must remain on deposit to earn interest; any fees levied on inactive accounts; any charges, penalties or other conditions imposed upon withdrawals; any penalties for the closing of an account before a specific date; any other fees, charges or penalties; and the method by which a consumer shall be notified of any changes to any of these items.

(b) In addition to the disclosures required under paragraph (a) the commissioner shall promulgate such rules and regulations prescribing information to be disclosed by a financial institution on any account which is a term deposit account, which regulations shall include but not be limited to the following:

(1) the minimum and maximum length of the term; (2) a description of the penalties, if any, for withdrawal prior to the minimum maturity date; (3) the method and timing of any notice of the approaching maturity date of such account; (4) an explanation of the action that the financial institution will take on such account if no instructions are received from the account holder by the maturity date of any established period thereafter; (5) for any such account which merchandise is given instead of interest a financial institution shall disclose the amount of interest that would be earned on such account and the usual selling price of the merchandise at principal outlets in the financial institution's area which do not do business on a discount basis.

(c) Any regulation, or any amendment or repeal of any such regulation shall, after compliance with all applicable provisions of chapter thirty A of the General Laws, be filed with the clerk of the house of representatives. Said clerk shall transmit a copy of such regulation, amendment or repeal to the joint committee on banks and banking. Notwithstanding any law to the contrary, such regulation, amendment or repeal shall not take effect until ninety days after such filing with said clerk.

Section 3. A violation of this chapter shall also constitute a violation of chapter ninety-three A.

Section 4. This chapter shall be known and may be cited as the Truth-in-Savings Law.

SECTION 4. The provisions of section three of this act shall apply to accounts opened on or after July first, nineteen hundred and eighty-five.

SECTION 5. This act shall become inoperative two years after its effective date.

Approved January 8, 1985.

EMERGENCY LETTER - January 8, 1985 @ 4:36 P.M.

Chap. 490. AN ACT PROHIBITING INVESTMENT OF PUBLIC PENSION FUNDS OF THE CITY OF BOSTON IN FINANCIAL INSTITUTIONS DOING BUSINESS IN THE REPUBLIC OF SOUTH AFRICA.

Be it enacted, etc., as follows:

SECTION 1. No public pension funds of the city of Boston shall be invested or remain invested, or be deposited or remain deposited in any bank or financial institution which directly or through its subsidiaries has outstanding loans or existing lines of credit to the Republic of South Africa, or to Namibia; or in any corporation doing business in the Republic of South Africa or Namibia; or in any company or its subsidiaries for the purpose of investment in the Republic of South Africa or Namibia; and no pension funds shall be invested or remain invested in the stocks, securities, or other obligations of any company doing business in or with the Republic of South Africa or Namibia, or whose subsidiary or affiliate does business in or with the Republic of South Africa or Namibia. Any proceeds of sales required under this paragraph shall be invested as much as reasonably possible in the financial institutions or companies which invest or conduct business operations in Boston so long as such use is consistent with sound investment policy.

SECTION 2. No funds of the Boston Housing Authority funds shall be invested or remain invested, or be deposited or remain deposited in any bank or financial institution which directly or through its subsidiaries has outstanding loans or existing lines of credit to the Republic of South Africa or Namibia; or in any corporation doing business in the Republic of South Africa or Namibia; or in any company or its subsidiaries for the purpose of investment in the Republic of South Africa or Namibia; and no public funds shall be invested or remain invested in the stocks, securities, or other obligations of any company doing business in or with the Republic of South Africa or Namibia, or whose subsidiary of affiliate does business in or with the Republic of South Africa or Namibia. Any proceeds of sales required under this paragraph shall be invested as much as reasonably possible in financial institutions or companies which invest or conduct business operations in Boston so long as such use is consistent with sound investment policy.

SECTION 3. No public funds of the city of Boston shall be invested or remain invested, or be deposited or remain deposited in any bank or financial institution which directly or through its subsidiaries has outstanding loans or existing lines of credit to the Republic of South Africa, or to Namibia; or in any corporation doing business in the Republic of South Africa or

Namibia; or in any company or its subsidiaries for the purpose of investment in the Republic of South Africa or Namibia; and no public funds shall be invested or remain invested in the stocks, securities, or other obligations of any company doing business in or with the Republic of South Africa or Namibia, or whose subsidiary or affiliate does business in or with the Republic of South Africa or Namibia. Any proceeds of sales required under this paragraph shall be invested as much as reasonably possible in financial institutions or companies which invest or conduct business operations in Boston so long as such use is consistent with sound investment policy.

SECTION 4. Before any public funds listed in section one of this act can be deposited or invested in any bank or financial institution, each bank or financial institution must submit an affidavit to the collector/treasurer of the city of Boston certifying that it has no loans or existing lines of credit to the entities covered in said section one. The affidavit shall require the bank or financial institution to notify the collector/treasurer of the city of Boston if it later enters into any loan or extends any line of credit to the entities in said section one. These affidavits shall be available for public inspection.

SECTION 5. When public funds must be withdrawn or divested from a bank, financial institution, or company in compliance with this act, the bank, financial institution or company shall be advised by the collector/treasurer of the city of Boston that the withdrawal or divestiture of public funds is required by this act.

SECTION 6. Notwithstanding the provisions of section one of this act, if sound investment policy so requires, the withdrawal of funds or the sale of such investment may be accomplished in no more than three years; provided, however, that no less than one-third of the value of said investments or deposits are sold or withdrawn in any one year. Whenever any funds remain invested or deposited in any bank, financial institution, or company referred to in said section one, the collector/treasurer of the city of Boston shall annually, on or before January thirty-first, file a report listing all South Africa related and Namibia related deposits and investments and their book market value as of the preceding December first. This report shall be filed with the mayor and city council of the city of Boston and the department of revenue of the commonwealth. If after initial divestiture, a bank, financial institution, company or its subsidiaries or affiliates later come into noncompliance with this act, the public funds must be withdrawn or divested within one year after the date of determination of noncompliance.

SECTION 7. This act shall take effect upon its passage.

Approved January 9, 1985.

Chap. 491. AN ACT RELATIVE TO THE ISSUANCE OF ALCOHOLIC BEVERAGE LICENSES BY CERTAIN LOCAL LICENSING AUTHORITIES.

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 Becket is hereby authorized to issue to Robert and Rita Murray d/b/a Bob and Rita's, and to Robert E. Gerner d/b/a Becket General Store, Inc., and the licensing authority of the town of Sheffield is hereby authorized to issue to Sheffield Wine Cellar, Inc. and the licensing authority in the Town of Great Barrington is hereby authorized to issue to Theodore C. Ptak d/b/a Pleasant St. Market, Inc. and to George Betros d/b/a Edward Betros, Inc. and to Josephine Ely d/b/a Ely's Package Store, and the licensing authority of the town of Dracut is hereby authorized to issue to Dracut Town Variety, and the local licensing authority of the town of Dennis is hereby authorized to issue to Finley's Y.D. Store, Inc., and the licensing authority of the town of Harwich is hereby authorized to issue to Pleasant Lake General Store, and the licensing authority of the town of Palmer is hereby authorized to issue to J.F. Inc., d/b/a One Stop, 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 the number of licenses for the sale of wine and malt beverages not to be drunk on the premises authorized for each such 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 each said licensing authority shall not approve the transfer of said license within one year after the date of issuance by each said licensing authority.

Notwithstanding the provisions of section seventeen of chapter one hundred and thirty-eight of the General Laws, the licensing authority of the town of Gardner is hereby authorized to issue to Valentine H. Codding d/b/a Heritage Park Motor Lodge, a license for the sale of all alcoholic beverages under the provisions of section twelve 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 licensing authority.

SECTION 2. Chapter 138 of the General Laws is hereby amended by striking out section 17A, inserted by section 2 of chapter 377 of the acts of 1978, and inserting in place thereof the following two sections:-

Section 17A. In any city or town which accepts the provisions of this section, a local licensing authority which granted seasonal all alcoholic beverage or wine and malt beverage licenses as set forth in section twelve, on or before June thirtieth, nineteen hundred and eighty-four, is hereby authorized to grant, in addition to, the number of licenses which may be issued pursuant to section seventeen, but subject to all other provisions of this chapter, additional all alcoholic beverage licenses at a rate of one such all alcoholic beverage license per year; provided, however, that said additional licenses shall be granted only to holders of said seasonal licenses; provided, further, that the holder of said seasonal license surrenders such license; and provided, further, that the total number of seasonal licenses that the local licensing authority may issue pursuant to said section seventeen shall be reduced by one for each new license issued.

Section 17B. In any city or town which accepts the provisions of this section, a local licensing authority which granted seasonal all alcoholic beverage or wine and malt beverage licenses as set forth in section fifteen, on or before June thirtieth, nineteen hundred and eighty-four, is hereby authorized to grant, in addition to, the number of licenses which may be issued pursuant to section seventeen, but subject to all other provisions of this chapter, additional all alcoholic beverage licenses at a rate of one such all alcoholic beverage license per year; provided, however, that said additional licenses shall be granted only to holders of said seasonal licenses; provided, further, that the holder of said seasonal license surrenders such license; and provided, further, that the total number of seasonal licenses that the local licensing authority may issue pursuant to said section seventeen shall be reduced by one for each new license issued.

SECTION 3. Said chapter 138 is hereby amended by adding the following section:

Section 17C. Any city or town, which has accepted the provisions of section seventeen A of chapter one hundred and thirty-eight of the General Laws, as appearing in section two of chapter three hundred and seventy-seven of the acts of nineteen hundred and seventy-eight, prior to January first, nineteen hundred and eighty-five, is hereby authorized to grant, in

addition to and irrespective of any limitations of the number of licenses contained in section seventeen, additional licenses under section twelve but subject to all other provisions of this chapter.

Approved January 9, 1985.

Chap. 492. AN ACT RELATIVE TO THE USE OF PROCEEDS FROM THE SALE OF CERTAIN REAL ESTATE BY THE CITY OF MEDFORD.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section sixty-three of chapter forty-four of the General Laws or any other general or special law to the contrary, the city of Medford is hereby authorized to expend for any governmental purposes, the proceeds from the sale of real estate known as Curtis School located on Paris street in said city; provided, however, that there is no indebtedness outstanding relative to such real estate at the time of such sale.

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

Approved January 10, 1985.

Chap. 493. AN ACT RELATIVE TO THE USE OF PROCEEDS FROM THE SALE OF CERTAIN REAL ESTATE BY THE CITY OF MEDFORD.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section sixty-three of chapter forty-four of the General Laws or any other general or special law to the contrary, the city of Medford is hereby authorized to expend for any governmental purposes the proceeds from the sale of real estate known as Fulton School located on Fulton street in said city; provided however, that there is no indebtedness outstanding relative to such real estate at the time of such sale.

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

Approved January 10, 1985.

RESOLVES

Chap. 1. RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION RELATIVE TO THE CIVIL SERVICE LAW AND VARIOUS OTHER MERIT SYSTEMS OF THE COMMONWEALTH AND ITS POLITICAL SUBDIVISIONS.

RESOLVED, That the special commission, established by chapter ten of the resolves of nineteen hundred and seventy-nine and most recently revived and continued under the provisions of section thirty of chapter seven hundred and sixty-seven of the acts of nineteen hundred and eighty-one, is hereby revived and continued.

Approved April 23, 1984.

Chap. 2. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO COLLECTIVE BARGAINING AND DISPUTE RESOLUTIONS FOR MUNICIPAL POLICE OFFICERS AND FIRE FIGHTERS.

RESOLVED, That a special commission, to consist of three members of the senate, the chairman of which shall be the senate chairman of the joint committee on public service, six members of the house of representatives, the first named member shall be the house chairman of the joint committee on public service, the governor or his designee, the chairman of the Massachusetts Joint Labor-Management Committee, and four persons to be appointed by the governor, one of whom shall be a member of the Professional Firefighters of Massachusetts, one of whom shall be a member of the International Brotherhood of Police Officers NAGE, one of whom shall be a management member of the Massachusetts Joint Labor-Management Committee, and one of whom shall be a representative of the Massachusetts Municipal Association, is hereby established for the purpose of making an investigation and study of collective bargaining and dispute resolutions for municipal police officers and firefighters, to examine procedures by which collective bargaining impasses between said municipal police officers and firefighters and the cities and towns of the commonwealth may be resolved within the limitations of Proposition $2\frac{1}{2}$, so-called, and to review any other matters as said commission determines appropriate.

Said commission shall report to the General Court the results of its study and its recommendations, together with drafts of legislation necessary to carry its recommendations into effect by filing the same with the clerk of the house of representatives on or before the first of December, nineteen hundred and eighty-four.

Approved July 12, 1984.

Chap. 3. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE FEASIBILITY OF REQUIRING THE MANDATORY USE OF SEAT BELTS ON SCHOOL BUSES AND CERTAIN MATTERS RELATED THERETO.

RESOLVED, That a special commission, to consist of two members of the senate, four members of the house of representatives, the registrar of motor vehicles or his designee, the commissioner of public health or his designee, a member of the governor's highway safety bureau, and four persons to be appointed by the governor, one of whom shall be a member of the school bus contractor's association of Massachusetts, and one of whom shall be a member of the Massachusetts association of school committees, is hereby established for the purpose of making an investigation and study of the subject matter of current senate document numbered 1442, further defining a motor vehicle used for the transportation of school children; and current house document numbered 550, providing for seat belts on certain school buses; 1465, mandating certain safety equipment in school buses; 1622, establishing certain requirements for vehicles and operators used in transporting children; 1623, providing for an investigation and study by a special commission relative to the establishment and regulation of school bus safety standards and certain matters related thereto; 2391, relative to school bus safety; 2607, relative to school bus safety; 3350, directing the commissioner of education to encourage superintendents of schools to require use of seat belts in certain school vehicles; 3351, relative to seat belts on school buses; 3904, relative to school bus safety; 4457, mandating certain safety equipment in school buses; 4796, requiring the installation of safety belts in school buses; 5064, providing for all school buses to have seat belts on every seat; and 5201, relative to school bus safety.

Approved July 13, 1984.

Chap. 4. RESOLVE PROVIDING FOR PUBLICATION OF A NINETEEN HUNDRED AND EIGHTY-FOUR EDITION OF THE GENERAL LAWS AND FOR MONTHLY PUBLICATION OF AMENDMENTS DURING 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 1984 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-four. 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-five and nineteen hundred and eighty-six. Publication of the 1984 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; and be it further

Resolved, That chapter one of the resolves of nineteen hundred and eighty-three is hereby repealed.

Approved July 13, 1984.

Chap. 5. RESOLVE RELATIVE TO MAKING A COMMITMENT TO THE VICTIMS OF THE DEBILITATING DISEASE KNOW AS ALZHEIMER'S DISEASE, BY PROVIDING RESPITE CARE FOR THE FAMILIES OF THESE VICTIMS TO ASSIST THEM IN KEEPING THESE PEOPLE IN THEIR OWN HOMES AND AVOIDING OR POSTPONING THE NECESSITY OF PLACING THEM IN NURSING HOMES.

RESOLVED, That the governor appoint a committee composed of members of the medical and health community, members of the Legislature and members of the general public, to study the problem of "Alzheimer's Disease", so-called, and report back to the governor before December thirty-first, nineteen hundred and eighty-four with recommendations for adequate care and support of the victims of this dread disease and their families.

Approved July 18, 1984.

Chap. 6. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO CONTRACTING PROCEDURES OF THE DEPARTMENT OF ELDER AFFAIRS.

RESOLVED, That a special commission, to consist of three members of the house of representatives, two members of the senate, the secretary of administration and finance or his designee, the secretary of the department of elder affairs or his designee, and three persons to be appointed by the governor, one of whom shall be a client of home care services, one of whom shall be a member of the Massachusetts Association of Homecare Corporations and one of whom shall be a member of the Visiting Nurse Association, is hereby established for the purpose of making an investigation and study relative to the contracting procedures of the department of elder affairs. Said commission shall study the process by which contracts are awarded, the provisions of such contracts and the department's procedures for monitoring and evaluating such contracts. Said commission shall develop and recommend to the general court measures concerning the monitoring of home care providers and the enforcement of contractual provisions.

Approved July 21, 1984.

Chap. 7. RESOLVE IN FAVOR OF THE WIDOW OF THE LATE JEREMIAH F. CAHIR.

RESOLVED, That, for the purpose of promoting the public good, and after an appropriation has been made therefor, there be paid out of the state treasury to the widow of the late Jeremiah F. Cahir, who died while a member of the present house of representatives, the salary to which he would have been entitled had he lived and served until the end of the term for which he was elected.

Approved September 21, 1984.

Chap. 8. RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE 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 DAMAGES, INJURY, LOSS OR OTHER HARM SUFFERED AS A RESULT OF SUCH RELEASE OF OIL OR HAZARDOUS MATERIAL.

RESOLVED, That the special commission, established under the provisions of section thirteen of chapter seven of the acts of nineteen hundred and eighty-three, is hereby revived and continued.

Said commission may make a preliminary report and shall make its final report on or before the last Wednesday of December, nineteen hundred and eighty-four.

Approved October 16, 1984.

Chap. 9. RESOLVE IN FAVOR OF JAMES C. LAPERY.

RESOLVED, That for the purpose of discharging a moral obligation, there shall be paid out of the state treasury to Colonel James C. Lapery of the town of Shrewsbury the sum of eight thousand nine hundred and seventy-eight dollars as compensation for service as an adjutant general from October first, nineteen hundred and seventy-nine to September thirtieth, nineteen hundred and eighty-one.

Approved December 4, 1984.

Chap. 10. RESOLVE PROVIDING FOR THE ESTABLISHMENT OF A SPECIAL COMMISSION TO PREPARE PLANS FOR THE OBSERVANCE OF THE QUINCENTENNIAL OF THE VOYAGES OF DISCOVERY OF CHRISTOPHER COLUMBUS.

RESOLVED, That a special commission to consist of three members of the senate, five members of the house of representatives, the state secretary or his designee, the adjutant general or his designee, and thirty-one persons to be appointed by the governor, one of whom shall be a member of the Massachusetts Italian-American War Veterans, one of whom shall be a member of the Azione Cattolica Italiana, one of whom shall be a member of the Circolo Letterario Italiano, one of who shall be a member of

the Dante Alighieri Society, one of whom shall be a member of the Faro Charity Club, one of whom shall be a member of the Independent Order Sons of Italy, one of whom shall be a member of the Italian American Charitable Society, Inc., one of whom shall be a member of the Italian American Civic League, one of whom shall be a member of the Italian Historical Society of Massachusetts, Inc., one of whom shall be a member of the Justinian Law Society, one of whom shall be a member of the Women's Italian Club of Boston, Inc., one of whom shall be a member of the Order Sons of Italy in America-Grand Lodge of Massachusetts, one of whom shall be a member of the Orphans of Italy, Inc., one of whom shall be a member of the Frances Tomasello Club, Inc., one of whom shall be a member of the Circolo Italiano di Boston, one of whom shall be a member of the Don Orione Board-Madonna Queen National Shrine, one of whom shall be a member of the Italian Club and one of whom shall be a member of the Greater Boston Chamber of Commerce, is hereby established to devise plans and programs for the observance of the quincentennial of the voyages of discovery of Christopher Columbus. Said commission may receive and expend such funds as may be donated to it for its purposes. Said commission shall submit an annual report to the general court and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before the last Tuesday in December and shall file its final report, along with an accounting of funds received and expended, not later than May first, nineteen hundred and ninety-two. Said commission shall terminate upon the completion of the duties set forth in this resolve.

Approved December 27, 1984.

Chap. 11. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE OPERATION AND MAINTENANCE OF LOCKUP FACILITIES.

RESOLVED, That a special commission to consist of one member of the senate, one member of the house of representatives and five persons to be appointed by the governor, all of whom shall be members of the special commission to investigate and study suicide in the municipal detention centers established by chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three, item 0185-7824, is hereby established for the purpose of making an investigation and study relative to the operation and maintenance of lockup facilities. Said commis-

sion shall, among other things, supervise the implementation of the recommendations of the special commission to investigate suicide in municipal detention centers, the progress of such implementation, the conditions of lockup facilities and effects of the protective custody law.

Said commission established by this resolve shall report to the clerk of the senate, from time to time, and file its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect and shall file its final report with said clerk on or before July first, nineteen hundred and eighty-five.

Approved January 7, 1985.

Chap. 12. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO REVIEWING AND EVALUATING ALL NON-PARKLAND USES OF THE MOUNT GREYLOCK RESERVATION.

RESOLVED, That a special commission, to consist of one member of the senate, two members of the house of representatives, the commissioner of the department of environmental management or his designee, the commissioner of the department of public safety or his designee, the commissioner of the department of fisheries and wildlife or his designee, and three persons to be appointed by the governor, one of whom shall be a representative from the Greylock advisory board, one of whom shall be a member of the Berkshire natural resources council, and one of whom shall be a representative from the telecommunications industry, is hereby established for the purpose of making an investigation and study relative to reviewing and evaluating all non-parkland uses of the Mount Greylock Reservation. Said commission may travel within the commonwealth. 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 June first, nineteen hundred and eighty-five.

Approved January 7, 1985.

Chap. 13. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE JUDICIAL COUNCIL RELATIVE TO AUTHORIZING THE VIDEOTAPING OF CERTAIN TESTIMONY.

RESOLVED, That the judicial council be requested to investigate the subject matter of current house document numbered 6247, relative to authorizing the videotaping of certain testimony, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved January 7, 1985.

Chap. 14. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY OF EXISTING LAWS AND PRACTICES RELATING TO DIVORCE AND ITS EMOTIONAL AND ECONOMIC HARDSHIP ON FAMILIES.

RESOLVED, That a special commission to consist of three members of the senate, six members of the house of representatives, and eight persons to be appointed by the governor, one of whom shall be a person with at least five years of experience in family dispute resolution recommended by the chairman of the Massachusetts Council on Family Mediation, two of whom shall be lawyers experienced in family law recommended by the president of the Massachusetts Bar Association, one of whom shall be a family service officer of a probate and family court with at least five years of experience, one of whom shall be a female parent of minor children who has been divorced, one of whom shall be a male parent of minor children who has been divorced, and two of whom shall be members of the clergy, each from a different faith, is hereby established for the purpose of making a comprehensive investigation and study of existing laws and practices relating to divorce and the economic and emotional impact of the divorce process on the parties and their children; and further to propose necessary modification in law and practices as may be appropriate, and to include its conclusions and recommendations in relation thereto, together with such drafts of legislation as may be necessary to give effect to the same, in its report. Said commission may file interim reports, but shall file its final report no later than the first Wednesday of June 1985.

Said commission may involve in advisory roles such persons, organizations, or public and private institutions as it may determine as appropriate.

Said commission may travel without the commonwealth.

Said commission may call upon officials of the commonwealth or its various subdivisions, and may also call upon officials of the federal government and its various agencies and departments for such information as it may desire in the course of its investigation and study. Said commission may seek, accept and expend any grants or gifts of money, professional services, consultant

services, clerical and other services and supplies from the federal government or any other private and public source in the course of its investigation and study.

Approved January 7, 1985.

OFFICE OF THE SECRETARY, BOSTON, DECEMBER 12, 1985

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 Index and Table of Changes contained in this volume have been 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

NUMBER OF ACTS AND RESOLVES APPROVED, APPROVAL WITHHELD AND ACTS DECLARED EMERGENCY LAWS BY THE GOVERNOR UNDER AUTHORITY OF THE CONSTITUTION.

The General Court during its second session held in 1984 passed 493 Acts and 14 Resolves of which 490 Acts received executive approval. Three Acts from which executive approval was withheld became law by virtue of Chapter 1, Section 1, Article II of the Constitution of the Commonwealth.

Three (3) Acts, entitled respectively, "An Act Extending the Time for Acceptance of an Act Establishing the Ashfield Water District" (Chapter 117), "An Act Relative to Reduction in Rank for Certain Public Employees in Fall River" (Chapter 243) and "An Act Further Regulating the Eligibility Requirements for Student Scholarships and Student Loans Awarded by the Board of Regents of Higher Education" (Chapter 336); were passed, but failed to receive executive approval; as, however, they were not returned, with objections thereto, within ten days after they had been received in the Executive Department, the General Court not having been dissolved in the meantime, said Acts have the force of law, under the provisions of the Constitution governing such cases and have been so certified.

Thirty-five (35) Acts, Chapters 2, 23, 43, 53, 55, 78, 165, 199, 203, 229, 233, 240, 241, 258, 259, 262, 266, 276, 277, 279, 283, 397, 398, 406, 407, 411, 419, 433, 438, 441, 463, 465, 471, 487, and 489 were declared emergency laws by the Governor in accordance with the provisions of the Forty-eighth Amendment to the Constitution, the Referendum II, Emergency Measures.

The General Court was dissolved on Tuesday, January 2, 1985 at twelve o'clock midnight, the session having occupied 364 days.

December 12, 1985

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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-FOUR.*†

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; first paragraph stricken out and two paragraphs inserted, 1984 44 § 1.

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; 1984, 44 § 2.

SECT. 8A added, 1973, 896 (relative to the filing of petitions with general court by cities and towns under the home rule amendment); section revised, 1984, 44 § 2.

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 Second A inserted, 1984, 363 § 1; clause Third revised, 1951, 215 § 1; clause Third A inserted, 1984, 363 § 2; clause Fifth stricken out and three clauses inserted, 1984, 363 § 3; 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 Eighteenth B inserted, 1984, 363 § 4; 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. 6A inserted, 1984, 412 § 1 (providing for the orderly distribution of state publications).

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); section stricken out.

SECT. 12GG added, 1984, 189 § 1 (providing for the annual observance of Lithuanian Independence Day).

SECT. 12HH added, 1984, 63 (establishing a statue of Liberty awareness day).

SECT. 12II added, 1984, 180 (providing for the annual observance of Slovak 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. 15 amended, 1946, 201.

SECT. 15A added, 1953, 170 (relative to the annual observance of Constitution Day).

SECT. 15B added, 1956, 106 (relative to the annual observance of Senior Citizens' Day); amended, 1957, 39; 1965, 558 § 1; (See 1965, 558 § 2.)

SECT. 15C added, 1957, 44 (providing for an annual proclamation by the governor designating February as American History Month).

SECT. 15D added, 1958, 125 (relative to the annual observance of Massachusetts Art Week).

SECT. 15E added, 1958, 265 (relative to the annual observance of Susan B. Anthony Day).

SECT. 15F added, 1958, 662 § 1 (relative to the annual observance of Employ the Handicapped Week); 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. 15UU added, 1984 88 (relative to the annual observance of practical nursing education week).

SECT. 15VV added, 1984, 223 (relative to the annual observance of President's 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 § 186; 808 § 21; revised, 1984, 208 § 1. (See 1933, 336 § 3; 1948, 260 §§ 5, 6; 310 §§ 30, 31; 476 §§ 3, 4; 637 §§ 4-9, 13; 663 § 4; 1950, 479 §§ 6, 7; 1952, 605 §§ 15, 19-21; 1955, 584 §§ 9, 10; 1956, 602 §§ 17-20; 1959, 418 §§ 5-8; 1966, 353 § 3; 1973, 1168 § 40; 1975, 706 § 312; 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. 39 revised, 1984, 412 § 2.

SECT. 39A added, 1966, 259 (requiring copies of certain reports of public authorities to be deposited in the state library); revised, 1984, 412 § 3.

SECT. 39B inserted, 1984,412 § 3 (further providing for the orderly distribution of state publications).

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, 507 § 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; second sentence revised, 1977, 960 § 1; paragraph revised, 1978, 494 § 2; last sentence revised, 1984, 234 § 4. (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; 1984,234 § 108.)

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; two paragraphs added, 1984, 427. (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 strickenout and paragraph inserted, 1979, 702 § 4.

SECT. 169, paragraph added, 1973, 961 § 2; section repealed1979, 702 § 5.

SECT. 170, paragraph added, 1973, 961 § 3; first paragraphrevised, 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 medico-legal 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.)

SECT. 190 added, 1984, 208 § 2 (establishing the Massachusetts Industrial Advisory Board).

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; section amended, 1984, 189 § 3. (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; amended, 1984, 348 § 1; revised, 1984, 413 § 1. (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.)
SECT. 51, clause (*b*), subclause (*ii*) revised, 1984, 183 § 1. (See 1984 183 § 4.)
SECTS. 51A revised, 1983, 389 § 1.
SECTS. 54 revised, 1983, 389 § 2; amended, 1984, 189 § 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. 60, paragraph C, clause (*b*) amended, 1984, 189 § 4.
SECT. 65, paragraph added, 1983, 233 § § 2; after first paragraph, paragraph inserted, 1984, 347 § 1. (See 1983, 233 § 101.)
SECT. 65A inserted, 1984, 347 § 2 (relative to rates of payment of acute hospitals).
SECT. 68, subsection A revised, 1984, 347 § 3; subsection B, two paragraphs added, 1983, 389 § 6; paragraph 3, two sentences added, 1984, 183 § 2; subsection B revised, 1984, 347 § 4; subsection C, paragraphs (b) and (c) revised, 1983, 389 § 7; paragraph (d), second paragraph, sentence inserted after first sentence, 1984, 183 § 3; subsection C revised, 1984, 347 § 4; subsection D revised, 1984, 347 § 4; subsections E and F revised, 1983, 389 § 8; subsection F, second paragraph amended, 1984, 189 § 4A; last paragraph revised, 1984, 347 § 5; subsection G, added, 1983, 389 § 9. (See 1984, 183 § 4.)
SECT. 73, added, 1983, 462 § 2.
SECT. 74 added, 1984, 347 § 6 (relative to the establishment of Title XIX rates of payment for acute hospitals).

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. 30B-30P stricken out and sections 38A ½ to 380, inclusive, inserted, 1984, 189 § 5.

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; clause (3) amended, 1984, 329 § 1. (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. 38A ½ TO 38O added, 1984, 189 § 5.

SECT. 38A ½, subsection (*b*), clause (iii) revised, 1984, 484 § 1.

SECT. 38C, subparagraph (*e*), sentence added, 1984, 484 § 2.

SECT. 38D, paragraph (*a*) revised, 1984, 484 § 3.

SECT. 38F, paragraph (*c*), first paragraph revised, 1984, 484 § 4;paragraph (*e*), clause (*ii*) revised, 1984, 484 § 5.

SECT. 38H revised, 1984, 484 § 6.

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.)

SECT. 39A, paragraphs (*g*) and (*g*) (1) stricken out and paragraphs (*g*) and (*g* ½) inserted, 1984, 484 § 7; paragraph (*v*) revised, 1984, 484 § 8.

SECT. 39B, second paragraph, first sentence revised, 1984, 484 § 9.

SECT. 40A, paragraph (1) revised, 1984, 484 § 10.

SECT. 40C, subsection (2) revised, 1984, 484 § 11.

SECT. 40D revised, 1984, 484 § 12.

SECTS. 40E-42M 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. 40E revised, 1984, 189 § 7; paragraph inserted before first paragraph, 1984, 484 § 13; first paragraph, last two sentences revised, 1984, 484 § 14; second paragraph stricken out, 1984, 484 § 15.

SECT. 40F revised, 1984, 484 § 16.

SECT. 40F ½ inserted, 1984, 484 § 17 (relative to the selling, renting or otherwise disposing of state-owned real property).

SECT. 40H amended, 1984, 189 § 7. revised, 1984, 484 § 18.

SECT. 40I revised, 1984, 484 § 19.

SECT. 40K, first paragraph, last sentence revised, 1984, 484 § 20

SECT. 40L, clause (*c*) revised, 1984, 189 § 8; section revised, 1984, 484 § 21.

SECT. 41, second paragraph, fourth sentence revised, 1981, 699 § 15; 1982, 324 § 1. (See 1981, 699 § 97; 1982, 324 § 2.)

SECT. 41B, first sentence revised, 1984, 484 § 22; fourth paragraph amended, 1984, 189 § 9; revised, 1984, 484 § 23.

SECT. 42A, first paragraph amended, 1984, 189 § 10.

SECT. 42B fourth paragraph amended, 1984, 484 § 24.

SECT. 42C, third paragraph amended, 1984, 484 § 25; fifth and sixth paragraphs revised, 1984, 484 § 26.

SECT. 42D, second paragraph, clause (5) amended, 1984, 484 § 27.

SECT. 42F amended, 1984, 484 § 27A.

SECT. 42H, third paragraph amended, 1984, 189 § 11.

SECTS. 43A-43G added, 1980, 579 § 15 (improving the system of public construction). (See 1980, 579 § 66.)

SECT. 43A, third paragraph, after third sentence, sentence inserted 1984, 484 § 28.

SECT. 43E, before first paragraph, paragraph inserted, 1984, 484 § 29.

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; section revised, 1984, 413 § 2. (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; section repealed, 1984, 413 § 3. (See 1980, 579 § 66.)

SECT. 4B amended, 1980, 579 § 19; section repealed, 1984, 413 § 3. (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; first sentence revised, 1984, 189 § 12. (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; first sentence revised, 1984, 234 § 5. (See 1938, 249 § 6; 1980, 579 § 66; 1984, 234 § 108.)

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; section repealed, 1984, 413 § 4. (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; section revised, 1984, 70. (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; 1984, 258.

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.)

SECT. 20A, second paragraph revised, 1984, 484 § 30.

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; 1984, 372 § 31. (See 1959, 612 § 10; 1984, 372 § 73.)

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.

†SECT. 27 amended, 1972, 280, 474; 1973, 302, 1002 § 2.

SECT. 28 amended, 1973, 1002 § 3.

SECT. 30A added, 1973, 63. (further regulating the state lottery).

SECT. 33 amended, 1973, 1002 § 4.

SECT. 35, second paragraph revised, 1974, 492 § 1; 1976, 283 § 32A, 32B; 1977, 185. (See 1974, 492 § 24; 1976, 283 § 34.)

SECT. 35A added, 1979, 790 § 2 (establishing the State Arts Lottery Fund); stricken out and sections 35A, 35B and 35C inserted, 1981, 351 § 294. (See 1981, 351 § 299.)

SECT. 35B revised, 1983, 289 § 70; fourth sentence revised, 1984, 188 § 20. (See 1983, 289 § 83.)

SECT. 35D added, 1983, 330 § 1.

SECT. 35E added, 1983, 693 § 1; revised, 1984, 189 § 13. (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; thirteenth paragraph, sentence added, 1984, 19. (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. 48 added, 1984, 189 § 14 (establishing a Milk Producers Security Fund).

SECT. 49 added, 1983, 694 § 1 (establishing a Victim and Witness Assistance Fund).

SECT. 49 added, 1983, 706 § 1 (establishing a Milk Producers Security Fund); section stricken out, 1984, 189 § 14.

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); paragraph added, 1984, 126.

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; first sentence revised, 1984, 399 § 1; second sentence revised, 1978, 478 § 7. (See 1948, 423 § 7; 1977, 659 § 5; 1978, 478 § 343.)

SECT. 19 revised, 1978, 478 § 8; first sentence revised, 1984, 399 § 2. (See 1978, 478 § 343.)

SECT. 20 revised, 1957, 694 § 1; 1969, 145; 1973, 1006; 1978, 478 § 9; 1984, 399 § 3. (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; first sentence revised, 1984, 399 § 4. (See 1948, 423 § 7; 1978, 478 § 343.)

SECT. 23, sentence added, 1970, 811; 1978, 478 § 10; section amended, 1984, 399 § 5. (See 1978, 478 § 343.)

SECT. 24 amended, 1948, 111; 1978, 478 § 10; 1984, 399 § 6. (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.

SECT. 15 added, 1984, 119 § 1; repealed, 1984, 119 § 2. (See 1984, 119 § 3.)

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; revised, 1984, 394 § 5; fourth paragraph revised, 1984, 234 § 6; seventh paragraph amended, 1984, 189 § 15. (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; 1984, 408 §. (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. 1T added, 1984, 234 § 7 (relative to the council on scientific cultural organizations within the department of education).

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; second and third sentences stricken out and one sentence inserted, 1984, 487 § 1. (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; third paragraph revised, 1984, 476; fifth paragraph revised, 1981, 689 § 1; paragraph added, 1984, 336; 1984, 336. (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; two paragraphs added, 1984, 234 § 8.

SECT. 12, first sentence amended, 1984, 468; 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; 1984, 397 § 1. (See 1983, 716 § 6; 1984, 397 § 2.)

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; sentence added, 1984, 220.

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. 2 amended, 1984, 463 § 2.

SECT. 3 revised, 1982, 356 § 13; paragraph (*b*) amended, 1984, 463 § 3; paragraph (*h*) amended, 1984, 463 § 4. (See 1982, 356 § 27.)

SECT. 4, paragraph (*a*), first sentence amended, 1984, 463 § 5; sixth sentence amended, 1984, 463 § 6; paragraph (*c*) amended, 1984, 189 § 16; 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. paragraph (*l*) amended, 1984, 463 § 7; paragraph (*o*) revised, 1984, 463 § 6A. (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; second, third and fourth sentences revised, 1984, 463 § 8. (See 1982, 356 § 27.)

SECT. 14A added, 1984, 65 § 3 (relative to participation in the education loan program). (See 1984, 65 § 11.)

SECT. 18 amended, 1982, 356 § 23; first sentence revised, 1984, 463 § 9. (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.)

SECT. 22A added, 1984, 463 § 1 (relative to the liability of the College Student Loan Authority).

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; 1984, 234 § 9. (See 1969, 704 § 60; 1975, 706 § 312; 1984, 234 § 108.)

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, 342 § 8; subsection (D) added, 1979, 393 § 62; second paragraph revised, 1979, 765 § 3; subsection (D) (inserted by 1979, 342 § 8), 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. 16A inserted, 1984, 353 (allowing the department of public welfare division of hearings to hold certain additional hearings).

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. 6A added, 1984, 197 § 1 (relative to foster care review). (See 1984, 197 § 7.)

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; 1984, 234 § 10; second paragraph revised, 1969, 647 § 2; amended, 1971, 1000 § 2. (See 1980, 329 § 134; 1981, 351 § 299; 1984, 234 § 108.)

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; 1984, 234 § 11. (See 1973, 1210 § 39; 1978, 367 § 72; 1980, 329 § 134; 1981, 351 § 299; 1984, 234 § 108.)

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; first sentence revised, 1984, 234 § 12; fourth paragraph amended, 1976, 155 § 2; paragraph added, 1978, 118 § 2. (See 1984, 234 § 108.)

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.

SECT. 27 amended, 1984, 189 § 17.

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; section revised, 1983, 589 § 9. (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; revised, 1984, 234 § 13. (See 1975, 706 § 312; 1984, 234 § 108.)

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; three sentences added, 1984, 354 § 1. (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; section revised, 1984, 354 § 2. (See 1975, 706 § 312.)

SECT. 20 revised, 1984, 354 § 3.

SECT. 21 amended, 1984, 354 § 4.

SECT. 22 revised, 1984, 354 § 5.

SECT. 23 amended, 1984, 354 § 6.

SECT. 24, paragraph (9) amended, 1984, 354 § 7; three paragraphs added, 1984, 354 § 8.

SECT. 25A inserted, 1984, 354 § 9 (relative to the state commission of soil, water and related resources).

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; first paragraph amended, 1984, 189 § 18. (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; second paragraph revised, 1984, 372 § 62. (See 1984, 372 § 73.)

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. 33B, second paragraph amended, 1984, 372 § 32. (See 1984, 372 § 73.)

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 and one paragraph inserted, 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; section revised, 1984, 372 § 33. (See 1984, 372 § 73.)

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); section repealed, 1984, 372 § 34. (See 1980, 329 § 134; 1984, 372 § 73.)

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; second sentence revised, 1984, 348 § 3. (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. 9B amended, 1939, 508 § 9.

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 22A. — CENTRAL REGISTER FOR MISSING CHILDREN.

New chapter inserted 1984, 356.

Chapter 22B. — CAPITOL POLICE

New chapter inserted, 1984, 413 § 5.

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);

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.

SECTS. 29-38 stricken out and 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, 1978, 526 § 1; stricken out, 1981, 777 § 6; 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; section revised, 1984, 189 § 19. last paragraph amended, 1984 462 § 1; definition of "Financing document" inserted, 1984, 462 § 2; definition of "Lending institution" inserted, 1984, 462 § 3; definition of "User" inserted, 1984, 462 § 4. (See 1980, 261 § 38, 39.)

SECT. 31, first paragraph, second sentence revised, 1977, 688 § 4. paragraph (*d*) revised, 1984, 462 §4A; subsection (*a*), paragraph (*k*), second sentence revised, 1984 462 § 5.

SECT. 32, paragraph (*g*)revised, 1984, 462 § 6; paragraph (*k*) revised, 1984, 462 § 7; paragraph (*n*) revised, 1984, 462 § 8; paragraph (*q*) revised, 1984, 462 § 9.

SECT. 33, third paragraph, clause (3) revised, 1978, 526 § 4; section revised, 1984, 189 § 20; 462 § 9A.

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; stricken out, 1981, 777 § 6; third paragraph, clause (5) revised, 1978, 526 § 5; section revised, 1984, 189 § 21; paragraph (*a*) revised, 1984, 462 § 10; paragraph (*b*) revised, 1984, 462 § 11; paragraph (*c*), introductory clause revised, 1984, 462 § 12; clause (1) amended, 1984, 462 § 13; clause (3) revised, 1984, 462 § 14; clause (5) revised, 1984, 462 § 15; clause (8) revised, 1984, 462 § 16; clauses (12) and (13) revised, 1984, 462 § 17; last paragraph amended, 1984, 462 § 18; paragraph added, 1984. 462 § 19.

SECT. 35, paragraph (*a*) amended, 1984, 462 § 20; paragraph (*b*) amended, 1979, 787 § 1; paragraph (*c*) amended, 1980, 490 § 17; paragraph (*b*) revised, 1984, 462 § 21; paragraph (*d*) amended, 1984, 462 § 22; paragrap (*e*) revised, 1984, 462 § 23.

SECT. 36 added, 1978, 496 § 3 (relative to legal investments); amended, 1984, 189 § 22.

SECTS. 36-41 added, 1978, 521 § 2 (establishing the state office of minority business).

SECTS. 36-41 stricken out and sections 39-44 added, 1984, 189 § 23.

SECT. 36 amended, 1984, 462 § 24.

SECT. 37 revised, 1984, 462 § 25.

SECTS. 38A-38C added, 1983, 672 § 5.

SECT. 45 added, 1984, 208 § 3 (establishing an economic moni toring group).

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; amended, 1984, 189 § 24; clause (*e*) revised, 1977, 939 § 2; 1984, 189 § 25; clause (*f*) added, 1978, 499 § 2.

SECT. 12, first paragraph, first sentence revised, 1975, 163 § 8.

SECT. 13, clause (1) revised, 1978, 499 § 3; amended, 1984, 189 § 26; 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; stricken out, 1984, 189 § 27; clause (*H*) stricken out and clause (*h*) inserted, 1984, 189 § 27; (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.

SECTS. 16-23 repealed, 1984, 348 § 2.

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; amended, 1984, 189 § 28.

Chapter 23D. — MASSACHUSETTS INDUSTRIAL SERVICE PROGRAM.

New chapter inserted, 1984, 208 § 4.

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; third paragraph, third sentence revised, 1984, 233 § 34.

SECT. 11A inserted, 1984, 234 § 14 (relative to the Massachusetts commercial and apartment conservation service). (See 1984, 234 § 108.)

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 four 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; second paragraph amended, 1984, 216. (See 1976, 266 § 23; 1983, 233 § 101.)

SECT. 8G added, 1981, 775 § 1 (licensing motor vehicle examiners); thirteenth paragraph amended, 1984, 189 § 29. (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. 12 amended, 1981, 723 § 6.

SECT. 14 added, 1983, 311; revised, 1983, 311.

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; clause (*f*) added, 1984, 201 § 1. (See 1978, 367 § 72; 1984, 201 § 10.)

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; revised, 1984, 189 § 30. (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.)

SECT. 7C, first paragraph revised, 1984, 484 § 31.

SECT. 7D, first paragraph, last sentence revised, 1984, 484 § 32. last paragraph amended, 1984, 189 § 31.

SECTS. 7E, revised 1983, 636 § 16.

SECTS. 7F added, 1983, 636 § 16;

SECT. 7G, second paragraph amended, 1984, 189 § 32.

SECT. 7I, second paragraph amended, 1984, 484 § 33.

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; section repealed, 1984, 484 § 34. (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. 26A, last paragraph amended, 1984, 189 §33.

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, 1968, 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; 1984, 342; 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); amended, 1984, 189 § 34.

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; first paragraph, sentence added, 1984, 364 § 1. (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; 1984, 484 § 35; 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. 39Q, subparagraph (*c*) amended, 1984 189 § 35; first sentence revised, 1984, 484 § 36.

SECT. 39R, paragraph (*b*), clause (2) revised, 1984, 484 § 37; paragraph (*d*) revised, 1984, 484 § 38; paragraph (*e*), last sentence revised, 1984, 484 § 39; paragraph (*f*) added, 1982, 593 § 1; revised, 1984, 484 § 40.

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 (2), sentence added, 1984, 364 § 1; 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; 1984, 487 § 2; 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; revised, 1984, 234 § 15. (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; 1984, 234 § 108.)

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; 1984, 487 § 3; paragraph (5A) added, 1983, 526 § 2. (See 1981, 699 § 97.)

SECT. 46H amended, 1984, 189 § 36.

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; second paragraph revised, 1984, 189 § 37. (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, first paragraph, first sentence stricken out and two sentences added, 1979 196; 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; amended, 1984, 357 § 1. (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. 58, second paragraph amended, 1984, 189 § 38.
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 (xiv) added, 1984, 189 § 39; clause (xix) added, 1973, 1211 § 2; clause (xix) stricken out, 1984 189 § 39; 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, 660 § 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; subdivision (6) revised, 1984, 189 § 40. (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 (a) revised, 1984, 473 § 1; 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; 1984, 373 § 1. (See 1949, 491 § 2; 1951, 784 § 3; 1957, 661 § 4; 1962, 516 §§ 2, 3; 1973, 928 § 2; 1983, 661 § 29; 1984, 373 § 7.)

SECT. 11, subdivision (1), paragraph (a), four sentences added, 1983, 661 § 4; revised, 1984, 373 § 2; 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; 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; 1984, 373 § 7.)

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; tenth and eleventh paragraphs revised, 1984, 389 § 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; 1984, 389 § 2; third paragraph revised, 1984, 389 § 3. (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; 1984, 189 § 41; 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; paragraph (*h*) revised, 1984, 373 § 3; paragraph (*l*), last paragraph stricken out, 1984, 373 § 4; 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; paragraph (*a*) revised, 1984, 373 § 5; 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; subdivision (8) stricken out, 1984, 189 § 42; subdivision (8) added, 1983, 661 § 16; paragraph (a), second and third sentences stricken out and sentence inserted, 1984, 373 § 6; subdivision (9) inserted, 1984, 189 § 42. (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; 1984, 373 § 7.)

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; 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; paragraph (*d*) revised, 1983, 661 § 18; 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; first sentence revised, 1984, 189 § 43; section revised, 1984, 389 § 4. (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; subdivision (2), second and third sentences revised, 1978, 487 § 19. paragraph (c) revised, 1984, 344 § 16; paragraph (e) revised, 1984, 389 § 5. (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;1984, 234 § 108.)

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; section revised, 1984, 189 § 44. (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.)

SECT. 11A added, 1984, 414 § 1 (relative to health insurance coverage for certain divorced or separated spouses).

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. 9H added, 1984, 414 § 2 (relative to health insurance for certain divorced or separated spouses).

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; fourth sentence amended, 1984, 189 § 45. (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; subserction (d) revised, 1984, 484 § 41; 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; subsection (*h*) revised, 1984 453 § 1; subsection (*i*) inserted, 1984, 453 § 1. (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; thirteenth paragraph revised, 1984, 453 § 2. (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; section revised, 1984, 234 § 17. (See 1970, 783 § 3; 1984, 234 § 108.)

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; revised, 1984, 189 § 46.

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. 6C added, 1983, 659 § 5; section stricken out, 1984, 189 § 46.

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 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; paragraph revised, 1984, 52; 1980, 261 § 1D; paragraph revised, 1984, 52. 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. 4H added, 1984, 477 (exempting municipal purchases from certain public bidding laws).

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; 1984, 43; 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. 36A-36C added, 1984, 456 § 1 (relative to the care and protection of detainees in certain lockup facilities).

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; third paragraph revised, 1984, 372 § 35. (See 1975, 706 § 312; 1984, 372 § 73.)

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; 1984, 372 § 36. (See 1965, 582; 1975, 706 § 312; 1984, 372 § 73.)

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, first paragraph, first and second sentences revised, 1984, 189 § 47; 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. 7, second paragraph amended, 1984, 291.

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; revised, 1984, 195.

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; amended, 1984, 372 § 37. (See 1975, 706 § 312; 1983, 85 § 4; 1984, 372 § 73.)

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 (*l*) revised, 1979, 787 § 2; 1981, 777 § 2; amended, 1981, 778; revised, 1983, 560.

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 amended, 1978, 496 § 6; second paragraph, clause (e) revised, 1974, 76 § 1; clause (i) revised, 1974, 76 § 2; subsections (2) and (3) revised, 1978, 495 § 10; subsection (2), third paragraph, clause (k) revised, 1984, 462 § 26.

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. 7A-7E added 1983, 685 § 2.

Chapter stricken out and new chapter inserted, 1984, 189 § 48.

Chapter 40J — Massachusetts Technology Park Corporation.

New chapter inserted, 1982, 312 § 1.

SECT. 3, second paragaraph revised, 1982, 451; third paragraph amended, 1984, 189 § 49.

SECT. 5, last paragraph amended, 1984, 189 § 50.

SECT. 11, added 1983, 32, (relative to the operation of the Massachusetts Technology Park Corporation).

Chapter 40K. — MASSACHUSETTS PRODUCT DEVELOPMENT CORPORATION.

New chapter inserted, 1984, 208 § 5.

(See 1984, 208 § 16.)

Chapter 41. — Officers and Employees of Cities, Towns and Districts.

SECT. 1, introductory paragraph revised, 1984, 363 § 5; 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. 19I added, 1984, 5 (relative to the compensation of certain city or town clerks).

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; stricken out and three sentences inserted, 1984, 57. 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; section repealed, 1984, 484 § 42. (See 1980, 579 § 66.)

SECT. 28A added, 1983, 701 § 4; section repealed, 1984, 484 § 42.

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. 8, subsection (b) revised, 1984, 363 § 6.

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.

SECT. 20 added, 1984, 363 § 7 (relative to the structure of city and town government).

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; section revised, 1984, 236. 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; two paragraphs added, 1984, 400 § 1. (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); revised, 1984, 400 § 2.

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 16C repealed, 1984, 400 § 3.

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; 1984, 181. (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; 1984, 74.

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; section 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; paragraph added, 1984, 425.

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; amended, 1984, 189 § 51.

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; first paragraph revised, 1984, 241 § 1; second paragraph amended, 1967, 106; 1974, 157; revised, 1984, 241 § 2.

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; secnod paragraph revised, 1984, 241 § 2.

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. 99 revised, 1984, 241 § 3.

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; 1984, 39.

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; section revised, 1984, 241 § 4. (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. 138, last paragraph amended, 1937, 23 § 1.

SECT. 139, amended, 1973, 268.

SECT. 140 amended, 1973, 268.

SECT. 141 amended, 1939, 508 § 16; first paragraph stricken out, 1946, 130 § 5; second paragraph amended, 1945, 38 § 7; 1946, 20 § 1.

SECT. 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, second 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; two paragraphs added, 1984, 465 § 1. (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; 1984, 189 § 52; clause Fifth amended, 1974, 823; clause Eighth amended, 1947, 83 § 1; clause Eleventh revised, 1938, 317; amended, 1953, 231; 1954, 341; revised, 1962, 439; 1964, 69, 354 § 1; (see 1964, 354 § 2); sentence added, 1980, 411 § 1; (see 1980, 411 § 2;) 1965, 212 § 1; (see 1965, 212 § 2; 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; amended, 1984, 189 § 53; 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; section revised, 1984, 372 § 38. (See 1982, 657 § 3; 1984, 372 § 73.)

SECT. 5E revised, 1984, 372 § 39. (See 1984, 372 § 73.)

SECT. 5F, first paragraph, sentence inserted after second sentence, 1982 657 § 2; section revised, 1984, 372 § 40. (See 1982, 657 § 3; 1984, 372 § 73.)

SECT. 5G inserted, 1984, 372 § 40A (relative to the Massachusetts Water Resources Authority). (See 1984, 372 § 73.)

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; 1984, 187; 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; first sentence revised, 1984, 53.

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 18 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; last sentence revised, 1984, 465 § 2. (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); sentence added, 1984, 465 § 3.

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.
SECT. 106 added, 1984, 55 § 1 (relative to the payment of certain taxes). (See 1984, 55 § 2.)

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; sixth paragraph, last sentence revised, 1984, 33 § 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; 1984, 33 § 3.)

SECT. 1A added, 1949, 484 (providing for but one excise tax on a motor vehicle in each year in certain cases); sentence added, 1952, 285; repealed, 1955, 587, § 2. (See 1955, 587 § 3.)

SECT. 2 revised, 1936, 384 § 3; 1938, 480 § 2; amended, 1939, 366 § 4; 1950, 666 § 2; 1952, 400; 1953, 654 § 39; 1954, 373 § 1; revised, 1954, 640 § 2; third sentence revised, 1962, 231 § 2; sixth sentence revised, 1957, 375; seventh sentence revised, 1970, 142; ninth sentence revised, 1959, 371 § 1; 1974, 211; section revised, 1976, 415 § 4; third sentence revised, 1982, 117 § 1; sentence inserted after sixth sentence, 1982, 117 § 2; seventh sentence revised, 1984, 33 § 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; 1984, 33 § 3.) 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. section revised, 1984, 188 § 4A; 188 § 4B; 188 § 4C; subsection B, paragraph (b), subparagraph (2), clause (A) revised, 1984 188 § 4D. (See 1977, 599 § 11; 1979, 409 § 7; 1981, 782 § 16; 1982, 377 § 2; 1983, 233 § 101; 1984 188 § 4E.)

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 (*b*) stricken out, 1984, 485 §1; paragraph (*c*) revised, 1977, 816 § 22; paragraph (*e*) revised, 1977, 816 § 23. (See 1984, 485 § 16.)

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. 24, second paragraph revised, 1984, 201 § 2. (See 1984, 201 § 10.)

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; paragraph inserted after first paragraph, 1984, 201 § 3; 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; 1984, 201 § 10.)

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 62E.—WAGE REPORTING SYSTEM.

New chapter inserted 1982, 643 § 1.

SECT. 1, definition of "Bureau of special investigations" inserted, 1984, 329 § 2.

SECT. 5, paragraph added, 1984, 329 § 3.

Chapter 63. — Taxation of Corporations.

SECT. 1, paragraph defining "Bank" revised, 1943, 472; amended, 1966, 698 § 44A; 1984, 485 § 2; 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; 1984, 485 § 16.)

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; paragraph defining "Bank" revised, 1984, 485 § 2. 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; 1984, 485 § 16.)

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; section repealed, 1984, 485 § 3. (See 1959, 456 § 5; 1971, 555 § 67; 1975, 684 § 97; 1983, 233 § 101; 1984, 485 § 16.)

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. 15 repealed, 1984, 485 § 4. (See 1984, 485 § 16.)

SECT. 16 repealed, 1984, 485 § 5. (See 1984, 485 § 16.)

SECT. 17 revised, 1959, 456 § 3; 1966, 14 § 14; amended, 1967, 755 § 2; section repealed, 1984, 485 § 6. (See 1959, 456 § 5; 1984, 485 § 16.)

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; amended, 1984, 189 § 54; 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. (Sec 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; revised, 1984, 189 § 55. (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. 1, definition of "Corporation" revised, 1984, 485 § 6A. (See 1984, 485 § 16.)

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; 1984, 201 § 4. (See 1969, 361 § 5; 1971, 245 § 4; 1976, 415 § 116;1979, 481 § 13; 1984, 201 § 10.)

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; second paragraph stricken out, 1984, 201 § 5. (See 1978, 514 § 287; 1984, 201 § 10.)

SECT. 30, third paragraph revised, 1969, 361 § 3; section revised, 1976, 415 § 59; amended, 1978, 514 § 160; revised, 1984, 201 § 6. (See 1969, 361 § 5; 1976, 415 § 116; 1978, 514 § 287; 1984, 201 § 10.) +.)

SECT. 31 amended, 1978, 514 § 161; revised, 1984, 201 § 7. (See 1978, 514 § 287; 1984, 201 § 10.)

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. 38 revised, 1984, 201 § 8. (See 1984, 201 § 10.)

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; paragraph (*b*) revised, 1984, 358 § 1. (See 1984, 358 § 3.)

SECT. 3, first paragraph, second sentence revised, 1984, 358 § 2; paragraph added, 1976, 415 § 70. (See 1976, 415 § 116; 1984, 358 § 3.)

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; amended, 1979, 700; paragraph (*j*) revised, 1977, 902; paragraph (*k*) amended, 1971, 850; paragraph (*l*) amended, 1984, 409. 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; revised, 1984, 189 § 56. (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. 2, definition of "Equalized valuation per person in a city or town" revised, 1984, 189 § 57.

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; clause (*f*) revised, 1984, 388 § 2. (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 third paragraph, 1984, 51; 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; 1984, 129. (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; section revised, 1984 328.

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; amended, 1984, 189 § 58. (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; revised, 1982, 607 § 4; revised, 1983, 699 § 6; second paragraph revised, 1984, 234 § 18. (See 1984, 234 § 108.)

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; section revised, 1984, 424 § 1. (See 1984, 424 § 3.)

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. 37B-38F added, 1984, 424 § 2 (relative to certain persons enrolled in vocational educations programs). (See 1984, 424 § 3.)

SECT. 42, caption preceding section changed, 1946, 257 § 9; section revised, 1946, 257 § 1; 1947, 387; amended, 1953, 488 § 1; caption preceding section changed and section revised, 1957, 347 § 1; amended, 1965, 572 § 27; repealed, 1977, 864 § 12. (See 1953, 488 § 4.)

SECT. 42A added, 1953, 523 (authorizing the Bradford Durfee Technical Institute of Fall River and the New Bedford Institute of Textiles and Technology to grant the honorary degree of master of science); revised, 1957, 347 § 2.

SECT. 42B added, 1957, 410 (authorizing the board of trustees of the New Bedford Institute of Technology to grant certain honorary doctorates); revised, 1958, 243; amended, 1965, 572 § 28.

SECT. 42C added, 1958, 538 § 2 (providing tenure for certain teachers in the employ of the commonwealth after three years' service); three paragraphs added, 1962, 499 § 2; stricken out, 1963, 696 § 1.

SECTS. 42D-42Q added, 1963, 696 § 2 (relative to the administration of the Bradford Durfee College of Technology and the New Bedford Institute of Technology). (See 1963, 696 §§ 3-5.)

SECT. 42O, second paragraph amended, 1964, 357 § 6; third paragraph amended, 1964, 357 § 7; 1974, 835 § 143; sixth paragraph amended, 1974, 835 § 143. (See 1964, 357 § 11; 1974, 835 § 185.)

SECT. 43 amended, 1946, 257 § 2; 1957, 347 § 2A.

SECT. 44 amended, 1946, 257 § 3; 1957, 347 § 2B.

SECT. 45 amended, 1946, 257 § 4; 1957, 347 § 2C.

SECT. 46 amended, 1946, 257 § 5; 1957, 347 § 2D.

SECT. 46A amended, 1946, 257 § 6; 1957, 347 § 2E.

SECT. 46B added, 1957, 409 (authorizing the board of trustees of the New Bedford Institute of Technology to establish and manage the research foundation of said Institute); revised, 1962, 258.

SECT. 46C added, 1961, 513 (providing for scholarships at the Bradford Durfee College of Technology and the New Bedford Institute of Technology); repealed, 1977, 913 § 1.

SECT. 47E, paragraph added, 1935, 22; section revised, 1946, 378; second paragraph amended, 1949, 28; section revised, 1951, 202.

SECT. 47G revised, 1950, 772.

SECTS. 47-48 and caption preceding section 47 stricken out, 1953, 407 § 2. (See 1953, 407 §§ 1, 8.)

SECT. 49, caption preceding section changed, 1942, 1 § 3; stricken out, 1964, 561 § 13; section amended, 1942, 1 § 5; revised, 1946, 340; 1952, 499 § 2; repealed, 1964, 561 § 13. (See 1942, 1 § 9.)

SECT. 49A added, 1946, 340 (authorizing the board of commissioners of the Massachusetts Maritime Academy to grant degrees); repealed, 1964, 561 § 13.

SECT. 50 repealed, 1964, 561 § 13.

SECT. 51 repealed, 1964, 561 § 13.

SECT. 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 university of Massachusetts medical school). amended, 1984, 322 § 1; sentence added, 1984, 322 § 2.

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); section stricken out, 1984, 189 § 59. (See 1982, 212 § 7.)

SECT. 19 added, 1984, 189 § 59 (prohibiting certain assessments on student tuition bills).

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; clause (*d*) amended, 1984, 189 § 60. (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; third paragraph revised, 1984, 234 § 19. (See 1984, 234 § 108.)

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 (3) revised, 1984, 234 § 20. clause (4) revised, 1983, 289 § 74; (See 1981, 351 § 299; 1983, 289 § 83; 1984, 234 § 108.)

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; amended, 1984, 14.

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; 1984, 372 § 41. (See 1984, 372 § 73.)

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); sentence added, 1984, 167 § 1.

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; paragraph inserted after fourth paragraph, 1984, 77 § 1.

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 "Automobile transporter" inserted, 1984, 167 § 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; 1984, 115 § 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; revised, 1984, 77 § 2; definition of "nonresident" revised, 1952, 266 § 1; amended, 1952, 566 § 1; revised, 1953, 463 § 1; definition of "operator" revised, 1984, 77 § 3; "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; definition of "routes of reasonable access" inserted, 1984, 167 § 4; "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; definition of "tandem unit" inserted, 1984, 167 § 3; definition of "terminal" inserted, 1984, 167 § 3; definition of "trackless trolley" inserted, 1984, 77 § 4;

"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; 1984, 438. (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; last sentence revised, 1984, 138. 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; amended, 1984, 85; 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; sentence added, 1984, 115 § 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 § 1. (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; second paragraph, second sentence amended, 1984, 158; 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; revised, 1984, 113: 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, 1976, 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; revised, 1984, 189 § 61. (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; first sentence revised, 1984, 189 § 62; 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; fourth sentence revised, 1984, 77 § 5; 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; second paragraph revised, 1984, 84. (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 sentence stricken out and four sentences inserted, 1984, 167 § 5; 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; section amended, 1984, 167 § 6; third paragraph, two sentences added, 1984, 167 § 7. (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; section amended, 1984, 167 § 8. (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.)

SECTS. 19F AND 19G inserted, 1984, 167 § 9 (conforming certain length and width provisions of the general laws relative to commercial motor vehicles to the provisions of the Federal Surface Transportation Assistance Act).

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; section amended, 1984, 167 § 10; 1984, 167 § 11. (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; first two sentences stricken out and one sentence inserted, 1984, 189 § 3; 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; first two sentences stricken out and one sentence inserted, 1984, 189 § 64. 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; amended, 1984, 189 § 65; 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; (*b*) amended, 1964, 200 § 4; (*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; sixth paragraph amended, 1984, 189 § 66; 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 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; definition of "Snow vehicle" revised, 1984, 173. (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 "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. 1 definition of "Audit sheet revised, 1984, 97 § 1; definition of "Citation book" revised, 1984, 97 § 2.

SECT. 2 sixth paragraph revised, 1984, 97 § 3.

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; revised, 1984, 372 § 44. (See 1984, 372 § 73.)

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; section revised, 1984, 372 § 44. (See 1939, 429 § 4; 1984, 372 § 73.)

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; 1984, 372 § 45. (See 1984, 372 § 73.)

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. 88 revised, 1984, 372 § 46. (See 1984, 372 § 73.)

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. 97 revised, 1984, 372 § 47. (See 1984, 372 § 73.)

SECT. 98 revised, 1984, 372 § 48. (See 1984, 372 § 73.)

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). first sentence amended, 1984, 372 § 49. (See 1982, 507 § 2; 1984, 372 § 73.)

SECT. 104-120 inserted, 1984, 372 § 42 (relative to the division of watershed management within the Metropolitan District Commission). (See 1984, 372 § 73.)

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; section revised, 1984, 189 § 67.

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; second sentence stricken out and four sentences inserted, 1984, 280.

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); revised, 1984, 454 § 1. (See 1984, 454 § 2, 3.)

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; 1984, 189 § 68; 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; paragraph (*a*), clauses (6) and (7) revised, 1984, 189 § 69.

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; 1984, 189 § 70. (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; second paragraph amended, 1984, 403 § 1: 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 (6A) inserted, 1984, 486 § 1; subparagraph (7) added, 1982, 132 § 1; subsection (*b*) first sentence revised, 1977, 556 § 2; 1982, 650 § 17; subsection (*d*) revised, 1977, 556 § 3; last sentence stricken out and four sentences inserted, 1984, 486 § 2; 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; paragraph inserted after first paragraph, 1984, 69; second and third paragraphs 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; section revised, 1984, 171 § 1; first paragraph revised, 1984, 171 § 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 105A. — SELF-STORAGE FACILITIES.

New chapter inserted, 1984, 319 § 1.

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. 1-106, paragraph (1) amended, 1984, 189 § 71.

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 § 5. (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; paragraph (2) revised, 1984, 189 § 72. (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; paragraph (5) amended, 1984, 189 § 73.

SECT. 9 — 502, paragraph (2) amended, 1984, 189 § 74.

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; paragraph (*a*), Clause F amended, 1984, 189 § 75.

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.)

SECT. 11 amended, 1984, 189 § 76.

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; eighth paragraph amended, 1984, 189 § 77. (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); fifth paragraph amended, 1984, 189 § 78; sixth paragraph amended, 1984, 189 § 79.

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 "Construction" amended, 1984, 189 § 80; 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; first paragraph revised, 1984, 418 § 1; 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).

SECT. 57D inserted, 1984, 432 § 1 (authorizing the Department of Public Health to license hospice programs).

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.

SECTS. 64A-64M inserted, 1984, 234 § 21. (See 1984, 234 § 108.)

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; third paragraph amended,

1984, 189 § 81; 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; section revised, 1984, 372 § 50. (See 1975, 706 § 312; 1984, 372 § 73.)

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; amended, 1984, 189 § 82.

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; revised, 1984, 189 § 83. (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 (13) amended, 1984, 189 § 84; 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.) stricken out, 1984, 189 § 86.

New title HAZARDOUS SUBSTANCES DISCLOSURE BY EMPLOYERS inserted, 1984, 189 § 85.

Chapter 111G. — EARLY CHILDHOOD INTERVENTION SERVICES

New chapter inserted, 1984, 189 § 86.

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. 23A, definition of "Physical therapy" amended, 1984, 189 § 87.

SECT. 23B, first paragraph amended, 1984, 189 § 88; second paragraph amended, 1984, 189 § 89.

SECT. 23C amended, 1984, 189 § 90.

SECT. 23E, clause (*e*) amended, 1984, 189 § 91.

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; fifth sentence revised, 1984, 131.

SECT. 43A added, 1977, 757 § 2 (relative to registration of dentists); section revised, 1984, 189 § 92.

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; amended, 1984, 403 § 2.

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 "Land surveyor" stricken out and definition of "Professional Land surveyor inserted, 1984, 272 § 1. definition of "Practice of engineering" amended, 1970, 707 § 2.

SECT. 81E revised, 1958, 584 § 3; first sentence revised, 1970, 707 § 4; 1984, 272 § 2: 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; introductory paragraph amended, 1984, 272 § 3; subsection (2) amended, 1984, 272 § 4; subsection (2), clause (*a*) amended, 1984, 272 § 5; clause ((*b*) amended, 1984, 272 § 6; clause (*f*) added, 1979, 687; subsection (3), clause (*c*) amended, 1984, 272 § 7; clause (*d*) amended, 1984, 272 § 8; subsection (3), fourth paragraph amended, 1984, 272 § 9. (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; first paragraph amended, 1984, 272 § 10; second paragraph revised, 1980, 572 § 162; amended, 1984, 272 § 11. (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; section revised, 1984, 272 § 12. (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; fifth sentence revised, 1984, 272 § 13; 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; clauses (*b*) and (*c*) revised, 1984, 272 § 14; last paragraph, last sentence revised, 1984, 272 § 15.

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; last sentence revised, 1984, 189 § 93. (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; definition of "Veterans' agent" revised, 1984, 68 § 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; 1984, 383. (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; revised, 1984, 68 § 2; 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; first sentence revised, 1984, 68 § 3; 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; first sentence stricken out and two sentences inserted, 1984, 398; 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; 1984, 432 § 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; 1984, 93. (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; amended, 1984, 197 § 2. (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. first sentence revised, 1984, 197 § 3; second sentence stricken out, five sentences inserted, 1983, 517. (See 1984, 197 § 7.)

SECT. 29A added, 1970, 386 (providing for liability of parents for legal fees and expenses incurred by minors in criminal proceedings).

SECT. 29B added, 1984, 197 § 4 (providing for review of status of child in foster care). (See 1984, 197 § 7.)

SECT. 29C added, 1984, 197 § 5. (See 1984, 197 § 7.)

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); amended, 1982, 514.

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; two sentences inserted after first sentence, 1984, 83 § 1; third paragraph, sentence added, 1977, 501; fourth paragraph, last sentence stricken out and two sentences inserted, 1984, 83 § 2; 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) - (8) added, 1983, 288 § 2; clause (4) revised, 1984, 87.

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 non-criminal fines upon juveniles for violation of the motor vehicle laws); amended, 1969, 838 § 16; 1980, 95. (See 1957, 194 § 2; 1969, 838 § 74.)

SECT. 59, second paragraph stricken out, 1941, 648 § 1.

SECT. 60 stricken out and new sections 60 and 60A inserted, 1938, 174 § 1 (relative to the use of information and records in cases of waywardness or delinquency).

SECT. 60 amended, 1948, 310 § 6; 1973, 1073 § 16.

SECT. 60A amended, 1973, 1073 § 17; revised, 1978, 478 § 59. (See 1948, 310 § 31; 1978, 478 § 343.)

SECT. 61 amended, 1948, 310 § 7; revised, 1964, 308 § 2; 1975, 840 § 1; fourth paragraph, second sentence revised, 1977, 829 § 11. (See 1948, 310 § 31; 1964, 308 § 13; 1975, 840 § 3.)

SECT. 63, revised, 1932, 95 § 1; first sentence amended, 1965, 348; revised, 1973, 1073 § 18; second sentence amended, 1973, 1073 § 19; last sentence revised, 1965, 659 § 3; revised, 1978, 478 § 60; two sentences added, 1969, 859 § 11; sentence added, 1972, 731 § 11. (See 1965, 659 § 7; 1978, 478 § 343.)

SECT. 64 revised, 1956, 731 § 2.

SECT. 65 amended, 1932, 95 § 2.

SECT. 66 revised, 1941, 648 § 2; 1943, 244 § 2; amended, 1960, 353 § 2; second sentence revised, 1978, 478 § 61. (See 1978, 478 § 343.)

SECT. 67 amended, 1941, 648 § 3; revised, 1943, 244 § 2; 1955, 609 § 1; 1969, 838 § 17; amended, 1978, 478 § 62. (See 1969, 838 § 74; 1978, 478 § 343.)

SECT. 68 revised, 1943, 244 § 2; 1948, 310 § 8; 1955, 609 § 2; amended, 1956, 269; revised, 1969, 838 § 18; third paragraph revised, 1969, 859 § 12; 1972, 731 § 12; section revised, 1978, 478 § 63. (See 1969, 838 § 74; 1978, 478 § 343.)

SECTS. 68A-68C added, 1955, 609 § 3 (relating to the detention of wayward and delinquent children and juvenile offenders).

SECT. 68A revised, 1969, 838 § 19; amended, 1978, 478 § 64. (See 1969, 838 § 74; 1978, 478 § 343.)

SECT. 68B revised, 1969, 838 § 20. (See 1969, 838 § 74.)

SECT. 68C amended, 1969, 838 § 21. (See 1969, 838 § 74.)

SECT. 69 revised, 1943, 244 § 2.

SECT. 69A added, 1948, 310 § 9 (providing that courts and certain public officers and authorities shall make available to the youth service board information relative to cases committed to said board); amended, 1969, 838 § 22. (See 1969, 838 § 74.)

SECT. 72 amended, 1947, 235; revised, 1948, 310 § 10; amended, 1949, 595; revised, 1964, 308 § 3; amended, 1969, 838 § 23; 1978, 478 § 65. (See 1969, 838 § 74; 1978, 478 § 343.)

SECT. 72A added, 1964, 304 § 4 (relating to the disposition of proceedings against any person who commits an offense or violation prior to his seventeenth birthday and is not apprehended until after his eighteenth birthday); revised, 1975, 840 § 2. (See 1964, 308 § 13; 1975, 840 § 3.)

SECT. 73 revised, 1945, 202; amended, 1948, 310 § 11; repealed, 1964, 308 § 5.

SECT. 74 amended, 1933, 196 § 1; revised, 1948, 310 § 12; amended, 1960, 353 § 3; revised, 1964, 308 § 6; 1967, 787.

SECT. 75 amended, 1933, 196 § 2; revised, 1948, 310 § 13; amended, 1960, 353 § 4; revised, 1964, 308 § 7; repealed, 1975, 840 § 2A.

SECT. 76 revised, 1948, 310 § 14; repealed, 1964, 308 § 5.

SECT. 77 revised, 1948, 310 § 15; repealed, 1964, 308 § 5.

SECT. 78 repealed, 1964, 308 § 5.

SECT. 79 amended, 1948, 310 § 16; 1953, 319 § 15; repealed, 1964, 308 § 4. (See 1953, 319 §§ 39, 40.)

SECT. 80 revised, 1948, 310 § 17; repealed, 1964, 308 § 5.

SECT. 81 amended, 1948, 310 § 18; repealed, 1964, 308 § 5.

SECT. 82 amended, 1948, 310 § 19; repealed, 1964, 308 § 5.

SECT. 83 revised, 1948, 310 § 20; 1964, 308 § 8; amended, 1969, 838 § 24; 1978, 478 § 66. (See 1969, 838 § 74; 1978, 478 § 343.)

SECT. 84 added, 1964, 308 § 9 (relative to the form of warrant of committment to the youth service board); revised, 1959, 838 § 25. (See 1969, 838 § 74.)

Chapter 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 non-criminal fines upon juveniles for violation of the motor vehicle laws); amended, 1969, 838 § 16; 1980, 95. (See 1957, 194 § 2; 1969, 838 § 74.)

SECT. 59, second paragraph stricken out, 1941, 648 § 1.

SECT. 60 stricken out and new sections 60 and 60A inserted, 1938, 174 § 1 (relative to the use of information and records in cases of waywardness or delinquency).

SECT. 60 amended, 1948, 310 § 6; 1973, 1073 § 16.

SECT. 60A amended, 1973, 1073 § 17; revised, 1978, 478 § 59. (See 1948, 310 § 31; 1978, 478 § 343.)

SECT. 61 amended, 1948, 310 § 7; revised, 1964, 308 § 2; 1975, 840 § 1; fourth paragraph, second sentence revised, 1977, 829 § 11. (See 1948, 310 § 31; 1964, 308 § 13; 1975, 840 § 3.)

SECT. 63, revised, 1932, 95 § 1; first sentence amended, 1965, 348; revised, 1973, 1073 § 18; second sentence amended, 1973, 1073 § 19; last sentence revised, 1965, 659 § 3; revised, 1978, 478 § 60; two sentences added, 1969, 859 § 11; sentence added, 1972, 731 § 11. (See 1965, 659 § 7; 1978, 478 § 343.)

SECT. 64 revised, 1956, 731 § 2.

SECT. 65 amended, 1932, 95 § 2.

SECT. 66 revised, 1941, 648 § 2; 1943, 244 § 2; amended, 1960, 353 § 2; second sentence revised, 1978, 478 § 61. (See 1978, 478 § 343.)

SECT. 67 amended, 1941, 648 § 3; revised, 1943, 244 § 2; 1955, 609 § 1; 1969, 838 § 17; amended, 1978, 478 § 62. (See 1969, 838 § 74; 1978, 478 § 343.)

SECT. 68 revised, 1943, 244 § 2; 1948, 310 § 8; 1955, 609 § 2; amended, 1956, 269; revised, 1969, 838 § 18; third paragraph revised, 1969, 859 § 12; 1972, 731 § 12; section revised, 1978, 478 § 63. (See 1969, 838 § 74; 1978, 478 § 343.)

SECTS. 68A-68C added, 1955, 609 § 3 (relating to the detention of wayward and delinquent children and juvenile offenders).

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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.

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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 non-criminal fines upon juveniles for violation of the motor vehicle laws); amended, 1969, 838 § 16; 1980, 95. (See 1957, 194 § 2; 1969, 838 § 74.)

SECT. 59, second paragraph stricken out, 1941, 648 § 1.

SECT. 60 stricken out and new sections 60 and 60A inserted, 1938, 174 § 1 (relative to the use of information and records in cases of waywardness or delinquency).

SECT. 60 amended, 1948, 310 § 6; 1973, 1073 § 16.

SECT. 60A amended, 1973, 1073 § 17; revised, 1978, 478 § 59. (See 1948, 310 § 31; 1978, 478 § 343.)

SECT. 61 amended, 1948, 310 § 7; revised, 1964, 308 § 2; 1975, 840 § 1; fourth paragraph, second sentence revised, 1977, 829 § 11. (See 1948, 310 § 31; 1964, 308 § 13; 1975, 840 § 3.)

SECT. 63, revised, 1932, 95 § 1; first sentence amended, 1965, 348; revised, 1973, 1073 § 18; second sentence amended, 1973, 1073 § 19; last sentence revised, 1965, 659 § 3; revised, 1978, 478 § 60; two sentences added, 1969, 859 § 11; sentence added, 1972, 731 § 11. (See 1965, 659 § 7; 1978, 478 § 343.)

SECT. 64 revised, 1956, 731 § 2.

SECT. 65 amended, 1932, 95 § 2.

SECT. 66 revised, 1941, 648 § 2; 1943, 244 § 2; amended, 1960, 353 § 2; second sentence revised, 1978, 478 § 61. (See 1978, 478 § 343.)

SECT. 67 amended, 1941, 648 § 3; revised, 1943, 244 § 2; 1955, 609 § 1; 1969, 838 § 17; amended, 1978, 478 § 62. (See 1969, 838 § 74; 1978, 478 § 343.)

SECT. 68 revised, 1943, 244 § 2; 1948, 310 § 8; 1955, 609 § 2; amended, 1956, 269; revised, 1969, 838 § 18; third paragraph revised, 1969, 859 § 12; 1972, 731 § 12; section revised, 1978, 478 § 63. (See 1969, 838 § 74; 1978, 478 § 343.)

SECTS. 68A-68C added, 1955, 609 § 3 (relating to the detention of wayward and delinquent children and juvenile offenders).

SECT. 68A revised, 1969, 838 § 19; amended, 1978, 478 § 64. (See 1969, 838 § 74; 1978, 478 § 343.)

SECT. 68B revised, 1969, 838 § 20. (See 1969, 838 § 74.)

SECT. 68C amended, 1969, 838 § 21. (See 1969, 838 § 74.)

SECT. 69 revised, 1943, 244 § 2.

SECT. 69A added, 1948, 310 § 9 (providing that courts and certain public officers and authorities shall make available to the youth service board information relative to cases committed to said board); amended, 1969, 838 § 22. (See 1969, 838 § 74.)

SECT. 72 amended, 1947, 235; revised, 1948, 310 § 10; amended, 1949, 595; revised, 1964, 308 § 3; amended, 1969, 838 § 23; 1978, 478 § 65. (See 1969, 838 § 74; 1978, 478 § 343.)

SECT. 72A added, 1964, 304 § 4 (relating to the disposition of proceedings against any person who commits an offense or violation prior to his seventeenth birthday and is not apprehended until after his eighteenth birthday); revised, 1975, 840 § 2. (See 1964, 308 § 13; 1975, 840 § 3.)

SECT. 73 revised, 1945, 202; amended, 1948, 310 § 11; repealed, 1964, 308 § 5.

SECT. 74 amended, 1933, 196 § 1; revised, 1948, 310 § 12; amended, 1960, 353 § 3; revised, 1964, 308 § 6; 1967, 787.

SECT. 75 amended, 1933, 196 § 2; revised, 1948, 310 § 13; amended, 1960, 353 § 4; revised, 1964, 308 § 7; repealed, 1975, 840 § 2A.

SECT. 76 revised, 1948, 310 § 14; repealed, 1964, 308 § 5.

SECT. 77 revised, 1948, 310 § 15; repealed, 1964, 308 § 5.

SECT. 78 repealed, 1964, 308 § 5.

SECT. 79 amended, 1948, 310 § 16; 1953, 319 § 15; repealed, 1964, 308 § 4. (See 1953, 319 §§ 39, 40.)

SECT. 80 revised, 1948, 310 § 17; repealed, 1964, 308 § 5.

SECT. 81 amended, 1948, 310 § 18; repealed, 1964, 308 § 5.

SECT. 82 amended, 1948, 310 § 19; repealed, 1964, 308 § 5.

SECT. 83 revised, 1948, 310 § 20; 1964, 308 § 8; amended, 1969, 838 § 24; 1978, 478 § 66. (See 1969, 838 § 74; 1978, 478 § 343.)

SECT. 84 added, 1964, 308 § 9 (relative to the form of warrant of committment to the youth service board); revised, 1959, 838 § 25. (See 1969, 838 § 74.)

Chapter 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 non-criminal fines upon juveniles for violation of the motor vehicle laws); amended, 1969, 838 § 16; 1980, 95. (See 1957, 194 § 2; 1969, 838 § 74.)

SECT. 59, second paragraph stricken out, 1941, 648 § 1.

SECT. 60 stricken out and new sections 60 and 60A inserted, 1938, 174 § 1 (relative to the use of information and records in cases of waywardness or delinquency).

SECT. 60 amended, 1948, 310 § 6; 1973, 1073 § 16.

SECT. 60A amended, 1973, 1073 § 17; revised, 1978, 478 § 59. (See 1948, 310 § 31; 1978, 478 § 343.)

SECT. 61 amended, 1948, 310 § 7; revised, 1964, 308 § 2; 1975, 840 § 1; fourth paragraph, second sentence revised, 1977, 829 § 11. (See 1948, 310 § 31; 1964, 308 § 13; 1975, 840 § 3.)

SECT. 63, revised, 1932, 95 § 1; first sentence amended, 1965, 348; revised, 1973, 1073 § 18; second sentence amended, 1973, 1073 § 19; last

sentence revised, 1965, 659 § 3; revised, 1978, 478 § 60; two sentences added, 1969, 859 § 11; sentence added, 1972, 731 § 11. (See 1965, 659 § 7; 1978, 478 § 343.)

SECT. 64 revised, 1956, 731 § 2.

SECT. 65 amended, 1932, 95 § 2.

SECT. 66 revised, 1941, 648 § 2; 1943, 244 § 2; amended, 1960, 353 § 2; second sentence revised, 1978, 478 § 61. (See 1978, 478 § 343.)

SECT. 67 amended, 1941, 648 § 3; revised, 1943, 244 § 2; 1955, 609 § 1; 1969, 838 § 17; amended, 1978, 478 § 62. (See 1969, 838 § 74; 1978, 478 § 343.)

SECT. 68 revised, 1943, 244 § 2; 1948, 310 § 8; 1955, 609 § 2; amended, 1956, 269; revised, 1969, 838 § 18; third paragraph revised, 1969, 859 § 12; 1972, 731 § 12; section revised, 1978, 478 § 63. (See 1969, 838 § 74; 1978, 478 § 343.)

SECTS. 68A-68C added, 1955, 609 § 3 (relating to the detention of wayward and delinquent children and juvenile offenders).

SECT. 68A revised, 1969, 838 § 19; amended, 1978, 478 § 64. (See 1969, 838 § 74; 1978, 478 § 343.)

SECT. 68B revised, 1969, 838 § 20. (See 1969, 838 § 74.)

SECT. 68C amended, 1969, 838 § 21. (See 1969, 838 § 74.)

SECT. 69 revised, 1943, 244 § 2.

SECT. 69A added, 1948, 310 § 9 (providing that courts and certain public officers and authorities shall make available to the youth service board information relative to cases committed to said board); amended, 1969, 838 § 22. (See 1969, 838 § 74.)

SECT. 72 amended, 1947, 235; revised, 1948, 310 § 10; amended, 1949, 595; revised, 1964, 308 § 3; amended, 1969, 838 § 23; 1978, 478 § 65. (See 1969, 838 § 74; 1978, 478 § 343.)

SECT. 72A added, 1964, 304 § 4 (relating to the disposition of proceedings against any person who commits an offense or violation prior to his seventeenth birthday and is not apprehended until after his eighteenth birthday); revised, 1975, 840 § 2. (See 1964, 308 § 13; 1975, 840 § 3.)

SECT. 73 revised, 1945, 202; amended, 1948, 310 § 11; repealed, 1964, 308 § 5.

SECT. 74 amended, 1933, 196 § 1; revised, 1948, 310 § 12; amended, 1960, 353 § 3; revised, 1964, 308 § 6; 1967, 787.

SECT. 75 amended, 1933, 196 § 2; revised, 1948, 310 § 13; amended, 1960, 353 § 4; revised, 1964, 308 § 7; repealed, 1975, 840 § 2A.

SECT. 76 revised, 1948, 310 § 14; repealed, 1964, 308 § 5.

SECT. 77 revised, 1948, 310 § 15; repealed, 1964, 308 § 5.

SECT. 78 repealed, 1964, 308 § 5.

SECT. 79 amended, 1948, 310 § 16; 1953, 319 § 15; repealed, 1964, 308 § 4. (See 1953, 319 §§ 39, 40.)

SECT. 80 revised, 1948, 310 § 17; repealed, 1964, 308 § 5.

SECT. 81 amended, 1948, 310 § 18; repealed, 1964, 308 § 5.

SECT. 82 amended, 1948, 310 § 19; repealed, 1964, 308 § 5.

SECT. 83 revised, 1948, 310 § 20; 1964, 308 § 8; amended, 1969, 838 § 24; 1978, 478 § 66. (See 1969, 838 § 74; 1978, 478 § 343.)

SECT. 84 added, 1964, 308 § 9 (relative to the form of warrant of committment to the youth service board); revised, 1959, 838 § 25. (See 1969, 838 § 74.)

Chapter 120. — Department of Youth Services and Massachusetts Training Schools (former title, Youth Service Board and Massachusetts Training Schools).

Title changed, 1969, 838 § 26. (See 1969, 838 § 74.)

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; second paragraph, fourth sentence revised, 1984, 189 § 94; third paragraph, fourth sentence revised, 1983, 371 § 6; third paragraph revised, 1984, 189 § 95. (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 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 (*i*) amended, 1984, 189 § 96; paragraph (*m*) stricken out and paragraphs (*m*) and (*n*) inserted, 1970, 851 § 2; paragraph (*m*) amended, 1984, 189 § 97; paragraph (*n*) amended, 1984, 189 § 98.

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. 25, sentence added, 1984, 233 § 35.

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; amended, 1984, 189 § 99; clause (*l*) added, 1974, 698 § 5; clause (*m*) added, 1978, 578; paragraph (*m*) revised, 1984, 233 § 36. (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 (*f*) amended, 1984, 189 § 100;clause (*g*) amended, 1984, 189 § 101; 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; third paragraph stricken out and eight paragraphs inserted, 1984, 464. (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; second paragraph, after third sentence, two sentences inserted, 1984, 475 § 1; third

paragraph amended, 1971, 1076 § 4; third paragraph, first sentence revised, 1984, 475 § 2.

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 repealed, 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; amended, 1984, 357 § 2. (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; section amended, 1984, 357 § 3.

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. 120 first sentence revised, 1984, 178.

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, 1965, 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; section amended, 1984, 372 § 51. eighth paragraph amended, 1984, 372 § 52. (See 1965, 768 § 4; 1975, 706 § 312; 1984, 372 § 73.)

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. 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; 1984, 372 § 53; fifth paragraph amended, 1979, 315 § 2; sixth paragraph, first sentence amended, 1975, 706 § 246; third sentence amended, 1975, 706 § 247; sixth paragraph amended, 1984, 372 § 54;seventh paragraph revised, 1975, 706 § 248. (See 1975, 706 § 312; 1984, 372 § 73.)

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; section amended, 1984, 372 § 55. (See 1975, 706 § 312; 1984, 372 § 73.)

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 (9) revised, 1984, 170 § 1; clause (25) revised, 1963, 230; clause (28) revised, 1984, 23; 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. (See 1984, 170 § 8.)

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 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 (28) revised, 1984, 23; 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; 1984, 312 § 1; 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; 1984, 312 § 2; sixth paragraph amended, 1955, 336; revised, 1965, 505; 1966, 275; 1968, 268; amended, 1968, 365; revised, 1972, 138; amended, 1973, 477; revised, 1977, 812; 929 § 2; 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; 1984, 312 § 11.)

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; 1984, 312 § 3; paragraph added, 1935, 440 § 11. (See 1973, 241 § 4; 1979, 15 § 12; 1984, 312 § 11.)

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); revised, 1984, 491 § 2.

SECT. 17B inserted, 1984, 491 § 2 (relative to the issuance of alcoholic beverage licenses by certain local licensing authorities.)

SECT. 17Cinserted, 1984, 491 § 3 (relative to the issuance of alcoholic beverage licenses by certain local licensing authorities.)

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; 1984, 312 § 4. (See 1979, 15 § 12; 1984, 312 § 11.)

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; section revised, 1984, 312 § 5. (See 1972, 155 § 5; 1979, 15 § 12; 1984, 312 § 11.)

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; 1984, 312 § 6. (See 1979, 15 § 12; 1984, 312 § 11.)

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; 1984, 312 § 7; third paragraph stricken out and two paragraphs inserted, 1967, 556. (See 1972, 155 § 5; 1979, 15 § 12; 1984, 312 § 11.)

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; 1984, 312 § 8. (See 1979, 15 § 12; 1984, 312 § 11.)

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; 1984, 312 § 9. (See 1979, 15 § 12; 1984, 312 § 11.)

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; section revised, 1984, 166 § 1.

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); first paragraph revised, 1984, 166 § 2.

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; 1984, 153; 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; third paragraph amended, 1984, 463 § 10. (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; 1984, 489 § 1. (See 1972, 783 § 4; 1973, 273 § 5; 1984, 489 § 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; sentence inserted after second sentence, 1984, 116 § 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. 124 revised, 1984, 333.

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; eighth paragraph revised, 1984, 172.

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; first sentence revised, 1984, 420 § 1. (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, first sentence revised, 1984, 420 § 2; 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; first sentence revised, 1984, 420 § 3; second sentence revised, 1984, 189 § 102; 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; first sentence revised, 1984, 420 § 4; 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 anti-rabic vaccine); revised, 1934, 320 § 9; 1937, 375; last sentence revised, 1939, 42. (See 1934, 320 § 34.)

SECT. 145B added, 1969, 207 (relating to the vaccination of dogs against rabies); 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.

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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; sentence inserted after second sentence, 1984, 116 § 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.)

SECT. 20 revised, 1984, 489 § 2. (See 1984, 489 § 5.)

Chapter 140E. — CONSUMER ACCOUNT DISCLOSURE.

New chapter inserted, 1984, 489 § 3. (See 1984, 489 § 4.)

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; definition of "Board" inserted, 1984, 348 § 4A; definition of "Commission" stricken out, 1984, 348 § 4; definition of "State Building Code" revised, 1984, 348 § 4B. (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; second sentence revised, 1984, 348 § 5. (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; section amended, 1984, 348 § 6. (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; second paragraph amended, 1984, 348 § 7. (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 persons in nursing or convalescent homes; amended, 1972, 802 § 20; first sentence amended, 1984, 348 § 8.

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; first paragraph amended, 1984, 348 § 9; 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. 4A, after definition of (~~Iteration~~), definition of (**oard**) inserted, 1984, 348 § 4A.

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.)

SECTS. 93-100 added, 1984, 348 § 10 (facilitating housing production.)

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; third paragraph amended, 1984, 189 § 103. (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; third sentence stricken out and two sentences inserted, 1984, 116 § 2; 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; amended, 1984, 189 § 104.

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 anti-freeze solutions in fire hydrants).

SECT. 25A added, 1962, 688 § 1 (prohibiting the sale or installation of secondhand space heaters and secondhand portable stoves in buildings used for human habitation).

SECT. 25B added, 1962, 688 § 2 (prohibiting the use of space heaters in buildings used for human habitation).

SECT. 25C added, 1970, 29 (relative to the sale of certain decorating candles).

SECT. 25D added, 1973, 648 (regulating the manufacture and sale of certain types of children's clothing and sleepwear).

SECT. 26 amended, 1945, 481.

SECT. 26A added, 1973, 395 § 1 (requiring sprinkler systems in high rise buildings); revised, 1975, 676 § 1. (See 1975, 676 § 3.)

SECT. 26B added, 1974, 214 § 1 (requiring automatic fire warning systems in certain buildings and structures); revised, 1975, 676 § 2. (See 1974, 214 § 2; 1975, 676 § 3.)

SECT. 26C added, 1975, 710 (requiring the installation of automatic smoke or heat detectors in certain hotels); amended, 1977, 962.

SECT. 26D-26F added, 1979, 712 § 1 (requiring the installation of smoke detectors in certain residential buildings and structures). (See 1979, 712 § 2.)

SECT. 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; 1984, 266 § 1.

SECT. 24B revised, 1984, 266 § 2.

SECT. 24C amended, 1970, 760 § 7.

SECT. 24G revised, 1984, 266 § 3.

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.

SECTS. 29B-29C inserted, 1984, 484 § 43 (relative to the system of public construction and the disposition of state-owned property).

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, 671 § 1.)

SECT. 44A, second sentence revised, 1957, 590 § 1; first paragraph revised, 1960, 692; amended, 1967, 535 § 1; second sentence revised, 1977, 968; paragraph added, 1967, 535 § 2; paragraph added, 1967, 899.

SECT. 44B, subsection (1) revised, 1973, 1008 § 1; subsection (2) amended, 1961, 604 § 1; subsection (3), second sentence revised, 1960, 771 § 2; amended, 1961, 604 § 2; subsection (4) revised, 1963, 445 § 1; 1973, 1008 § 2.

SECT. 44C, second sentence amended, 1962, 645; revised, 1963, 267; 1964, 523; third sentence revised, 1957, 590 § 2; paragraph added, 1961, 604 § 3; 1970, 497.

SECT. 44D, second sentence revised, 1961, 604 § 4; section revised, 1965, 598.

SECT. 44F revised, 1960, 771 § 3; paragraph added, 1961, 604 § 5.

SECT. 44G, first line of "Form for Sub-Bid" revised, 1965, 836 § 1; paragraph C of said form revised, 1965, 836 § 2; paragraph D of said form revised, 1960, 771 § 4; paragraph E of said form revised, 1961, 604 § 6; 1965, 836 § 3. (See 1965, 836 §§ 7, 8.)

SECT. 44H, first sentence revised, 1963, 445 § 2; second sentence amended, 1965, 836 § 4; last sentence of first paragraph stricken out and two sentences inserted, 1960, 771 § 5; fourth sentence amended, 1965, 836 § 5; second paragraph amended, 1965, 836 § 6; paragraph added, 1960, 771 § 6; 1961, 604 § 7. (See 1965, 836 § 8.)

SECT. 44I, paragraph (3) revised, 1960, 771 § 7; paragraph (5) added, 1960, 771 § 8; paragraph (6) added, 1967, 884.

SECT. 44K revised, 1957, 590 § 3; 1967, 535 § 3.

SECT. 44A-44L, inclusive, stricken out and sections 44A-44I inserted, 1980, 579 § 55. (See 1980, 579 § 66.)

SECT. 44A, subsection (2) amended, 1984, 484 § 44; subsection (3) revised, 1983, 701 § 5A; subsection (4) revised, 1984, 484 § 45.

SECT. 44B, subsection (5) amended, 1984, 189 § 105.

SECT. 44D, subsection (1), paragraph (*b*), third sentence stricken out and two sentences inserted, 1983, 701 § 6: revised, 1984, 484 § 46. (See 1984, 484 § 56.)

SECT. 44E, subsection (2) revised, 1983, 701 § 7.

SECT. 44F,subsection (2) revised, 1983, 701 § 8; subsection (3), first sentence amended, 1984, 484 § 47; fourth sentence amended, 1984, 484 § 48; last paragraph stricken out and two paragraphs inserted, 1984, 484 § 49; subsection 4, paragraph (*a*) revised, 1984, 484 § 50; paragraph (*c*), second paragraph revised, 1983, 701 § 9; subsection (5) revised, 1984, 484 § 51.

SECT. 44J inserted, 1984, 484 § 52 (relative to the system of public construction and the disposition of state-owned property.)

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); first paragraph amended, 1984, 423.

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).

SECT. 182 added, 1984, 208 § 6 (relative to voluntary standards of corporate behavior).

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; amended, 1984, 372 § 56; 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; 1984, 372 § 73.)

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; 1984, 189 § 106; 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 (1) amended, 1984, 189 § 107; paragraph (2) amended, 1982, 489 § 1; sentence added, 1983, 233 § 66; paragraph (9) amended, 1973, 742; paragraph (10) added, 1972, 594 § 2; subsection (*j*) revised, 1961, 614 § 5; subsections (*k*) and (*l*) revised, 1972, 796; 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 (*c*) revised, 1983, 451 § 4; subsection (*j*) amended, 1979, 642 § 2. (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; first sentence amended, 1974, 755 § 1; 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); subsection (*f*) amended, 1984, 189 § 108. (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 (1), 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 (6) revised, 1984, 189 § 109; subsection (7) added, 1981, 466 § 1; last paragraph stricken out and three paragraphs inserted, 1984, 189 § 110. (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.)

SECTS. 71A-71G inserted, 1984, 208 § 7 (alleviating the impact of major dislocations of employment). (See 1984, 208 § 16.)

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; revised, 1984, 266 § 4; 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; 1984, 266 § 5; subsection 1A inserted, 1973, 929; subsections 1B and 1C inserted, 1984, 266 § 6; 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; 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; clause (b) revised, 1978, 8 § 9; 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; subsection 17 added, 1984, 266 § 7. (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 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; first paragraph amended, 1984, 189 § 111. (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; 1984, 372 § 57. (See 1984, 372 § 73.)

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 (*l*) amended, 1984, 189 § 112; 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. 17 amended, 1984, 226 § 1.

SECT. 19 amended, 1979, 218; first sentence amended, 1984, 226 § 2.

SECT. 19A added, 1984, 226 § 3 (relative to directory assistance).

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; first paragraph amended, 1984, 78; 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; revised, 1984, 189 § 113. (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; section amended, 1984, 189 § 114. (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; amended, 1984, 189 § 115.

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; 1984, 189 § 116; 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; amended, 1984, 189 § 117. (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; amended, 1984, 189 § 118.

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); repealed, 1984, 77 § 6.

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); revised, 1984, 189 § 119.
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. 51 revised, 1984, 320.
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; subsection (f) revised, 1984, 189 § 120.

SECT. 94G ½ added, 1980, 464 (providing for the conversion of oil to coal by electric generating facilities); revised, 1984, 395.

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); last sentence revised, 1984, 343.

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. 22C amended, 1984, 189 § 121.

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; seventh paragraph amended, 1984, 76. (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; amended, 1984, 189 § 122.

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; section amended, 1984, 189 § 123. (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; amended, 1984, 189 § 124; 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.

SECT. 21, subsection (*b*), clause (8) revised, 1984, 189 § 125;

Chapter 167C. — BANK LOCATIONS.

New chapter inserted, 1982, 155 § 9. (See 1982, 155 § 65.)

SECT. 3, first paragraph revised, 1982, 626 § 9; 1984, 200 § 1. (See 1982, 626 § 27.)

Chapter 167D. — DEPOSITS AND ACCOUNTS.

New chapter inserted, 1982, 155 § 9. (See 1982, 155 § 65.)

Chapter stricken out and new chapter inserted, 1983, 590 § 2.

For prior changes see Table of Changes contained in Acts and Resolves of 1983.

The following references are to chapter 167D as so inserted:

SECT. 2, paragraph 1 amended, 1984, 230.

SECT. 10, last sentence revised, 1984, 189 § 126.

SECT. 34 added, 1984, 222 (requiring financial institutions to make available to the public certain information).

SECT. 34 added, 1984, 390 § 1 (requiring certain disclosures by financial institutions).

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; paragraph 5, last sentence revised, 1984, 157; paragraph 13, second paragraph amended, 1983, 371 § 19; paragraph 18 amended, 1984, 189 § 127. (See 1982, 626 § 27; 1983, 371 § 105.)

SECT. 3A revised, 1984, 276 § 1.

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; paragraph A revised, 1984, 259; 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; amended, 1984, 482 § 12; 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.)

SECT. 3, subsection 9A inserted, 1984, 219.

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; section revised, 1984, 276 § 3.

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.

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; section amended, 1984, 189 § 128. (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. 25 revised, 1984, 190 § 1. (See 1984, 190 § 3.)

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, paragraph 6 revised, 1983, 590 § 15; fifth paragraph amended, 1984, 200 § 2.

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; fifth paragraph amended, 1984, 200 § 3. (See 1982, 626 §.)

SECT. 35, fourth, fifth and sixth paragraphs revised, 1982, 626 § 14; sixth paragraph amended, 1984, 200 § 4. (See 1982, 626 § 27.)

SECT. 36, last sentence revised, 1984, 276 § 2.

SECT. 38 amended 1983, 371 § 54; section revised, 1984, 276 § 3. (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. 14A revised, 1984, 190 § 2. (See 1984, 190 § 3.)

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.21 amended, 1984, 189 § 129. (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; section revised, 1982, 626 § 15. (See 1982, 155 § 65; 627 § 27.)

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).

SECT. 26B added, 1981, 289 § 2(relative to certain demand deposits); revised, 1982, 155 § 40; 155 § 41; fifth paragraph amended, 1984, 200 § 6. (See 1982, 155 § 65.)

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. 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;

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. 18, second paragraph, second sentence revised, 1984, 75.

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. 24, revised, 1982, 626 § 15; fourth paragraph amended, 1984, 200 § 5. (See 1982, 626 § 27.)

SECT. 26A,amended, 1983, 371 § 58; second paragraph amended, 1983, 371 § 59; paragraph (2) amended, 1984, 189 § 130. (See 1983, 371 § 105.)

SECT. 26B, revised, 1982, 626 § 16; fifth paragraph amended, 1984, 200 § 6.

SECT. 26C fifth paragraph amended, 1983, 371 § 60; paragraph added, after third paragraph, 1983, 590 § 17. (See 1983, 371 § 105.)

SECT. 26D, revised, 1982, 626 § 17; fifth paragraph amended, 1984, 200 § 7.

SECT. 28 first sentence revised, 1982, 536 § 1; fourth paragraph revised, 1983, 203; fifth paragraph amended, 1983, 371 § 61; 1984, 189 § 131. (See 1982, 536 § 4; 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.)

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 revis d 1982 181; fourth, fifth and sixth sentences stricken out and two sentences inserted, 1984, 107. (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; first and second sentences stricken out and one sentence inserted, 1984, 179; 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. 15B amended, 1984, 276 § 4.

SECT. 16, two sentences inserted after first sentence, 1963, 104; second sentence amended, 1949, 286 § 1; revised, 1962, 268 § 2; third sentence

revised, 1963, 227; 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; paragraph (*r*) revised, 1984, 49; 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; paragraph (*r*), second paragraph revised, 1984, 49. (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; paragraph 1 revised, 1984, 130 § 1; second paragraph, paragraph 3 revised, 1981, 408; paragraph 3, second paragraph amended, 1984, 130 § 2; subdivision (B), subsection (*a*), paragraphs 1 and 2 revised, 1981, 178 § 4; 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 revised, 1984, 154 § 1; paragraph 4A inserted, 1981, 267 § 3; revised, 1984, 154 § 2; paragraph 6, first sentence amended, 1984, 154 § 3; third sentence revised, 1978, 49; 1981, 178 § 6; amended, 1984, 154 § 4; paragraph 7 added, 1977, 23; first two sentences revised, 1980, 250; paragraph 7 revised, 1981, 409; 1984, 154 § 4; 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; 1984, 154 § 6; 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; second sentence revised, 1984, 92; 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; 1984, 108; 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. 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.

SECT. 16, second sentence revised, 1972, 520 § 3; amended, 1974, 75 § 4; sentence added, 1974, 140 § 4.

SECT. 17 revised, 1964, 300; amended, 1966, 177 § 1; paragraph added, 1966, 177 § 2.

SECT. 18 revised, 1966, 186; 1979, 101.

SECT. 21, subsection A revised, 1974, 44 § 1; subsection D amended, 1965, 279; revised, 1976, 252 § 6; subsection E revised, 1976, 252 § 7; subsection F stricken out, 1974, 44 § 2.

SECT. 22A added, 1966, 173 § 2 (relative to the date for determining stockholders having right to notice of meetings).

SECT. 23, sentence inserted after first sentence, 1965, 41.

SECT. 24, paragraph D amended, 1970, 648 § 3. (See 1970, 648 § 8.)

SECT. 25A added, 1965, 299 (authorizing trust companies to issue and sell capital notes and debentures).

SECT. 26, paragraph added, 1974, 149.

SECT. 26A added, 1974, 390 § 4 (requiring certain annual reports from trust companies to the commissioner of banks).

SECT. 27, subsection A revised, 1976, 245; paragraph A, first paragraph revised, 1979, 288; subsection B amended, 1963, 225; 1971, 362; clause 2 revised, 1973, 68; clause 3 revised, 1972, 40.

SECT. 30, first sentence amended, 1970, 648 § 4; revised, 1971, 316. (See 1970, 648 § 8.)

SECT. 32 revised, 1982, 155 § 51. (See 1982, 155 § 65.)

SECT. 36 revised, 1977, 49.

SECT. 38, subsection A, clause (1) amended, 1968, 610 § 1; revised, 1973, 1149 § 19; last sentence amended, 1980, 572 § 374; clause (2) amended, 1968, 610 § 2; revised, 1973, 1149 § 20; last sentence amended, 1980, 572 § 375; subsection C revised, 1968, 610 § 3; subsection D revised, 1979, 293 § 8; subsection F added, 1968, 610 § 4. (See 1973, 1149 § 33; 1980, 572 § 417; 1982, 626 § 27.)

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. 2, paragraph, (b) amended, 1983, 371 § 69. (See 1983, 371 § 105.)

SECT. 13, first sentence revised, 1982, 536 § 3; 1983, 272 § 1. (See 1983, 272 § 2.)

SECT. 17, first paragraph revised, 1983, 273 § 1; (See 1983, 273 § 2.)

SECT. 18, first paragraph revised, 1983, 273 § 1. (See 1983, 273 § 2.)

SECT. 30, subsection (a) revised, 1984, 132.

SECT. 36, subsection A, clause (4), last paragraph revised, 1982, 418 § 1; clause (4) revised, 1982, 626 § 18. fifth paragraph amended, 1984, 200 § 8. (See 1982, 626 § 27.)

SECT. 38, clause (4) added, 1982, 155 § 52; fourth paragraph amended, 1984, 200 § 9; last paragraph revised, 1982, 418 § 2; (See, 1982, 155 § 65.)

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; clauses Fourth and Fifth revised, 1984, 133.

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 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; revised, 1984, 189 § 134.

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; subdivision 3 amended, 1984, 189 § 135; subdivision 6, second paragraph amended, 1984, 189 § 136. (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; amended, 1984, 189 § 137; 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; fourth sentence amended, 1984, 189 § 138.

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. 108D inserted, 1984, 439 § 1(regulating the payment of certain chiropractor fees under certain insurance contracts); (See 1984, 439 § 2.)

SECT. 109, repealed, 1954, 275 § 2. (See 1954, 275 §§ 4, 5.)

SECT. 110, sentence added, 1939, 133; section amended, 1941, 118; revised, 1943, 424 § 3; 532 § 1; subdivision (1) of second paragraph amended, 1945, 403 § 1; section revised, 1949, 676 § 3; amended, 1950, 392; subdivisions (A) and (B) revised, 1952, 532 § 1; subdivision (A) amended, 1954, 275 § 3, 327; 1953, 229 § 1; 1964, 236 § 2; 1965, 309 § 1; 1968, 264; subdivision (B) revised, 1963, 254 § 1; amended, 1964, 236 § 3; 1965, 309 § 2; subdivision (C) amended, 1952, 532 § 1A; subdivision (D) revised, 1952, 532 § 2; amended, 1955, 207; 1962, 634 § 2; subdivision (D) stricken out and subdivisions (D) and (E) inserted, 1963, 254 § 2; subdivision (F) added, 1966, 386 § 2; subdivision (G) added, 1973, 344 § 2; subdivision (H) added, 1973, 1221 §§ 1, 2; 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); paragraph added, 1984, 208 § 8.

SECT. 110E added, 1973, 1081 (further regulating the advertising and contents of accident and sickness policies); third paragraph, clause (11) revised, 1984, 189 § 139.

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; paragraph added, 1984, 208 § 9. (See 1984, 208 § 16.)

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); subsections (*a*) and (*b*) revised, 1984, 414 § 3.

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; paragraph inserted after third paragraph, 1984, 198. 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, 703 § 2; sixth paragraph amended, 1983, 596 § 3; sixth paragraph, first four sentences revised, 1984, 189 § 140. (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; amended, 1983, 241 § 12; second sentence revised, 1971, 896 § 1; stricken out, 1976, 266 § 14. (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 (*f*) revised, 1984, 141. paragraph (*k*) revised, 1982, 618 § 2; subdivision 6B amended, 1982, 634 § 12; subdivision 7, clause (*iv*) revised, 1982, 618 § 3. subdivision (*7C*) stricken out and subdivision (*7A*) inserted, 1984, 189 § 142. (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. 1A inserted, 1984, 199 § 1 (relative to the regulation of nonprofit hospital service corporations).

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; sentence added, 1984, 308 § 1; 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; second paragraph revised, 1984, 199 § 2.

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; paragraph added, 1984, 208 § 10. (See 1956, 192 § 2; 1984, 208 § 16.)

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; paragraph added, 1984, 208 § 10. (See 1984, 208 § 16.)

SECT. 8E added, 1981, 734 § 4 (relative to diethylstilbestrol).

SECT. 8F added, 1984, 414 § 4 (providing for health insurance coverage for certain divorced or separated spouses.

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; second paragraph, sentence added, 1984, 199 § 3; third paragraph, paragraph (*a*) revised, 1982, 373 § 17; paragraph inserted after third paragraph, 1984, 199 § 4. (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; 1984, 308 § 2; 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; second paragraph stricken out, two paragraphs inserted, 1984, 199 § 5; third paragraph amended, 1976, 454 § 5; fourth paragraph amended, 1978, 361 § 2; fourth paragraph, four sentences added, 1984, 199 § 6.

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; two sentences added, 1984, 199 § 7.

SECT. 6, first sentence revised, 1960, 307 § 2; paragraph (*d*) added, 1957, 115 § 1; paragraph (*e*) added, 1974, 732 § 2; paragraph (*f*) added, 1984, 310. (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; paragraph added, 1984, 208 § 11. (See 1984, 208 § 16.)

SECT. 6B added, 1984, 414 § 5 (providing for health insurance coverage for certain divorced or separated spouses).

SECT. 7 amended, 1971, 434 § 1; revised, 1978, 574 § 3; sentence inserted after first sentence, 1984, 192 § 1; 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. 4A inserted, 1984, 208 § 12 (further regulating health maintenance contracts).(See 1984, 208 § 16.)

SECT. 5A inserted, 1984, 414 § 6 (profiding for health insurance coverage for certain divorced or separated spouses).

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. 8, last sentence revised, 1984, 332.

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; amended, 1984, 189 § 143. (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 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; fifth paragraph revised, 1984, 327.

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; revised, 1984, 189 § 144. (See 1973, 1114 § 351.)

SECT. 10 revised, 1977, 98 § 10; 1978, 491 § 7.

SECT. 15, first paragraph revised, 1984, 189 § 145.

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; after third sentence, sentence inserted, 1984, 401.

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); second paragraph, first sentence stricken out and two sentences inserted, 1984, 73. (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; clause Seventh added, 1984, 54 § 1. (See 1981, 658 § 41; 1983, 278 § 6; 1984, 54 § 2.)
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; first sentence amended, 1984, 189 § 146. (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 sentences added, 1983, 645 § 1; subsection (2) clause (*a*) revised, 1984, 170 § 2; subsection (4), clause (*iii*), sentence added, 1984, 474; subsection (5) revised, 1983, 645 § 2; 1984, 170 § 2A; subsection (7A) inserted, 1984, 170 § 3. (See 1970, 666 § 2; 1972, 639 § 2; 1977, 979 § 4; 1978, 553 § 3; 1984, 170 § 8.)
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; amended, 1984, 189 § 147; 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; 1984, 189 § 148. (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. clause (4) stricken out and clauses (4), (5) and (6) inserted, 1984, 458 § 1. (See 1981, 351 § 299.)

SECT. 3A inserted, 1984, 458 § 2 (further regulating the law relative to abandoned property).

SECT. 4 amended, 1975, 608 § 3.

SECT. 5 revised, 1958, 283; 1959, 470 § 3; amended, 1962, 248 § 1. 1975, 608 § 4; 1984, 189 § 149.

SECT. 6 amended, 1975, 608 § 5;

SECT. 6A added, 1962, 248 § 2 (providing that certain unclaimed dividends or distributions due in liquidations shall be presumed abandoned).

SECT. 6B added, 1975, 889 § 1 (regulating the abandonment of travelers checks issued or sold in the commonwealth).

SECT. 7, paragraph (*b*) amended, 1957, 359 § 1; section revised, 1969, 377 § 2; paragraph (*a*) revised, 1975, 277 § 3; paragraph (*c*) stricken out, 1975, 277 § 4. (See 1969, 377 § 19.)

SECT. 8, paragraph (*b*) revised, 1957, 359 § 2; amended, 1969, 377 § 3; paragraph (*c*) amended, 1969, 377 § 4; paragraph (*c*) (1) revised, 1957, 359 § 3; 1959, 470 § 4; amended, 1969, 377 § 5; paragraph (*d*) amended, 1969, 377 § 6. (See 1969, 377 § 19.)

SECTS. 4-8A stricken out and sections 4,5,5A,5B,5C,6,6A,6B,6C, 7,7A,7B,8,8A and 8B added, 1980, 130 § 8;

SECT 4, amended 1981, 351 § 103. (See 1981, 351 § 299.)

SECT. 5 amended, 1981, 351 § 104; revised, 1983, 233 § 73. (See 1981, 351 § 299; 1983, 233 § 101.)

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, 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. 7, paragraph (*b*), clause (1) amended, 1984, 458 § 3; clause (3) amended, 1984, 458 § 4.

SECT. 7A revised, 1984, 458 § 5.

SECT. 7B amended, 1981, 351 § 111. (See 1981, 351 § 299.)

SECT. 8, paragraph (*d*) revised, 1984, 458 § 6.

SECT. 8A, paragraph (*c*) revised, 1984, 458 § 7.

SECT. 9 paragraph (*a*) amended, 1969, 377 § 7; paragraph (*b*) amended, 1969, 377 § 8; revised, 1984, 458 § 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. paragraph (*h*) revised, 1984, 458 § 9; (See 1969, 377 § 19.)

SECT. 10A inserted, 1984, 458 § 10 (further regulating the law relative to abandoned property).

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).

SECT. 15B revised, 1984, 458 § 11.

SECT. 15D inserted, 1984, 458 § 12 (further regulating the law relative to 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; section revised, 1984, 189 § 150. (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. 10 amended, 1984, 384.

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; sentence added, 1984, 440 § 1.

SECT. 40 revised, 1946, 197 § 3; amended, 1965, 11 § 2; revised, 1968, 81 § 4; 1979, 718 § 2; 1983, 112§ 2;) 1984, 440 § 2.

SECT. 42 amended, 1946, 197 § 4; revised, 1965, 11 § 3; amended, 1968, 81 § 5; revised, 1983, 122 § 3; 1984, 440 § 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; amended, 1984, 311. (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; amended, 1984, 189 § 151. (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. 4, second paragraph amended, 1984, 189 § 152.

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; 1984, 339 § 1-4. (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; 1984, 339 § 15-18.

SECTS. 23-24 revised, 1978, 478 § 103. (See 1978, 478 § 343.)

SECT. 25 added, 1984, 234 § 22 (creating a disability benefits project of the supreme judicial court).

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; 1984, 339 § 5-8. (See 1973, 428 § 19, 856 § 17; 1974, 558 § 20; 1977, 234 § 198; 872 § 204; 1978, 478 § 343; 1981, 632 §§ 24, 25; 1982, 455 § 12; 1984, 339 § 15-18.)

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; section revised, 1984, 411 § 1. (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; third paragraph revised, 1984, 339 § 9; first three paragraphs revised, 1984, 339 § 10-12. (See 1978, 478 § 343; 1981, 632 §§ 24, 25; 1982, 455 § 12; 1984, 339 § 9-12.)

SECT. 6 last paragraph revised, 1983, 641.

SECT. 9, paragraph added, 1984, 339 § 13.

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); section stricken out and section 6B inserted, 1984, 189 § 153. (See 1978, 478 § 343.)

SECT. 6B inserted, 1984, 189 § 153.

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; section amended, 1984, 372 § 58. (See 1936, 282 § 3; 1966, 699 § 11; 1984, 372 § 73.)

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; second paragraph amended, 1984, 189 § 154; 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, 636 § 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; paragraph (*h*), second paragraph, second sentence stricken out and three sentences inserted, 1984, 371. (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 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. 20J inserted, 1984, 207 (establishing a privilege for certain communications between a rape victim and certain counsellors).

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, entence added, 1943, 190 § 1; last sentence revised, 1984, 104; 1984, 104. (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 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; first paragraph amended, 1984, 189 § 155; 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; second and third paragraphs stricken out and one paragraph inserted, 1984, 189 § 156.

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.

SECT. 85S added, 1984, 488 § 1 (relative to the presentation of art.)

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. 20J inserted, 1984, 207 (establishing a privilege for certain communications between a rape victim and certain counsellors).
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; last sentence revised, 1984, 104. (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.

SECT. 8 amended, 1984, 189 § 157.

SECT. 39 amended, 1984, 189 § 158.

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, 636 § 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 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. 1, paragraph added, 1984, 355 § 1.
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; after third paragraph, paragraph inserted, 1984, 355 § 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. 13, sentence added, 1984, 355 § 3.
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. 27 amended, 1984, 355 § 4.
SECT. 28, paragraph added, 1984, 355 § 5.

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; amended, 1984, 189 § 159; 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. 2, paragraph added, 1984, 279 § 1.

SECT. 6, first sentence amended, 1984, 279 § 2.

SECT. 9, paragraph added, 1980, 315 § 2.

SECT. 9A added, 1982, 345 (relative to the indemnification of certain police); section revised, 1984, 457.

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, 1977, 948; added, 1983, 597 § 1; stricken out and section 9 inserted, 1984, 189 § 160.

SECT. 9 added, 1984, 189 § 160.

Chapter 258B.—Rights of Victums 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.)

SECT. 7 added, 1984, 321 (regulating the sale of certain businesses and property).

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; section revised, 1984, 484 § 53. (See 1973, 777 § 4.)

SECT. 2C inserted, 1984, 488 § 2 (relative to the presentation of art.)

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; amended, 1984, 189 § 161.

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. (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; (See 1979, 344 § 51.)

SECT. 5A added, 1958, 401 (providing that a person held in custody, charged with operating a motor vehicle while under the influence of intoxicating liquor, shall have the right to an immediate medical examination); revised, 1960, 237; 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); amended, 1984, 189 § 162.

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; first paragraph amended, 1984, 231 § 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; 1984, 231 § 2.
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. 20, last paragraph stricken out and two paragraphs inserted, 1984, 459.

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; revised, 1984, 110.

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); revised, 1984, 189 § 163. (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; 1984, 189 § 164. (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; last paragraph stricken out and two paragraphs inserted, 1984, 459.

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 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; revised, 1984, 189 § 165. (See 1982, 603 § 9.)

SECT. 29B, second paragraph amended, 1982, 603 § 5; revised, 1984, 189 § 166. (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; amended, 1984, 50.

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, 721 § 1 (relating to punishment for certain criminal conspiracies).

Chapter 275. — Proceedings to Prevent Crimes.

SECT. 1 amended, 1959, 313 § 17.

SECT. 8 amended, 1959, 313 § 18.

SECT. 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; second paragraph amended, 1984, 94 § 1; third paragraph amended, 1984, 94 § 2.

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 87A added, 1984, 294 § 1 (relative to the punishment of certain young adults who violate the alcoholic beverage law).

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; 1984, 123.

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. 1, definition of "Program" revised, 1984, 294 § 2.

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. 2H inserted, 1984, 470 (relative to the issuance of venire facias for grand jurors).

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.