

such expense from another insurer shall be made by agreement between the involved insurers, or, if they fail to agree, by arbitration in accordance with the provisions of the General Laws.

SECTION 2. This act shall take effect on January first, nineteen hundred and seventy-four, and shall apply to policies issued on and after said date and to causes of action arising on and after said date.

(The foregoing was laid before the Governor on the first day of October, 1973, 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. 918. AN ACT PROVIDING FOR PUBLIC UTILITY SERVICES IN CERTAIN EASEMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize immediately the installation of certain public utility services on certain private ways, therefore 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 187 of the General Laws is hereby amended by adding the following section: —

Section 5. The owner or owners of real estate abutting on a private way who have by deed existing rights of ingress and egress upon such way or other private ways shall have the right by implication to place, install, or construct in, on, along, under and upon said private way or other private ways pipes, conduits, manholes and other appurtenances necessary for the transmission of gas, provided such facilities do not unreasonably obstruct said private way or other private ways and provided that such use of the private way or other private ways does not interfere with or be inconsistent with the existing use by others of such way or other private ways. Any such owner or owners may grant permission to a public utility company or companies to enter upon said way or other private ways to place, install, repair or relocate pipes, conduits, manholes, and other necessary appurtenances for the transmission of gas in accordance with such company or companies regulations, practices and tariffs filed with the department of public utilities. Neither the person installing or repairing public utility facilities, nor such facilities, nor the gas transmitted shall be deemed to constitute a trespass upon said way or ways. *Approved October 16, 1973.*

Chap. 919. AN ACT RELATIVE TO THE EXAMINATION OF JURORS.

Be it enacted, etc., as follows:

Section 28 of chapter 234 of the General Laws is hereby amended by adding the following paragraph: —

For the purpose of determining whether a juror stands indifferent in the case, if it appears that, as a result of the impact of considerations which may cause a decision or decisions to be made in whole or in part upon issues extraneous to the case, including, but not limited to, community attitudes, possible exposure to potentially prejudicial material or possible preconceived opinions toward the credibility of certain classes of persons, the juror may not stand indifferent, the court may, or the parties or their attorneys may, with the permission and under the direction of the court, examine the juror specifically with respect to such considerations, attitudes, exposure, opinions or any other matters which may, as aforesaid, cause a decision or decisions to be made in whole or in part upon issues extraneous to the issues in the case. Such examination may include a brief statement of the facts of the case, to the extent the facts are appropriate and relevant to the issues of such examination, and shall be conducted individually and outside the presence of other persons about to be called as jurors or already called.

Approved October 16, 1973.

Chap. 920. AN ACT FURTHER REGULATING REPORTS OF INSPECTIONS FOR VIOLATIONS OF THE STATE SANITARY CODE.

Be it enacted, etc., as follows:

Section 127B of chapter 111 of the General Laws, as most recently amended by chapter 522 of the acts of 1972, is hereby further amended by adding the following paragraph: —

A copy of the report of any investigation or inspection for violations of the code or other applicable laws, ordinances, by-laws, rules or regulations, and of any written order or notice issued by the board, shall be sent to the occupants of all affected premises in the same manner as is provided for the service of an order by section one hundred and twenty-four within seven days of the inspection of the premises or the issuance of the order or notice. A notice of the date, time and place of any administrative or court hearings scheduled by or known to the board relating to violations, including all referrals of violations to other government agencies, shall also be delivered or sent to the occupants. All investigation or inspection reports shall include the name of the inspector, and the date and time of the inspection or investigation; the date and time of any scheduled follow-up inspection; a description of the conditions constituting the violations, if any; a listing of the specific provisions of the code or other applicable laws, ordinances, by-laws, rules or regulations that appear to be violated; a determination by the official inspecting the premises whether each violation, or the cumulative effect of all violations, may endanger or materially impair the health, safety or well-being of any occupant or the public; a determination by said official whether any violations appeared to be substantially caused by the occupant or any person acting under his control; and a brief summary of the statutory