

AC Grumby

LAWS

OF THE

STATE OF NEW HAMPSHIRE

PASSED JANUARY SESSION, 1947

LEGISLATURE CONVENED JANUARY 1,
ADJOURNED JULY 1



CONCORD, N. H.

1947

Printed by

GRANITE STATE PRESS, INC.

MANCHESTER, N. H.

Bound by

NEAL PRINTING AND BINDING CO.

DOVER, N. H.

STATE OFFICERS

<i>Governor</i>	Charles M. Dale
<i>Councilors</i>	Carl E. Morin Paul W. Hobbs Paul J. Gingras Franklin Flanders Donald G. Matson
<i>Adjutant General</i>	Charles F. Bowen
<i>Aerial Tramway Commission, N. H.</i>	
<i>Managing Director</i>	Roland E. Peabody
<i>Aeronautics Commission, N. H.</i>	
<i>Director</i>	W. Russell Hilliard
<i>Agriculture, Commissioner of</i>	
<i>Athletic Commission, State</i>	Ruel N. Colby Howard W. Northridge Theodore J. Rouillard
<i>Attorney General</i>	Ernest R. D'Amours
<i>Asst. Attorney General</i>	Gordon M. Tiffany
<i>Bank Commissioner</i>	Clyde M. Davis
<i>Deputy</i>	Leon O. Gerry
<i>Cancer Commission</i>	George W. Boynton Joseph W. Epply Ralph E. Miller George C. Wilkins
<i>Classification Plan Board</i>	Charles F. Cook Gilman K. Crowell Marjorie M. Greene Eric Ober
<i>Comptroller</i>	Stephen B. Story
<i>Asst. Comptroller</i>	Clark R. Hartford
<i>Education, Commissioner of</i>	Edgar Fuller
<i>Deputy Commissioner</i>	Walter M. May
<i>Director of Trade Schools</i>	John E. Grastorf
<i>Employees' Retirement System, State</i>	
<i>Secretary</i>	Robert Jewell
<i>Fish and Game Department, Director</i>	
	Ralph G. Carpenter, 2d

*Forestry and Recreation Department**State Forester* John Foster*Director of Recreation* Russell B. Tobey

<i>Hairdressers, Board of Registration</i>	}	Armand J. Houle
		Stella M. Lines
		Beatrice M. Luneau

*Health Department, State**State Health Officer* John S. Wheeler, M.D.*Deputy State Health Officer* .. Mary M. Atchison, M.D.*Registrar of Vital Statistics* Marian G. Maloon*Highway Commissioner* Frederic E. Everett*Asst. Commissioner* J. Harold Johnson*Insurance Commissioner* Donald Knowlton*Deputy Commissioner* Simon M. Sheldon*Labor Commissioner* William H. Riley*Unemployment Compensation**Division, Administrator* William C. Chamberlin*Employment Service, State Director* Abby L. Wilder

<i>Library Commission, State</i>	}	Amos N. Blandin, Jr.
		Ottis E. Mercer
		Elwin L. Page
		Addie E. Towne
		Dorothy M. Vaughan

State Librarian Mildred Peterson McKay*Assistant Librarian* Catharine Pratt

<i>Liquor Commission, State</i>	}	William A. Jackson
		Edmond J. Marcoux
		Ray E. Tarbox

<i>Milk Control Board</i>	}	Edward E. Baker
		Allen M. Freeman
		Roscoe J. Oakes

Motor Vehicle Commissioner Virgil D. White*Deputy Commissioner* Charles H. Magown*Director of Safety* Malcolm L. Wilkins*Road Toll Administrator* Frederick N. Clarke*Planning and Development Commission, State**Publicity Director* Andrew M. Heath*Executive Director* Edward Ellingwood*Industrial Director* Merrill J. Teulon*Police, State, Superintendent* Ralph W. Caswell

<i>Probation, Board of</i>	{ Amos N. Blandin, Jr. Burt R. Cooper Lula J. A. Morris	
<i>Director</i>		Richard T. Smith
<i>Public Service Commission</i>	{ Edgar H. Hunter Claude H. Swain Edward R. Thornton	
<i>Public Welfare</i>		
<i>Commissioner of</i>		Elmer V. Andrews
<i>Purchasing Agent</i>	Harold Cheney	
<i>Racing Commission, State</i>	{ Merrill A. Calkins Emmet J. Kelley Byron E. Redman	
<i>Secretary of State</i>		Enoch D. Fuller
<i>Deputy</i>		Harry E. Jackson
<i>State Buildings and Grounds</i>		
<i>Superintendent</i>	Wayne B. Elwell	
<i>Tax Commission, State</i>	{ Lawton B. Chandler George H. Duncan John R. Spring	
<i>Tobacco Tax Division</i>		
<i>Director</i>		Scott S. McIntire
<i>Teachers' Retirement Board</i>	{ Robert D. Bailey Daniel W. MacLean	
<i>Treasurer, State</i>		F. Gordon Kimball
<i>Deputy</i>	Ann N. Durepo	
<i>Veterans' Council</i>	{ John D. Cantin Raymond H. Chase John H. Sanders	
<i>Director</i>		Harold R. Trombley
<i>Water Resources Board</i>		
<i>Acting Chairman</i>	Walter G. White	
<i>Weights and Measures, Commis-</i>		
<i>sioner of</i>	John J. Henson	

SUPREME COURT

<i>Chief Justice</i>	Oliver W. Branch
<i>Associate Justices</i>	{ Amos N. Blandin, Jr. Laurence I. Duncan Francis W. Johnston Frank R. Kenison

SUPERIOR COURT

<i>Chief Justice</i>	John R. Goodnow
<i>Associate Justices</i>	{ William A. Grimes Edward J. Lampron John H. Leahy Harold E. Wescott Stephen M. Wheeler
<i>State Reporter</i>	George O. Shovan

THE LEGISLATURE OF 1947

SENATE

President—Charles H. Barnard, Manchester, r.
Clerk—Benjamin F. Greer, Grasmere, r.
Assistant Clerk—Frank M. Ayer, Alton, r.
Sergeant-at-Arms—John S. Ball, Hopkinton, r.
Messenger—Donald W. Moore, Alstead, r.
Assistant Messenger—Earl Pollard, Windham, r.
Doorkeeper—Frank D. Gay, Hillsboro, r.
Telephone Messenger—Jesse F. Young, Concord, r.

SENATORS

Emmet J. Kelley, Berlin, d.	Aldege A. Noel, Nashua, d. and r.
Curtis C. Cummings, Colebrook, r. and d.	Asa H. Morgan, Bow, r.
Frederick E. Green, Littleton, r.	Arthur E. Bean, Concord, r.
James Welch, Tamworth, r. and d.	Charles H. Barnard, Manchester, r.
Earl S. Hewitt, Enfield, r.	Robert J. Gamache, Manchester, r.
Charles F. Stafford, Laconia, r. and d.	Thomas B. O'Malley, Manchester, d.
Paul B. Gay, New London, r.	Charles E. Daniel, Manchester, d.
Jesse R. Rowell, Newport, r.	Edmond J. Marcoux, Strafford, d.
John P. H. Chandler, Jr., Warner, r.	J. Guy Smart, Durham, r.
Russell F. Batchelor, Keene, r.	Augustus F. Butman, Derry, r.
Jason C. Sawyer, Jaffrey, r. and d.	Doris M. Spollett, Hampstead, r. and d.
James W. Colburn, Nashua, r. and d.	Rae S. Laraba, Portsmouth, r.

HOUSE OF REPRESENTATIVES

Speaker—J. Walker Wiggin, Manchester, r.
Clerk—Cyril J. Fretwell, Concord, r.
Assistant Clerk—Robert L. Stark, Goffstown, r.
Sergeant-at-Arms—Clarence A. Dubois, Concord, r.
Chaplain—Ernest A. Shepherd, Concord, r.
Custodian of Mail and Supplies—George L. Hurd, Concord, r.
Doorkeeper—Lenne C. Twombly, Hill, r.
Doorkeeper—Sherman L. Greer, Manchester, r.
Doorkeeper—Joseph J. Comi, Concord, r.
Doorkeeper—Edith B. Gardner, Plainfield, r.

ROCKINGHAM COUNTY

Atkinson, Thomas C. Duffey, r.
Auburn, George E. Spofford, d.
Brentwood, Margery W. Graves, r. and d.
Candia, Karl J. Persson, r. and d.
Chester, Robert C. Hazelton, r.
Danville, Mahlon B. Darbe, r.
Dcerfield, Carl M. Fogg, d.
Derry, Harry E. Clark, r.
 Harold W. Corson, r.
 William B. Cushing, r.
 Albert B. Roberts, r.
East Kingston, George B. Freeman, r.
Epping, D. Watson Ladd, d. and r.
Exeter, Alvah C. Drake, r.
 Clinton W. Elwell, r.
 James C. Rathbone, r.
 Maude B. Richards, r.
Greenland, Thornton N. Weeks, Sr., r.
Hampstead, Thorndyke Putnam, r. and d.
Hampton, Dean B. Merrill, r.
 Ernest R. Underwood, r.
Hampton Falls, Forrest B. Creighton, r.
Kensington, Charles R. Eastman, d.
Kingston, Warren S. Keay, r.
Londonderry, Draper W. Parmenter, r.
New Castle,
 James W. Pridham*, d. and r.
 Thomas F. McCaffery, r.

Newfields, Joseph J. Finn, r.
Newington, John F. Hoyt, d. and r.
Newmarket, Arthur A. Labranche, d.
 F. Albert Sewall, d.
Newton, William K. Davis, r.
North Hampton, George G. Carter, r.
Northwood, Robert A. Johnson, r.
Nottingham, Arthur W. McDaniel, r.
Plaistow, Arthur T. Colcord, r.
Portsmouth,
 Ward 1, Andrew J. Barrett, d.
 John R. McIntire, r.
 Wesley K. Webster, r.
 Ward 2, Harry H. Foote, r.
 Remick H. Loughton, r.
 John H. Yeaton, r.
 Ward 3, Guy E. Corey, r.
 John J. Leary, d. and r.
 Ward 4, Edward J. Hopley, r.
 Ward 5, John Burkhardt, r.
Raymond, Thomas F. Bluitte, r.
Rye, Ernest A. Tucker, r.
Salem, Walter F. Haigh, r.
 Leonard B. Peever, r.

STRAFFORD COUNTY

Barrington, Cassie C. Haley, r. and d.
Dover,
 Ward 1, Willis H. Getchell, r.
 Walter R. Mauricette, r.
 Ward 2, Henry E. Blanchette, d.
 Therese C. Carrier, d.
 William N. Shaheen, d.
 Ward 3, Levi F. Felker, r.
 Frederick C. Smalley, r.
 Ward 4, Edwin L. Corson, r.
 Charles F. Hartnett, r.
 John F. Mallen, d.
 Ward 5, Edward L. Cassily, d.
Durham, Oren V. Henderson, r. and d.
Farmington, Ned L. Parker, r.
 Frank E. Webster, r.
Lcc, Frank I. Caldwell, d. and r.
Middleton, Mary E. McCullough, d.
Milton, John E. Horne, r.

New Durham, William Smith, r.
Rochester,
 Ward 1, Ernest L. Rolfe, r. and d.
 Ward 2, Miles H. Dustin, r.
 Ronald McGregor*, r.
 Ward 3, Rudolph G. Cartier, d.
 Ward 4, Alphonse Lacasse, d.
 George J. Potvin, d.
 Ward 5, Herbert D. Corson, r.
 Ward 6, Llewellyn F. Fernald, r.
 Charles F. Leach, r.
Rollinsford, Edgar R. Austin, r.
Somersworth,
 Ward 1, Placide J. Lagueux, d.
 Ward 2, Napoleon A. Habel, d.
 Ward 3, Fred J. Lauzon, d.
 Ward 4, Albert J. Nadeau, d. and r.
 Ward 5, James F. Malley, d.
Strafford, Ellsworth H. Berry, r. and d.

* Died.

BELKNAP COUNTY

Alton, Oliver R. Shattuck, r.
Barnstead, Joseph H. Cotton, r. and d.
Belmont, Clarence H. Dearborn, r.
Gilford, Arthur P. Gerry, r. and d.
Gilmanton, Richard F. Varney, r.
Laconia,
Ward 1, George W. Tarlson, r. and d.
Ward 2, Alfred L. Guay*, d.
 Fortunat A. Normandin,
 d. and r.
Ward 3, Elmer S. Titlon, r. and d.

Ward 4, Robert V. Johnson, r.
 Frank B. Shannon, r.
Ward 5, Forrest A. Bucklin, r.
 Ross L. Piper, r.
Ward 6, John M. Ewing, r.
 Charles O. Hopkins, r.
Meredith, J. Frank Neal, r.
 Horace U. Ransome, r.
New Hampton, Archibald H. Matthews, r.
Tilton, Michael F. Bruno, r.

CARROLL COUNTY

Albany, Harold G. Sackett, r. and d.
Bartlett, Fred H. Washburn, r. and d.
Brookfield, Howard P. Sawyer, r.
Chatham, Dana A. Weeks, r.
Concey, Elmer H. Downs, r.
 William H. Farrington, r.
 Leslie C. Hill, r. and d.
Eaton, John H. Fuller, r. and d.
Madison, Guy W. Nickerson, r. and d.

Moultonborough, Edith D. Banfield, r.
Ossipee, Harry P. Smart, r.
Sandwich, Perley C. Knox, r.
Tamworth, Earle H. Remick, r. and d.
Tuftonboro, Carl D. Hayes, r.
Wakefield, Ansel N. Sanborn, r.
Wolfeboro, Harold H. Hart, r.
 John D. McHugh, r. and d.

MERRIMACK COUNTY

Allenstown, Alphonse Couture, d.
Andover, Charles H. Putney, r.
Boscawen, Jesse C. Braley, r.
Bow, Carrol W. Flanders, r. and d.
Concord,
Ward 1, Charles P. Coakley, d. and r.
 James P. Ferrin, d. and r.
Ward 2, Clarence I. Tebbetts, r.
Ward 3, William J. Flynn, r.
Ward 4, Charles H. Cheney, r. and d.
 Sara E. Otis, r. and d.
 Leon C. Stewartson, r.
Ward 5, James Anton†, r.
 George H. Nash, r.
Ward 6, George H. Corbett, r.
 Donald W. Saltmarsh, r.
 John C. Titon, r.
 Richard C. Venne, r. and d.

Ward 7, Shirley Brunel, r.
 Marjorie M. Greene, r. and d.
 Paul B. Maxham, r.
 Richard F. Upton, r.
Ward 8, Harold W. Ford, r.
Ward 9, Emmett A. Nawn, r. and d.
 Lucie Weston, r.
Dunbarton, David M. Hadley, r.
Epsom, Laura Y. Bickford, r.
Franklin,
Ward 1, George W. Chase, r.
Ward 2, Eusebe P. Lemire, d.
 Rudolph Pelletier, d.
Ward 3, Louis H. Douphinett, d.
 Parker E. Sawyer, d.
Henniker, Lester E. Connor, r.
Hill, John H. Twombly, r.
Hooksett, Rene H. Dufort, r.
 Fred N. Mitchell, r.

* Died.

† Resigned.

Merrimack County—Continued

Hopkinton, Stewart C. Astles, r.
Loudon, Forrest B. Kenney, r.
Newbury, Albert W. Cheney, r. and d.
New London, Stanley A. Spiller, r. and d.
Northfield, Vincent P. Leary, r.

Pembroke, Edgar G. Bellerose, d.
 George R. Lea, d.
Pittsfield, George E. Freese, Jr., r.
 Edmond J. Stapleton, r.
Warner, Fred A. Savory, r.
Wilmot, Leon E. Sawyer, r.

HILLSBOROUGH COUNTY

Amherst, Charles A. Tracy, r.
Antrim, William H. Hurlin, r.
Bedford, Ralph M. Wiggin, r.
Goffstown, R. Robert Matheson, r.
 Austin H. Reed, r.
 Nathan A. Tirrell, r. and d.
Greenville, Charles E. Sawyer, d.
Hillsborough,
 George W. Boynton, r. and d.
 Merrick S. Crosby, r. and d.
Hollis, Edward Lievens, r. and d.
Hudson, Harry J. Connell, d.
 Ned Spaulding, r. and d.
Lyndeborough, Austin Holt, d. and r.
Manchester,
 Ward 1, Harry W. Bergholtz, r.
 Joel S. Daniels, Sr., r.
 J. Walker Wiggin, r.
 Ward 2, Joseph H. Geisel, r.
 Charles V. Kimball, r.
 John Pillsbury, r.
 Ray S. Sawyer, r.
 Ward 3, Walter B. Connor, d.
 Michael J. Dwyer, d.
 Louis I. Martel, d.
 Lawrence C. Thornton, d.
 Ward 4, Florence J. Danforth, r.
 Joseph N. Goulet, r.
 Emile J. Soucy, r.
 Ward 5, Patrick J. Creighton, d.
 Alexander Kazakis, d.
 Martin L. Mahoney, d.
 John C. O'Brien, d.
 Philip R. Riley, d.
 John F. Shea, d.
 Ward 6, Albert T. Boisclair, d.
 Dennis F. Casey, d.
 Edward J. Cavanaugh, d.

Edward D. Clancy, d.
 Thomas H. Philbin, Jr., d.
 Michael J. Thornton, d.
 Ward 7, C. Edward Bourassa, d.
 Joseph C. Gaumont, d.
 Mark J. Gorham, d.
 James J. Hogan, Jr., d.
 Charles J. Leclerc, d.
 Ward 8, George N. Constant, d.
 Eugene H. Delisle, Sr., d.
 John J. Kane, d.
 Emile Simard, d.
 Ward 9, Patrick J. Egan, d.
 Henry J. Gagnon, d.
 Ward 10, George S. Auger, d.
 Oscar E. Getz, d.
 Charles A. Newell, r.
 Ward 11, William H. Clear, d.
 Joseph J. Roukey, d.
 Frank Leo Sullivan, d.
 Ward 12, George A. Hebert, d.
 George E. LaFlamme, d.
 Raoul J. Lalumiere, d.
 Leon J. Vaillancourt, d.
 Ward 13, Rolland L. Chapdelaine, d.
 Lorenzo P. Gauthier, d.
 Eugene J. Gelinas, d. and r.
 Arthur E. Thibodeau,
 d. and r.
 Ward 14, Michael J. Cannon, d.
 Michael S. Donnelly, d.
 Michael P. Wedick, d.
Mason, Charles L. Barnes, r.
Merrimack, Edward W. Carter, r. and d.
Milford, William M. Falconer, r.
 George F. Jewett, r.
 Fred T. Wadleigh, r.

*Hillsborough County—Continued**Nashua,*

- Ward 1,* Blaylock Atherton, r.
Mabel Thompson Cooper,
r. and d.
Alice L. Ramsdell, r.
- Ward 2,* George F. Boire, d.
Clara M. Record, r.
- Ward 3,* Wilfred J. Belanger, d.
Agenor Belcourt, d.
- Ward 4,* Cornelius M. Brosnahan, d.
George D. Spalding, d.
- Ward 5,* Delphis E. Chasse, d.
Emile E. Marquis, d.
Albert Maynard, d.
- Ward 6,* Louis W. Paquette, d.
Albert D. Richard, d.
Peter Sweeney, d.

- Ward 7,* Alfred Betters, d.
William J. Lavoie, d.
Earl A. Ledoux, d.
- Ward 8,* Rodolphe Cormier, d.
Alfred P. Grandmaison, d.
Leonard G. Velishka, d.
John D. Wilcox, d.
- Ward 9,* Pierre F. Cote, d.
Arthur A. Pelletier, d.
- New Boston,* Albert E. Shedd, r. and d.
- New Ipswich,* Willmore D. Ashley, r.
- Pelham,* Ernest Q. Bigelow, r. and d.
- Peterborough,* Perkins Bass, r.
William H. Caldwell, r.
- Sharon,* William L. Young, r.
- Temple,* Orlo J. Fiske, r. and d.
- Weare,* Frank H. Peaslee, r.
- Wilton,* David J. Barry, d. and r.

CHESHIRE COUNTY

- Fitzwilliam,* Pauline H. Miller, r. and d.
- Gilsum,* Carlos D. Wilson, d.
- Harrisville,* Lawrance W. Rathbun, r.
- Hinsdale,* Abbie H. Robertson, r. and d.
- Jaffrey,* James B. Perry, r.
Carl C. Spofford, r.
- Keene,*
- Ward 1,* Ben O. Aldrich, r.
Clifford E. Emery, r.
E. James Winslow, r.
- Ward 2,* Fred P. Amadon, Jr., r.
Dayton L. Parks, r.
- Ward 3,* Frank J. Bennett, r.
James M. Erwin, r.
- Ward 4,* Howard E. Page, Jr., r.
Robert A. Smith, r.

- Ward 5,* Lewis S. Parker, r.
Laurence M. Pickett, d. and r.
- Marlborough* Benjamin G. Hall, r.
- Roxbury,* Bessie H. Baker, r.
- Stoddard,* William F. Lane, r. and d.
- Sullivan,* Gardner C. Turner, r. and d.
- Surry,* Robert M. Crain, r.
- Swanzy,* Ralph A. Blake, r. and d.
Mark H. Carlton, d. and r.
- Troy,* Warren C. Brown, r.
- Walpole,* Harold T. Killeen, r. and d.
Harold O. Pierce, r. and d.
- Westmoreland,* Oscar W. Billings,
r. and d.
- Winchester,* Frederick H. Ingham,
r. and d.
Luman R. Nelson, r.

SULLIVAN COUNTY

- Acworth,* Alfred G. Violet, r. and d.
- Charlestown,* Frank W. Hamlin, r. and d.
- Claremont,* George W. Angus, r.
Alexis Beaudry, r.
Clara P. Brooks, r.
Francis J. Cahalan, d.
Sydney B. Converse, r.
Calvin Oakes, r.
David S. Ramsay, r.

- Omer M. Russell, r.
James T. Townsend, r.
- Cornish,* John M. Tewksbury, r. and d.
- Newport,* Cleon L. Johnson, Jr., r.
Vaughan H. Kenerson, r.
Edwin H. Perry, r.
Remington B. Woodhull, r.
- Plainfield,* Lena A. Read, r. and d.
- Sunapee,* Tony O. Russell, r. and d.

GRAFTON COUNTY

<i>Ashland</i> , William A. Brown, d.	George H. Edson, r.
<i>Bath</i> , Amos N. Blandin, Sr., d.	Frank F. Hough, r.
<i>Benton</i> , John Boutin, r.	Fred A. Jones, r.
<i>Bethlehem</i> , Charles H. Whittier, r.	Harold G. Randall, r.
<i>Bridgewater</i> , Edward G. Mellus, r.	<i>Lincoln</i> , William J. Canton, r. and d.
<i>Bristol</i> , Glenn L. Wheeler, r.	<i>Lisbon</i> , James E. Collins, r.
<i>Campton</i> , Philip S. Willey, r.	Arthur L. Hamilton, r.
<i>Canaan</i> , Frank B. Clarke, r. and d.	<i>Littleton</i> , Charles F. Armstrong, r.
<i>Dorchester</i> , Herbert H. Ashley, r.	Mabel M. Downing, r. and d.
<i>Easton</i> , Lyle E. Brown, r.	Fred Kelley, r.
<i>Enfield</i> , Emmett Stewart, r.	<i>Lyme</i> , Henry S. Pushee, r.
<i>Grafton</i> , Fred R. Young, r. and d.	<i>Monroe</i> , George L. Frazer, Sr., r. and d.
<i>Groton</i> , Thomas Newton, r. and d.	<i>Orford</i> , Arthur J. Lewis, r.
<i>Hanover</i> , Robert J. Fuller, r.	<i>Piermont</i> , Ernest D. Day, r. and d.
Charles A. Holden, r.	<i>Plymouth</i> , William Maynard, r. and d.
Howard N. Kingsford, r.	Ernest L. Silver, r.
<i>Haverhill</i> , Theodore Chamberlin, r.	<i>Rumney</i> , Jesse A. Barney, r. and d.
William J. Clough, r. and d.	<i>Thornton</i> , Ida M. Horner, r. and d.
Norman A. McMeekin, r. and d.	<i>Warrcn</i> , Fayne E. Anderson, r. and d.
<i>Hebron</i> , Norman W. Sanborn, r.	<i>Wentworth</i> , Charles A. Gilbert, d. and r.
<i>Holderness</i> , Norman P. Smith, r. and d.	<i>Woodstock</i> , Harry D. Sawyer, d. and r.
<i>Lebanon</i> , Arthur F. Adams, r.	
Jerold M. Ashley, r.	

COOS COUNTY

<i>Berlin</i> ,	<i>Columbia</i> , Charles A. Pinckney, r. and d.
Ward 1, Edward F. Hinchey, d.	<i>Errol</i> , Celia G. Hurlbert, d. and r.
Elisabeth H. Mason, d.	<i>Gorham</i> , Walter J. Malloy, d. and r.
Henry M. Moffett, d.	James A. Fraser, d.
George R. Paine, d.	<i>Jefferson</i> , Raymond G. Kimball, r. and d.
Ward 2, Georgianna L. Trottier*, r.	<i>Lancaster</i> , Arthur C. Cryan, r.
Fred G. Hayes, Jr., d.	Edward S. Munro, r.
Clara A. Lazure, d.	<i>Milan</i> , R. Wilbur Potter, r.
Ward 3, Harry E. Bartlett, r.	<i>Northumberland</i> , Pierson R. Fogg, d.
Hilda C. F. Brungot, r. and d.	Nelson D. Rich, d.
Marie A. Christiansen, r.	<i>Pittsburg</i> , Harvey H. Converse, r. and d.
Ward 4, Arthur Aime Bouchard,	<i>Randolph</i> , Mabel L. Richardson, r. and d.
d. and r.	<i>Shelburne</i> , Maud G. Rix, r.
Jennie Fontaine, d. and r.	<i>Stewartstown</i> , Ray W. Placy, r.
Rebecca Gagnon, d. and r.	<i>Stratford</i> , Burritt H. Hinman, r.
Bernard J. Roy, d.	<i>Wentworth's Location</i> ,
<i>Carroll</i> , Oscar E. Rines, r.	Florence M. Gould, r.
<i>Clarksville</i> , Bertha J. Fuller, r.	<i>Whitefield</i> , Ada C. Taylor, r.
<i>Colebrook</i> , Samuel I. Bailey, d.	
Walter E. Hicks, r.	

* Died.

LAWS

OF THE

STATE OF NEW HAMPSHIRE

JANUARY SESSION OF 1947

CHAPTER 1.

AN ACT RELATIVE TO COMPENSATION OF STENOGRAPHIC ASSISTANCE FOR THE LEGISLATURE.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. General Court. Amend chapter 9 of the Revised Laws by inserting after section 23 the following new section: **23-a. Stenographers.** The compensation of the stenographers of the senate and house of representatives shall be as follows: For the chief stenographer \$9 a day; for other stenographers \$6 a day for the first session of service and fifty cents a day additional for each succeeding session of service until a maximum of \$8 a day; each for six days a week.

2. Takes Effect. This act shall take effect as of January 1, 1947.

[Approved January 28, 1947.]

CHAPTER 2.*

AN ACT RELATIVE TO SALARIES OF SHERIFF AND COUNTY SOLICITOR OF CARROLL COUNTY.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Carroll County Solicitor. Amend section 20 of chapter 24 of the Revised Laws, as amended by chapters 40 and 136 of the Laws of 1943 by striking out the word "eight" in the sixth line and inserting in place thereof the word, twelve, so

* See chapters 27, 202, 213, 242, 256, 263, 268, 291, *post*.

that said section as amended shall read as follows: **20. Salaries.** The annual salaries of the solicitors in the several counties shall be as follows:

- In Rockingham, fifteen hundred dollars.
- In Strafford, eighteen hundred dollars.
- In Belknap, twelve hundred dollars.
- In Carroll, twelve hundred dollars.
- In Merrimack, twelve hundred and fifty dollars.
- In Hillsborough, twenty-five hundred dollars.
- In Cheshire, twelve hundred dollars.
- In Sullivan, twelve hundred dollars.
- In Grafton, twelve hundred dollars.
- In Coos, fifteen hundred dollars.

2. Sheriff. Amend section 27, chapter 380 of the Revised Laws, as amended by chapter 195, Laws of 1943, and chapter 189, Laws of 1945, by striking out the word "eight" in the sixth line and inserting in place thereof the word, twelve, so that said section as amended shall read as follows: **27. Salaries.** The annual salaries of the sheriffs of the several counties shall be as follows:

- In Rockingham, fifteen hundred dollars.
- In Strafford, one thousand dollars.
- In Belknap, thirteen hundred dollars.
- In Carroll, twelve hundred dollars.
- In Merrimack, two thousand dollars.
- In Hillsborough, fifteen hundred dollars.
- In Cheshire, nine hundred dollars.
- In Sullivan, eight hundred dollars.
- In Grafton, one thousand dollars.
- In Coos, fourteen hundred dollars.

3. Takes Effect. This act shall take effect upon its passage.

[Approved February 11, 1947.]

CHAPTER 3.

AN ACT RELATING TO THE JURISDICTION OF THE SUPERIOR COURT OVER TAX SALES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Superior Court. Amend section 5, chapter 371, Revised Laws, by striking out said section and inserting in place

thereof the following: **5. Tax Sales.** When the validity of a tax sale is contested, on notice to all parties in interest, such orders shall be made and final judgment rendered as justice requires. In any case in which a tax sale is adjudged invalid, the court, as a condition precedent to the entry of a decree setting aside such sale, shall require the claimant of the property in question to pay to the purchaser a sum of money equal to the amount paid by such purchaser at the tax sale in question, including fees prescribed by law and the amounts paid by such purchaser to satisfy any taxes assessed against the property in question subsequent to such tax sale, with interest thereon at the legal rate from the date of such sale or date of payment of such subsequent taxes to the date of the decree.

2. Validity. Amend section 39, chapter 80, Revised Laws, by inserting at the end thereof the following: The provisions of section 5, chapter 371, shall apply to all decrees adjudging tax sales invalid, so that said section as amended shall read as follows: **39. Contested Sale.** When the validity of a tax sale is contested or the holder of a tax collector's deed desires to quiet his title to the property conveyed under such deed, the superior court, upon petition, notice to all parties in interest and hearing, shall make such orders and enter such judgment as justice requires. The provisions of section 5, chapter 371, shall apply to all decrees adjudging tax sales invalid.

3. Takes Effect. This act shall take effect upon its passage.

[Approved February 12, 1947.]

CHAPTER 4.

AN ACT RELATING TO CHANGING THE NAME OF COOK POND IN BROOKFIELD.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Name Changed. The name of Cook Pond in the town of Brookfield, in the county of Carroll, is hereby changed to Kingswood Lake.

2. Takes Effect. This act shall take effect upon its passage.

[Approved February 18, 1947.]

CHAPTER 5.**AN ACT RELATIVE TO THE PAYMENT OF MUNICIPAL BONDS
AND NOTES.**

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Municipal Borrowing. Amend section 3, chapter 72, Revised Laws, by striking out the same and inserting in place thereof the following: **3. Payment of Debt.** Municipalities and counties shall hereafter provide for the payment of all debts, except temporary loans in anticipation of taxes made as provided by law, in annual payments so that the amount of the annual payment of principal and interest in any year on account of any debt shall not be less than the amount of principal and interest payable in any subsequent year. The total amount of such payments shall be sufficient to extinguish the entire debt on account of which they are made at maturity. The first payment shall be made not later than two years and the last payment not later than twenty years after the date of the bonds or notes issued therefor, except that as to bonds or notes issued to finance the acquisition, construction, reconstruction or enlargement of water works and systems, sewerage systems and sewage disposal works, and gas and electric light plants, such last payment shall be made not later than thirty years after the date of issuance of such bonds or notes. The amount of each payment of principal together with the interest on all debts shall, without vote of the municipality or county, be annually assessed and collected.

2. Takes Effect. This act shall take effect upon its passage.

[Approved February 26, 1947.]

CHAPTER 6.**AN ACT PROVIDING FOR REFUND FOR DESTROYED TOBACCO
TAX STAMPS.**

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Refund for Destroyed Tobacco Tax Stamps. Amend section 9, chapter 79, Revised Laws, by striking out the same and inserting in place thereof the following: **9. Resale and Re-**

demption. No distributor or dealer shall sell or transfer any stamps issued under the provisions hereof. The tax commission shall redeem any unused, uncanceled stamps presented by any licensed distributor or dealer, at a price equal to the amount paid therefor by such distributor or dealer. In case such stamps are destroyed before affixing, the tax commission shall refund the purchase price upon presentation of evidence of such destruction satisfactory to the commission, but no refund shall be made for stamps destroyed after affixing. The state treasurer shall provide, out of money collected hereunder, the funds necessary for redemption or refund.

2. Takes Effect. This act shall take effect upon its passage.

[Approved February 26, 1947.]

CHAPTER 7.

AN ACT RELATING TO CHALLENGERS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Right of Attorney General to Appoint Challengers. Amend chapter 41 of the Revised Laws by inserting after section 20 the following new section: **20-a. Challengers.** The attorney general may appoint a person to act as challenger of voters at any polling place in the state at a primary or general election. A statement signed by the attorney general appointing him shall be sufficient evidence of the authority of any such challenger. He shall be assigned by the moderator or other election officer presiding at the polling place to such position or positions within the polling place as will enable him to see and hear each voter as he offers to vote. Nothing herein contained shall deprive any other person of the right to challenge a voter as provided by law.

2. Takes Effect. This act shall take effect upon its passage.

[Approved February 26, 1947.]

CHAPTER 8.*

AN ACT RELATIVE TO CAPITAL RESERVE FUNDS OF TOWNS,
VILLAGE DISTRICTS, SCHOOL DISTRICTS AND COUNTIES.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Reserve Funds. Amend section 13 of chapter 160 of the Laws of 1943, as amended by section 1, chapter 35, Laws of 1945, by striking out the words "provided, however, that no appropriations for such capital reserves shall be made, nor shall any town, district, water department or county transfer to any such reserve any of its surplus funds, after July 1, 1947," and that said section as amended shall read as follows: **13. Takes Effect.** This act shall take effect upon its passage.

2. School Districts. Amend chapter 160 of the Laws of 1943 by inserting after section 1 the following new section:

1-a. Establishment of Reserves. Any school district shall be entitled to establish a capital reserve fund and shall be vested with all powers and privileges relative thereto as is provided for a village district. The school district may exercise all powers and privileges in the same manner and subject to the same procedure in the establishment of such reserves as is provided in this chapter for village districts. Provided, that whenever any capital reserve of a school district is established the same shall be held in custody by the trustees of trust funds of the town wherein the school district lies or, in case of school district embracing two or more towns, by the trustees of trust funds of that town which the voters of the school district may elect.

3. Takes Effect. This act shall take effect upon its passage.

[Approved February 26, 1947.]

CHAPTER 9.

AN ACT RELATIVE TO FEES FOR LICENSES FOR THE PRACTICE OF
BARBERING AND APPLICATION OF THE LAW RELATIVE
TO BARBERING.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Practice of Barbering. Amend section 18 of chapter

* See chapter 91, *post*.

158 of the Revised Laws by striking out the word "five" in the third line and inserting in place thereof the word, ten; by striking out the word "two" in the sixth line and inserting in place thereof the word, five; by striking out the words "one dollar" in the twelfth line and inserting in place thereof the words, two dollars; by striking out the word "three" in the fifteenth line and inserting in place thereof the word, ten; and by adding at the end of said section the words: The fee to be paid for a renewal of a certificate of registration or license to maintain a barber shop shall be three dollars, so that said section as amended shall read as follows: **18. Fees.** The fees to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration to practice barbering shall be ten dollars and for the issuance of the certificate one dollar.

The fee to be paid by an applicant for a certificate of registration to practice as an apprentice shall be five dollars and for the issuance of the certificate one dollar.

The fee to be paid for the renewal of a certificate of registration to practice barbering shall be two dollars and for the restoration of an expired certificate three dollars.

The fee to be paid for the renewal of a certificate of registration to practice as an apprentice shall be two dollars and for the restoration of an expired certificate two dollars.

The fee to be paid for a certificate of registration or license to maintain a barber shop shall be ten dollars.

The fee to be paid for a renewal of a certificate of registration or license to maintain a barber shop shall be three dollars.

2. Application of Laws. Amend section 21 of said chapter 158 by striking out said section and inserting in place thereof the following: **21. Where in Force.** The provisions of this chapter shall be in force in all cities and towns.

3. Takes Effect. This act shall take effect June 30, 1947. [Approved February 26, 1947.]

CHAPTER 10.*

AN ACT PROVIDING FOR THE EXTENSION OF THE APPROPRIATION FOR THE RECONSTRUCTION OF THE HAMPTON HARBOR TOLL BRIDGE.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Hampton Harbor Toll Bridge. Amend section 2 of

* See chapter 150, *post*.

chapter 23 of the Laws of 1943 by striking out said section and inserting in place thereof the following: **2. Appropriation.** The appropriation provided for by chapter 207 of the Laws of 1939 as amended by chapter 87 of the Laws of 1941, for the reconstruction of Hampton Harbor toll bridge, shall not lapse but shall be available for the purposes of said chapters until July 1, 1952.

2. Takes Effect. This act shall take effect as of February 21, 1947.

[Approved February 27, 1947.]

CHAPTER 11.

AN ACT RELATING TO THE GROSS WEIGHT OF MOTOR VEHICLES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Gross Weight of Motor Vehicles. Amend section 37 of chapter 119 of the Revised Laws by striking out in the third line the words "and no combination of vehicle and trailer or semi-trailer" and inserting in place thereof the words, except as hereinafter provided; further amend by inserting in the fourth line after the word "pounds" the words, no vehicle having three axles with drive on the two rear axles (the axles of such vehicle shall be not less than forty-eight inches apart and all wheels shall be equipped with adequate brakes) whose gross weight is more than forty-seven thousand five hundred pounds, no combination of vehicle and trailer or semi-trailer whose gross weight is more than forty-seven thousand five hundred pounds, so that said section as amended shall read as follows: **37. Weight.** No vehicle having two axles whose gross weight, including load, is more than thirty thousand pounds, no vehicle having three axles except as hereinafter provided whose gross weight is more than forty thousand pounds, no vehicle having three axles with drive on the two rear axles (the axles of such vehicle shall be not less than forty-eight inches apart and all wheels shall be equipped with adequate brakes) whose gross weight is more than forty-seven thousand five hundred pounds, no combination of vehicle and trailer or semi-trailer whose gross weight is more than forty-seven thousand five hundred pounds, no vehicle hav-

ing a greater weight than eighteen thousand pounds on one axle, and no vehicle having a load of over eight hundred pounds per inch width of tire concentrated on the surface of the highway, said width in the case of rubber tires to be measured between the flanges of the rim, shall be operated on the highways of this state; provided that this shall not prohibit the operation of road rollers used in the construction or maintenance of highways. The state highway commissioner and the motor vehicle commissioner shall jointly have the power to grant permits upon proper application in writing to move objects or a vehicle and load having a weight, width or length greater than as herein prescribed, upon such highways and at such seasons of the year as in their opinion will not be detrimental to the preservation of said highways and the public use thereof, provided that said commissioners may require a hearing before granting said permit and that said commissioners may withhold said permit until applicant has filed a bond to cover any possible damage to the highways or to the bridges over which the object to be moved may pass and to fulfill such rules and regulations as are prescribed by said commissioners. This section shall not be construed to limit the powers of the highway commissioner, selectmen of towns and city council of cities, to make rules and regulations for the protection and to prevent the abuse of highways and bridges as provided by section 7 of chapter 107, section 13 of chapter 66, and section 15 of chapter 59.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 4, 1947.]

CHAPTER 12.

AN ACT RELATING TO CERTIFICATES OF APPROVAL FOR THE SALE OF BEVERAGES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Certificates of Approval. Amend section 78 of chapter 170 of the Revised Laws by striking out said section and inserting in place thereof the following: **78. Certificates of Approval.** The holder of a wholesale permit shall

purchase beverages for resale only from other permittees within the state or from a manufacturer of such beverages without the state or from an importer into the United States of such beverages as are manufactured without the United States for the purpose of transporting or causing the same to be transported into the state for resale, provided said manufacturer or importer shall have first obtained from the commission a certificate of approval and has agreed to furnish to the commission, on or before the tenth day of each month, a report under oath, on a form prescribed showing the quantity of beverages sold or delivered to each wholesale permittee during the preceding calendar month. A certificate may be revoked for failure to submit such a report. The commission may, in its discretion, suspend or revoke the certificate of approval of such manufacturer or importer if such manufacturer or importer discontinues to sell beverages to holders of wholesale permits because such holders sell beverages manufactured or imported by another manufacturer or importer. The commission may require each holder of a certificate of approval to furnish a bond in such form and such amount as the commission may prescribe to guarantee the payment to permittees in this state for the return of cooperage held by such permittees. The commission is hereby authorized to make rules and regulations for the collection and forwarding of such cooperage.

2. Fees for Certificate of Approval. Amend section 79 of said chapter 170 by striking out said section and inserting in place thereof the following: **79. Fee for Certificate.** The fee for a certificate of approval of a manufacturer without the state shall be five hundred dollars per annum, and for an importer shall be five hundred dollars per annum for each manufacturer of beverages sold or offered for sale by such importer to any wholesale permittee or permittees for resale within the state. The fee for a certificate of approval shall accompany the application for such certificate.

3. Takes Effect. This act shall take effect upon its passage.

[Approved March 4, 1947.]

CHAPTER 13.

AN ACT RELATIVE TO THE INVESTMENTS OF DOMESTIC LIFE
INSURANCE COMPANIES.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Domestic Life Insurance Companies. Amend paragraph II of section 15, chapter 328 of the Revised Laws by adding thereto the following: In determining whether any loan exceeds the above specified percentages of the value of the real estate, no consideration shall be given to (1) that portion of the obligation which is guaranteed by the Administrator of Veterans' Affairs under Title III of the Servicemen's Readjustment Act of 1944 as amended from time to time, or (2) an obligation wholly guaranteed under such title, so that as amended said paragraph II shall read as follows:

II. In loans secured by first mortgage on improved real estate subject to the following limitations: (a) Such loans shall not exceed fifty per cent of the value of the mortgaged property except in the case of loans on property in cities or towns where the mortgage provides for the amortization of the debt during the term of the loan or at a rate of not less than five per cent per annum after the first year, in which case loans shall not exceed sixty-six and two-thirds per cent of the value of the mortgaged property; (b) all insurable buildings considered a part of the value of the mortgaged real estate shall be insured for the benefit of the mortgagee; (c) any mortgages taken in connection with the sale of real estate by any such company may be on terms as determined by the directors of the company or authorized committee thereof; (d) the value of mortgaged real estate may be determined by an appraisal made under oath of two freeholders resident in the county or city in which such real estate is located; (e) no such company shall invest in or loan upon the security of any one property more than two per cent of its total admitted assets. In determining whether any loan exceeds the above specified percentages of the value of the real estate, no consideration shall be given to (1) that portion of the obligation which is guaranteed by the Administrator of Veterans' Affairs under Title III of the Servicemen's Readjustment Act of

1944 as amended from time to time, or (2) an obligation wholly guaranteed under such title.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved March 4, 1947.]

CHAPTER 14.

AN ACT RELATIVE TO MUNICIPAL PERMITS FOR REGISTRATION.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. **Motor Vehicle Municipal Permits.** Amend section 22 of chapter 116 of the Revised Laws as amended by section 1 of chapter 197 of the Laws of 1945 by striking out after the word "office" in the seventh line the words "A town clerk shall be paid on orders drawn on the town treasurer by the selectmen twenty-five cents for each permit issued, and in addition thereto may collect from the applicant for each permit issued, twenty-five cents, for his own use" and inserting in place thereof the words, Town clerks shall be paid on orders drawn on the town treasurer by the selectmen fifty cents for each permit issued, so that said section as amended shall read as follows: 22. **Accounting.** Each designated city official and town clerk shall keep an account of the money received by him for said permits and deposit the same in the city or town treasury on the last Saturday of each month, to be used for the general purposes of the city or town. Failure to deposit shall be cause for immediate removal from office. Town clerks shall be paid on orders drawn on the town treasurer by the selectmen fifty cents for each permit issued.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved March 4, 1947.]

CHAPTER 15.

AN ACT PERMITTING PHOTOGRAPHING OF MOTOR VEHICLE RECORDS AND DESTRUCTION OF THE ORIGINAL RECORDS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. **Motor Vehicle Department.** Amend chapter 115 of the

Revised Laws by inserting after section 8 the following new sections: **8-a. Records, Reproduction on Films.** The commissioner may cause any or all records, papers or documents kept by him, including those mentioned in section 8, to be photographed, microphotographed or reproduced on film. Such photographic film shall be of durable material and the device used to reproduce such records on such film shall be one which accurately reproduces the original thereof in all details. **8-b. Film to be Deemed Original Record.** Such photographs, microphotographs or photographic film shall be deemed to be an original record for all purposes, including introduction in evidence in all courts or administrative agencies. A copy thereof, duly attested and certified by the commissioner shall, for all purposes, be deemed to be a copy of the original. **8-c. Destruction of Original Records.** Whenever such photographs, microphotographs or reproductions on film shall be placed in conveniently accessible files and provisions made for preserving, examining and using the same the commissioner shall have the power to authorize the destruction of the original records, papers or documents.

2. Application. Amend section 8 of chapter 115 of the Revised Laws by striking out said section and inserting in place thereof the following: **8. Disposal of Papers.** The commissioner may destroy, at the end of six years from the time of filing, originals or copies, including photographs, microphotographs or photographic film of reports required by law of accidents, applications for licenses to operate motor vehicles and for the registration thereof, and permits and examination papers, or the answers given by the applicants for licenses. He may destroy any obsolete number plates and forms which, in his opinion, are no longer of any value to the state. The time limit provided herein shall not apply in the case of the destruction of original records, papers or documents as provided in section 8-c.

3. Takes Effect. This act shall take effect upon its passage.

[Approved March 4, 1947.]

CHAPTER 16.***AN ACT RELATIVE TO MEMBERSHIP OF STATE POLITICAL CONVENTIONS.**

Be it enacted by the Senate and House of Representatives in General Court convened:

1. State Political Conventions. Amend section 59 of chapter 33 of the Revised Laws as amended by section 4, chapter 9, Laws of 1943, by inserting after the word "senators" in the sixth line the words, county officers, so that said section as amended shall read as follows: **59. Date, Call, and Purposes.** Not earlier than the third Tuesday of September following any primary, and not later than the first Tuesday of October, upon the call of the chairman of the state committee of the party, the nominees of each party for the offices of governor, councilors, state senators, county officers, representatives and state delegates elected shall meet in state convention for the purpose of adopting the platform of their party, nominating presidential electors and effecting an organization for the following two years. The names and residences of the presidential electors nominated by such convention shall be forthwith certified to the secretary of state by the chairman and clerk of the convention.

2. Takes Effect. This act shall take effect as of July 1, 1947.

[Approved March 4, 1947.]

CHAPTER 17.**AN ACT RELATIVE TO THE RESTRICTION UPON ISSUANCE OF LICENSES TO MEDICAL SERVICE CORPORATION AGENTS.**

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Medical Service Corporation Agents. Paragraph III of section 4 of chapter 334-A of the Revised Laws as inserted by chapter 166 of the Laws of 1943, limiting the issuance of licenses as medical service corporation agents to residents of the state is hereby repealed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 4, 1947.]

* See chapter 208, *post*.

CHAPTER 18.

AN ACT RELATIVE TO THE PENALTY FOR WRONGFUL VOTING AND
FOR GENERAL ELECTION VIOLATIONS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Elections. Amend section 8 of chapter 41 of the Revised Laws by striking out said section and inserting in place thereof the following: **8. Wrongful Voting, etc.** If any person, at a meeting for the choice of officers, or at any primary or biennial election, shall give in more than one vote for any officer voted for at such meeting, primary or biennial election; or shall apply for a ballot in a name other than his own, or having once voted shall apply for another ballot in his own name; or if any person under the age of twenty-one years, or an alien not naturalized, or any person who is not a legal voter, shall give in a vote for any officer at such meeting, primary or biennial election; or if any person, being under examination as to his qualifications as a voter before the board of supervisors, shall give any false name or answer, he shall be fined not more than five hundred dollars nor less than fifty dollars.

2. General Penalty. Amend section 6 of chapter 41 of the Revised Laws by striking out in the last line the word "thirty" and inserting in place thereof the words, one hundred, so that said section as amended shall read as follows: **6. General Penalty.** If any person shall be guilty of an offense against any provision of the laws relating to elections for which no penalty is specified he shall be fined not more than one hundred dollars.

3. Takes Effect. This act shall take effect upon its passage.

[Approved March 5, 1947.]

CHAPTER 19.

AN ACT RELATING TO LEGAL INVESTMENTS OF SAVINGS BANKS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Legal Investments of Savings Banks. Amend section 6 of chapter 310 of the Revised Laws by inserting after

paragraph VII a new paragraph as follows: VIII. INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT. The obligations issued or guaranteed by the International Bank for Reconstruction and Development, provided that such obligations are payable in dollars in the United States, and that the principal office of the obligor is, at the time of making such investment, located within the United States; provided also that not exceeding five per cent of the deposits shall be invested in such obligations.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 5, 1947.]

CHAPTER 20.

AN ACT TO PROVIDE FOR VOTING BY BALLOT ON THE TOWN MANAGER PLAN.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Method of Adoption. Amend chapter 55, Revised Laws, by adding at the end thereof the following new section: **15. Ballot Vote.** Whenever an article has been inserted in the warrant for the annual meeting of any town, village district or precinct, calling for consideration of the question of adopting the provisions of this chapter, the clerk shall cause to be prepared in advance of such meeting a printed ballot containing a question substantially as follows: "Do you favor adoption of the town manager plan as provided in chapter 55, Revised Laws?" followed by the words "Yes" and "No" with boxes after each, in which the voter may mark his choice. Such ballot shall be used at all meetings voting on such question pursuant to sections 11 and 14 hereof. The polls shall remain open for at least three hours at any meeting balloting on such question. In voting on the question of revoking the provisions of this chapter in any town, village district or precinct pursuant to section 13 hereof, the balloting procedure prescribed by this section shall govern, except that the question appearing on the printed ballot shall be substantially as follows: "Do you favor revoking the town manager plan as provided in chapter 55, Revised Laws?"

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 5, 1947.]

CHAPTER 21.**AN ACT CHANGING THE TIME OF SUBMITTING ARTICLES FOR
INSERTION IN TOWN MEETING WARRANTS.**

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Time Changed. Amend section 3, chapter 57, Revised Laws, by striking out in the third line thereof the word "sixteen" and inserting in place thereof the word twenty-five, so that said section as amended shall read as follows: **3. Articles.** Upon the written application of ten or more voters or one sixth of the voters in town, presented to the selectmen or one of them at least twenty-five days before the day prescribed for an annual or biennial meeting, the selectmen shall insert in their warrant for such meeting any subject specified in such application. Upon the written application of fifty or more voters or one fourth of the voters in town, so presented not less than sixty days before the next annual meeting, the selectmen shall warn a special meeting to act upon any question specified in such application. The word "voters" in this section shall mean persons listed as such in the last previous revision of the check-list.

2. Takes Effect. This act shall take effect July 1, 1947.
[Approved March 5, 1947.]

CHAPTER 22.**AN ACT RELATIVE TO PENALTY FOR VIOLATIONS OF LAW BY
SUPERVISORS OF THE CHECK-LISTS.**

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Supervisors of the Check-list. Amend section 12 of chapter 32 of the Revised Laws by striking out the word "erase" where it occurs in the third and ninth lines and inserting in place thereof the words, strike out, and by striking out the word "fifty" in the tenth line and inserting in place thereof the words, three hundred, so that said section as amended shall read as follows: **12. Penalty.** If the supervisors at any session holden for the correction of the check-list, on receiving satisfactory evidence that any person whose name is on the list is not a legal voter, shall neglect or refuse

to strike out such name from the list, or shall neglect or refuse to insert on the list the name of any person who is a legal voter, having satisfactory evidence thereof, or shall neglect or refuse to hear or examine any evidence offered for such purpose in either of the cases aforesaid, or shall at any time insert on the list the name of any person not a legal voter, knowing such to be the case, or shall knowingly strike out therefrom or omit to insert the name of any legal voter, they shall be fined not more than three hundred dollars.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 5, 1947.]

CHAPTER 23.

AN ACT RELATIVE TO THE SEAL OF THE REGISTRAR OF VITAL STATISTICS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Registrar of Vital Statistics. Amend section 2 of chapter 337 of the Revised Laws by striking out the words "The State of New Hampshire, Department" in the third line and inserting in place thereof the words, State Department of Health of New Hampshire, Registrar, so that said section as amended shall read as follows: **2. Seal of Registrar.** The registrar of vital statistics shall have a seal which shall be like the seal of the state except that the device thereon shall be surrounded by the words "State Department of Health of New Hampshire, Registrar of Vital Statistics" in the place of the words "Seal of the State of New Hampshire, 1776."

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 5, 1947.]

CHAPTER 24.*

AN ACT RELATIVE TO BUILDING AND LOAN ASSOCIATIONS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Organization and Stock. Amend section 5 of chapter

* See chapter 43, *post*.

314 of the Revised Laws by striking out the whole of said section and inserting in place thereof the following: **5. Capital.** The stock of any such corporation shall be unlimited.

2. Serial Shares. Amend said chapter 314 by adding after section 5 the following new section: **5-a. Shares.** Serial shares shall be divided into shares of the ultimate value of two hundred dollars each. Such shares may be issued in quarterly, half-yearly or yearly series, each series to consist of such number of shares as the directors may determine, but no shares of a prior series shall be issued until said series shall have been five years in force.

3. Holding. Amend section 6 of chapter 314 of the Revised Laws by striking out the whole of said section and inserting in place thereof the following: **6. Individual Holding.** No person shall hold more than fifty serial shares of any one corporation at a time.

4. Minors, Holding. Amend said chapter 314 by adding after section 6 the following new section: **6-a. Minors.** A minor may hold shares of such corporation, subject to the liabilities of a shareholder, for the purpose of depositing monthly dues thereon until the same are matured, withdrawn, forfeited or canceled, as in the case of other shareholders of such associations, and for no other purpose. Such associations may pay to minors when their shares are matured, withdrawn, or canceled, the deposits or collections on shares standing in their names, with the interest, premiums, fines, or profits that may be due thereon, as if such minors were of age, and their receipts shall be sufficient discharge of the same as in the case of payment to minors or deposits to their credit by savings banks.

5. Dues, Loans, etc. Amend section 13 of chapter 314 of the Revised Laws by striking out the whole of said section and inserting in place thereof the following: **13. Limitations on Amount of Real Estate Loans and Investments.** An association may loan its funds upon the security of a first lien on real estate provided that not more than ten thousand dollars shall be loaned upon the security of a first lien on any one property except that if the aggregate amount owing to it on all of its mortgage loans exceeds five hundred thousand dollars, in which event it may make such loan in an amount equal to two and one-half per cent of its assets or fifteen thousand dollars, whichever amount is greater, but in no event shall any

such loan exceed twenty thousand dollars. Loans in excess of ten thousand dollars shall not exceed eighty per cent of the appraised value of the property in question. This limitation shall not apply to loans insured with the Federal Housing Administration. The total amount owing to an association upon all such loans and investments in excess of fifteen thousand dollars shall not exceed ten per cent of the aggregate amount owing to it on all of its mortgage loans at the time any such loan or investment in excess of fifteen thousand dollars is made.

6. Borrowing. Amend section 19 of chapter 314 of the Revised Laws by striking out the whole of said section and inserting in place thereof the following section: **19. Borrowing.** It may borrow money to pay off members for matured shares, for making loans, withdrawal of shares, or enforced withdrawals, in such amount as may be approved by the commissioner, and with his approval may pledge as collateral for such borrowings real estate mortgages, notes or other securities.

7. Real Estate. Amend section 20 of chapter 314 of the Revised Laws by striking out the whole of said section and inserting in place thereof the following. **20. Real Estate.** Investments may be made in real estate as follows:

I. In the purchase of houses, or the purchase of land and the construction of houses thereon, and may sell or lease the same.

II. In the purchase of improved or unimproved real estate and in the construction or improvement of buildings thereon for the purpose of providing offices for the transaction of an association's business. Such buildings may also include space for rental purposes. The cost to the association of such lands and buildings shall not exceed fifty per cent of the sum of such association's guaranty fund, surplus, and reserves at the time such investment is made.

8. Takes Effect. This act shall take effect upon its passage.

[Approved March 5, 1947.]

CHAPTER 25.

AN ACT TO INCREASE THE SALARIES OF THE JUSTICES OF THE SUPREME AND SUPERIOR COURTS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Supreme Court. Amend section 15 of chapter 369 of the Revised Laws by striking out the same and inserting in place thereof the following: **15. Salaries.** The annual salary of the chief justice and the associate justices shall be nine thousand five hundred dollars each.

2. Superior Court. Amend section 5 of chapter 370 of the Revised Laws by striking out the same and inserting in place thereof the following: **5. Salaries; Expenses.** The annual salary of the chief justice and the associate justices of the superior court shall be nine thousand five hundred dollars each. Actual expenses and office rent shall be allowed the justices as provided for justices of the supreme court. Each justice of the superior court shall forward his monthly expense account directly to the comptroller who shall prepare the manifest for payment of said accounts.

3. Takes Effect. This act shall take effect on July 1, 1947. [Approved March 5, 1947.]

CHAPTER 26.

AN ACT RELATIVE TO STATE AID TO EQUALIZE LIBRARY SERVICE.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. The State Library. Amend section 19 of chapter 15 of the Revised Laws as inserted by chapter 90 of the Laws of 1943, by striking out said section and inserting in place thereof the following: **19. Equalization of Library Service.** The library commission may, at its discretion, use state funds and funds received under the provisions of section 19-a to increase, improve, stimulate and equalize library service to the people of the state. Said funds shall be allocated to free public libraries or to towns in the state in such way as the commission may determine, taking into consideration local needs, area and population to be served, local interest as evidenced

by local appropriations and such other facts as may affect the said program of library service. The commission is authorized to adopt such rules and regulations for the allocation and administration of the equalization fund as it may determine to be in the public interest. **19-a. Acceptance of Funds.** The commission is hereby authorized and empowered to receive, accept and administer any money granted by the federal government or other agencies, private or otherwise, for providing and equalizing public library service in New Hampshire. Any gift or grant from the federal government or other source as hereinbefore provided shall be deposited in the state treasury and credited to a fund to be known as aid for libraries fund. Any moneys appropriated by the state for such purposes may be added to said fund and all moneys so deposited shall be paid out by the treasurer on a warrant of the governor for the purposes of section 19 alone.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 12, 1947.]

CHAPTER 27.*

AN ACT RELATING TO THE SALARY OF THE SOLICITOR OF COOS COUNTY.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Solicitor of Coos County. Amend section 20 of chapter 24 of the Revised Laws, as amended by chapter 40 and chapter 136 of the Laws of 1943, and section 1, chapter 2, Laws of 1947, by striking out the words "fifteen hundred" after the word "Coos" and inserting in place thereof the words, eighteen hundred, so that said section as amended shall read as follows: **20. Salaries.** The annual salaries of the solicitors in the several counties shall be as follows:

In Rockingham, fifteen hundred dollars.

In Strafford, eighteen hundred dollars.

In Belknap, twelve hundred dollars.

In Carroll, twelve hundred dollars.

In Merrimack, twelve hundred and fifty dollars.

In Hillsborough, twenty-five hundred dollars.

* See chapters 202, 213, 242, 263, 268, 270, *post*.

In Cheshire, twelve hundred dollars.

In Sullivan, twelve hundred dollars.

In Grafton, twelve hundred dollars.

In Coos, eighteen hundred dollars.

2. Takes Effect. The provisions of section 1 relative to the salary of the solicitor of Coos county shall take effect as of January 1, 1947, and the remaining provisions of said section shall take effect as of February 11, 1947.

[Approved March 12, 1947.]

CHAPTER 28.

AN ACT RELATING TO GUARANTY FUNDS OF SAVINGS BANKS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Savings Banks. Amend section 10 of chapter 309 of the Revised Laws by striking out said section and inserting in place thereof the following: **10. Guaranty Funds.** Every savings bank shall annually pass to the credit of a guaranty fund a sum equal to ten per cent of its net earnings for the year until such guaranty fund shall amount to a sum equal to five per cent of its deposits. Any savings bank may increase such guaranty fund to such an amount as the trustees may determine to be for the best interests of the depositors, but no part of the guaranty fund shall be used to pay dividends.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 12, 1947.]

CHAPTER 29.

AN ACT RELATIVE TO BRIDGES IN THE TOWN OF ELLSWORTH.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Bridges in Ellsworth. The maintenance or reconstruction of bridges in the town of Ellsworth on the Stinson Lake road shall be assumed by the state highway department.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 12, 1947.]

CHAPTER 30.

AN ACT RELATING TO THE SALE OF SECURITIES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Sale of Securities. Amend section 1 of chapter 336 of the Revised Laws by striking out said section and inserting in place thereof the following: **1. Dealer.** Under this chapter dealer shall mean any individual, partnership, association or corporation engaging in the selling or offering for sale of securities, except through the medium of or as agent or salesman of a registered dealer. Provided, however, that any corporation whose securities are approved by the insurance commissioner for sale in this state, by general regulation or otherwise, engaged in selling such securities to its officers, agents or employees or to the officers, agents or employees of any subsidiary corporation of which it owns not less than a majority of the voting stock, shall not as to such transactions be considered as a dealer. And provided further that sales made by or in behalf of a resident of this state in the ordinary course of *bona fide* personal investment of his personal holdings, or change of such investments, shall not constitute a resident or the agent of such resident if not otherwise engaged either permanently or temporarily in selling securities, a dealer therein. A nonresident desiring to make such sale of his personal investments must first obtain the approval of the insurance commissioner.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 13, 1947].

CHAPTER 31.

AN ACT TO ESTABLISH A NEW APPORTIONMENT FOR THE ASSESSMENT OF PUBLIC TAXES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Apportionment. That of every thousand dollars of public taxes hereafter to be raised, the proportion which each town and place shall pay, and for which the treasurer of the

state is hereby authorized to issue his warrant, shall be as follows, to wit:

Rockingham County, \$119.24

Atkinson, eighty-five cents	\$0.85
Auburn, one dollar and eight cents	1.08
Brentwood, seventy-six cents . . . . .	.76
Candia, one dollar and one cent	1.01
Chester, one dollar and sixteen cents	1.16
Danville, fifty-three cents . . . . .	.53
Deerfield, one dollar and nine cents	1.09
Derry, eight dollars and ninety-two cents	8.92
East Kingston, sixty-five cents . . . . .	.65
Epping, one dollar and fifty-five cents	1.55
Exeter, twelve dollars and thirty-four cents	12.34
Fremont, ninety-one cents . . . . .	.91
Greenland, one dollar and one cent	1.01
Hampstead, one dollar and forty-two cents	1.42
Hampton, ten dollars and fifty cents	10.50
Hampton Falls, one dollar and forty-four cents	1.44
Kensington, seventy-one cents . . . . .	.71
Kingston, one dollar and forty-two cents	1.42
Londonderry, one dollar and sixty cents	1.60
New Castle, one dollar and sixty-three cents	1.63
Newfields, sixty-four cents . . . . .	.64
Newington, one dollar and eight cents	1.08
Newmarket, two dollars and seventy-four cents	2.74
Newton, one dollar and eleven cents	1.11
North Hampton, three dollars and forty-six cents	3.46
Northwood, one dollar and twenty-nine cents	1.29
Nottingham, ninety-seven cents . . . . .	.97
Plaistow, one dollar and ninety-five cents	1.95
Portsmouth, thirty-seven dollars and thirty-three cents	37.33
Raymond, one dollar and sixty cents	1.60
Rye, five dollars and six cents	5.06
Salem, five dollars and seventy cents	5.70
Sandown, forty-three cents . . . . .	.43
Seabrook, one dollar and eighty-two cents	1.82
South Hampton, forty-six cents . . . . .	.46
Stratham, one dollar and fifteen cents	1.15
Windham, one dollar and eighty-seven cents	1.87

Strafford County, \$68.12

Barrington, one dollar and nine cents	\$ 1.09
Dover, twenty-four dollars and thirty-five cents	24.35
Durham, three dollars and seventy-three cents	3.73
Farmington, three dollars and sixty-four cents	3.64
Lee, seventy-seven cents .....	.77
Madbury, seventy cents .....	.70
Middleton, twenty cents .....	.20
Milton, two dollars and thirty-seven cents	2.37
New Durham, sixty-five cents .....	.65
Rochester, nineteen dollars and fifteen cents	19.15
Rollinsford, one dollar and ninety-one cents	1.91
Somersworth, eight dollars and twenty-six cents	8.26
Strafford, one dollar and thirty cents	1.30

Belknap County, \$55.79

Alton, three dollars and sixty cents	\$ 3.60
Barnstead, one dollar and three cents	1.03
Belmont, one dollar and eighty-four cents	1.84
Center Harbor, one dollar and forty-eight cents	1.48
Gilford, three dollars and twenty-seven cents	3.27
Gilmanton, one dollar and twenty-five cents	1.25
Laconia, twenty-nine dollars and sixty-seven cents ..	29.67
Meredith, five dollars and seventy-nine cents	5.79
New Hampton, two dollars and fifty-eight cents	2.58
Sanbornton, one dollar and thirty cents	1.30
Tilton, three dollars and ninety-eight cents	3.98

Carroll County, \$34.93

Albany, thirty-five cents	\$ 0.35
Bartlett, one dollar and seventy-four cents	1.74
Brookfield, fifty-six cents .....	.56
Chatham, thirty-eight cents .....	.38
Conway, five dollars and eighty-eight cents	5.88
Eaton, forty cents .....	.40
Effingham, sixty-six cents .....	.66
Freedom, one dollar and one cent	1.01
Hart's Location, eight cents .....	.08
Jackson, one dollar and twenty-three cents	1.23
Madison, one dollar and thirty-six cents	1.36
Moultonborough, three dollars and eleven cents	3.11
Ossipee, two dollars and thirty-seven cents	2.37
Sandwich, two dollars and forty-six cents	2.46

Tamworth, two dollars and seventy-four cents	\$ 2.74
Tuftonboro, two dollars and thirty-six cents	2.36
Wakefield, two dollars and thirty-five cents	2.35
Wolfeboro, five dollars and eighty-nine cents	5.89

Merrimack County, \$125.38

Allenstown, two dollars and eighty-eight cents	\$ 2.88
Andover, two dollars and eighteen cents	2.18
Boscawen, two dollars and seventy-three cents	2.73
Bow, two dollars and eighty-five cents	2.85
Bradford, one dollar and fifty-one cents	1.51
Canterbury, ninety-seven cents . . . . .	.97
Chichester, eighty-eight cents . . . . .	.88
Concord, sixty-three dollars and fifty-nine cents	63.59
Danbury, sixty-five cents . . . . .	.65
Dunbarton, ninety-one cents . . . . .	.91
Epsom, one dollar and thirty-five cents	1.35
Franklin, thirteen dollars and seventy-eight cents	13.78
Henniker, two dollars and forty-nine cents	2.49
Hill, one dollar and seventeen cents	1.17
Hooksett, two dollars and ninety-seven cents	2.97
Hopkinton, three dollars and twenty-seven cents	3.27
Loudon, one dollar and twenty-nine cents	1.29
Newbury, two dollars and seven cents	2.07
New London, three dollars and seventy-eight cents	3.78
Northfield, two dollars and nine cents	2.09
Pembroke, three dollars and twenty-five cents	3.25
Pittsfield, three dollars and twenty-one cents	3.21
Salisbury, seventy-one cents . . . . .	.71
Sutton, one dollar and ten cents	1.10
Warner, two dollars and one cent	2.01
Webster, one dollar and ten cents	1.10
Wilmot, fifty-nine cents . . . . .	.59

Hillsborough County, \$287.90

Amherst, two dollars and eight cents	\$ 2.08
Antrim, two dollars and nine cents	2.09
Bedford, three dollars and nine cents	3.09
Bennington, one dollar and sixty-three cents	1.63
Brookline, eighty cents . . . . .	.80
Deering, seventy cents . . . . .	.70
Francestown, one dollar and three cents	1.03
Goffstown, six dollars and thirty-seven cents	6.37

Greenfield, one dollar and one cent	\$ 1.01
Greenville, two dollars and seventeen cents	2.17
Hancock, one dollar and eighty cents	1.80
Hillsborough, four dollars and fourteen cents	4.14
Hollis, one dollar and eighty-four cents	1.84
Hudson, three dollars and forty-four cents	3.44
Litchfield, seventy-two cents .....	.72
Lyndeborough, ninety-four cents .....	.94
Manchester, one hundred fifty-one dollars and ninety-four cents	151.94
Mason, forty-seven cents .....	.47
Merrimack, two dollars and forty-three cents	2.43
Milford, seven dollars and fifty-six cents	7.56
Mont Vernon, eighty-one cents .....	.81
Nashua, seventy-one dollars and fifty-five cents	71.55
New Boston, one dollar and twenty-eight cents	1.28
New Ipswich, two dollars and five cents	2.05
Pelham, one dollar and sixty-six cents	1.66
Peterborough, seven dollars and seventy-five cents ..	7.75
Sharon, thirty-two cents .....	.32
Temple, eighty-two cents .....	.82
Weare, one dollar and seventy cents	1.70
Wilton, three dollars and sixty cents	3.60
Windsor, eleven cents .....	.11

Cheshire County, \$81.15

Alstead, one dollar and thirty-two cents	\$1.32
Chesterfield, two dollars and thirty-eight cents	2.38
Dublin, three dollars and fifty-four cents	3.54
Fitzwilliam, one dollar and fifty-eight cents	1.58
Gilsum, forty-six cents .....	.46
Harrisville, one dollar and sixty-five cents	1.65
Hinsdale, five dollars and thirty cents	5.30
Jaffrey, six dollars and sixty-one cents	6.61
Keene, thirty-four dollars and sixty-five cents	34.65
Marlborough, two dollars and twenty-one cents	2.21
Marlow, forty-one cents .....	.41
Nelson, sixty-seven cents .....	.67
Richmond, thirty-seven cents .....	.37
Rindge, one dollar and seventy-seven cents	1.77
Roxbury, twenty-one cents .....	.21
Stoddard, sixty-one cents .....	.61
Sullivan, thirty-four cents .....	.34

Surry, fifty-five cents	\$0.55
Swanzy, three dollars and sixteen cents	3.16
Troy, two dollars and three cents	2.03
Walpole, six dollars and fifty-four cents	6.54
Westmoreland, one dollar and nine cents	1.09
Winchester, three dollars and seventy cents	3.70

Sullivan County, \$50.20

Acworth, seventy cents	\$0.70
Charlestown, three dollars and seventy-six cents	3.76
Claremont, twenty-five dollars and forty-nine cents ..	25.49
Cornish, one dollar and seventy-four cents	1.74
Croydon, fifty-nine cents .....	.59
Goshen, forty-seven cents .....	.47
Grantham, thirty-five cents .....	.35
Langdon, forty-three cents .....	.43
Lempster, thirty-six cents .....	.36
Newport, eight dollars and ninety cents	8.90
Plainfield, one dollar and forty-nine cents	1.49
Springfield, seventy-three cents .....	.73
Sunapee, three dollars and seventy-seven cents	3.77
Unity, seventy-two cents .....	.72
Washington, seventy cents .....	.70

Grafton County, \$103.90

Alexandria, eighty-seven cents	\$0.87
Ashland, three dollars and two cents	3.02
Bath, one dollar and forty-one cents	1.41
Benton, nineteen cents .....	.19
Bethlehem, four dollars and sixty-nine cents	4.69
Bridgewater, ninety-eight cents .....	.98
Bristol, four dollars and forty-five cents	4.45
Campton, two dollars and twenty-one cents	2.21
Canaan, one dollar and ninety-seven cents	1.97
Dorchester, twenty-nine cents .....	.29
Easton, twenty-six cents .....	.26
Ellsworth, six cents .....	.06
Enfield, two dollars and forty cents	2.40
Franconia, one dollar and sixty-nine cents	1.69
Grafton, sixty-nine cents .....	.69
Groton, sixty-four cents .....	.64
Hanover, nine dollars and eighty cents	9.80
Haverhill, six dollars and eighty-two cents	6.82

Hebron, ninety cents	\$0.90
Holderness, three dollars and twenty-five cents	3.25
Landaff, forty-eight cents .....	.48
Lebanon, thirteen dollars and fifty-eight cents	13.58
Lincoln, one dollar and ninety-four cents	1.94
Lisbon, four dollars and seventy-eight cents	4.78
Littleton, eight dollars and seven cents	8.07
Lyman, forty-five cents .....	.45
Lyme, one dollar and thirty-eight cents	1.38
Monroe, thirteen dollars and one cent	13.01
Orange, twenty-three cents .....	.23
Orford, one dollar and thirty cents	1.30
Piermont, one dollar and ten cents	1.10
Plymouth, five dollars and forty-four cents	5.44
Rumney, one dollar and forty-nine cents	1.49
Thornton, seventy-three cents .....	.73
Warren, ninety-two cents .....	.92
Waterville, eleven cents .....	.11
Wentworth, seventy-four cents .....	.74
Woodstock, one dollar and fifty-six cents	1.56

Coos County, \$70.47

Berlin, twenty-eight dollars and twenty-seven cents .	\$28.27
Carroll, one dollar and seventy-six cents	1.76
Clarksville, ninety-six cents .....	.96
Colebrook, three dollars and sixty-eight cents	3.68
Columbia, eighty-seven cents .....	.87
Dalton, seventy-three cents .....	.73
Dummer, fifty-seven cents .....	.57
Errol, one dollar and four cents	1.04
Gorham, six dollars and fifty-three cents	6.53
Jefferson, one dollar and fifty-five cents	1.55
Lancaster, six dollars	6.00
Milan, one dollar and two cents	1.02
Northumberland, three dollars and ninety cents	3.90
Pittsburg, three dollars and ninety-seven cents	3.97
Randolph, ninety-seven cents .....	.97
Shelburne, one dollar and thirty-three cents	1.33
Stark, seventy-three cents .....	.73
Stewartstown, one dollar and thirty-three cents	1.33
Stratford, one dollar and thirty-three cents	1.33
Wentworth's Location, twenty-two cents .....	.22
Whitefield, three dollars and seventy-one cents	3.71

Unincorporated Places, \$2.92

Cambridge, thirty-nine cents	\$0.39
Crawford's Purchase, six cents .....	.06
Dixville, seventy cents .....	.70
Dix's Grant, seven cents .....	.07
Erving's Grant, three cents .....	.03
Gilmanston and Atkinson Academy Grant, five cents	.05
Green's Grant, nine cents .....	.09
Hale's Location, one cent .....	.01
Millsfield, thirty-eight cents .....	.38
Odell, thirty-five cents .....	.35
Sargent's Purchase, fifteen cents .....	.15
Second College Grant, thirteen cents .....	.13
Success, forty-two cents .....	.42
Thompson and Meserve Purchase, nine cents .....	.09

2. Limitation. The same shall be the proportion of assessment of public taxes until a new apportionment shall be made and established, and the treasurer for the time being shall issue his warrant accordingly.

3. Takes Effect. This act shall take effect upon its passage.

[Approved March 13, 1947.]

CHAPTER 32.*

AN ACT RELATING TO TAKING OF WILD DEER IN THE TOWN OF GILFORD.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Wild Deer; Taking. Amend section 4 of chapter 242 of the Revised Laws, as amended by section 2, chapter 135, Laws of 1943; section 1, chapter 31 and section 1, chapter 69, Laws of 1945 by inserting after the word "Alton" in line eighteen the word, Gilford, so that said section as amended shall read as follows: **4. Shotguns.** Wild deer shall not be taken by the use of any firearm other than a shotgun loaded with a single ball or loose buckshot within the counties of Hillsborough, Merrimack, Belknap or Rockingham with the following exceptions: the towns of Windsor, Hillsborough, Bennington, Deering, Francestown, Weare, Antrim, Hancock, Greenfield,

* See chapters 46, 101, *post*.

New Boston, Lyndeborough, Temple, Sharon, New Ipswich, Greenville, Mason, Wilton, Mont Vernon, and Peterborough, in the county of Hillsborough; the towns of Andover, Chichester, Wilmot, Danbury, Canterbury, Hill, New London, Sutton, Bradford, Warner, Salisbury, Newbury, Webster, Allenstown, Pembroke, Loudon, Pittsfield, Epsom, Boscawen, Hopkinton, Dunbarton, Bow, Northfield, the eastern part of the town of Hooksett bounded on the northeast by Allenstown, east by Deerfield, southeast by Candia, and west by the old Portsmouth Railroad, and Henniker and the city of Franklin in the county of Merrimack; the towns of Sanbornton, Alton, Gilford, Gilmanton, Barnstead, Belmont, Meredith, Center Harbor, and New Hampton in the county of Belknap, and the towns of Candia, Auburn, Deerfield, Northwood, Nottingham, Raymond and Epping in the county of Rockingham.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 13, 1947.]

CHAPTER 33.

AN ACT TO INCREASE THE SALARY OF THE STATE REPORTER.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. State Reporter. Amend section 12, chapter 382, Revised Laws, by striking out said section and inserting in place thereof the following: **12. Salary.** The annual salary of the reporter shall be two thousand six hundred dollars.

2. Takes Effect. This act shall take effect on July 1, 1947.

[Approved March 13, 1947.]

CHAPTER 34.

AN ACT RELATIVE TO THE RIGHTS OF THE RESIDENT HUSBAND OF A NONRESIDENT.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Husband and Wife. Amend chapter 340 of the Revised Laws by inserting after section 13 the following new subdivision:

Rights of Resident Husband of a Nonresident

13-a. Property, etc. If a man, the husband of an alien or of a woman residing in another state, has resided in this state six months successively, separate from his wife, he may convey all real and personal estate, held by him in this state, the same as if he were sole and unmarried, and shall have the exclusive care, custody and guardianship of his minor children living with him in this state; and the earnings of the children shall be expended in the same manner as if his wife had deceased.

13-b. Termination. If the wife of such man takes up her residence in this state, and they cohabit together, the fact of such residence and such cohabitation shall have the same effect upon any contract or business of the husband as if the marriage between them had then first been solemnized.

13-c. Divorce. If the wife of such man obtains a divorce from her husband in a court or tribunal of any other state or country, or if a divorce be decreed upon application of the husband during such separate residence, he shall retain the exclusive custody and guardianship and receive the earnings of his minor children living with him.

13-d. Custody of Children. No person shall take from the custody of such husband any minor child of the marriage residing with him, or remove the child from this state against the consent of the father.

13-e. Guardianship, etc. Upon his application, a guardian may be appointed for the child, and the superior court, or a justice thereof, may issue an injunction restraining the mother and all other persons from removing the child from this state against the consent of the father, and may make such further orders and decrees as shall secure to him or to the guardian the custody of the child.

2. Resident Wife. Amend section 9, of chapter 340, Revised Laws, by striking out the same and inserting in place thereof the following: **9. Property, etc.** If a woman, the wife of an alien or of a man residing in another state, has resided in this state for six months successively separate from her husband, she may convey all real and personal estate, held by her in this state, the same as if she were sole and unmarried, and shall have the exclusive care, custody and

guardianship of her minor children living with her in this state; and the earnings of the children shall be expended in the same manner as if her husband had deceased.

3. Takes Effect. This act shall take effect upon its passage.

[Approved March 13, 1947.]

CHAPTER 35.

AN ACT PERMITTING SATURDAY CLOSING FOR BANKING ORGANIZATIONS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Banking Organizations, Saturday Closing. Amend chapter 367 of the Revised Laws by adding thereto the following new section: **4. Banking Organizations, Closing on Saturdays.** Any banking organization which for the purposes of this section shall include not only state banks, savings banks, trust companies, and other companies, associations and businesses described in section 1 of chapter 308, but also any national banking association, federal savings and loan association or federal credit union doing business in this state, may remain closed on any or all Saturdays as it may determine from time to time. Any Saturday on which a banking organization remains closed shall be with respect to such banking organization a holiday and not a business day. Any act authorized, required or permitted to be performed at or by or with respect to any banking organization as herein defined, on a Saturday, may be so performed on the next succeeding business day, and no liability or loss of rights of any kind shall result from such delay.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 13, 1947.]

CHAPTER 36.AN ACT RELATIVE TO CLASSIFICATION OF A CERTAIN ROAD IN
THE TOWN OF COLEBROOK.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Designation of Highway. The section of highway in the town of Colebrook from Colebrook village to the Vermont state line, now known as Bridge street, shall be designed as a Class I highway.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 13, 1947.]

CHAPTER 37.AN ACT RELATING TO THE UNIVERSITY OF NEW HAMPSHIRE
FUND.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Increase of Fund. Amend section 18 of chapter 222 of the Revised Laws by striking out the words "one mill" in the fourth line and inserting in place thereof the words, one and one-half mills, so that said section as amended shall read as follows: **18. The State Fund.** For the purpose of providing a fund to be known as the University of New Hampshire fund the state treasurer shall credit to such fund, for each of the fiscal years in each biennial period, a sum equal to one and one-half mills on each dollar of the assessed valuation of the taxable property in the state as of April 1 of the calendar year preceding such biennial period.

2. Takes Effect. This act shall take effect as of July 1, 1947.

[Approved March 18, 1947.]

CHAPTER 38.**AN ACT RELATIVE TO TRAVEL ALLOWANCES FOR MEMBERS OF
THE GENERAL COURT.**

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Travel Allowance for Members of the General Court. A member of the general court shall be allowed for travel expenses per mile of the round trip to and from his home each day of attendance at the following rates, for the first mile thereof four dollars, and for each additional mile four cents. In case said round trip is less than one mile the mileage allowance shall be computed on the basis of one mile. Each member of the house of representatives shall present evidence of his attendance by signing in person the roll provided for that purpose and by complying with such other regulations with respect thereto as the house may from time to time adopt. Any member of the general court absent for any cause from such attendance shall not be allowed travel for the day he is so absent. The allowances provided hereunder shall be computed as provided in section 16, chapter 9 of the Revised Laws as amended by chapter 14, Laws of 1943.

2. Laws Suspended. During the time this act is in effect the provisions of section 15 of chapter 9 of the Revised Laws, as amended by section 1, chapter 14, Laws of 1943, are hereby suspended.

3. Travel Allowance for Employees. Any officer or employee of the senate or house of representatives shall be allowed for each day he is employed in his duties mileage at the rate of five cents per mile to and from his home. During the time this provision is in effect the provisions of section 17 of chapter 9 of the Revised Laws, as amended by chapter 214, Laws of 1943, inconsistent herewith, are suspended.

4. Takes Effect; Limitation. This act shall take effect as of January 1, 1947, and shall be effective until December 31, 1948, provided that no member of the house shall be entitled to the additional travel allowance of four dollars for the first mile, as provided by section 1 hereof, for the period from January 1 to January 23, 1947, unless and until he shall execute, under penalties of perjury, a certificate setting forth his daily attendance at the house during said period or any part thereof.

[Approved March 18, 1947.]

CHAPTER 39.

AN ACT RELATIVE TO SCHOOLS OF HAIRDRESSING.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. **Hairdressing.** Amend section 12 of chapter 157 of the Revised Laws by striking out the same and inserting in place thereof the following: **12. Approved Schools.** No school of hairdressing in this state shall be approved by said board unless it has minimum requirements of a continuous course of study of fifteen hundred hours distributed over a period of not less than one year, including practical demonstrations, written and oral tests, and theoretical and practical instruction in sanitation, sterilization and the use of antiseptics and disinfectants, cosmetics and electrical appliances, which course of study and instruction shall be subject to the approval of the board. Schools must provide a separate room for class work and instruction and at least one separate room for supervised practice. Each school shall have in good working order all apparatus and equipment necessary for the full and ready teaching of all subjects included in the required curriculum. Schools must keep daily record of attendance and study of each student, of the hours spent in each practical operation, and the number of tests given. A monthly report of such attendance, study, practice and hours, attested to be correct by the signature of both the student and instructor, shall be mailed to the board at the end of each month. All records of a student's progress in the school shall be open for inspection by members of the board at any time during class hours. All brushes, combs, towels, instruments, and applicators must be cleaned and disinfected by a method approved by the board's rules and regulations, after each use. All students must wear clean and washable uniforms during class hours. Suitable containers for soiled towels, brushes, combs, and other soiled instruments must be provided, and suitable containers must be supplied for freshly laundered towels, and air-tight cabinets for disinfected utensils. Floors must have washable coverings. No person shall be engaged to instruct in any of the branches of hairdressing, and cosmetology or manicuring as defined in this chapter unless approved and licensed as a hairdresser instructor by the board after having passed an

examination as such instructor and having paid the required fee, except that occasional lecturers on specialized subjects shall not require such examination, approval or license. No person shall be approved and licensed as a hairdresser instructor unless (1) he shall have graduated from an approved high school or had an education equivalent thereto and (2) shall have completed at least three years of actual employment in a licensed shop.

2. Shops and Establishments. Amend section 16 of said chapter 157 by striking out the same and inserting in place thereof the following: **16. Registration.** Any licensed hairdresser or manicurist who has obtained a license as such, as above provided, and who has completed one year of actual employment in a shop, shall upon written application, accompanied by the required fees, receive a license to operate a shop in this state, provided said shop shall fulfill all requirements set forth in the rules and regulations of the board. Such license may thereafter be renewed upon payment of the renewal fee. A shop license as herein provided may be issued for short terms not exceeding three months, upon payment of the required fee. Booths attached to or within a shop that are operated independently thereof shall be subject to registration fees in the same manner as an independent shop.

3. Qualifications for License. Amend subparagraph (a) of paragraph I of section 11 of said chapter 157 by striking out the words "one thousand" in the fourth and fifth lines and inserting in place thereof the words, fifteen hundred, and by striking out the words "six months" in the fifth line and inserting in place thereof the words, one year, so that said subparagraph as amended shall read as follows: (a) *Hairdresser.* Any person who is (1) at least sixteen years of age, (2) who is of good moral character and temperate habits, (3) who shall have had an education equivalent to the completion of the second grade in the public high schools of this state, (4) who has had training of at least fifteen hundred hours extending over a school term of at least one year in a school of cosmetology, approved by the board, (5) and who has passed the hairdresser's examination or any person who has complied with the requirements of (1), (2), (3) and (5) and (6) who has served at least one year in this state as an apprentice in a hairdresser's shop, or any person who has complied with the requirements of (1), (2), (3) and (5), and

either (4) or (6) for a like period in a state whose requirements are substantially the same as in this state and in which hairdressers licensed in this state are given like recognition. On and after April 1, 1940 a person not previously licensed by the board shall be entitled to a license without examination only if said person can furnish proof of having been actively engaged in the practice of hairdressing in this state for a continuous period of at least two years during the period from September 1, 1930 to September 1, 1937.

4. Takes Effect; Application. This act shall take effect as of July 1, 1947, provided, however, that the provisions hereof shall not affect the renewal of hairdresser, instructor or shop licenses to persons who held such licenses as of said effective date nor to the issuance of hairdresser license to any student registered as such in an approved school on or before July 1, 1947.

[Approved March 18, 1947.]

CHAPTER 40.

AN ACT RELATING TO INTERPRETATION OF DATES UNDER THE
FISH AND GAME LAWS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Fish and Game Laws. Amend the fourth paragraph of section 1 of chapter 241 of the Revised Laws, by striking out said paragraph and inserting in place thereof the following: Inclusion of Dates: Whenever a period is named during which an act is permitted or prohibited, both the first and second dates named shall be included within such period.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 18, 1947.]

CHAPTER 41.

AN ACT RELATIVE TO THE PRACTICE OF OPTOMETRY.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. The Practice of Optometry. Amend section 15 of chap-

ter 253 of the Revised Laws by striking out the word "two" in the third line and inserting in place thereof the word, five, so that said section as amended shall read as follows: **15. Application; Fee.** The practitioner shall sign, swear to and forward this statement and application for renewal of his registration certificate to the secretary of the board, together with a fee of five dollars. Applications for registration must be made during the month of June, and if not so made an additional fee of one dollar for each thirty days, or fraction thereof, of delay beyond July first and up to January first shall be added to the regular fee.

2. Fees. Amend section 21 of said chapter 253 by striking out the word "two" in the sixth line and inserting in place thereof the word, five, so that said section as amended shall read as follows: **21. Re-registration.** An optometrist who has been heretofore duly licensed and registered to practice in this state, whose license has not been revoked or suspended and who has temporarily abandoned the practice of optometry or removed from the state, may re-register within the state, upon complying with the provisions for re-registration, including the payment of five dollars per year for such time as has elapsed since his last re-registration.

3. Takes Effect. This act shall take effect upon its passage.

[Approved March 18, 1947.]

CHAPTER 42.

AN ACT RELATIVE TO SETTING OF TRAPS FOR TAKING FUR BEARING ANIMALS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Trapping. Amend chapter 244 of the Revised Laws by inserting after section 12 the following new section: **12-a. Time for Setting Traps.** No person shall set or arrange any trap prior to the first day of the open season for trapping any particular fur-bearing animal.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 18, 1947.]

CHAPTER 43.

AN ACT RELATIVE TO BUILDING AND LOAN ASSOCIATION SHARES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Building and Loan Associations. Amend chapter 314 of the Revised Laws by inserting after section 5-a, as inserted by section 2, chapter 24, Laws of 1947, the following new section: **5-b. Shares.** Such associations may issue savings shares in connection with accounts upon which payments may be made at the option of the shareholder. No person shall hold such savings shares in any one association with an aggregate participation value exceeding five thousand dollars.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 18, 1947.]

CHAPTER 44.

AN ACT RELATIVE TO FEDERAL REIMBURSEMENT FROM
DECEDENT'S ESTATE FOR OLD AGE ASSISTANCE.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Old Age Assistance. Amend section 19 of chapter 126 of the Revised Laws by striking out the last sentence of said section and inserting in place thereof the following: The federal government shall be entitled, as long as required as a condition to federal financial participation, to such proportion of the net amount collected from the estate of a recipient of old age assistance as the federal participation bears to the total amount of assistance granted said recipient, so that said section as amended shall read as follows: **19. Recovery.** If at any time during the continuance of assistance the recipient thereof or the husband or wife of the recipient becomes possessed of any property or income in excess of the amount stated in the application, it shall be the duty of the recipient immediately to notify the commissioner of the receipt or possession of such property or income. On the death of a recipient of old age assistance, the total amount of assistance paid under this chapter shall be allowed as a claim

against the estate of such person after reasonable funeral expenses and the expenses of administering the estate have been paid. No claim shall be imposed against the real estate of a recipient of old age assistance while it is occupied as a home by a surviving spouse, or against any personal property of less than one hundred dollars in value. The federal government shall be entitled, as long as required as a condition to federal financial participation, to such proportion of the net amount collected from the estate of a recipient of old age assistance as the federal participation bears to the total amount of assistance granted said recipient.

2. Takes Effect. This act shall take effect upon its passage, provided that any net amount recovered from the estate of a recipient of old age assistance between October 1, 1946, and the effective date of this act may be distributed in accordance with the provisions hereof.

[Approved March 18, 1947.]

CHAPTER 45.

AN ACT RELATIVE TO PAYMENT OF BONUS FOR WAR SERVICE.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. War Service Bonus. Amend section 6 of chapter 201 of the Laws of 1943 by striking out said section and inserting in place thereof the following: **6. Bond Issue Authorized.** In order to provide the funds for the payment of the bonus authorized hereunder, the sum of six million dollars, or so much thereof as may be necessary, is hereby appropriated, and the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state a sum not exceeding six million dollars and for that purpose may issue bonds or notes in the name and on behalf of the state. Such bonds or notes shall be deemed a pledge of the faith and credit of the state.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 19, 1947.]

CHAPTER 46.*

AN ACT RELATIVE TO TAKING WILD DEER IN THE TOWN OF TILTON
WITH RIFLE.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. **Wild Deer; Taking.** Amend section 4 of chapter 242 of the Revised Laws, as amended by section 1, chapter 135, Laws of 1943, and by section 1, chapter 31 and section 1, chapter 69, Laws of 1945, and chapter 32, Laws of 1947, by inserting after the word "Belmont" in the eighteenth line the word, Tilton, so that said section as amended shall read as follows:

4. **Shotguns.** Wild deer shall not be taken by the use of any firearm other than a shotgun loaded with a single ball or loose buckshot within the counties of Hillsborough, Merrimack, Belknap or Rockingham, with the following exceptions: the towns of Windsor, Hillsborough, Bennington, Deering, Francestown, Weare, Antrim, Hancock, Greenfield, New Boston, Lyndeborough, Temple, Sharon, New Ipswich, Greenville, Mason, Wilton, Mont Vernon and Peterborough in the county of Hillsborough; the towns of Andover, Chichester, Wilmot, Danbury, Canterbury, Hill, New London, Sutton, Bradford, Warner, Salisbury, Newbury, Webster, Allenstown, Pembroke, Loudon, Pittsfield, Epsom, Boscawen, Hopkinton, Dunbarton, Bow, Northfield, the eastern part of the town of Hooksett bounded on the northeast by Allenstown, east by Deerfield, southeast by Candia, and west by the old Portsmouth Railroad, and Henniker and the city of Franklin in the county of Merrimack; the towns of Sanbornton, Alton, Gilford, Gilmanton, Barnstead, Belmont, Tilton, Meredith, Center Harbor, and New Hampton in the county of Belknap, and the towns of Candia, Auburn, Deerfield, Northwood, Nottingham, Raymond and Epping in the county of Rockingham.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved March 25, 1947.]

* See chapter 101, *post*.

CHAPTER 47.

AN ACT RELATIVE TO LOADED GUNS CARRIED IN AUTOMOBILES,
BOATS, AIRCRAFT OR OTHER CRAFT.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Loaded Guns. Amend section 6 of chapter 241 of the Revised Laws by striking out the whole of said section and inserting in place thereof the following: **6. Automobiles.** No person shall take or attempt to take wild birds or wild animals from an automobile, boat, aircraft, or other craft propelled by mechanical power. No person shall carry in or on such automobile, boat, aircraft, or other craft a loaded rifle or loaded shotgun or a rifle or shotgun with a cartridge in the magazine or clip attached to gun. This section shall not apply to law enforcement officers carrying guns in the line of duty.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 25, 1947.]

CHAPTER 48.

AN ACT RELATIVE TO THE JURISDICTION OF JUDGES OF PROBATE
IN CERTAIN CASES.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Adoption of Minors. Amend section 1-a of chapter 345 of the Revised Laws, as inserted by section 2, chapter 127, Laws of 1943, by striking out said section and inserting in place thereof the following: **1-a. Investigation.** The register of probate shall send to the department of public welfare a copy of every petition for adoption of minors filed in probate court within seven days after it is filed. Said department shall make, or cause to be made at its direction, an investigation to determine whether the petitioners and their home are suitable for the proper rearing of the child, due regard being given the race and religion of the child and the petitioners, and when ordered by the court said department shall make or cause to be made at its direction an investigation

to determine the condition and antecedents of the child for the purpose of ascertaining whether he is a proper subject for adoption. Said department shall submit to the court, not later than sixty days after the receipt of said petition such report as will give the court full knowledge as to the desirability of the proposed adoption. Such reports shall not be examined by any person not a party to the proceedings without an order from the court. In cases where the child has been placed for adoption by The New Hampshire Children's Aid Society or by The New Hampshire Catholic Charities, Inc., the judge of probate may at his discretion refer the case to the placing agency for investigation, which agency shall thereupon make the investigation and report hereinbefore required. When the woman petitioner in a petition for adoption of a minor is the natural mother of the child, the judge of probate may proceed to hearing and decree in the matter without the notice required by this section, provided he is satisfied as to the identity and relationship of the parties, that the petitioners are of sufficient ability to bring up and properly to educate the child, and that it is fit and proper that the adoption should take effect.

2. Consent. Amend section 21 of chapter 130 of the Revised Laws by striking out said section and inserting in place thereof the following: **21. Illegitimates.** The mother of an illegitimate infant under three years of age, who is a resident of this state and who has previously borne a good character, may, by an instrument in writing, signed by her, and with the consent of the commissioner, The New Hampshire Children's Aid Society, or The New Hampshire Catholic Charities, Inc., give up such infant for adoption to any of the aforesaid agencies; and any of the aforesaid agencies may, if such action is deemed for the public interest, receive such infant and provide therefor on such conditions as they may impose. Such surrender by the mother shall operate as a consent by her to any adoption subsequently approved by such agency.

3. Takes Effect. This act shall take effect upon its passage.

[Approved March 25, 1947.]

CHAPTER 49.**AN ACT RELATING TO ADEQUATE TOILET AND LAVATORY
FACILITIES IN CERTAIN PLACES.**

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Nuisances. Amend section 8, chapter 165, Revised Laws, by striking out all of said section and inserting in place thereof the following new section: **8. Toilets; Drains.** No person shall occupy, lease to any other person, or permit any other person to occupy, a building or any part of a building as a dwelling house, office, store, shop, theater, public hall, sleeping apartment or tourist cabin, unless such building shall have readily accessible adequate toilet and lavatory facilities, properly ventilated and constructed, and kept in proper sanitary condition; and unless said building shall be provided with suitable drains or sewers for conveying waste water and sewage away from the premises into some public sewer, if there be one within one hundred feet thereof, and if not, for conveying it away underground or in some other manner that will not be offensive. The phrase public sewer, as used in the chapter, shall be understood to mean any sewer constructed and maintained by taxation, or any sewer which is open for general use upon the payment of a rental, license or other fee.

2. Takes Effect. This act shall take effect September 1, 1947.

[Approved March 25, 1947.]

CHAPTER 50.**AN ACT RELATING TO PUBLIC WATER SUPPLIES, ICE SUPPLIES AND
SEWAGE DISPOSAL SYSTEMS.**

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. General Provisions for Protection of Sources of Water and Ice. Amend chapter 166 of the Revised Laws by adding after section 13, the following new section: **13-a. Enforcement.** The state department of health shall have concurrent jurisdiction with local boards and officers to enforce the provisions of this sub-division.

2. **Change of Amount.** Amend section 1 of said chapter 166 by striking out the word "twenty" in the sixth line and inserting in place thereof the words, five hundred, so that said section as amended shall read as follows: **1. Pollution.** If a person shall place, leave, or cause to be placed or left, in or near a lake, pond, reservoir or stream tributary thereto, from which the water supply for domestic purposes of a city, town or village is taken, in whole or in part, any substance or fluid that may cause the water thereof to become impure or unfit for such purposes he shall be fined not more than five hundred dollars, or imprisoned not more than thirty days, or both.

3. **Water Supplies.** Amend section 3 of said chapter 166 by striking out all of said section after the word "year" in the eleventh line, so that said section as amended shall read as follows: **3. Wilful Pollution.** Whoever knowingly and wilfully poisons, defiles, pollutes or in any way corrupts the waters or ice of any well, spring, brook, lake, pond, river or reservoir, used as the source of a public water or ice supply for domestic purposes, or knowingly corrupts the sources of the water of any water company or of any city or town supplying its inhabitants with water, or the tributaries of said sources of supply, in such a manner as to affect the purity of the water or ice so supplied at the point where the water or ice is taken for such domestic use, or puts the carcass of any dead animal or other offensive material into said waters or upon the ice thereof, shall be fined not more than one thousand dollars, or imprisoned not more than one year.

4. **Penalty.** Amend section 7 of said chapter 166 by striking out the word "twenty" in the third line and inserting in place thereof the words, five hundred, so that said section as amended shall read as follows: **7. Bathing.** If any person shall bathe in such lake, pond or reservoir, within the limits prescribed for the protection of said water supply by the local or state board of health, he shall be fined not more than five hundred dollars, or imprisoned not more than six months.

5. **Change in Amount of Penalty.** Amend section 18 of said chapter 166 by striking out all of said section and inserting in place thereof the following new section: **18. Penalty.** Any person violating any regulations so established by the state board shall be fined not more than five hundred dollars, or imprisoned not more than six months, or both.

6. **Powers of State Board.** Amend said chapter 166 by

adding after section 21, the following new section: **21-a. Power to Require Improvements in Sewage Treatment.** The state board is empowered to investigate the conditions and methods pertaining to existing systems of sewerage and sewage treatment works and to require the application of any treatment, improvement or enlargement of such facilities as will insure their proper operation and provide adequate protection of the public health. Issuance of orders requiring changes or improvements in such sewerage systems or treatment works shall be in the manner as prescribed in section 21.

7. Supreme Court. Amend section 22 of said chapter 166 by striking out the word and figure "section 21" in the second line and inserting in place thereof the words and figures, sections 21 and 21-a, so that said section as amended shall read as follows: **22. Appeal.** Any person aggrieved by any decision, regulation, ruling or order made by the state board pursuant to the provisions of sections 21 and 21-a may appeal therefrom to the supreme court in accordance with the provisions of chapter 414.

8. Institutions. Amend section 23 of said chapter 166 by adding at the end of said section the following: The foregoing provisions shall also be applicable to any institution, accommodating thirty or more people, which provides its own facilities as to water supply and sewage disposal, so that said section as amended shall read as follows: **23. New Construction.** No person, proposing to supply water for domestic uses shall construct any new system, or enlarge any existing system, for supplying water to the public, or shall construct any public system of sewage disposal, without first submitting detailed plans of the proposed construction to the state board and securing its approval thereof. It shall be the duty of the said board to examine the topography and the watershed, and to make chemical and bacteriological analyses of the waters, of the proposed supply, before approval is granted. The foregoing provisions shall also be applicable to any institution, accommodating thirty or more people, which provides its own facilities as to water supply and sewage disposal.

9. Takes Effect. This act shall take effect upon its passage.

[Approved March 25, 1947.]

CHAPTER 51.

AN ACT RELATING TO HEALTH OFFICERS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Local Health Officers. Amend section 2 of chapter 148 of the Revised Laws by striking out said section and inserting in place thereof the following: **2. Residence.** Said health officer shall be a resident of the state. The state board may appoint any qualified person to act in unorganized localities.

2. Residence. Amend section 6, chapter 148 of the Revised Laws, by striking out the words "in one of said towns" in the third line and inserting in place thereof the words, of the state, so that said section as amended shall read as follows: **6. Officer for Several Towns.** Upon recommendation of the selectmen of each of several towns the state board may, in its discretion, appoint any qualified person resident of the state as health officer for all of said towns, and he shall receive such compensation from each town as the selectmen thereof or the town shall fix.

3. Takes Effect. This act shall take effect upon its passage.

[Approved March 25, 1947.]

CHAPTER 52.AN ACT MAKING A SUPPLEMENTAL APPROPRIATION FOR WELFARE
EXPENSE OF THE STATE OF NEW HAMPSHIRE FOR THE
YEAR ENDING JUNE 30, 1947.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Appropriation. The sum hereinafter mentioned is appropriated to be paid out of the treasury of the state for the purpose specified for the fiscal year ending June 30, 1947, to wit: For public welfare as needed for old age assistance, aid to dependent children and aid to needy blind the sum of \$500,000.

2. Takes Effect. This act shall take effect as of March 1, 1947.

[Approved March 25, 1947.]

CHAPTER 53.

AN ACT RELATIVE TO TAKING LAKE TROUT AND SALMON.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Change in Date. Amend section 4 of chapter 245 of the Revised Laws, as inserted by regulations promulgated by the fish and game director as of January 1, 1946, by striking out said section and inserting in place thereof the following:

4. Salmon. Salmon not less than fifteen inches in length may be taken and possessed from April first to September first, and during the month of September by the use of artificial flies only except as specifically provided in the alphabetical county list in section 22, provided that the taking of such species through the ice is prohibited except through a natural opening in the ice.

2. Salmon and Lake Trout. Amend section 9 of said chapter 245 of the Revised Laws, as inserted by the regulations hereinbefore mentioned by striking out said section and inserting in place thereof the following: **9. Trolling.** A person may troll with bait or artificial flies for either salmon or lake trout from April first to August thirty-first and by the use of artificial flies only during the month of September.

3. Application of Statutes. Such provisions of section 22 of said chapter 245, as so inserted, which prohibit trolling with the aid of a boat propelled by mechanical power in Big Squam lake, Lake Winnepesaukee, Lake Winnisquam, Lake Paugus and Newfound lake are hereby repealed.

4. Lake Sunapee. In Lake Sunapee aureolus and square-tail trout of a size and in number as specified in said chapter 245, as so inserted, may be taken from April first to August thirty-first provided that the taking of such species through the ice is prohibited except through a natural opening in the ice.

5. Androscoggin River. In the Androscoggin river salmon may be taken as provided in said chapter 245, as so inserted, from May first to August thirty-first and by the use of artificial flies only during September.

6. Regulations. The provisions of said chapter 245, as so inserted by the regulations hereinbefore mentioned, applicable

to the taking of salmon, lake trout, aureolus and square-tail trout shall apply to taking of the same under the provisions of this act except as may be inconsistent herewith.

7. Takes Effect. This act shall take effect upon its passage.

[Approved March 26, 1947.]

CHAPTER 54.

AN ACT RELATING TO THE FIREMEN'S RETIREMENT SYSTEM.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Extension of System. Amend section 5, chapter 220, Revised Laws, as amended by section 2, chapter 202, Laws of 1945, by striking out said section and inserting in place thereof the following: **5. Extended Coverage.** Permanent firemen as of the date of the passage of this act, who were heretofore unable to accept the provisions of this chapter at the time of becoming permanent firemen, because they were then over thirty-five years of age, which limitation was in effect prior to the passage of this act, may accept this chapter and make application to the retirement board as provided in section 4, within thirty days after the passage of this act and not thereafter. The assessments upon the salaries of such over-age permanent firemen shall be fixed by the retirement board as provided in section 9. Any person under fifty years of age who becomes a permanent fireman after the effective date of this act shall be deemed to have accepted the provisions of this chapter and to have consented to assessments upon his annual salary as determined by the retirement board, as a condition of employment.

2. Rate of Assessment. Amend section 9, chapter 220, Revised Laws, by inserting after the word "salary" in the fourth line the words, unless the retirement board shall establish a different rate. The retirement board may vary the rate, based upon actuarial tables established by it. The retirement board may change, from time to time, the actuarial table of assessments, if it finds such change necessary, based upon periodic actuarial valuations of the retirement system. In the cases of permanent firemen who accept this chapter

or become subject thereto at ages in excess of thirty-five years, the retirement board shall establish individual rates of assessment based upon the respective ages of such persons and sound actuarial principles, so that said section as amended shall read as follows: **9. Assessments from Firemen.** At the beginning of each fiscal year the retirement board shall fix the assessment upon the annual salaries of all permanent firemen who accept the provisions of this chapter. The rate of assessment shall be four per cent of each permanent fireman's annual salary, unless the retirement board shall establish a different rate. The retirement board may vary the rate, based upon actuarial tables established by it. The retirement board may change, from time to time, the actuarial table of assessments, if it finds such change necessary, based upon periodic actuarial valuations of the retirement system. In the cases of permanent firemen who accept this chapter or become subject thereto at ages in excess of thirty-five years, the retirement board shall establish individual rates of assessment based upon the respective ages of such persons and sound actuarial principles. The board shall, in such manner as it may prescribe, give notice of the amount of assessment on each permanent fireman's salary to the treasurer or other disbursing officer of the city, town or precinct where such permanent fireman is employed. All assessments under this section and the following section shall be payable in equal monthly installments on the last business day of each calendar month. It shall be the duty of the treasurer or other disbursing officer of a city, town or precinct which employs permanent firemen who accept the provisions of this chapter to withhold from the monthly salary of each such permanent fireman, and to pay to the retirement board an amount equal to the monthly assessment against such permanent fireman's salary, as before provided. All permanent firemen who shall accept the provisions hereof, by such acceptance agree that the treasurer or other disbursing officer shall have the power to withhold from their monthly salaries the amounts as aforesaid.

3. State Contribution. Amend section 11, chapter 220, Revised Laws, by striking out said section and inserting in place thereof the following: **11. Contribution of State to Retirement Fund.** It shall be the duty of the comptroller in preparing the executive budget for each biennium to recom-

mend to the governor the appropriation of an amount not to exceed twenty-five thousand dollars for each fiscal year as a matching payment for payments made into the retirement fund on account of permanent firemen, plus an additional amount of two thousand five hundred dollars for each fiscal year, sufficient to meet the needs of this chapter. Donations to the retirement fund may be accepted by the state treasurer.

4. Probationary Periods. Amend section 14, chapter 220, Revised Laws, by striking out the words "probationary periods and" in the first and second lines so that said section as amended shall read as follows: **14. Limitation.** The provisions of section 13 relative to credits for call firemen service shall be effective only in case of firemen who applied for benefits hereunder prior to August 1, 1939, and shall not apply to firemen who became entitled to such benefits after that date.

5. Gainful Occupation. Amend section 16-a of chapter 220, Revised Laws, as inserted by section 4, chapter 202, Laws of 1945, by adding at the end thereof the following: If the retirement board finds that any member retired on an ordinary disability allowance under this section is engaged in a gainful occupation paying more than the difference between his annual retirement allowance and his final annual salary prior to retirement not in excess of twenty-five hundred dollars, then his disability shall be deemed to have diminished and his retirement allowance shall be reduced to an amount which, together with the amount then being earned by him, shall equal his final annual salary at retirement, as stated above. If his earnings from such gainful occupation are later changed, his retirement allowance may be further modified by the retirement board; provided however, that his retirement allowance shall at no time exceed the original grant nor an amount which when added to the amount being earned by him equals his final annual salary at retirement, as stated above, so that said section as amended shall read as follows: **16-a. Ordinary Disability; Medical Examination.** Upon the application to the retirement board of a member in active service, any member who has twenty or more years of creditable service may be retired on an ordinary disability retirement allowance of one-half his average actual salary, based upon the total salary earned over the period of years of service beginning with the date of his application to the benefits hereof

to the date of his retirement; provided that, the physician or physicians designated by the board certify that he is mentally or physically incapacitated for the further performance of duty, that such incapacity is likely to be permanent, and that he should be retired. Once each year during the first years following the retirement of a member on a total and permanent disability, or ordinary disability retirement, and once in every three-year period thereafter, the board may require any disability beneficiary, who has not attained age sixty-five, to undergo a medical examination by a physician or physicians designated by the board. If any disability beneficiary, who has not attained age sixty-five, refuses to submit to such medical examination, his retirement may be discontinued by the board, until his withdrawal of such refusal, and if his refusal continues for more than a year, all his rights in and to his pension may be revoked by the board. If the physician or physicians designated by the board report and certify that the disability beneficiary is again able to engage in fire duty, his retirement allowance shall be discontinued. On his reinstatement to active service his rate of assessment shall be the same as assessed against him previous to the date of his disability, and his period of disability shall be considered as part of continuous service. If the retirement board finds that any member retired on an ordinary disability allowance under this section is engaged in a gainful occupation paying more than the difference between his annual retirement allowance and his final annual salary prior to retirement not in excess of twenty-five hundred dollars, then his disability shall be deemed to have diminished and his retirement allowance shall be reduced to an amount which, together with the amount then being earned by him, shall equal his final annual salary at retirement, as stated above. If his earnings from such gainful occupation are later changed, his retirement allowance may be further modified by the retirement board; provided however, that his retirement allowance shall at no time exceed the original grant nor an amount which when added to the amount being earned by him equals his final annual salary at retirement, as stated above.

6. Designation of Beneficiary. Amend chapter 220, Revised Laws, by inserting after section 18 the following new section: **18-a. Beneficiary and Guardian.** Any member (active or retired) may from time to time designate a new

beneficiary or beneficiaries to receive payments due under section 18. Every such designation of a new beneficiary must be made in writing to the secretary of the retirement board, and such change shall not take effect until received by the retirement board. After receipt of such change, the change shall relate back to and take effect as of the date thereof, whether or not the member be living at the time of its receipt by the retirement board, but without prejudice to the board on account of any payments made by it before receipt of such written change. If the beneficiary shall die before the member, the interest of such beneficiary shall vest in the estate of the member, unless otherwise provided in the written directions of the member to the board. If no beneficiary be named by a member, any payments due under section 18 shall vest in the estate of such member. Payments which are due a beneficiary under legal disabilities may be made to the legal guardian or conservator of a minor or incompetent beneficiary or to the parents or surviving parent as natural guardian of a minor for whom no legal guardian has been appointed; and such payments shall constitute a final settlement of all claims on account thereof and shall bar recovery thereof by any other person or persons.

7. Withdrawal of Contributions. Amend chapter 220, Revised Laws, by inserting after section 19 the following new section: **20. Forfeiture.** On and after April 1, 1947, any permanent fireman who has withdrawn his accumulated contributions from the retirement fund while remaining in the status of a permanent fireman and not on account of retirement, withdrawal or dismissal from service as provided in section 18, shall thereby forfeit all right to future reinstatement to the benefits of this chapter. On and after said date no permanent fireman shall be entitled to withdraw his accumulated contributions to the fund while in service as a fireman. No benefit under this retirement system other than a return of contributions as provided in section 18 shall become payable to or on account of any member unless said member was in active service as an employee in the fire department at the time of becoming eligible for benefits hereunder.

8. Takes Effect. This act shall take effect upon its passage.

[Approved March 27, 1947.]

CHAPTER 55.

AN ACT RELATIVE TO MEDICAL SERVICE CORPORATIONS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Medical Service Corporations. Amend section 7 of chapter 334-A of the Revised Laws, as inserted by chapter 166, Laws of 1943, by striking out said section and inserting in place thereof the following: **7. Management.** The board of directors or trustees of a medical service corporation may consist of members of the public, subscribers, and such persons as may be nominated by the New Hampshire Medical Society and the Vermont Medical Society. The approval of said New Hampshire Medical Society shall be required for a majority of the directors or trustees who are residents of New Hampshire, and the approval of said Vermont Medical Society shall be required for a majority of the directors or trustees who are residents of Vermont. No medical service corporation shall impose any restrictions on physicians who administer to its subscribers as to its methods of diagnosis or treatment. No officer, agent or employee of a medical service corporation shall influence or attempt to influence a subscriber or a covered dependent in his choice of a participating physician. No medical service corporation shall be liable for injuries resulting from negligence, malfeasance, nonfeasance or malpractice on the part of any officer or employee or on the part of any physician in the course of rendering medical services to subscribers. No medical service corporation shall invest its funds otherwise than as provided in chapter 328 of the Revised Laws relating to the investments of domestic life insurance companies. Every medical service corporation shall have the power to contract with any hospital service corporation or with any insurance company approved by the insurance commissioner for the performance by such hospital service corporation or by such insurance company of any services necessary or incidental to the carrying on of medical service, provided the approval of the insurance commissioner therefor is obtained. Nothing in this chapter shall be construed as preventing any non-profit hospital plan organized under the provisions of chapter 334 of the Revised Laws from providing services incidental to hospital care. Any medical

plan operated by any branch of the New Hampshire Medical Society in any county in cooperation with the Farm Security Administration, shall not be affected by this chapter until such time as a medical service corporation is organized under this chapter and is operating in such county for the benefit of subscribers.

2. Participating Physicians. Amend section 8 of chapter 334-A of the Revised Laws, as inserted by chapter 166, Laws of 1943, by striking out said section and inserting in place thereof the following: **8. Agreements with Participating Physicians.** Any medical service corporation may enter into agreements with eligible persons whereby such persons become participating physicians of a plan operated by the corporation and may make to such persons such payments as shall have accrued by reason of services required to be performed under the plan and performed on behalf of the corporation by such person. No person shall become a participating physician unless he shall be a physician holding a full license to practice medicine in either the state of New Hampshire or the state of Vermont pursuant to the provisions of law in the state in which such physician resides. No payment for medical service shall be made to any natural person except to a participating physician; except that the corporation in case of emergency services may reimburse any physician for services rendered in accordance with the rates adopted by the board of trustees with respect to participating physicians, provided that the physician would be eligible to become a participating physician if in this state, or, if residing without the state, was duly licensed to practice medicine in the state where residing. Any medical service corporation may enter into contracts for the payment of medical services to the subscribers or members of similar non-profit medical service corporations of other states subject to the supervision of such other states, or of counties of this state in which the corporation does not transact business, and shall have the right to reimburse any other non-profit medical service corporation or physicians of another state or of counties of this state in which the corporation does not transact business for services rendered to its subscribers and their dependents at the same rate paid participating physicians under the certificate of the subscriber. There shall be included in the minutes of the board of trustees or directors of every such organization a record

of the approval of payments to be made to participating physicians. The corporation shall maintain in its office complete records of all medical services rendered to subscribers and covered dependents in such form as will include the kind of services rendered, the amounts claimed for such services by the participating physicians and the amount paid by the corporation. No payment to any participating physician shall be authorized by the board of trustees or board of directors except in accordance with a plan of payments adopted by the board and recorded in the minutes of the meeting.

3. Takes Effect. This act shall take effect upon its passage.

[Approved March 27, 1947.]

CHAPTER 56.

AN ACT TO PROVIDE A LEGISLATIVE SERVICE FOR DRAFTING AND EXAMINING BILLS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Legislative Service. There is hereby established as an agency of the general court, but attached to the office of the attorney general for administration, a legislative service for the drafting of bills for members of both houses of the general court and for the checking and examination of bills prior to final engrossment. This service shall be in operation and available for members and committees of the general court during all regular biennial sessions and special sessions and during the month of December preceding each regular biennial session.

2. Organization. The attorney general shall prepare and organize such service prior to each session of the general court. He is hereby authorized to employ such additional personnel as he deems necessary to carry out the provisions hereof.

3. Compensation. Any regular employee of the attorney general's office engaged in such legislative service shall receive, in addition to his classified salary, such additional compensation for overtime work performed as the attorney general may determine, subject to the approval of the general

court. Personnel temporarily employed during a legislative session shall receive *per diem* pay at such rates as the attorney general may determine, subject to the approval of the general court. The additional compensation provided herein shall be a charge upon the appropriation for the legislature.

4. Takes Effect. This act shall take effect upon its passage.

[Approved March 27, 1947.]

CHAPTER 57.

AN ACT PROVIDING FOR THE ISSUANCE OF BIRTH REGISTRATION CARDS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Registrar of Vital Statistics. Amend chapter 337 of the Revised Laws by inserting after section 18, as inserted by chapter 194 of the Laws of 1943, the following new section:
18-a. Birth Registration Cards. The registrar of vital statistics may issue to any person a card containing such information relative to the date and place of birth of such person as may be on record in his office. Such cards shall be in such form as the registrar may determine. The fee for the issuance of any such card shall be fifty cents.

2. Fees. Amend section 21 of chapter 337 of the Revised Laws, as inserted by chapter 194, Laws of 1943, by striking out said section and inserting in place thereof the following:
21. Disposal of Fees. All fees collected by the registrar of vital statistics under the provisions of sections 18-a, 19 and 20 shall be paid into the state treasury but shall be held in a special fund which shall be a continuing appropriation for the state department of health for the use of the division of vital statistics in issuing the birth registration cards and for other uses of said division.

3. Takes Effect. This act shall take effect upon its passage.

[Approved March 27, 1947.]

CHAPTER 58.

AN ACT RELATIVE TO REPORTS OF DELINQUENCIES IN PAYMENTS
OF ACCOUNTS IN SALE OF BEVERAGES.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. **Prohibitions.** Amend chapter 170 of the Revised Laws by inserting after section 76 the following new section: **76-a. Limited Credits.** Each holder of a manufacturer's or wholesaler's permit shall report to the commission the name and permit number of any on-sale or off-sale permittee who is delinquent in making payment of accounts within ten days, including Sundays and holidays, from the date of delivery of beverages on the premises of such on-sale and off-sale permittee. Each holder of a certificate of approval or manufacturer's permit shall report to the commission the name and permit number of any holder of a wholesaler's permit who is delinquent in making payments of accounts within thirty days from the date of delivery of beverages on the premises of such holder of a wholesaler's permit. Such report to the commission shall include the amounts purchased and the dates when payments were due and shall be forwarded to the commission within five days after said accounts become delinquent. If the fifth day of the five-days reporting period is a Sunday or holiday the day following such Sunday or holiday shall be considered as the fifth day of said five-days reporting period. Each holder of a certificate of approval, a manufacturer's permit or a wholesaler's permit shall immediately notify the commission of the receipt of the payment of any account which has been reported to the commission as delinquent. Post-dated checks beyond the five-days reporting period herein provided shall not constitute payments of accounts for the purchases of beverages. Checks given in payment of beverages and which are returned for non-payment after the five-days reporting period shall immediately constitute a delinquency as herein provided and shall be forthwith reported to the commission. Payments collected by solicitors or agents shall be reported as delinquent unless actually received at the place of business of the holder of a certificate of approval, manufacturer's permit or wholesaler's permit on or before the fifth day of the reporting period.

Payment of permittees' accounts by a holder of a solicitor's permit when not actually collected from the permittee shall constitute failure to comply with the provisions of this section. When collections are made by a solicitor or agent the sales slips or invoices shall be clearly receipted with the name of the person making the collection and the date of such collection. No holder of a certificate of approval, manufacturer's permit, wholesaler's permit or solicitor's permit shall knowingly make any delivery of beverages to any permittee whose payments for purchases of beverages are reported as delinquent under the provisions hereof. The commission shall in such manner as it may deem advisable inform holders of certificates of approval, manufacturer's permits and wholesaler's permits of the names of permittees delinquent under the provisions of this section. The commission may in its discretion withhold from such information names of delinquent permittees because of dispute over payments, agreements to liquidate which have been approved by the commission and for other reasons which the commission may deem proper. For each failure by a holder of a certificate of approval, manufacturer's permit, wholesaler's permit and solicitor's permit to comply with the provisions of this section, as may be determined by the commission, the sum of ten dollars shall be added to the fee provided for such permit under section 71 and shall be collected by the commission.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 27, 1947.]

CHAPTER 59.*

AN ACT RELATIVE TO UNEMPLOYMENT COMPENSATION.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Employment. Amend (1) of subsection I, section 1, of chapter 218 of the Revised Laws, by striking out the whole of the same and inserting in place thereof the following: (1) Subject to the other provisions of this subsection means service, including service in interstate commerce, performed for wages or under any contract of hire, written or oral, expressed or

* See chapter 267, *post*.

implied, together with service performed within the state which constitutes "employment" under the provisions of the Federal Unemployment Tax Act. Notwithstanding any other provisions of this subsection, the term employment shall also include all service performed after January 1, 1947 by an officer or member of the crew of an American vessel on or in connection with such vessel, provided that the operating office, from which the operations of such vessel operating on navigable waters within or within and without the United States is ordinarily and regularly supervised, managed, directed and controlled, is within this state. The term "employment" shall include an individual's entire service performed within or both within and without this state:

(a) If all or the greater part of such service is performed within this state; or

(b) If that fact is not readily determinable by the commissioner, if some part of such service is performed in this state and the individual's base of operations or place from which his service is directed or controlled is in this state; or

(c) If neither of the foregoing facts is readily determinable by the commissioner, if some part of such service is performed in this state and the individual's residence is in this state.

2. **Maritime Employment.** Amend subparagraph (e), paragraph (4), subsection I, section 1 of said chapter 218, by striking out the whole of the same and inserting in place thereof the following: (e) Service as an officer or member of a crew of an American vessel performed on or in connection with such vessel, if the operating office, from which the operations of the vessel operating on navigable waters within or without the United States are ordinarily and regularly supervised, managed, directed and controlled, is without this state.

3. **Service in the Employ of the United States Government.** Amend subparagraph (f), paragraph (4), subsection I, section 1 of said chapter 218, by striking out the words "social security board" and inserting in place thereof the words, social security administration, so that said subparagraph as amended shall read as follows: (f) Service performed in the employ of the United States government or of an instrumentality of the United States which is (A) wholly

owned by the United States, or (B) exempt from the tax imposed by section sixteen hundred of the Federal Internal Revenue Code by virtue of any other provision of law; provided, that if this state should not be certified by the federal social security administration under section sixteen hundred and three of the United States Internal Revenue Code for any year, then the contributions required of any instrumentalities of the United States government under this chapter with respect to such year shall be deemed to have been erroneously collected within the meaning of section 11-F of this chapter and shall be refunded by the commissioner from the fund in accordance with the provisions of said section 11-F.

4. Most Recent Employer. Amend subsection L, section 1 of said chapter 218, by striking out the word "two" and inserting in place thereof the word, three, so that said subsection as amended shall read as follows: L. "MOST RECENT EMPLOYER." The last employer from whom an individual in any one week has earned wages computed to the nearest dollar equal to or in excess of three dollars more than his weekly benefit amount.

5. Total and Partial Unemployment. Amend paragraph (3), subsection N, section 1 of said chapter 218, by striking out the word "two" and inserting in place thereof the word, three, so that said paragraph as amended shall read as follows: (3) As used in this subsection, the term "wages" shall not include the first three dollars earned during any week.

6. Wages. Amend subparagraph (a), paragraph (1), subsection P, section 1 of said chapter 218, by striking out the whole of the same and inserting in place thereof the following: (a) For the purposes of paragraph (2) of this section, section 2-B, section 3-D, and section 6, of this chapter, that part of remuneration which, after remuneration equal to three thousand dollars has been paid to an individual by an employer with respect to employment during any calendar year, is paid to such individual by such employer with respect to employment occurring during such calendar year and after December 31, 1940 and prior to January 1, 1947; or that part of the remuneration which, after remuneration equal to three thousand dollars with respect to employment has been paid to an individual by an employer during any calendar year

after 1946, is paid to such individual by such employer during such calendar year.

7. **Benefits.** Amend paragraphs (1) and (2), subsection B, section 2 of said chapter 218 of the Revised Laws as amended by section 5, chapter 56 of the Laws of 1943, and by section 1, chapter 78 of the Laws of 1945, by striking out the whole of the same and inserting in place thereof the following: (1) Each eligible individual who is totally unemployed in any week shall be paid with respect to such week benefits in the amount shown in column B of the schedule delineated in this paragraph on the line on which in column A there is indicated the individual's annual wage class except as otherwise provided in paragraph (2) of this subsection. The maximum total amount of benefits payable to any eligible individual during any benefit year shall be the amount shown in column C of the schedule delineated in this paragraph on the line on which in column A there is indicated the individual's annual wage class except as otherwise provided in paragraph (2) of this subsection.

A	B	C
Total Annual Earnings in Base Period	Weekly Benefit Amount	Maximum Benefits
\$200.00 - 349.99	\$6	\$138
350.00 - 449.99	7	161
450.00 - 549.99	8	184
550.00 - 649.99	9	207
650.00 - 749.99	10	230
750.00 - 849.99	11	253
850.00 - 949.99	12	276
950.00 - 1,049.99	13	299
1,050.00 - 1,149.99	14	322
1,150.00 - 1,249.99	15	345
1,250.00 - 1,349.99	16	368
1,350.00 - 1,449.99	17	391
1,450.00 - 1,549.99	18	414
1,550.00 - 1,649.99	19	437
1,650.00 - 1,799.99	20	460
1,800.00 - 1,999.99	21	483
2,000.00 - and over	22	506

(2) If at any time the fund shall fail to equal or fail to exceed eight million dollars and shall be maintained at less than

that figure for a period of two consecutive calendar months, each eligible individual who is totally unemployed in any week shall be paid with respect to such week benefits in the amount shown in column B of the schedule delineated in this paragraph on the line on which in column A there is indicated the individual's annual wage class. The maximum total amount of benefits payable to any eligible individual during any benefit year shall be the amount shown in column C of the schedule delineated in this paragraph on the line on which in column A there is indicated the individual's annual wage class. The schedule delineated in this paragraph shall take effect on the first day of the month immediately following the two-month period in this paragraph above mentioned.

A	B	C
Total Annual Earnings in Base Period	Weekly Benefit Amount	Maximum Benefits
\$200.00 - 349.99	\$6	\$96
350.00 - 449.99	7	112
450.00 - 549.99	8	128
550.00 - 649.99	9	144
650.00 - 749.99	10	160
750.00 - 849.99	11	176
850.00 - 949.99	12	192
950.00 - 1,049.99	13	208
1,050.00 - 1,149.99	14	224
1,150.00 - 1,249.99	15	240
1,250.00 - and over	16	256

8. **Repeal.** Subsection D of section 2 of said chapter 218 as amended by section 2, chapter 56 of the Laws of 1943, relative to benefits to persons upon termination of service in the military or naval forces of the United States, is hereby repealed.

9. **Benefits.** Amend subsection E of section 2 of said chapter 218, by striking out the whole of said subsection, renumbering, and inserting in place thereof the following: D. **TRANSITION FROM ONE BENEFIT YEAR TO THE NEXT BENEFIT YEAR.** If any individual has received benefits for any week ending not earlier than seven days before the end of the benefit year, benefit payments shall not be interrupted and benefits shall be paid for the next succeeding week at the rate provided for in the benefit year in which the last day of the pay-

able week is served, provided that the other requirements of this chapter are fulfilled.

10. Benefit Eligibility Conditions. Amend subsection C, section 3 of said chapter 218 as amended by section 3, chapter 56 of the Laws of 1943, by striking out the word "two" and inserting in place thereof the word, three, so that said subsection as amended shall read as follows: C. He is able to work, and is available for work. Provided, however, that in the case of a pregnant woman she shall be deemed unavailable for work for a period not to exceed sixteen weeks beginning eight weeks prior to the expected date of childbirth as certified by a legally licensed physician, and further provided that such period of unavailability shall be sooner terminated if subsequent to childbirth she earns in any one week wages in employment equal to or in excess of three dollars more than her weekly benefit amount.

11. Benefit Eligibility Conditions. Amend subsection D, section 3 of said chapter 218 as amended by section 4, chapter 56 of the Laws of 1943, and by section 8, chapter 138 of the Laws of 1945, by striking out in the fifth line the word "two" and inserting in place thereof the word, three, so that said subsection as amended shall read as follows: D. Prior to any week for which he receives benefits he has been totally unemployed (and for the purposes of this subsection an individual shall be deemed totally unemployed in any week in which he earns no wages in excess of three dollars) for a waiting period of one week within the same benefit year and fulfilled the other requirements of this section; provided that this requirement shall not interrupt the payment of benefits for consecutive weeks of unemployment because of a change in the benefit year, even though a change in the weekly benefit amount and maximum benefits is effected. For the purposes of this subsection, two weeks of partial unemployment shall be deemed equivalent to one week of total unemployment. No week shall be counted as a week of total unemployment for the purposes of this subsection:

- (1) If benefits have been paid with respect thereto;
- (2) Unless he has annual earnings of not less than two hundred dollars within the base period in accordance with subsection P (2) of section 1.

12. Disqualification for Voluntary Quit. Amend subsection A, section 4 of said chapter 218, by striking out the

word "two" and inserting in place thereof the word, three, so that said subsection as amended shall read as follows: A. For the period of unemployment next ensuing after an individual has left his work voluntarily without good cause in accordance with rules and regulations of the commissioner; and no waiting period may be served during such period. For the purposes of this section the "period of unemployment" shall continue until the individual has earned in any one week wages equal to or in excess of three dollars more than his weekly benefit amount.

13. Disqualifications for Benefits. Amend subsection E, section 4 of said chapter 218 as amended by section 10, chapter 138 of the Laws of 1945, by striking out the whole of the same and inserting in place thereof the following: E. For any week with respect to which he is receiving or has received remuneration in the form of:

- (1) Wages in lieu of notice; or
- (2) A sickness or separation allowance; or
- (3) Benefits from a pension plan operated by the employer; or
- (4) Compensation for temporary partial disability under the workmen's compensation law of any state or under a similar law of the United States; or
- (5) Any payments, upon his discharge from military service, from either the state or federal government, or both; Provided that if such remuneration is less than the benefits which would otherwise be due under this chapter, he shall be entitled to receive for such week, if otherwise eligible, benefits reduced by the amount of such remuneration.

14. Initial Determination. Amend subsection B, section 5 of said chapter 218 as amended by section 11, chapter 138 of the Laws of 1945, by striking out the whole of the same and inserting in place thereof the following: B. INITIAL DETERMINATION. A representative designated by the commissioner, and hereinafter referred to as a deputy, shall promptly examine the claim of an individual, and on the basis of the facts found by him, shall either determine whether or not such claim is valid, and if valid, the week with respect to which benefits shall commence, the weekly benefit amount payable and the maximum duration thereof, or shall refer such claim or any question involved therein to an appeal tribunal, which shall make its decision with respect thereto

in accordance with the procedure described in subsection C of this section. The deputy shall promptly notify the claimant and any other interested parties of the decision and the reasons therefor. The deputy may for good cause reconsider his decision or any part thereof and shall promptly notify the claimant and such other interested parties of the denial of such application or of the change and the reasons therefor, as the case may be. No such redetermination shall be made after six months from the date of the original determination. Unless the claimant or any such interested party, within five calendar days after the delivery of the deputy's notification, or within seven calendar days after such notification was mailed to his last known address, files an appeal from such decision, such decision shall be final and benefits shall be paid or denied in accordance therewith. If an appeal is duly filed, benefits with respect to the period prior to the final decision of the appeal tribunal shall be paid only after such decision; provided that if an appeal tribunal affirms a decision of a deputy allowing benefits, such benefits shall be paid regardless of any appeal which may thereafter be taken, but if such decision is finally reversed, no employer's account shall be charged with benefits so paid. Furthermore, if such an appeal is duly filed, benefits with respect to weeks of unemployment not in dispute and benefits payable pursuant to a determination or reconsidered determination in any amount not in dispute shall be paid promptly regardless of any appeal.

15. Appeal to Courts. Amend subsection G, section 5 of said chapter 218, by striking out the whole of the same and inserting in place thereof the following: **G. APPEAL TO COURTS.** Any interested party aggrieved by any decision in proceedings under the provisions of this chapter may, after exhaustion of other administrative remedies provided herein, and within ten days after the date of notification or mailing of such decision, appeal therefrom to the superior court for the county in which is located the employment bureau or branch in which the original claim was filed, the procedure to be followed in perfecting said appeal to be the same as the procedure provided for in an appeal from a decision of a municipal court. An appeal may be taken from the decision of the superior court to the supreme court in the same manner as is provided in civil actions. The commissioner may of his own motion transfer to the supreme court any question

of law arising in the administration of this chapter. A petition for judicial review shall not act as a supersedeas or stay unless the commissioner shall so order. Upon the final determination of such judicial proceeding, the commissioner shall enter an order in accordance with such determination.

16. Separate Accounts. Amend the first paragraph of subsection C, section 6 of said chapter 218 as amended by section 1, chapter 178 of the Laws of 1943 and section 13, chapter 138 of the Laws of 1945, by striking out the whole of the same and inserting in place thereof the following: The commissioner shall maintain a separate account for each employer and shall credit his account with all contributions paid by him or on his behalf. But nothing in this chapter shall be construed to grant any employer or individuals in his service prior claims or rights to the amounts paid by him into the fund either on his own behalf or on behalf of such individuals. Benefits paid to an eligible individual shall be charged against the account of his most recent employer. If it is proven to the satisfaction of the commissioner that an individual after voluntarily leaving the employment of an employer, without good cause attributable to such employer, but before the beginning of a compensable week, works within or without the state and earns in employment not subject to this chapter in any one week wages computed to the nearest dollar equal to or in excess of three dollars more than his weekly benefit amount and that such subsequent employment was not given expressly for the purpose of evading the benefit charges, then, there shall be no charge against that most recent employer, and benefits paid to the individual shall be charged against the fund. Benefits paid to an unemployed woman during the period of uninterrupted unemployment next ensuing after childbirth shall not be charged to the most recent employer, but shall be charged against the fund. Any charges which are made against the account of any employer under this section, of which the employer has been notified, shall be considered correct for all purposes unless objections to such charges are received within thirty days after such notification has been mailed to the employer's last known address.

17. General Experience Rating. Amend the fifth paragraph of subsection D, section 6 of said chapter 218 as amended by section 14, chapter 138 of the Laws of 1945, by

striking out the words "five million" and inserting in place thereof the words, eight million, so that said paragraph as amended shall read as follows: No employer shall be entitled to an experience rating under this subsection for any calendar year unless and until the balance in the unemployment compensation fund as of January 1 of such calendar year equals or exceeds eight million dollars; and further provided that no employer shall be entitled to the experience rating granted under this section unless and until there shall have been three consecutive calendar years immediately preceding the computation date throughout which the account of such employer was chargeable with benefits.

18. Establishment and Control of Unemployment Compensation Fund. Amend subsection A, section 8 of said chapter 218, by striking out the whole of the same and inserting in place thereof the following: A. ESTABLISHMENT AND CONTROL. There is hereby created the unemployment compensation fund to be administered by the commissioner, subject to audit by the comptroller without liability on the part of the state beyond the amounts paid into and earned by the fund. This fund shall consist of all contributions collected under this chapter, together with any interest thereon collected pursuant to section 11-A of this chapter; all fines and penalties collected pursuant to this chapter and all interest earned upon any moneys in the fund; any properties or securities acquired through use of moneys or securities belonging to the fund; all earnings of such properties or securities; and all other moneys received for the fund from any other source. All moneys in the fund shall be mingled and undivided.

19. Duties and Powers of Commissioner. Amend the first paragraph of subsection B, section 9 of said chapter 218, by striking out the words "the first day of February" and inserting in place thereof the words, the thirtieth day of June, so that said paragraph as amended shall read as follows: It shall be the duty of the commissioner to administer this chapter and he shall have power and authority to adopt, amend, or rescind such rules and regulations, to employ such persons, make such expenditures, require such reports, make such investigations, and take such other action as he deems necessary or suitable to that end. Such rules and regulations shall be effective upon publication in the manner, not inconsistent

with the provisions of this chapter, which the commissioner shall prescribe. The commissioner shall determine his own organization and methods or procedure in accordance with the provisions of this chapter. Not later than the thirtieth day of June of each year, the commissioner shall submit to the governor a report covering the administration and operation of this chapter during the preceding calendar year and shall make such recommendations for amendments to this chapter as he deems proper. Such reports shall include a balance sheet of the moneys in the fund in which there shall be provided, if possible, a reserve against the liability in future years to pay benefits in excess of the then current contributions, which reserve shall be set up by the commissioner in accordance with accepted actuarial principles on the basis of statistics of employment, business activity, and other relevant factors for the longest possible period. Whenever the commissioner believes that a change in contribution or benefit rates will become necessary to protect the solvency of the fund, he shall promptly so inform the governor and the legislature, and make recommendations with respect thereto.

20. State-Federal Co-operation. Amend the first paragraph of subsection K, section 9 of said chapter 218, by striking out the whole of the same and inserting in place thereof the following: In the administration of this chapter, the commissioner shall co-operate to the fullest extent consistent with the provisions of this chapter, with the social security administration, created by the Social Security Act, as amended, and is authorized and directed to take such action, through the adoption of appropriate rules, regulations, administrative methods and standards, as may be necessary to secure to this state and its citizens all advantages available under the provisions of such act, under the provisions of section 1601 of the Federal Unemployment Tax Act and under the provisions of the Act of Congress entitled "An Act to provide for the establishment of a national employment system and for co-operation with states in the promotion of such system, and for other purposes," approved June 6, 1933, as amended; shall make such reports in such form and containing such information as the social security administration created by the said Social Security Act may from time to time require, and shall comply with such provisions as the social security administration may from time to time find

necessary to assure the correctness and verification of such reports; and shall comply with regulations prescribed by the social security administration governing the expenditures of such sums as may be allotted and paid to this state under Title III of the Social Security Act for the purpose of assisting in the administration of this chapter.

21. Advisory Council. Amend section 9 of said chapter 218 by inserting at the end thereof the following new subsection: L. ADVISORY COUNCIL. There is hereby created within the unemployment compensation division an advisory council on unemployment compensation, hereinafter called the advisory council. The advisory council shall consist of seven members to be appointed upon recommendations of the commissioner by the governor with the consent and advice of the governor's council. Three of the appointees of this advisory council shall be persons who, because of their vocations, employment or affiliations, shall be classed as representing the point of view of employers; three shall be persons who, because of their vocations, employment or affiliations, shall be classed as representing the point of view of employees; the remaining appointee, who shall be designated as chairman, shall be a person whose training and experience qualify him to deal with the problems of unemployment compensation. Such advisory council shall aid the commissioner in formulating policies and discussing problems related to the administration of this chapter and in assuring impartiality and freedom from political influence in the solution of such problems.

The term of office of each member of the advisory council shall be three years and until his successor is appointed and qualified. Provided that the first appointments hereunder shall be for the following terms: The chairman, one employer representative and one employee representative, for a term of three years; one employer representative and one employee representative, for a term of two years; one employer representative and one employee representative, for a term of one year. As these appointments expire, all appointments shall be for three-year terms. In the event of a vacancy in the membership of said council, the appointment shall be made in the same manner and for the unexpired term. Members of said council shall serve without compensation but shall be reimbursed for any necessary expenses.

22. The Unemployment Compensation and Employment Service Administration Fund. Amend section 10 of said chapter 218, by striking out the words "social security board" wherever they may appear in said section and inserting in place thereof the words, social security administration, so that said section as amended shall read as follows: **10. The Unemployment Compensation and Employment Service Administration Fund.** A. SPECIAL FUND. There is hereby created in the state treasury a special fund to be known as the unemployment compensation and employment service administration fund. All moneys which are deposited or paid into this fund shall be continuously available to the commissioner for expenditure in accordance with the provisions of this chapter, and shall not lapse at any time or be transferred to any other fund. All moneys in this fund which are received from the federal government or any agency thereof or which are appropriated by this state for the purposes described in section 9 of this chapter shall be expended solely for the purposes and in the amounts found necessary by the social security administration for the proper and efficient administration of this chapter. The fund shall consist of all moneys appropriated by this state, all moneys received from the United States of America, or any agency thereof, including the social security administration, and all moneys received from any other source for such purpose, and shall also include any moneys received from any agency of the United States or any other state as compensation for services or facilities supplied to such agency, any amounts received pursuant to any surety bond or insurance policy or from other sources for losses sustained by the unemployment compensation and employment service administration fund or by reason of damage to equipment or supplies purchased from moneys in such fund, and any proceeds realized from the sale or disposition of any such equipment or supplies which may no longer be necessary for the proper administration of this chapter. Such moneys shall be secured by the depositary by collateral in the full amount of the funds on deposit. Such security shall consist of (a) United States government obligations, direct or guaranteed and (b) direct obligations of the state of New Hampshire. Such collateral security shall be pledged at not to exceed the face value of the obligation, and shall be kept separate and distinct from any collateral security pledged to

secure other funds of the state. The state treasurer shall be liable on his official bond for the faithful performance of his duties in connection with the unemployment compensation and employment service administration fund provided for under this chapter. Such liability on the official bond shall be effective immediately upon the enactment of this provision, and such liability shall exist in addition to any liability upon any separate bond existent on the effective date of this provision, or which may be given in the future. All sums recovered on any surety bond for losses sustained by the unemployment compensation and employment service administration fund shall be deposited in said fund.

B. REIMBURSEMENT OF FUND. If any moneys received after June 30, 1941, from the social security administration under Title III of the Social Security Act, or any unencumbered balances in the unemployment compensation administration fund as of that date, or any moneys granted after that date to this state pursuant to the provisions of the Wagner-Peyser Act, or any moneys made available by this state or its political subdivisions and matched by such moneys granted to this state pursuant to the provisions of the Wagner-Peyser Act, are found by the social security administration because of any action or contingency, to have been lost or been expended for purposes other than, or in amounts in excess of, those found necessary by the social security administration for the proper administration of this chapter, it is the policy of this state that such moneys shall be replaced by moneys appropriated for such purpose from the general funds of this state to the unemployment compensation administration fund for expenditure as provided in section 10-A. Upon receipt of notice of such a finding by the social security administration, the commissioner shall promptly report the amount required for such replacement to the governor and the governor shall at the earliest opportunity, submit to the legislature a request for the appropriation of such amount. This subsection shall not be construed to relieve this state of its obligation with respect to funds received prior to July 1, 1941, pursuant to the provisions of Title III of the Social Security Act.

23. Collection of Contributions for Nonresident Employer. Amend subsection I, section 11 of said chapter 218, by striking out the whole of the same and inserting in place thereof the following: I. SECRETARY OF STATE THEIR ATTORNEY.

Any nonresident employing unit who acquires the status of an employer under the provisions of this chapter or any resident employing unit who, after having acquired the status of an employer under the provisions of this chapter, removes himself from the state, shall be deemed to have appointed the secretary of state or his successor in office to be his true and lawful attorney upon whom may be served all lawful processes in any action or proceeding against him under the provisions of this chapter, and such acquirement shall be a signification of his agreement that any such process against him which is so served shall be of the same legal force and validity as if served on him personally. Service of such process shall be made by leaving a copy of the process in the hands of the secretary of state or in his office, and such service shall be sufficient service upon said employing unit; provided, that notice of such service and a copy of the process are forthwith sent by registered mail by the plaintiff to the defendant, and the defendant's return receipt and the plaintiff's affidavit of compliance therewith are appended to the writ and entered therewith. The secretary of state shall keep a record of all such processes, which shall show the date and hour of service.

24. Effective Date. This act shall take effect as of April 1, 1947, provided that benefits for all payable weeks ending after the effective date of said act shall be paid and treated in all respects in accordance with the provisions of the unemployment compensation law as amended by this act.

[Approved March 31, 1947.]

CHAPTER 60.

AN ACT RELATIVE TO HUNTING AND FISHING LICENSES FOR TOTALLY DISABLED WAR VETERANS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Hunting and Fishing Licenses. Amend chapter 247 of the Revised Laws by inserting after section 6 the following new section: **6-a. Veterans.** If the applicant for a fishing and hunting license is a resident of the state, has received a discharge other than dishonorable from service in any war in which the United States has been engaged and is totally and

permanently disabled from such service connection the director may issue a special veterans' license to said applicant, free of charge. Said special license shall be for a period of one year only but may be renewed annually by the director so long as the applicant meets the requirements of this section.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 1, 1947.]

CHAPTER 61.

AN ACT RELATIVE TO PROTECTION FROM ADULTERATED AND MISBRANDED FOODS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Definitions. Amend section 2 of chapter 164 of the Revised Laws by striking out said section and inserting in place thereof the following: **2. Terms Defined.** As used in this chapter the following words shall have the following meanings:

I. The term "food" means (1) articles used for food or drink for man or other animals, (2) chewing gum, and (3) articles used for components of any such article.

II. The term "drug" means (1) articles recognized in the official United States Pharmacopoeia, official National Formulary, or any supplement to any of them; and (2) articles intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in man or other animals, or for toilet or disinfectant use; and (3) articles (other than food) intended to affect the structure or any function of the body of man or other animals; and (4) articles intended for use as a component of any article specified in clause (1), (2) or (3); but does not include devices or their components, parts or accessories; except that such term shall not include soaps.

III. The term "label" means a display of written, printed or graphic matter upon the immediate container of any article; and a requirement made by or under authority of this chapter that any word, statement, or other information appear on the label shall not be considered to be complied with

unless such word, statement, or other information also appears on the outside container or wrapper, if any there be, of the retail package of such article, or is easily legible through the outside container or wrapper. The term "immediate container" does not include package liners.

IV. The term "labeling" means all labels and other written, printed, or graphic matter (1) upon an article or any of its containers or wrappers, or (2) accompanying such article.

V. The term "board" means the state board of health.

VI. If an article is alleged to be misbranded because the labeling is misleading, then in determining whether such labeling is misleading there shall be taken into account (among other things) not only representations made or suggested by statement, word, design, device, sound, or any combination thereof, but also the extent to which such labeling fails to reveal facts material in the light of such representations or material with respect to consequences which may result from the use of the article to which such labeling relates under the conditions of use prescribed in the labeling thereof or under such conditions of use as are customary or usual.

VII. The representation of a drug, in its labeling, as an antiseptic shall be considered to be a representation that it is a germicide, except in the case of a drug purporting to be, or represented as, an antiseptic for inhibitory use as a wet dressing, ointment, dusting powder, or such other use as involves prolonged contact with the body.

VIII. The term "contaminated with filth" applies to any food or drug not securely protected from dust, dirt, and as far as may be necessary by all reasonable means, from all foreign or injurious contaminations.

IX. The provisions of this chapter regarding the selling of foods or drugs, shall be considered to include the manufacture, production, processing, packing, exposure, offer, possession, and holding of any such article for sale; and the sale, dispensing, and giving of any such article; and the supplying or applying of any such articles in the conduct of any food or drug establishment.

X. The term "federal act" means the Federal Food, Drug and Cosmetic Act (Title 21 U. S. C. 301 et seq.; 52 Stat. 1040 et seq.).

2. **Foods.** Amend section 3 of said chapter 164 as amended by chapter 60 of the Laws of 1943, by striking out said section and inserting in place thereof the following: 3. **Adulterations, Foods.** For the purposes of this chapter an article of food shall be deemed to be adulterated:

I. (1) If it bears or contains any poisonous or deleterious substance which may render it injurious to health; but in case the substance is not an added substance such food shall not be considered adulterated under this clause if the quantity of such substance in such food does not ordinarily render it injurious to health; or (2) if it bears or contains any added poisonous or added deleterious substance which is unsafe within the meaning of paragraph VI hereof; or (3) if it consists in whole or in part of a diseased, contaminated, filthy, putrid or decomposed substance, or if it is otherwise unfit for food; or (4) if it has been produced, prepared, packed or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered diseased, unwholesome or injurious to health; or (5) if it is the product of a diseased animal or of an animal which has died otherwise than by slaughter, or that has been fed upon the uncooked offal from a slaughterhouse; or (6) if its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health.

II. (1) If any valuable constituent has been in whole or in part omitted or abstracted therefrom; or (2) if any substance has been substituted wholly or in part therefor; or (3) if damage or inferiority has been concealed in any manner; or (4) if any substance has been added thereto or mixed or packed therewith so as to increase its bulk or weight, or reduce its quality of strength or make it appear better or of greater value than it is.

III. If it falls below the standard of purity, quality, or strength which it purports or is represented to possess.

IV. If it is confectionery and it bears or contains any alcohol or non-nutritive article or substance except harmless coloring, harmless flavoring, harmless resinous glaze not in excess of four-tenths of 1 per cent, harmless natural gum, and pectin; provided that this paragraph shall not apply to any confectionery by reason of its containing less than one-half of 1 per cent by volume of alcohol derived solely from the use of

flavoring extracts, or to any chewing gum by reason of its containing harmless non-nutritive masticatory substances.

V. If it bears or contains a coal-tar color other than one that is harmless and suitable for use in food, as provided by regulations promulgated under authority of the federal act.

VI. Any poisonous or deleterious substance added to any food except where such substance is required in the production thereof or cannot be avoided by good manufacturing practice, shall be deemed to be unsafe for purposes of the application of clause (2) of paragraph I; but when such substance is so required or cannot be so avoided, the board shall promulgate regulations limiting the quantity therein or thereon to such extent as the board finds necessary for the protection of public health, and any quantity exceeding the limits so fixed shall also be deemed to be unsafe for purposes of application of clause (2) of paragraph I. While such a regulation is in effect limiting the quantity of any such substance in the case of any food, such food shall not, by reason of bearing or containing any added amount of such substance, be considered to be adulterated within the meaning of clause (1) of paragraph I. In determining the quantity of such added substance to be tolerated in or on different articles of food, the board shall take into account the extent to which the use of such substance is required or cannot be avoided in the production of each such article and the other ways in which the consumer may be affected by the same or other poisonous or deleterious substances.

3. Repeal. Section 4 of chapter 164 of the Revised Laws, relative to adulterated confections, is hereby repealed.

4. Foods. Amend section 7 of said chapter 164 by striking out the same and inserting in place thereof the following: **7. Foods Misbranded.** Foods shall be deemed to be misbranded in the following cases:

I. If its labeling is false or misleading in any particular.

II. If it is offered for sale under the name of another article.

III. If it is an imitation of another food, unless its label bears, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated.

IV. If its container is so made, formed, or filled as to be misleading.

V. If in package form, unless it bears a label containing (1) the name and place of business of the manufacturer, packer, or distributor; (2) an accurate statement of the quantity of the contents in terms of weight, measure, or numerical count; provided that under clause (2) of this paragraph reasonable variations shall be permitted, and exemptions as to small packages shall be established, by regulations prescribed by the board.

VI. If any word, statement, or other information required by or under authority of this chapter to appear on the label or labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices, in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

VII. If it purports to be or is represented as a food for which a definition and standard of identity has been prescribed by regulations as provided by section 12, unless (1) it conforms to such definition and standard, and (2) its label bears the name of the food specified in the definition and standard, and, in so far as may be required by such regulations, the common names of optional ingredients (other than spices, flavoring, and coloring) present in such food.

VIII. If it purports to be or is represented as (1) a food for which a standard of quality has been prescribed by regulations as provided by section 12, and its quality falls below such standard, unless its label bears, in such manner and form as such regulations specify, a statement that it falls below such standard; or (2) a food for which a standard or standards of fill of container have been prescribed by regulation as provided by section 12 and it falls below the standard of fill of container applicable thereto, unless its label bears, in such manner and form as such regulations specify, a statement that it falls below such standard; (3) a food for which no definition and standard of identity and no standard of quality have been prescribed by regulations as provided by section 12 and it falls below the standard of purity, quality or strength which it purports or is represented to possess.

IX. If it is not subject to the provisions of paragraph VII

of this section, unless its label bears (1) the common or usual name of the food, if any there be, and (2) in case it is fabricated from two or more ingredients, the common or usual name of each such ingredient; except that spices, flavorings and colorings, other than those sold as such, may be designated as spices, flavorings, and colorings without naming each; provided that, to the extent that compliance with the requirements of clause (2) of this paragraph is impractical or results in deception or unfair competition, exemptions shall be established by regulations promulgated by the board; provided, further, that the requirements of clause (2) of this paragraph shall not apply to any carbonated beverage the ingredients of which have been fully and correctly disclosed, to the extent described by said clause (2), to the board in an affidavit.

X. If it purports to be or is represented for special dietary uses, unless its label bears such information concerning its vitamin, mineral, and other dietary properties as the board determines to be, and by regulations prescribes as, necessary in order to fully inform purchasers as to its value for such uses.

XI. If it bears or contains any artificial flavoring, artificial coloring, or chemical preservative, unless it bears labeling stating that fact; provided that to the extent that compliance with the requirements of this paragraph is impracticable, exemptions shall be established by regulations promulgated by the board.

5. **Takes Effect.** This act shall take effect July 1, 1947.

[Approved April 1, 1947.]

CHAPTER 62.

AN ACT RELATING TO BULKY ARTICLE ATTACHMENTS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. **Liability.** Amend section 23 of chapter 388, Revised Laws, by adding at the end thereof the following: The officer upon completion of the attachment in the manner herein provided shall be under no duty to care for or preserve the attached property unless requested by the attaching creditor, who shall be responsible for all reasonable costs and expenses

incurred by the officer, including his reasonable fees, in complying with such request; so that said section as amended shall read: **23. Bulky Articles, etc.** The officer taking possession to levy upon or attaching any live stock or articles which, by reason of their size, situation, fluidity, explosive or inflammable qualities, including motor vehicles, trucks, trailers, and tractors, are incapable of being conveniently taken into actual possession may, within forty-eight hours thereafter, leave an attested copy of the writ, and of his return of such taking possession or such attachment thereon, at the home or office of the town clerk in the same manner as attachment of real estate is made, except as to the place of filing the copy; and in such cases the attachment shall not be dissolved or defeated by any neglect of the officer to take actual possession of the property. The officer upon completion of the attachment in the manner herein provided shall be under no duty to care for or preserve the attached property unless requested by the attaching creditor, who shall be responsible for all reasonable costs and expenses incurred by the officer, including his reasonable fees, in complying with such request.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 1, 1947.]

CHAPTER 63.

AN ACT RELATIVE TO THE STATUS OF EMPLOYEES OF THE STATE
EMPLOYMENT SERVICE AS MEMBERS OF THE STATE
EMPLOYEES RETIREMENT SYSTEM.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. State Employees Retirement System. Amend chapter 27-A of the Revised Laws, as inserted by chapter 183 of the Laws of 1945, by inserting after section 3 the following new section: **3-a. Employment Service.** Any employee who was on the payroll of the state as of December 31, 1941, and who was involuntarily transferred to federal service when the federal government took over the employment offices of the state and who subsequently returned to the payroll of the state as of November sixteenth, 1946, shall, if he so elects,

be deemed to be an employee as of the date of establishment and entitled to service credit, provided he shall have made payments to the system in the same amounts and during the same periods as other state employees who were members at the date of establishment have made, and further provided that there shall be paid to the system without expense to the state such sums as may be needed to provide the state's share of the amounts necessary to cover employees of said employment service who elect to join the system and be entitled to credit for service since the date of establishment and during such federal service. Any employee, as above described, shall make his election as above provided and pay the sums required hereunder prior to July 1, 1947, or his rights under the provisions hereof shall terminate.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 1, 1947.]

CHAPTER 64.

AN ACT RELATING TO AERONAUTICS PROSECUTIONS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Limitation. Amend paragraph II of section 26 of chapter 132, of the Revised Laws as amended by chapter 23, Laws of 1945, by adding at the end thereof the words, or an aeronautics law, so that said paragraph as amended shall read as follows: II. As applying in the case or cases of persons under the age of eighteen years who are charged with the violation of a motor vehicle law or an aeronautics law.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 1, 1947.]

CHAPTER 65.

AN ACT RELATING TO NEGLECT OF CHILDREN.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. **Parent or Guardian Responsible for Neglected Child.**

Amend chapter 132 of the Revised Laws by inserting after section 12 the following new section: **12-a. Penalty.** Any parent, or guardian, or person having the custody or control of a child, who is responsible for the condition which results in a child being found neglected as defined in section 2, except in a case where said condition was caused by financial inability to provide necessary care for said child, shall be fined not more than five hundred dollars or imprisoned not more than one year, or both. The court may release such person on probation, subject to such orders as it may make concerning future conduct, or it may suspend sentence, or before trial, with his consent, it may allow him to enter into a recognizance, in such penal sum as the court may fix, conditioned for the promotion of the future welfare of the child, and the said case may then be placed on file.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 1, 1947.]

CHAPTER 66.

AN ACT RELATIVE TO REPORTS TO BOARD OF PROBATION RELATIVE TO DELINQUENCY OF CHILDREN.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Juvenile Courts. Amend chapter 132 of the Revised Laws by inserting after section 13-a, as inserted by chapter 25, Laws of 1943, the following new section: **13-b. Reports.** The court shall forward monthly to the board of probation on forms provided by said board such statistical data concerning children who have been adjudged delinquent as may be required by said board in making its biennial report relative to number, age, sex, and types of delinquencies of children provided such data shall not include any reference to the names of such delinquents. The publication of such data

shall not be deemed to be in violation of the provisions of section 13.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 1, 1947.]

CHAPTER 67.

AN ACT RELATING TO THE JURISDICTION OF MUNICIPAL COURTS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Trial by Jury; How Claimed. Amend section 19 of chapter 377 of the Revised Laws by striking out the words "within such reasonable time as may be prescribed by rule of court" and by inserting in place thereof the words, within five days from the entry thereof or such additional time as the municipal court for good cause may allow, so that as amended said section shall read: **19. Transfer to Superior Court.** If the defendant, upon entry of any action in which he has a constitutional right to trial by jury, shall, within five days from the entry thereof or such additional time as the municipal court for good cause may allow, file a written request for trial by jury, the cause shall be at once transferred to the superior court for said county, to be there heard and tried as if originally entered therein, the cost of entering said cause in the municipal court and transferring the same to be paid in the first instance by the plaintiff, but to be taxed in the bill of costs when the case is finally determined.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 1, 1947.]

CHAPTER 68.

AN ACT RELATING TO REPORTS OF THE CUT OF FOREST PRODUCTS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Forest Products. Amend section 66, chapter 233, Revised Laws by striking out said section and inserting in place thereof the following: **66. Report of Cut.** Every

person operating or causing to be operated any timber, cordwood or pulpwood, except for domestic use and not for sale or conversion into products for sale, shall during the month of January of each year render a report to the forestry and recreation commission, giving in separate items the amount of softwoods and hardwoods cut within the state by or for him during the preceding calendar year. Owners or operators of sawmills and other wood-using industries may be required to render similar annual reports. Information contained in said reports shall not be made public in so far as the same applies to individuals.

2. **Takes Effect.** This act shall take effect July 1, 1947.
[Approved April 3, 1947.]

CHAPTER 69.

AN ACT RELATING TO THE USE OF SILENCING DEVICES IN THE TAKING OF GAME.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. **Taking Game.** Amend chapter 241 of the Revised Laws by adding after section 3 the following new section: **3-a. Silencing Devices.** No person shall sell, offer for sale, use, have in his possession, any gun, pistol, or other firearm fitted or contrived with any silencer or device for deadening the sound of explosion. Nothing in this section shall prohibit the use of a muzzle brake, polychoke, or compensator.

2. **Penalties.** Amend section 45 of said chapter 241 by adding at the end thereof the following new sentence: A person who violates the provisions of section 3-a shall be fined not more than two hundred dollars or imprisoned not more than six months, or both, and shall forfeit such firearms and silencing devices, so that said section as amended shall read as follows: **45. Penalties.** A person who violates a provision of this chapter shall be fined as follows: For each violation of sections 2 to 4 inclusive, and sections 6 to 9 inclusive, ten dollars, and five dollars additional for each fish, bird or animal, or part thereof bought, sold, offered for sale or transported contrary to the provisions thereof; for each violation of sections 5, 10, 11, 12, 13, 17, 18, 19, 25, 33 and

34, not more than fifty dollars; for each violation of any rule or regulation of the director, except as otherwise provided in this title, ten dollars; and for each violation of any provision of this title for which a penalty is not otherwise provided, ten dollars. A person who violates the provisions of section 3-a shall be fined not more than two hundred dollars or imprisoned not more than six months, or both, and shall forfeit such firearms and silencing devices.

3. Takes Effect. This act shall take effect upon its passage.

[Approved April 3, 1947.]

CHAPTER 70.

AN ACT RELATING TO TRUSTEES AND OFFICERS OF SAVINGS
BANKS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Salaries. Section 5 of chapter 309 of the Revised Laws relative to limitation on salaries of officers and employees of savings banks is hereby repealed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 3, 1947.]

CHAPTER 71.

AN ACT RELATIVE TO SO-CALLED WRITE-IN POLITICAL
CANDIDATES.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Acceptance of Nomination. Amend section 49 of chapter 33 of the Revised Laws by adding at the end thereof the following: and shall enclose a stamped return post card containing an assent to candidacy, for the use of the candidate. A person so notified shall advise the secretary of state, in writing, of his acceptance of said nomination, said acceptances

to be post marked, or filed with the secretary of state within four days from the date of mailing of such notification, otherwise he shall be deemed to have refused such nomination and his name shall not appear on the official ballot as a candidate for said office, so that said section as amended shall read as follows: **49. Personal Notice.** In addition to publication as required by section 48, the secretary of state shall notify in writing each person of his nomination as candidate for any office for which he did not file a declaration of candidacy or primary petition, and shall enclose a stamped return post card containing an assent to candidacy, for the use of the candidate. A person so notified shall advise the secretary of state, in writing, of his acceptance of said nomination, said acceptances to be post marked, or filed with the secretary of state within four days from the date of mailing of such notification, otherwise he shall be deemed to have refused such nomination and his name shall not appear on the official ballot as a candidate for said office.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 8, 1947.]

CHAPTER 72.

AN ACT RELATING TO THE HOMESTEAD RIGHT.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Increase. Amend section 1, chapter 260, Revised Laws, by striking out said section and inserting in place thereof the following: **1. Amount.** Every person is entitled to one thousand dollars' worth of his homestead, or of his interest therein, as a homestead right.

2. Takes Effect. This act shall take effect January 1, 1948, but shall not apply to attachments, sales on execution or levies made and to other liens accrued, prior to such date.

[Approved April 8, 1947.]

CHAPTER 73.AN ACT RELATING TO PENALTY CONCERNING
OBSCENE LITERATURE.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Increase of Penalty. Amend section 17 of chapter 441, Revised Laws, by striking out the word "one" in the second line and inserting in place thereof the word, five, so that said section as amended shall read as follows: **17. Penalty.** If any person shall violate any of the provisions of the three preceding sections he shall be fined not more than five hundred dollars, or imprisoned not more than six months, or both.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 8, 1947.]

CHAPTER 74.AN ACT RELATING TO THE POWER OF CITIES AND TOWNS TO
INSTALL PARKING METERS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Parking Meters. The city council of any city shall have the power to authorize the installation of parking meters on any street or public parking area and the power to establish reasonable charges for parking to be paid through such meters. Towns likewise may at any legal meeting vote to authorize the installation of parking meters and establish reasonable charges for parking to be paid through such meters.

2. Revenue. The revenue derived from the use of such meters shall be expended to finance the purchase, maintenance and policing of such meters or to maintain and improve streets and highways, or to acquire, construct, improve, maintain and manage public parking areas, or for any combination of the foregoing purposes, but for no purpose not expressly authorized herein.

3. Exeter Police Commission. The police commission of

the town of Exeter shall have the same powers as are granted to city councils of cities under the provisions of section 1. The provisions of section 1 requiring authorization of the installation of parking meters and of the fixing of reasonable charges by vote at a legal town meeting shall not apply to the town of Exeter. The provisions of section 2 hereof shall apply to the town of Exeter.

4. Takes Effect. This act shall take effect upon its passage.

[Approved April 9, 1947.]

CHAPTER 75.

AN ACT RELATIVE TO MOUNTAIN AVENUE IN THE TOWNS OF
NORTHWOOD AND DEERFIELD.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Classification of Highway. The highway known as "Mountain Avenue" located in the towns of Northwood and Deerfield shall hereinafter be included in the secondary state highway system.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 10, 1947.]

CHAPTER 76.

AN ACT RELATING TO QUALIFICATIONS FOR BONUS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Qualification for Bonus. Amend section 1, chapter 201, Laws of 1943 as amended by section 1, chapter 75, Laws of 1945, by striking out in the fourth and fifth and fourteenth lines the words "the present war" and inserting in place thereof the following: the period from December 7, 1941 to December 31, 1946 inclusive, so that said section as amended shall read as follows: **1. Qualification for Bonus.** Each person, man or woman, who actively served for a total period of

more than ninety days in any capacity as a member of the armed forces of the United States during the period from December 7, 1941 to December 31, 1946 inclusive, who is discharged, released or has a certificate of service therefrom, under conditions other than dishonorable, and who at the time he entered upon such active military service was a bona fide resident of the state of New Hampshire, shall be entitled to the benefits provided hereunder. Retired commissioned officers and enlisted men of the regular United States Army or Navy, being subject to recall to active duty and not having been discharged, shall not be eligible for benefits but other commissioned officers or enlisted members of the armed forces during the period from December 7, 1941 to December 31, 1946 inclusive, who are placed on inactive military status shall be entitled to benefits.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 10, 1947.]

CHAPTER 77.

AN ACT PROVIDING FOR A CONSTITUTIONAL CONVENTION.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Delegates; Election. At the election in the several towns to be holden on the second Tuesday of March, 1948, and at a special election in the several cities to be holden on the same day, delegates to a convention to revise the constitution shall be chosen and an article therefor shall be inserted in the warrants calling said meeting; and all the laws relating to the election of representatives to the general court, so far as the same may be applicable, shall apply to the election of delegates except as herein otherwise provided.

2. Delegates; Eligibility. Any person shall be eligible to a seat in the convention who by the laws of this state is a qualified voter in the town or ward from which he may be elected.

3. **Delegates; Number.** Delegates shall be proportioned as representatives to the general court are, except that each town shall be entitled to at least one delegate.

4. **Secretary of State; Duties.** The secretary of state shall prepare and furnish to the towns and wards necessary material, including certificates of election, for a record of the choice of all delegates.

5. **Organization.** The delegates chosen shall assemble in convention at the capitol in Concord on the second Wednesday of May, 1948, at noon, and shall proceed to organize by choosing one of their number by ballot to serve as president, and such other officers as they deem necessary; they shall be the judges of election and returns of their own members, and may establish rules of proceedings and proceed to recommend constitutional amendments.

6. **Books and Papers Furnished.** The secretary of state shall furnish to the convention such books, papers, stationery and printing as the convention shall require or order.

7. **Amendments.** Such amendments to the constitution as are agreed to by the convention shall be submitted so that they can be voted on by the people separately or by groups, as the convention may determine; the convention shall prescribe the time and mode of submitting amendments to the people for their approval and provide for ascertaining their decision and publishing the same by executive proclamation, and may do any and all other things necessary to carry out the purposes of the convention.

8. **Compensation.** Each delegate shall receive three dollars a day for his attendance on the convention and the same allowance for mileage as is now provided for members of the general court.

9. **Appropriation.** A sum not exceeding sixty thousand dollars is hereby appropriated for paying the expenses of said convention and the governor is authorized to draw his warrant for so much of said sum as may be necessary for its expenses.

10. **Takes Effect.** This act shall take effect upon its passage,

[Approved April 10, 1947.]

CHAPTER 78.

AN ACT RELATIVE TO OPERATING REGULATIONS FOR BOATS AND
OUTBOARD MOTORS ON PUBLIC WATERS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Boats on Public Waters. Amend chapter 181 of the Revised Laws by inserting after section 10 the following new section: **10-a. Operating Restrictions.** The commission may, after hearing, upon complaint or of its own motion, whenever it shall appear that the public interest requires, make such rules and regulations governing the maximum horsepower of boat engines and outboard motors or prescribe maximum speed limits for the operation of such boats or outboard motors applicable to or upon all or any portion of the public waters of this state.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 10, 1947.]

CHAPTER 79.

AN ACT ABOLISHING THE SCHOOL DISTRICT OF THE TOWN OF
ELLSWORTH AND TRANSFERRING THE EDUCATION OF CHILDREN
OF SAID TOWN TO THE STATE.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Abolishment of District. On and after the passage of this act the school district of the town of Ellsworth is abolished. Any property of said district consisting of school-houses, apparatus and other property, which said district so dissolved might lawfully sell or convey, shall be transferred and become the property of the town of Ellsworth, subject however to any debts of the said school district.

2. Authority of State Board of Education. On and after the passage of this act the state board of education shall assume liability for the education of school children within the town of Ellsworth, shall furnish tuition and board, or tuition and transportation, at the expense of the state, at some

suitable school for all children residing in said town and pay the tuition of any child who resides in such town and attends an approved high school.

3. **Taxation.** The state treasurer shall assess to the owners of real estate of said town an annual tax of three dollars and fifty cents on each thousand dollars of the value of the ratable estate taxable therein which said tax shall be assessed and collected as taxes in unincorporated places are assessed and collected, and which shall be credited to the state board of education. In addition thereto the state treasurer shall annually credit to the state board of education all funds to which said Ellsworth school district would be entitled on account of payments for national forest lands.

4. **Takes Effect.** This act shall take effect upon its passage and at said effective date the terms of office of any officials of the Ellsworth school district shall cease.

[Approved April 10, 1947.]

CHAPTER 80.

AN ACT RELATIVE TO REFLECTOR-TYPE FLARES FOR TRUCKS AND TRACTORS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. **Lights and Flares.** Amend section 28 of chapter 119, Revised Laws, by inserting after the word "flare" in the fourth line, the words, or reflector-type flare, and by inserting after the word "flares" in the seventh line the words, or reflector-type flares, so that said section as amended shall read as follows: 28. **Oil-Burning and Reflector-Type Lights and Flares.** Every truck, bus, or tractor when operated outside of the lighted area of towns or cities, except when stopping momentarily, under conditions as described in section 27 must in addition place one oil-burning light or flare or reflector-type flare one hundred feet in front and another one hundred feet in the rear of such vehicle. And all such vehicles shall when operated outside of the lighted area of towns or cities be required to carry oil-burning lights or flares or reflection-type flares of a type to be approved by the commissioner.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved April 10, 1947.]

CHAPTER 81.**AN ACT RELATIVE TO ADDITIONAL LIGHTING EQUIPMENT
FOR MOTOR VEHICLES.**

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Motor Vehicles. Amend chapter 119, Revised Laws, by inserting after section 9 the following new section: **9-a. Additional Lighting Equipment.**

I. Any motor vehicle may be equipped with not more than two side cowl or fender lamps which shall emit an amber or white light without glare.

II. Any motor vehicle may be equipped with not more than one running-board courtesy lamp on each side thereof which shall emit a white or amber light without glare.

III. Any motor vehicle may be equipped with a back-up lamp either separately or in combination with another lamp; but such back-up lamp shall not be lighted when the motor vehicle is in forward motion.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 10, 1947.]

CHAPTER 82.**AN ACT RELATIVE TO SPOT LAMP AND AUXILLIARY LAMPS
FOR MOTOR VEHICLES.**

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Motor Vehicle Equipment. Amend chapter 119, Revised Laws, by inserting after section 8 the following new section: **8-a. Spot Lamp and Auxiliary Lamps.**

I. Any motor vehicle may be equipped with not to exceed one spot lamp and every lighted spot lamp shall be so aimed and used upon approaching another vehicle that no part of the high-intensity portion of the beam will be directed to the left of the prolongation of the extreme left side of the vehicle nor more than one hundred feet ahead of the vehicle.

II. Any motor vehicle may be equipped with not to exceed three auxiliary driving lamps mounted on the front at a

height not less than twelve inches nor more than forty-two inches above the level surface upon which the vehicle stands.

III. Every spot lamp and auxiliary driving lamp shall be approved by the motor vehicle commissioner. Application for the approval of such lamps as provided herein, accompanied by a fee of fifty dollars, may be made to the commissioner by any manufacturer thereof or dealer therein.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved April 10, 1947.]

CHAPTER 83.

AN ACT RELATIVE TO PROJECTING LOADS ON MOTOR VEHICLES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. **Motor Vehicles.** Amend chapter 119, Revised Laws, by inserting after section 10 the following new section:**10-a. Lamp or Flag on Projecting Load.** Whenever the load upon any vehicle extends to the rear four feet or more beyond the bed or body of such vehicle there shall be displayed at the extreme rear end of the load, at all times during lighting periods specified in section 7, a red light or lantern plainly visible from a distance of at least five hundred feet to the sides and rear. The red light or lantern required under this section shall be in addition to the red rear light required upon every vehicle. At any other time there shall be displayed at the extreme rear end of such load a red flag or cloth not less than twelve inches square and so hung that the entire area is visible to the driver of a vehicle approaching from the rear.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved April 10, 1947.]

CHAPTER 84.AN ACT RELATIVE TO REGISTRATION OF MOTOR VEHICLES OF
VOLUNTEER FIRE DEPARTMENTS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Registration, Motor Vehicles. Amend section 11 of chapter 118 of the Revised Laws by adding after the word "town" in the second line, the words, or by any volunteer fire department, so that said section as amended shall read as follows: **11. Public Ownership.** Motor vehicles owned and operated by the state, or by any county, city, or town, or by any volunteer fire department, shall be exempt from registration fees, but shall be registered as any other motor vehicles are.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 10, 1947.]

CHAPTER 85.AN ACT RELATIVE TO CONSTRUCTION OF A CERTAIN ROAD IN THE
TOWN OF GREENFIELD.

WHEREAS, the New Hampshire Society for Crippled Children and Handicapped Persons proposes to build a hospital and other structures on land owned by them in Greenfield, New Hampshire, at a cost of approximately seven hundred fifty thousand dollars (\$750,000); and

WHEREAS, the town of Greenfield is without resources to improve the town highway servicing this property; now, therefore,

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Authority to Improve Road. The state highway department is authorized to improve the Greenfield town road leading from Route No. 31 north of Greenfield by Gould's pond to the intersection with the old road from Francestown to Bennington, a distance of approximately one and five-tenths

miles, provided that this construction shall not be undertaken until said society has made proper representations to the state highway department guaranteeing completion of their project.

2. Expense of Construction. The expense of the construction authorized by section 1 shall be a charge on the highway funds.

3. Takes Effect. This act shall take effect upon its passage.

[Approved April 15, 1947.]

CHAPTER 86.

AN ACT RELATIVE TO THE FILING OF INVENTORY BLANKS IN THE ANNUAL INVOICING OF POLLS AND TAXABLE PROPERTY.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Form. Amend section 3 of chapter 75 of the Revised Laws, as amended by section 3, chapter 144, Laws of 1943, by striking out the word "oath" in the third line and inserting in place thereof the words, penalty of perjury, so that said section as amended shall read as follows: **3. Inventory Blanks.** The inventory blanks shall be so arranged and formulated as to require, under penalty of perjury, from the person or corporation to be taxed, in answer to interrogatories therein stated, a description of all real estate taxable to the person or corporation, and a statement of the gross amount or quantity of each class of personal property for which he or it is taxable, and such other information as will enable the selectmen or assessors to assess all the taxable property of such person or corporation and at its true value; also a list of the shares in railroad corporations of this state owned by such person or corporation. The blanks shall require the owner's estimate of the value of his stock in trade, but not of his other property. The blank shall also require the owner's estimate of the amount and kind of merchantable standing wood and timber on each parcel of land owned by him, or the amount and kind of merchantable wood and timber owned by him and standing on land of another.

2. Annual Invoice. Amend section 6 of said chapter 75 by striking out the word "oath" in the fourth line and in-

serting in place thereof the word, declaration; and by striking out the words "before some justice of the peace or a selectman or assessor, either of whom is empowered to administer the same," in the fourth and fifth lines, so that said section as amended shall read as follows: **6. Return of Inventory.** Every person and every corporation, by its president or other principal officer, shall fill out the blank inventory in all respects according to its requirements, and subscribe and make the required declaration thereto, and shall deliver, or, in case of nonresident persons or corporations, mail such inventory to the selectmen or assessors or on before April fifteenth of that year.

3. Inventories. Amend section 9 of said chapter 75 by striking out the word "oath" in the first line and inserting in place thereof the word, declaration; and by striking out the words "do solemnly swear" in the third line and inserting in place thereof the words, under penalties of perjury do solemnly declare, so that said section as amended shall read as follows: **9. Declaration.** The declaration required in and by such inventories shall be as follows, to be varied in cases of partnerships, corporations, administrators and the like, to conform to such circumstances: I, under penalties of perjury do solemnly declare that, to the best of my knowledge and belief, the foregoing inventory contains a full, true and correct statement of all the real and personal estate or property for which I was liable to be taxed by the selectmen of, under the laws of the state, on April first,, and of all stock in railroad corporations of this state owned by me at that time; and that I have not assigned, conveyed or disposed of any property or estate, in any manner, for the purpose of evading taxation. So help me God.

4. Repeal. Section 10 of said chapter 75 of the Revised Laws relative to penalty for false oath, is hereby repealed.

5. Takes Effect. This act shall take effect upon its passage.

[Approved April 15, 1947.]

CHAPTER 87.

AN ACT PROVIDING FOR THE LICENSING OF LIVESTOCK DEALERS,
AND LIVESTOCK AUCTIONS OR SALES RINGS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. **Definition.** The words "livestock dealer," as used in this act shall apply to any person, partnership, unincorporated association or corporation, going from place to place buying, selling or transporting cattle, sheep or swine, or operating a livestock auction or sales ring.

2. **License.** No livestock dealer shall carry on the business of buying, selling or transporting cattle, sheep or swine, or operating a livestock auction or sales ring without first obtaining a license from the commissioner of agriculture. Before being issued a license, the said livestock dealer shall file with the commissioner of agriculture application for such license, giving applicant's name, resident and business addresses; the names and addresses of all agents or persons handling cattle, sheep or swine for the said livestock dealer; the number and description of all trucks or other conveyances except railroad cars used by the said livestock dealer in the transportation of such livestock and such other information as the commissioner of agriculture shall require. Said application shall be accompanied by a fee of five dollars.

3. **Fee; Termination.** The commissioner of agriculture or his agent, shall upon receipt of the application and fee required in section 2 of this act issue a license to said applicant. A livestock dealer shall keep a copy of said license in his possession and a copy of such license shall be attached to each truck or other conveyance used by said livestock dealer for the transportation of cattle, sheep or swine. Copies of such licenses shall be obtained from the commissioner of agriculture or his agent and he shall charge a fee of one dollar for each copy. All licenses issued under the terms of this act shall expire one year from the date of issue. No licenses shall be transferable.

4. **Requirements.** A livestock dealer licensed under this act shall:

(a) Maintain in a clean and sanitary condition all premises, buildings and conveyances used in the business of

dealing in livestock or operating a livestock auction or sales ring.

(b) Submit premises, buildings and conveyances to inspection, and livestock to inspection and test at any and such times as the commissioner may deem necessary and advisable.

(c) Allow no livestock on livestock dealer's premises from herds or premises quarantined by the commissioner of agriculture or his agent, except those accompanied by special permit issued by the commissioner of agriculture or his agent.

(d) Maintain subject to inspection by the commissioner of agriculture or his agent, a proper record in which all cattle purchased, repossessed, sold or loaned are to be listed, giving breed, date purchased, repossessed, sold or loaned and from whom obtained and to whom delivered. Such record shall also show the ear tag number of each animal, except untagged cattle for immediate slaughter. Untagged cattle acquired by a dealer, except such cattle for immediate slaughter, shall be held on the dealer's premises and such cattle shall be tuberculin and blood tested by an approved veterinarian at dealer's expense. Registered purebred cattle which do not bear ear tags shall be recorded by giving tattoo markings, description and such other information as is necessary to identify such cattle. This section shall not apply to calves under three months of age.

(e) Abide by such other reasonable rules and regulations which may be issued by the commissioner of agriculture or his agent to prevent the spread of disease and a copy of such rules and regulations shall be sent to all livestock dealers licensed under the terms of this act.

5. Cancellation of License. Failure of any livestock dealer to abide by the terms of this act or of any of the laws or regulations relating to livestock or of such procedure as the commissioner of agriculture or his agent deems necessary to prevent the spread of disease, shall be deemed sufficient cause after notice and hearing for the cancellation of a license issued under this act.

6. Penalty. Any livestock dealer who buys or sells cattle in this state or operates a livestock auction or sales ring without having a license so to do, issued either to such persons or firm or corporation which he represents in conducting such business, as herein required shall be fined not less than twenty-five dollars nor more than two hundred dollars or be

imprisoned not less than ten days nor more than thirty days or both.

7. Rules and Regulations. The commissioner is authorized to make such rules and regulations as he may deem necessary for the proper carrying out of this act.

8. Exceptions. The provisions of this act relative to requiring a license shall not apply to a farmer who does not go from place to place buying or selling cattle, sheep or swine nor to a farmer holding an auction sale in the regular operation of his farm business.

9. Disposition of Fees. All fees collected under the provisions of this act shall be deposited into the state treasury.

10. Transportation. Any livestock dealer licensed under this act will not be required to procure a license to transport livestock by motor vehicle as set forth in chapter 230 of the Revised Laws as amended by chapter 172 of the Laws of 1943 and chapter 103 of the Laws of 1945.

11. Takes Effect. This act shall take effect thirty days after its passage.

[Approved April 15, 1947.]

CHAPTER 88.

AN ACT RELATIVE TO LAMPS ON MOTOR VEHICLE TRACTORS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Motor Vehicle Lights. Amend chapter 119, Revised Laws, by inserting after section 7 the following new section:
7-a. Tractors. Every tractor operated on the ways of this state at night shall display at least two lighted lamps on the front. No such headlamp shall be used unless it is approved by the commissioner.

2. Takes Effect. This act shall take effect July 1, 1947.

[Approved April 15, 1947.]

CHAPTER 89.**AN ACT ESTABLISHING A STATE EMPLOYEES APPEAL
COMMISSION.**

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Appeal Commission. The governor and council shall constitute a state employees' appeal commission.

2. Appeal. Except for those employees who are subject to the merit system plan, any regular classified state employee who is discharged from his employment with the state may appeal to the commission provided by section 1 for a review of his case and for reinstatement. Said commission shall hold a public hearing on said appeal. The governor may summon witnesses to appear at such hearing as provided in section 12, chapter 27, Revised Laws.

3. Reinstatement. If the commission, after such hearing, shall be of the opinion that said state employee was discharged without just cause, they may order the reinstatement of said employee to the same position and at the same salary.

4. Takes Effect. This act shall take effect upon its passage.

[Approved April 15, 1947.]

CHAPTER 90.**AN ACT RELATING TO CERTIFICATION OF QUESTIONS OF LAW
FROM PROBATE COURT TO SUPREME COURT.**

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Probate Court; Transfer of Questions of Law to Supreme Court. Amend chapter 346 of the Revised Laws by adding after section 28 the following new section: **29. Transfer of Questions of Law to Supreme Court.** In any case, matter or proceeding in a court of probate, the court at any time may certify to the supreme court any questions or propositions of law concerning which instructions are desired for the proper decision of any matter before it and thereupon

the supreme court may give binding instructions on the questions and propositions certified.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 15, 1947.]

CHAPTER 91.

AN ACT RELATING TO THE CAPITAL RESERVE FUND ACT.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Funds Received from the United States. Amend chapter 160, Laws of 1943 as amended by chapter 35, Laws of 1945 and chapter 8, Laws of 1947 by inserting after section 4 the following new section: **4-a. Funds Received in Eminent Domain Proceedings.** Any town, school district, village district or county which may receive funds from the United States or any agency thereof in eminent domain proceedings for the taking of its property or other public facilities or in settlement for such taking or of claims for damages to its property or other public facilities, may vote to use said funds, under a proper article in the warrant in the case of a town, school district or village district or by vote of the county delegation in the case of a county, to establish a capital reserve fund under this act. Funds so received may, if so voted, be used to retire existing indebtedness as well as for the purposes specified in section 1. In cases in which the United States or any agency thereof shall acquire a flowage easement in highways or bridges under the jurisdiction of a town, the town, if it votes to establish a capital reserve fund out of the funds received therefor from the United States or any agency thereof, may use such fund not only for capital improvements and capital expenditures as provided in section 1, but also for the maintenance, repair and reconstruction of the particular highways and bridges in which easements have been acquired or of such highways and bridges as may be provided in substitution therefor.

2. Transfer of Capital Reserve Funds. Amend chapter 160 of the Laws of 1943 as amended by chapter 35, Laws of 1945

and chapter 8, Laws of 1947, by inserting after section 8 the following new sections: **8-a. Payments from Surplus.** Whenever any town shall have voted to transfer any accumulated surplus to the capital reserve fund, the town clerk shall forward to the board of selectmen and to the town treasurer, within ten days of the adoption of such vote, a certified copy of the same; and, thereupon, the selectmen shall draw an order on the town treasurer for the amount of surplus set forth in said vote; and the town treasurer shall on receipt of said order immediately transfer to the trustees of trust funds of said town the amount specified in said order. **8-b. Appropriation.** Whenever the vote of the town is to raise and appropriate any sum for the capital reserve fund, the same duties shall devolve upon the town clerk, selectmen, and town treasurer, as specified in section 8-a, except that said order must be drawn, and said sum transferred on or before December 31st following said vote. **8-c. School or Village District.** When a capital reserve fund is established by a school or village district, the same duties shall devolve upon the clerk of the school or village district, the members of the school board or the commissioners of the village district, the treasurer of the school district or the treasurer of the village district, as are prescribed in sections 8-a and 8-b for the corresponding town officers. **8-d. Penalty.** Any of the above officers failing to perform the duties above set forth, shall be liable, upon conviction, to a fine of five dollars for every week said failure shall continue.

3. Takes Effect. This act shall take effect upon its passage.

[Approved April 15, 1947.]

CHAPTER 92.

AN ACT RELATING TO STALE CHECKS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Negotiable Instruments. Amend chapter 366 of Revised Laws of New Hampshire, 1942, by inserting immediately after section 186 thereof the following additional section:

186-a. Stale Checks. Where a check or other instrument, payable on demand at any bank or trust company located in this state, is presented for payment more than six months after date, such bank or trust company may, unless expressly instructed by the drawer or maker to pay the same, refuse payment thereof, and no liability shall by such action be incurred to the drawer or maker for dishonoring the instrument or check by nonpayment.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 15, 1947.]

CHAPTER 93.

AN ACT RELATING TO THE PROTECTION OF THE DAIRY INDUSTRY.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Milk Testers. Amend section 72 of chapter 194 of the Revised Laws by striking out the entire section and inserting in place thereof the following: **72. Revocation of Licenses, etc.** The commissioner may make rules and regulations governing the application for and the granting of such licenses and shall charge a fee of one dollar for the same. Licenses may be revoked by the commissioner if after due notice the licensee fails or has failed to comply with the law, rules and regulations under which the license was granted.

2. Change of Title. Amend section 73 of said chapter 194 by striking out said section and inserting in place thereof the following: **73. Division of Dairy Service.** The commissioner shall with the approval of the governor, appoint some person who is qualified for the position of chief, division of dairy service. The chief shall give full time in the performance of the duties, as deputy for the commissioner, set forth in this subdivision and in any other matters pertaining to promoting the dairy interests of the state.

3. Takes Effect. This act shall take effect upon its passage.

[Approved April 15, 1947.]

CHAPTER 94.

AN ACT RELATIVE TO A REGISTER OF CHARITABLE TRUSTS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Charitable Trusts. Amend section 13-b of chapter 24 of the Revised Laws, as amended by chapter 181 of the Laws of 1943, by striking out said section and inserting in place thereof the following: **13-b. Definition.** The words "charitable trust" as used in this subdivision shall mean any fiduciary relationship with respect to property arising as a result of a manifestation of an intention to create it and subjecting the person by whom the property is held to equitable duties to deal with the property for charitable or community purposes. There are excluded from this definition and from the operation of this subdivision all charitable corporations holding property or funds for their corporate purposes and trusts created *inter vivos* until such time after the death of the settlor or donor as the charitable or community purpose expressed in such trust becomes vested in use or enjoyment.

2. Trustees' Reports. Amend section 13-i of said chapter 24, as amended by section 1 of chapter 92 of the Laws of 1945, by striking out after the word "purposes" in the fourth and fifth lines the words, excepting fiduciaries not required to file accounts in any court, so that said section as amended shall read as follows: **13-i. Reports by Trustees of Charitable Trusts.** Any fiduciary holding property subject to equitable duties to deal with such property for charitable or community purposes shall annually, on or before July first, unless otherwise directed by the attorney general, make to him a written report for the last preceding fiscal year of such trust showing the property so held and administered, the receipts and expenditures in connection therewith, the names and addresses of the beneficiaries thereof and such other information as he may require; provided, that if such fiduciary is required by law or court order to file annually with the probate court an account or report containing the information herein required, the attorney general shall accept a copy thereof in lieu of the report herein required. Failure for two successive years to file such a report shall constitute a breach

of trust and the attorney general shall take such action as may be appropriate to compel compliance herewith.

3. **Probate Notice to Attorney General.** Amend section 13-j of said chapter 24 by striking out the word "public" where it occurs and inserting in place thereof the word, charitable, and by adding at the end thereof the following: Upon the offering for probate in solemn form of any document purporting to be a will or testament containing clauses creating a charitable trust as defined herein, and upon presentation of any petition or other matter concerning a charitable trust and in all proceedings related thereto, the register of probate shall seasonably notify the attorney general of the pendency thereof in advance of hearing thereon. As soon as possible after the probate in common form of any will containing clauses creating a charitable trust, the register of probate shall notify the attorney general thereof. No charitable trust shall be terminated by decree of the probate court until the attorney general has been given an opportunity to be heard, if he so desires, so that said section as amended shall read as follows: **13-j. Information from Register of Probate.** Each register of probate shall furnish such copies of papers and such information as to the records and files in his office relating to charitable trusts as the attorney general may require. Such register shall also permit an examination of the files and records in the probate office by representatives of the attorney general for the purpose of establishing and maintaining said register of charitable trusts. A refusal or neglect by the register of probate so to send such copies or refuse such information or to refuse access to the probate records relating to charitable trusts shall be a breach of his official bond. Upon the offering for probate in solemn form of any document purporting to be a will or testament containing clauses creating a charitable trust as defined herein, and upon presentation of any petition or other matter concerning a charitable trust and in all proceedings related thereto, the register of probate shall seasonably notify the attorney general of the pendency thereof in advance of hearing thereon. As soon as possible after the probate in common form of any will containing clauses creating a charitable trust, the register of probate shall notify the attorney general thereof. No charitable trust shall be terminated by decree of the probate court until the attorney

general has been given an opportunity to be heard, if he so desires.

4. Change of Terms. The words "public trust" wherever used in sections 13-a, 13-c, 13-d and 13-e of chapter 24, Revised Laws, shall mean "charitable trust."

5. Takes Effect. This act shall take effect upon its passage.

[Approved April 16, 1947.]

CHAPTER 95.

AN ACT RELATIVE TO QUALIFICATIONS FOR JURY SERVICE.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Jurors. Amend section 1 of chapter 375 of the Revised Laws by striking out said section and inserting in place thereof the following: **1. Town Lists.** The selectmen of each town shall annually in December, make a list of such men and women as they judge best qualified to serve as jurors; and the list shall be kept by them and delivered to their successors in office, provided, however, that the name of a woman shall not be placed on said jury list unless she shall first have appeared before said selectmen and registered for jury service. The selectmen shall provide a suitable book for the permanent registration of all women registering with them for jury service, and such record shall permanently remain in their custody and in the custody of their successors in office.

2. Accommodations for Juries. Amend section 24 of chapter 395 of the Revised Laws by striking out said section and inserting in place thereof the following: **24. Rooms.** The county commissioners shall furnish at least one room in each court house where jury trials are held with twelve substantial and comfortable seats, and convenient desks, for the use of jurors when deliberating. The court may, in its discretion and subject to such rules as it may prescribe, permit women jurors to use a designated rest room or lavatory situated in any part of the court house; and the temporary separation of women jurors from the remainder of the jury

for such purposes shall not work a mistrial in any civil or criminal case, provided that women jurors shall be accompanied by a sheriff or his deputy in case of necessity to use such room or lavatory after a case has been finally committed to the jury for deliberation thereon.

3. Mistrial. Amend section 25 of chapter 395 of the Revised Laws by adding at the end thereof the following: No separation for sleep or rest of men and women serving upon any jury shall work a mistrial in any civil or criminal case, if such jury is at all times in charge of a sheriff, so that said section as amended shall read as follows: **25. Lodging.** Jurors shall not be required to continue their deliberations without sleep and rest later than twelve o'clock in the evening. At that hour, or earlier, under such safeguards and conditions as the court may direct, they shall be afforded suitable opportunity for sleep and rest, at the expense of the county, for at least eight hours before again taking up their deliberations. No separation for sleep or rest of men and women serving upon any jury shall work a mistrial in any civil or criminal case, if such jury is at all times in charge of a sheriff.

4. Burden Repealed. Amend chapter 375 of the Revised Laws by striking out section 28.

5. Takes Effect. This act shall take effect as of July 1, 1947.

[Approved April 21, 1947.]

CHAPTER 96.

AN ACT RELATING TO THE NEW HAMPSHIRE WAR RECORDS COMMITTEE.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. War Records Committee. The New Hampshire War Records Committee, an existing agency of twenty members established by executive order, is authorized to prepare and have published in pamphlet form an historical report of the activities of New Hampshire in World War II. The method of distribution of such report shall be determined by the governor and council on recommendation by the committee.

2. Appropriation. The sum of five thousand dollars is hereby appropriated for the purpose of carrying out the provisions of this act, and the governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

3. Takes Effect. This act shall take effect upon its passage.

[Approved April 23, 1947.]

CHAPTER 97.

AN ACT RELATING TO THE BEARCAMP RIVER IN THE TOWN OF
TAMWORTH.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Pollution by Deposit of Mill Waste. The Bearcamp river in the town of Tamworth shall hereafter be subject to the provisions of sections 30 to 35, inclusive, of chapter 166 of the Revised Laws.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 23, 1947.]

CHAPTER 98.

AN ACT TO PREVENT UNFAIR COMPETITION BETWEEN UTILITIES.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Public Utilities. Amend chapter 289 of the Revised Laws by inserting after section 21 the following new section:

21-a. Restrictions. No public utility shall construct an electric service line to serve any consumer where the property to be served is within one thousand feet of existing central service station, electric line or lines of another public utility, without first having obtained the permission and approval of the commission. Cooperative marketing associations, as defined in chapter 273 of the Revised Laws, shall, for the pur-

poses of the first sentence of this section be regarded as public utilities and subject to the jurisdiction of the commission. Provided, however, that such permission and approval need not be obtained for a public utility to extend or build a central service station line to serve a consumer within the area in which it is authorized to do business if no line of a cooperative marketing association is within one thousand feet of such consumer.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 23, 1947.]

CHAPTER 99.

AN ACT RELATIVE TO TIME FOR PUBLICATION OF TOWN REPORTS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Town Reports. Amend section 18 of chapter 59 of the Revised Laws by striking out said section and inserting in place thereof the following: **18. Publication.** The selectmen shall cause their report, and those of other town officers required by law to make reports, to be published in pamphlet form at the expense of the town and make the same available to the voters of said town at least seven days prior to the date of the annual meeting.

2. Takes Effect. This act shall take effect December 31, 1947.

[Approved April 23, 1947.]

CHAPTER 100.

AN ACT ESTABLISHING A COMMISSION ON UNIFORM STATE LAWS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Commission on Uniform State Laws. Amend the Revised Laws by inserting after chapter 7 the following new chapter:

Chapter 7-A

Commission on Uniform State Laws

1. Commission Created. The governor, with the advice and consent of the council, shall appoint two members of the New Hampshire bar and one layman as members of the Commission on Uniform State Laws. The first appointments shall be one for a term of two years, one for four years and one for six years and thereafter one shall be appointed biennially for a term of six years.

2. Duties. It shall be the duty of said commissioners to promote uniformity in state laws on all subjects where uniformity is desirable and practicable, and to meet and act with other similar commissions appointed from other states for the above purpose, to be represented at each annual conference of the national commissioners, and to file with the secretary of state not later than December first last preceding each legislative session, for the use of the governor and the general court, a report of the progress of uniform legislation both within and without the state to the end that uniform legislation, where desirable and practicable be adopted in this state.

3. Compensation. Said commissioners shall serve without compensation but shall be reimbursed for expenses incurred while engaged in their official duties, in attending the national conference and in making the biennial report.

4. Appropriations. For the purpose of promoting and continuing to hold national conferences the sum of one hundred and fifty dollars shall be appropriated, annually, and paid over to the National Conference of Commissioners on Uniform State Laws, and an additional sum of two hundred and fifty dollars shall be likewise appropriated annually, to defray the expenses as provided in section 3.

2. Commission Abolished. Upon the passage of this act the commission for the promotion of uniformity of legislation in the United States, appointed by the governor, shall be abolished and the term of office of said commissioners shall expire. Any records of papers of said commissioners shall be forthwith turned over to the commission established by this act.

3. Takes Effect. This act shall take effect as of July 1, 1947.

[Approved April 23, 1947.]

CHAPTER 101.

AN ACT RELATIVE TO TAKING WILD DEER IN THE TOWN OF
PEMBROKE.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. **Wild Deer; Taking.** Amend section 4 of chapter 242 of the Revised Laws, as amended by section 1, chapter 135, Laws of 1943, by section 1, chapter 31, Laws of 1945, chapter 69, Laws of 1945, and chapters 32 and 46, Laws of 1947, by inserting after the word "Pembroke" in the twelfth line the words, except that part of the town which lies west of the so-called Fourth Range road, so that said section as amended shall read as follows: 4. **Shotguns.** Wild deer shall not be taken by the use of any firearm other than a shotgun loaded with a single ball or loose buckshot within the counties of Hillsborough, Merrimack, Belknap or Rockingham, with the following exceptions; the towns of Windsor, Hillsborough, Bennington, Deering, Francestown, Weare, Antrim, Hancock, Greenfield, New Boston, Lyndeborough, Temple, Sharon, New Ipswich, Greenville, Mason, Wilton, Mont Vernon, and Peterborough in the county of Hillsborough; the towns of Andover, Chichester, Wilmot, Danbury, Canterbury, Hill, New London, Sutton, Bradford, Warner, Salisbury, Newbury, Webster, Allenstown, Pembroke, except that part of the town which lies west of the so-called Fourth Range road; Loudon, Pittsfield, Epsom, Boscawen, Hopkinton, Dunbarton, Bow, Northfield, the eastern part of the town of Hooksett bounded on the northeast by Allenstown, east by Deerfield, southeast by Candia, and west by the old Portsmouth Railroad, and Henniker and the city of Franklin in the county of Merrimack; the towns of Sanbornton, Alton, Gilford, Gilmanton, Barnstead, Belmont, Tilton, Meredith, Center Harbor, and New Hampton in the county of Belknap, and the towns of Candia, Auburn, Deerfield, Northwood, Nottingham, Raymond and Epping in the county of Rockingham.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved April 23, 1947.]

CHAPTER 102.**AN ACT PROVIDING FOR THE EQUITABLE APPORTIONMENT IN
CERTAIN CASES OF ESTATE TAXES.**

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Estate Taxes. Amend section 1 of chapter 88-A of the Revised Laws, as inserted by chapter 175 of the Laws of 1943 by striking out said section and inserting in place thereof the following: **1. Apportionment of Taxes.** Whenever it appears upon any accounting, or in any appropriate action or proceeding, that an executor, administrator, trustee or other person acting in a fiduciary capacity, has paid or may be required to pay a tax levied or assessed under the provisions of chapter 88 of the Revised Laws, or of any act in amendment thereof or in addition thereto, or under the provisions of any estate tax law of the United States heretofore or hereafter enacted upon or with respect to any property except proceeds of life insurance which is neither a part of the gross estate, except for such tax purpose, nor subject to the terms of the will, if any, nor to the laws of the state which govern descent and distribution of intestate property, that portion of the entire tax which is attributable to such property included within the estate for purposes of taxation shall be collected from the property so included, or from the beneficiaries thereof in accord with their proportionate interests therein except in any case in which a testator otherwise directs or provides in his will; provided, that it shall accord with applicable estate tax laws of the United States where such laws specify with respect to an apportionment; and provided that allowance shall be made for any exemptions granted and deductions allowed by the act imposing the tax. In cases in which a life estate, or any temporary interest, and remainder are created in such property which is not a part of the estate, except for such tax purpose, the tax shall be charged against and be paid out of the corpus of such property without apportionment between temporary estates and remainders, unless the tax on such property is paid by the beneficiaries thereof.

2. Declaration of Purpose. It is hereby declared to be the purpose of this act to clarify the meaning of said chapter 88-A

and not for the purpose of changing the computation or collection of taxes thereunder.

3. Takes Effect. This act shall take effect upon its passage.

[Approved April 23, 1947.]

CHAPTER 103.

AN ACT RELATING TO TAX COLLECTOR'S DEEDS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Deed. Amend chapter 80 of the Revised Laws by adding after section 33 the following new section: **33-a. Incontestability.** A tax collector's deed shall be incontestable after three years from the date of record, in regard to defects of form or procedure in the tax assessment and the tax sale upon which such deed is based; provided however, that all towns, cities and other incorporated places shall be amenable to process in the superior court for the redress of any actual injury other than those purely technical or nominal in nature resulting from the foregoing provisions.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 23, 1947.]

CHAPTER 104.

AN ACT RELATIVE TO TRANSFERS OF MEMBERSHIP BETWEEN STATE RETIREMENT SYSTEMS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Definitions. The words "retirement system" as used in this act shall mean and include the following (1) state employees retirement system as established by chapter 27-A of the Revised Laws, as inserted [by] chapter 183, Laws of 1945, and as including chapter 201, Laws of 1945, which extended the system to employees of political subdivisions, (2) New

Hampshire teachers retirement system as established by chapter 136, Revised Laws, (3) the firemen's retirement system as established by chapter 220, Revised Laws, and (4) the policemen's retirement system as established by chapter 221, Revised Laws.

2. Transfer of Membership. Any person who is a member of any retirement system, as defined herein, may transfer his membership to any other retirement system upon accepting office or employment which makes it possible or mandatory for him to participate in such other retirement system and if such acceptance of office or employment would make it impossible for him to continue as a contributing member of the retirement system of which he has been a member.

3. Procedure for Transfer. Any such person desiring so to transfer his membership shall notify the administrative head of the retirement system of which he is a member, prior to or at the time of his withdrawal therefrom, of his intention to enter the other retirement system, and shall request a refund of the total amount of the accumulated contributions standing to his credit in the annuity savings fund, or other corresponding fund, of the system of which he is a member. Upon his entry into the other retirement system and the deposit of such accumulated contributions in the annuity savings fund or other corresponding fund thereof, within one year of the date of such refund, he shall receive service credit in the system to which he has transferred for all service rendered prior to such transfer for which he was entitled to credit in the system from which he has transferred, provided the amount of the contributions he has transferred is equal to the accumulated value of the contributions which he would have made had he been a member of the system to which he has transferred had he originally become a member of such system. If such contributions transferred are less than such accumulated value, he may make up the difference, or he may make no payment but with a reduction of equivalent value in his retirement allowance. If such transferred contributions are greater than such accumulated value, the amount of the excess shall be returned to him.

4. Benefits. Upon becoming a member of the retirement system to which he has transferred, such person shall thereafter be eligible for such benefits or annuities as is provided by law in such retirement system, including the credits for

previous service in the retirement system from which he has transferred as provided in section 3 hereof, provided, however, that if he retires on a retirement allowance in the system to which he transferred within five years after said transfer, the benefits or annuities payable with respect to the service credit in the system from which the transfer was made shall not be greater than those which would have been payable with respect to such service had he remained in such system.

5. Rules and Regulations. The trustees of the state employees retirement system, the teachers' retirement board, the firemen's retirement board and the police retirement board are severally authorized to make such rules and regulations as may be necessary to carry the provisions of this act into effect.

6. Prior Transfers. Any person who is a member of any retirement system, as defined herein, at the date of the passage of this act and who prior to said effective date and subsequent to July 1, 1945, had transferred from any other retirement system, without intervening employment elsewhere, shall be entitled to the benefits herein provided if application is made therefor within thirty days after the passage of this act and if he elects to make any contributions necessary to effectuate such transfer.

7. Application of Statutes. Such provisions of said chapter 27-A of the Revised Laws, chapter 201, Laws of 1945, chapter 136 of the Revised Laws, chapter 220 of the Revised Laws and chapter 221 of the Revised Laws, as are inconsistent with the provisions hereof are hereby repealed to the extent of such inconsistency.

8. Separability Clause. If any provisions of this act, or the application thereof to any person or circumstance, is held invalid, such invalidity shall not affect other provisions or applications of this act, nor provisions or applications of the statutes mentioned in section 6, to which this act is in addition, which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

9. Takes Effect. This act shall take effect upon its passage.

[Approved April 25, 1947.]

CHAPTER 105.

AN ACT RELATING TO THE LIEN FOR A POLL TAX.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Registration of Motor Vehicle. Amend section 3, chapter 116 of the Revised Laws by striking out the whole of said section and inserting in place thereof the following: **3. Payment of Poll Tax Required.** Every applicant for a permit to register a motor vehicle shall furnish to the issuing officer a tax collector's receipt for the payment of any poll tax for which he is liable for the preceding year, or make oath that he has paid said taxes or has been relieved from such payment because of exemption or abatement; provided, however, that a permit may be issued if the selectmen or assessors certify that in their opinion the applicant should be granted such permit even though he has not paid said taxes.

2. Takes Effect. This act shall take effect December 31, 1947.

[Approved April 30, 1947.]

CHAPTER 106.

AN ACT RELATING TO DUTIES OF SUPERVISORS OF THE CHECK-LIST.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Reports, Voting Elsewhere. Amend chapter 31 of the Revised Laws by inserting after section 11 the following new section: **12. Reports from Supervisors.** If at any session for correction, the supervisors of the check-list add thereto the name of any person who is transferring his voting residence from another town or ward within this state and who has not secured a transfer card as provided in section 8 of this chapter, they shall by postcard or other suitable means forthwith notify the supervisors of said other town or ward of the name of said person and the fact of his transfer of voting residence. The supervisors receiving such notification shall forthwith remove from the check-list the name of said person.

The words supervisors of the check-list shall be construed to include officers under special laws performing like duties.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 30, 1947.]

CHAPTER 107.

AN ACT RELATING TO REGISTRATION OF AND LICENSE TO DRIVE MOTOR VEHICLES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Municipal Permits. Amend chapter 116 of the Revised Laws by adding a new section as follows: **20-a.** No fee shall be charged for permit to register a motor vehicle owned by a veteran of World Wars I or II who, because of being an amputee, has received said motor vehicle from the United States government.

2. Amputee. Amend section 1 of chapter 118 of the Revised Laws by inserting at the end thereof a new paragraph as follows: XIII. No fee shall be charged for registering a motor vehicle owned by a veteran of World Wars I or II who, because of being an amputee, has received said motor vehicle from the United States government.

3. Operator's License. Amend section 9 of chapter 118 of the Revised Laws by inserting at the end thereof a new paragraph as follows: V. No fee shall be charged for an operator's license issued to a veteran of World Wars I or II who, because of being an amputee, has received a motor vehicle from the United States government.

4. Takes Effect. This act shall take effect upon its passage.

[Approved April 30, 1947.]

CHAPTER 108.

AN ACT REPEALING PROVISIONS RELATIVE TO TEMPORARY
DISQUALIFICATION OF SUPERVISORS OF THE CHECK-LIST.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Repeal. Section 4-a, chapter 32 of the Revised Laws, as inserted by chapter 53, Laws of 1943, and section 2 of chapter 53 of the Laws of 1943 as amended by chapter 190 of the Laws of 1945, relative to temporary disqualification of supervisors of the check-list in certain cases, is hereby repealed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 30, 1947.]

CHAPTER 109.

AN ACT RELATIVE TO MILITARY LEAVE FOR STATE EMPLOYEES.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. State Employees. Amend chapter 27 of the Revised Laws, by inserting after section 20 the following new section:
20-a. Military Leave. Any employee of the state of New Hampshire, who is a member of the military or naval forces of the state or nation in an active or reserve status, shall upon request be entitled to not more than fifteen calendar days leave of absence without pay in any one calendar year or one twelve months' period for the purpose of military drill, training or other duty under military or naval authority.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 30, 1947.]

CHAPTER 110.AN ACT RELATING TO DISQUALIFICATION OF THE JUSTICES OF THE
SUPREME COURT.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Supreme Court. Amend section 17, chapter 369, Revised Laws, by striking out said section and inserting in place thereof the following: **17. Disqualification.** The provisions as to the disqualification of justices of the superior court apply to justices of the supreme court. Whenever two or more justices of the supreme court shall be disqualified or otherwise unable to sit in any cause or matter pending before such court, the chief or senior associate justice of the superior court, upon notification by the chief or senior associate justice of the supreme court, shall assign two or more justices of the superior court to sit in place of the justices of the supreme court who are disqualified or unable to sit in the determination of such cause or matter. While thus sitting in the supreme court, such superior court justices shall have all the authority of a supreme court justice. No justice of the superior court shall be assigned to sit in the supreme court in the determination of any cause or matter upon which he has previously sat in the superior court.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 30, 1947.]

CHAPTER 111.AN ACT PROVIDING FOR THE AMENDMENT OF PROPERTY INVOICES
AND TAX LISTS IN CERTAIN CASES.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Taxation. Chapter 77, Revised Laws, is hereby amended by inserting after section 12 the following new section: **12-a. Amendment of Invoices and Tax Lists.** Invoices and tax lists already delivered to tax collectors shall be amended by selectmen or assessors to the extent of correcting

errors or perfecting the description of certain property therein listed, upon application made to them therefor by the tax collector prior to his posting notice of a tax sale in accordance with the provisions of section 19, chapter 80, Revised Laws, as amended by section 3, chapter 33, Laws of 1943; section 1, chapter 134, Laws of 1943; and by section 1, chapter 98, Laws of 1945. Notice of such amendment to the invoice thereupon shall be sent by the selectmen or assessors, in writing and by registered mail, to the last known address of the owner or of the persons taxed, before the list of delinquent taxes is publicly posted by the tax collector.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 30, 1947.]

CHAPTER 112.

AN ACT RELATING TO THE COUNTING OF BALLOTS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Elections. Amend section 79 of chapter 34 of the Revised Laws, as amended by chapter 75 of the Laws of 1943, by inserting after the words "election officers herein provided" in the fifth line the words, any such election officer may at any time during the counting inspect the ballots as they are being counted by the moderator, as that said section as amended shall read as follows: **79. Counting Ballots.** Immediately after the polls are closed the ballots shall be examined and the votes for the several candidates and on any questions submitted shall be counted by the moderator, in the presence of and with the assistance of the town clerk, the selectmen and the other election officers herein provided. Any such election officer may at any time during the counting inspect the ballots as they are being counted by the moderator. The counting shall be public, but within the guard-rail, and shall not be adjourned nor postponed until it shall have been completed, and the whole number of ballots cast for each person and on each question submitted to the voters shall have been announced publicly. While being counted no ballot shall

be placed within four feet of the guard-rail which forms the enclosure in which the counting is done; and during such time only the aforesaid officers shall be allowed within said enclosure.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 30, 1947.]

CHAPTER 113.

AN ACT RELATIVE TO PRIOR SERVICE CREDITS FOR STATE EMPLOYEES WHO WERE IN THE ARMED SERVICES OF THE UNITED STATES.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. State Employees Retirement System. Amend chapter 27-A of the Revised Laws as inserted by chapter 183 of the Laws of 1945, by inserting after paragraph II of section 4 the following new paragraph: III. Anything herein to the contrary notwithstanding any employee who terminated his employment prior to the date of establishment in order to enter directly into the armed forces of the United States, shall be entitled to prior service credit for his service rendered prior to the termination of his employment, as provided in paragraph II, and in addition thereto shall be entitled to service credit for the period of time when he was in the armed forces of the United States provided he elects to make all payments to the system which he would have been required to make had he been in the employ of the state from the date of establishment to the date when he elects to become a member of the system as provided in paragraph II, and further provided that there shall be paid to the system such sums as may be needed to provide the state's share as employer.

2. Appropriation. The sum of twenty-five thousand dollars (\$25,000) is hereby appropriated for the purpose of carrying out the provision of this act relative to providing the state's contribution, and the governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

3. Takes Effect. This act shall take effect upon its passage.

[Approved April 30, 1947.]

CHAPTER 114.

AN ACT RELATING TO ELECTIONS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Elections. Amend section 62, chapter 33, of the Revised Laws by striking out the entire section and inserting in lieu thereof the following: **62. Nomination Papers.** The nomination of a candidate may be made by petition, styled nomination papers. Such papers shall contain the name and residence of the candidate, the office for which he is nominated, the political party or principles he represents, and shall be signed by such persons only as are qualified to vote at the election of the candidates named in the petition. No voter shall sign more than one nomination paper for each officer to be voted for, and no nomination paper shall contain the names of more candidates than there are offices to be filled. Each voter shall sign an individual petition.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 30, 1947.]

CHAPTER 115.

AN ACT PROVIDING FOR THE PERAMBULATION OF THE MAINE AND NEW HAMPSHIRE BOUNDARY LINES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Perambulation. The boundary line between the state of New Hampshire and the state of Maine as marked on land, shall be perambulated and the line marked and bounds renewed. The governor with the advice and consent of the

council, shall appoint a surveyor from the highway department who shall, in conjunction with a duly authorized representative of the state of Maine, perambulate the boundary line from Bryant's Rock at East Pond to the Canadian line.

2. Notice. The governor with the advice and consent of the council shall authorize the highway commissioner to notify and make such arrangements with the proper authorities of the state of Maine as may be necessary to carry out the provisions of this act.

3. Return. A return of the perambulation shall be made, describing the marks and monuments of such line and particularly describing any change of location or resetting of any monument as authorized in this act, and such return shall be signed by the duly authorized representative of both states and a copy filed with the secretary of state.

4. Expense. A sum not to exceed twenty-five hundred dollars to cover all expenses incurred by representation of this state incidental to such perambulation shall be paid by the state including one-half of the cost of renewing markers or monuments, and the governor is hereby authorized to draw his warrant therefor out of any money in the treasury not otherwise appropriated.

5. Preservation of Existing Monuments. No person shall willfully or maliciously disturb or injure, or, except as herein provided, remove, obliterate, deface or cover up any monument or mark designating this boundary line of the state. Any persons desirous of removing and replacing any such monument or mark may apply in writing to the highway commissioner, who may grant permission therefor under his supervision, first making provision for preserving the exact location of the original boundary or mark, and also giving notice to the adjoining state of the time and place at which proposed action is to be taken. The monument shall be reset in the identical location from which it was removed, or at a convenient distance therefrom upon the boundary line. A full description of any change in such monument or mark, signed by the representative of both states, shall be recorded with the secretary of state.

6. Penalty. Any person violating the provisions of section 5 of this act, shall be fined not more than fifty dollars or imprisoned not more than six months, or both.

7. Takes Effect. This act shall take effect upon its passage, provided that no work shall be done or money expended until similar legislation has been enacted by the state of Maine.

[Approved April 30, 1947.]

CHAPTER 116.

AN ACT RELATING TO RACCOONS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Raccoons. Amend section 3 of chapter 244 of the Revised Laws by adding at the end thereof the words: No person shall take or attempt to take raccoons by use of a light from a motor vehicle, so that said section as amended shall read as follows: **3. Raccoons.** Raccoons may be taken and possessed with the aid of and by the use of a dog and gun from October first to December first. No person shall take more than three raccoons from twelve noon of one day to twelve noon of the following day, nor more than ten raccoons in one season. No person shall hunt raccoons at night by the use of a rifle, revolver, or pistol larger than twenty-two calibre long rifle or by the use of shotgun shells carrying shot larger than number four or by the use of a light other than a kerosene lantern exclusive of the pressure type or a flashlight with more than seven cells. No person shall take or attempt to take raccoons by use of a light from a motor vehicle.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 30, 1947.]

CHAPTER 117.*

AN ACT RELATING TO COMPENSATION OF JURORS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Jurors. Amend section 26 of chapter 375 of the Revised Laws by striking out in the third and fifth lines the word

* See chapter 200, *post*.

“four” and inserting in place thereof the word, five, so that said section as amended shall read as follows: **26. Compensation.** Grand and petit jurors shall be paid by the county for each day or part of a day which is spent in actual attendance at court, five dollars each; for travel to and from court each day, each mile six cents; for each day when attending court away from home, seventy-five cents for expenses; talesmen for each day’s attendance, five dollars each.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 30, 1947.]

CHAPTER 118.

AN ACT RELATIVE TO MOTOR VEHICLE FINANCIAL RESPONSIBILITY.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Financial Responsibility. Amend section 25 of chapter 122, Revised Laws, by inserting after the word “department” in the seventh line, the words, nor to city or town police officer, nor to state police employee, and by inserting after the word “fire” in the eighth line the words, or police, so that said section as amended shall read as follows: **25. Application of Chapter.** This chapter shall in no respect be considered as a repeal of the provisions of the motor vehicle laws but shall be construed as supplemental thereto. Its provisions shall not apply to a motor vehicle owned by, or under lease to, the federal government nor to a member of the national guard when engaged in military duty pursuant to orders from proper authority under existing state and federal laws, nor to a permanent, call, or volunteer fireman of a municipal fire department, nor to city or town police officer, nor to state police employee, while on official duty, operating a motor vehicle owned by the state or said fire or police department and shall not apply to said motor vehicle while so operated.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 30, 1947.]

CHAPTER 119.

AN ACT RELATIVE TO CREDIT UNIONS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Credit Union Committees. Amend section 29, chapter 315 of the Revised Laws, by striking out said section and inserting in place thereof the following: **29. Compensation.** No member of the board of directors or of either the credit or supervisory committee shall receive any compensation for his services as a member of said board or of such committee. The officers elected by the board of directors may receive such compensation as the board shall authorize, if approved by the commissioner. However, if at any time any credit union organized under the provisions of this chapter shall have enlarged its business to such extent that this section may create an impediment to its proper functioning, the commissioner, upon petition of the board of directors, may permit said board of directors to pay such credit committee such compensation as he shall consider proper.

[Approved April 30, 1947.]

CHAPTER 120.

AN ACT RELATING TO COASTING.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Use of Highways. Amend section 13 of chapter 440 of the Revised Laws by adding at the end thereof the following: Provided, however, that the board, council or commission of any city, authorized to establish street traffic regulations or the selectmen of any town, may designate one or more streets for coasting and may adopt rules regulating the use of said streets by vehicles, so that said section as amended shall read as follows: **13. Coasting.** No person shall coast or slide, upon a sled or other vehicle, upon or over a sidewalk, nor in a highway, in a village or thickly settled portion of a town or city, to the danger of travelers. Provided, however, that the board, council or commission of any city, authorized to estab-

lished street traffic regulations or the selectmen of any town, may designate one or more streets for coasting and may adopt rules regulating the use of said streets by vehicles.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 30, 1947.]

CHAPTER 121.

AN ACT TO ESTABLISH MONTHLY RETURN DAYS IN THE SUPERIOR COURT.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Superior Court, Return Days

1. Superior Court, Return Days. Amend section 2 of chapter 372 of the Revised Laws by striking out said section and by substituting therefor the following: **2. Return Days.** The first Tuesday of every month shall be a return day in every county for writs, processes, citations and notices to appear, in all actions, bills in equity, libels, petitions and other civil proceedings in the superior court, and for the entry of civil and criminal appeals. If such first Tuesday is a legal holiday, all such writs, processes, citations and notices may be returned and such appeals entered on the day following. All such writs, processes, citations and notices may be made returnable at the election of the party who takes out the same, subject to the requirements for service, at any any return day within three months from the date thereof. The superior court may, however, make such writs, processes, citations and notices returnable at other times, and may allow the late entry of any writ, process or appeal upon such terms and conditions as justice may require.

2. Writs, Service of. Amend section 1 of chapter 387 of the Revised Laws by striking out the words "sitting of the court to which" and by substituting therefor the words, return day to which, so that as amended said section shall read:
1. Time. All original writs and writs of mesne process shall be served fourteen days before the return day to which they are returnable.

3. Terms Continuous. Amend section 1 of chapter 373 of the Revised Laws by inserting the words, Terms Continuous, before the words "Absence of Justice," by inserting after said words the words: Each term shall commence on the day designated therefor and shall end on the day preceding the day designated for the commencement of the next term for the county, and by inserting after the words "is present" the words, on the first day of the term, so that as amended said section shall read: **1. Terms Continuous, Absence of Justice.** Each term shall commence on the day designated therefor and shall end on the day preceding the day designated for the commencement of the next term for the county. If no justice is present on the first day of the term, the sheriff, or, in his absence, the clerk may adjourn the court from day to day until one of the justices attends.

4. Adjournments, Not to Terminate Term. Amend section 2 of said chapter 373 by inserting the word, adjournments, before "Public Safety," by striking out the word "and" after the words "the next term," and by inserting in place thereof the words, and such adjournment shall excuse attendance during the adjournment of all persons required to attend, unless expressly notified to attend, but shall not otherwise suspend the term, so that as amended said section shall read: **2. Adjournments, Public Safety.** The court may adjourn from time to time at discretion, but not beyond the next term and such adjournment shall excuse attendance during the adjournment of all persons required to attend, unless expressly notified to attend, but shall not otherwise suspend the term. If, by reason of war, pestilence or other public calamity, it is unsafe or inexpedient to hold the term at the place appointed therefor, it may be adjourned to any other place in the county.

Probate Courts, Appeals from Commissioners Reports

5. Notice of Appeal. Amend section 3 of chapter 357 of the Revised Laws by striking out said section and by substituting therefor the following: **3. Notice of Appeal.** Upon the filing of such a petition the judge shall order that notice of the appeal of the return day and of the court at which the appeal will be entered, be given to the administrator, together with a copy of the petition and declaration. The order shall provide that the appeal be entered at the next sub-

sequent return day consistent with the requirements for service.

6. Entry of Appeal, Return Day. Amend section 4 of said chapter 357 by striking out the words "at the term of the superior court holden next after the expiration of twelve days from such service" and by substituting therefor the words, in the superior court in accordance with the order of notice, so that as amended said section shall read: **4. Entry.** The creditor shall enter his action in the superior court in accordance with the order of notice, and shall produce attested copies of the petition, declaration, and order of notice, and evidence of compliance with the order.

7. Appeal by Administrator or Heir, Creditor's Duty. Amend section 9 of said chapter 357 of the Revised Laws by inserting after the words "and shall" the words, enter his action in the superior court at the next return day and, so that as amended said section shall read: **9. Creditor's Duty.** The creditor, being notified of the appeal against him, shall file his declaration in the probate court within thirty days thereafter, shall serve a copy thereof upon the administrator, and shall enter his action in the superior court at the next return day and prosecute his claim in like manner as if he had himself appealed.

Probate Court, Appeals From

8. Appeal, Taken How. Amend section 1 of chapter 365 of the Revised Laws by striking out the words "at the term next to be holden for the county," so that as amended said section shall read: **1. Who May Appeal.** Any person aggrieved by a decree, order, appointment, grant or denial of a judge, which may conclude his interest and which is not strictly interlocutory, may appeal therefrom to the superior court.

9. Notice of Appeal. Amend section 4 of said chapter 365 by inserting after the words "of the appeal" the words, of the return day, and by adding thereto the words, the order shall provide that the appeal be entered at the next subsequent return day consistent with the requirements for service, so that as amended said section shall read: **4. Notice.** Notice shall be immediately given of the appeal, of the return day and of the court at which it will be entered and prosecuted, by publication thereof, or by such personal notice as the judge of pro-

bate may order. The order shall provide that the appeal be entered at the next subsequent return day consistent with the requirements for service.

Municipal and Justice Courts, Appeals From

10. Justice Courts, Transfer of Case on Special Plea. Amend section 7 of chapter 376 of the Revised Laws by striking out the words "at the next term of the superior court" and by substituting therefor the words, in the superior court not later than the second return day after the filing of such plea, by, so that as amended said section shall read:

7. Transfer of Case on Special Plea. If such special plea is filed, and the plaintiff does not elect to be nonsuited, he may enter the action in the superior court not later than the second return day after the filing of such plea, by filing with the clerk attested copies of the writ, plea and other papers used before the justice, and may prosecute the action in that court, as if originally commenced therein.

11. Failure to Enter. Amend section 8 of said chapter 376 by striking out the words "at such term" and by substituting therefor the words, as above provided, so that as amended said section shall read: **8. Neglect to Enter Action.** If the plaintiff does not enter the action as above provided, costs, including those before the justice, may be allowed to the defendant, upon his complaint therefor, in the superior court.

12. Appeals from Justice Courts. Amend section 9 of chapter 376 of the Revised Laws by striking out the words "next term of," so that as amended said section shall read: **9. Civil Causes.** Either party may appeal from the judgment of a justice, in a civil cause, to the superior court.

13. Entry. Amend section 11 of said chapter 376 by inserting after the words "his appeal" the words, at the next return day, so that as amended said section shall read: **11. Entry.** The party appealing shall enter his appeal at the next return day, and file with the clerk of the court to which the appeal is taken attested copies of the record and of all papers in the cause before the justice.

14. Criminal Appeals. Amend section 2 of chapter 425 of the Revised Laws by striking out the words "within thirty days of the taking of said appeal" and by substituting therefor the words, at the next return day, so that as amended said

section shall read: **2. Appeals.** A person sentenced for an offense, by a municipal court or justice of the peace, may, at the time such sentence is declared, appeal therefrom to the superior court, and said appeal shall be entered by the appellant at the next return day unless for good cause shown the time is extended by the superior court. The fees for copies sent to the superior court shall be taxed in the bill of costs. In all criminal cases which are so appealed, or in which defendants are bound over, it shall be the duty of the clerk of the superior court to transmit to the justice of the municipal court, within ten days after such case is finally disposed of, a certificate showing the final disposition of such case.

Landlord and Tenant Actions

15. Procedure on Plea of Title. Amend section 17, chapter 413 of the Revised Laws by striking out the words "to enter and prosecute the action at the next term of the superior court for the county," and by substituting therefor the words, to enter his action in the superior court for the county at the next return day, and to prosecute his action in said court, so that as amended said section shall read: **17. Plea of Title, Recognizance.** If the defendant shall plead a plea which may bring in question the title to the demanded premises he shall forthwith recognize to the plaintiff, with sufficient sureties, in such sum as the justice or court shall order, to enter his action in the superior court for the county at the next return day, and to prosecute his action in said court, and to pay all rent then due or which shall become due pending the action, and the damages and costs which may be awarded against him.

16. Appeals Entered When. Amend section 21 of said chapter 413 by inserting after the words "appealed to" the words, at the next return day, so that as amended said section shall read: **21. Procedure.** The party appealing shall produce certified copies of the whole case at the court appealed to at the next return day, and either party may there offer evidence as if the cause had been originally begun therein.

17. Takes Effect. This act shall take effect September 1, 1947, but no writ, process, citation, notice or appeal had or begun prior thereto, shall be affected thereby.

[Approved April 30, 1947.]

CHAPTER 122.

AN ACT RELATING TO INSPECTION OF APIARIES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Apiaries. Amend section 36 of chapter 223 of the Revised Laws by striking out said section and inserting in place thereof the following: **36. Inspector.** The commissioner of agriculture shall appoint some person, qualified by experience and knowledge in beekeeping, an inspector of apiaries. Said inspector shall be responsible to the commissioner for the performance of his duties under this subdivision and may be removed at any time on neglect of the duties of his office. The commissioner may appoint from time to time additional duly qualified apiary inspectors as may be needed.

2. Inspection. Amend section 38 of chapter 223 of the Revised Laws by striking out said section and inserting in place thereof the following: **38. Right of Entry; Authority of Inspector.** The inspector shall have free access at all reasonable hours to all apiaries or other premises where bees, bee products, supplies or appliances used in apiaries are kept, and may make such examination of the bees, bee products, supplies or appliances as may be necessary to ascertain the existence of any contagious or infectious disease harmful to bees in the egg, larval, pupal or adult stage. If, by reason of such examination, the inspector is satisfied of the existence of any such disease or diseases, he shall order the owner to eradicate same within ten days after a date specified in writing by the inspector, or he may with the consent and cooperation of the owner proceed immediately to eradicate same by the methods prescribed by the commissioner of agriculture.

3. Hives. Amend chapter 223 of the Revised Laws by inserting after section 38 the following new section: **38-a. Moveable Frame Hives Required.** On and after July 1, 1948, it shall be unlawful for any person, firm or corporation to keep or maintain honey bees in any hives other than modern, moveable, frame hives which permit the thorough examination of every comb in order to detect the presence of bee diseases. All other types of boxes or receptacles for bees which are in use after July 1, 1948, are hereby declared to be a

public nuisance, and a menace to the community, and the commissioner or his authorized representative may seize and destroy same without remuneration to the owner; provided, also, that package bees which may, after the passage of this act, be housed temporarily in non-moveable frame containers shall within sixty days be transferred to suitable hives with moveable frames, or destroyed.

4. Violations. Amend section 39 of chapter 223 of the Revised Laws by striking out said section and inserting in place thereof the following: **39. Penalty.** Any person violating or failing to comply with any provisions of this subdivision shall be fined fifty dollars or imprisoned for not exceeding thirty days.

5. Freedom from Disease. Amend section 41 of chapter 223 of the Revised Laws by striking out said section and inserting in place thereof the following: **41. Certifying Imports.** No bees, or used bee supplies or equipment shall be shipped or moved into the state without a certificate signed by a legally authorized inspector that they are free from any infectious or contagious disease. Bees and queen in mailing cages shall be considered as a colony for the purposes of this subdivision.

6. Commissioner of Agriculture. Amend section 42 of chapter 223 of the Revised Laws by striking out said section and inserting in place thereof the following: **42. Regulations.** The commissioner of agriculture is hereby empowered to make and enforce such regulations as in his judgment may be necessary to control, eradicate or prevent the introduction, spread or dissemination of any and all bee diseases, and to enforce the provisions of this subdivision. In the control or eradication of dangerous bee diseases the commissioner of agriculture or his authorized representatives may destroy by burning or otherwise any infected bees, hives, honey or appliances that he may deem necessary for such control or eradication, without remuneration to the owner. Such infected bees, hives, honey and appliances shall be deemed a public nuisance.

7. Protection of Bees. Amend section 43 of chapter 223 of the Revised Laws by striking out said section and inserting in place thereof the following: **43. Spraying Trees, When Prohibited.** It shall be unlawful to use any poisonous

material in the form of spray or dust upon fruit trees, shade trees, or shrubs that are in blossom; provided, that such poisonous material may be used prior to the opening of the blossoms and after the petals have fallen from ninety per cent of the blossoms. And provided further, that the commissioner of agriculture may permit the use of specific materials for fruit blossom thinning sprays after consultation with the research staff of the New Hampshire agricultural experiment station. The commissioner of agriculture shall cause to be published annually in April in the Weekly Market Bulletin a list of approved blossom thinning materials.

8. **Takes Effect.** This act shall take effect upon its passage.

[Approved April 30, 1947.]

CHAPTER 123.

AN ACT RELATING TO CONSOLIDATION OF BANKS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. **Banks.** Amend section 2 of chapter 311 of Revised Laws of New Hampshire, 1942, by striking out the word "shall" in the last line thereof and inserting the word, may, in place thereof so that said section as amended shall read as follows: 2. **Notice; Reference.** When any such petition shall be filed the court, or justice, shall fix a time for a hearing thereon, and after due notice by publication to all parties interested, and such other notice as the court may order, and hearing, the court may refer said petition to the bank commissioner.

2. **Bank Commissioner.** Amend section 6 of said chapter 311 by striking out the same and inserting in place thereof the following: 6. **Report.** The commissioner shall forthwith make a report to the court of his findings and determinations, and of the expense of said hearings, and findings, which expenses shall be paid by the petitioners. Upon due notice to all parties of record the court shall thereupon enter a final decree.

3. **Court Finding.** Amend section 7 of said chapter 311

by striking out said section and inserting in place thereof the following: **7. Decree.** If the court shall find that the public convenience and advantage and the interests of said several parties will be promoted by the action sought by said petitioners, the court shall fix a date before which funds of depositors in the banks to be consolidated may be withdrawn on demand, order notice of such date and a summary of the plan of consolidation to be mailed at least thirty days before such date to each depositor of the several banks and to be published at least once each week for three successive weeks in some newspaper published in the county or counties in which the several banks are located, the first publication being at least thirty days before such date, and shall authorize the trustees or directors of the several banks to transfer, merge or consolidate their respective assets subject to their respective liabilities.

4. Depositors. Amend section 8 of said chapter 311 by striking out said section and inserting in place thereof the following: **8. Assent of.** Any depositor of the banks to be consolidated who, on or before the date fixed by the court, shall not withdraw the amount deposited to his credit, shall be deemed to have assented to the plan and shall be entitled to a deposit of a like amount without interruption of interest in the bank resulting from the consolidation.

5. Dissolution. Amend section 11 of said chapter 311 by striking out said section and inserting in place thereof the following: **11. Other Orders.** The court shall make all other and further orders and decrees in respect to the dissolution or winding up of the respective institutions that may be necessary for the protection of all parties interested.

6. Authority. Amend section 12 of said chapter 311 by striking out said section and inserting in place thereof the following: **12. Petition to Commissioner.** Banking institutions which may be united under the preceding subdivision may apply by petition to the bank commissioner for authority to contract for union under the terms and conditions therein set forth, provided the owners of two-thirds of the capital stock, if any, of the respective institutions, otherwise two-thirds of the members of the respective corporations, shall have so voted.

7. Commissioner. Amend section 13 of said chapter 311 by striking out said section and inserting in place thereof the

following: **13. Authority to Contract for Union.** Upon receipt of such petition the commissioner, after such notice as he deems sufficient, shall hear the petitioners, and if after such investigation as he deems necessary, he finds that the public convenience and advantage and the interest of said institutions, their members, stockholders, and depositors, will be promoted by the proposed union, and that it can be made without reducing the amount standing to the credit of any depositor as of the effective date of the union, and without the apparent necessity of then imposing some restriction on the withdrawal of funds by depositors, he may authorize the proposed union by contract under such terms and conditions, including notice to the depositors as provided in section 15, as he shall certify to the petitioners. The petitioners shall pay all expenses incurred by the commissioner and his assistants in connection with the consolidation.

8. Required Votes. Amend section 14 of said chapter 311 by striking out said section and inserting in place thereof the following: **14. Contract for Union.** Upon receipt of such certificate the petitioners, by vote of the owners of two-thirds of the capital stock, if any, of the respective institutions, otherwise two-thirds of the members of the respective corporations, may contract for union in accordance therewith, specifying an effective date of union; and when the commissioner shall have certified on such contract his approval thereof and shall have given notice to depositors as required in section 15, the trustees or directors of the contracting institutions shall, upon the effective date of union, have authority to transfer, merge or consolidate their respective assets subject to their respective liabilities. One copy of the contract for union signed by the parties thereto shall be filed with the commissioner.

9. Contracting Institutions. Amend section 15 of said chapter 311 by striking out said section and inserting in place thereof the following: **15. Notice to Depositors.** The commissioner shall give notice of union by contract to all depositors of the contracting institutions. Said notice shall include the names and business addresses of the contracting institutions, a summary of the plan of consolidation, the effective date of union, and the fact that the amount due each depositor of the respective institutions may be withdrawn on

or before the effective date of union upon demand. Said notice shall be sufficient if mailed at least thirty days before the effective date of union to each depositor of the contracting banks to the address as it appears in the records of the institutions and the commissioner's certificate that he has sent such notice shall be conclusive evidence thereof.

10. Effect on Deposits. Amend section 17 of said chapter 311 by striking out said section and inserting in place thereof the following: **17. Assent of Depositors.** Any depositor of the banks to be consolidated who, on or before the effective date of union, shall not withdraw the amount deposited to his credit, shall be deemed to have assented to the plan and shall be entitled to a deposit of a like amount without interruption of interest in the bank resulting from the consolidation.

11. Determination of Interests. Amend section 18 of said chapter 311 by striking out said section and inserting in place thereof the following: **18. Dissenting Stockholders.** Any stockholder present in person or by proxy at a meeting called to consider a proposed merger or consolidation under the provisions of this chapter and voting against such merger or consolidation, who shall within thirty days after any such vote to merge or consolidate make a demand in writing upon the corporation for payment to him for his stock at its fair value, shall be entitled to the benefits and subject to the provisions of sections 76 to 79 inclusive of chapter 274.

12. Effective Date. Amend section 19 of said chapter 311 by striking out said section and inserting in place thereof the following: **19. Name and Charter Powers.** The bank resulting from a consolidation under the provisions of this chapter may adopt the charter of either of the consolidating banks with such change of name as may be desirable. Any proposal for such adoption of charter and change of name shall be set forth in the petition filed under sections 1 or 12 hereof and shall become effective upon approval thereof by the bank commissioner and the attorney general or assistant attorney general, and filing in the office of the secretary of state together with the payment of a fee of five dollars.

13. Contracting Corporations. Amend section 20 of said chapter 311 by striking out said section and inserting in place thereof the following: **20. Subrogation on Dissolution.** Any decree or legislative act of dissolution of any contracting corporation shall be construed to subrogate the commissioner

to its rights against any other contracting institution to the extent that the contract for union shall be enforceable after such dissolution as well as before.

14. Repeal. Sections 4, 5, 9, 10 and 16 of said chapter 311, relative to appraisal of assets, unclaimed deposits and depositors' right of action, are hereby repealed.

15. Takes Effect. This act shall take effect upon its passage.

[Approved April 30, 1947.]

CHAPTER 124.

AN ACT RELATIVE TO PAYMENT OF SMALL RETIREMENT ALLOWANCES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. State Employees Retirement System. Amend paragraph XVIII, section 1 of chapter 27-A of the Revised Laws, as inserted by chapter 183, Laws of 1945, by striking out said paragraph and inserting in place thereof the following: XVIII. "Retirement allowance" shall mean the sum of the employee annuity and the state annuity. In lieu of a retirement allowance of less than ten dollars per month, the board of trustees may make a lump sum payment equivalent to such retirement allowance in actuarial value.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 30, 1947.]

CHAPTER 125.

AN ACT RELATING TO CONVEYANCES FREE OF THE DOWER, CURTESY AND HOMESTEAD RIGHTS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Conveyance. Amend chapter 340, Revised Laws, by inserting after section 7 the following new sections: **7-a. Con-**

veyance Barring Dower, Curtesy and Homestead Rights. A married man or woman who is justifiably living apart from his or her spouse because such spouse has been guilty of conduct which constitutes cause for divorce, and who wishes to convey real estate, may apply by petition to the judge of probate for the county in which the real estate lies for a license to convey the same in such manner as to bar all rights of dower, curtesy or homestead therein to which such guilty spouse may then or thereafter be entitled.

7-b. Procedure, Etc. Upon the filing of the petition, a citation to the other party to the marriage shall issue and service thereof shall be made as provided in chapter 349. If, after hearing, the judge is satisfied that the necessary cause for divorce is in existence and that no injustice will result, he may grant the license. A conveyance made under the license shall be a complete bar to all rights of dower, curtesy or homestead to which such guilty party may then or thereafter be entitled in the premises so conveyed.

2. Takes Effect. This act shall take effect upon its passage, but nothing herein contained shall affect the validity or invalidity of any conveyances made prior to the effective date hereof.

[Approved May 1, 1947.]

CHAPTER 126.

AN ACT RELATIVE TO MODIFICATIONS OF THE STATE EMPLOYEE CLASSIFICATION PLAN.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Classification Plan. Amend section 4 of chapter 145 of the Laws of 1943, as amended by section 2, chapter 207, Laws of 1945, by striking out said section and inserting in place thereof the following: **4. Modifications.** The board shall have the authority to modify and revise the plan for the classification of salaries and positions from time to time as new functions or divisions of government are added or eliminated or as changes in conditions and circumstances in state service may justify. Such modifications or revisions shall be-

come effective after approval thereof by the governor and council. All employees of new departments of the state government or new divisions of any department, created after July 1, 1943, shall come within the provisions of this classification plan except as otherwise provided under (c), (d) and (e) of section 1 of chapter 145, Laws of 1943.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 1, 1947.]

CHAPTER 127.

AN ACT RELATING TO BRIBERY OF PARTICIPANTS IN PROFESSIONAL OR AMATEUR GAMES, SPORTS, CONTESTS AND HORSE RACING.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Professional or Amateur Sports, Contests or Horse Racing. Amend chapter 447 of the Revised Laws by adding after section 18 the following new subdivision:

Bribery

18-a. Bribery. Whoever gives, promises or offers to any professional or amateur baseball, football, hockey, polo, tennis or basketball player or boxer or any player who participates or expects to participate in any professional or amateur game or sport or any jockey, driver, groom or any person participating or expecting to participate in any horse race, including owners of race tracks and their employees, stewards, trainers, judges, starters or special policemen, or to any manager, coach or trainer of any team or participant or prospective participant in any such game, contest or sport, any valuable thing with intent to influence him to lose or try to lose or cause to be lost or to limit his or his team's margin of victory in a baseball, football, hockey or basketball game, boxing, tennis or polo match or a horse race or any professional or amateur sport, or game, in which such player or participant or jockey or driver, is taking part or expects to take part, or has any duty or connection therewith, or who, being a professional or amateur baseball, football, hockey, basketball, tennis or polo

player, boxer, or jockey, driver, or groom or participant or prospective participant in any sport or game or a manager, coach or trainer of any team or individual participant or prospective participant in any such game, contest or sport, solicits or accepts any valuable thing to influence him to lose or try to lose or cause to be lost or to limit his or his team's margin of victory in a baseball, football, hockey or basketball game or boxing, tennis or polo match, or horse race or any game or sport in which he is taking part, or expects to take part, or has any duty or connection therewith, shall be fined not more than ten thousand dollars or imprisoned for not more than five years nor less than two years.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved May 7, 1947.]

CHAPTER 128.

AN ACT RELATING TO INSTITUTIONAL GUARDIANS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. **Appointment.** Amend section 6 of chapter 342 of the Revised Laws by adding after the words "public welfare" the words, New Hampshire Children's Aid Society, New Hampshire Catholic Charities, Inc., so that said section shall read as follows: **6. Petitioners; Appointment.** The probate court in the county in which any minor is residing may, after reasonable notice to the parents, appoint a guardian for such minor, who shall have during the minority of his ward the full custody and control of said ward and his estate and earnings, upon petition of the mayor, overseer of the poor, or selectmen of the city or town in which the minor is residing, the county commissioners, the commissioner of public welfare, New Hampshire Children's Aid Society, New Hampshire Catholic Charities, Inc., or the New Hampshire Society for the Prevention of Cruelty to Children, such petition setting forth that the parents of said minor, or other person having his custody, are unfit to have the custody and control of said minor and of his estate and earnings, or that his parents are living apart and the circumstances are such that the interests of such minor require that a guardian be appointed.

2. Institution. Amend section 9 of chapter 342 of the Revised Laws, by striking out after the word "welfare" in the second line the word, or, and by inserting after the word "children" in the third line the words, the New Hampshire Children's Aid Society or the New Hampshire Catholic Charities, Inc., so that said section as amended shall read as follows: **9. Institutional Guardians.** Any home for orphans situated in and incorporated under the laws of this state, the commissioner of public welfare, the New Hampshire Society for the Prevention of Cruelty to Children, the New Hampshire Children's Aid Society, or the New Hampshire Catholic Charities, Inc. may be appointed guardian of any minor.

3. Takes Effect. This act shall take effect upon its passage.

[Approved May 7, 1947.]

CHAPTER 129.

AN ACT RELATIVE TO THE OPEN SEASON AND BAG LIMIT ON PHEASANTS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Taking Game Birds. Amend section 2 of chapter 243 of the Revised Laws, as amended by chapter 42, Laws of 1945, by inserting before the word "pheasants" in the first and third lines the word, male, and by striking out the words "of which not more than one shall be a hen pheasant" so that said section as amended shall read as follows: **2. Pheasants.** Male pheasants may be taken and possessed from October fifteenth to November sixteenth. No person shall take more than two male pheasants in any one day. No person shall take more than ten pheasants in any one calendar open season, or have in his possession at one time more than two days' bag limit of pheasants.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 7, 1947.]

CHAPTER 130.

AN ACT RELATING TO THE POWERS OF TOWNS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Town Appropriations. Amend paragraph X of section 4, chapter 51, Revised Laws, as amended by section 1, chapter 54, Laws of 1945, by inserting after the word "provide" in the fourth line the words, by gift, deed or otherwise, and by inserting at the end thereof the words, or any other veterans organization, and by striking out the word "or" in the seventh line so that said paragraph as amended shall read as follows: X. Memorials. To procure and establish a monument, memorial building or testimonial to the services of soldiers and sailors of each town; to celebrate their return and to provide by gift, deed or otherwise, or defray the expense of procuring, a suitable meeting place in the town for a post of the Grand Army of the Republic, United Spanish War Veterans, American Legion, the Disabled American Veterans, Veterans of Foreign Wars or any other veterans organization.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 7, 1947.]

CHAUTER 131.

AN ACT RELATIVE TO RETIREMENT BENEFITS FOR STATE EMPLOYEES AND EMPLOYEES OF POLITICAL SUBDIVISIONS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Accidental Disability Allowances. Amend paragraph IV of section 6 of chapter 27-A of the Revised Laws, as inserted by chapter 183, Laws of 1945, by striking out said paragraph and inserting in place thereof the following: IV. Upon accidental disability retirement the member shall receive a service retirement allowance if he has attained age sixty-five; otherwise he shall receive an accidental disability retirement allowance which shall consist of: (a) An em-

ployee annuity which shall be the actuarial equivalent of his accumulated contributions at the time of retirement; and (b) A state annuity which, together with his employee annuity, shall be equal to one-half of his average final compensation.

2. **Local Retirement Systems.** Amend section 17 of chapter 27-A of the Revised Laws, as inserted by chapter 183, Laws of 1945, by striking out said section and inserting in place thereof the following: **17. Limitation on Membership.** The retirement system and the provisions hereof shall not apply to any person benefited by or entitled to participate under any other provision of law which provides wholly or in part at the expense of the state or of any subdivision thereof, for retirement benefits for employees of the state, their widows, or other dependents.

3. **Political Subdivisions.** Amend paragraph I of section 4 of chapter 201, Laws of 1945, by striking out said paragraph and inserting in place thereof the following: I. Membership in the state employees' retirement system shall be optional for officers and employees of the employer who are in the service of the employer on the date when participation becomes effective, and any such officer or employee who elects to join the state employees' retirement system within one year thereafter shall be entitled to a prior service certificate covering such periods of previous service rendered to such employer, or its predecessor. Thereafter service for such employer on account of which contributions are made by the employer and member shall be considered also as creditable service.

4. **Municipal Employees.** Amend section 5 of chapter 201 of the Laws of 1945 by striking out said section and inserting in place thereof the following: **5. Benefits.** Employees who become members of the state employees' retirement system under this act and on behalf of whom contributions are paid as provided herein shall be entitled to benefits under the state employees' retirement system as though they were state employees, except that on or after five years from the date when participation becomes effective any such member in service who attains or has attained age seventy, except an elected official, shall be retired forthwith or on the first day of the next calendar month, unless an extension of service is granted by vote of the governing body. Such employees may also be entitled to additional service retirement allowances

as provided by (c) of paragraph II, section 5, chapter 27-A, Revised Laws, only upon the authority and at the discretion of the governing body of the county, city, town, school district or other political subdivision by vote legally adopted.

5. Application. Any person who was an employee of the state on July 1, 1945, or any employee of a political subdivision on the date of the establishment of the state retirement system for such subdivision, who was ineligible to join the system because of the then limitations on membership provided by section 17, chapter 27-A, Revised Laws, may, if application therefor is made within thirty days after the passage of this act, and if he is now eligible under the provisions of said section 17 as hereinbefore amended, become a member of the system as of the date of said application, with service credit prior to date of establishment but not for credit for the period between the date of establishment and the date of application unless he shall elect to make all payments to the system which would have been due had he been a member as of said date of establishment.

6. Takes Effect. This act shall take effect upon its passage.

[Approved May 7, 1947.]

CHAPTER 132.

AN ACT REGARDING THE CLOSING OF CERTAIN LAKES AND PONDS FOR FISHING.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Regulations by Fish and Game Director. Amend section 14 of chapter 240 of the Revised Laws by striking out in line 6 the word "thirty" and substituting therefor the word, sixty, so that said section as amended shall read as follows:

14. Areas Closed Temporarily to Hunting. Notwithstanding the other provisions of this chapter, the director shall have the power and authority to close to hunting any area in which it is in his opinion dangerous to human life to hunt thereon because of people working therein, and he shall have the power and authority to close any season for the taking of

fish in any area for not over sixty days in any calendar year when in his opinion such action shall be necessary for the protection or preservation of the fish in such area. Any rule, regulation or order of the director issued pursuant to this section shall take effect at such time as shall be stated therein and shall be given such publication as the director may in his discretion deem proper to fairly acquaint the residents of the locality affected thereby of the provisions thereof.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 7, 1947.]

CHAPTER 133.*

AN ACT TO AMEND THE TOBACCO TAX ACT, SO-CALLED.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Tobacco Tax. Amend section 1 of chapter 79 of the Revised Laws by striking out said section and inserting in place thereof the following: **1. Definitions.** Whenever used in this chapter the following words shall have the meanings set opposite them below:

I. "Commission," the state tax commission.

II. "Person," any individual, firm, fiduciary, partnership, corporation, trust, or association, however formed.

III. "Manufacturer," any person in this state engaged in the business of manufacturing tobacco products.

IV. "Licensed manufacturer," a manufacturer licensed hereunder.

V. "Wholesaler," any person in this state having an established regular place of business who shall purchase his tobacco products stock direct from a manufacturer and who shall sell not less than eighty-five per cent of his tobacco products stock to a sub-jobber, vending machine operator or retailer.

VI. "Licensed wholesaler," a wholesaler licensed hereunder.

VII. "Sub-jobber," any person in this state having an established regular place of business, other than a wholesaler,

* See chapter 238, *post*.

who shall sell at least seventy-five per cent of his tobacco products to vending machine operators and to retailers, provided any person owning and operating twenty or more retail stores in this state or any person who by nature of the national character of his business shall be a direct buyer from manufacturers of tobacco products but has less than twenty required stores in this state and who shall buy such tobacco products at wholesale in this state and sell them direct to the consumer in said stores shall be considered a sub-jobber as herein defined.

VIII. "Licensed sub-jobber," a sub-jobber licensed hereunder.

IX. "Vending machine operator," any person owning or operating twenty-five or more machines distributing tobacco products at retail.

X. "Licensed vending machine operator," a vending machine operator licensed hereunder.

XI. "Retailer," any person who sells tobacco products to consumers thereof.

XII. "Licensed retailer," a retailer licensed hereunder.

XIII. "Sale" or "sell," any transfer, whether by bargain, gift, exchange, barter or otherwise.

XIV. "Tobacco products," shall include perique, granulated, plug cut, crimp cut, ready rubbed and other smoking tobacco, snuff, snuff flour, cavendish, plug and twist tobacco, fine-cut and other chewing tobaccos, shorts, the refuse of fine-cut chewing, refuse scraps, clippings, cuttings and sweepings of tobacco and other kinds and forms of tobacco, prepared in such manner as to be suitable for chewing or smoking in a pipe or to be made into cigarettes or otherwise, or both for chewing and smoking, and substitutes therefor, and shall include cigarettes and cigars.

XV. "Usual selling price" means the normal retail selling price of tobacco products as determined by the tax commission. In determining the usual selling price the commission shall consider the generally established price of tobacco products at retail stores in this state for a period of at least two years before such determination, and the wholesaler's price, usual retailer's profit, and advertised prices both within and without this state. Advertised "cut-rate" prices and quantity discounts allowed by retailers shall be evidence that the "usual selling price" is higher than such "sale" or bargain prices.

2. Requirements. Amend section 2 of chapter 79 of Revised Laws by striking out said section and inserting in place thereof the following: **2. Licenses.** Each manufacturer, wholesaler, sub-jobber, vending machine operator and retailer shall secure a license from the commission before engaging in the business of selling tobacco products in this state or continuing to engage therein. Each wholesale, sub-job and retail outlet shall have a separate license and a separate application shall be made therefor regardless of the fact that one or more outlets may be owned or controlled by a single person. Each tobacco products vending machine to be operated in this state shall be licensed by the commission and appropriately identified as such in such manner as the commission may determine. The commission shall issue a license upon application stating such information necessary to identify the outlet and the character of business transacted, as the commission may require for the proper administration of this chapter. The fees for licenses shall be: Twenty-five dollars for a manufacturer's license; one hundred dollars for a wholesaler's license; fifty dollars for a sub-jobber's license; ten dollars for a vending machine operator's license; and one dollar for a retailer's license, for the purpose of helping to pay the cost of administering this chapter. Each license shall be prominently displayed on the premises described in it. Any person who shall sell, offer for sale or possess with intent to sell any tobacco products without such license as herein provided shall be fined not more than twenty-five dollars for the first offense and not less than twenty-five dollars and not more than two hundred dollars for each subsequent offense.

3. Expiration. Amend section 3 of chapter 79 of Revised Laws by striking out the same and inserting in place thereof the following: **3. Term of Validity of License.** Licenses issued hereunder shall expire on June thirtieth next succeeding the date of issuance, unless sooner revoked or unless the business in respect to which the license was issued should change ownership. Licenses may be renewed upon signed application as provided in section 2 and paying fee therein prescribed. No person shall cause a cigarette vending machine to be operated in this state unless such machine shall have been licensed by the commission as a retailer and appropriately identified as such in such manner as the commission shall determine.

4. **Revocation.** Amend section 4 of chapter 79 of Revised Laws by striking out the same and inserting in place thereof the following: 4. **Revocation of License.** The commission may revoke any license issued hereunder for failure of the holder thereof to comply with the provisions of sections 1 through 17 and lawful rules and regulations established thereunder.

5. **Exemptions.** Amend section 6 of chapter 79 of Revised Laws by striking out the same and inserting in place thereof the following: 6. **Stock-in-Trade Tax.** The average value for the year of the stock of tobacco products carried by a licensed manufacturer, wholesaler, sub-jobber, vending machine operator or retailer shall be deducted from his stock in trade in computing the tax imposed by section 16 of chapter 73, and to that extent he shall be exempted from the tax on stock in trade.

6. **Licensees.** Amend section 7 of chapter 79 of Revised Laws by striking out the same and inserting in place thereof the following: 7. **Stamps.** The tax commission shall secure stamps, of such design and denomination as it shall prescribe, suitable to be affixed to packages of tobacco products, as evidence of the payment of the tax imposed by this chapter. The commission shall sell such stamps to licensed manufacturers, wholesalers and sub-jobbers at a discount of five per cent of their face value to encourage manufacturers, wholesalers and sub-jobbers to affix such stamps and compensate them for so doing, and to licensed vending machine operators and retailers at their face value. The tax commission may in its discretion permit a licensed manufacturer, wholesaler, sub-jobber, vending machine operator or retailer to pay for such stamps within thirty days after the date of purchase, provided a bond satisfactory to the tax commission in an amount not less than the sale price of such stamps shall have been filed with the commission, conditioned upon the payment of such stamps. The tax commission shall keep accurate records of all stamps sold to each manufacturer, wholesaler, sub-jobber, vending machine operator and retailer and shall pay over all receipts from the sale of such stamps to the state treasurer daily.

7. **Authority of Commission.** Amend section 8 of chapter 79 of the Revised Laws by striking out the same and inserting

in place thereof the following: **8. Metering Machines.** The commission may authorize any licensee to use a metering machine in lieu of stamps in accordance with such rules and regulations prescribed by it as may be necessary to insure payment of all taxes properly due in accordance with this chapter. The commission shall not permit the use of any such machine until prepayment covering the cost of the tax less discount, if any, for which the meter is set, shall have been made or unless a bond satisfactory to the commission shall have been filed, conditioned upon the payment of said amount. Cash may be used as security in place of surety bond. Each machine shall be read and inspected at least once a month, and unless prepayment on account of said machine shall have been made the tax shall be determined at the time of each inspection, and after allowing for the discount, if any, as provided herein, it shall become at once due and payable.

8. Stamps. Amend section 9, chapter 79, Revised Laws, as amended by chapter 6, Laws of 1947, by striking out the same and inserting in place thereof the following: **9. Resale and Redemption.** No manufacturer, wholesaler, sub-jobber, vending machine operator or retailer shall sell or transfer any stamps issued under the provisions hereof. The commission shall redeem any unused, uncanceled stamps presented by any licensed manufacturer, wholesaler, sub-jobber, vending machine operator or retailer, at a price equal to the amount paid therefor by such licensee. In case such stamps are destroyed before affixing the commission shall refund the purchase price upon presentation of evidence of such destruction satisfactory to the commission, but no refund shall be made for stamps destroyed after affixing. The state treasurer shall provide, out of money collected hereunder, the funds necessary for redemption or refund.

9. Nonresidents. Amend section 10 of chapter 79 of the Revised Laws by striking out the same and inserting in place thereof the following: **10. Authorized to Affix Stamps.** If the commission shall find that the collection of the tax hereby imposed would be facilitated, it may in its discretion authorize any person resident or located outside this state and engaged in a business which would make such person if he carried it on in this state a manufacturer, wholesaler, sub-jobber, vending machine operator or retailer as defined herein,

to affix the stamps required by this chapter on behalf of the purchasers of such tobacco products. The commission may sell stamps to such person or the commission may authorize the use of a metering machine as provided herein. No stamps shall be sold or no such authorization shall issue, however, until such nonresident person shall have appointed the secretary of state his attorney for the service of process in this state in the same manner as provided in chapter 280. Service shall be made on the secretary of state as agent of such person in the same manner as is provided in said chapter. The commission may establish such rules and regulations and impose such conditions upon a grant of authorization to affix stamps to a nonresident as to it shall seem necessary to insure compliance with the provisions hereof, including the right to inspect the books of such nonresident and the posting of a bond conditioned upon the payment of all taxes hereby imposed.

10. Prohibition. Amend sections 11, 12, and 13 of chapter 79 of the Revised Laws by striking out the same and inserting in place thereof the following: **11. Affixing Stamps.** At any time before tobacco products are transferred out of the possession of a manufacturer, wholesaler, sub-jobber or vending machine operator he shall affix, at the location for which the license is issued, to each individual package of tobacco products sold or distributed by him stamps of the proper denomination in accordance with the rules and regulations established by the commission. Each retailer shall within twenty-four hours after coming into possession of any tobacco products not bearing proper stamps and before selling the same, affix thereto, at the location for which his license is issued, stamps of the proper denomination in accordance with the rules and regulations established by the commission. **12. Sale of Unstamped Tobacco Products Prohibited.** No manufacturer, wholesaler, sub-jobber or vending machine operator shall sell and no other person shall sell, offer for sale, display for sale, or possess with intent to sell any tobacco products not properly stamped hereunder, provided a licensed retailer may keep on hand at the location for which his license is issued unstamped tobacco products for a period not exceeding twenty-four hours. Any unstamped tobacco products in the possession of a retailer shall be presumed to be held by him for more than twenty-four hours unless proof

be shown to the contrary. Any person who shall violate any provision of this section shall be fined not more than one hundred dollars for the first offense, and for each subsequent offense shall be fined not less than two hundred dollars nor more than five hundred dollars, or imprisoned not more than one year, or be both fined and imprisoned.

11. Interpretation. Amend section 14 of chapter 79 of the Revised Laws by striking out the same and inserting in place thereof the following: **14. Sales Between Licensees.** No provision hereof shall prohibit the sale of unstamped tobacco products by one licensed manufacturer, wholesaler or sub-jobber to another licensed manufacturer, wholesaler or sub-jobber.

12. Penalties. Amend section 15 of chapter 79 of the Revised Laws by striking out the same and inserting in place thereof the following: **15. Forfeiture.** Any tobacco products found at any place in this state without stamps affixed thereto as required herein, unless they shall be in the possession of a licensed manufacturer, wholesaler, sub-jobber or vending machine operator or unless they shall be in the course of transit from without this state and consigned to a licensed manufacturer, wholesaler, sub-jobber or vending machine operator or a licensed retailer, or unless they shall have been received by a licensed retailer from without the state within twenty-four hours, shall be forfeited in the manner provided by chapter 432 of the Revised Laws.

13. Amendment. Amend section 17 of chapter 79 of the Revised Laws by striking out the same and inserting in place thereof the following: **17. Taxpayers to Keep Records.** Each manufacturer, wholesaler, sub-jobber, vending machine operator and retailer shall keep complete and accurate records of all tobacco products manufactured, produced, purchased and sold. Such records shall be of such kind and in such form as the tax commission may prescribe and shall be safely preserved for three years in such manner as to insure permanency and accessibility for inspection by the commission and its authorized agents. The commission and its authorized agents may examine the books, papers and records of any manufacturer, wholesaler, sub-jobber, vending machine operator or retailer in this state, for the purpose of determining whether the tax imposed by this chapter has been

fully paid, and may investigate and examine the stock of tobacco products in or upon any premises where such tobacco products are possessed, stored or sold, for the purpose of determining whether the provisions of this chapter are being obeyed.

14. Unfair Sales. Amend chapter 79 of the Revised Laws by inserting at the end thereof the following new section:

20. Jurisdiction. The director of the tobacco products division of the state tax commission shall have concurrent power to enforce and restrain violations of the provisions of Revised Laws, chapter 204, as they apply to the sale of tobacco products. For the purposes of said chapter 204, the purchases of tobacco products by vending machine operators and sub-jobbers shall be deemed purchases by a wholesaler.

15. Constitutionality. If any provision of this chapter, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of the provisions of the chapter, or the application of such provisions to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

16. Takes Effect. This act shall take effect July 1, 1947.
[Approved May 8, 1947.]

CHAPTER 134.

AN ACT RELATIVE TO INSURANCE BROKERS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Endorsement Not Required. Amend section 36 of chapter 325 of the Revised Laws by striking out the last sentence thereof so that said section as amended shall read as follows: **36. Applications.** The applicant for such a license shall file with the commissioner an application in writing and under oath upon a form to be provided by the commissioner. It shall be kept on file by the commissioner. Such application shall state the name, age, residence, and occupation of the applicant, his occupation for the five years next preceding the date of filing the application, and that the applicant intends to hold himself out, and carry on business in good faith, as an

insurance broker, and shall give such other information as the commissioner may require.

2. Acting Without License. Amend chapter 325 of the Revised Laws by inserting after section 37 the following new section: **37-a. Violation; Penalty.** No person shall act as a broker without first procuring a license from the insurance commissioner. Whoever violates any of the provisions of this subdivision shall be fined not more than five hundred dollars.

3. Credit for Fees. Amend section 38 of chapter 325 of the Revised Laws by striking out the words "a foreign" and inserting in place thereof the word an, so that said section as amended shall read as follows: **38. Fees.** No fee for the license aforesaid shall be required of any agent of an insurance company whose license fees as such agent amount to ten dollars; and in case his license fees as such agent are less than ten dollars, then he shall be required to pay such amount as with such fees shall amount to ten dollars.

4. Compensation Authorized. Amend chapter 325 of the Revised Laws by inserting after section 43 the following new section: **43-a. Commissions Permitted.** An insurance company or agent thereof may pay money, commission or brokerage, or give or allow anything of value, to a duly licensed broker, for or on account of the solicitation or negotiation of contracts for insurance which he is permitted to solicit or negotiate.

5. Takes Effect. This act shall take effect upon its passage.

[Approved May 8, 1947.]

CHAPTER 135.

AN ACT RELATING TO CONTINUATION OF BUSINESS OF DECEASED PERSONS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Administrator or Executor, Authority to Carry on Business. Amend chapter 352 of the Revised Laws by adding after section 29 the following new subdivision:

Continuation of Business of Decedent

30. Authorization to Continue Business. Upon a showing of advantage to the estate the probate court may authorize the executor, administrator or special administrator to continue any business of the decedent for the benefit of the estate, but if the decedent died testate and his estate is solvent the decree shall be subject to the provisions of the will. The decree may be entered with or without notice, except that if entered without notice it shall be a decree *nisi*, in which event an order of notice shall issue within five days after the decree, and the decree shall become absolute only after notice and hearing; but the conduct of any business pursuant to such a decree *nisi* shall not be invalidated by failure of the court to make such decree absolute. Any decree entered hereunder may be revoked or modified for cause shown at any time. The decree may provide (a) the extent of the liability of the estate, or any part thereof, or of the executor or administrator, for obligations incurred in the continuation of the business; (b) whether liabilities incurred in the conduct of the business are to be chargeable solely to the part of the estate set aside for use in the business or to the estate as a whole; and (c) such other conditions, restrictions, regulations and requirements as may be deemed for the benefit of the estate and of creditors thereof. The authority shall not be granted for more than one year from the date of the appointment of the executor or administrator, except that for cause shown the authority may be extended from time to time, but no single extension shall be for more than one year.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 8, 1947.]

CHAPTER 136.

AN ACT RELATIVE TO THE LEE HOOK ROAD IN THE TOWNS OF
LEE, DURHAM AND NEWMARKET

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Classification of Highway. The highway known as the Lee Hook road located in the towns of Lee, Durham and Newmarket shall hereinafter be included in the secondary state highway system.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 8, 1947.]

CHAPTER 137.

AN ACT RELATIVE TO THE GROTON ROAD ROUTE NO. 111A IN THE
CITY OF NASHUA

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Classification of Highway. The highway known as the Groton road route No. 111A located in the city of Nashua between the Hollis-Nashua town line and town and state marker shall hereinafter be included in the secondary state highway system.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 8, 1947.]

CHAPTER 138.

AN ACT RELATIVE TO THE MOTOR VEHICLE ROAD TOLL.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Motor Vehicle Road Toll Refunds. Amend sub-paragraph (a) of paragraph II of section 16 of chapter 120 of the Revised Laws as inserted by chapter 65 of the Laws of 1943,

by striking out the word "oath" in the second line and inserting in place thereof the words, penalties of perjury, so that said sub-paragraph as amended shall read as follows: (a) All applications for refunds must be made under penalties of perjury and must be filed with the commissioner within ninety days from the date of purchase or invoice of the motor fuel with respect to which refund is claimed. Upon cause shown, the commissioner may extend the time within which a claim may be filed.

2. Application. Amend section 5 of said chapter 120 by striking out the word "oath" in the seventh line and inserting in place thereof the words, penalties of perjury, so that said section as amended shall read as follows: **5. Application for License; Contents; Licensing of Distributors.** It shall be unlawful for any person to sell motor fuel upon which the road toll imposed herein and collected hereunder has not been paid, unless such person is the holder of an uncanceled license to engage in business as a distributor of motor fuels. To procure such license an application under penalties of perjury must be filed with the commissioner in such form as he may prescribe and the application must be accompanied by a bond, or the deposit of cash or government obligations, of the character stipulated in section 6 hereof. In the event that an application is filed by any person whose license has theretofore been canceled for cause, or that the commissioner is of the opinion that such application is not filed in good faith, then in either of said events, the commissioner, after a hearing of which the applicant shall have five days' notice in writing and the right to appear, may refuse to issue such license. The application and bond, or cash or government obligations, having been accepted and approved and all other conditions and requirements of this act fully complied with, the commissioner shall issue a license certificate valid only for the distributor in whose name issued. Such license shall be unassignable and shall remain in full force and effect until canceled. The commissioner shall furnish annually each licensed distributor a complete list of all licenses issued under this chapter, which list shall be supplemented monthly.

3. Report. Amend section 11 of said chapter 120 by striking out the word "oath" in the eighth line and inserting in place thereof the words, penalties of perjury, so that said

section as amended shall read as follows: **11. Reports from Carriers Transporting Motor Fuel.** Under regulations issued by the commissioner, every common or contract carrier transporting motor fuel, to points within the state, from points outside the state, and every person not registered as a distributor transporting motor fuel, by whatever manner to a point in the state from any point outside of the state, shall report, not later than the last day of the succeeding calendar month, under penalties of perjury to the commissioner on forms prescribed by said commissioner, all deliveries of motor fuel so made to points within the state. Such reports shall contain sufficient information to identify the quantities delivered, the consignor, consignee, and description of the mode of transportation and such additional information relative to such shipments as the commissioner may require.

4. Statements. Amend paragraph II of section 17 of said chapter 120 by striking out the word "oath" in the third line and inserting in place thereof the words, penalties of perjury, so that said paragraph as amended shall read as follows: II. No refunds or deductions shall be made under the provisions of this section unless a written statement under penalties of perjury setting forth the circumstances by reason of which such refund or deduction should be allowed shall be filed with the commissioner within three years from the date of payment of road tolls illegally or erroneously collected. Errors in making a return may be corrected on any subsequent return with proper explanation.

5. License Application. Amend paragraph III of section 19 of said chapter 120 by striking out the word "oath" in the second line and inserting in place thereof the words, penalties of perjury, so that said paragraph as amended shall read as follows: III. Every user shall procure a user's license upon application to the commissioner under penalties of perjury in such form as the commissioner may prescribe. It shall be unlawful for any person to operate a vehicle propelled by such fuel over the public highways unless he is the holder of such a license.

6. Reports. Amend paragraph IV of said section 19 by striking out the words "sworn to by the user" in the fourth and fifth lines and inserting in place thereof the words, under penalties of perjury, so that said paragraph as amended shall

read as follows: IV. For the purpose of determining the amount of the road toll herein imposed, each user shall not later than the fifteenth day of each calendar month file with the commissioner on forms prescribed by him monthly reports under penalties of perjury which shall show the total gallonage of fuels used within the state during the preceding calendar month, and at the same time such user shall pay the road toll based upon the total gallonage shown on such report.

7. Takes Effect. This act shall take effect upon its passage.

[Approved May 13, 1947.]

CHAPTER 139.

AN ACT RELATING TO THE FILING OF RETURNS IN THE TAXATION OF INCOMES.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Taxation of Incomes. Amend section 18 of chapter 78 of the Revised Laws by striking out the words, "selectmen and assessors are hereby authorized to administer the oath required on such returns" and inserting in place thereof the words, returns as required by this chapter shall be made under the penalties of perjury, so that said section as amended shall read as follows: **18. Returns.** Returns of taxable income shall be made to the tax commission in such form as they may prescribe on or before March fifteenth in every year, but the commission may extend such time for good cause. Returns as required by this chapter shall be made under the penalties of perjury.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 13, 1947.]

CHAPTER 140.

AN ACT RELATING TO NOTICE IN PROBATE PROCEEDINGS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Probate Proceedings. Amend chapter 349 of the Revised Laws by adding after section 6 the following new section: **6-a. Exceptions; Other Notice.** Notwithstanding any other provisions of this chapter, no publication or service of any petition, motion, pleading, or other proceeding, shall be required as to any party or person who has filed, or for whom there has been filed, in the probate registry, an appearance in writing, and notice shall be sufficient if a copy of such petition, motion, or other proceeding, together with notice of the time and place of hearing, shall be mailed to such party or person, or the attorney of record for such party or person, at the address specified in the appearance.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 13, 1947.]

CHAPTER 141.

AN ACT RELATIVE TO THE PROVISIONS OF POLICIES OF GROUP HEALTH AND ACCIDENT INSURANCE.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Group Accident and Health Insurance. Amend sub-paragraph (m) of paragraph I of section 26 of chapter 331 of the Revised Laws by adding after the word "insured" in the fourth line the words, except as provided in paragraph IV of this section, so that said sub-paragraph (m) as amended shall read as follows: (m) A provision that indemnity for loss of life of the insured is payable to the beneficiary if surviving the insured, and otherwise to the estate of the insured; and that all other indemnities of the policy are payable to the insured, except as provided in paragraph IV of this section; and that if a beneficiary is designated, the consent of the beneficiary shall not be requisite to change of beneficiary, or to

any other changes in the policy or certificate, except as may be specifically provided by the policy.

2. Payment of Indemnities. Amend section 26 of chapter 331 of the Revised Laws by striking out paragraph IV and inserting in place thereof the following: IV. Any such group or blanket policy may include benefits payable on account of hospital or medical or surgical aid for an employee or other member of the group insured by such policy, his or her spouse, child or children or other dependents, and may provide that any such benefits be paid by the insurer directly to the hospital, physician, surgeon, doctor, nurse or other person furnishing services covered by such provision of said policy.

3. Takes Effect. This act shall take effect upon its passage.

[Approved May 13, 1947.]

CHAPTER 142.

AN ACT PROVIDING FOR ADVANCE NOTICE OF COUNTY BUDGET ESTIMATES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Counties. Amend section 13 of chapter 44 of the Revised Laws by striking out said section and inserting in place thereof the following: **13. Commissioners' Statement.** The county commissioners shall deliver or mail to each member of the county convention and to the secretary of state prior to the last day of February of each biennial session of the legislature a statement of the condition of the county treasury on the preceding December thirty-first, accompanied by their itemized recommendations of the sums necessary to be raised for the county in each of the two years next ensuing, stating therein in detail the objects for which the money is required. In any county where appropriations are made annually such statements shall be furnished annually by the last day of February. No county convention shall vote appropriations for the ensuing budget period until fourteen days shall have elapsed from the mailing of such statements.

2. **Budget.** Amend said chapter 44 by inserting after section 13 the following new sections: **13-a. Form.** The form of the budget statement submitted by the county commissioners shall be as prescribed by the state tax commission. **13-b. Public Hearing.** Not later than seven days after the mailing of the commissioners' statement there shall be held within the county at such time and place as the chairman of the county convention may specify, a public hearing on the budget estimates as submitted by the commissioners. Notice of such public hearing shall be submitted by the clerk of the county convention, with a summary of the budget as submitted, for publication in a newspaper of general circulation in the county at least three days prior to the date of said hearing.

3. Amend section 7 of said chapter 44 by adding at the end thereof the following: The executive committee of the county shall have authority to review the expenditures of the county after adoption of the county budget. Such review may occur as often as voted by the executive committee, but no less than quarterly each year. The convention may require the county commissioners to report once each quarter to the convention or to the executive committee, the expenditures of the county as compared to the budget as voted, in such detail as determined by the convention, so that said section as amended shall read as follows: **7. Appropriations.** Appropriations by the county convention shall be itemized in detail and a record thereof shall be kept by the clerk of the convention. The executive committee of the county shall have authority to review the expenditures of the county after adoption of the county budget. Such review may occur as often as voted by the executive committee, but no less than quarterly each year. The convention may require the county commissioners to report once each quarter to the convention or to the executive committee, the expenditures of the county as compared to the budget as voted, in such detail as determined by the convention.

4. **Takes Effect.** This act shall take effect upon its passage.

[Approved May 13, 1947.]

CHAPTER 143.

AN ACT RELATIVE TO REGISTRATION OF HAIRDRESSING SHOPS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Hairdressing Shops. Amend chapter 157 of the Revised Laws by inserting after section 16 the following new section: **16-a. Registered Owner.** In addition to the registration of shops for hairdressing as provided in section 16, the board may issue a special license to an owner of a hairdressing shop who does not himself personally engage in hairdressing; provided said shop shall fulfill all requirements set forth in the rules and regulations of the board and further provided that said owner has paid the required fee for hairdresser shop and employs as manager of said shop a duly licensed hairdresser who has previously completed one year of actual employment in a shop, as provided in section 16. Nothing herein contained shall operate to authorize such owner to practice hairdressing unless he shall have a hairdressers' license so to do.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 13, 1947.]

CHAPTER 144.

AN ACT RELATING TO THE STATE TEACHERS' RETIREMENT SYSTEM.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Application of Law. Amend section 4 of chapter 136 of the Revised Laws by striking out said section and inserting in place thereof the following: **4. Teachers' Retirement Association.** All teachers who are members of the retirement system on June 30, 1947, and all teachers who were in service of the public schools of the state prior to that date, who make application for membership to the teachers' retirement board and agree to abide by such rules and regulations as it may prescribe, and all teachers who shall thereafter enter the

service of the public schools of the state, except as herein-after provided in section 12, are hereby constituted the New Hampshire Teachers' Retirement Association.

2. **Contributions.** Amend said chapter 136 by inserting after section 8 the following new sections: 8-a. **Payroll Deductions.** After June 30, 1947, the school board of each town, city or district in the state, or its designated agent, shall before employing in any teaching position any person to whom this chapter may apply, notify such person of his rights and obligations under this chapter as a condition of his employment. Such school board or its designated agent shall keep such records and make such reports concerning teachers in its employ as may be required by the retirement board. Such school board or its designated agent shall deduct from the amount of the salary due each teacher employed in the public schools of such town, city or district, who is a member as defined in section 4, such amounts as are due as contributions to the annuity fund as prescribed herein and forward to the retirement board such contributions together with statements required by such board. Said payroll deductions, hereby authorized, shall be credited to each member of the retirement system from whom the same are collected. Provided, however, that the provisions hereof shall not apply to those teachers who, prior to June 30, 1947, were teachers in the public schools but were not members of the system, unless application for membership has been made to the retirement board and the school board of each town, city or district so notified. 8-b. **Consent Required.** The deductions provided by section 8-a shall be made notwithstanding that the minimum compensation provided by contract for any member shall be reduced thereby. Every member shall be deemed to consent and agree to the deductions herein provided as a condition of his employment as a teacher or as a condition to his voluntary entrance into the retirement system, as the case may be.

3. **Change of Requirements.** Amend section 11 of said chapter 136 by striking out said section and inserting in place thereof the following: 11. **Retirement.** Any member of the retirement association is entitled to the benefits hereof and may retire from service in the public schools without forfeiting any of the benefits of this retirement system, pro-

vided such member has completed fifteen years of public school service in this state creditable toward retirement, as defined in this chapter, and provided such member's last five years of teaching prior to retirement shall have been in this state, and provided such member has attained the age of sixty years, if a woman, and sixty-five, if a man.

4. Additional Retirement Allowance. Amend section 13-a of said chapter 136, as inserted by chapter 126, Laws of 1945, by striking out the words "during the five years ending June 30, 1944, or during the total number of years of service prior to said date in the event of appointment during said five years" in lines nineteen, twenty and twenty-one, and inserting in place thereof the words, for the five-year period ending June 30, 1944, or the total number of years in that period, in event of appointment during said five years, or if not in service during that period the highest annual salary paid for any one year prior to September, 1939, so that said section as amended shall read as follows: **13-a. Additional Retirement Allowance.** Any teacher who was a member of the retirement association on December 31, 1944, or who becomes a member before December 31, 1945, shall receive upon retirement, subject to the provisions of section 11, an additional annual retirement allowance for the remainder of his natural life, payable in installments as determined by the board, equal in amount to such annuity as would be provided on the basis of the mortality table adopted by said board at the interest rate determined by it under the provisions of section 10, for the teacher's age at retirement or age seventy, whichever is the less, by a sum of money, computed as hereinafter provided. Such sum of money shall be computed by first determining the amount which would be produced by annual investment at interest at the rate of three per cent per annum compounded annually, for the number of years of service of the retiring teacher in this state not exceeding thirty prior to June 30, 1944, of eight per cent of the average annual salary of such teacher for the five-year period ending June 30, 1944 or the total number of years in that period, in event of appointment during said five years, or if not in service during that period the highest annual salary paid for any one year prior to September, 1939; and by adding to the amount so determined, interest at the rate determined by the board under section 9,

from January 1, 1945 to the date of retirement or to the date at which the retiring teacher reaches age seventy, whichever is the earlier; provided, nevertheless, that in computing said sum of money no part of an average annual salary in excess of twenty-five hundred dollars shall be considered; and provided, further, that the sum of such additional retirement allowance and the annual retirement allowance provided by section 13, shall not exceed one-half of the average annual salary of the retiring teacher for the five years next preceding the date of retirement.

5. Death or Disability. Amend section 14 of said chapter 136 by striking out the words "shall have been an active member at least six years" in the second line and inserting in place thereof the words, has ten or more years of service creditable toward retirement, as defined in this chapter, so that said section as amended shall read as follows: **14. Allowance in Case of Death or Disability.** A member of the retirement association who has ten or more years of service creditable toward retirement, as defined in this chapter, and who shall have become totally and permanently disabled to teach, as determined, after examination by approved physicians, by the retirement board, shall receive an annuity based upon the accumulation of his payments and the payments of the state, with interest, calculated on the basis of the mortality table adopted by said board, with such additional allowance from the reserve fund, as said board, in its discretion, shall deem equitable, the same being limited by his earning capacity in other occupations, such additional allowance to be continued so long and in such amount as said board may determine; provided, however, that in no event shall the total sum received annually by such member under this section, including his annuity and the individual allowance provided for, exceed one-half of his average annual salary throughout his entire period of service as determined by said board. If such disabled member shall die before receiving in the form of an annuity all of the accumulations up to the time of his disability from his own and the state's annual payments into his account, the balance shall be paid to his legal representative, or to such person as he may elect, subject to such rules and regulations as may be prescribed by the retirement board.

6. Allowances. Amend section 15 of said chapter 136, as amended by chapter 192, Laws of 1943, by striking out said section and inserting in place thereof the following: **15. Allowance in Case of Resignation, Dismissal, Death.** I. Any member of the retirement association withdrawing from service in the public schools of the retirement system area by resignation or dismissal, before becoming eligible to retirement, shall be entitled to receive from the retirement board all payments made thereto by him with interest. II. In case of the death of a member before having exercised his options hereunder, the several amounts to which he would have been entitled under paragraph I if he had withdrawn while living, shall be paid to such person as he may have elected if such person is living, otherwise to his estate, subject to such rules and regulations as may be prescribed by the retirement board. III. In any case arising under the provisions of paragraphs I or II above, the payments made by the state under section 9 hereof to the credit of any such resigned, dismissed or deceased member, with the interest thereon, shall be transferred by said board to the reserve fund. IV. Any payments made under the provisions of paragraphs I or II, may be made in a lump sum or in installments, as may determined by the board.

7. Takes Effect. This act shall take effect upon its passage.

[Approved May 14, 1947.]

CHAPTER 145.

AN ACT TO PROVIDE FOR THE INCLUSION OF SCHOOL NURSES IN
THE TEACHERS' RETIREMENT SYSTEM.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Teachers' Retirement System. Amend the Revised Laws by inserting after chapter 136 the following new chapter:

Chapter 136-A

1. Definition. All school nurses who care for children's health in the public schools are hereby classified as teachers

subject to all the provisions of chapter 136, Revised Laws, except as otherwise hereinafter provided.

2. Full Time Nurses. School nurses on full time duty who were in service of the public schools prior to June 30, 1947, who make application for membership to the teachers' retirement board and agree to abide by such rules and regulations as it may prescribe, and all school nurses who begin full time service in the public schools after that date are hereby constituted members of the New Hampshire State Teachers' Retirement Association.

3. Part Time Nurses. School nurses on part time duty, now or hereafter in service of the public schools, who make application for membership to the teachers' retirement board and agree to abide by such rules and regulations as it may prescribe are hereby constituted members of the New Hampshire State Teachers' Retirement Association.

4. Nurses Employed by Several Districts. When school nurses, either full time or part time, are employed by more than one school district or are employed through arrangement with a district nursing association or similar organization or through the Red Cross, the teachers' retirement board may prescribe reasonable rules and conditions regarding the entrance of such nurses into the retirement association, the calculation of their salaries and assessments thereon, and the collection of assessments prescribed in paragraph IV, section 8, chapter 136, Revised Laws.

5. Additional Retirement Allowance. Any school nurse, either full or part time, who has service creditable toward the additional retirement allowance, as defined in section 13-a, chapter 136, Revised Laws, may become entitled to the allowance prescribed in that section by applying for membership on or before December 31, 1947, and electing to pay and paying to the teachers' retirement board such assessments, with interest at two per cent thereon, as would have been assessed against her between September 1, 1945, and date of payment, if she had elected to accept this section on September 1, 1945, as calculated by the retirement board, and subject to such additional rules and conditions as the board shall determine to be equitable in individual cases.

6. State Employees Retirement System. Nurses who have become members of the state employees retirement system as

provided in chapter 201, Laws of 1945, prior to the effective date of this act, may continue subject to such system or may elect to become subject to this chapter as provided herein. No nurse may be a member of both systems at one time.

7. Appropriation. The sum of three thousand dollars for each fiscal year is hereby appropriated for the teachers' retirement fund for the purposes of this chapter.

2. Takes Effect. This act shall take effect on July 1, 1947.
[Approved May 15, 1947.]

CHAPTER 146.

AN ACT RELATIVE TO RETIREMENT BENEFITS FOR TEACHERS IN APPROVED PUBLIC ACADEMIES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Teachers' Retirement System. Amend chapter 136 of the Revised Laws by inserting after section 7 the following new section: **7-a. Teachers in Approved Public Academies.** The teachers' retirement board, in the administration of chapter 136 of the Revised Laws, as it now is or hereafter may be amended, shall apply all provisions relating to teachers in public schools to any approved public academy and to any teacher in such approved public academy which is deemed a "high school" as provided by sections 21 and 22 of chapter 138, Revised Laws; provided, however, that the tuition of more than sixty per cent of the students attending such approved public academy is paid by a city, town or school district of the state, and provided that the board of trustees of such approved public academy shall elect to be bound by the provisions of the chapter and annually shall pay to said board an amount equal to the sum that would be required by paragraph IV, section 8 of chapter 136 of the Revised Laws, as inserted by section 2, chapter 126, Laws of 1945, or amendment thereof, to be assessed upon a city, town or school district if it employed such teacher or teachers. Any approved public academy desiring to take advantage of the provisions hereof shall file a written notice of its election with the retirement board within ninety days of the enactment of this

amendment and not thereafter. Upon the filing of said notice, an approved public academy shall be bound by the provisions of said chapter 136, as amended, and proper academy officers shall perform all duties required of a school board and officers of a city, town, or school district as required in said chapter 136.

2. Retirement Benefits. Amend chapter 136 of the Revised Laws by inserting after section 13-b, as inserted by chapter 167 of the Laws of 1945, the following new section: **13-c. Prior Service Credits.** All teachers in such approved public academies, defined in section 7-a, as elect to be bound by said section, upon making application for the provisions of the benefits of chapter 136 of the Revised Laws, as amended, shall be entitled to credit for prior service rendered, in the same manner as if they had made application on or before December 31, 1945, provided they pay the board such percentage of their back salaries as will entitle them to the same benefits they would have received if their applications had been filed on or before December 31, 1945, and provided, further, that any such academy, which employs a teacher or teachers who apply for such benefits, shall pay to said board an amount equal to the sum that would be paid by any city, town or school district employing such teachers, as provided in paragraph IV, section 8, chapter 136, Revised Laws, as inserted by section 2, chapter 126, Laws of 1945, or amendment thereof. Any teacher desiring to apply for prior service credit shall file his application within six months after such approved public academy shall file notice of its election and not thereafter.

3. Superintendent of Schools. Amend chapter 136 of the Revised Laws by inserting after section 7-a, as hereinafter inserted, the following new section: **7-b. Supervision.** The local superintendent of schools shall periodically visit classes and examine general school management in any academy accepting the provisions of section 7-a and he shall report his findings in writing to the board of trustees twice each year.

4. Appropriation. Amend chapter 136 of the Revised Laws by inserting after paragraph II of section 2 the following new paragraph: III. In recognition of the public service rendered by teachers in approved public academies of this state eligible for membership in the teachers' retirement

association under sections 7-a and 13-c, and as additional compensation to such teachers as avail themselves of the provisions of said sections, the state shall pay on June thirtieth of each year the sum of three thousand dollars to the teachers' retirement fund.

5. Takes Effect. This act shall take effect upon its passage.

[Approved May 15, 1947.]

CHAPTER 147.

AN ACT RELATING TO THE TAXATION OF HOUSE TRAILERS, TRAILERS AND SEMI-TRAILERS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. House Trailers; Trailers; Semi-Trailers. Amend chapter 116, of the Revised Laws by adding after section 16 a new section which shall be numbered 16-a and shall read as follows: **16-a. Definition.** The words motor vehicle as used in this subdivision shall include house trailers and all trailers and semi-trailers used in connection with a vehicle of the tractor type.

2. House Trailers, Trailers and Semi-Trailers Exempted. Amend paragraph III of section 16 of chapter 73 of the Revised Laws as amended by section 1 of chapter 82 of the Laws of 1945, by striking out the same and inserting in place thereof the following: III. VEHICLES. Vehicles in excess of the aggregate value of one hundred dollars; provided, however, that motor vehicles, house trailers and all trailers and semi-trailers used in connection with a vehicle of the tractor type, and farm tractors, shall not be regarded as vehicles.

3. Takes Effect. Section 1 of this act shall be effective as regards municipal permits issued as of April 1, 1948 and thereafter; and section 2 shall take effect March 31, 1948.

[Approved May 15, 1947.]

CHAPTER 148.

AN ACT PROVIDING FOR EMPLOYMENT PREFERENCES FOR WIDOWS AND WIVES OF CERTAIN VETERANS OF WORLD WARS I AND II.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Public Employments. Amend chapter 219 of the Revised Laws by inserting after section 4 the following new section: **4-a. Widows.** The employment preferences provided for veterans under the provisions of section 4, as amended by section 4, chapter 190, Laws of 1943, are extended to include any widow or wife whose husband was a citizen of this state who died or was totally disabled while in the military or naval service of the United States during the period of World Wars I or II or subsequent thereafter.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 15, 1947.]

CHAPTER 149.

AN ACT AUTHORIZING DOMESTIC INSURANCE COMPANIES TO CREATE A GUARANTY FUND.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Domestic Insurance Companies. Amend chapter 322 of the Revised Laws by adding after section 10 the following new sections:

11. Guaranty Fund Established Out of Surplus. Any mutual insurance company organized under the laws of this state may establish a guaranty fund in any amount not exceeding five hundred thousand dollars or not to exceed one-half its net policyholders' surplus, whichever is smaller, by appropriation from its net assets. Such guaranty fund shall be considered as paid up capital and be available to meet the obligations of the company, but not to pay dividends or to be otherwise distributed except to meet the obligations of the company when all other assets of the company shall become exhausted.

12. Guaranty Fund Established by Subscription. Any mutual insurance company organized under the laws of this state may create not more than one guaranty fund by borrowing a sum of money not exceeding five hundred thousand dollars, by the issue of certificates of indebtedness upon such terms as the policyholders shall determine provided that such certificates shall not be divided into classes in any way and that the holders of such certificates shall not be entitled to vote in the direction of the affairs of the company and shall not receive a greater return on their investment than six per cent per annum. The commissioner, upon notice to the company and after hearing its objections, if any, may require any guaranty fund established under this section to be retired when he shall find it is no longer needed for protection of the policyholders.

13. Retirement of Guaranty Funds. Any mutual insurance company which shall create a guaranty fund under either of the two preceding sections may, with the approval of the insurance commissioner, reduce or retire such fund in whole or in part, but it may not be otherwise distributed except to pay the obligations of the company.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 15, 1947.]

CHAPTER 150.

AN ACT RELATIVE TO THE RECONSTRUCTION OF THE HAMPTON HARBOR TOLL BRIDGE.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Hampton Harbor Toll Bridge. Amend section 1 of chapter 207 of the Laws of 1939, as amended by section 1, chapter 87, Laws of 1941, section 2, chapter 23, Laws of 1943, and section 1, chapter 10, Laws of 1947, by striking out the words and figures, "four hundred and fifty thousand dollars (\$450,000)" and inserting in place thereof the words and figures, six hundred and fifty thousand dollars (\$650,000), so that said section as amended shall read as follows: **1.**

Appropriation. A sum not exceeding six hundred and fifty thousand dollars (\$650,000) is hereby appropriated for the purpose of rebuilding the Hampton Harbor toll bridge, providing for new approaches thereto and removing the present bridge structure to be expended under the direction of the governor and council.

2. **Bond Issue.** Amend section 4 of chapter 207 of the Laws of 1939, as amended by section 3, chapter 87, Laws of 1941, by striking out the word "four" in the fourth line and inserting in place thereof the word, six, so that said section as amended shall read as follows: 4. **Authorized.** The state treasurer, under the direction of the governor and council, is hereby authorized to borrow upon the credit of the state an amount not exceeding six hundred and fifty thousand dollars to provide the funds herein appropriated and for that purpose may issue bonds at such times, in such denominations and with such rates of interest, dates of maturity and other provisions as the governor and council shall determine. Such bonds shall contain an express guarantee, which shall be deemed a contract on the part of the state, that tolls will be collected, in accordance with the provisions hereof until the date of maturity of said bonds or until sufficient money shall have accumulated to pay said bond issue and the interest thereon at the dates of maturity. The bonds authorized herein shall be signed by the state treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state.

3. **Obligations.** Amend section 8 of chapter 207 of the Laws of 1939, as amended by section 4, chapter 87, Laws of 1941, and section 2, chapter 162, Laws of 1945, by striking out the same and inserting in place thereof the following: 8. **Tolls.** The provisions of section 6 of chapter 159 of the Laws of 1933, as amended by chapter 50 of the Laws of 1935, relative to tolls shall apply to the collection of tolls upon the reconstructed Hampton Harbor toll bridge. Said tolls shall be collected until (a) the bonds issued under the provisions of said chapter 159, Laws of 1933, those issued under the provisions of said chapter 50, Laws of 1935, those issued under the provisions of this chapter, as hereby amended, have been paid or until sufficient money shall have accumulated to pay said bonds and the interest thereon at maturity, and (b)

sufficient funds shall have accumulated from net toll receipts to reimburse the state with respect to principal and interest for any funds paid upon warrant of the governor and council by reason of insufficient sinking fund balances to meet principal and interest payments on said bonds. When the obligations hereunder have been paid or sufficient money shall have accumulated to pay the same, as determined by the governor and council, the tolls upon said reconstructed Hampton Harbor toll bridge shall cease and said bridge shall thereafter be maintained as a free bridge.

4. Takes Effect. This act shall take effect upon its passage.

[Approved May 20, 1947.]

CHAPTER 151.

AN ACT RELATIVE TO MENTALLY INCOMPETENT PERSONS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Mentally Incompetent Persons. Amend the title and subtitle of chapter 343 of the Revised Laws, by striking out the word "insane" and substituting in place thereof the words, mentally incompetent, so that the same as amended shall read as follows:

Chapter 343

Guardians of Mentally Incompetent Persons, Spendthrifts, etc. Mentally Incompetent Persons

2. Guardian. Amend sections 1, 2, 3, 7, 8 and 9 of chapter 343 of the Revised Laws, by striking out the words "insane" or "sane," wherever the same appear and inserting in place thereof the following words, mentally incompetent, or, competent, with the appropriate articles preceding the same, so that as amended the same shall read: **1. Inquisition.** Upon application of a relative or friend of a mentally incompetent person, or of the overseers of the poor of the town where he lives, made to the judge of probate for the county, that a guardian may be appointed over such person, the judge shall cause inquisition, with notice, to be made by three suitable persons by him appointed.

2. Guardian. If, upon the return of the inquisition and due examination had, it is decreed that the person is mentally incompetent, the judge shall appoint a guardian over him; but no decree or appointment shall be made until he has been cited to appear and show cause against the same.

3. Right of Waiver, etc. The guardian of a mentally incompetent person shall have the same right that his ward would have, if competent, to waive the provisions of a will in favor of his ward, intended to be in lieu of dower, or curtesy, and distributive share, and shall likewise have the power to release said ward's right of dower or curtesy and homestead right, and take for his ward the same property and rights that the ward would take and have if competent; and such guardian shall have the same right to an extension of time within which such waiver may be filed, by permission of the judge of probate, that the ward, if competent, would have.

7. Notice of Appointment. Every guardian of a mentally incompetent person or spendthrift shall, immediately upon his appointment, give public notice thereof, in some newspaper circulated in the vicinity, or in such newspaper as the judge shall direct, and shall post a notification thereof in the town where his ward resides.

8. Validity of Contracts, etc. No bargain, sale or contract by a person alleged to be mentally incompetent or a spendthrift shall be valid if made after an attested copy of the complaint presented to a judge, upon which a guardian shall be appointed, and of the order of notice thereon, shall have been filed with the clerk of the town in which the person complained of resides, unless the guardian, by an instrument under his hand and seal, afterward approves and ratifies the same.

9. Decree of Insolvency. When, upon representation of the guardian of a mentally incompetent person or spendthrift, the judge is satisfied that the estate of the ward is not sufficient to discharge the just debts due therefrom, he may decree that the estate be settled as insolvent; and thereupon such proceedings shall be had, decrees made, appeals allowed, suits disposed of and the accounts of the guardian adjusted, as in the case of insolvent estates of deceased persons.

3. Takes Effect. This act shall take effect upon its passage.

[Approved May 20, 1947.]

CHAPTER 152.

AN ACT RELATING TO A STATE FISH AND GAME REFUGE ON BEAR BROOK AREA.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Fish and Game Refuge. Amend section 12-a of chapter 246 of the Revised Laws, as inserted by chapter 158 of the Laws of 1943, by striking out said section and inserting in place thereof the following: **12-a. Bear Brook.** The limitations as to the area within refuges on publicly owned lands and as to distances between refuges as provided for in section 11 of this chapter shall not prohibit the establishment of a game refuge on the Bear Brook area so called in the towns of Allenstown, Deerfield, Candia and Hooksett transferred from the United States to the state of New Hampshire for public park, recreational and conservation purposes, provided that not less than two thousand acres within the boundaries of the area shall be open to hunting according to the laws of this state from November fifteenth to March fifteenth and that all of said area shall be open to fishing in accordance with the laws of this state. If such a refuge is established, the expense of policing the refuge shall be assumed by the director.

2. Taking of Deer. Amend chapter 246 of the Revised Laws by inserting after section 12-a, as inserted by chapter 158, Laws of 1943 and as hereinbefore amended, the following new section: **12-b. Taking by Bow and Arrow.** In addition to the area open to hunting as provided by section 12-a, when in the opinion of the director of the fish and game department and by agreement with the forestry and recreation commission it is to be deemed in the interest of good game management practices, said Bear Brook Game Refuge may be open to the taking of deer by bow and arrow under such regulations as may be prescribed by the director of the fish and game department.

3. Takes Effect. This act shall take effect upon its passage.

[Approved May 20, 1947.]

CHAPTER 153.

AN ACT TO AUTHORIZE THE WRITING OF COLLISION, FIRE AND THEFT INSURANCE.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Insurance Companies. Amend paragraph V of section 1 of chapter 322 of the Revised Laws by adding at the end thereof the words, and on motor vehicles and aircraft, their fittings and contents and use and occupancy, against loss or damage from accident, collision, fire, theft or other casualty, so that said paragraph as amended shall read as follows: V. Against the liability of the insured for the death or disability or damage to property of another and on motor vehicles and aircraft, their fittings and contents and use and occupancy, against loss or damage from accident, collision, fire, theft or other casualty.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 20, 1947.]

CHAPTER 154.

AN ACT RELATIVE TO PENALTY FOR LOTTERIES, GAMBLING AND WAGERS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Lotteries and Gambling. Amend section 13 of chapter 447 of the Revised Laws by striking out in the second line the word "one" and inserting in place thereof the word, five, so that said section as amended shall read as follows: **13. Penalty.** Whoever violates any of the foregoing provisions of this chapter shall be fined not more than five hundred dollars, or imprisoned not more than one year, or both.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 21, 1947.]

CHAPTER 155.

AN ACT RELATIVE TO RACE MEETS IN TOWNS VOTING AGAINST SUCH ACTIVITIES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. **Horse Race Meets.** Amend chapter 171 of the Revised Laws by inserting after section 11 the following new section: **11-a. Prohibition.** On and after June 1, 1947, no license shall be issued by the commission under the provisions hereof for holding a race meet in any town unless and until the town at an annual or special meeting called for the purpose has by majority vote approved of the issuance of said license in said town. Provided, however, that nothing herein contained shall be construed or apply to the issuances of licenses by the commission in towns where licensed race meets have heretofore been held under the provisions of this chapter.

2. **Takes Effect.** This act shall take effect June 1, 1947. [Approved May 21, 1947.]

CHAPTER 156.

AN ACT GRANTING SCHOOL DISTRICTS TEMPORARY EMERGENCY EXEMPTION FROM CERTAIN PROVISIONS OF THE MUNICIPAL BONDS STATUTE.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. **Authority.** Any school district duly organized and existing under the provisions of law is hereby authorized and empowered to issue its serial bonds or notes for the purpose of construction of new school buildings or for the alteration of present structures, or for the enlargement and improvement of existing school facilities, to an amount not exceeding five per cent of the latest assessed valuation of the taxable property in such district. Existing indebtedness of such districts shall be included in determining net borrowing capacity hereunder.

2. **Procedure.** The procedure for issuance of serial notes or

bonds by school districts under this act shall be governed by the provisions of chapter 72, Revised Laws, with the exception of sections 7 and 8 thereof, and to the extent not inconsistent with this act.

3. Bond Issue; Special Cases. A school district may vote to issue bonds or notes for the purposes set forth in section 1 of this act in an amount in excess of five per cent of the latest assessed valuation but not in excess of eight per cent thereof, in accordance with the conditions set forth in sections 4, 5, 6, and 7 of this act. A certified copy of the record of the action of the school district shall be presented forthwith to the commissioner of education.

4. Board Designated. There shall be a board of investigation composed as follows: The commissioner of education; a member of the tax commission to be selected by said commission; the chairman of the judiciary committee of the senate; the chairman of the judiciary committee of the house of representatives, and one other person having knowledge of the educational and financial matters to be appointed by the governor. In the event that either the chairman of the judiciary committee of the senate or of the house of representatives shall be unable to serve, the president of the senate or the speaker of the house of representatives or in the absence or inability to act of either of them, the governor shall designate some other member of the respective judiciary committees as a member of said board. The member of said board representing the tax commission shall serve as chairman thereof, and said board shall choose some other member thereof as clerk. The non-state-salaried members of said board shall receive compensation for their services at the rate of six dollars per diem and reasonable expenses, and said compensation, together with other expenses incurred by the board, shall be paid by the school district or school districts whose proposals are to be examined. Said committee shall make a complete stenographic record of its hearings.

5. Meetings of Board. Upon receipt of the record provided under section 3, the commissioner of education shall notify the chairman of said board of the receipt thereof and said chairman shall fix a time and place when all interested parties may be heard, giving notice thereof by registered mail to the chairman of the school board and the clerk of the school

district presenting the proposal at least fourteen days prior to the date of the hearing and causing said notice to be published once, prior to the date of the hearing in some newspaper of general circulation in said district. Such hearing may be adjourned at the discretion of the board.

6. Findings of Board. Said board shall consider the educational needs and financial condition of the district; and if it finds that the proposal is in the best interest of and within the financial capacity of said district, it shall certify its approval to the governor and council; but if it concludes that the proposal is inexpedient, it shall submit its disapproval forthwith in writing to the chairman of the school board and the clerk of said district, and thereupon the action of said district shall become null and void. The findings of said board shall be by majority vote of all members.

7. Approval of Governor and Council. Upon receipt of the approval of a proposal by the board, the same shall be examined by the governor and council; and if the same shall be approved by them, such approval shall be certified by the secretary of state to the chairman of the school board and the clerk of the district, whereupon said bond issue shall be regarded as authorized as though said issue were less than five per cent of the latest assessed valuation of said district.

8. Extension of Bond Term. Under the conditions of application, notice, hearing, approval and certification, as set forth in sections 3, 4, 5, 6 and 7 of this act, the term of any bonds issued under the provisions of this act may be extended to a period of not more than thirty years.

9. Duration of Board. The authority vested in the board designated under the provisions of section 4 of this act shall terminate on January 1, 1949.

10. State Board of Education. Amend section 1, chapter 141, Revised Laws, as inserted by section 1, chapter 127, Laws of 1945, by adding at the end thereof the following sentence: The state board of education shall recommend the postponement of the construction of new school buildings and facilities in cases in which it finds that price levels and costs of construction when compared with the relative needs of the school district, or other expedient reasons, make it more advantageous for the school district to postpone such construction to a later date, which recommendation shall be advisory in nature

only, so that said section as amended shall read as follows:

1. Location and Construction by District. The district may decide upon the location of its schoolhouses by vote or by a committee appointed for the purpose, provided, however, that all plans, specifications, and the selection of site for any new school buildings for any school district within the state shall be approved by the school board of the district in which it is proposed to construct such a building. Before approving such buildings and locations the school board shall consult the state board of education who may make recommendations to the school board as to any changes it deems necessary. The provisions of this section shall apply to all new construction of public school buildings, including those constructed by grant or loans of funds from state, the federal government, or other sources. The state board of education shall recommend the postponement of the construction of new school buildings and facilities in cases in which it finds that price levels and costs of construction when compared with the relative needs of the school district, or other expedient reasons, make it more advantageous for the school district to postpone such construction to a later date, which recommendation shall be advisory in nature only.

11. Takes Effect; Expiration. This act shall take effect upon its passage, provided that no action shall be taken hereunder, with the exception of section 10, by any school district after December 31, 1948. The foregoing limitation of this act shall not affect the validity of any bonds or notes issued by authority thereof.

[Approved May 22, 1947.]

CHAPTER 157.

AN ACT RELATIVE TO CAPITAL STOCK OF TRUST COMPANIES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Trust Companies. Amend section 25 of chapter 313 of the Revised Laws by striking out the words "one hundred" in the eighth line and inserting in place thereof the words, par value of not less than twenty-five, so that said section as

amended shall read as follows: **25. Limits; Shares.** The capital stock of such corporation shall be not less than twenty-five thousand dollars. In towns and cities of more than four thousand inhabitants it shall be not less than fifty thousand dollars; in those of more than ten thousand inhabitants it shall be not less than one hundred thousand dollars; and in those of more than fifty thousand inhabitants it shall be not less than two hundred thousand dollars. In no event shall the capital stock exceed five hundred thousand dollars. It shall be divided into shares of par value of not less than twenty-five dollars each.

2. Application to Existing Corporations. Amend chapter 313 of the Revised Laws by inserting after section 25 the following new section: **25-a. Change in Par Value.** Any such corporation, heretofore organized and actually doing business under the provisions of this chapter, may divide its existing shares into shares of a par value of not less than twenty-five dollars each. Such division shall be authorized by the stockholders of the corporation at a meeting called for such purpose, whether special or annual, and the action taken shall be subject to the approval of the incorporation board.

3. Filing. Amend said chapter 313 of the Revised Laws by inserting after section 27 the following new section: **27-a. Fees.** The fee for recording with the secretary of state any amended certificate, which does not embody an increase of the authorized capital stock, shall be five dollars.

4. Directors and Trustees. Amend section 3 of chapter 308 of the Revised Laws by striking out said section and inserting in place thereof the following: **3. Qualifications.** No person shall be eligible to the position of a director of a trust company or state bank or trustee of a guaranty savings bank, who is not the absolute owner of one thousand dollars of the par value of the stock or guaranty fund of said institution; provided, that when the stock or guaranty fund of such institution does not exceed fifty thousand dollars, a person to be eligible to the position of a director or trustee shall be the absolute owner of five hundred dollars of the par value of the stock or guaranty fund of such institution.

5. Directors. Amend section 30 of chapter 313 of the Revised Laws by striking out said section and inserting in place thereof the following: **30. Directors.** No person shall

be a director of any such corporation unless he is a stockholder thereof, owning in his own right not less than one thousand dollars of the par value of unpledged stock. A majority of the directors shall be citizens of and residents in the town or city where said corporation is located.

6. Takes Effect. This act shall take effect upon its passage.

[Approved May 22, 1947.]

CHAPTER 158.

AN ACT ESTABLISHING A STATE TREE FOR NEW HAMPSHIRE.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. State Emblems. Amend chapter 13 of the Revised Laws by inserting after section 3 the following new section:

3-a. Tree. The white birch tree, *Betula Papyrifera*, is the state tree of New Hampshire.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 22, 1947.]

CHAPTER 159.

AN ACT RELATING TO RECOUNTS BY THE SECRETARY OF STATE,
EXTENDING THE TIME FOR PREPARATION OF BALLOTS AND
OTHERWISE CLARIFYING THE ELECTION LAWS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Recounts; Primary. Amend section 55 of chapter 33 of the Revised Laws by striking out said section and inserting in place thereof the following: **55. Counting.** Upon the date set for the recount, the ballots shall be counted by the secretary of state and such assistants as he may require. The various candidates, their counsel and assistants shall have the right to inspect the ballots and participate in such recount

under such suitable rules as the secretary of state may adopt. Each candidate or his counsel shall have the right to protest the counting of or failure to count any ballot. The secretary of state shall thereupon rule on said ballot and attach thereto a memorandum setting forth the name of the candidate making the protest and the ruling thereon.

2. Recounts; Election. Amend section 106 of chapter 34 of the Revised Laws by striking out said section and inserting in place thereof the following: **106. Recount.** At the time and place so appointed and notified, the ballots shall be counted by the secretary of state and such assistants as he may require. The various candidates, their counsel and assistants shall have the right to inspect the ballots and participate in such recount under such suitable rules as the secretary of state may adopt. Each candidate or his counsel shall have the right to protest the counting of or failure to count any ballot. The secretary of state shall thereupon rule on said ballot and shall attach thereto a memorandum setting forth the name of the candidate making the protest and the ruling thereon.

3. Time Limit. Amend section 65 of chapter 33 of the Revised Laws, by striking out the word "thirty" in the second line thereof and inserting in place thereof the word, forty, so that said section as amended shall read as follows: **65. Filing.** Nomination papers shall be filed with the secretary of state forty days prior to the day of election for all candidates for any office. The number of days herein given shall include Sundays, and shall end on the day before election at six o'clock in the afternoon.

4. Filling of Vacancies. Amend section 52, chapter 33, Revised Laws, by striking out the word "thirty" in the fourth line and inserting in place thereof the word, forty, and by adding at the end of said section the words, or where the sole candidate filing for the nomination shall be disqualified for any reason, so that said section as amended shall read as follows: **52. Vacancies.** Vacancies upon any party ticket occurring after the holding of any primary shall be filled by the party committee of the state, county, town or ward, as the case may require, and such committee shall file notice of the appointment made with the secretary of state forty days prior to the day of election for all candidates for any office. The number of days herein given shall include Sundays and

shall end on the day before election at six o'clock in the afternoon. The names of persons so appointed shall be placed upon the official election ballot. "Vacancies" for the purpose of this section shall mean only those cases where no candidate has filed and where the person whose name has been written in withdraws or refuses to accept the nomination or where the sole candidate filing for the nomination shall be disqualified for any reason.

5. Death. Amend section 67, chapter 33, Revised Laws as amended by chapter 22, Laws of 1945, by striking out said section and inserting in place thereof the following: **67. Death of Candidate.** In case of the death of any candidate to be voted for at any primary or general election, between the date of nomination or filing and the day of election, a new candidate may be substituted under the authority of the party committee of the state, county, town or ward, as the case may require, whose name shall be printed upon the ballots if they have not been printed. In cases of vacancies in candidacies for the offices of state senator and councilor, the appropriate party committee to fill such vacancies hereunder shall be the state committee of the party affected.

6. Takes Effect. This act shall take effect upon its passage.

[Approved May 28, 1947.]

CHAPTER 160.

AN ACT RELATIVE TO LIMITATION ON AMOUNT OF FRATERNAL BENEFIT SOCIETY PAYMENTS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Fraternal Benefit Societies. Amend section 5 of chapter 333 of the Revised Laws, as inserted by chapter 149 of the Laws of 1945, by inserting after the word "person" in the third line the words, except in double indemnity in case of accidental death when such sum shall not exceed ten thousand dollars, so that said section as amended shall read as follows: **5. Benefits.** Any such society authorized to do business in this state shall provide for the payment of death

benefits, in a sum not exceeding five thousand dollars to any person, except in double indemnity in case of accidental death when such sum shall not exceed ten thousand dollars, and may issue to its members term, life, and endowment certificates and combinations thereof, including double indemnity in case of accidental death, and may provide for the payment of benefits in case of temporary or permanent disability as the result of disease or accident; and may grant loans, withdrawal equities, and such nonforfeiture options as its laws may permit, provided such grants shall in no case exceed in value the portion of the reserve to the credit of the certificate on which the same are made. Any such society may provide for monuments or tombstones to the memory of deceased members and may also provide for payment of funeral benefits in a sum not exceeding three hundred dollars to any person equitably entitled thereto by reason of having incurred expense by the burial of the member.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 28, 1947.]

CHAPTER 161.

AN ACT RELATING TO FIREARMS AND ARTIFICIAL LIGHTS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Possession of Jacks, etc. Amend section 6 of chapter 242 of the Revised Laws by inserting after the words, "the same is being transported," in the seventh line the following: The deliberate use of an artificial light between one-half hour after sunset and one-half hour before sunrise to illuminate, jack, or to show up game by a person having in his possession a rifle larger than a 22 cal. or shotgun with shot larger than No. 4, either in the gun, on the person, or in an automobile, boat, airplane or other craft propelled by mechanical power, shall be sufficient evidence of illegal night hunting; so that said section as amended shall read as follows: **6. Possession of Jacks, etc.** No person shall have in his possession any jack or artificial light, swivel, pivot or set gun while hunting wild

birds or wild animals, including unprotected birds and wild animals on which a bounty may be paid. Any person convicted of illegal night hunting shall forfeit such firearms, jacks, or any other equipment used or usable in the illegal night hunting at the time of such violation, including any vehicle in which the same is being transported. The deliberate use of an artificial light between one-half hour after sunset and one-half hour before sunrise to illuminate, jack, or to show up game by a person having in his possession a rifle larger than a 22 cal. or shotgun with shot larger than No. 4, either in the gun, on the person, or in an automobile, boat, airplane or other craft propelled by mechanical power, shall be sufficient evidence of illegal night hunting. Nothing herein contained shall be construed to prohibit the use of lights for hunting raccoon as permitted in section 3, chapter 244.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 28, 1947.]

CHAPTER 162.

AN ACT RELATING TO ACCIDENT AND HEALTH INSURANCE.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Policies and Rates. Amend section 1 of chapter 331 of the Revised Laws by striking out said section and inserting in place thereof the following: **1. Filing Policies and Rates.** No policy of insurance against loss or expense from the sickness, or from the bodily injury or death by accident of the insured shall be issued or delivered to any person in this state nor shall any application, rider or endorsement be used in connection therewith until a copy of the form thereof and of the classification of risks and the premium rates, or, in the case of cooperatives or assessment companies the estimated cost pertaining thereto have been filed with the insurance commissioner nor until the expiration of thirty days thereafter unless the commissioner shall sooner give his written approval thereof.

2. Disapproval. Amend section 2 of said chapter by strik-

ing out said section and inserting in place thereof the following: **2. Disapproval of Forms.** The commissioner may, within thirty days after the filing of any such form, disapprove such form (1) if the benefits provided therein are unreasonable in relation to the premium charged, or (2) if it contains a provision or provisions which are unjust, unfair, inequitable, misleading, deceptive or encourage misrepresentation of such policy, or (3) if it does not comply with the requirements of law. If the commissioner shall notify the insurer which has filed any such form that it does not comply with the provisions of this chapter, it shall be unlawful thereafter for such insurer to issue such form or use it in connection with any policy. In such notice the commissioner shall specify the reasons for his disapproval and state that a hearing will be granted within twenty days after request in writing by the insurer.

3. Later Disapproval. Further amend said chapter by inserting after section 2 the following new section: **2-a. Subsequent Disapproval.** The commissioner may at any time, after a hearing of which not less than twenty days' written notice shall have been given to the insurer, withdraw his approval of any such form on any of the grounds stated in this chapter. It shall be unlawful for the insurer to issue such form or use it in connection with any policy after the effective date of such withdrawal of approval. The notice of any hearing called under this section shall specify the matters to be considered at such hearing and any decision affirming disapproval or directing withdrawal of approval under this chapter shall be in writing and shall specify the reasons therefor.

4. Franchise Policies. Further amend said chapter by inserting after section 26 the following new section: **26-a. Policies Under Franchise Plan.** Section 21 of this chapter shall not be construed to prohibit the issuance or delivery in this state of policies under the franchise plan herein defined provided the rates charged, benefits payable, or underwriting procedure used do not discriminate between franchise plans. Accident and health insurance on a franchise plan is hereby declared to be that form of accident and health insurance issued to (1) five or more employees of any corporation, co-partnership, or individual employer or any governmental

corporation, agency or department thereof; or (2) ten or more members of any trade or professional association or of a labor union or of any other association having had an active existence for at least two years where such association or union has a constitution or by-laws and is formed in good faith for purposes other than that of obtaining insurance; where such persons, with or without their dependents, are issued the same form of an individual policy varying only as to amounts and kinds of coverage applied for by such persons, under an arrangement whereby the premiums on such policies may be paid to the insurer periodically by the employer, with or without payroll deductions, or by the association for its members.

5. Takes Effect. This act shall take effect upon its passage.

[Approved May 28, 1947.]

CHAPTER 163.

AN ACT RELATING TO THE TAKING OF DEER BY MINORS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Fishing and Hunting Licenses. Amend section 2 of chapter 247 of the Revised Laws by inserting before the word "children" in the fifth line the word, resident, so that said section as amended shall read as follows: **2. Exceptions.** The provisions of the foregoing section shall not apply to resident owners of farm lands and their minor children while upon their own land, to persons fishing in ponds operated and maintained by a duly licensed fish or game breeder, to children under sixteen years of age while fishing, to resident children under sixteen years of age while hunting when accompanied by a licensee twenty-one years of age or over, and to blind persons.

2. Minors under Sixteen. Amend section 3 of said chapter 247 by striking out said section and inserting in place thereof the following: **3. Issuance of Licenses, etc.** Such licenses shall be issued by the director through his agents under such rules and regulations, and in such form, as the

director may prescribe, to persons sixteen years of age or over, and to nonresident persons under sixteen years of age. Licensees shall furnish information concerning fish, game, or fur-bearing animals as the director may require.

3. **Nonresident Licenses.** Amend section 6 of said chapter 247 by inserting after paragraph III the following new paragraph: III-a. If the applicant is a nonresident under sixteen years of age and wishes to hunt, fifteen dollars, and said agent shall thereupon issue a nonresident minor's hunting license which shall entitle the licensee to hunt, shoot, or take game animals when accompanied by another licensee twenty-one years of age or over, and to transport game animals under the restrictions of this title.

4. **Takes Effect.** This act shall take effect upon its passage.

[Approved May 28, 1947.]

CHAPTER 164.

AN ACT RELATING TO WRESTLING.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. **Wrestling Exhibitions.** Amend sections 11, 17, 18, 19, 20 and 23 of chapter 172 of the Revised Laws by eliminating therefrom all references to wrestling, thereby removing said exhibitions from the supervision of the athletic commission except insofar as permits, licenses, taxes and reports are concerned.

2. **Control of Wrestling.** Amend chapter 172 of the Revised Laws by adding after section 11 the following new section: 11-a. **Wrestling Exhibitions.** The commission may adopt such rules and regulations as it deems advisable to control wrestling exhibitions, subject to the approval of the governor and council. Such rules and regulations shall be adopted upon the basis that wrestling is not a competitive sport, but is entertainment only.

3. **Takes Effect.** This act shall take effect upon its passage.

[Approved May 28, 1947.]

CHAPTER 165.

AN ACT RELATIVE TO POWERS OF FISH AND GAME CONSERVATION OFFICERS TO SEARCH WITHOUT WARRANT.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Powers. Amend paragraph VI of section 25 of chapter 240 of the Revised Laws, by inserting after the word "highway" in the first line thereof the words, at an airbase, and further amend said paragraph by inserting after the word "conveyance" in the second line thereof the word, aircraft, so said said paragraph as amended shall read as follows: VI. To search without a warrant and to examine in the field, in the highway, at an airbase, or on the stream, any person, or any boat, conveyance, aircraft, vehicle, game bag, game coat, creel, crate, box, locker, or other receptacle, in the presence of the owner if reasonably possible, or any so-called fish house or bob house, in the presence of the occupant, for fish, game, or fur-bearing animals, when he has reasonable cause to believe that any fish, game, or fur-bearing animals subject to forfeiture, are concealed thereon or therein.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 29, 1947.]

CHAPTER 166.

AN ACT TO ENCOURAGE AND PROMOTE THE ESTABLISHMENT OF APPRENTICESHIP PROGRAMS IN TRADES AND INDUSTRY.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Apprenticeship Programs in Trades and Industry. Amend the Revised Laws by inserting after chapter 212 the following new chapter:

Chapter 212-A

1. Purposes. The purposes of this chapter are

(a) to encourage employers, associations of employers and organizations of employees to voluntarily establish ap-

prenticeship programs and the making of apprenticeship agreements;

(b) to create opportunities for young people to obtain employment and adequate training in trades and industry with parallel instructions in related and supplementary education under conditions that will equip them for profitable employment and citizenship;

(c) to cooperate with the promotion and development of apprenticeship programs and systems in other states and with the federal committee on apprenticeship appointed under Public Law No. 308 - 75th U. S. Congress (Fitzgerald Act);

(d) to provide for the registration and approval of apprenticeship programs and apprenticeship agreements and for the issuance of state certificates of completion of apprenticeship.

2. Apprenticeship Council. The governor, with the advice and consent of the council, shall appoint a State Apprenticeship Council, composed of four representatives each from employer and employee organizations respectively. The council shall, by majority vote, elect from its membership a chairman, a vice-chairman and a secretary. The vice-chairman shall act in the absence or inability of the chairman. Each member shall be appointed for a term of three years and shall hold office until his successor is appointed and has qualified. Any vacancy, due to resignation or inability to act, shall be filled by appointment by the governor for the unexpired portion of the term. The commissioner of education, the commissioner of labor, and the director of the state employment service shall be members of the council, *ex officio*, without vote. The council may, by majority vote, designate such consultants as it may deem necessary and desirable to assist it in the performance of its duties. The members of the council shall receive no compensation for their services, but shall be reimbursed for transportation and actual expenses necessarily incurred in the performance of their duties under this chapter; such expenses to be approved on voucher by the commissioner of labor.

3. The Duties of the Council. The council shall meet quarterly and as often as may be necessary; may adopt rules and regulations; may establish additional standards for apprenticeship agreements; and may request the services of

any state or federal agency or department which may be of assistance in carrying out the purposes of this chapter. In addition to the foregoing, the council shall

(a) encourage and promote the development of apprenticeship programs and the making of apprenticeship agreements;

(b) bring about the settlement of differences arising out of an apprenticeship agreement when such differences cannot be adjusted locally or in accordance with established trade procedure;

(c) supervise the execution of agreements and maintenance of standards;

(d) register or terminate or cancel the registration of apprenticeship programs and apprenticeship agreements;

(e) issue certificates of completion of apprenticeship as shall be authorized by the council;

(f) keep a record of apprenticeship programs and apprentice agreements and their disposition;

(g) cooperate with the state department of education and the local school authorities in the organization and establishment of classes of related and supplemental instruction for apprentices employed under approved agreements; and

(h) render such assistance and submit such information and data as may be requested by employers, employees and joint apprenticeship committees engaged in the formulation and operation of programs of apprenticeship, particularly in regard to work schedules, wages, conditions of employment, apprenticeship records and number of apprentices.

4. Annual Report. The council shall annually make a report of its activities and progress to the governor; said report shall be contained in the biennial report of the bureau of labor.

5. Related and Supplemental Instruction. Related and supplemental instruction for apprentices, co-ordination of instruction with work experiences, and the selection of teachers and co-ordinators for such instruction shall be the responsibility of state and local boards of education. The state department of education shall be responsible and make provision subject to the department's decision on the allotment of its funds for related and supplementary instruction for appren-

tices as may be employed under apprenticeship programs registered and approved by the council.

6. Local, Regional and State Joint Apprenticeship Committees. Local and state joint apprenticeship committees may be approved, in any trade or group of trades, in cities, regions of the state or trade areas, by the council, whenever the apprentice training needs of such trade or group of trades or such regions justify such establishment. Such local, regional or state joint apprenticeship committees shall be composed of an equal number of employer and employee representatives selected by the respective local or state employer and employee organizations in such trade or group of trades; also such advisory members representing local boards or other agencies as may be deemed advisable. In a trade or group of trades in which there is no *bona fide* employer or employee organization, a joint committee may be composed of persons known to represent the interests of employers and of employees respectively, or a state joint apprenticeship committee may be approved as, or the council may act itself as, the joint committee in such trade or group of trades. Subject to the review of the council, and in accordance with the standards established by the council, such committees may devise standards for apprenticeship agreements and give such aid as may be necessary in their operation, in their respective trades and localities.

7. Minimum Standards for Apprenticeship Agreements. All apprenticeship agreements submitted for approval and registration with the council shall meet the following minimum standards:

(a) a statement of the trade or craft to be taught and the required hours necessary for the completion of the apprenticeship shall not be less than four thousand hours of reasonably continuous employment;

(b) a statement of the processes in the trade or craft divisions in which the apprentice is to be taught and the approximate amount of time to be spent at each process;

(c) a statement of the number of hours to be spent by the apprentice in work and the number of hours to be spent in related and supplemental instruction which instruction shall be not less than one hundred forty-four hours per year;

(d) a statement that apprentices shall be not less than sixteen years of age;

(e) provision for a period of probation, not exceeding six months or one thousand hours, during which period, the council shall terminate or cancel the registration of an apprenticeship agreement at the request in writing of any party thereto. After the probationary period, the apprenticeship council shall terminate or cancel the registration of an apprenticeship agreement upon request in writing of both parties or upon just cause shown;

(f) provision for "an increasing schedule of wages" which shall average, over the required hours or years for completion, not less than approximately one-half of the journeyman's rate;

(g) provision that the services of the apprenticeship council may be utilized for consultation regarding the settlement of differences arising out of the apprenticeship agreement where such differences cannot be adjusted locally or in accordance with the established trade procedure;

(h) provision that if an employer is unable to fulfill his obligations under the apprenticeship agreement he may arrange for the transfer of the agreement to another employer after consent by the apprentice and approval by the council and the new employer;

(i) a statement as to the ratio of apprentices to journeymen or number of apprentices to be employed during any year under the program;

(j) provision for the granting of credit to apprentices for previous work experience or related and supplemental training; and

(k) provision for supervision and the keeping of records.

8. Apprenticeship Agreements. For the purposes of this chapter an apprenticeship agreement is an individual written agreement between an employer and an apprentice, or a written agreement between an apprentice and an association of employers, or an organization of employees, or where an approved joint committee exists, a written agreement between an apprentice and such committee.

9. Limitation. The provisions of this chapter shall apply to a person, firm, corporation or organization of employees or an association of employers only after such person, firm, corporation or organization of employees or association of employers has voluntarily elected to conform with its provision.

10. Separability. If any provision of this chapter or the application thereof to any person or circumstances, is held invalid, the remainder of the chapter, and the application of such provision to other persons and circumstances shall not be affected thereby.

2. Appropriation. There is hereby appropriated for the purpose of carrying out the provisions of this act the sum of one thousand dollars for each of the fiscal years ending June 30, 1948 and June 30, 1949 and the governor is hereby authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

3. Takes Effect. This act shall take effect upon its passage.

[Approved May 29, 1947.]

CHAPTER 167.

AN ACT RELATIVE TO TUITION FOR PLYMOUTH AND KEENE TEACHERS COLLEGES.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. The Teachers Colleges. Amend section 21 of chapter 134 of the Revised Laws by striking out said section and inserting in place thereof the following: **21. Tuition.** The state board shall fix the tuition to be paid at the teachers colleges.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 29, 1947.]

CHAPTER 168.

AN ACT RELATIVE TO THE ISSUANCE OF BONDS OR NOTES TO FORWARD THE BUILDING PROGRAM AT THE UNIVERSITY OF NEW HAMPSHIRE, AND TO BE LIQUIDATED FROM UNIVERSITY INCOME.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Bonds or Notes Authorized. In order to provide funds to forward the building program at the University of New

Hampshire, the governor, upon receipt of a request from the board of trustees of the university, and by and with the consent of the council, may direct the state treasurer to borrow upon the faith and credit of the state a sum not exceeding two million dollars, and to be liquidated through income accruing to the university under section 18, chapter 222 of the Revised Laws. For that purpose the state treasurer is hereby authorized, when so directed by the governor and council, to issue bonds or notes in the name and on behalf of the state with such rates of interest, in such form and denominations, with such dates of maturity and other provisions as the governor and council may determine. Such bonds or notes shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. All such bonds or notes shall contain an express guarantee which shall be deemed a contract on the part of the state that the bonds or notes will be liquidated in equal annual installments in a period not exceeding twenty years from the University of New Hampshire fund as provided in section 18 of chapter 222 of the Revised Laws.

2. **Accounts.** The secretary of state shall keep an account of all such bonds or notes countersigned by the governor showing the number and amount of each bond or note, the time of countersigning, time when payable and date of delivery to the treasurer. The state treasurer shall keep an account of each bond or note showing the number thereof, name of the person to whom sold, the amount received for the same, the date of the sale and the time when payable.

3. **Sale; Proceeds.** The state treasurer may negotiate and sell such bonds or notes by direction of the governor and council in such manner as they may determine to be most advantageous to the state. All such sum or sums thus realized shall be credited by the state treasurer to the university and shall be expended under the direction of the board of trustees for the aforesaid purpose.

4. **Liquidation.** The state treasurer is authorized to deduct from said university fund for each fiscal year such sum or sums as may be necessary to meet interest and principal payments in accordance with the terms and conditions of the bonds or notes issued under the authority of this act for the purpose herein stated.

5. **Appropriation.** For the purpose of providing the necessary credit for the issuance of such bonds or notes to be liquidated in the manner hereinbefore provided, and for the purpose of carrying out the provisions of this act, there is hereby appropriated the sum of two million dollars.

6. **Application of Laws.** The sum hereby appropriated for the building program at the university shall be in addition to the sums which the trustees may borrow in anticipation of income as provided by section 21 of chapter 222 of the Revised Laws.

7. **Takes Effect.** This act shall take effect upon its passage.

[Approved May 29, 1947.]

CHAPTER 169.*

AN ACT RELATNG TO HOUSING AUTHORITIES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. **Housing Shortage.** Amend section 2 of chapter 169 of the Revised Laws by striking out in the twenty-fourth line the word "unemployment" and inserting in place thereof the words, the acute housing shortage, so that said section as amended shall read as follows: 2. **Finding and Declaration of Necessity.** It is hereby declared: (a) that there exist in the state insanitary or unsafe dwelling accommodations and that persons of low income are forced to reside in such insanitary or unsafe accommodations; that within the state there is a shortage of safe or sanitary dwelling accommodations available at rents which persons of low income can afford and that such persons are forced to occupy overcrowded and congested dwelling accommodations; that the aforesaid conditions cause an increase in and spread of disease and crime and constitute a menace to the health, safety, morals and welfare of the residents of the state and impair economic values; that these conditions necessitate excessive and disproportionate expenditures of public funds for crime prevention and punishment, public health and safety, fire and accident protection, and other public services and facilities; (b) that these areas in the state cannot be cleared, nor can

* See chapter 210, section 3, *post*.

the shortage of safe and sanitary dwellings for persons of low income be relieved, through the operation of private enterprise, and that the construction of housing projects for persons of low income (as herein defined) would therefore not be competitive with private enterprise; (c) that the clearance, replanning and reconstruction of the areas in which insanitary or unsafe housing conditions exist and the providing of safe and sanitary dwelling accommodations for persons of low income are public uses and purposes for which public money may be spent and private property acquired and are governmental functions of state concern; (d) that it is in the public interest that work on projects for such purposes be commenced as soon as possible in order to relieve the acute housing shortage which now constitutes an emergency; and the necessity in the public interest for the provisions hereinafter enacted, is hereby declared as a matter of legislative determination.

2. Town Housing Authorities. Amend paragraphs II to VII inclusive of section 3 of chapter 169 of the Revised Laws by striking out said paragraphs, and inserting in place thereof the following:

II. "Municipality" shall mean any city or town in this state. The "municipality" shall mean the particular municipality for which a particular housing authority is created.

III. "Governing body" shall mean in a city that governing body which is designated as such by the charter of the particular city; in a town, the town meeting.

IV. "Mayor" shall mean the mayor of the city or the officer thereof charged with the duties customarily imposed on the mayor or executive head of the city. "Mayor" shall also mean the selectmen in the case of towns.

V. "Clerk" shall mean the clerk of the municipality or the officer charged with the duties customarily imposed on such clerk.

VI. "Area of operation" of a housing authority of a municipality shall include all of the municipality for which it is created, and the area of operation of the housing authority of a city shall include the area within six miles of the territorial boundaries thereof. The area of operations of the housing authority of a city shall not, however, include any area which lies within the territorial boundaries of any other city, nor shall it include any portion of a town for which a

housing authority has been organized, but the city housing authority may continue to operate any project which has been constructed or which is in the process of construction within the original area of its operations.

VII. "Federal government" shall include the United States of America, or any agency or instrumentality, corporate or otherwise, of the United States of America.

3. Creation of Housing Authority. Amend section 4 of chapter 169 of the Revised Laws by striking out said section and inserting in place thereof the following: **4. Creation of Housing Authority.** In each municipality, as herein defined, of the state there is hereby created a public body corporate and politic to be known as the housing authority of the municipality; provided that such authority shall not transact any business or exercise its powers as hereunder until the governing body of the municipality by resolution adopted by majority vote of those present at any regular or special meeting shall have declared that there is need for an authority to function in such municipality. In towns, such resolution must be adopted by majority vote of those present and voting, by use of ballot, if at an annual meeting; and if such resolution is to be acted upon at a special meeting, the procedure for adoption shall be the same as that prescribed for the making of appropriations at special meetings as provided in section 5, chapter 51. In any suit, action or proceeding involving the validity or enforcement of or relating to any contract of the authority, the authority shall be conclusively deemed to have become established and authorized to transact business and exercise its powers hereunder upon proof of the creation of an authority and of the adoption of a resolution by the governing body declaring the need for the authority. Such resolution or resolutions shall be deemed sufficient if it declares that there is need for an authority. A copy of such resolution duly certified by the clerk shall be admissible in evidence in any suit, action or proceeding.

4. Commissioners. Amend section 5 of chapter 169 of the Revised Laws by striking out the word "city" in the fifth line and inserting in place thereof the word, municipality, and striking out the word "an" in the tenth line and inserting in place thereof the words, a paid, so that said section as amended shall read as follows: **5. Appointment, Qualifications and Tenure.** When the governing body of a municipal-

ity adopts a resolution as aforesaid, it shall promptly notify the mayor of such adoption. Upon receiving such notice, the mayor shall appoint five persons as commissioners of the authority created for said municipality. The commissioners who are first appointed shall be designated to serve for terms of one, two, three, four and five years, respectively, from the date of their appointment, but thereafter commissioners shall be appointed as aforesaid for a term of office of five years except that all vacancies shall be filled for the unexpired term. No commissioner of an authority may be a paid officer or employee of the municipality for which the authority is created. A commissioner shall hold office until his successor has been appointed and has qualified. A certificate of the appointment or reappointment of any commissioner shall be filed with the clerk and such certificate shall be conclusive evidence of the due and proper appointment of such commissioner. A commissioner shall receive no compensation for his services, but he shall be entitled to the necessary expenses, including traveling expenses, incurred in the discharge of his duties. The powers of each authority shall be vested in the commissioners thereof in office from time to time. Three commissioners shall constitute a quorum of the authority for the purpose of conducting its business and exercising its powers and for all other purposes. Action may be taken by the authority upon a vote of a majority of the commissioners present, unless in any case the by-laws of the authority shall require a larger number. The mayor shall designate which of the commissioners appointed shall be the first chairman and he shall serve in the capacity of chairman until the expiration of his term of office as commissioner. When the office of the chairman of the authority thereafter becomes vacant, the authority shall select a chairman from among its commissioners. An authority shall select from among its commissioners a vice-chairman, and it may employ a secretary (who shall be executive director), technical experts and such other officers, agents and employees, permanent and temporary, as it may require, and shall determine their qualifications, duties and compensation. For such legal services as it may require, an authority may call upon the chief law officer of the municipality or may employ its own counsel and legal staff. An authority may delegate to one or more of its agents or employees such powers or duties as it may deem proper.

5. **Reports.** Amend paragraph VI of section 8 of chapter 169 of the Revised Laws by adding thereto the words, and to publish and disseminate information on any of its findings, so that said paragraph as amended shall read as follows: VI. Within its area of operation; to investigate into living, dwelling and housing conditions and into the means and methods of improving such conditions; to determine where slum areas exist or where there is a shortage of decent, safe and sanitary dwelling accommodations for persons of low income; to make studies and recommendations relating to the problem of clearing, replanning and reconstructing of slum areas, and the problem of providing dwelling accommodations for persons of low income, and to cooperate with the municipality, the state or any political subdivision thereof in action taken in connection with such problems; and to engage in research, studies and experimentation on the subject of housing, and to publish and disseminate information on any of its findings.

6. **Exercise of Powers.** Amend section 11 of chapter 169 of the Revised Laws by striking out said section and inserting in place thereof the following: **11. Cooperation Between Authorities.** Any local authority or authorities may join or cooperate with each other, either jointly or otherwise, in the exercise of any of their powers for the purpose of financing, including the issuance of bonds, notes or other obligations and the giving of security therefor, planning, undertaking, owning, constructing, operating or contracting with respect to a housing project or projects located within the area within which one or more of such authorities are authorized to exercise their powers. For such purpose any cooperating authority may, by resolution, prescribe and authorize any authority so joining and cooperating with it to act in its behalf in the exercise of any of such powers or the cooperating authorities may, by resolution, appoint from among the commissioners of such authorities an executive committee with full powers to act on behalf of such authorities with respect to any of their powers as prescribed by resolution of such authority.

7. **Financial Assistance.** Amend section 20 of chapter 169 of the Revised Laws by striking out said section and inserting in place thereof the following: **20. Aid from Federal or State Government.** In addition to the powers conferred upon

an authority by other provisions of this chapter, an authority is empowered to borrow money or accept contributions, grants or other financial assistance from the federal or state government for or in aid of any housing project within its area of operation, to take over or lease or manage any housing project or undertaking constructed or owned by the federal or state government, and to these ends comply with such conditions and enter into such mortgages, trust indentures, leases or agreements as may be necessary, convenient or desirable. Any such authority in any contract for annual contributions with the federal government, may obligate itself (which obligation shall be specifically enforceable and shall not constitute a mortgage, notwithstanding any other laws) to convey to the federal government the project to which such contract relates, upon the occurrence of a substantial default with respect to the covenants or conditions to which such authority is subject; such contract may further provide that in case of such conveyance, the federal government may complete, operate, manage, lease, convey or otherwise deal with the project in accordance with the terms of such contracts; provided, that the contract shall require that, as soon as practicable after the federal government is satisfied that all defaults by reason of which it shall have acquired the project have been cured and that the project will thereafter be operated in accordance with the terms of the contract, the federal government shall reconvey to such authority the project as then constituted. It is the purpose and intent of this chapter to authorize every authority to do any and all things necessary or desirable to secure the financial aid or cooperation of the federal or state government in the undertaking, construction, maintenance or operation of any housing project by such authority.

8. Taxation. Amend section 21 of chapter 169 of the Revised Laws by striking out said section and inserting in place thereof the following: **21. Tax Exemption and Payments in Lieu of Taxes.** The property of an authority is declared to be public property used for essential public and governmental purposes and such property and an authority shall be exempt from all taxes and special assessments of the state or any political subdivision thereof; provided, however, that in lieu of such taxes an authority may agree to make such pay-

ments to the state or any political subdivision thereof as the authority finds consistent with the maintenance of the low-rent character of the housing projects or the achievement of the purpose of the housing authorities law.

9. Agreements as to Payments by Housing Authority. Amend section 23 of chapter 169 of the Revised Laws by striking out said section and inserting in place thereof the following: **23. Agreements as to Payments by Housing Authority.** In connection with any housing project located wholly or partly within the area in which it is authorized to act, any municipality or taxing power thereof may agree with a housing authority or the federal government that a certain sum or that no sum shall be paid by the authority in lieu of taxes for any year or period of years.

10. Banks, Fiduciaries, etc. Investment of Funds. Amend chapter 169 of the Revised Laws by adding after section 28 thereof the following new sections: **29. Bonds Legal Investment and Security for Deposits.** The state and all public officers, municipal corporations, political subdivisions, and public bodies, all banks, bankers, trust companies, savings banks and institutions, investment companies, insurance companies, insurance associations and other persons carrying on a banking or insurance business, and all executors, administrators, guardians, trustees and other fiduciaries may legally invest any sinking funds, money or other funds belonging to them or within their control in any bonds or other obligations issued by a housing authority created by or pursuant to the housing authorities law and any acts amendatory or supplemental thereto or issued by any public housing authority or agency in the United States, when such bonds or any other obligations are secured by a pledge of annual contributions to be paid by any state government or the United States government or any agency thereof, and such bonds and other obligations shall be authorized security for all public deposits; it being the purpose of this section to authorize any of the foregoing to use any funds owned or controlled by them, including (but not limited to) sinking, insurance, investment, retirement, compensation, pension and trust funds, and funds held on deposit, for the purchase of any such bonds or other obligations; provided, however, that nothing contained in this section shall be construed as relieving any

person, firm or corporation from any duty of exercising reasonable care in selecting securities. The provisions of this section shall apply notwithstanding any restrictions on investments contained in other laws. **30. Veterans Preference.** The families of servicemen and the families of veterans of World War II (other than those dishonorably discharged), and the families of servicemen who died in the service during World War II, shall be granted a preference as between applicants equally in need and eligible for occupancy of the dwelling at the rent involved for all dwellings constructed or operated pursuant to the housing authorities law, and this preference shall continue until December 31, 1951.

11. Takes Effect. This act shall take effect upon its passage.

[Approved May 29, 1947.]

CHAPTER 170.

AN ACT TO CLARIFY THE RELATIONSHIP BETWEEN SELECTMEN
AND HIGHWAY AGENTS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Clarification. Amend section 8, part 16, chapter 90 of the Revised Laws, as inserted by chapter 188, Laws of 1945, by striking out said section and inserting in place thereof the following: **8. Oath; Bond; Supervision.** Highway agents and expert highway agents shall be sworn to the faithful discharge of their duty, give bonds to the satisfaction of the selectmen for the faithful performance of the duties of the office, and be responsible to them for the expenditure of money and the discharge of their duties generally. The selectmen may supervise the methods and manner of performance of such agents. If any highway agent shall intentionally or deliberately refuse or neglect to comply with lawful instructions of the selectmen, or shall intentionally or deliberately refuse or neglect to carry out the duties prescribed by law for highway agents after written request by the selectmen, the selectmen may remove such agent from office. The selectmen shall

file a copy of any such order of removal, under their hands, with the town clerk.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved May 29, 1947.]

CHAPTER 171.

AN ACT RELATING TO CLERK HIRE IN THE OFFICE OF SHERIFF
FOR HILLSBOROUGH COUNTY.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. **Hillsborough County Sheriff's Office.** Amend section 28-a of chapter 380 of the Revised Laws as inserted by chapter 118 of the Laws of 1945 by striking out said section and inserting in place thereof the following: 28-a. **Clerk Hire.** The sheriff for Hillsborough county shall be allowed the sum of fifteen hundred and sixty dollars annually for clerk hire payable weekly by said county.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved May 29, 1947.]

CHAPTER 172.

AN ACT DISQUALIFYING STRAW CANDIDATES, SO-CALLED.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. **Prohibition.** Amend section 11 of chapter 33 of the Revised Laws by adding at the end thereof the following: No person shall be a candidate for nomination at any primary unless his candidacy is *bona fide* and is filed with the actual purpose of seeking the nomination, so that said section as amended shall read as follows: 11. **Declaration of Candidacy.** The name of a candidate shall not be printed upon an official ballot used at any primary unless not more than sixty days

prior to such primary a declaration of candidacy shall have been filed by such candidate and the filing fee shall have been paid, or the required number of primary petitions shall have been filed. No person shall be a candidate for nomination at any primary unless his candidacy is *bona fide* and is filed with the actual purpose of seeking the nomination.

2. **Straw Candidates.** Amend chapter 33 of the Revised Laws by inserting after section 27 the following new section:

27-a. **Straw Candidates.** Any candidate for nomination whose name is to be voted upon at a primary election, may within three days after the last day for filing declarations of candidacy and primary petitions file a petition with the ballot-law commission alleging that one or more candidates for the same nomination are obviously not *bona fide* candidates, having filed as straw candidates. The commission, after hearing with due notice thereof in writing to all candidates of that party for the same nomination, shall have the power and duty to order stricken forthwith from the primary ballot the name or names of any candidate or candidates for said nomination if the commission finds that such candidate or candidates are obviously not *bona fide* candidates, obviously having filed not primarily for the purpose of seeking the nomination but primarily for the purpose of drawing votes which might otherwise be cast for some other candidate for the same nomination. The decision of the commission shall be final as to questions both of law and fact, and no court shall have jurisdiction to review such decision.

3. **Takes Effect.** This act shall take effect upon its passage.

[Approved June 4, 1947.]

CHAPTER 173.

AN ACT RELATING TO LICENSES FOR AGENTS OF UNLICENSED COMPANIES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. **Licensed Resident Insurance Agents.** Amend section 25 of chapter 325 of the Revised Laws by striking out said

section and inserting in place thereof the following: **25. Issue.** The commissioner, upon the annual payment of a fee of two dollars, may issue licenses to licensed resident agents of the state, subject to revocation at any time, permitting the agent named therein to procure insurance policies and contracts of insurance or suretyship to be effective in this state in foreign insurance companies not authorized to transact business in this state, but which are duly authorized to do business in some state having an insurance commissioner. All such licenses shall expire annually on March thirty-first. Such insurance or suretyship placed with an unadmitted company shall be for such amount as the agent cannot place with an admitted company, and shall not be placed until the agent has first satisfied the insurance commissioner that he cannot procure such insurance in an admitted company.

2. Requirements. Amend section 26 of chapter 325 of the Revised Laws by striking out said section and inserting in place thereof the following: **26. Monthly Statements.** Every such licensee shall, on or before the tenth day of each month, execute and file with the commissioner, a statement under oath covering all insurance policies and contracts of insurance or suretyship procured by him under his said license during the calendar month next preceding, giving the name of the company issuing each of said policies, the name and residence of the insured and the amount, term and premium of each policy and contract and the kind of property or risk insured thereby, and that he was unable to procure in companies admitted to do business in the state the amount of insurance necessary to protect said property or risk.

3. Prohibition. Amend section 28 of chapter 325 of the Revised Laws by striking out said section and inserting in place thereof the following: **28. Unlicensed Persons.** No person, unless he shall be so licensed, shall act or aid in any manner in placing policies and contracts of insurance or suretyship to be effective in this state, other than his own, in any company which is not duly authorized to transact business in this state.

4. Takes Effect. This act shall take effect upon its passage.

[Approved June 4, 1947.]

CHAPTER 174.

AN ACT RELATING TO THE ALLOTMENT OF FUNDS TO TOWNS FOR
THE MAINTENANCE OF CLASS V HIGHWAYS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Class V Highways. Amend section 8, Part 13, chapter 90, Revised Laws, as inserted by chapter 188, Laws of 1945, by striking out in line five of said section the word "fifty" and inserting in place thereof the word, forty; further amend by striking out in said line five the word "assessed" and inserting in place thereof the word, equalized; further amend by striking out in line nine of said section the word "fifty" and inserting in place thereof the word, forty; further amend by striking out in line ten of said section the word "assessed" and inserting in place thereof the word, equalized, so that said section as amended shall read as follows: **8. Allotment by State.** In the month of July of each year, the highway commissioner shall allot to each town, from the funds accruing to the highway department, a sum sufficient, when added to the amount which might be derived by a tax of forty cents on each one hundred dollars of equalized valuation of the preceding year, to equal ninety dollars for each mile of regularly maintained class V highway in such town; provided, however, that no allotment shall be made to any town in which a tax of forty cents on each one hundred dollars of equalized valuation would produce an amount in excess of ninety dollars for each mile of regularly maintained class V highway in such town.

2. Requirements. Amend section 9, Part 13, chapter 90, Revised Laws, as inserted by chapter 188, Laws of 1945, by striking out the same and inserting in place thereof the following: **9. Use of Allotment.** The sum so allotted shall be used for the care, construction, reconstruction or maintenance of class V highways, and for no other purpose. Each town shall furnish the highway commissioner, before the first day of July of each year, a report under oath by such town officials as shall be designated by the highway commissioner, on such form as prescribed by the highway commissioner, showing the manner in which and the locations upon which such funds allotted the preceding year have been expended. No

further allotment of such funds shall be made to any town until and unless such report is furnished.

3. Takes Effect. This act shall take effect January 1, 1948.

[Approved June 10, 1947.]

CHAPTER 175.

AN ACT DEFINING GROUP LIFE INSURANCE.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Amend chapter 327 of the Revised Laws by adding after section 14 thereof the following new subdivision:

Group Life Insurance

14-a. Definition. No policy of group life insurance shall be issued or delivered in this state unless it conforms to one of the following descriptions:

(1) A policy issued to an employer, or to the trustees of a fund established by an employer, which employer or trustees shall be deemed the policyholder, to insure employees of the employer for the benefit of persons other than the employer, subject to the following requirements:

(a) The employees eligible for insurance under the policy shall be all of the employees of the employer, or all of any class or classes thereof determined by conditions pertaining to their employment. The policy may provide that the term "employees" shall include the employees of one or more subsidiary corporations, and the employees, individual proprietors, and partners of one or more affiliated corporations, proprietors or partnerships if the business of the employer and of such affiliated corporations, proprietors or partnerships is under common control through stock ownership, contract, or otherwise. The policy may provide that the term "employees" shall include the individual proprietor or partners if the employer is an individual proprietor or a partnership. The policy may provide that the term "employees" shall include retired employees.

(b) The premium for the policy shall be paid by the

policyholder, either wholly from the employer's funds or funds contributed by him, or partly from such funds and partly from funds contributed by the insured employees. No policy may be issued on which the entire premium is to be derived from funds contributed by the insured employees. A policy on which part of the premium is to be derived from funds contributed by the insured employees may be placed in force only if at least seventy-five per cent of the then eligible employees, excluding any as to whom evidence of individual insurability is not satisfactory to the insurer, elect to make the required contributions. A policy on which no part of the premium is to be derived from funds contributed by the insured employees, must insure all eligible employees, or all except any as to whom evidence of individual insurability is not satisfactory to the insurer.

(c) The policy must cover at least twenty-five employees at date of issue.

(d) The amounts of insurance under the policy must be based upon some plan precluding individual selection either by the employees or by the employer or trustees. No policy may be issued which provides insurance on any employee which together with any other insurance under any group life insurance policy or policies issued to the employer or to the trustees of a fund established in whole or in part by the employer exceeds twenty thousand dollars.

(2) A policy issued to a creditor, who shall be deemed the policyholder, to insure debtors of the creditor, subject to the following requirements:

(a) The debtors eligible for insurance under the policy shall be all of the debtors of the creditor whose indebtedness is repayable in installments, or all of any class or classes thereof determined by conditions pertaining to the indebtedness or to the purchase giving rise to the indebtedness. The policy may provide that the term "debtors" shall include the debtors of one or more subsidiary corporations, and the debtors of one or more affiliated corporations, proprietors or partnerships if the business of the policyholder and of such affiliated corporations, proprietors or partnerships is under common control through stock ownership, contract, or otherwise.

(b) The premium for the policy shall be paid by the

policyholder, either from the creditor's funds, or from charges collected from the insured debtors, or from both. A policy on which part or all of the premium is to be derived from the collection from the insured debtors of identifiable charges not required of uninsured debtors shall not include, in the class or classes of debtors eligible for insurance, debtors under obligations outstanding at its date of issue without evidence of individual insurability unless at least seventy-five per cent of the then eligible debtors elect to pay the required charges. A policy on which no part of the premium is to be derived from the collection of such identifiable charges must insure all eligible debtors, or all except any as to whom evidence of individual insurability is not satisfactory to the insurer.

(c) The policy may be issued only if the group of eligible debtors is then receiving new entrants at the rate of at least one hundred persons yearly, or may reasonably be expected to receive at least one hundred new entrants during the first policy year, and only if the policy reserves to the insurer the right to require evidence of individual insurability if less than seventy-five per cent of the new entrants become insured.

(d) The amounts of insurance on the life of any debtor shall at no time exceed the amount owed by him which is repayable in installments to the creditor, or ten thousand dollars, whichever is less.

(e) The insurance shall be payable to the policyholder. Such payment shall reduce or extinguish the unpaid indebtedness of the debtor to the extent of such payment.

(3) A policy issued to a labor union, which shall be deemed the policyholder, to insure members of such union for the benefit of persons other than the union or any of its officials, representatives or agents, subject to the following requirements:

(a) The members eligible for insurance under the policy shall be all of the members of the union, or all of any class or classes thereof determined by conditions pertaining to their employment, or to membership in the union, or both.

(b) The premium for the policy shall be paid by the policyholder, either wholly from the union's funds, or partly from such funds and partly from funds contributed by the insured members specifically for their insurance. No policy may

be issued on which the entire premium is to be derived from funds contributed by the insured members specifically for their insurance. A policy on which part of the premium is to be derived from funds contributed by the insured members specifically for their insurance may be placed in force only if at least seventy-five per cent of the then eligible members, excluding any as to whom evidence of individual insurability is not satisfactory to the insurer, elect to make the required contributions. A policy on which no part of the premium is to be derived from funds contributed by the insured members specifically for their insurance must insure all eligible members, or all except any as to whom evidence of individual insurability is not satisfactory to the insurer.

(c) The policy must cover at least twenty-five members at date of issue.

(d) The amounts of insurance under the policy must be based upon some plan precluding individual selection either by the members or by the union. No policy may be issued which provides insurance on any union member which together with any other insurance under any group life insurance policies issued to the union exceeds twenty thousand dollars.

(4) A policy issued to the trustees of a fund established by two or more employers in the same industry or by two or more labor unions, which trustees shall be deemed the policyholder, to insure employees of the employers or members of the unions for the benefit of persons other than the employers or the unions, subject to the following requirements:

(a) The persons eligible for insurance shall be all of the employees of the employers or all of the members of the unions, or all of any class or classes thereof determined by conditions pertaining to their employment, or to membership in the unions, or to both. The policy may provide that the term "employees" shall include the individual proprietor or partners if an employer is an individual proprietor or a partnership. The policy may provide that the term "employees" shall include the trustees or their employees, or both, if their duties are principally connected with such trusteeship. The policy may provide that the term "employees" shall include retired employees.

(b) The premium for the policy shall be paid by the trustees wholly from funds contributed by the employers of

the insured persons. The policy must insure all eligible persons, or all except any as to whom evidence of individual insurability is not satisfactory to the insurer.

(c) The policy must cover at least one hundred persons at date of issue.

(d) The amounts of insurance under the policy must be based upon some plan precluding individual selection either by the insured persons or by the policyholder, employers, or unions. No policy may be issued which provides insurance on any person which together with any other insurance under any group life insurance policy or policies issued to the employers or any of them, or to the trustees of a fund established in whole or in part by the employers or any of them, exceeds twenty thousand dollars.

14-b. Group Standard Provisions. No policy of group life insurance shall be delivered in this state unless it contains in substance the following provisions, or provisions which in the opinion of the commissioner are more favorable to the persons insured, or at least as favorable to the persons insured and more favorable to the policyholder, provided, however, (a) that provisions (6) to (10) inclusive shall not apply to policies issued to a creditor to insure debtors of such creditor; (b) that standard provisions which may be required for individual life insurance policies shall not apply to group life insurance policies; and (c) that if the group life insurance policy is on a plan of insurance other than the term plan, it shall contain a non-forfeiture provision or provisions which in the opinion of the commissioner is or are equitable to the insured persons and to the policyholder, but nothing herein shall be construed to require that group life insurance policies contain the same non-forfeiture provisions as are required for individual life insurance policies:

(1) A provision that the policyholder is entitled to a grace period of thirty-one days for the payment of any premium due except the first, during which grace period the death benefit coverage shall continue in force, unless the policyholder shall have given the insurer written notice of discontinuance in advance of the date of discontinuance and in accordance with the terms of the policy. The policy may provide that the policyholder shall be liable to the insurer for the payment of a pro rata premium for the time the policy was in force during such grace period.

(2) A provision that the validity of the policy shall not be contested, except for nonpayment of premiums, after it has been in force for two years from its date of issue; and that no statement made by any person insured under the policy relating to his insurability shall be used in contesting the validity of the insurance with respect to which such statement was made after such insurance has been in force prior to the contest for a period of two years during such person's lifetime nor unless it is contained in a written instrument signed by him.

(3) A provision that a copy of the application, if any, of the policyholder shall be attached to the policy when issued, that all statements made by the policyholder or by the persons insured shall be deemed representations and not warranties, and that no statement made by any person insured shall be used in any contest unless a copy of the instrument containing the statement is or has been furnished to such person or to his beneficiary.

(4) A provision setting forth the conditions, if any, under which the insurer reserves the right to require a person eligible for insurance to furnish evidence of individual insurability satisfactory to the insurer as a condition to part or all of his coverage.

(5) A provision specifying an equitable adjustment of premiums or of benefits or of both to be made in the event the age of a person insured has been misstated, such provision to contain a clear statement of the method of adjustment to be used.

(6) A provision that any sum becoming due by reason of the death of the person insured shall be payable to the beneficiary designated by the person insured, subject to the provisions of the policy in the event there is no designated beneficiary as to all or any part of such sum living at the death of the person insured, and subject to any right reserved by the insurer in the policy and set forth in the certificate to pay at its option a part of such sum not exceeding two hundred fifty dollars to any person appearing to the insurer to be equitably entitled thereto by reason of having incurred funeral or other expenses incident to the last illness or death of the person insured.

(7) A provision that the insurer will issue to the policy-

holder for delivery to each person insured an individual certificate setting forth a statement as to the insurance protection to which he is entitled, to whom the insurance benefits are payable, and the rights and conditions set forth in (8), (9) and (10) following.

(8) A provision that if the insurance, or any portion of it, on a person covered under the policy ceases because of termination of employment or of membership in the class or classes eligible for coverage under the policy, such person shall be entitled to have issued to him by the insurer, without evidence of insurability, an individual policy of life insurance without disability or other supplementary benefits, provided application for the individual policy shall be made, and the first premium paid to the insurer, within thirty-one days after such termination, and provided further that, (a) the individual policy shall, at the option of such person, be on any one of the forms, except term insurance, then customarily issued by the insurer at the age and for the amount applied for; (b) the individual policy shall be in an amount not in excess of the amount of life insurance which ceases because of such termination, provided that any amount of insurance which shall have matured on or before the date of such termination as an endowment payable to the person insured, whether in one sum or in installments or in the form of an annuity, shall not, for the purposes of this provision, be included in the amount which is considered to cease because of such termination; and (c) the premium on the individual policy shall be at the insurer's then customary rate applicable to the form and amount of the individual policy, to the class of risk to which such person then belongs, and to his age attained on the effective date of the individual policy.

(9) A provision that if the group policy terminates or is amended so as to terminate the insurance of any class of insured persons, every person insured thereunder at the date of such termination whose insurance terminates and who has been so insured for at least five years prior to such termination date shall be entitled to have issued to him by the insurer an individual policy of life insurance, subject to the same conditions and limitations as are provided by (8) above, except that the group policy may provide that the amount of such individual policy shall not exceed the smaller of (a) the

amount of the person's life insurance protection ceasing because of the termination or amendment of the group policy, less the amount of any life insurance for which he is or becomes eligible under any group policy issued or reinstated by the same or another insurer within thirty-one days after such termination, and (b) two thousand dollars.

(10) A provision that if a person insured under the group policy dies during the period within which he would have been entitled to have an individual policy issued to him in accordance with (8) or (9) above and before such an individual policy shall have become effective, the amount of life insurance which he would have been entitled to have issued to him under such individual policy shall be payable as a claim under the group policy, whether or not application for the individual policy or the payment of the first premium therefor has been made.

2. Life Insurance Companies. Amend section 40, chapter 323 of the Revised Laws by striking out said section and inserting in place thereof the following: **40. Exceptions.** The two preceding sections shall not prevent any company from paying to another insurance company or to any person who is a duly authorized agent or broker, or prevent an insurance company or such a person from receiving, a commission in respect to any policy under which it or he is insured; nor prohibit any company issuing non-participating life insurance from paying bonuses to policyholders or otherwise abating their premiums in whole or in part out of surplus accumulated from non-participating insurance; nor prohibit any company transacting industrial insurance on the weekly payment plan from returning to policyholders, who have made premium payments for a period of at least one year directly to the company at its home or district offices, a percentage of the premium which the company would have paid for the weekly collection of such premiums.

3. Takes Effect. This act shall take effect upon its passage.

[Approved June 10, 1947.]

CHAPTER 176.

AN ACT RELATING TO COURT STENOGRAPHERS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. **Court Stenographers.** Amend section 26 of chapter 395 of the Revised Laws by striking out the same and inserting in place thereof the following: **26. Appointment.** The superior court may appoint not more than six official state court stenographers who shall report the proceedings of the superior court of any county to which they may from time to time be assigned by said court. Each court stenographer shall be sworn to the faithful discharge of his duties and shall receive from the state an annual salary of three thousand dollars. He shall take full notes of all oral testimony and other proceedings in the trial of causes either at law or in equity including the charge of the justice in all trials before a jury and all comments and rulings of said justice in the presence of the jury during the progress of the trial as well as all statements and arguments of counsel addressed to the court, and during the trial shall furnish for the use of the court or either of the parties a transcript of so much of his notes as the presiding justice may direct. He shall also furnish a transcript of so much of the evidence and other proceedings taken by him as either party to the trial may require, on payment therefor by such party at the rate fixed by the court as provided in section 29.

2. **Duties.** Amend section 27 of said chapter 395 by striking out said section and inserting in place thereof the following: **27. Transcripts After Trial.** A court stenographer shall make for the use of the court and parties, after any trial, whenever ordered by the court, a true report of all proceedings, and the court may order the original notes to be filed. Upon request of either party, the original stenographic notes, and a duly certified copy of them written out in full, shall, as soon as practicable, be placed on file.

3. **State Salaries.** Amend section 28 of said chapter 395, as amended by chapter 193, Laws of 1945, by striking out said section and inserting in place thereof the following: **28. Reimbursement.** The state shall be reimbursed by the several counties for the total amount paid as annual salaries for the

state court stenographers. The apportionment of said salaries between the counties shall be made by the superior court on the basis of the use of such stenographic services in each county. Such apportionment shall become effective on July first of each year and the county treasurer of each county, on order of the superior court, shall forthwith forward to the state treasurer the amount due from said county as so fixed by said court. All court stenographers appointed under the provisions of section 26 shall be reimbursed for their actual expenses when away from their homes engaged in court work and said expenses shall be paid directly by the county on order of the superior court. Supplies for the use of said stenographers in the business of the court shall be furnished by the clerks of court and paid for by the respective counties.

4. Additional. Amend section 30 of said chapter 395 by striking out said section and inserting in place thereof the following: **30. Stenographic Hire.** The superior court may employ such additional stenographic assistance as it may require and stenographers so employed shall be allowed twelve dollars and fifty cents per day and shall be reimbursed for their actual expenses when away from home.

5. Classification. The state classification plan shall not apply to the state court stenographers as provided under section 26, chapter 395 of the Revised Laws.

6. Takes Effect. This act shall take effect as of July 1, 1947.

[Approved June 10, 1947.]

CHAPTER 177.

AN ACT RELATIVE TO DEALERS IN TRAILERS, SEMI-TRAILERS AND TRACTORS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Definitions under Motor Vehicle Laws. Amend paragraph V of section 1 of chapter 115, Revised Laws, by striking out said paragraph and inserting in place thereof the following: V. "Dealer," every person principally engaged

in the business of buying, selling, or exchanging new and secondhand motor vehicles, trailers, semi-trailers, or tractors on commission or otherwise, who maintains a place of business devoted exclusively to the motor vehicle, trailer, semi-trailer, or tractor business and who holds a written contract with a manufacturer giving such persons selling rights for new motor vehicles, trailers, semi-trailers, or tractors or with a distributor of such vehicles who as such distributor holds a manufacturer's franchise or contract giving selling rights on new motor vehicles, trailers, semi-trailers, or tractors, and every person principally engaged in the business of buying, selling, and exchanging secondhand motor vehicles, trailers, semi-trailers, or tractors and maintaining a place of business devoted exclusively to the motor vehicle, trailer, semi-trailer, or tractor business in which the repair of motor vehicles, trailers, semi-trailers, or tractors is subordinate or incidental to the business of buying, selling, and exchanging the same, and every person principally engaged in the business of buying promissory notes secured by mortgage, conditional sale contract, or lease upon motor vehicles, trailers, semi-trailers, or tractors.

2. **Registration.** Amend section 46 of chapter 116, Revised Laws, by adding at the end of the section the words, trailers, semi-trailers, and tractors, so that said section as amended shall read as follows: **46. Application.** A manufacturer or dealer may make application to the commissioner, upon blanks furnished by him for that purpose, for a general distinguishing number for his motor vehicles, trailers, semi-trailers, and tractors.

3. **Trailers and Tractors.** Amend section 47 of chapter 116, Revised Laws, by striking out said section and inserting in place thereof the following: **47. Registration.** The commissioner may, if he is satisfied of the facts stated in such application, grant the same and issue to the applicant a certificate of registration containing the name, residence, and address of such applicant and the general distinguishing number assigned and such other provisions as the commissioner may determine. All motor vehicles, trailers, semi-trailers, and tractors owned by such manufacturer or dealer shall, while so owned, be regarded as registered under such distinguishing number.

4. Operation. Amend section 51 of chapter 116, Revised Laws, by striking out the said section and inserting in place thereof the following: **51. Temporary Plates.** A manufacturer or dealer shall, upon the sale or exchange of a motor vehicle, trailer, semi-trailer, or tractor, attach to such motor vehicle, trailer, semi-trailer, or tractor a set of temporary number plates, and the purchaser of such motor vehicle, trailer, semi-trailer, or tractor may operate the same for a period not to exceed five consecutive days thereafter without payment of a registration fee.

5. Commissioner of Motor Vehicles. Amend section 52 of chapter 116, Revised Laws, by adding after the words "motor vehicle" the words, trailer, semi-trailer, or tractor, so that the same as amended shall read as follows: **52. Notice of Sale.** A manufacturer or dealer shall, upon attaching a set of temporary number plates to a motor vehicle, trailer, semi-trailer, or tractor sold or exchanged by him immediately notify the commissioner of said sale or exchange, giving the name and address of the purchaser, the number on the temporary plate, and such further information as the commissioner may require.

6. Pleasure Purposes. Amend section 53 of chapter 116, Revised Laws, by striking out said section and inserting in place thereof the following: **53. Use of Motor Vehicles, Trailers, Semi-Trailers, and Tractors.** A dealer may use his motor vehicles, trailers, semi-trailers, or tractors registered under his dealer's registration, except motor vehicles, trailers, semi-trailers, or tractors designed for transportation of freight or merchandise, for his pleasure purposes, but shall not rent or otherwise use or permit to be used motor vehicles, trailers, semi-trailers, or tractors so registered, except for demonstration purposes or service in connection with his motor vehicle, trailer, semi-trailer, or tractor business.

7. Fees. Amend section 1, paragraph VIII, of chapter 118, Revised Laws, by striking out said paragraph and inserting in place thereof the following: **VIII.** For motor vehicles, trailers, semi-trailers, or tractors owned by or under the control of a manufacturer of or dealer in motor vehicles, trailers, semi-trailers, or tractors, fifty dollars.

8. Takes Effect. This act shall take effect upon its passage.

[Approved June 10, 1947.]

CHAPTER 178.**AN ACT RELATIVE TO RESCINDING APPROPRIATIONS MADE AT
PRECEDING SCHOOL MEETINGS.**

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. School District Meetings. Amend section 3 of chapter 139 of the Revised Laws by striking out all preceding the word "nor" in the third line and inserting in place thereof the words, no school district at any special meeting shall raise or appropriate money nor reduce or rescind any appropriation made at a previous meeting, unless the vote thereon is by ballot, so that said section as amended shall read as follows:

3. Raising Money at Special Meeting. No school district at any special meeting shall raise or appropriate money nor reduce or rescind any appropriation made at a previous meeting, unless the vote thereon is by ballot, nor unless the ballots cast at such meeting shall be equal in number to at least one-half of the number of voters of such district entitled to vote at the regular meeting next preceding such special meeting; and, if a check-list was used at the last preceding regular meeting, the same shall be used to ascertain the number of legal voters in said district; and such check-list, corrected according to law, may be used at such special meeting upon request of ten legal voters of the district. In case an emergency arises requiring an immediate expenditure of money, the school board may petition the superior court for permission to hold a special district meeting, which, if granted, shall give said district meeting the same authority as an annual district meeting.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 10, 1947.]

CHAPTER 179.*

AN ACT RELATIVE TO COMPENSATION OF SPECIAL JUSTICES OF THE MUNICIPAL COURTS OF MANCHESTER AND NASHUA.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Municipal Courts. Amend section 4, chapter 377 of the Revised Laws by striking out the word "eight" the first time it occurs in the seventh line and inserting in place thereof the word, eighteen, and by striking out the word "eight" where it occurs in said seventh line for the second time and inserting in place thereof the word, fifteen, so that said section as amended shall read as follows: **4. Compensation of Special Justices.** The special justice and justice of the peace requested to sit owing to the disqualification of the justice and special justice shall be paid, from the treasury of the city or town wherein said court is located, three dollars a day for each day or part thereof that he shall serve in said capacity; provided, that the annual salaries of the special justices of the municipal courts of the following cities and towns shall be as follows, of Manchester eighteen hundred dollars, of Nashua fifteen hundred dollars, of Concord five hundred dollars, and of Hampton one hundred and fifty dollars, to be paid by said cities and town, respectively, quarterly, and shall be in lieu of any other compensation or fees to such justices.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 10, 1947.]

CHAPTER 180.

AN ACT RELATING TO THE SALARIES OF THE JUDGES OF PROBATE AND THE REGISTERS OF PROBATE IN THE SEVERAL COUNTIES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Judges of Probate. Amend section 22 of chapter 346 of the Revised Laws by striking out said section and inserting in place thereof the following: **22. Salaries.** The annual

* See chapter 260, *post*.

salaries of the judges in the several counties shall be paid by the state, and shall be as follows:

- In Rockingham county, two thousand six hundred dollars.
- In Strafford county, two thousand four hundred dollars.
- In Belknap county, two thousand dollars.
- In Carroll county, two thousand dollars.
- In Merrimack county, two thousand six hundred dollars.
- In Hillsborough county, three thousand three hundred dollars.
- In Cheshire county, two thousand dollars.
- In Sullivan county, two thousand dollars.
- In Grafton county, two thousand four hundred dollars.
- In Coos county, two thousand dollars.

2. Registers of Probate. Amend section 19 of chapter 347 of the Revised Laws by striking out said section and inserting in place thereof the following: **19. Salaries.** The annual salaries of the registers of probate in the several counties shall be paid by the state, and shall be as follows:

- In Rockingham county, two thousand six hundred dollars.
- In Strafford county, two thousand four hundred dollars.
- In Belknap county, two thousand dollars.
- In Carroll county, two thousand dollars.
- In Merrimack county, two thousand six hundred dollars.
- In Hillsborough county, two thousand six hundred dollars.
- In Cheshire county, two thousand dollars.
- In Sullivan county, two thousand dollars.
- In Grafton county, two thousand six hundred dollars.
- In Coos county, two thousand dollars.

3. Takes Effect. This act shall take effect July 1, 1947.
[Approved June 10, 1947.]

CHAPTER 181.

AN ACT RELATIVE TO REQUIRED EQUIPMENT FOR MOTOR VEHICLES AND THE USE OF SO-CALLED STICKERS ON WINDSHIELDS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Motor Vehicles. Amend chapter 119 of the Revised Laws by inserting after section 12 the following new sections:

12-a. Windshields. Every motor vehicle shall be equipped with a windshield wiper, so-called, for cleaning rain, ice, snow or other moisture from its windshield, and every motor vehicle manufactured after January 1, 1947, shall, in addition to such windshield wiper, be also equipped with a defroster, so-called, designed for melting snow and ice from the windshield. Such devices shall at all times be maintained in good working condition. **12-b. Prohibition.** No person shall operate upon any way any motor vehicle with any sign, poster, sticker or other nontransparent material upon the front windshield, side wings, or side or rear windows of such vehicle which shall obstruct the operator's clear view of the highway or any intersecting highway, unless authorized by the commissioner so to do.

2. Takes Effect. This act shall take effect April 1, 1948.

[Approved June 10, 1947.]

CHAPTER 182.

AN ACT RELATING TO THE POWERS OF INSURANCE COMPANIES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Purposes. Amend paragraph VI of section 1 of chapter 322 of the Revised Laws by striking out said paragraph and inserting in place thereof the following: VI. On property and rents and use and occupancy, against loss or damage and against liability of the insured therefor from explosions of steam boilers, tanks, and engines, their connections and machinery connected therewith, and breakage of flywheels and machinery and glass, and to make inspections thereof; and against loss of or damage to any property resulting from burglary, theft, larceny, robbery, forgery, fraud, vandalism, malicious mischief, confiscation or wrongful conversion, disposal or concealment by any person or persons, or from any attempt at any of the foregoing and against loss or damage from collision and against loss or damage from breakage of glass.

2. Powers of Mutuels. Amend section 3 of chapter 322 of the Revised Laws by striking out the words "except that a

corporation formed to do business specified in paragraph VII of section 1 shall have a capital stock" so that said section as amended shall read as follows: 3. **Capital Stock.** Such a corporation may have a capital stock or may do business on the mutual plan.

3. **Capital Requirements.** Amend section 4 of chapter 322 of the Revised Laws by striking out said section and inserting in place thereof the following: 4. **Capital.** All stock companies organized under the provisions of this chapter shall have a paid-up capital of at least two hundred thousand dollars.

4. **Authority to Combine.** Amend section 5 of chapter 322 of the Revised Laws by striking out said section and inserting in place thereof the following: 5. **Combinations of Business.** Articles of agreement of such a stock or mutual company may provide for the transaction of any combinations of two or more kinds of insurance authorized by section 1 except that specified by paragraph III of said section which may only be combined with insurance specified in paragraph IV or V, or both. The articles of agreement of a mutual company issuing assessable policies may not provide for the transaction of any but the following combinations of business: that specified in paragraph I of section 1 with that specified in paragraph II; that specified in paragraphs III, IV, and V or any two of said paragraphs; that specified in paragraphs IV, V, VI, and VII or in any two or more of said paragraphs, unless such company shall have and maintain a policyholders' surplus of at least one hundred thousand dollars.

5. **Foreign Stock Companies.** Amend section 2 of chapter 325 of the Revised Laws by striking out said section and inserting in place thereof the following: 2. **Stock Company.** No such stock insurance company shall be licensed to do business in the state unless it shall possess a paid-up capital of two hundred thousand dollars, invested in securities readily convertible into cash, one-half at least of which are not loans secured by real estate; nor unless it shall possess, in addition to such capital, assets equal in amount to all its outstanding liabilities, estimating fifty per cent of premiums received on unexpired fire risks running one year or less from date of policy, and a pro rata amount of all premiums received on unexpired risks running more than one year from date of policy, and on marine risks fifty per cent of the amount of premiums

written on policies upon yearly risks, and upon risks covering more than one passage not terminated, and the full amount of premiums written on policies of all other marine risks not terminated as a liability.

6. Takes Effect. This act shall take effect upon its passage.

[Approved June 10, 1947.]

CHAPTER 183.

AN ACT RELATING TO THE POLLUTION OF WATERS AND THE DISPOSAL OF SEWAGE, INDUSTRIAL AND OTHER WASTES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Water Pollution. Amend the Revised Laws by adding after chapter 166 the following new chapter:

Chapter 166-A

Water Pollution and Disposal of Wastes.

1. Definitions. As used herein the following terms, unless the context clearly indicates otherwise, shall have the following meanings:

I. "Sewage" means the water-carried waste products from buildings, public or private, together with such ground water infiltration and surface water as may be present.

II. "Industrial waste" means any liquid, gaseous or solid waste substance resulting from any process of industry, manufacturing trade or business or from development of any natural resources.

III. "Other wastes" means garbage, municipal refuse, decayed wood, sawdust, shavings, bark, lime, ashes, offal, oil, tar, chemicals and other substances other than sewage or industrial wastes, and any other substance harmful to human, animal, fish or aquatic life.

IV. "Waste" means industrial waste and other wastes.

V. "Surface waters of the state" means streams, lakes, ponds and tidal waters within the jurisdiction of the state, including all streams, lakes, or ponds bordering on the state,

marshes, water courses and other bodies of water, natural or artificial.

VI. "Commission" means the New Hampshire water pollution commission hereinafter established.

VII. "Person" means any municipality, governmental subdivision, public or private corporation, individual, partnership or other entity.

2. Water Pollution Commission Established.

I. There is hereby created a commission to be known as the New Hampshire Water Pollution Commission which shall consist of one member to be appointed by the governor with the consent of the council for a term of six years, who shall act as chairman of said commission; the state health officer; the director of the fish and game department; the director of the division of recreation of the forestry and recreation department; the executive director of the planning and development commission; one of the commissioners of the public service commission to be named by the governor with the consent of the council; the chairman of water resources board; three members-at-large, two of whom shall represent the industrial interests of the state and the other an employee of any municipal or private water works of the state. The director of the division of sanitary engineering of the state department of health shall act as technical secretary without voting powers or privileges. The members-at-large shall be appointed by the governor with the consent of the council, and each shall hold office for a term of six years and until his successor shall be appointed and qualified; provided that the original appointments shall be one for a term of two years, one for a term of four years and one for a term of six years. The members-at-large shall receive no compensation for their services but shall receive necessary traveling and other expenses while engaged in actual work of the commission. The other members of the commission shall receive no additional compensation for their services as members of this commission other than their regular salaries or per diem expenses from their respective state departments, but shall receive their necessary traveling and other expenses while engaged in actual work of the commission, which said expenses shall be paid from the appropriations of this commission.

II. The technical secretary shall make inspections and investigations or arrange for the conduct of such by employees of the commission, and may request assistance from any other state agency as may be necessary to carry out the provisions of this chapter within the limits of the appropriations made for this purpose. The said secretary shall, under the direction of the commission, administer the provisions hereof.

III. The commission shall meet quarterly each year. Other special meetings may be held at any time and place as agreed upon by the commission or upon the call of the chairman, or any four members of the commission, to take up any matter within its jurisdiction. Five members shall constitute a quorum.

3. Standards for Classification of Surface Waters of the State. For purposes of classification there shall be four classes or grades of surface waters as follows:

I. Class A waters shall be of the highest quality and shall contain not more than fifty coliform bacteria per one hundred milliliters. There shall be no discharge of any sewage or wastes into waters of this classification. The waters of this classification shall be considered as being potentially acceptable for water supply uses after disinfection.

II. Class B waters shall be of the second highest quality and shall be divided into two parts as follows: (a) Class B-1 waters shall have no objectionable physical characteristics, shall be near saturation for dissolved oxygen, and shall contain not more than two hundred forty coliform bacteria per one hundred milliliters. There shall be no disposal of sewage into waters of Class B-1 except those discharged from a sewage treatment plant, which shall contain both adequate primary and secondary treatment followed by adequate disinfection nor shall there be any disposal of industrial waste into said waters except those which will not lower the physical, chemical or bacteriological characteristics below those given above, and shall not be inimical to fish life or to the maintenance of fish life in said receiving waters. The waters of this classification shall be considered as being acceptable for bathing and other recreational purposes and, after adequate treatment, for use as water supplies. (b) Class B-2 waters shall have no objectionable physical characteristics, shall be near saturation for dissolved oxygen, and

shall contain not more than one thousand coliform bacteria per one hundred milliliters. The waters of this classification shall be considered as being acceptable for recreational boating, fishing and for industrial purposes, and, after adequate treatment, for use as water supplies.

III. Class C waters shall be of the third highest quality and shall be free from slick, odors, and surface-floating solids of unreasonable kind or quantity, shall contain not less than five parts per million of dissolved oxygen; shall have a hydrogen ion concentration within the range of pH 5.0 to 8.5; and shall be free from chemicals and other materials and conditions inimical to fish life or the maintenance of fish life. The waters of this classification shall be considered as being acceptable for recreational boating, fishing or for industrial water supply uses either with or without treatment depending upon individual requirements.

IV. Class D waters shall be the lowest classification and shall be free from slick, odors and surface-floating solids of unreasonable kind, quantity or duration, taking into consideration the necessities of the industries involved, and shall contain dissolved oxygen at all times. The waters of this classification shall be considered as being devoted primarily to the transportation of sewage or industrial wastes, or both, without nuisance.

V. All tests and sampling for the purposes of examination of waters shall be performed and carried out in a reasonable manner and whenever practicable, in accordance with the current edition of the Standard Methods for the Examination of Water and Sewage as published jointly by the American Public Health Association and the American Water Works Association. Near saturation for dissolved oxygen shall mean a dissolved oxygen content of at least seventy-five percentum of saturation. The waters in each classification shall satisfy all the provisions of all lower classifications.

4. Duties of the Commission. It shall be the duty of the commission and it shall have power and authority:

I. To exercise general supervision over the administration and enforcement of this chapter.

II. To study and investigate all problems connected with the pollution of the surface waters of the state.

III. To conduct scientific experiments, investigations and research to discover economical and practical methods for the elimination, disposal or treatment of industrial wastes to control pollution of the surface waters of the state. To cooperate with any other public or private agency in the conduct of such experiments, investigations and research. In order to utilize fully the facilities of the state, it shall be the duty of all other state agencies to cooperate and render such assistance as may be necessary to carry out the provisions of this chapter.

IV. To do all necessary work relative to the establishment of a proper and reasonable classification according to the manner prescribed in section 5.

V. To require the filing with the commission of plans and specifications of the installation of systems and devices for handling, treating, or disposing of sewage, industrial and other wastes, at least thirty days prior to the beginning of construction.

VI. To investigate and approve the applications of those municipalities, industries or other persons of the state as may request state or federal aid that may at any time be made available in the interest of pollution control. To this end the commission shall be the state agency designated to receive or to make agreements on behalf of the state for any federal or other moneys as may be allotted for such purposes.

VII. To confer with responsible authorities of other states relative to methods, means and measures to be employed to control pollution of interstate streams and other waters, and to submit to the legislature recommendations relative to the adoption of interstate compacts pertaining to pollution or its control on all said waters. After said compacts and agreements have been concluded by the necessary legislative and congressional action, the commission shall carry out said agreements or compacts by appropriate orders provided for in either the compacts or the provisions of this chapter.

VIII. To employ with approval of the governor and council such assistance as may be necessary and to establish, equip and operate suitable laboratories and other facilities to carry out the provisions hereof.

5. Classification Procedure. The commission shall follow the procedures hereinafter provided and recommend to

the legislature a classification for all streams, lakes, ponds, and tidal waters or section thereof.

I. A notice setting forth the contemplated classification of any stream, lake, pond, tidal water or section thereof, shall be published for three successive weeks in a newspaper circulated within the county or counties in which the surface water in question is situated. The last notice shall be published at least seven days before the hearing date. The notice shall stipulate the time and place where a public hearing on the contemplated classification shall be held.

II. A public hearing shall be conducted by at least three members of the commission, at which hearing all interested parties shall be heard relative to their views on classification of the area or areas in question.

III. Following the hearings the commission shall review the pertinent evidence and data presented.

IV. After such hearing and review of evidence it shall determine which classification is for the best interest of the public giving consideration to the health, industrial, economic, geographical and social factors involved.

6. Reclassification Procedure. After adoption of a classification for any surface water or section thereof by the legislature, the commission may, by its own motion, or upon the petition of not less than one hundred persons, legal inhabitants of the county or counties in which the surface water in question is situated, reinvestigate the conditions of pollution in said surface water or section thereof by following the procedure above outlined, and may at any time make recommendation to the legislature for reclassification.

7. Enforcement.

I. After adoption of a given classification for a stream, lake, pond, tidal water, or section thereof, the commission shall enforce such classification by appropriate action in the courts of the state, and it shall be unlawful for any person or persons, to dispose of any sewage, industrial, or other wastes, either alone or in conjunction with any other person or persons, in such a manner as will lower the quality of the waters of the stream, lake, pond, tidal water, or section thereof below the minimum requirements of the adopted classification.

II. If, after adoption of a classification of any stream, lake, pond, tidal water, or section thereof, including those

classified by section 9, it is found that there is a source or sources of pollution, which lowers the quality of the waters in question below the minimum requirements of the classification so established, the person, or persons responsible for the discharging of such pollution shall be required to abate such pollution, within a time to be fixed by the commission. If such pollution be of municipal or industrial origin, the time limit set by the commission for such abatement shall be not less than two years, nor more than five years, provided, however, for good cause shown, the commission may extend the time limit.

III. In the interim between July 1, 1947, and the classification by the legislature of any surface water or section thereof, it shall be unlawful for any person, or persons, to dispose of any sewage or waste into any surface water in excess of the maximum quantity, or of a different character, than that being discharged during the period of one year prior to July 1, 1947, without first obtaining written permission from the commission. Such permission shall not be withheld if such sewage or waste will not lower the quality of the water below the classification which the commission shall recommend for adoption in accordance with the provisions of section 5. Any municipality or manufacturer desiring to dispose of sewage or waste into any surface water in excess of the maximum quantity or of a different character than that being discharged during the period of one year prior to July 1, 1947, may apply to the commission and the commission shall proceed promptly to establish a recommended classification.

8. **Emergency.** In case the commission finds that an emergency has arisen from failure of or casualty to facilities for the control of pollution, the commission may, if it finds that the best interests of the public will not unduly suffer, authorize any person for a reasonable time to discharge sewage or other wastes into surface waters, although such discharge would have the effect of lowering the quality of such waters below the adopted classification.

9. **Public Waters Classified.** All lakes and ponds defined as public waters of the state by sections 17 and 18, chapter 182, shall be classified by the passage of this act as not less than B-1, as hereinbefore set forth in section 3 relating to standards for classification of surface waters of the state, pro-

vided, however, that the commission, upon application made prior to July 1, 1949 by any interested person, shall hold a hearing in accordance with the provisions of section 5 and if it shall find that it is for the best interest of the public that such waters or any part thereof should be otherwise classified, it shall have the power to do so.

10. Limitations. Nothing herein shall be construed to modify or limit in any way the powers and duties of the state board of health under chapter 166 or to interfere with its power to select and employ the sanitary engineers or other employees of its department.

11. Investigations and Inspections. Any authorized member or agent of the commission may enter any land or establishment for the purpose of collecting information that may be necessary to the purposes hereof and no owner of such establishment shall refuse to admit any such member or employee.

12. Review of Orders. The procedure for rehearings and appeal shall be that prescribed by chapter 414.

13. Summons; Oath. The commission shall have power to subpoena witnesses and administer oaths in any proceeding or examination instituted before or conducted by it, and to compel the production of any account books, contracts, records, documents, memoranda and papers of any kind necessary to the purposes hereof.

14. Witnesses. Witnesses summoned before the commission shall be paid the same fee as witnesses summoned to appear before the superior court, and such summons issued by any justice of the peace shall have the same effect as though issued for appearance in court.

15. Testimonial Privilege. No person shall be excused from testifying or from producing any book or paper in any investigation or inquiry by or upon any hearing before the commission, when ordered to do so by the commission, upon the ground that the testimony or evidence, book or document required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no person shall be prosecuted, punished or subjected to any penalty or forfeiture for or on account of any act, transaction, matter or thing concerning which under oath, after claiming his privilege, he shall by order of the commission have testified or produced documentary evidence. If it can be shown that the testimony or evidence required may be harmful to any person or may be

used by his competitors, the commission by request shall conduct its hearing in a secret or confidential manner.

16. Perjury. No person so testifying shall be exempt from prosecution or punishment for any perjury committed by him in his testimony.

17. Penalties. Any person who shall violate any of the provisions of this chapter or who shall fail, neglect or refuse to obey any order of the commission lawfully issued pursuant hereto, shall be fined not more than one thousand dollars for each day of such violation, failure, neglect or refusal after the expiration of any time limit set by the commission.

18. Separability. If any part of this chapter or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared severable.

2. Repeal. Sections 30 to 34 inclusive of chapter 166 of the Revised Laws relative to pollution of waters are hereby repealed.

3. Appropriation. The sum of forty-five thousand seven hundred fifty-five dollars for the fiscal year ending June 30, 1948, and a sum of thirty-seven thousand six hundred ninety dollars for the fiscal year ending June 30, 1949 is hereby appropriated to carry out provisions of this act. The governor is hereby authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

4. Takes Effect. This act shall take effect as of July 1, 1947.

[Approved June 12, 1947.]

CHAPTER 184.

AN ACT RELATIVE TO FILING RATES FOR LIABILITY INSURANCE.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Furnishing Information. Amend section 7 of chapter 329 of the Revised Laws by inserting after the word "commissioner" in the third line the words, individually or in collabo-

ration with others, in such form as he may prescribe, and by inserting at the end of said section the words: The commissioner may require such insurer to furnish information to support such filing, so that said section as amended shall read as follows: **7. Approval.** Every insurance company or other insurer, which insures employers against liability for compensation under the workmen's compensation law, shall file with the insurance commissioner individually or in collaboration with others, in such form as he may prescribe its classification of risks and premium rates, together with basic rates and schedule or merit rating, if a system of schedule or merit rating be in use, none of which shall take effect until the commissioner shall have approved the same as just and reasonable and adequate for the risks to which they respectively apply. The commissioner may require such insurer to furnish information to support such filing.

2. Filing. Amend section 13 of chapter 329 by striking out the word "may" in the fifth line and inserting in place thereof the word shall, so that said section as amended shall read as follows: **13. Schedules; Filing of.** Every insurance company authorized to transact business in this state which insures against loss by reason of the liability to pay damages to others for damage to property or bodily injury including death arising from the operation, maintenance, or use of motor vehicles within this state, shall file with the insurance commissioner, individually or in collaboration with others, in such form as he may prescribe, its classification of risks and premium rates applicable thereto, together with a schedule or rating to be in use and such other statistical information as the commissioner may require.

3. Repeal. Section 16 of chapter 329 of the Revised Laws is hereby repealed.

4. Classifications. Amend chapter 329 by inserting after section 17 the following new section: **17-a. Modification of Classifications.** Nothing in this chapter shall be taken to prohibit as unreasonable or unfairly discriminatory the establishment of classifications or modifications of classifications of risks based upon size, expense, management, individual experience, purpose of insurance, location or dispersion of hazard, or any other reasonable consideration, provided such

classifications and modifications apply to all risks under the same or substantially similar circumstances or conditions.

5. Agreements. Amend chapter 329 by inserting after section 17 the following new section: **17-b. Assigned Risks.** Agreements may be made among insurers with respect to the equitable apportionment among them of insurance which may be afforded applicants who are in good faith entitled to but who are unable to procure such insurance through ordinary methods and such insurers may agree among themselves on the use of reasonable rate modifications for such insurance, such agreements and rate modifications to be subject to the approval of the commissioner.

6. Review. Amend section 18 of chapter 329 by striking out the word "subdivision" in the second line thereof and inserting in place thereof the word chapter, so that said section as amended shall read as follows: **18. Rehearings and Appeals.** Any person whose rights are affected by any order or decision of the commissioner under this chapter shall be entitled to a rehearing and appeal in accordance with the provisions of chapter 414.

7. Takes Effect. This act shall take effect upon its passage.

[Approved June 12, 1947.]

CHAPTER 185.

AN ACT RELATING TO THE PAY OF THE NATIONAL GUARD.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. National Guard. Amend section 60, chapter 143 of the Revised Laws, by striking out said section and inserting in place thereof the following: **60. Per Diem.** For each day's service in complete uniform, when ordered out by the governor for duty, except for annual inspection, each commissioned officer, non-commissioned officer, warrant officer and enlisted man of the national guard of New Hampshire shall be paid at the same rate, base pay, as officers, warrant officers, non-commissioned officers and enlisted men of corresponding rank and grade in the U. S. Army.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 12, 1947.]

CHAPTER 186.

AN ACT RELATING TO THE OPENING AND CLOSING OF POLLS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Time Polls Open and Close; Towns. Amend section 36 of chapter 34 of the Revised Laws by striking out said section and inserting in place thereof the following: **36. Time Polls Open and Close; Towns.** At all biennial elections and primaries in towns the population of which is less than seven hundred according to the last federal census, the polls shall be open not less than five consecutive hours, and so much longer as shall be necessary to afford every voter present and desiring to vote an opportunity to do so, and until the voters present shall vote to close the polls. In all other towns the polls shall be open not later than ten o'clock in the forenoon, and shall be closed not earlier than six o'clock in the evening. In all towns the selectmen, in the warrants for the biennial elections, and the town clerk, in the notices for primaries, shall prescribe and post the hour the polls are to open and the hour before which the polls may not close as provided by this section.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 12, 1947.]

CHAPTER 187.

AN ACT RELATIVE TO RECORDING PAYMENTS SUBSEQUENT TO TAX SALES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Collection of Taxes. Amend section 25 of chapter 80 of the Revised Laws by striking out the whole of said section

and inserting in place thereof the following: **25. Notice to Mortgagee.** The purchaser of any real estate sold by a collector of taxes shall, within thirty days from the date of such sale, notify all persons holding mortgages upon such property as recorded in the office of the register of deeds. Such notice shall give the date of the tax sale, the name of the delinquent taxpayer, the total amount for which the real estate was sold and the amount of costs for notifying the mortgagee. As provided in section 30 of this chapter, the tax collector shall send a similar notice to the mortgagee within fifteen days of the time of payment of any subsequent tax thereon by the holder of the tax lien. Any tax sale of such encumbered real estate shall be void as against the mortgagee and no valid tax collector's deed shall pass in default of redemption from such sale unless the mortgagee shall have been notified in the manner provided in the next section of this chapter, but the tax itself and subsequent tax payments made upon the property by the lien holder, if recorded under the provisions of section 30 of this chapter, shall be deemed to be collectible and payment may be enforced by suit at law under the provisions of section 43 hereof.

2. Subsequent Tax. Amend section 30, chapter 80 of the Revised Laws, as amended by chapter 55, Laws of 1943, by striking out said section and inserting in place thereof the following: **30. Record of Payment.** The purchaser of land at any tax sale may pay to the collector any tax assessed upon the land subsequent to that for which it was sold, and the collector shall, within fifteen days after such payment, notify the register of deeds thereof, giving the date and the amount of such payment and the name of the person so paying. In said notice the collector shall also give the date of the tax sale, the name of the person taxed and a description of the property sold, all as given in the report of said sale to the registry of deeds. The collector shall at the same time send a like notice, by registered mail, to the mortgagee or mortgagees, if there be any. The notice to the register of deeds, when recorded, shall constitute an additional lien upon the real estate. Any amounts so paid on account of subsequent taxes, together with interest thereon at the rate of ten per cent per year from date of such payment shall, in addition to the purchase price at time of sale, with accrued interest

and costs, be paid by the person making redemption. For every such notice sent to the register of deeds the collector forwarding the same shall be entitled to a fee of twenty-five cents and the register of deeds shall be paid a like fee for recording the same. For notice to a mortgagee of such payment after sale, the collector shall be entitled to a fee of fifty cents and the costs of sending such notice by registered mail. The fees and costs of notifying the register of deeds and the mortgagee and of recording such notices, if there be any, shall be added to the amount of the undischarged lien and shall be collectible when redemption is made.

3. Takes Effect. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved June 12, 1947.]

CHAPTER 188.

AN ACT TO PROVIDE FOR THE VERIFICATION OF CHECK-LISTS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Verification of Certain Check-lists. Amend chapter 41 of the Revised Laws by adding after section 24 the following new sections:

24-a. Verification of Check-lists. On petition of fifty registered voters or five per cent of the registered voters in any town or ward, or on petition of a majority of the board of supervisors or officers under special laws performing like duties, hereinafter called the supervisors, filed with the secretary of state within thirty days after a primary under chapter 33, Revised Laws, or within thirty days after any biennial election, the ballot-law commission shall conduct an investigation to determine whether or not there should be a revision and verification of the check-list of said town or ward to be used at primaries under chapter 33, Revised Laws, or at biennial elections. At least one public hearing duly advertised in a newspaper serving said town or city, shall be held at such time and place as the commission may determine. In the event of an affirmative decision, the commission shall

direct the supervisors to revise and verify such check-list. Thereupon the supervisors shall revise and verify such check-list in the following manner:

I. Between April 1 and August 1 in the next even numbered year the supervisors shall advertise notice of their sessions at least twice in some newspaper of general circulation in the town or city in question and hold sufficient sessions for verification of the check-list as in their opinion will enable all eligible voters in said town or ward to appear before them during said period and register or reregister as the case may be. Whenever a person is reregistered, his party designation, if any, on the check-list undergoing revision shall not be changed except as provided in section 39 of chapter 33.

II. Beginning June 1, and not later than sixty days thereafter, the supervisors shall review the check-list and shall strike therefrom the names of all persons who have not registered or reregistered under paragraph I hereof; provided that there shall not be stricken from said check-list the name of any person duly qualified to vote, unless such person shall, not less than thirty days prior to such action, have been notified by the supervisors by mail at his last known address of his failure to reregister and informed of the procedure to be followed in order to reregister and have his name retained on said check-list, nor unless such person shall have been given a reasonable opportunity to follow said procedure. Provided further that if a majority of the supervisors have personal knowledge of the voting qualifications of any person who by July 30 has failed to reregister hereunder, they may retain his name on the revised check-list.

III. Upon completion of verification of the check-list but in no event later than September 1, the supervisors shall file with the secretary of state the following certificate: We, the supervisors of the check-list (or registrars of voters) of the town (or ward) of, do hereby certify that we have verified the check-list of registered voters in the town (or ward of the city) of as directed by the ballot-law commission.

IV. In verifying the check-list in accordance with the provisions hereof, the supervisors shall not register or reregister any person unless he is a duly qualified voter as re-

quired by the provisions of chapters 31 and 32 of the Revised Laws.

V. The supervisors may appoint such temporary assistant supervisors as may be necessary. As compensation for services performed hereunder, the supervisors and assistant supervisors shall receive such sums as may be voted by the city government or town meeting of the city or town in which they serve.

24-b. Enforcement. The superior court shall have jurisdiction in equity to enforce any order of the ballot-law commission issued hereunder.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 12, 1947.]

CHAPTER 189.

AN ACT RELATING TO UNFAIR PRACTICES IN THE BUSINESS OF INSURANCE.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Regulation of Unfair Practices. Amend the Revised Laws by inserting after chapter 333 the following new chapter:

Chapter 333-A

Unfair Insurance Trade Practices

1. Purpose. The purpose of this chapter is to regulate trade practices in the business of insurance, in accordance with the intent of Congress as expressed in the Act of Congress of March 9, 1945 (Public Law 15, - 79th Congress), by defining or providing for the determination of all such practices which constitute in this state unfair methods of competition or unfair or deceptive acts or practices and by prohibiting the trade practices so defined or determined.

2. Definitions.

(a) The term "person" shall mean any individual, corporation, association, partnership, reciprocal exchange, inter-insurer, Lloyds insurers, fraternal benefit society and

any other legal entity, engaged in the business of insurance, including agents, brokers, and adjusters.

(b) "Commissioner" shall mean the commissioner of insurance of this state.

3. Unfair Methods Prohibited. No person shall engage in this state in any trade practice which is defined in this chapter or determined pursuant to this chapter as an unfair method of competition or an unfair or deceptive act or practice in the business of insurance.

4. Unfair Methods; Acts and Practices Defined. The following are hereby defined as unfair methods of competition and unfair and deceptive acts and practices in the business of insurance:

(1) Misrepresentations and False Advertising of Policy Contracts. Making, issuing, circulating, or causing to be made, issued, or circulated, any estimate illustration, circular or statement misrepresenting the terms of any policy issued or to be issued or the benefits or advantages promised thereby, or the dividends or share of the surplus to be received thereon, or making any false or misleading statement as to the dividends or share of surplus previously paid on similar policies, or making any misleading representation or any misrepresentation as to the financial condition of any insurer, or as to the legal reserve system upon which any life insurer operates, or using any name or title of any policy or class of policies misrepresenting the true nature thereof, or making any misrepresentation to any policyholder insured in any company for the purpose of inducing or tending to induce such policyholder to lapse, forfeit, or surrender his insurance.

(2) False Information and Advertising Generally. Making, publishing, disseminating, circulating, or placing before the public, or causing, directly or indirectly, to be made, published, disseminated, circulated, or placed before the public, in a newspaper, magazine or other publication, or in the form of a notice, circular, pamphlet, letter or poster, or over any radio station, or in any other way, an advertisement, announcement or statement containing any assertion, representation or statement with respect to the business of insurance or with respect to any person in the conduct of his insurance business, which is untrue, deceptive or misleading.

(3) Defamation. Making, publishing, disseminating, or

circulating, directly or indirectly, or aiding, abetting or encouraging the making, publishing, disseminating or circulating of any oral or written statement or any pamphlet, circular, article or literature which is false, or maliciously critical of or derogatory to the financial condition of an insurer, and which is calculated to injure any person engaged in the business of insurance.

(4) Boycott; Coercion and Intimidation. Entering into any agreement to commit or by any concerted action committing any act of boycott or individually or by any concerted action entering into any agreement to commit or committing any act of coercion or intimidation resulting or tending to result in unreasonable restraint of, or a monopoly in, the business of insurance.

(5) False Financial Statements. Filing with any supervisory or other public official, or making, publishing, disseminating, circulating or delivering to any person, or placing before the public, or causing directly or indirectly, to be made, published, disseminated, circulated, delivered to any person, or placed before the public, any false statement of financial condition of an insurer with intent to deceive. Making any false entry in any book, report or statement of any insurer with intent to deceive any agent or examiner lawfully appointed to examine into its condition or into any of its affairs, or any public official to whom such insurer is required by law to report, or who has authority by law to examine into its condition or into any of its affairs, or, with like intent, wilfully omitting to make a true entry of any material fact pertaining to the business of such insurer in any book, report or statement of such insurer.

(6) Stock Operations and Advisory Board Contracts. Issuing or delivering or permitting agents, officers, or employees to issue or deliver, agency company stock or other capital stock, or benefit certificates or shares in any common-law corporation, or securities or any special or advisory board contracts or other contracts of any kind promising returns and profits as an inducement to insurance.

(7) Unfair Discrimination. Making or permitting any unfair discrimination between individuals of the same class and equal expectation of life in the rates charged for any contract of life insurance or of life annuity or in the dividends

or other benefits payable thereon, or in any other of the terms and conditions of such contract.

(8) Rebates. (a) Except as otherwise expressly provided by law, knowingly permitting or offering to make or making any contract of life insurance, life annuity or accident and health insurance, or agreement as to such contract other than as plainly expressed in the contract issued thereon, or paying or allowing, or giving or offering to pay, allow, or give, directly or indirectly, as inducement to such insurance, or annuity, any rebate of premiums payable on the contract, or any special favor or advantage in the dividends or other benefits thereon, or any valuable consideration or inducement whatever not specified in the contract; or giving, or selling, or purchasing or offering to give, sell, or purchase as inducement to such insurance or annuity or in connection therewith, any stocks, bonds, or other securities of any insurance company or other corporation, association, or partnership, or any dividends or profits accrued thereon, or anything of value whatsoever not specified in the contract. (b) Nothing in subsection (7) or paragraph (a) of subsection (8) of this section shall be construed as including within the definition of discrimination or rebates any of the following practices: (i) paying bonuses to policyholders or otherwise abating their premiums in whole or in part out of surplus accumulated from non-participating insurance, provided that any such bonuses or abatement of premiums shall be fair and equitable to policyholders and for the best interests of the company and its policyholders; (ii) in the case of life insurance policies issued on the industrial debit plan making allowance to policyholders who have continuously for a specified period made premium payments directly to an office of the insurer in an amount which fairly represents the saving in collection expense; (iii) readjustment of the rate of premium for a group insurance policy based on the loss or expense experience thereunder, at the end of the first or any subsequent policy year of insurance thereunder, which may be made retroactive only for such policy year.

(9) Requiring as a condition precedent to loaning money upon the security of any real or personal property, that the owner of the property to whom the money is to be loaned, negotiate any policy of insurance covering such prop-

erty through a particular insurance agent or broker or brokers, provided, however, that this provision shall not prevent the exercise by any one so loaning money of the right to approve or disapprove of the insurance company selected by the borrower to underwrite the insurance.

(10) Any violation of section 21 of chapter 331 of the Revised Laws.

5. Power of Commissioner. The commissioner shall have power to examine and investigate into the affairs of every person engaged in the business of insurance in this state in order to determine whether such person has been or is engaged in any unfair method of competition or any unfair or deceptive act or practice.

6. Notice of Hearing. Whenever the commissioner shall have reason to believe that any such person has been engaged or is engaging in any unfair method of competition or any unfair or deceptive act or practice defined in section 4, and that a proceeding by him in respect thereto would be to the public interest, he shall issue and serve upon such person a statement of the charges and a notice of a hearing thereon to be held at a time and place fixed in the notice, which shall not be less than fourteen days after the date of the service thereof.

7. Hearing; Witnesses; Production of Books. At the time and place fixed for such hearing, such person shall have an opportunity to be heard and to show cause why an order should not be made by the commissioner requiring such person to cease and desist from engaging in any method of competition, act or practice constituting the alleged violation. The commissioner upon such hearing may administer oaths, examine and cross-examine witnesses, receive oral and documentary evidence, and shall have the power to subpoena witnesses, compel their attendance, and require the production of books, papers, records, correspondence, or other documents which he deems relevant to the inquiry. The commissioner, upon such hearing may, and upon the request of any party shall, cause to be made a written record of all the evidence offered or introduced and all proceedings had at such hearing. Nothing in this chapter contained shall require the observance at such hearing of formal rules of pleading or evidence.

8. Appearances. Upon good cause shown, the commis-

sioner may permit any person to intervene, appear and be heard at such hearing.

9. Service. Statements of charges, notices, orders, and other processes of the commissioner under this chapter may be served by anyone duly authorized by the commissioner, either in the manner provided by law for service of process in civil actions, or by registering and mailing a copy thereof to the person affected by such statement, notice, order, or other process at his or its residence or principal office or place of business. The verified return by the person so serving such statement, notice, order, or other process, setting forth the manner of such service, shall be proof of the same, and the return postcard receipt for such statement, notice, order, or other process, registered and mailed as aforesaid, shall be proof of the service of the same.

10 Cease and Desist Orders. If after such hearing the commissioner shall determine that the method of competition or the act or practice in question is defined in section 4, and that the person complained of has engaged in such method of competition, act or practice in violation of this chapter, he shall reduce his findings to writing and shall issue and cause to be served on the person charged with the violation an order requiring such person to cease and desist from engaging in such method of competition, act or practice.

11. Rehearing and Appeal. Any order of the commissioner directing any person to cease and desist from using any method of competition or act or practice shall be subject to rehearing and appeal in accordance with the provisions of chapter 414. An order of the commissioner to cease and desist shall become final (1) upon the expiration of the time allowed for filing an appeal, if no such appeal has been duly filed within such time; or (2) upon the final decision of the court if the court directs that the appeal be dismissed or the order vacated in part only.

12. Procedure as to Undefined Unfair Acts and Practices.

(a) Whenever the commissioner shall have reason to believe that any person engaged in the business of insurance is engaging in this state in any method of competition or in any act or practice in the conduct of such business which is not defined in section 4, and that such method of competition

is unfair or that such act or practice is unfair or deceptive, and that a proceeding by him in respect thereto would be in the public interest, he may, after notice and hearing as provided in section 6, make a report in writing in which he shall state his findings as to the facts and serve a copy thereof upon such person.

(b) If such report charges a violation of this chapter and if such method of competition, act, or practice has not been discontinued, the commissioner may, through the attorney general of this state, at any time after fourteen days after the service of such report cause a petition to be filed in the superior court of this state within the district wherein the person resides or has his principal place of business, to enjoin and restrain such person from engaging in such method, act or practice. The court shall have jurisdiction of the proceeding and shall have power to make and enter appropriate orders in connection therewith and to issue such writs as are ancillary to its jurisdiction or are necessary in its judgment to prevent injury to the public *pendente lite*.

(c) A transcript of the proceedings before the commissioner including all evidence taken and the report and findings shall be filed with such petition. If either party shall apply to the court for leave to adduce additional evidence and shall show, to the satisfaction of the court, that such additional evidence is material and there were reasonable grounds for the failure to adduce such evidence in the proceeding before the commissioner, the court may order such additional evidence to be taken before the commissioner and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper. The commissioner may modify his findings of the facts or make new findings by reason of the additional evidence so taken, and he shall file such modified or new findings with the return of such additional evidence.

(d) If the court finds that the method of competition complained of is unfair or the act or practice complained of is unfair or deceptive, and the proceeding by the commissioner with respect to such method of competition, act or practice is in the public interest, and the findings of the commissioner are supported by the weight of the evidence, it shall issue its

order enjoining and restraining the continuance of such method of competition, act or practice.

13. Penalty. Any person who violates a cease and desist order of the commissioner or an order of the court issued under this chapter, after it has become final and while such order is in effect, shall forfeit and pay to the state of New Hampshire a sum not to exceed five hundred dollars which may be recovered in a civil action except that, if such violation is found to be wilful the amount of such penalty shall be a sum not to exceed five thousand dollars. Nothing herein contained shall be construed as limiting the court in enforcing its own orders.

14. Procedure Additional. The powers vested in the commissioner by this chapter shall be in addition to any other powers to enforce any penalties, fines or forfeitures authorized by law with respect to the methods, acts and practices hereby declared to be unfair or deceptive.

15. Failure to Obey Subpoena. In case of refusal of any person to comply with any subpoena issued hereunder or to testify to any matter to which he may be lawfully interrogated, the superior court of Merrimack County or the county where said party resides on application of the commissioner may issue an order requiring such person to comply with such subpoena and to testify; and any failure to obey such order of the court may be punished by the court as a contempt thereof.

16. Immunity from Prosecution. If any person shall ask to be excused from attending and testifying or from producing any books, papers, records, correspondence or other documents at any hearing on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture, and shall notwithstanding be directed to give such testimony or produce such evidence, he must none the less comply with such direction, but he shall not thereafter be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he may testify or produce evidence pursuant thereto, and no testimony so given or evidence produced shall be received against him upon any criminal action, investigation or proceeding, provided, however, that no such individual so testifying shall be exempt from prosecution or

punishment for any perjury committed by him while so testifying and the testimony or evidence so given or produced shall be admissible against him upon any criminal action, investigation or proceeding concerning such perjury, nor shall he be exempt from the refusal, revocation or suspension of any license, permission or authority conferred, or to be conferred, pursuant to the Insurance Law of this state. Any such individual may execute, acknowledge and file in the office of the commissioner a statement expressly waiving such immunity or privilege in respect to any transaction, matter or thing specified in such statement and thereupon the testimony of such person or such evidence in relation to such transaction, matter or thing may be received or produced before any judge or justice, court, tribunal, grand jury or otherwise, and if so received or produced such individual shall not be entitled to any immunity or privilege on account of any testimony he may so give or evidence so produced.

17. Severability. If any provision of this chapter shall be held invalid, the remainder of the chapter shall not be affected thereby.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 12, 1947.]

CHAPTER 190.

AN ACT IN RELATION TO THE CONDUCT OF TAX SALES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Tax Sales. Amend section 22-a of chapter 80 of the Revised Laws as inserted by chapter 25 of the Laws of 1945, by striking out said section and inserting in place thereof the following: **22-a. Sale by Agent.** Whenever it shall appear to the selectmen or assessors that the collector of taxes, after having posted his notices of a tax sale, will be unable to conduct the same at the time and place specified in the notices thereof, they shall have the power to appoint one of their number to adjourn the sale for not exceeding three days as the collector could do, if present. If the incapacitated collector has a deputy or deputies who have been duly

appointed by him and bonded, then any such deputy shall have authority to postpone the sale in like manner. If, at the end of the adjourned period, the tax collector is unable to officiate by reason of illness or other unavoidable cause, the selectmen or assessors may appoint in writing any duly qualified deputy tax collector to conduct the sale and make the statutory return to the register of deeds. If there be no deputy collector qualified to act, the selectmen or assessors may appoint some suitable person to serve as tax sale agent. Such appointee shall be sworn to the faithful performance of his duty which shall be to conduct the sale, receive all money due from the purchasers at the tax sale and to deliver the same to the town or city treasurer, taking his receipt therefor, and to make report of the sale to the register of deeds within fifteen days thereafter. No bond shall be required of any person who may be appointed to act as tax sale agent. For the proper discharge of his duties the agent shall be entitled to the fees and charges that the collector would have received if he had conducted said sale and made report thereof to the register of deeds. If said sale is made in a municipality wherein all fees and costs accrue to the town or city, then the sum to be allowed to the tax sale agent for his services shall not be less than the per diem compensation of the tax collector, if he be paid upon a salary basis, nor less than he would have received if employed upon a commission basis. Within twenty-four hours after a tax sale has been made by a deputy tax collector or a tax sale agent, the selectmen or assessors shall notify the state tax commission in writing, of the time and place of said sale, the total amount paid by the town or city and by other purchasers, if any, and the name of the person conducting such sale. An attested copy of their notice to the tax commission shall be delivered by the selectmen or assessors to the deputy collector or agent making such sale. Such person shall thereupon forward said copy of notice, together with his report of the tax sale, to the register of deeds who shall cause the same to be entered as a part of the tax sale record.

2. Takes Effect. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved June 12, 1947.]

CHAPTER 191.

AN ACT PROVIDING FOR THE CHANGING OF A CLASS II HIGHWAY
TO A CLASS V HIGHWAY.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Orfordville Road, Orford. On and after the passage of this act the Orfordville Road, so-called, extending from Route 25-A at Orfordville to its junction with Route 25-A east of Orfordville, shall be classified as a class V road and no longer be deemed to be in the secondary highway system as a class II road.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 12, 1947.]

CHAPTER 192.

AN ACT RELATING TO THE MUNICIPAL BUDGET LAW.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Municipal Budget Law. Amend chapter 52, Revised Laws, by inserting after section 3 the following new section:
3-a. Special Meetings. In case a special meeting shall be called in any town, school district or village district operating under the provisions of this act, the budget committee shall hold a meeting promptly after the posting of the warrant, shall consider the proposals looking toward the appropriation of money and shall make a written report of their recommendations thereon, which report shall be read by the moderator in open meeting prior to consideration of the proposals.

2. Appropriations. Amend section 4 of said chapter, as amended by chapter 80, Laws of 1943, and by section 1, chapter 159, Laws of 1943, by adding at the end thereof the following: In the event that any part of an appropriation is to be secured by borrowing, only the amount to be raised currently by taxation shall be included as controlling the ten per cent increase herein allowable above the total amount

specified in the budget for said meeting; so that said section, as amended, shall read as follows: **4. Limitation.** So long as the provisions of this chapter shall remain in force in any town the total amount appropriated at any annual meeting shall not exceed by more than ten per cent the total amount specified in the budget for said meeting, and no appropriation shall be made for any purpose not included in said budget, provided, however, that the budget committee may also submit, without approval items which they do not wish to recommend but which they believe the voters should be allowed to consider and act upon, either favorably or unfavorably. Money may be raised and appropriated for such items, but not to an amount which would increase the total appropriations, as recommended by the budget committee, by more than the ten per cent allowed hereunder. In the event that any part of an appropriation is to be secured by borrowing, only the amount to be raised currently by taxation shall be included as controlling the ten per cent increase herein allowable above the total amount specified in the budget for said meeting.

3. Appropriations. Further amend said chapter 52, Revised Laws, by inserting after section 4 the following new section: **4-a. Limitation; Special Meetings.** So long as the provisions of this chapter shall remain in force in any town no appropriation shall be made at any special meeting for any purpose not approved by the budget committee and no increase of more than ten per cent above the amount approved by the budget committee shall be made.

4. Takes Effect. This act shall take effect upon its passage.

[Approved June 12, 1947.]

CHAPTER 193.

AN ACT TO ABOLISH DISCRIMINATORY WAGE RATES BASED ON SEX.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Definitions. "Employee" as used herein shall mean any person employed for hire by an employer in any lawful employment, but shall not include persons engaged in domestic

service in the home of the employer, or in agricultural service, or in temporary or seasonal employment, or employees of any social club, fraternal, charitable, educational, religious, scientific or literary association, no part of the net earnings of which enures to the benefit of any private individual.

“Employer” shall include any person acting in the interest of an employer directly or indirectly.

“Employment” means any employment under contract of hire, expressed or implied, written or oral, including all contracts entered into by helpers and assistants of employees, whether paid by employer or employee, if employed with the knowledge, actual or constructive, of the employer in which all or the greater part of the work is to be performed within the state.

2. **Equal Pay.** No employer shall discriminate in the payment of wages as between the sexes, or shall pay any female in his employ salary or wage rates less than the rates paid to male employees for equal work or work on the same operations. However, nothing in this act shall prohibit a variation in rates of pay based upon a difference in seniority, experience, training, skill, ability, or difference in duties and services performed, either regularly or occasionally, or difference in the shift or time of the day worked, or difference in availability for other operation, or other reasonable differentiation except difference in sex. A variation in rates of pay as between the sexes is not prohibited where such variation is provided by contract between the employer and the recognized bargaining agent of the employees or, in case there is no such bargaining agent, where such variation is provided by written agreement or contract between the employer and not less than five of his employees.

3. **Administration.** The labor commissioner shall have the power and it shall be his duty to enforce the provisions hereof.

4. **Collection of Unpaid Wages.** An employer who violates the provisions of section 2 of this act shall be liable to the employee or employees affected in the amount of their unpaid wages, and in an additional equal amount of liquidated damages. Action to recover such liability may be maintained in any court of competent jurisdiction by any one or more employees for and in behalf of himself or themselves and other employees similarly situated. At the request of any employee

paid less than the wage to which she is entitled under this act, the labor commissioner may take an assignment of such wage claim in trust for the assigning employee and may bring any legal action necessary to collect such claim, and the liquidated damages above provided for. The commissioner shall not be required to pay the entry fee, or other costs, in connection with such action. The commissioner shall have power to join various claimants against the employer in one cause of action.

5. Penalties. Any employer who violates any provision hereof, or who discharges or in any other manner discriminates against any employee because such employee has made a complaint to his employer, the labor commissioner, or any other person, or instituted, or caused to be instituted any proceedings under or related to this act, or has testified or is about to testify in any such proceeding, shall be fined not more than two hundred dollars, or imprisoned not more than six months, or both.

6. Limitation of Actions. Any action to recover unpaid wages and liquidated damages based on violation of section 2, of this act must be commenced within one year of the accrual thereof and not afterwards.

7. Takes Effect. This act shall take effect on July 1, 1947. [Approved June 12, 1947.]

CHAPTER 194.

AN ACT RELATING TO THE CONTROL OF NAVIGATION AT RYE HARBOR AND THE INLET THERETO.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Control of Navigation. Amend chapter 182 of the Revised Laws by inserting after section 13 the following new subdivision:

Rye Harbor, Harbor Inlet and Little Harbor

13-a. Harbor Master. The New Hampshire shore and beach preservation and development commission shall annually choose a harbor master for Rye Harbor in the town of Rye

and a harbor master for Little Harbor and the inlets thereto in the town of New Castle. It shall be the duty of said harbor masters to preserve and regulate navigation within the respective waters, to assign moorings, require the same to be kept in safe condition, to require the removal of vessels if necessity or an emergency arises, and to inquire into and prosecute all offenses under section 13-c hereof. For the purposes hereof the said commission may make such reasonable rules and regulations as it shall deem proper. Each harbor master shall receive for his services such salary as the town of Rye or New Castle respectively may determine, to be paid by said town.

13-b. Definition. The word "vessel" as used in this subdivision shall include boats of all sizes propelled by sail, machinery or hand, scows, dredgers, shellfish cars and craft of every kind.

13-c. Penalty. Whoever violates any of the rules and regulations of the commission promulgated under the authority of section 13-a, or refuses or neglects to obey the lawful and reasonable orders of the harbor master of Rye Harbor or Little Harbor, or resists them in the execution of their duties, shall be fined not more than fifty dollars. All fines collected under the provisions hereof for violations at Rye Harbor shall be forwarded by the court collecting the same to the treasurer of the town of Rye, for the use of the town, and all fines collected under the provisions hereof for violations at Little Harbor shall be forwarded by the court collecting the same to the treasurer of the town of New Castle, for the use of the town.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 13, 1947.]

CHAPTER 195.

AN ACT TO PROTECT FREEDOM IN EMPLOYMENT.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Employment. Amend section 21 of chapter 212 of the

Revised Laws by striking out the text thereof and substituting therefor the following:

21. Freedom in Employment. Every person has the right to secure and continue in any employment without discrimination against him by reason of his membership or non-membership in any labor organization or his payment or non-payment of money to any labor organization. No person, firm or corporation shall interfere with the exercise of the said right. No person, firm or corporation shall make, or agree to make membership or non-membership in a labor organization or payment or non-payment of money to a labor organization a condition of employing or continuing the employment of any person. No person, firm or corporation shall attempt to induce any person, firm or corporation to violate any of the preceding provisions of this section. Any act or agreement, written or oral, in violation of the foregoing provisions of this section shall be unlawful. Any person, firm or corporation violating or procuring any person to violate any provision of this section shall be liable for all damages occasioned to any person thereby. The superior court shall have jurisdiction to issue injunctions, including mandatory injunctions to prevent violations of this section, and to protect and preserve the right stated herein. All hearings upon court orders granting or denying an injunction in such matters shall be given precedence in the superior and supreme courts over other matters pending to the end that an expeditious adjudication of the issues may be reached.

21-a. Exception. Section 21 shall not apply to contracts negotiated between any person, firm or corporation who regularly employs more than five employees and a labor organization nor to acts done in accordance with such contracts provided the following conditions have been satisfied:

I. Any person, firm or corporation shall not be prohibited from entering into any contract prohibited by section 21 with a labor organization representing his or its employees, where at least two-thirds of such employees voting (provided such two-thirds of the employees constitute at least a majority of the employees to be covered by such contract) shall have voted affirmatively by secret ballot in favor of such contract in an election conducted under the supervision of the labor commissioner or his representative and in accord-

ance with such rules and regulations as he may prescribe. Such authorization of such a contract shall be deemed to continue thereafter, subject to the right of either party to such contract, not more frequently than at intervals of two years, to request the labor commissioner in writing to conduct a new election upon the subject. Upon receipt of such request by either party to the contract, the labor commissioner shall determine whether there is reasonable ground to believe that there exists a change in the attitude of the employees concerned toward such contract since the prior election, and upon so finding the commissioner shall conduct a new election. If the continuance of such contract is supported on any such election by a vote at least equal to that hereinabove provided for its initial authorization, it may be continued in force and effect thereafter, subject to the right to request a further vote by the procedure hereinabove set forth. If the continuance of such contract is not thus supported on any such election, it shall be deemed terminated at the termination of the contract of which it is then a part or at the end of one year from the date of the election, whichever proves to be the earlier date.

II. Whenever any labor organization desires to negotiate or renew any contract prohibited by section 21, it shall within thirty days prior to the commencement of its negotiations therefor, satisfy the labor commissioner that its initiation or other entrance fees and its dues are not unduly burdensome on present or prospective employees. Initiation or other entrance fees exceeding the total amount of twenty-five dollars per person shall be deemed unduly burdensome within the meaning hereof. Upon being satisfied that the labor organization has complied with the conditions of this paragraph, the labor commissioner shall certify such fact to the employing person, firm or corporation.

III. Such contract shall contain a clause, which shall be as binding on the labor organization as if in its by-laws, providing that such labor organization shall impose no discriminatory qualifications for membership in such organization based on race, color, religious creed, sex, age, national origin, ancestry or numerical restriction of total membership, unless based upon a *bona fide* occupational qualification; and a further clause, which shall also be as binding on the labor

organization as if in its by-laws, providing that such labor organization shall grant to all members equal voting rights in such organization.

IV. Such contract shall contain a clause, which shall be as binding on the labor organization as if in its by-laws, providing that no member of such labor organization shall be suspended or expelled from membership therein under the by-laws thereof except for just cause, and then only after such member has been afforded a right of appeal from such suspension or expulsion through regular labor organization channels and a further right of appeal within fifteen days after final labor organization action to the labor commissioner, who may order reinstatement of such member in the organization if he finds, after hearing, that such member was suspended or expelled without just cause. Such member may continue at his employment during the pendency of his appeal and until final determination thereof. If the labor organization declines to comply with an order of reinstatement made by the labor commissioner hereunder, then in such case the employee may continue at his employment notwithstanding any provisions in such contract, or contracts in succession thereto, requiring membership in such labor organization as conditions of employment.

21-b. Reports. Any local labor organization which becomes party to a contract prohibited in section 21, by meeting the conditions prescribed in section 21-a, shall file forthwith with the labor commissioner and annually thereafter within thirty days after the close of its fiscal year, during the period of such contract or any renewal thereof, a financial statement sworn to by its treasurer sufficiently itemized to show the following: name of organization; location of office; name, title, home address and salary of each officer; initiation fees and dues; total annual receipts from initiation fees, dues, assessments, fines and other sources; total expenditures for salaries of officers, general office administration, other expenditures, including contributions or gifts in excess of one hundred dollars with the name and address of each recipient; statement of all financial transactions between the labor organization and its parent organization or any local or state federation of labor organizations with which it is affiliated; and a statement of total number of members belonging to such organi-

zation as of date of report. There shall be submitted accompanying the first financial statement a copy of the by-laws of such organization and all other rules and regulations affecting membership, and thereafter all changes in the same shall be filed forthwith with the labor commissioner, during the pendency of any such contract or renewal thereof.

21-c. Existing Contracts. The provisions of section 21 shall not apply to existing contracts until the expiration thereof or until six months after the effective date of this act, whichever shall be sooner.

21-d. Constitutionality. If any provision of this act or the application of such provision to any person or circumstances shall be held invalid, the remainder of this act or the application of such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 14, 1947.]

CHAPTER 196.

AN ACT PERMITTING SATURDAY CLOSING FOR ANY OR ALL STATE DEPARTMENTS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Saturdays. Amend section 19, chapter 27, Revised Laws, by striking out the same and inserting in place thereof the following: **19. Office Hours.** All state offices and departments shall be open continuously for the transaction of public business at least between the hours of eight-thirty o'clock in the forenoon and five o'clock in the afternoon each day of the week except Sunday; provided, that such offices and departments may be closed on legal holidays, and may also be closed on Saturdays throughout the year when approved by the governor and council as hereinafter provided. The governor and council may allow the closing of all or any state offices and departments on Saturdays, if not incompatible with public business; provided, however, that any such state offices

and departments closing on Saturdays shall adopt a noon hour or lunch period not exceeding one hour for all employees of such office or department. The governor and council may adopt rules and regulations to accomplish the purposes of this section and may provide for the maintenance of minimum staffs on duty on Saturdays and may vary the foregoing provisions with regard to special classes of employees where necessary in the public interest.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 17, 1947.]

CHAPTER 197.

AN ACT PROVIDING FOR THE REGISTRATION OF ARCHITECTS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Registration of Architects; Definitions. As used herein, the following terms shall be construed as follows: (1) The term "registered architect" shall mean a person who, by reason of having acquired through professional education and practical experience an advanced training in building construction and architectural design and an extensive knowledge of building standards created to safeguard the public from the hazards of fire, panic, structural failure, and unsanitary conditions, is technically and legally qualified to practice architecture as a registered architect as hereinafter defined, and who is registered by the board or otherwise authorized by this act to engage in the practice of architecture as a registered architect.

(2) The term "architect-in-training" shall mean a candidate for registration as a registered architect who, prior to completion of the requisite years of experience in architectural work provided in section 40 [11] hereof, has met the preliminary requirements for registration as a registered architect, and has been issued a certificate by the board stating that he is an architect-in-training.

(3) The term "practice of architecture" shall mean any professional service or creative work requiring the application

of advanced knowledge of architectural design, building construction and standards, and involving the constant exercise of discretion and judgment in such activities as consultation, investigation, evaluation, planning, design and responsible supervision of construction in connection with any public or private buildings, wherein the safeguarding of life, health or property is concerned.

2. Board; Appointments; Terms. A state board of registration for architects, hereinafter called the board, is hereby created whose duty it shall be to administer the provisions of this act. The board shall consist of three architects who shall be appointed by the governor with the advice and consent of the council. The members of the first board shall be appointed within ninety days after the passage of this act, to serve for the following terms: one member for two years, one member for four years, one member for six years, from the date of their appointment, or until their successors are duly appointed. Each member of the board first appointed hereunder shall receive a certificate of registration under this act from said board. On the expiration of the term of any member, the governor shall in the manner hereinbefore provided appoint for a term of six years a registered architect. Each member shall hold office until the expiration of the term for which such member is appointed or until a successor is duly appointed.

3. Qualifications. Each member of the board shall be a citizen of the United States and a resident of this state, and shall have been engaged in the practice of the profession of architecture as his chief means of livelihood for at least twelve years, and shall have been in responsible charge of important architectural work for at least five years. Responsible charge of architectural teaching may be construed as responsible charge of important architectural work.

4. Compensation; Expenses. Members of the board shall serve without compensation but shall be reimbursed for all actual traveling, incidental and clerical expenses necessarily incurred in carrying out the provisions of this act.

5. Removal of Members; Vacancies. The governor and council may remove any member of the board for misconduct, incompetency, neglect of duty, or other sufficient cause. Vacancies in the membership of the board shall be filled for

the unexpired term by appointment by the governor and council as provided in section 2.

6. Organization and Meetings. The board shall hold a meeting within thirty days after its members are first appointed, and thereafter shall hold at least three regular meetings each year. The board shall give notice of the time and place for holding all regular and special meetings. The board shall elect annually a chairman, a vice-chairman and a secretary. The secretary of the state board of registration for professional engineers may serve as secretary and member *ex-officio* of the state board of registration for architects but he shall have no vote in its meetings. A quorum of the board shall consist of not less than two members.

7. Powers and Duties. The board shall have the power to adopt and amend all rules of procedure, not inconsistent with the constitution and laws of this state, which reasonably may be necessary for the proper performance of its duties and the regulation of the proceedings before it. The board shall adopt and have an official seal. The board may subpoena witnesses and compel their attendance, and also may require the production of books, papers and documents in a case involving the revocation of registration or practicing or offering to practice as a registered architect without registration. Any member of the board may administer oaths or affirmations to witnesses appearing before the board. Any person failing or refusing to obey the subpoena or order of the board may be proceeded against in the same manner as for refusing to obey any other subpoena.

8. Receipts and Disbursements. The secretary of the board shall receive and account for all moneys derived under the provisions of this act, and shall pay the same to the state treasurer, who shall keep such moneys in a separate fund to be known as the "Registered Architects' Fund." Such fund shall be kept separate and apart from all other moneys in the treasury, and shall be paid out only for purposes hereof. All moneys in the fund are hereby specifically appropriated for the use of the board. The secretary of the board shall give a surety bond to the state in such sum as the attorney general may determine. The secretary of the board shall receive such salary as the board shall determine in addition to the expenses provided for in section 4. The board may employ such

clerical or other assistants as are necessary for the proper performance of its work, and may make expenditures of this fund for any purpose which reasonably in the opinion of the board is necessary for the proper performance of its duties under this act. Under no circumstances shall the total amount of payments made hereunder exceed the amount of the fees collected hereunder.

9. Records and Reports. The board shall keep a record of its proceedings and a register of all applications for registration, which register shall show (a) the name, age and residence of each applicant; (b) the date of application; (c) the place of business of such applicant; (d) his educational and other qualifications; (e) whether or not an examination was required; (f) whether the applicant was rejected; (g) whether a certificate of registration was granted; (h) the date of the action of the board; and (i) such other information as may be deemed necessary by the board. The records of the board shall be *prima facie* evidence of the proceedings of the board set forth herein, and a transcript thereof duly certified by the secretary of the board under seal, shall be admissible in evidence with the same force and effect as if the original were produced. Biennially, as of October first, the board shall submit to the governor a report of the transactions of the preceding biennium, and also shall transmit to him a complete statement of the receipts and expenditures of the board.

10. Roster. A roster showing the names and places of business of all registered architects shall be published by the secretary of the board during the month of January of each year. Copies of this roster shall be mailed to each architect so registered, placed on file with the secretary of state and furnished to the public upon request.

11. General Requirements for Registration. The following shall be considered as minimum evidence satisfactory to the board that the applicant is qualified for registration as a registered architect, to wit: (a) graduation in an approved architectural curriculum of four years or more from a school or college of architecture approved by the board as of satisfactory standing; and a specific record, satisfactory to the board, of an additional three years or more of experience in the office of an experienced architect (the board at its dis-

cretion may give credit, not in excess of two years, for satisfactory graduate study in architecture); provided that in a case where the evidence presented in the application does not appear to the board conclusive nor warranting the issuing of a certificate of registration, the applicant may be required to present further evidence for the consideration of the board, and also may be required to pass an oral or written examination, or both, as the board may determine; or (b) successfully passing a written, or written and oral, examination designed to show knowledge and skill approximating that attained through graduation in an approved four-year architectural curriculum; and a specific record of eight years or more of experience in architectural work of a character satisfactory to the board and indicating that the applicant is competent to practice as a registered architect.

12. Education Credits. The satisfactory completion of each year of an approved curriculum in architecture in a school or college approved by the board as of satisfactory standing, without graduation, shall be considered as equivalent to a year of experience in (b) of section 11. Graduation in a curriculum other than architecture from a college or university of recognized standing may be considered as equivalent to two years of experience in said (b); provided, however, that no applicant shall receive credit for more than four years of experience because of undergraduate educational qualifications.

13. Teaching Credits. In considering the qualifications of applicants, architectural teaching may be construed as architectural experience.

14. Work as Contractor. The mere execution, as a contractor, of work designed by an architect or the supervision of the construction of such work as a foreman or superintendent shall not be deemed to be experience in architecture.

15. Practitioners at Time Act Became Effective. At any time within two years after this act becomes effective, upon due application therefor and the payment of the registration fee of fifteen dollars, the board shall issue a certificate of registration, without oral or written examination to any architect who shall submit evidence under oath satisfactory to the board that he is of good character, has been a resident of the state of New Hampshire for at least two years immediately preceding the date of his application, and was practicing

architecture for at least two years before this act became effective, and has performed work of a character satisfactory to the board. After this act shall have been in effect two years the board shall issue certificates of registration only as provided in section 11 or section 16 thereof.

16. Interstate Registration. The board in its discretion, may, upon application therefor, and the payment of a fee of twenty-five dollars, issue a certificate of registration as a registered architect to any person who holds a certificate of having passed a standard examination of the National Council of Architectural Registration Boards, or to any person who holds an unexpired certificate of registration issued to him by any state or territory or possession of the United States, or of any country, provided that the applicant's qualifications meet the requirements of this act and the rules established by the board.

17. Non-Practicing Applicant. Any person having the necessary qualifications prescribed in this act to entitle him to registration shall be eligible for such registration although he may not be practicing his profession at the time of making his application.

18. Partnership; Firm; Association. No partnership, firm or association shall be registered as such for the practice of architecture, nor may it represent itself as being so registered. When it is required that documents be marked with the seal of a registered architect it shall be deemed sufficient if the seal of one member only of a partnership, firm or association of registered architects is used.

19. Application and Registration Fees. Applications for registration shall be on forms prescribed and furnished by the board, shall contain statements made under oath showing the applicant's education and detail summary of his practical experience, and shall contain not less than five references, of whom three or more shall be architects having a personal knowledge of his architectural experience. The registration fee for registered architects shall be twenty-five dollars, fifteen dollars of which shall accompany application, the remaining ten dollars to be paid upon issuance of certificate. Application to take the examination in fundamental architectural subjects prior to completion of the requisite years of experience in architectural work shall be accompanied by a

fee of seven dollars and fifty cents. This amount shall be credited against the total fee required for registration as a registered architect. Should the board deny the issuance of a certificate of registration to any applicant the initial fee deposited shall not be returned.

20. Examinations. When oral or written examinations are required, they shall be held at such time and place as the board shall determine. If examinations are required on fundamental architectural subjects (such as are ordinarily given in college curricula) the applicant shall be permitted to take this part of the professional examination prior to his completion of the requisite years of experience in architectural work. Satisfactory passage of this portion of the professional examination by the applicant shall constitute an examination credit for the ensuing ten years. The board shall issue to each applicant upon successfully passing the examination in fundamental architectural subjects a certificate stating that he has passed the examination and that his name has been recorded as an architect-in-training. The scope of the examination and the methods of procedure shall be prescribed by the board with special reference to the applicant's ability to design and supervise architectural work so as to insure the safety of life, health and property. A candidate failing an examination may apply for re-examination at the expiration of six months and will be re-examined without payment of additional fee. Subsequent examination will be granted upon payment of a fee to be determined by the board.

21. Certificates; Seals. The board shall issue a certificate of registration upon payment of registration fee as provided for in this act, to any applicant who, in the opinion of the board, has satisfactorily met all the requirements of this act. Certificates of registration shall show the full name of the registrant, shall have a serial number, and shall be signed by the chairman and the secretary of the board 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 architect, while the said 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

architect." Plans and title pages of specifications prepared by a registrant shall be stamped with the said seal when filed with public authorities, during the life of the registrant's certificate, but it shall be unlawful for the registrant 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.

22. Expiration and Renewals. Certificates of registration shall expire on the last day of the month of December following their issuance or renewal and shall become invalid on that date unless renewed. The secretary of the board shall notify, one month in advance, every person registered under this act, of the date of the expiration of his certificate and the amount of the fee that shall be required for its renewal for one year. Renewal may be effected at any time during the month of January by the payment of a fee of five dollars. The failure on the part of any registrant to renew his certificate annually in the month of January as required above shall not deprive such person of the right of renewal, but the fee to be paid for the renewal of a certificate after the month of January shall be increased ten per cent for each month or fraction of a month that payment renewal is delayed; provided, however, that the maximum fee for delayed renewal shall not exceed twice the normal renewal fee.

23. Practitioners in the Armed Forces. At any time within two years after discharge from the armed forces any honorably discharged veteran qualifying under section 15, shall be issued a certificate of registration, provided that said veteran was domiciled in this state at the time of his induction into said armed forces.

24. Interpretation. The purpose of this act is to provide for a voluntary registration of architects, and by cooperative action to improve the standards of the profession and to establish for the public a roster of registered architects who have freely submitted themselves to regulation and are therefore entitled to a measure of public confidence. Nothing contained in this act shall be construed to make the services of a registered architect mandatory on any construction project. Nothing contained in this act shall be deemed to prohibit any person from engaging in the practice of architecture who has not registered hereunder; provided, however, that it shall be

a violation of this act, subjecting such person to the penalties provided in section 28, for any such unregistered person to falsely represent himself to be a registered architect or to hold himself out to the public or advertise himself to be a registered architect. Nothing contained in this act shall be construed to prohibit any person from becoming registered both as a registered architect and as a professional engineer, providing such person meets the statutory requirements for said registrations.

25. Revocations. The board shall have the power to revoke the certificate of registration of any registrant who is found guilty of: (a) the practice of any fraud or deceit in obtaining a certificate of registration; (b) any gross negligence, incompetence, or misconduct in his practice as a registered architect. Any person may prefer charges of fraud, deceit, gross negligence, incompetency, or misconduct against any registrant. Such charges shall be in writing, and shall be sworn to by the person making them and shall be filed with the secretary of the board. All charges, unless dismissed by the board as unfounded or trivial, shall be heard by the board within three months after the date on which they shall have been preferred. The time and place for said hearing shall be fixed by the board and a copy of the charges, together with a notice of the time and place of hearing, shall be personally served on or mailed to the last known address of such registrant, at least thirty days before date fixed for the hearing. At any hearing, the accused registrant shall have the right to appear personally and by counsel, to cross-examine witnesses appearing against him, and to produce evidence and witnesses in his own defense. If after such hearing, two 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 architect, and shall notify the secretary of state of such revocation.

26. Reissuance of Certificates. The board, for reasons it may deem sufficient, may reissue a certificate of registration to any person whose certificate has been revoked, provided two or more members of the board vote in favor of such reissuance. A new certificate of registration, to replace any certificate revoked, lost, destroyed, or mutilated, may be

issued, subject to the rules of the board, and a charge of three dollars shall be made for such issuance.

27. Appeals. Any person who shall feel aggrieved by any action of the board in denying or revoking his certificate of registration may appeal therefrom to the superior court and, after full hearing, said court shall make such decree sustaining or revising the action of the board as may seem just and proper.

28. Violations and Penalties. Any person presenting or attempting to use as his own the certificate of registration or the seal of another, or any person who shall give any false or forged evidence of any kind to the board or to any member thereof in obtaining a certificate of registration, or any person who shall falsely impersonate any other registrant of like or different name, or any person who shall attempt to use an expired or revoked certificate of registration, or any person who shall violate any of the provisions of this act, shall be fined not less than one hundred nor more than five hundred dollars, or imprisoned for not exceeding three months, or both. It shall be the duty of all duly constituted officers of the law of this state, or any political subdivision thereof, to enforce the provisions of this act and to prosecute any persons violating same.

29. Invalid Sections. If any section or sections of this act shall be declared unconstitutional or invalid, this shall not invalidate any other sections of this act.

30. Takes Effect. This act shall take effect upon its passage.

[Approved June 17, 1947.]

CHAPTER 198.

AN ACT TO EQUALIZE EDUCATIONAL OPPORTUNITIES AND TO
IMPROVE THE PUBLIC ELEMENTARY AND HIGH SCHOOLS
OF NEW HAMPSHIRE.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Educational Appropriations. Amend paragraph III, section 14, chapter 134, Revised Laws, by striking out the

same and inserting in place thereof the following: III. EQUALIZATION AND GENERAL AID. For equalizing educational opportunity and improving the public elementary and high schools.

2. **State Aid.** Amend sections 8, 9, 10 and 11 of chapter 140, Revised Laws, by striking out the same and inserting in place thereof the following:

8. **Declaration of Policy.** It is hereby declared to be the policy of the state to share the costs of public elementary and high schools with local school districts.

9. **State Aid.** To aid local school districts in financial support of schools, the state board shall provide to each district, out of state funds appropriated to carry out the provisions of this title, equalization aid necessary to pay any remaining costs of the required programs of elementary and high school education if the proceeds of a tax of six-tenths of one per cent of the equalized valuation of each district fails to equal the costs of these required programs; provided, that no school district shall receive more than ten thousand dollars of equalization aid in any one year to meet the costs of required elementary and high school programs. For the purposes of this section, the formula to determine the required programs shall be the sum of eighteen hundred dollars annually for each approved one-room school, and for all other schools seventy-five dollars annually per elementary pupil and one hundred dollars annually per high school student. This formula may be changed from time to time by the state board if, in the opinion of the board, a more equal distribution of aid may be accomplished thereby. The state board shall notify all school districts affected by such a change and no such change shall become effective until the school year after the February first next following the notification of such change. Such aid shall be paid to the district legally responsible for the education of the elementary pupils and high school students who attend approved schools within the district or in other districts on the basis of average daily membership during the preceding year. The state board shall also provide to each local school district, out of state funds appropriated to carry out the provisions of this title, general aid not to exceed thirty-seven and one-half dollars for each elementary pupil and fifty dollars for each high school student

in average daily membership during the preceding school year, provided that no general aid shall be paid to any local school district which did not levy and spend for school purposes during the preceding year at least six-tenths of one per cent of the equalized valuation of the district.

10. Prorating. If in any year the state aid to which the local school districts are entitled under the provisions of the preceding section is not available within the limits of the appropriation therefor, the state board shall first reduce proportionally any necessary portion of the general aid to each of the districts before any proportional reduction in equalization aid is made.

11. Exception. The state board shall have authority in its discretion to withhold from such general distribution an amount not exceeding one per cent of the appropriation for state aid, which it may use to furnish additional aid to districts where special need exists.

3. Appropriation. There is hereby appropriated for the purposes of this chapter, for the fiscal year ending June 30, 1948, the sum of two million dollars and for the fiscal year ending June 30, 1949, the sum of two million dollars.

4. Repeal. Section 13, chapter 140, Revised Laws, relating to limitation on total aid granted in any year, is hereby repealed.

5. School District Meeting. The state board of education shall, within fifteen days of the date of the passage of this act, notify each school district of the approximate amount of state aid to become available to each district for the school year 1947-1948 under the provisions of this act. Each school district including Concord and Keene and in each other city school district, the mayor and city council or other body having the appropriating power for school purposes, shall hold a special or adjourned meeting on or before July 15, 1947, for the purpose of considering or reconsidering appropriations for school purposes for the school year 1947-1948. The provisions of section 3, chapter 139, Revised Laws, shall not apply to any meeting held under the provisions of this section. Such meeting shall be of the school district in towns and in Concord and Keene and of the official bodies exercising corresponding powers in other cities. Unless the meeting shall vote that some or all of the state aid funds to become available

under the provisions of this act are required to defray operating costs for adequate school services for the school year 1947-1948, and shall appropriate such funds for such purpose, the state aid funds, or so much thereof as are not appropriated for such school purposes, shall be applied to the reduction of taxes on real estate for school purposes. No portion of state aid funds for the school year 1947-1948 shall be used for the payment of interest, debt, or other capital expenditures. Any district which fails to comply with the provisions of this section shall not be entitled to receive state aid for the school year 1947-1948. The requirements of this section shall not apply to any district which does not qualify for state aid for schools under the provisions of this act.

6. Takes Effect. This act shall take effect as of July 1, 1947, provided that the warrant for any special school district meeting to be held under the provisions of section 5 hereof may be posted at any time after the date of the passage of this act.

[Approved June 17, 1947.]

CHAPTER 199.

AN ACT TO PERMIT THE ESTABLISHMENT OF COOPERATIVE SCHOOL DISTRICTS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Definitions. Terms used in this act shall be construed as follows, unless a different meaning is clearly apparent from the language or context or is otherwise inconsistent with the manifest intention of the legislature:

I. "Cooperative school district" means a district composed of two or more school districts of the state of New Hampshire associated together under the provisions of this act.

II. "Cooperative board" means the board of education of a cooperative school district.

III. "Local district" means a school district which becomes part of a cooperative school district.

IV. "Local board" means the board of education or

school board of a school district forming part of a cooperative school district.

2. Establishment of Cooperative School Districts. Any two or more school districts in New Hampshire may, in accordance with the provisions of this act, establish a cooperative elementary school district or a cooperative secondary school district, or a cooperative elementary and secondary school district by majority vote of the qualified voters present and voting at annual or special school meetings of each of the participating school districts duly called for the purpose by the boards of education of the respective school districts. At such meeting or at an adjournment thereof or at a subsequent meeting similarly called there shall be established or determined by similar vote: (1) The name of the cooperative school districts. (2) The number of members of the cooperative board. (3) The number of members of the cooperative board to be elected from each of the local districts. (4) The length of the initial terms of office of the members of the cooperative board and their allocation among the members of the cooperative board. (5) The purchase, acquisition or lease by the cooperative school district of any existing school facilities within the local districts. (6) Provision for supervisory service by a superintendent of schools. (7) Such other details of organization of the cooperative school district and the cooperative board, consistent with the provisions of this act, as the local districts shall by majority vote adopt. The plan of organization so adopted shall be submitted to the state board of education and the cooperative school district shall become an effective body corporate and politic upon approval of such plan of organization by the state board of education upon such date as the state board of education shall fix.

3. Powers and Duties. Each cooperative school district established under the provisions of this act shall be a body corporate and politic and shall have all the powers and shall be subject to the same obligations and duties in relation to the objects for which it is established as are conferred or imposed upon school districts by the statutes of the state of New Hampshire, in such case made and provided, except as may be otherwise provided in this act.

4. Board of Education. The affairs of a cooperative school

district shall be administered by a board of education which shall be composed of not less than five nor more than nine members. The term of office of each member of the cooperative board shall be three years, except that the initial terms of office of the initial members may be for less than three years. Each local district shall be entitled to elect at least one member of the cooperative board. The members of the cooperative board shall be elected by the local boards acting severally, and may be members of the local boards. Members of the cooperative board shall serve without remuneration but they shall be paid ten cents for each mile of necessary travel on official business.

5. Treasurer. The treasurer of a cooperative school district shall be appointed by the cooperative board for one or more terms not to exceed five years each and may be a member of the cooperative board and shall receive for his services such sum as the cooperative board may determine, but not in excess of one thousand dollars per annum. The treasurer shall, before entering upon the duties of his office, give a bond to the cooperative school district with a reputable surety company in the form required by the tax commission, and the premium shall be paid by the cooperative school district. The provisions of chapter 82, Revised Laws, applicable to school districts and counties shall apply to cooperative school districts.

6. Power to Borrow Money for Capital Improvements. Each cooperative school district shall have the power of a school district to borrow money and to issue notes or bonds as security therefor in accordance with the statutes of the state of New Hampshire, in such case made and provided, except that in computing the debt limit of a cooperative school district, equalized valuation as determined by the state tax commission under chapter 82, Revised Laws, shall be used in place of assessed valuation; and such notes or bonds shall constitute a lien upon all taxable property included within the boundaries of the cooperative school district. Nothing in this act shall be construed to require the assumption by a cooperative school district of any existing indebtedness of any local district; provided, however, that any such existing indebtedness may be assumed by the cooperative school district by majority vote of each of the local districts. For the pur-

poses of computing the legal debt limit of a cooperative school district, the existing debt of each local district shall be deemed a debt of the cooperative school district.

7. Responsibility for Costs of Capital Improvements. For a period of ten years from the formation of a cooperative school district, each local district shall become liable for the costs of capital improvements, including land, buildings and other real estate, furnishings and equipment for classrooms, shops, laboratories and other buildings, school buses, and school facilities used for programs of recreation or health, and other capital improvements, including the cost to the cooperative school district of capital improvements acquired at the time of formation of a cooperative school district, in proportion that its equalized valuation bears to the total equalized valuation of the property within the cooperative school district at the time it becomes effective. After the cooperative school district has been in operation ten years, each local district shall become liable for the costs of further capital improvements in the proportion that its equalized valuation bears to the total equalized valuation of the property within the cooperative school district at the time the funds therefor are appropriated. Indebtedness incurred by each local district as part of a cooperative school district shall be included within the debt limit of the local district.

8. Responsibility for Costs of Operation. The costs of operating a cooperative school district shall be prorated among the local districts in proportion to the average daily membership for the preceding school year in the schools of the cooperative school district of pupils legally resident for school purposes in each of the local districts. For the purposes of this section, costs of operation shall include cost of transportation of pupils and all other costs of operation, except those for capital improvements as defined in section 7. For the first year of operation of any cooperative school district, the state board of education shall determine the share of operating costs of each local district on the basis of average daily membership in each district during the preceding school year.

9. Budget. On or before March first in each year the cooperative board shall prepare a financial budget for the ensuing fiscal year commencing on July first, which shall be

posted in at least one public place in each local district and shall receive such other publication as the cooperative board may determine.

10. Annual Meeting. A meeting of each cooperative school district shall be held annually between March first and April twentieth, inclusive, for the purpose of raising and appropriating money for the support of schools for the fiscal year beginning July first next succeeding and for the payment of its debts and for the transaction of other district business. All the qualified voters of each local district shall be eligible to vote. An attested copy of the warrant shall be posted at the place of meeting and a like copy shall be posted in each local district in a public place fourteen days before the day of the meeting. The time and place for the meeting shall be fixed by the cooperative board and the chairman of such board shall serve as moderator.

11. Certification of Appropriations. The cooperative board shall within two weeks after the annual meeting certify in writing to the local boards the share of each local district in the sums appropriated at the annual meeting. The local board shall in turn certify in writing to the tax officials within each local district having power to levy taxes for educational purposes within such district, a sum equal to such share minus such funds as are available from other sources and are appropriated by the local district to the payment of the local district's share, and such tax officials shall assess upon the ratable estate within each local district such sum so certified to them and shall pay over said sum to the treasurer of the cooperative school district. A local district is hereby authorized to appropriate and pay over to a cooperative school district all or any part of the sums accruing to it under the provisions of section 17, chapter 140, Revised Laws.

12. State Aid. Aid for local school districts provided by the general court of the state of New Hampshire shall be paid directly to local school districts, even though such districts form a part of a cooperative school district.

13. New Members of a Cooperative School District. After a cooperative school district has been formed, additional local school districts may be admitted to membership therein upon the affirmative vote of a majority of the qualified voters present and voting at an annual or special school meeting, duly

warned for the purpose of each [such] additional local school districts and upon approval by majority vote of those present and voting at annual or special school district meetings, duly warned for the purpose, of each of the local districts and approval by the state board of education. Their admission shall be upon such terms and conditions with respect to the capital costs of the cooperative school district theretofore incurred as may be determined by majority vote of those present and voting at annual or special school district meetings, duly warned for the purpose, of each of the local districts and approved by the state board of education.

14. Withdrawal of Local School District. Where a cooperative school district is composed of three or more local districts, a local district may withdraw from the cooperative school district upon a majority vote of those present and voting at an annual or special meeting of such local district, duly warned for the purpose and upon approval of such withdrawal by majority vote of those present and voting at annual or special school district meetings, duly warned for the purpose, of each of the other local districts in such cooperative school district; provided, however, (1) that the withdrawal shall not become effective until three years after the date the vote to withdraw has been taken, (2) that no such withdrawal shall affect the liability of the withdrawing local district for obligations assumed by or imposed upon any local district for capital improvements in the cooperative school district or other obligations assumed under the provisions of section 6, unless the remaining local districts in the cooperative school district shall vote to assume the share of the withdrawing district in such obligations, in the proportions prescribed in section 7, (3) that the withdrawing local district shall, upon withdrawal, have no further right, title or interest in and to any of the assets of the cooperative school district.

15. Dissolution. A cooperative school district may be dissolved by majority vote of those present and voting at annual or special school district meetings, duly warned for the purpose, of each of the local districts. The assets of a cooperative school district shall be divided or disposed of in such manner as may be determined at such meetings of the local districts but if the local districts cannot agree upon their division or disposition, they shall be disposed of in such man-

ner and upon such terms and conditions as may be determined by the state board of education. If a cooperative school district, which has outstanding debt, shall be dissolved, it shall nevertheless continue as a municipal corporation for the limited purpose of paying or liquidating such debt and shall annually choose officers and hold necessary meetings to accomplish such limited purpose. Upon final payment of such debt, the corporate existence of such cooperative school district shall end.

16. Interpretation. Neither the passage of this act nor the formation of a cooperative school district under the provisions hereof shall be deemed to repeal, amend, or modify except as otherwise herein provided any of the provisions of Title XIII of the Revised Laws entitled "Public Schools" as now amended, or any other statutes of the state of New Hampshire relating to schools, school districts, school officers, and their employees and pupils; and, to the extent and only to the extent that the obligations and duties imposed upon local school districts by said statutes of the state of New Hampshire are performed by a cooperative school district, shall a local district be relieved of such obligations and duties.

17. Takes Effect. This act shall take effect upon its passage.

[Approved June 17, 1947.]

CHAPTER 200.

AN ACT RELATIVE TO COMPENSATION TO JURORS FOR EXPENSES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Grand and Petit Jurors. Amend section 26 of chapter 375 of the Revised Laws, as amended by chapter 117 of the Laws of 1947, by striking out the words, "seventy-five cents" where they occur and inserting in place thereof the words, one dollar, so that said section as amended shall read as follows:
26. Compensation. Grand and petit jurors shall be paid by the county for each day or part of a day which is spent in actual attendance at court, five dollars each; for travel to and from court each day, each mile six cents; for each day when attending court away from home, one dollar for expenses; talesmen for each day's attendance, five dollars each.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 17, 1947.]

CHAPTER 201.

AN ACT RELATING TO BANG'S DISEASE.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Retention of Reactors. Amend chapter 229 of the Revised Laws by adding after section 46-a as inserted by chapter 135 of the Laws of 1945, the following new sections: **46-b. Alternate Plan.** Upon written notice to the commissioner within five days after receipt of the results of tests any owner of a herd may elect to retain the reactors shown by such tests for a period not to exceed five years, in which case all reactors shall be permanently identified by hot iron brand with the letter B on the left jaw not less than three inches high and two inches wide and by the insertion in the left ear of a reactor tag, all calves born of such herd shall be vaccinated, and the entire herd shall be placed under quarantine subject to being moved only upon permit issued by the com-

missioner. Reactors must be retained in barn or enclosure approved by the commissioner. Before any herd may be placed under this plan a blood test shall be made of the entire herd to determine the status of the herd and aid in the selection of the plan most suitable. The owner is required to submit his herd for test every six months or at such times as the commissioner may direct to aid in the eradication of Brucellosis. An owner may select either plan and change from one to another. An owner selecting this alternate plan shall not be paid any indemnity upon disposal of any reactors and all reactors must be slaughtered without indemnity before herd can be dealt with as provided for in section 46, chapter 229 of the Revised Laws. The commissioner may make such reasonable rules and regulations as may be necessary to accomplish the purposes of this section.

46-c. Pasteurization. Notwithstanding any provisions of law to the contrary, milk from such herds as adopt this alternate plan including milk from such reactors may be sold to consumers, but only after being pasteurized.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 18, 1947.]

CHAPTER 202.*

AN ACT RELATIVE TO SALARIES OF COMMISSIONERS, SHERIFF AND SOLICITOR OF CHESHIRE COUNTY.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Cheshire County Commissioners. Amend section 27 of chapter 47 of the Revised Laws, as amended by chapters 119, 150, 195 and 202 of the Laws of 1943, and by section 1, chapter 66 and chapter 163 of the Laws of 1945, by striking out the words "one thousand" in the ninth line and inserting in place thereof the words, fifteen hundred, so that said section as amended shall read as follows: **27. Commissioners.** The annual salary of each commissioner of the following counties shall be as follows, payable monthly by the county:

* See chapters 213, 242, 256, 263, 268, 270, 291, *post*.

- In Rockingham, ten hundred dollars.
- In Strafford, twelve hundred dollars.
- In Belknap, twelve hundred dollars.
- In Merrimack, ten hundred dollars.
- In Hillsborough, twenty-seven hundred dollars.
- In Cheshire, fifteen hundred dollars.
- In Sullivan, ten hundred dollars.
- In Grafton, ten hundred dollars.

In Coos county each commissioner, when employed in the business of the county, shall receive five dollars a day, payable as hereinbefore provided. In Carroll county each commissioner, when employed in the business of the county, shall receive eight dollars a day, payable as hereinbefore provided. To the foregoing sums shall be added, in all the counties, a reasonable sum for all necessary expenses, upon order of the county auditors.

2. Salary of Cheshire County Solicitor. Amend section 20 of chapter 24 of the Revised Laws as amended by chapters 40 and 139 of the Laws of 1943 and by chapters 2 and 27 of the Laws of 1947 by striking out the word "twelve" in the ninth line and inserting in place thereof the word, fifteen, so that said section as amended shall read as follows: **20. Salaries.** The annual salaries of the solicitors in the several counties shall be as follows:

- In Rockingham, fifteen hundred dollars.
- In Strafford, eighteen hundred dollars.
- In Belknap, twelve hundred dollars.
- In Carroll, twelve hundred dollars.
- In Merrimack, twelve hundred and fifty dollars.
- In Hillsborough, twenty-five hundred dollars.
- In Cheshire, fifteen hundred dollars.
- In Sullivan, twelve hundred dollars.
- In Grafton, twelve hundred dollars.
- In Coos, eighteen hundred dollars.

3. Salary of Sheriff of Cheshire County. Amend section 27, chapter 380 of the Revised Laws, as amended by chapter 195 of the Laws of 1943, chapter 189, Laws of 1945, and section 2, chapter 2, Laws of 1947, by striking out the word "nine" in the ninth line and inserting in place thereof the word, fifteen, so that said section as amended shall read as

follows: **27. Salaries.** The annual salaries of the sheriffs of the several counties shall be as follows:

In Rockingham, fifteen hundred dollars.

In Strafford, one thousand dollars.

In Belknap, thirteen hundred dollars.

In Carroll, twelve hundred dollars.

In Merrimack, two thousand dollars.

In Hillsborough, fifteen hundred dollars.

In Cheshire, fifteen hundred dollars.

In Sullivan, eight hundred dollars.

In Grafton, one thousand dollars.

In Coos, fourteen hundred dollars.

4. Takes Effect. This act shall take effect upon its passage.

[Approved June 18, 1947.]

CHAPTER 203.

AN ACT TO RESTRICT THE USE AND OPERATION OF CERTAIN BOILERS IN THE INTERESTS OF PUBLIC SAFETY.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Prohibition. No person, corporation or association shall install or operate under pressure, a boiler not previously located within the state, until application is first filed with the labor commissioner on such form as he may prescribe, and a permit so to do is issued by him. The commissioner shall issue such permit if he finds that such boiler conforms to the requirements of the Boiler Construction Code of the American Society of Mechanical Engineers and that it may be operated without menace to the public safety.

2. Exceptions. This act shall not apply to

I. boilers under federal control,

II. portable boilers to be used solely on farms for agricultural purposes,

III. steam boilers to be used exclusively for heating purposes, carrying a pressure of not more than fifteen pounds per square inch,

IV. hot water boilers carrying a pressure of not more than thirty pounds per square inch,

V. boilers for use in private residences, and

VI. compressed air boilers, tanks or vessels.

3. **Penalty.** Any person who violates any of the provisions of this act shall be fined not exceeding five hundred dollars.

4. **Takes Effect.** This act shall take effect upon its passage.

[Approved June 18, 1947.]

CHAPTER 204.

AN ACT RELATIVE TO CHANGE IN CLASSIFICATION OF HIGHWAY
IN ALSTEAD AND GILSUM.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. **Change in Classification.** The class V highway starting from the Forest road, so-called in the town of Alstead at East Alstead Common, thence running southerly east of Lake Warren past the South Woods Road corner and the Big Mine, so-called, to Gilsum village in the town of Gilsum, a distance of approximately six miles, shall hereafter be classified as a class II highway.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved June 18, 1947.]

CHAPTER 205.

AN ACT RELATING TO POLITICAL EXPENDITURE.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. **Political Expenditures.** Amend section 2 of chapter 42 of the Revised Laws by adding the following paragraph: X. For the purchase of radio time, office equipment, and supplies.

2. Political Parties. Amend section 3 of chapter 42 of the Revised Laws by striking out the whole thereof and inserting the following section: **3. State Committee Expenditures.** No state committee of a political party shall expend in any one year for purposes allowed by this chapter more than thirty-five thousand dollars and not more than one-half of said thirty-five thousand dollars shall be expended for the purposes enumerated in paragraphs VII and VIII of the foregoing section. The collection by a state committee for and transmission to a national political committee shall not be deemed to be an expenditure by a state committee of a political party under the provisions of this section.

3. Elections. Amend section 4 of chapter 42 of the Revised Laws by striking out said section and inserting in the place thereof the following: **4. Candidates' Expenditures.** No candidate shall in any one election, other than the primary, expend, in addition to his contribution to a state committee, a sum in excess of the following amounts: Governor or United States senator, three thousand dollars; representative in congress, fifteen hundred dollars; councilor, five hundred dollars; state senator or county officer, three hundred dollars; representative to the general court, one hundred dollars. Money expended by a candidate to meet and discharge any assessment, fee, or charge made or levied upon candidates by the laws of this state, or expended for his necessary personal, traveling or subsistence expenses, or for stationery, postage, writing, or printing (other than for use on billboards or in newspapers), for distributing letters, circulars, or posters, or for telegraph or telephone service, shall not be included in determining whether his expenditures have exceeded the sum fixed by this section as the limit of campaign expenses of a candidate.

4. Primary. Amend section 5 of chapter 42 of the Revised Laws by striking out said section and inserting in the place thereof the following: **5. Primary Expenditures.** The total sum to be expended or contracted for payment for the nomination by or in behalf of any candidate for nomination shall be as follows: For governor or United States senator, eight thousand dollars; for representative in congress, four thousand dollars; for councilor, fifteen hundred dollars; for state senator or any county officer, three hundred dollars; for

representative to the general court, one hundred dollars. The amount of money specified shall include all expenditures by a candidate or by others in his behalf with his knowledge during the calendar year of the primary, except money expended by a candidate to meet and discharge any assessment, fee, or charge made or levied upon candidates by the laws of this state, or expended for his necessary personal, traveling, or subsistence expenses, or for stationery, postage, writing, or printing (other than for use on billboards or in newspapers), for distributing letters, circulars, or posters, or for telegraph or telephone service, shall not be included in determining whether his expenditures have exceeded the sum fixed herein as the limit of campaign expenses of the candidate for nomination in the primary. No person shall make any contribution of or contract for the payment of any money for the benefit of any candidate without the written consent of such candidate or his financial agent. As a part of the declaration of candidacies filed by candidates for governor, United States senator, representative in congress, councilor, state senator, and county officer, every candidate shall designate some person, who may be the candidate himself, as his financial agent for the purpose of the primary campaign, or if his candidacy for such office is established by a primary petition, there shall be annexed to the primary petition in behalf of such candidate the name of the financial agent for such candidate. All sums expended or contracted for payment in the primary campaign by or in behalf of such candidate shall be reported to such financial agent, who shall make all the disbursements in behalf of such candidate, and said agent shall join with the candidate in signing the filing statements required by law.

5. Takes Effect. This act shall take effect upon its passage.

[Approved June 19, 1947.]

CHAPTER 206.

AN ACT RELATIVE TO AUDITING ACCOUNTS OF FAIRS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Auditing Accounts. Amend section 18 of chapter 171 of the Revised Laws by striking out said section and inserting in place thereof the following: **18. Agricultural Fairs.** The portion of the tax on pari mutuel pools to be distributed for the promotion of agriculture, as provided in section 16, shall be distributed by the commissioner of agriculture in accordance with the following plan to all agricultural fairs holding yearly exhibitions in the state and paying premiums of five hundred dollars or more annually. Each year a payment of one hundred dollars shall be paid to all such agricultural fairs. The balance of said fund shall be divided *pro rata* to said fairs based on the amount of competitive or educational agricultural premiums paid the preceding calendar year by said fair. In determining the premiums paid the commissioner shall take into consideration premiums paid for contests, exhibits, or displays of domestic livestock, household products, farm crops, and those made by 4-H clubs or other similar groups. The commissioner of agriculture shall make such rules and regulations relative to reports as to premiums as may be necessary to enable him to determine the *pro rata* distributions to be made of the sums hereinbefore provided. The tax commission shall cause to be made an annual audit of all accounts of fairs receiving money under the provisions of this chapter, with the exception of pari mutuel receipts. The audit of such receipts made under the authority of section 21 of chapter 171 of the Revised Laws as it applies to agricultural fairs, shall be made within thirty days, and the state racing commission shall make such audits available to the state tax commission. The cost of the audit by the tax commission shall be borne by each fair audited.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 19, 1947.]

CHAPTER 207.

AN ACT RELATIVE TO FEES OF TAX COLLECTORS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Repeal. Amend section 16 of chapter 80 of the Revised Laws by striking out the whole of said section.

2. Repeal. Amend section 34 of chapter 80 of the Revised Laws by striking out the whole of said section.

3. Tax Collectors. Amend section 36 of chapter 80 of the Revised Laws by striking out the whole of said section and inserting in place thereof the following: **36. Return of Reports.** Whenever a tax collector, under the provisions of sections 20, 21, 24, 28 and 30 of this chapter, shall make a return or a report to the register of deeds of advertisement or consummation of a tax sale, or of a payment before sale or redemption therefrom, or discharge of a tax lien for any reason, the register of deeds shall cause the time of his receipt thereof to be stamped or written upon the back of said report or certificate and shall, after entering the same in the registry records, return it to the tax collector within a reasonable time.

4. Fees. Amend chapter 80 of the Revised Laws by adding at the end thereof a new sub-title, Fees Relative to Collection of Taxes, and the following new sections:

Fees Relative to Collection of Taxes

47. Sale of Real Estate. Relative to tax delinquency and the sale and deeding of real estate, the fees of collectors shall be as follows: For notice of proposed sale as sent to each delinquent, irrespective of the number of tax-delinquent parcels of real estate owned by or taxed to such person, one dollar. For making sale, for each delinquent taxpayer whose property has been listed and sold, one dollar. In addition to the above, the collector shall receive, for each parcel of real estate sold, twenty-five cents. For notice of payments made before sale, or of redemption or discharge of lien following a tax sale, the collector shall receive twenty-five cents. For each deed issued in default of redemption from tax sale the collector shall receive one dollar. For each notice to the register of deeds of subsequent tax payments on the lien,

twenty-five cents. For each notice to a mortgagee of record at the time of the tax sale, advising of subsequent tax payments, fifty cents plus the cost of sending such notice by registered mail. Collectors shall also be allowed to charge for postage, fees of notaries or justices of the peace incident to making returns to the registry of deeds, and for the cost of printed forms and stationery and for other necessary and actual expenses incurred; said expenses to be totalled and divided *pro rata* among the delinquent taxpayers when real estate is advertised and sold.

48. Sale of Personal Property. The tax collector's fees for distraint and sale at public auction of personal property shall be as follows: For posting notice of sale against each delinquent, one dollar. For making sale of personal property, each delinquent, one dollar. Mileage, collector's home to place of distraint, per mile, ten cents. Mileage, collector's home to place of sale, per mile, ten cents. For each copy of itemized list of articles or of property taken in distraint by the collector, fifty cents. Poundage or commission on value of property sold, three per cent. In addition to the above the collector shall be allowed his actual and necessary expenses in connection with the storage of merchandise seized or for the care and keeping of livestock impounded prior to the sale.

49. Making Arrest. The tax collector's fees for taking the body and committing to jail any person neglecting or refusing to pay a poll or personal property tax assessed against him under the provisions of sections 2 and 10, chapter 80, Revised Laws, shall be as follows: Mileage, collector's home to place of arrest, per mile, ten cents. Mileage, point of arrest to jail and return, per mile, ten cents. For attested copy of warrant for arrest, fifty cents. For service of warrant and making arrest, two dollars.

50. Register of Deeds. In posting his notice or advertisement of sale and in making sale of tax-delinquent real estate, the collector shall include the fees which are to be paid to the register of deeds for the proper discharge of said register's duties under the provisions of sections 20, 21, 24, 28, 29 and 30 of said chapter 80. Said fees shall be advanced and paid to the register of deeds by the tax collector or by the town, and reimbursement shall be made thereto when payment of delinquent taxes and costs is made before sale or

when redemption shall be made subsequent to the tax collector's sale. The fees to the register of deeds shall be as follows: For entering notice or advertisement of tax collector's sale, each separate item therein, twenty-five cents. For entering notice of each separate parcel sold, twenty-five cents. For discharging lien, each parcel redeemed from sale, twenty-five cents. For entering notice of each subsequent tax payment on the lien, twenty-five cents. For discharging lien, each parcel redeemed from sale, or from payment of subsequent tax thereon, twenty-five cents.

In addition to the above, the register of deeds may make such charge as he may deem to be just and proper, for searching the records and reporting mortgage encumbrances, if any, upon real estate sold by the tax collector if and when a request for such information is received from the holder of the tax lien; provided, however, that this shall not be considered to be a mandatory duty of the register of deeds but may be done by himself or his agent if he so elects.

5. Takes Effect. This act shall take effect upon its passage.

[Approved June 19, 1947.]

CHAPTER 208.

AN ACT RELATING TO THE NOMINATION OF PRESIDENTIAL ELECTORS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Certification. Amend section 59, chapter 33, Revised Laws, as amended by section 4, chapter 9, Laws of 1943, and by chapter 16, Laws of 1947, by adding at the end thereof the following: Upon receipt of the foregoing certifications, the secretary of state shall publish in some paper of general circulation the names of the persons found by him to have been chosen as candidates for presidential electors by the several parties, so that said section as amended shall read as follows: **59. Date, Call, and Purposes.** Not earlier than the third Tuesday of September following any primary, and not later than the first Tuesday of October, upon the call of the chair-

man of the state committee of the party, the nominees of each party for the offices of governor, councilors, state senators, county officers, representatives, and state delegates elected shall meet in state convention for the purpose of adopting the platform of their party, nominating presidential electors and effecting an organization for the following two years. The names and residences of the presidential electors nominated by such convention shall be forthwith certified to the secretary of state by the chairman and clerk of the convention. Upon receipt of the foregoing certifications, the secretary of state shall publish in some paper of general circulation the names of the persons found by him to have been chosen as candidates for presidential electors by the several parties.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 19, 1947.]

CHAPTER 209.

AN ACT RELATING TO THE PRACTICE OF VETERINARY MEDICINE.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Veterinary Examiners. Amend section 4, chapter 255, Revised Laws, by striking out the word "five" in the first line and the words "twenty-five" in the third line, and inserting in the place thereof, ten, and, fifty, respectively, so that said section as amended shall read as follows: **4. Compensation.** Each member of said board shall receive ten dollars a day for services rendered and his actual expenses. The board may employ clerical assistance at a cost not to exceed fifty dollars a year. If the amount received by the state treasurer is not sufficient to pay for both services and expenses, the governor and council shall allow the expenses in full and such part of the amount due for services as the balance permits.

2. Temporary Eligibility for Examination. Any person who was graduated from a veterinary college not on the recognized list as provided in section 9, chapter 255, Revised Laws, between the years 1942 and 1947, which college had a

course of study of not less than four school years of not less than six months each, and who has served an internship under a duly licensed veterinary in this state for at least two years prior to the passage of this act, shall upon application submitted within one year from the date of the passage of this act and not thereafter, be eligible to take the examination provided in said section 9 of chapter 255 and upon passing such examination to receive a license as provided in section 10 of said chapter.

3. Takes Effect. This act shall take effect upon its passage.

[Approved June 19, 1947.]

CHAPTER 210.

AN ACT RELATING TO HOUSING AUTHORITIES FOR SO-CALLED BLIGHTED AREAS, AND REDEVELOPMENT PROJECTS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Finding and Declaration of Necessity. It is hereby found and declared (a) that there exist in many communities within this state blighted areas (as defined herein) or areas in the process of becoming blighted; (b) that such areas impair economic values and tax revenues; that such areas cause an increase in and spread of disease and crime and constitute a menace to the health, safety, morals and welfare of the residents of the state, that these conditions necessitate excessive and disproportionate expenditures of public funds for crime prevention and punishment, public health and safety, fire and accident protection, and other public services and facilities; (c) that the clearance, replanning and preparation for rebuilding of these areas, and the prevention or the reduction of blight and its causes, are public uses and purposes for which public money may be spent and private property acquired and are governmental functions of state concern; (d) that there are also certain areas where the condition of the title, the diverse ownership of the land to be assembled, the street or lot layouts, or other conditions prevent a proper development of the land, and that it is in the public interest

that such areas, as well as blighted areas, be acquired by eminent domain and made available for sound and wholesome development in accordance with a redevelopment plan, and that the exercise of the power of eminent domain and the financing of the acquisition and preparation of land by a public agency for such redevelopment is likewise a public use and purpose; (e) that redevelopment activities will stimulate residential construction which is closely correlated with general economic activity; and that such undertakings authorized by this act will aid the production of better housing and more desirable neighborhoods and community development at lower costs and will make possible a more stable and larger volume of residential construction, which will assist materially in achieving and maintaining full employment; and (f) that it is in the public interest that advance preparation for such projects and activities be made now, and that the necessity in the public interest for the provisions hereinafter enacted is hereby declared as a matter of legislative determination.

2. Redevelopment Project. Any housing authority now or hereafter established pursuant to chapter 169 of the Revised Laws, as amended by chapter 169, Laws of 1947, may carry out any work or undertaking (hereafter called a "redevelopment project"): (1) to acquire blighted areas, which are hereby defined as areas (including slum areas) with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community; (2) to acquire other real property for the purpose of removing, preventing, or reducing blight, blighting factors or the causes of blight; (3) to acquire real property where the condition of the title, the diverse ownership of the real property to be assembled, the street or lot layouts, or other conditions prevent a proper development of the property and where the acquisition of the area by the authority is necessary to carry out a redevelopment plan; (4) to clear any areas acquired and install, construct, or reconstruct streets, utilities, and site improvements essential to the preparation of sites for uses in accordance with the redevelopment plan; (5) to sell or lease

land so acquired for uses in accordance with the redevelopment plan; or (6) to accomplish a combination of the foregoing to carry out a redevelopment plan.

3. Authority. In undertaking such redevelopment projects a housing authority shall have all the rights, powers, privileges and immunities that such authority has under the housing authorities law, chapter 169 of the Revised Laws and any other provision of law relating to slum clearance and housing projects for persons of low income (including, without limiting the generality of the foregoing, the power to make and execute contracts, to issue bonds and other obligations and give security therefor, to acquire real property by eminent domain or purchase, and to do any and all things necessary to carry out projects) in the same manner as though all the provisions of law applicable to slum clearance and housing projects were applicable to redevelopment projects undertaken under this act; provided that nothing contained in sections 9 and 10 of the housing authorities law shall be construed as limiting the power of an authority, in the event of a default by a purchaser or lessee of land in a redevelopment plan, to acquire property and operate it free from the restrictions contained in said sections.

4. Initiation of Projects. An authority shall not initiate any redevelopment project under this act until the governing body (or agency designated by it or empowered by law so to act) of each city or town (hereinafter called "municipalities") in which any of the area to be covered by said project is situated, has approved a plan (herein called the "redevelopment plan") which provides an outline for the development or redevelopment of said area and is sufficiently complete (1) to indicate its relationship to definite local objectives as to appropriate land uses and improved traffic, public transportation, public utilities, recreational and community facilities and other public improvements; (2) to indicate proposed land uses and building requirements in the area; and (3) to indicate the method for the temporary relocation of persons living in such areas; and also the method for providing (unless already available) decent, safe and sanitary dwellings substantially equal in number to the number of substandard dwellings to be cleared from said area, at rents within the financial reach of the income groups displaced from such sub-

standard dwellings. Such municipalities are hereby authorized to approve redevelopment plans through their governing body or agency designated by it for that purpose. Any municipality, as defined in the housing authorities law, chapter 169, of the Revised Laws, shall have the same rights and powers to cooperate with and assist housing authorities with respect to redevelopment projects that such municipality has pursuant to such law for the purpose of assisting the development of administration of slum clearance and housing projects in the same manner as though the cooperation provisions of the housing authorities law were applicable to redevelopment projects undertaken under this act.

5. Land Available for Public or Private Agencies. The authority may make land in a redevelopment project available for use by private enterprise or public agencies in accordance with the redevelopment plan. Such land may be made available at its use value, which represents the value (whether expressed in terms of rental or capital price) at which the authority determines such land should be made available in order that it may be developed or redeveloped for the purposes specified in such plan. To assure that land acquired in a redevelopment project is used in accordance with the redevelopment plan, an authority, upon the sale or lease of such land, shall obligate purchasers or lessees: (1) to use the land for the purpose designated in the redevelopment plan; (2) to begin the building of their improvements within a period of time which the authority fixes as reasonable; and (3) to comply with such other conditions as are necessary to carry out the purposes of this act. Any such obligations by the purchaser shall be covenants and conditions running with the land where the authority so stipulates.

6. Tax Status. Any property which the authority leases to private individuals or corporations for development under a redevelopment plan shall have the same tax status as if such leased property were owned by such private individuals or corporations.

7. Federal Assistance. An authority may borrow money or accept contributions from the federal government to assist in its undertaking redevelopment projects. An authority may do any and all things necessary or desirable to secure such financial aid (including obligating itself in any contract with

the federal government for annual contributions to convey to the federal government the project to which said contract relates upon the occurrence of a substantial default thereunder), in the same manner as it may do to secure such aid in connection with slum clearance and housing projects under the provisions of the housing authorities law.

8. Bonds. Bonds or other obligations issued by a housing authority in connection with a redevelopment project pursuant to this act shall be security for public deposits and legal investments to the same extent and for the same persons, institutions, associations, corporations, and other bodies and officers as bonds or other obligations issued pursuant to the housing authorities law in connection with the development of slum clearance or housing projects.

9. Advisory Board. For the purpose of coordinating its activities and undertakings under this act with the needs and undertakings of other local organizations and groups, a housing authority may establish an advisory board consisting of the chairman of the authority (who shall be chairman of the advisory board) and of sufficient members to represent so far as practicable: the general public and consumers of housing; general business interests; real estate, building and home financing interests; labor; any official planning body in the locality; and church and welfare groups. The members of the advisory board shall be appointed by the chairman of the authority.

10. Powers Hereunder are Supplementary. The powers conferred by this act shall be in addition and supplemental to the powers conferred by any other law.

11. Separability Clause. Notwithstanding any other evidence of legislative intent, it is hereby declared to be the controlling legislative intent that if any provision of this act, or the application thereof to any person or circumstances, is held invalid, the remainder of the act and the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

12. Inconsistent Provisions. Insofar as the provisions of this act are inconsistent with the provisions of any other law, the provisions of this act shall control.

13. Takes Effect. This act shall take effect upon its passage.

[Approved June 19, 1947.]

CHAPTER 211.

AN ACT RELATING TO THE BALLOT-LAW COMMISSION.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Ballot-Law Commission. Amend the Revised Laws by adding after chapter 34 the following new chapter:

Chapter 34-A**Ballot-Law Commission**

1. Commission. There shall be a ballot-law commission consisting of three members, one of whom shall be the attorney general, or in his absence or inability to act, the assistant attorney general. The other two members shall be appointed by the governor with the advice and consent of the council for terms of four years, or until their successors are appointed and qualified, except that the first appointments shall be for terms of two and four years, respectively. One member shall be appointed each even numbered year, to take office July first. Vacancies shall be filled in the same manner for the unexpired term. Not more than two commissioners shall be of the same political party. The secretary of state shall be the recording officer and clerk of the commission, but shall have no vote in its decisions.

2. Compensation. They shall receive such compensation for their services as shall be approved by the governor and council. All bills for supplies required by the commission, their necessary expenses and fees of witnesses summoned by the commission shall be paid by the state upon the approval of the governor and council.

3. General Duties. They shall hear and determine appeals from primary and election recounts conducted by the secretary of state as provided in section 4. In addition, they shall have jurisdiction in the following cases:

I. When nominations at the primary, as declared by the secretary of state under section 48, chapter 33, are in apparent conformity with law, they shall be valid, unless changed upon recount as provided by law or unless written objection thereto shall be filed with the secretary of state within three days succeeding six o'clock in the afternoon of the date of publication of the results of the primary by the

secretary of state under said section 48, or if there is a recount for the office in question, within three days after the declaration of the secretary of state upon such recount. If written objections are filed, the ballot-law commission shall forthwith meet, hear and decide all such objections. The decision of the ballot-law commission shall be final as to questions both of law and fact, and no court shall have jurisdiction to review such decision.

II. When nominations by petition, as provided in sections 62 to 65, inclusive, chapter 33, or the filling of vacancies in nominations occurring after the primary, as provided in sections 52 and 67, chapter 33, are in apparent conformity with law, they shall be valid, unless written objection thereto shall be filed with the secretary of state within the time limit provided in section 69 of chapter 33 in the case of nominations by petition, or within three days succeeding six o'clock in the afternoon of the date on which the appointment to fill a vacancy is filed with the secretary of state in the case of filling vacancies in nominations. If written objections are filed, the ballot-law commission shall forthwith meet, hear and decide all such objections. The decision of the ballot-law commission shall be final as to questions both of law and fact, and no court shall have jurisdiction to review such decision.

III. The jurisdiction vested in the ballot-law commission under paragraphs I and II of this section shall be exclusive of all other remedies.

4. Appeals from Recounts. The ballot-law commission shall hear and determine appeals from recounts in the following cases:

I. In case of a primary recount as provided in sections 53 to 58, inclusive, of chapter 33, any person voted for upon the ballot of any party, who, by declaration of the secretary of state upon recount, was not chosen as the candidate of such party, may within three days after said declaration, appeal therefrom to the ballot-law commission by filing his written appeal with the secretary of state. The ballot-law commission shall forthwith meet, hear and decide such appeal and shall, on such appeal, consider and review only the rulings of the secretary of state on ballots protested by the appellant during the recount. If after such review it shall appear that the appellant was nominated, the commission shall change the

declaration of the secretary of state and issue a certificate of nomination to the appellant. The decision of the ballot-law commission shall be final as to questions both of law and fact, and no court shall have jurisdiction to review such decision. The jurisdiction vested in the commission under this paragraph shall be exclusive of all other remedies.

II. In case of an election recount as provided in sections 104 to 108, inclusive, of chapter 34, any candidate who, by declaration of the secretary of state upon recount did not have the greatest number of votes, may within three days after said declaration, appeal therefrom to the ballot-law commission by filing his written appeal with the secretary of state. The ballot-law commission shall forthwith meet, hear and decide such appeal and shall, on such appeal, consider and review only the rulings of the secretary of state on ballots protested by the appellant during the recount. If after such review, it shall appear that the appellant had the greatest number of votes, the commission shall change the declaration of the secretary of state and issue a certificate of such changed declaration to the appellant. The decision of the ballot-law commission under this paragraph shall be subject to appeal as provided in section 11 of this chapter. The jurisdiction vested in the commission under this paragraph shall be exclusive; but nothing contained in this paragraph shall be construed to bar any person from recourse to the superior court on other questions, within the jurisdiction of such court, relating to the legality or regularity of biennial elections or the results thereof.

5. Rules. The commission shall have power to adopt and publish rules to govern its proceedings and to regulate the mode and manner of all hearings or proceedings before it. Said rules shall be published and made available at the office of the secretary of state. All hearings shall be open to the public.

6. Evidence and Procedure. In any hearing the commission shall not be bound by the technical rules of evidence, but its findings must be supported by reliable, probative and substantial evidence. A stenographic transcript shall be made of all oral testimony submitted to the commission, and such transcript together with the exhibits, ballots and papers filed in the proceeding shall be the exclusive record for its decision. Decisions of the commission shall be made in writing

and filed with the secretary of state. Reasonable notice of all hearings before the commission shall be given by the secretary of state by registered mail. In cases of recount appeals under section 4, notice shall be given to all candidates for the particular nomination or office in question. In cases arising under section 3, notice shall be given to the person or persons filing objections and to the candidate or candidates to whose nomination objections have been filed. At all hearings, interested parties may appear, present relevant evidence, be represented by counsel and cross examine opposing witnesses. The records of the commission in any proceeding before it shall be preserved for at least six months after the election in question.

7. Summons; Oath. The commission shall have power to subpoena witnesses and administer oaths in any proceeding before it and to compel by subpoena *duces tecum*, the production of any check-list, tally sheet, or other document or thing of any kind whatever.

8. Witnesses. Witnesses summoned before the commission shall be paid the same fees as witnesses summoned to appear before the superior court, and such summons issued by any justice of the peace shall have the same effect as though issued for appearance before such court.

9. Testimonial Privilege. No witness in any proceeding before the commission shall be excused from giving his testimony or producing documentary evidence upon the ground that such testimony or documentary evidence could tend to incriminate him, but if the witness claims immunity hereunder, no such testimony or documentary evidence shall be used against him in any criminal prosecution, nor shall he be liable to criminal prosecution for any matter disclosed thereby.

10. Perjury. No person so testifying shall be exempt from prosecution or punishment for any perjury committed by him in his testimony.

11. Appeal. There shall be an appeal to the supreme court from the decisions of the ballot-law commission made under paragraph II, section 4, as provided in this section and not otherwise. Such appeal shall be filed with the clerk of the supreme court within five days after the decision of the commission is filed with the secretary of state. Such appeal shall be limited to questions of law; and findings of fact made

by the commission shall be final if supported by the requisite evidence. The supreme court may hold a special session to consider such appeal if it considers such action necessary, Appeals under this section shall be limited to contested elections for the offices of presidential elector, governor, councilor and town and city or city ward offices voted for at biennial elections. It is hereby declared to be the legislative intent to provide no appeal under this section in the cases of contested elections for the offices of United States senator, representative in congress, state senator or representative to the general court in view of the constitutional provisions vesting in both houses of congress and both houses of the general court exclusive jurisdiction over the elections and qualifications of their respective members.

2. Repeal. Sections 96-98, inclusive of chapter 33, Revised Laws, as amended by chapter 1, Laws of 1943, and section 109 of chapter 34 of the Revised Laws are hereby repealed. Any other statutes inconsistent with this chapter are hereby repealed to the extent of such inconsistency.

3. Declaration; Primary. Amend section 57 of chapter 33 of the Revised Laws by adding at the end thereof the words, unless the result is changed upon appeal to the ballot-law commission, so that said section as amended shall read as follows: **57. Declaration.** If a recount shall show that some other person than the one declared nominated upon the canvass of the returns from the clerks of towns and wards has the greatest number of votes cast at the primary, such person shall be declared nominated and shall be the candidate of the party for the office in question, instead of the person so first declared, and his name shall be placed upon the official ballot at the following election, unless the result is changed upon appeal to the ballot-law commission.

4. Declaration; Election. Amend section 108 of chapter 34 of the Revised Laws by striking out the words "as hereinafter provided" in the sixth line, and inserting in place thereof the words, to the ballot-law commission, so that said section as amended shall read as follows: **108. Declaration; Certificate.** If, in case of a recount of such votes, it shall appear that a person was elected other than the person declared elected upon the canvass of returns from the clerks of the towns and wards the secretary of state shall declare the

result found by him and the person so declared by him to have the greatest number of votes, unless the result is changed upon appeal to the ballot-law commission, shall be entitled to receive a certificate to such declaration. In the case of candidates for town offices, the person receiving such certificate, unless the result is changed upon appeal, shall be the duly elected officer of such town.

5. **Takes Effect.** This act shall take effect July 1, 1948.
[Approved June 19, 1947.]

CHAPTER 212.

AN ACT RELATIVE TO MEDICAL REFEREES, AUTOPSIES AND INQUESTS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. **Medical Referees.** Amend section 4 of chapter 436 of the Revised Laws, by striking out said section and inserting in place thereof the following: 4. **Oath; Duties.** Each medical referee shall, before entering upon the duties of his office, be sworn and shall make examination as hereinafter provided, upon the view of the dead bodies of such persons only as are supposed to have come to their deaths by violence, or unlawful act, or suddenly when in apparent health, or when unattended by a physician, or in prison, or in any suspicious, unusual, or unnatural manner.

2. **Dead Bodies.** Amend section 6 of said chapter 436 by striking out said section and inserting in place thereof the following: 6. **Notice to Referee.** It shall be the duty of anyone finding the body of any person whose death is suspected to have been caused, or which occurred, in any manner described in section 4 to immediately notify the medical referee and the county solicitor for the county wherein the body is found.

3. **Duties of Referee.** Amend section 15 of said chapter 436 by striking out said section and inserting in place thereof the following: 15. **Report to Solicitor, etc.** If, upon such view, with personal inquiry or autopsy, said referee is of the opinion that the death of the person was caused, or occurred,

in any manner described in section 4, he shall at once notify the attorney general and the county solicitor, and file with each a duly attested copy of the record of the case.

4. Attorney General. Amend section 17 of said chapter 436 by striking out said section and inserting in place thereof the following: **17. Duty of Solicitor, etc.; Inquest.** The attorney general or county solicitor, on receiving the report of the medical referee and finding some person or persons are probably implicated, may, when deemed necessary, authorize the referee to take an inquest upon the view of the dead body of a person whose death is supposed to have been occasioned in any manner described in section 4 and said referee shall thereupon summon to appear before him such witnesses as the attorney general or county solicitor may direct, who shall be examined under oath by said attorney general or solicitor.

5. Report. Amend section 19 of said chapter 436 by striking out said section and inserting in place thereof the following: **19. Of Referee.** The referee who shall preside at such inquest shall report in writing his conclusions, when, where and by what means the person came to his death, to the superior court of the county, and furnish a copy to the attorney general or county solicitor, and, if it appears to him that it was a case of homicide, or was occasioned in the manner described in section 4, he shall state the name of the person who contributed to such death, if known to him.

6. Inquest. Amend section 21 of said chapter 436 by striking out said section and inserting in place thereof the following: **21. Other Inquests.** If a referee reports that a death was not caused or did not occur in any manner as described in section 4 and the attorney general or county solicitor is of a contrary opinion, either officer may direct an inquest in accordance with the foregoing provisions.

7. Takes Effect. This act shall take effect upon its passage.

[Approved June 19, 1947.]

CHAPTER 213.*

AN ACT RELATIVE TO THE SALARY OF THE SOLICITOR OF
MERRIMACK COUNTY.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Salary of Solicitor of Merrimack County. Amend section 20 of chapter 24 of the Revised Laws as amended by chapters 40 and 136 of the Laws of 1943, and by chapters 2, 27, and 202 of the Laws of 1947 by striking out the words "twelve hundred and fifty" after the word "Merrimack" and inserting in place thereof the words, two thousand, so that said section as amended shall read as follows: **20. Salaries.** The annual salaries of the solicitors in the several counties shall be as follows:

In Rockingham, fifteen hundred dollars.

In Strafford, eighteen hundred dollars.

In Belknap, twelve hundred dollars.

In Carroll, twelve hundred dollars.

In Merrimack, two thousand dollars.

In Hillsborough, twenty-five hundred dollars.

In Cheshire, fifteen hundred dollars.

In Sullivan, twelve hundred dollars.

In Grafton, twelve hundred dollars.

In Coos, eighteen hundred dollars.

2. Takes Effect. The provisions of section 1 relative to the salary of the solicitor of Merrimack county shall take effect as of January 1, 1947, and the other provisions of said section 1 shall take effect upon the passage of this act.

[Approved June 23, 1947.]

CHAPTER 214.

AN ACT RELATIVE TO THE BURIAL OF VETERANS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Veterans. Amend section 16, chapter 124 of the Revised Laws as amended by chapter 102, Laws of 1943, and chapter 88, Laws of 1945, by striking out the same and in-

* See chapters 242, 263, 268, 270, 291, *post*.

serting in place thereof the following: **16. Burial Expenses.** Whenever any member or former member of the armed forces of the United States, who served in any war or armed conflict in which the United States has been engaged and whose services were terminated under conditions otherwise than dishonorable, dies and the commander and adjutant of any recognized veterans organization of which he was a member, or the majority of the board of selectmen of the town or the mayor or council of the city in which such veteran dies, if he or she was not a member of such organization, shall certify under oath to the state veterans' council that such veteran did not leave sufficient estate to pay the expenses of his or her funeral, the governor shall draw a warrant in favor of the commander or adjutant, selectmen, city council or mayor, for a sum not exceeding one hundred dollars to defray such burial expenses, provided that the total amount of the funeral expense does not exceed four hundred dollars. Within one year from the time of burial of said veteran an account, verified by vouchers, of the sums so spent for burial expenses shall be sent to the state veterans' council by said commander, adjutant, selectmen, city council, or mayor. Whoever neglects or refuses to furnish said account shall be fined ten dollars.

2. Requirements. Amend section 17 of chapter 124 of the Revised Laws by striking out said section and inserting in place thereof the following: **17. Limitation.** The provisions of the foregoing section shall not apply to the burial of a deceased veteran unless he or she was a resident of the state at the time of his or her death.

3. Takes Effect. This act shall take effect upon its passage.

[Approved June 23, 1947.]

CHAPTER 215.

AN ACT TO FREE FROM TOLLS THE SO-CALLED KEARSARGE MOUNTAIN TOLL ROAD AND CLASSIFY SAID ROAD AS A RECREATIONAL ROAD AND TO FURTHER DEFINE THE AUTHORITY OF THE COMMISSIONER OF HIGHWAYS TO REGULATE TRAFFIC AND TO RECLASSIFY CERTAIN ROADS IN THE STATE OF NEW HAMPSHIRE.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. **Toll Collections Discontinued.** Sections 4 and 4-a of chapter 97 of the Laws of 1935, as amended by section 1, chapter 129, Laws of 1939, relative to the collection of tolls on the so-called Kearsarge Mountain Toll road, are hereby repealed.

2. **Kearsarge Mountain Road; Bear Brook State Reservation.** Amend section 6 of part 2 of chapter 90 of the Revised Laws as inserted by chapter 188 of the Laws of 1945, by striking out said section and inserting in place thereof the following: **6. Class III Recreational Roads.** The state highway department shall assume full control of reconstruction and maintenance of roads designated by the forestry and recreation commission and highway commissioner within the following state reservations and rights of way thereto, and such roads shall be known as recreational roads; Belknap State Reservation in the town of Gilford; Cathedral Ledge State Reservation in the towns of Conway and Bartlett; Pillsbury State Reservation in the town of Washington; White Lake State Park in the town of Tamworth; Pawtuckaway State Reservation in the towns of Nottingham and Deerfield; Milan Hill State Park in the town of Milan; Cardigan State Reservation in the town of Orange; Kearsarge State Reservation in the town of Wilmot; Bear Brook State Reservation in the towns of Deerfield, Hooksett, Allenstown and Candia; and the road formerly known as the Kearsarge Mountain Toll road in the town of Warner, extending from the original toll gate location to its terminus near the summit of Kearsarge Mountain; and Monadnock State Forest Reservation in the town of Jaffrey. The cost of reconstruction and maintenance shall be a charge upon the highway funds. This section shall not

be construed as affecting the control of the forestry and recreation department over parking areas or other facilities within said reservations.

3. Highway Commissioner. Amend section 18 of part 10 of chapter 90 of the Revised Laws, as inserted by chapter 188 of the Laws of 1945, by striking out said section and inserting in place thereof the following: **18. Closing Highways; Detours; Penalty.** The commissioner may close, regulate or restrict traffic over any section of any class I, class II or class III highway or bridge thereon when the public welfare or necessity so requires, or in order to perform work on any such highway or bridge by posting notices at each end of such section of highway or at each end of such bridge, and may establish and mark detours, and no town shall be liable to any person for damages or injuries caused in whole or in part by the use of such highway or bridge when such notices are posted. Any person who travels on a closed highway or bridge or who violates the provisions of such regulations or restrictions shall be fined not more than one hundred dollars.

4. Correction. Amend section 21 of part 18 of chapter 90 of the Revised Laws, as inserted by chapter 188 of the Laws of 1945, by striking out the word "carriage" in the sixth line and inserting in place thereof the word, vehicle, so that said section as amended shall read as follows: **21. Weight of Load.** Towns are not liable for such damages to a person traveling upon a bridge, culvert or sluiceway constructed by the town and state with joint funds when the weight of the load, inclusive of the vehicle, exceeds fifteen tons, or upon any other bridge, culvert or sluiceway when the weight of the load, inclusive of the vehicle, exceeds six tons.

5. Reclassification. The highway in Hudson and Pelham from the Clement road in Hudson to the Mammoth road in North Pelham being a part of the Kimball Hill road, so-called, which extends from that section of said road in the town of Hudson which is now improved secondary highway to the Mammoth road in the town of Pelham, shall be classified and become a part of the secondary system of highways as established by section 1, part 12, chapter 90 of the Revised Laws as inserted by chapter 188 of the Laws of 1945, and shall be improved under the direction of the highway commissioner and the expense of such improvement shall be borne by the

state and the towns of Hudson and Pelham in the proportion required by section 7 of said part 12 of said chapter 90. Said highway and any bridges thereon constructed under the provisions hereof shall be maintained by the state.

6. Secondary Highway System. The highway known as N. H. Route 114 easterly from its junction with N. H. Route 114A in the town of Goffstown to its junction with N. H. Route 101 in the city of Manchester shall hereafter be included in the secondary state highway system.

7. Cheever Road. The highway known as the Cheever road in the towns of Groton and Dorchester shall hereinafter be included in the secondary state highway system.

8. Takes Effect. This act shall take effect upon its passage.

[Approved June 23, 1947.]

CHAPTER 216.

AN ACT TO REQUIRE THE LICENSING, INSPECTION AND REGULATION OF HOSPITALS AND RELATED INSTITUTIONS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Hospital Licensing Law. Amend chapter 154 of the Revised Laws by striking out said chapter and inserting in place thereof the following:

Chapter 154

Hospital Licensing Law

1. Declaration of Purposes. The purposes hereof are to provide for the development, establishment and enforcement of basic standards for the care and treatment of persons in hospitals and other institutions in which medical, nursing or other remedial care are rendered, and for the construction, maintenance and operation of such institutions, which, in the light of existing knowledge, will ensure safe and adequate treatment of such persons in such institutions.

2. Requirement for License. After July 1, 1947, no institution which maintains and operates organized facilities

for the diagnosis, treatment or care of two or more non-related persons suffering from illness, injury or deformity, or where obstetrical or other care is rendered over a period exceeding twenty-four hours shall be established, conducted or maintained in this state without first obtaining a license therefor in the manner hereinafter provided.

3. Existing Hospitals. Institutions subject hereto which are already in operation at the time of enactment hereof shall be given a reasonable time from the date of enactment of this law, within which to comply with the rules and regulations and minimum standards provided for herein.

4. Application for License. Applicants for license shall file applications under oath with the state department of health upon forms prescribed and shall pay the license fee of ten dollars annually which shall be paid into the state treasury, or refunded to the applicant if license is denied. Institutions operated by any unit or division of federal, state or local government shall not be required to pay the license fee. Applications shall be signed by the owner, or in the case of a corporation by two of its officers, or in the case of a governmental unit by the head of the governmental department having jurisdiction over it. Applications shall set forth the full name and address of the owner of the institution for which license is sought, the names of the persons in control thereof and such additional information as the state department of health may require, including affirmative evidence of ability to comply with such reasonable standards, rules and regulations as may be lawfully prescribed hereunder.

5. Licenses. Licenses issued hereunder shall expire one year after date of issuance, or upon such uniform dates annually, as the department of health may prescribe by regulation. Licenses shall be issued only for the premises and persons named in the application, and shall not be transferable or assignable. Licenses shall be posted in a conspicuous place on the licensed premises.

6. Inspections and Consultations. The state department of health shall make or cause to be made such inspections as it may prescribe by regulation. The state department of health may prescribe by regulations that any licensee or prospective applicant desiring to make specified types of alteration or addition to its facilities or to construct new facilities must,

before commencing such alteration, addition or new construction, submit plans and specifications therefor to the state department of health for preliminary inspection and approval or recommendations.

7. Revocation or Suspension of Licenses. The state department of health shall issue licenses for the operation of institutions subject hereto which are found to comply with the provisions hereof and such regulations as are lawfully promulgated by said department. The state department of health with the advice of the hospital advisory council may suspend or revoke licenses issued hereunder, on any of the following grounds:

I. Violation of any of the provisions of this chapter or the rules and regulations promulgated pursuant thereto.

II. Permitting, aiding or abetting the commission of any unlawful act.

III. Conduct or practices detrimental to the health or safety of patients and employees of said institutions; provided that this provision shall not be construed to have any reference to healing practices authorized by law.

8. Procedure. Should the department determine to deny, suspend, or revoke a license, it shall send to the applicant or licensee, by registered mail, a notice setting forth the particular reasons for the determination. The denial, suspension, or revocation shall become final thirty days after the mailing of the notice, unless the applicant or licensee, within such thirty-day period, shall give written notice of desire for hearing. Thereupon the applicant or licensee shall be given a fair hearing before the hospital advisory council, and shall have the right to present such evidence as may be proper. On the basis of such evidence, the hospital advisory council shall affirm or set aside the determination involved, and shall send by registered mail to the applicant or licensee, a copy of its decision, setting forth the finding of facts and the particular reasons upon which it is based. The decision of the council shall become final thirty days after it is mailed, unless the applicant or licensee, within such thirty-day period, appeals the decision to the court under section 15 hereof. The procedure governing hearings authorized by this section shall be in accordance with rules promulgated by said department with the advice of the hospital advisory council. A full and

complete record shall be kept of all proceedings and all testimony shall be reported, but need not be transcribed unless the decision is appealed pursuant to section 15 hereof, or a transcript is requested by an interested party who shall pay the cost of preparing such transcript. Witnesses may be subpoenaed by either party and shall be allowed fees at a rate prescribed by rules.

9. Rules and Regulations. The state department of health with the advice of the hospital advisory council shall adopt, promulgate and enforce rules, regulations and standards with respect to the different types of hospitals and related institutions to be licensed hereunder as may be designed to further the accomplishment of the purposes hereof as herein set forth; such rules, regulations and standards shall be modified, amended or rescinded from time to time by said department with the advice of the hospital advisory council as may be in the public interest. No such rules, regulations or standards shall be adopted or enforced which would have the effect of denying a license to a hospital or other institution required to be licensed hereunder, solely by reason of the school or system of practice employed or permitted to be employed by physicians therein; provided that such school or system of practice is recognized by the laws of the state. Provided, however, that no regulation or requirement shall be made nor standard established under this act for any hospital or related institution conducted for those who rely upon treatment by spiritual means or prayer in accordance with the creed or tenets of any well recognized church or religious denomination, except as to the sanitary and safe condition of the premises, cleanliness of operation, and its physical equipment.

10. Hospital Advisory Council. The governor with the advice and consent of the council shall appoint an advisory hospital council to advise and consult with the licensing agency in carrying out the administration of this act. The council shall consist of the head of the licensing agency, (state health officer) who shall serve as chairman *ex-officio*, and eight other members, and shall include representatives of non-governmental organizations or groups, and of state agencies concerned with the operation, construction and utilization of hospitals, including representatives of the consumers of hospital services. Each member shall hold office for a

term of three years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term and the terms of office of the members first taking office shall expire, as designated at the time of appointment, three at the end of the first year, three at the end of the second year and two at the end of the third year after the date of appointment. Council members shall serve without compensation but shall be entitled to receive actual and necessary travel and subsistence expenses while serving away from their place of residence. The council shall meet as frequently as the chairman deems necessary, but not less than once each year. Upon request by three or more members, it shall be the duty of the chairman to call a meeting of the council.

11. Functions of Hospital Advisory Council. The hospital advisory council shall have the following responsibilities and duties:

I. To consult and advise with the department of health in matters of policy affecting administration of this chapter and in the development of rules, regulations and standards provided for hereunder.

II. To review and recommend rules, regulations and standards authorized hereunder prior to their promulgation by the department of health as specified herein.

III. The council shall meet not less than once each year and at the call of the state health officer or at the request of any three of its members. Five members shall constitute a quorum. Members of the council shall serve without compensation but shall be reimbursed for actual expenses incurred in the performance of the duties of their offices, to be paid from funds made available to the department for the purposes hereof.

12. Interpretation. This chapter shall not be construed in any way to restrict or modify any law pertaining to the placement and adoption of children or the care of unmarried mothers.

13. Information Confidential. Information other than reports relating to vital statistics received by the state department of health through inspection or otherwise, authorized hereunder shall be confidential and shall not be disclosed

publicly except in a proceeding involving the question of licensure or revocation of license.

14. Annual Report. The state department of health shall prepare and publish a biennial report of its activities and operations hereunder and shall make such information available to the state legislature upon request.

15. Judicial Review. Any applicant or licensee who is dissatisfied with the decision of the state department of health as a result of the hearing provided in section 8 may, within fifteen days after receiving notice of the decision, appeal to the superior court of the county in which the applicant or licensee is located for judicial review of the decision. Thereupon the department shall promptly certify and file in the court the transcript of the hearings on which the decision is based. Findings of fact by the department shall be conclusive unless substantially contrary to the weight of the evidence but upon good cause shown the court may remand the case to the department to take further evidence, and the department may thereupon make new or modified findings of fact which shall likewise be conclusive unless substantially contrary to the weight of the evidence. The court shall have power to affirm, modify or reverse the decision of the department and either the applicant or licensee or the department may appeal from the court's decision to the supreme court in the manner provided by the laws of the state. Pending final disposition of the matter the *status quo* of the applicant or licensee shall be preserved.

16. Saving Clause. Should any provision or section of this chapter be held to be invalid for any reason, such holding shall not be construed as affecting the validity of any remaining portion of such section or of this chapter, it being the legislative intent that this chapter shall stand, notwithstanding the invalidity of any such provision or section.

17. Penalties. Any person, partnership, association, or corporation, including state or county or local governmental units or any division, department, board or agency thereof establishing, conducting, managing, or operating any institution within the meaning of this chapter, without first obtaining a license therefor as herein provided, or who shall violate any of the provisions of this chapter or regulations lawfully promulgated thereunder, shall be fined not more than one hundred dollars for the first offense and not more than

five hundred dollars for each subsequent offense, and each day such hospital shall operate after a first conviction shall be considered a subsequent offense.

18. Injunction. The department of health may, in accordance with the laws of the state governing injunctions and other process, maintain an action in the name of the state against any person, partnership, association, or corporation, or state, county or local governmental unit, or any division, department, board or agency thereof, for establishing, conducting, managing or operating any hospital within the meaning of the chapter without first having a license therefor as herein provided. In charging any defendant in a complaint in such action, it shall be sufficient to charge that such defendant did, upon a certain day and in a certain county, establish, conduct, manage, or operate a hospital without having a license to do so, without averring any further or more particular facts concerning the same.

19. Disposition of Fees. All fees received from licenses under the provisions of this chapter shall be kept by the state treasurer in a separate fund to be paid out to the department of health for purposes of this chapter only.

2. Repeal. Chapter 133 of the Revised Laws relative to the regulations of lying-in hospitals is hereby repealed.

3. Takes Effect. This act shall take effect as of July 1, 1947.

[Approved June 23, 1947.]

CHAPTER 217.

AN ACT RELATING TO LICENSE FEES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Increase of Fees. Amend paragraph I of section 6 of chapter 247 of the Revised Laws by striking out the words "two dollars and thirty-five cents" and inserting in place thereof the words, three dollars and thirty-five cents, so that said paragraph as amended shall read as follows: I. If the applicant is a resident of this state and wishes to hunt and fish, three dollars and thirty-five cents, and the agent shall

thereupon issue a resident hunting and fishing license, which shall entitle the licensee to hunt, shoot, kill or take, except by the use of traps, and to transport game birds, game animals, fish, and salt water smelt, under the restrictions of this title.

2. Nonresident Hunting Licenses. Amend paragraph III of section 6 of chapter 247 of the Revised Laws by striking out the same and inserting in place thereof the following: III. If the applicant is a nonresident and wishes to hunt, fifteen dollars, and said agent shall thereupon issue a nonresident hunting license which shall entitle the licensee to hunt, shoot, kill or take, except by the use of traps, and to transport game birds and game animals, under the restrictions of this title.

3. Nonresident Fishing Licenses. Amend paragraph IV of section 6 of chapter 247 of the Revised Laws by striking out the same and inserting in place thereof the following: IV. If the applicant is a nonresident and wishes to take fresh water fish or salt water smelt only, five dollars, and the agent shall thereupon issue a nonresident fishing license which shall entitle the licensee to kill, take and transport fresh water fish and salt water smelt under the restrictions of this title, provided that if said applicant wishes to take said fish or smelt for three consecutive days, one dollar and fifty cents, and the agent shall thereupon issue a nonresident fishing license for said time only, under the restrictions of this title.

4. Increase of Agent's Fee. Amend section 7 of chapter 247 of the Revised Laws by striking out the word "fifteen" and inserting in place thereof the word, twenty-five, so that said section as amended shall read as follows: **7. Agent's Accounting.** The agent shall collect from the licensee a fee of twenty-five cents for each license issued and shall account to the director for the full face value of the licenses. He shall on the first day of each month, pay to the director the full face value of all licenses sold and shall report the names and addresses of all persons to whom licenses have been sold and such other information as may be requested on blanks to be furnished by the director.

5. Application. Amend the first paragraph of section 6 of chapter 247 of the Revised Laws by striking out the word, "fifteen" and inserting in place thereof the word, twenty-five, so that said first paragraph as amended shall read as follows: The applicant shall fill out and subscribe to a blank to be

furnished by the director and pay the agent the following fees, in addition to the fee of twenty-five cents, as provided in section 7.

6. Takes Effect. This act shall take effect January 1, 1948.

[Approved June 23, 1947.]

CHAPTER 218.

AN ACT RELATING TO THE TERM OF THE LIQUOR COMMISSIONERS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. State Liquor Commission. Amend section 2 of chapter 170 of the Revised Laws by striking out the same and inserting in place thereof the following new section: **2. Commission.** There shall be a state liquor commission consisting of three members appointed by the governor with the consent of the council. Not more than two members shall belong to the same political party. Each member shall hold office for a term of six years and until his successor has been appointed and qualified. If a vacancy shall occur in said commission, it shall be filled for the remainder of the term. Any or all of said commissioners may be removed by the governor and council for cause.

2. Appointments. The term of the commissioner which at the time of the passage of this act ends on July 1, 1947, shall be filled for a term of six years; the term of the commissioner which at the time of the passage of this act ends on July 1, 1948, is hereby continued to July 1, 1949, when it shall be filled for a term of six years; the term of the commissioner which at the time of the passage of this act ends on July 1, 1949, is hereby continued to July 1, 1951, when it shall be filled for a term of six years.

3. Takes Effect. This act shall take effect upon its passage.

[Approved June 23, 1947.]

CHAPTER 219.

AN ACT FOR COUNTY COOPERATIVE EXTENSION WORK IN
AGRICULTURE AND HOME ECONOMICS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. University of New Hampshire. Amend chapter 222 of the Revised Laws by inserting after section 17 the following new section: **17-a. County Extension Work.** There shall be appropriated annually by the state the sum of sixty-one thousand dollars for the purpose of conducting cooperative extension work in agriculture and home economics in the various counties of the state in cooperation with the federal department of agriculture and the said counties and in furtherance of the so-called Smith-Lever Act as accepted by the state under the provisions of chapters 194 and 195 of the Laws of 1915. The sums herein appropriated shall be expended through the New Hampshire College of Agriculture and the Mechanic Arts and the University of New Hampshire. From said appropriation there shall be paid not exceeding the sum of fifty-four hundred dollars per year toward the maintenance of a county agricultural agent, a home demonstration agent and a club agent in any county which shall appropriate an equal amount for said purposes in said county; and there shall be paid not exceeding the sum of eighteen hundred dollars, per year, toward the maintenance of each assistant agent in any county which shall appropriate an equal amount for said purpose in said county. The sums hereinbefore appropriated shall be paid to the treasurer of the university and college in four equal installments on the first day of July, October, January and April of each fiscal year.

2. Takes Effect. This act shall take effect as of July 1, 1947.

[Approved June 23, 1947.]

CHAPTER 220.

AN ACT RELATIVE TO ADVERTISING OF LIQUOR AND BEVERAGES
AND RELATING TO PROHIBITED INTERESTS BY HOLDERS OF
WHOLESALE'S PERMITS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. **Liquor and Beverages.** Amend section 42 of chapter 170 of the Revised Laws by adding at the end thereof the words, provided further that all advertising of liquor and beverages within the state through the medium of billboards is prohibited, so that said section as amended shall read as follows: **42. Advertising.** All advertising of liquor or beverages within the state, other than through the medium of newspapers, magazines, periodicals, and radio broadcasting, is hereby prohibited except as specifying authorized by the commission, provided further that all advertising of liquor and beverages within the state through the medium of billboards is prohibited.

2. **Off-Sale Permits.** Amend section 69 of chapter 170 of the Revised Laws by inserting after the words "off-sale permit," in the second line the words, with respect to the premises designated in such manufacturer's or wholesaler's permit, so that said section, as amended, shall read as follows: **69. Restriction.** The holder of a manufacturer's or wholesaler's permit may not hold an on-sale permit but may hold one off-sale permit with respect to the premises designated in such manufacturer's or wholesaler's permit. The holder of a wholesaler's permit shall maintain a regular place of business in this state. The holder of a manufacturer's permit shall not sell beverages to other permittees by virtue of such permit unless such beverages were manufactured in this state. Retail permittees shall purchase only from holders of a wholesaler's or manufacturer's permit.

3. **Wholesalers.** Amend chapter 170 of the Revised Laws by inserting after section 69 thereof the following new section: **69-a. Prohibited Interests.** Except as provided under section 69, no holder of a wholesaler's permit and no officer, director, stockholder, employee or agent of the holder of a wholesaler's permit shall through interlocking stock ownership, interlocking directors, or otherwise, have an interest,

either direct or indirect, in the business of the holder of an on-sale or off-sale permit. Nothing herein shall be construed to apply to normal credit relations between permittees as provided by law.

4. Takes Effect. This act shall take effect upon its passage.

[Approved June 25, 1947.]

CHAPTER 221.

AN ACT RELATING TO THE DELIVERY OF TAX LISTS TO COLLECTORS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Amendment. Amend section 9, chapter 77, of the Revised Laws by inserting after the word "assessors" in the second line the words, or upon its own motion; so that said section as amended shall read as follows: **9. Delivery; Notice.** Such list shall be delivered to the collector on or before July first of each year, but upon application by the assessors, or upon its own motion, the tax commission for good cause may extend the time of such delivery. The collector shall, on or before September first, or within thirty days after the receipt of such list by him, send to every person taxed, or his agent, if known, a bill of his taxes.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 25, 1947.]

CHAPTER 222.

AN ACT RELATING TO THE TAKING OF DEER.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Method of Taking Wild Deer. Amend chapter 242 of the Revised Laws by inserting after section 4 the following

new section: **4-a. Limitation.** Notwithstanding the provisions of section 4, wild deer shall not be taken by the use of a 22 cal. rimfire firearm at any time.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 25, 1947.]

CHAPTER 223.

AN ACT RELATING TO ISOLATED, ABANDONED OR WASTING
REAL ESTATE.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Acquisition. Amend section 18 of chapter 51 of the Revised Laws by striking out said section and inserting in place thereof the following: **18. Isolated Dwellings; Abandoned or Wasting Real Estate.** Whenever a town may find that real estate in said town is in an isolated location and is uneconomic for farm or home use or has been abandoned or allowed to go to waste, said town may at any legal meeting grant and vote such sums as it may judge necessary to purchase or rent said property and for the repair and improvement of any buildings thereon for the purpose of getting said land and buildings back into productive use and shall by vote authorize the selectmen to make such purchase or such improvements and repairs and to use or dispose of said property. The property acquired under the provisions hereof may be used or disposed of for such recreational, forestry or other purposes as the town may deem to be in the public interest, or may be sold at public auction or private sale by the selectmen or their authorized agents when in the opinion of the selectmen such sale would result in increasing the taxable valuation of the town, or be for the public interest.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 25, 1947.]

CHAPTER 224.

AN ACT RELATIVE TO INDEMNITY FOR CONDEMNED DOMESTIC ANIMALS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Condemned Domestic Animals, Indemnity. Amend section 2 of chapter 137, Laws of 1945, by striking out the words "six hundred thousand" in the fourth line and inserting in place thereof the words, seven hundred thousand, so that said section as amended shall read as follows: **2. Bonds and Notes Authorized.** The state treasurer is hereby authorized, with the consent of the governor and council, to borrow such sums as are needed from time to time, not to exceed seven hundred thousand dollars, upon the credit of the state, and for that purpose may issue bonds and notes in the name and on behalf of the state of New Hampshire, at a rate of interest to be so determined at the time of consent to the issue, and said interest to be payable semi-annually. Such bonds or notes shall be in such form and such denominations as the governor and council may determine, may be registerable as to both principal and interest, and shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state.

2. Increase. Amend section 4 of said chapter 137 by striking out the words "six hundred thousand" in the last line and inserting in place thereof the words, seven hundred thousand, so that said section as amended shall read as follows: **4. Short-Time Notes.** Prior to the issuance of serial bonds or notes hereunder the treasurer, with the consent of the governor and council, may for the purposes hereof borrow money from time to time on short-time loans which may be refunded by the issuance of bonds or notes hereunder, provided, however, that at no time shall the indebtedness of the state on such short-time loans and said bonds or notes exceed the said sum of seven hundred thousand dollars.

3. Takes Effect. This act shall take effect upon its passage.

[Approved June 25, 1947.]

CHAPTER 225.

AN ACT RELATING TO AN AERIAL SURVEY OF THE STATE OF
NEW HAMPSHIRE.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Aerial Survey. The appropriation provided for by chapter 91 of the Laws of 1945 for the conduct of an aerial survey of the state of New Hampshire shall not lapse but shall be available for the purposes of said act for the period of four years from the passage of this act.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 25, 1947.]

CHAPTER 226.

AN ACT RELATING TO THE APPROACHES TO THE GENERAL JOHN
SULLIVAN AND ALEXANDER SCAMMELL BRIDGES.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Park Improvements. The appropriation provided for by chapter 173 of the Laws of 1945 for the improvement of the park and recreational areas adjacent to the General John Sullivan Memorial and the Alexander Scammell bridges shall not lapse but shall be available for the purposes of said act for the period of four years from the passage of this act.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 25, 1947.]

CHAPTER 227.

AN ACT TO PROVIDE FOR THE VOLUNTARY REGISTRATION OF REAL ESTATE BROKERS AND SALESMEN.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Definitions. Certain terms used in this act shall be construed as follows unless a different meaning is clearly apparent from the language or context:

“Commissioner” means the insurance commissioner.

“Real estate broker” means a person, firm, partnership, association or corporation who for a consideration lists for sale, sells, exchanges or offers for sale or exchange, buys or offers to buy or negotiates the purchase, exchange or sale of real estate, or rents or offers to rent real estate or improvements therein, as a whole or partial vocation.

“Real estate salesman” means a person employed by a real estate broker to list for sale, sell or offer for sale, to buy or offer to buy or to negotiate the purchase, sale or exchange of real estate for or in behalf of such real estate broker.

“Non-resident broker” means a real estate broker as herein defined who resides outside the state but deals in New Hampshire property.

2. Powers. Full power to control the issuance, revocation and suspension of registrations under the provisions of this chapter shall be vested in the commissioner. He shall have power to make reasonable rules and regulations to carry out the provisions of this chapter. He may from time to time publish and distribute a list of the names and addresses of all currently registered brokers and salesmen.

3. Funds. The commissioner shall keep a separate account, in the state treasurer’s office, to be known as the real estate registration fund, to carry out the provisions of this chapter. Moneys received from payment of fees under this chapter shall be credited to the real estate registration fund. All moneys in the fund are hereby annually appropriated for the purposes of this chapter. Annual expenditures for the purposes of this chapter shall not exceed the amount of fees annually collected hereunder.

4. Clerical Work. The commissioner is authorized to em-

ploy such assistants, clerks or stenographers as may be necessary for the purposes hereof.

5. Registration. A real estate registration shall be authority for one person to sell, offer for sale, exchange, rent or offer to rent, or negotiate the sale or exchange of real estate for compensation. There shall be two classes of registration: brokers and salesmen. A firm, partnership, association or corporation applying for registration as broker shall designate in its application the individual who is to serve as broker under registration. The initial fee for real estate broker's registration shall be fifteen dollars, for the annual renewal of such registration ten dollars; for the real estate salesman's registration, five dollars and for the annual renewal of such registration five dollars, which fees shall accompany the applications.

6. Time of Issuance. Registrations may be issued at any time during the year at the stipulated fee, and all such registrations shall expire one year after date of issue.

7. Requirements of Registration. Applications for such registrations shall be made in writing to the commissioner, on such forms and in such manner and accompanied by such evidence in support of such applications as shall be prescribed by the commissioner. Applications for an original registration shall be accompanied by the recommendation of three real estate owners in the county in which such applicant resides, certifying that the applicant bears a good reputation for honesty, competency and fair dealing. The application for a salesman's registration shall be accompanied by a written statement of the employing broker stating that in his opinion the applicant is honest, truthful and of good reputation. Upon being satisfied of each applicant's good repute, reliability and right to public confidence, the commissioner may register such applicant in the capacity requested in the application.

8. Revocation or Suspension. After hearing and for cause shown the commissioner may revoke the registration of a real estate broker or salesman, or suspend the same for such period as the commissioner may deem proper, upon finding that such registrant has been found guilty of dishonest, deceitful or fraudulent conduct in connection with his business as such broker or salesman.

9. Hearings. The commissioner before revoking or sus-

pending a registration, shall give the registrant at least ten days' notice prior to the date of hearing, of any charges made and shall afford such registrant an opportunity to be heard in person or by counsel in reference thereto. The hearing on such charges shall be at such time and place as the commissioner shall prescribe. The commissioner shall have the power to subpoena and bring before him any person in this state or to take testimony by deposition, in the same manner as is prescribed by law in judicial proceedings. He shall keep a complete stenographic record of his proceedings in such cases. Sheriffs and witnesses shall receive the same fees for the service of process and attendance before the commissioner as are paid sheriffs and witnesses in matters pending before the superior court.

10. Decisions. The determinations of the commissioner shall be in writing and officially signed. The original of such determinations, when so signed, shall be filed in the office of the commissioner and copies thereof shall be mailed to the broker or salesman, addressed to his place of business, and to the complainant, within two days after the filing thereof.

11. Appeal. The action of the commissioner in revoking or suspending or refusing to revoke or suspend a registration shall be subject to review by appeal to the superior court at the instance of the registrant, or the complainant, if any, within thirty days after the filing of the commissioner's decision.

12. Nonresident Broker. A nonresident broker may make application in the same manner as a resident broker, except that his application shall be accompanied by the recommendation of five persons, two of whom shall be residents and real estate owners in New Hampshire and three of whom shall be real estate owners in the county in which the applicant resides. The fee for registration of a nonresident broker shall be the same as that prescribed for resident brokers.

13. Sign and Card. The commissioner shall prepare and issue to each registrant a certificate of registration and a pocket card.

14. Penalty. All registrations under this act shall be voluntary only, and nothing contained herein shall be construed to require any person to register in order to carry on business as a real estate broker or salesman. However, no person shall hold himself out to be a registered real estate

broker or registered real estate salesman nor advertise himself as such, unless he has complied with the provisions of this act. Any person violating this or any other provision of this chapter shall be fined not more than one hundred dollars for each offense.

15. Reports. The commissioner shall make a biennial report to the governor on or before the first day of December in each even year, including therein an account of his actions, receipts derived and expenses incurred under the provisions of this chapter.

16. Takes Effect. This act shall take effect on July 1, 1947.

[Approved June 25, 1947.]

CHAPTER 228.

AN ACT RELATING TO EXPLOSIVES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Repeal. Chapter 178 of the Revised Laws relating to explosives is hereby repealed.

2. Takes Effect. This act shall take effect December 31, 1947.

[Approved June 25, 1947.]

CHAPTER 229.

AN ACT TO PROVIDE FOR THE ELIMINATION OF UNNECESSARY AND OBSOLETE RECORDS, FILES AND REPORTS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Records and Files. The comptroller is hereby directed to employ such personnel with the approval of the governor and council as may be necessary to render aid and assistance in the housing and preserving of the surplus or obsolete records, files and reports belonging to the various state departments and to determine and provide for the destruction

of those records found to be unnecessary. Aid and advice shall be rendered to the end of preserving, storing, micro-filming or [of] files of historical value or those that may be required to be kept by law. The heads of all departments or subdivisions thereof are directed to cooperate, assist and make use of the service thus established. In this connection with the approval of the governor and council, there may be established, systems for micro-filming and securing of proper files, cabinets and other facilities, to store this work and create proper preservation of valuable records.

2. Appropriations. The sum of ten thousand dollars (\$10,000) is hereby appropriated or as much thereof as may be needed for the purpose of carrying out the provisions of this act, and the governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated. Each department shall assume its proportionate part of cost of operation, the comptroller to determine the amount which each department is to be charged.

3. Takes Effect. This act shall take effect upon its passage.

[Approved June 25, 1947.]

CHAPTER 230.

AN ACT RELATING TO AUTOMOBILE LIABILITY INSURANCE AND FINANCIAL RESPONSIBILITY.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Amend paragraph I of section 20 of chapter 122 of the Revised Laws by striking out said paragraph and inserting in place thereof the following: I. By filing with the commissioner a certificate, as defined in section 1, of an insurance company or of a surety company to satisfy any judgment or judgments for damages resulting from an accident reported to the commissioner under the provisions of section 19 of chapter 118. Financial responsibility in the future may be given by filing with the commissioner a continuous certificate which shall be a certificate as defined in section 1, of an in-

surance company or of a surety company, to provide the amount of proof of financial responsibility required under the provisions of section 19 of this chapter. Every continuous certificate shall remain in effect until ten days after written notice is received by the commissioner that said continuous certificate will be cancelled. Whenever another motor vehicle, trailer or semi-trailer replaces a motor vehicle, trailer or semi-trailer described in a continuous certificate such continuous certificate covering such described motor vehicle, trailer or semi-trailer shall apply automatically to such other motor vehicle, trailer or semi-trailer registered by the insured as of the date of its registration to the insured and for the period, if any, not exceeding five days prior to such registration when said motor vehicle, trailer or semi-trailer is operated on temporary plates and for a period of fifteen days after the date of registration, unless said ten-day period after written notice is received by the commissioner has theretofore expired. Such continuous certificate shall likewise apply automatically to any additional motor vehicle, trailer or semi-trailer acquired by the insured as of the date of its registration to the insured and for the period, if any, not exceeding five days prior to such registration when such motor vehicle, trailer or semi-trailer is operated on temporary plates and for a period of fifteen days after the date of registration, unless said ten-day period after written notice is received by the commissioner has theretofore expired; provided however, that the insurance company or surety company insures all automobiles, trailers, and semi-trailers owned by the named insured at such date of registration, and that such continuous certificate shall apply to such additional motor vehicle, trailer or semi-trailer only to the extent the insurance is applicable to all such previously owned motor vehicles, trailers, and semi-trailers.

2. Takes Effect. This act shall take effect on August 1, 1947.

[Approved June 25, 1947.]

CHAPTER 231.

AN ACT EMPOWERING THE GOVERNOR AND COUNCIL TO REMOVE
CERTAIN PUBLIC OFFICIALS FOR CAUSE.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Public Officials. Amend chapter 27 of the Revised Laws by inserting after section 47 the following new subdivision:

**Governor and Council May Remove Certain
Public Officials for Cause**

48. Removal for Cause. No commissioner, director, superintendent or other executive head of a state department, agency or institution appointed by a state board, commission, or trustees of a state institution, whose tenure of office is indeterminate, shall be discharged or removed except by the governor and council for malfeasance, misfeasance, or inefficiency in office, or incapacity or unfitness to perform his duties, or for the good of the department, agency or institution. The attorney general, or the board, commission or trustees which appointed any such public official may petition the governor and council for his removal, setting forth the grounds or reasons therefor. The governor and council shall hold a public hearing upon such petition, giving due notice thereof to such public official not less than thirty days before the hearing, and shall, if they find, upon due hearing, good cause for removal of such official, order his removal from public office.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 25, 1947.]

CHAPTER 232.

AN ACT TO INCREASE THE SALARIES OF THE JUSTICES OF CERTAIN
MUNICIPAL COURTS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Salaries of Justices. Amend paragraph I and paragraph II of section 31 of chapter 377 of the Revised Laws by

striking out said paragraphs and inserting in place thereof the following:

I. Salaries of Justices. Salaries of justices of municipal courts shall be paid from the treasury of the city or town in which such courts are located, may be paid quarterly or monthly, and shall be in the following sums per annum:

In Manchester, three thousand eight hundred dollars;

In Nashua, two thousand eight hundred dollars;

In Concord, two thousand eight hundred dollars;

In Portsmouth, one thousand eight hundred dollars;

In Dover, one thousand eight hundred dollars;

In Laconia, one thousand eight hundred dollars;

In Keene, one thousand eight hundred dollars;

In Claremont, one thousand eight hundred dollars;

In Berlin, one thousand eight hundred dollars;

In Rochester, one thousand two hundred dollars;

In Lebanon, one thousand dollars;

In Newport, nine hundred dollars;

In Derry, nine hundred dollars;

In Franklin, nine hundred dollars;

In Exeter, eight hundred dollars;

In Somersworth, eight hundred dollars;

In Littleton, eight hundred dollars;

In Milford, six hundred dollars.

II. In all other towns, not provided for above, as follows: In towns of not less than two thousand nor more than five thousand inhabitants, four hundred dollars, unless otherwise voted by the town, but not less than two hundred dollars. In towns of less than two thousand inhabitants, one hundred dollars and such further sum as such town may vote.

2. Takes Effect. This act shall take effect upon its passage, provided, however, that in towns (excluding cities) which have already adopted budgets and made appropriations for the fiscal year 1947 without provision for the foregoing increases, this act shall take effect at the beginning of the fiscal year 1948.

[Approved June 25, 1947.]

CHAPTER 233.

AN ACT RELATIVE TO QUALIFICATIONS FOR THE PRACTICE OF
CHIROPODY.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. The Practice of Chiropody. Amend section 1, chapter 254, Revised Laws by inserting after the word "chiropody" in the ninth line the words, maintaining at that time a standard satisfactory to the board and, so that said section as amended shall read as follows: **1. Requirements.** Any person admitted to practice chiropody in this state shall have an intelligent comprehension of such rudiments of anatomy and surgery, including the medical use of antiseptic and disinfecting agencies as the state board of examiners in chiropody may prescribe as necessary, and shall be required to pass an examination before said board. He shall be of good moral character and at least twenty-one years of age. He shall have had a high school education and received a diploma or certificate of graduation from a legally incorporated, regularly established and recognized college of chiropody, maintaining at that time a standard satisfactory to the board, and having a minimum course of three thousand one hundred and twenty hours in three different calendar years. No person who is not a licensed chiropodist as provided by section 8 shall practice or attempt to practice chiropody in the state or designate or describe his occupation by the use of any words or letters calculated to lead others to believe that he is so licensed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 25, 1947.]

CHAPTER 234.

AN ACT RELATIVE TO THE CLOSING OF COUNTY OFFICES ON SATURDAYS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Registers of Deeds. Amend section 11, chapter 49, Revised Laws, by striking out the same and inserting in place thereof the following: **11. Office Hours.** Every register shall keep his office open daily, except Sundays and legal holidays. It may be closed on Saturday afternoons. It may also be closed on Saturday mornings during the months of June, July, August and September if not incompatible with public business; provided however, that the register may keep his office open on Saturday mornings during said months in the custody of a single custodian whenever he deems it necessary.

2. Registers of Probate. Amend section 2, chapter 347, Revised Laws, by striking out said section and inserting in place thereof the following: **2. Office Hours.** Every register shall keep his office open daily, except Sundays and legal holidays. It may be closed on Saturday afternoons. It may also be closed on Saturday mornings during the months of June, July, August and September if not incompatible with public business; provided however, that the register may keep his office open on Saturday mornings during said months in the custody of a single custodian whenever he deems it necessary.

3. Clerk of Superior Court. Amend section 3, chapter 374, Revised Laws, by striking out said section and inserting in place thereof the following: **3. Office Hours.** The office of the clerk shall be kept in a town in which a term of court for the county is required to be holden. He shall keep his office open daily except Sundays and holidays. It may be closed on Saturday afternoons. It may also be closed on Saturday mornings during the months of June, July, August and September if not incompatible with public business; provided however, that the clerk may keep his office open on Saturday mornings during said months in the custody of a single custodian whenever he deems it necessary.

4. Takes Effect. This act shall take effect upon its passage.

[Approved June 26, 1947.]

CHAPTER 235.

AN ACT RELATIVE TO RATING ORGANIZATIONS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Regulation of Rates. Amend the Revised Laws by inserting after chapter 329 the following new chapter:

Chapter 329-A

Insurance Rating Organizations

1. Rating Organizations. (a) A corporation, an unincorporated association, a partnership or an individual, whether located within or outside this state, may make application to the commissioner for license as a rating organization for such kinds of casualty insurance or subdivisions thereof, or for such kinds of fire, marine and inland marine insurance or subdivision or class of risk or a part or combination thereof as are specified in its application and shall file therewith (1) a copy of its constitution, its articles of agreement or association or its certificate of incorporation, and of its by-laws, rules and regulations governing the conduct of its business, (2) a list of its members and subscribers, (3) the name and address of a resident of this state upon whom notices or orders of the commissioner or process affecting such rating organization may be served and (4) a statement of its qualifications as a rating organization. If the commissioner finds that the applicant is competent, trustworthy and otherwise qualified to act as a rating organization and that its constitution, articles of agreement or association or certificate of incorporation, and its by-laws, rules and regulations governing the conduct of its business conform to the requirements of law, he shall issue a license specifying the kinds of insurance, or subdivision or class of risk or part or combination thereof for which the applicant is authorized to act as a rating organization. Every such application shall be granted or denied in whole or in part by the commissioner within sixty days of the date of its filing with him. Licenses issued pursuant to this section shall remain in effect for three years unless sooner suspended or revoked by the commissioner. The fee for said license shall be twenty-five dollars. Licenses issued pursuant to this section may be suspended or revoked by the commis-

sioner, after hearing upon notice, in the event the rating organization ceases to meet the requirements of this subsection. Every rating organization shall notify the commissioner promptly of every change in (1) its constitution, its articles of agreement or association, or its certificate of incorporation, and its by-laws, rules and regulations governing the conduct of its business, (2) its list of members and subscribers and (3) the name and address of the resident of this state designated by it upon whom notices or orders of the commissioner or process affecting such rating organization may be served.

(b) Subject to rules and regulations which have been approved by the commissioner as reasonable, each rating organization shall permit any insurer, not a member, to be a subscriber to its rating services for any kind of casualty insurance or subdivision thereof, or for any kind of fire, marine and inland marine insurance or subdivision or class of risk or a part or combination thereof for which it is authorized to act as a rating organization. Notice of proposed changes in such rules and regulations shall be given to subscribers. Each rating organization shall furnish its rating services without discrimination to its members and subscribers. The reasonableness of any rule or regulation in its application to subscribers, or the refusal of any rating organization to admit an insurer as a subscriber, shall, at the request of any subscriber or any such insurer, be reviewed by the commissioner at a hearing held upon at least ten days' written notice to such rating organization and to such subscriber or insurer. If the commissioner finds that such rule or regulation is unreasonable in its application to subscribers, he shall order that such rule or regulation shall not be applicable to subscribers. If the rating organization fails to grant or reject an insurer's application for subscribership within thirty days after it was made, the insurer may request a review by the commissioner as if the application had been rejected. If the commissioner finds that the insurer has been refused admittance to the rating organization as a subscriber without justification, he shall order the rating organization to admit the insurer as a subscriber. If he finds that the action of the rating organization was justified, he shall make an order affirming its action.

(c) No rating organization shall adopt any rule the

effect of which would be to prohibit or regulate the payment of dividends, savings or unabsorbed premium deposits allowed or returned by insurers to their policyholders, members or subscribers.

(d) Cooperation among rating organizations or among rating organization and insurers in rate making or in other matters permitted by law is hereby authorized, provided the filings resulting from such cooperation are subject to all the provisions of law applicable to filings generally. The commissioner may review such cooperative activities and practices and if, after a hearing, he finds that any such activity or practice is unfair or unreasonable or otherwise inconsistent with the provisions of law, he may issue a written order specifying in what respects such activity or practice is unfair or unreasonable or otherwise inconsistent with law, and requiring the discontinuance of such activity or practice.

(e) Any rating organization may provide for the examination of policies, daily reports, binders, renewal certificates, endorsements or other evidences of insurance, or the cancellation thereof, and may make reasonable rules governing their submission. Such rules shall contain a provision that in the event any insurer does not within sixty days furnish satisfactory evidence to the rating organization of the correction of any error or omission previously called to its attention by the rating organization, it shall be the duty of the rating organization to notify the commissioner thereof. All information so submitted for examination shall be confidential. Domestic mutual insurance companies which issue assessable policies and are subscribers to such rating organizations shall be permitted to avail themselves of such examining services but shall not be required to submit policies, daily reports, binders, renewals, endorsements or other evidences of insurance or the cancellation thereof or other details of business to any such rating organization or its inspection bureau.

(f) Any rating organization may subscribe for or purchase actuarial, technical or other services, and such services shall be available to all members and subscribers without discrimination.

2. Deviations. (a) Every member of or subscriber to a rating organization making fire and marine rates shall adhere to the filings made on its behalf by such organization except

that any such insurer may make written application to the commissioner for permission to file a deviation from the class rates, schedules, rating plans or rules respecting any kind of insurance, or class of risk within a kind of insurance, or combination thereof. Such application shall specify the basis for the modification, and a copy thereof shall also be sent simultaneously to such rating organization. In considering the application for permission for filing such deviation, the commissioner shall give consideration to the available statistics and the principles for rate making as provided in section 3 of chapter 329-A for fire and marine insurance.

(b) Every member of or subscriber to a rating organization making casualty rates shall adhere to the filings made on its behalf by such organization except that any such insurer may make written application to the commissioner for permission to file a uniform percentage decrease or increase to be applied to the premiums produced by the rating systems so filed for a kind of insurance, or for a class of insurance which is found by the commissioner to be a proper rating unit for the application of such uniform percentage decrease or increase, or for a subdivision of a kind of insurance (1) comprised of a group of manual classifications which is treated as a separate unit for rate making purposes, or (2) for which separate expense provisions are included in the filings of the rating organization. Such application shall specify the basis for the modification and shall be accompanied by the data upon which the applicant relies. A copy of the application and data shall be sent simultaneously to such rating organization.

(c) The commissioner shall set a time and place for a hearing at which the insurer and such rating organization may be heard and shall give them not less than ten days' written notice thereof. In the event the commissioner is advised by the rating organization that it does not desire a hearing, he may, upon the request of the applicant, waive such hearing.

(d) The commissioner shall issue an order permitting the deviation for such insurer to be filed if he finds it to be justified and it shall thereupon become effective. He shall issue an order denying such application if he finds that the deviation is not justified or that the resulting premiums would

be excessive, inadequate or unfairly discriminatory. Each deviation permitted to be filed shall be effective for a period of one year from the date of such permission unless terminated sooner with the approval of the commissioner.

3. Appeal by Minority. Any member of or subscriber to a rating organization may appeal to the commissioner from the action or decision of such rating organization in approving or rejecting any proposed change in or addition to the filings of such rating organization and the commissioner shall, after a hearing held upon not less than ten days' written notice to the appellant and to such rating organization, issue an order approving the action or decision of such rating organization or directing it to give further consideration to such proposal, or, if such appeal is from the action or decision of the rating organization in rejecting a proposed addition to its filings, he may, in the event he finds that such action or decision was unreasonable, issue an order directing the rating organization to make an addition to its filings, on behalf of its members and subscribers, in a manner consistent with his findings, within a reasonable time after the issuance of such order. If such appeal is based upon the failure of a casualty rating organization to make a filing on behalf of such member or subscriber which is based on a system of expense provisions which differs from the system of expense provisions included in a filing made by the rating organization, the commissioner shall, if he grants the appeal, order the rating organization to make the requested filing for use by the appellant.

4. Advisory Organizations. (a) Every group, association or other organization of insurers, whether located within or outside this state, which assists insurers which make their own filings or rating organizations in rate making, by the collection and furnishing of loss or expense statistics, or by the submission of recommendations, but which does not make rate filings, shall be known as an advisory organization.

(b) Every advisory organization shall file with the commissioner (1) a copy of its constitution, its articles of agreement or association or its certificate of incorporation and of its by-laws, rules and regulations governing its activities, (2) a list of its members, (3) the name and address of a resident of this state upon whom notices or orders of the commissioner or process issued at his direction may be served, and

(4) an agreement that the commissioner may examine such advisory organization in accordance with the provisions of section 6 of this chapter.

(c) If, after a hearing, the commissioner finds that the furnishing of such information or assistance involves any act or practice which is unfair or unreasonable or otherwise inconsistent with the provisions of this chapter, he may issue a written order specifying in what respects such act or practice is unfair or unreasonable or otherwise inconsistent with the provisions of this chapter, and requiring the discontinuance of such act or practice.

(d) No insurer which makes its own filings nor any rating organization shall support its filings by statistics or adopt rate making recommendations, furnished to it by an advisory organization which has not complied with this section or with an order of the commissioner involving such statistics or recommendations issued under subsection (c) of this section. If the commissioner finds such insurer or rating organization to be in violation of this subsection he may issue an order requiring the discontinuance of such violation.

5. Joint Underwriting or Joint Reinsurance. (a) Every group, association or other organization of insurers which engages in joint underwriting or joint reinsurance, shall be subject to regulation with respect thereto as herein provided.

(b) If, after a hearing, the commissioner finds that any activity or practice of any such group, association or other organization is unfair or unreasonable or otherwise inconsistent with the provisions of this chapter, he may issue a written order specifying in what respects such activity or practice is unfair or unreasonable or otherwise inconsistent with the provisions of this chapter, and requiring the discontinuance of such activity or practice.

6. Examinations. The commissioner shall, at least once in five years, make or cause to be made an examination of each rating organization licensed in this state as provided in section 1 and he may, as often as he may deem it expedient, make or cause to be made an examination of each advisory organization referred to in section 4 and of each group, association or other organization referred to in section 5. The reasonable costs of any such examination shall be paid by the rating organization, advisory organization, or group, association or

other organization examined upon presentation to it of a detailed account of such costs. The officers, manager, agents and employees of such rating organization, advisory organization, or group, association or other organization may be examined at any time under oath and shall exhibit all books, records, accounts, documents, or agreements governing its method of operation. In lieu of any such examination the commissioner may accept the report of an examination made by the insurance supervisory official of another state, pursuant to the laws of such state.

7. Rate Administration. (a) **Recording and Reporting of Loss and Expense Experience.** The commissioner may promulgate reasonable rules and statistical plans, reasonably adapted to each of the rating systems on file with him, which may be modified from time to time and which shall be used thereafter by each insurer in the recording and reporting of its loss and countrywide expense experience, in order that the experience of all insurers may be made available at least annually in such form and detail as may be necessary to aid him in determining whether rating systems comply with the standards set forth by law. Such rules and plans may also provide for the recording and reporting of expense experience items which are specially applicable to this state and are not susceptible of determination by a prorating of countrywide expense experience. In promulgating such rules and plans, the commissioner shall give due consideration to the rating systems on file with him, and in order that such rules and plans may be as uniform as is practicable among the several states, to the rules and to the form of the plans used for such rating systems in other states. No insurer shall be required to record or report its loss experience on a classification basis that is inconsistent with the rating system filed by it. The commissioner may designate one or more rating organizations or other agencies to assist him in gathering such experience and making compilations thereof, and such compilations shall be made available, subject to reasonable rules promulgated by the commissioner, to insurers and rating organizations.

(b) **Interchange of Rating Plan Data.** Reasonable rules and plans may be promulgated by the commissioner for the interchange of data necessary for the application of rating plans.

(c) **Consultation with Other States.** In order to further uniform administration of rate regulatory laws, the commissioner and every insurer and rating organization may exchange information and experience data with insurance supervisory officials, insurers and rating organizations in other states and may consult with them with respect to rate making and the application of rating systems.

(d) **Rules and Regulations.** The commissioner may make reasonable rules and regulations necessary to effect the purposes of this chapter.

8. False or Misleading Information. No person or organization shall wilfully withhold information from, or knowingly give false or misleading information to, the commissioner, any statistical agency designated by the commissioner, any rating organization, or any insurer, which will affect the rates or premiums chargeable. A violation of this section shall subject the one guilty of such violation to the penalties provided in section 10 of this chapter.

9. Hearing and Appeal. Any insurer or organization aggrieved by any order or decision of the commissioner shall be entitled to a rehearing and appeal in accordance with the provisions of chapter 414.

10. Penalty. Any insurer or organization wilfully violating any of the provisions of this chapter may be subject to a fine of not more than five hundred dollars. The commissioner may suspend or revoke the license of any insurer or organization for any violation of this chapter or the failure to comply with an order of the commissioner issued hereunder.

11. Severability. If any provision of this chapter is held invalid, the remainder of the chapter shall not be affected thereby.

2. Repeal. Section 15 of chapter 325 of the Revised Laws relating to rate combinations is hereby repealed.

3. Takes Effect. This act shall take effect on October 1, 1947.

[Approved June 26, 1947.]

CHAPTER 236.

AN ACT RELATIVE TO TRANSFERENCE OF THE POWERS AND DUTIES
OF THE COLLECTOR OF TAXES TO THE TOWN MANAGER
IN CERTAIN CASES.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Town Manager. Amend section 5, chapter 55 of the Revised Laws by inserting after the word "taxes" in the seventh line the words, except as otherwise provided in section 16, so that said section as amended shall read as follows:

5. General Authority. The town manager shall be the administrative head of all departments of the town and be responsible for the efficient administration thereof, except as herein otherwise provided. He shall have general supervision of the property and business affairs of the town and of the expenditure of moneys appropriated by it for town purposes, but his authority shall not extend to warning town meetings, making by-laws, borrowing money, assessing or collecting taxes, except as otherwise provided in section 16, granting licenses, laying out highways, assessing damages, or any other functions of a judicial character vested by law in the selectmen or other town officers, nor to supervision of the offices of town clerk and town treasurer.

2. Exception. Amend section 9 of said chapter 55 by adding at the end thereof the words, except as otherwise provided in section 16, so that said section as amended shall read as follows: **9. Incompatibility of Offices.** The town manager during the time that he holds such appointment, may be manager of a district or precinct located wholly or mainly within the same town as hereinafter provided, and may be elected or appointed to any municipal office in such town or included district or precinct that would be subject to his supervision if occupied by another incumbent; but he shall hold no other public office except justice of the peace or notary public except as otherwise provided in section 16.

3. Adoption of Provisions. Amend chapter 55 of the Revised Laws by adding after section 15, as inserted by chapter 20, Laws of 1947, the following new section: **16. Collection of Taxes.** Any town which, at any annual meeting, whether the same meeting at which the action hereinafter provided

for is taken or otherwise, shall adopt or shall have adopted the provisions of this chapter in accordance with the provisions of this chapter, may further by vote of a majority of the legal voters of such town present and voting at an annual meeting under a proper article in the warrant therefor as above provided, provide that the powers and duties of the office of collector of taxes of such town shall be transferred from the office of collector of taxes to that of the town manager; and the office of collector of taxes shall thereupon cease and terminate, and all and any of the powers and duties of the collector of said town provided for by any provision of the laws now in effect or hereafter enacted shall be vested in the town manager of such town for so long as the vote of such town adopting the provisions of this chapter shall remain unrescinded; provided, however, that in no village district or precinct which shall have adopted the provisions of this chapter under section 14 hereof, shall such town manager have the powers or duties incidental to the collection of taxes or rentals not based upon the assessed valuation of real estate, unless a majority of the legal voters present and voting at a district or precinct meeting of said district or precinct so vote under a proper article in the warrant therefor as above provided.

4. Takes Effect. This act shall take effect upon its passage.

[Approved June 26, 1947.]

CHAPTER 237.

AN ACT RELATING TO THE SALE OF LIGHTNING RODS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Lightning Rods. Amend chapter 191 of the Revised Laws as amended by chapter 177 of the Laws of 1943 by striking out said chapter, and inserting in place thereof the following: **1. Dealer's License.** No person, firm or corporation shall sell, offer for sale, or install material used for the protection of buildings from damage by lightning, until authorized to do so by a license obtained from the insurance commissioner under the provisions of this chapter.

2. Prerequisites. No such license shall be issued until the insurance commissioner has approved of the material used or offered for sale by said dealer for the purpose of protecting from lightning, and the manner and system of installing such material. Said approval shall be given only to those materials and systems of installation as have the prior approval of the Underwriters' Laboratories, Inc., and for which they will furnish Master Labels. Such approval shall not be given until the dealer has filed a bond with the commissioner in the sum of five thousand dollars to guarantee that all materials so used and the installation of said materials shall have the approval of the Underwriters' Laboratories, Inc., and in the event that said installation does not meet with the approval of the Underwriters' Laboratories, Inc., within ninety days from the completion of said installation, then said dealer forthwith shall reimburse the owner for the cost of said installation, including labor and materials; nor until the commissioner is satisfied that the dealer has complied with such requirements and is responsible and reliable as to assets, business standing and practices and is entitled to confidence; nor until said dealer has filed a written stipulation that legal process affecting such dealer or his agent served upon the commissioner for the time being shall have the same effect as if personally served upon such applicant or his agent within this state.

3. Fee; Term; Revocation. Upon compliance with the terms of the two preceding sections, and upon payment to him of a fee of fifty dollars, the commissioner may issue a license to such dealer, to continue in force one year from date of issue. The license may be revoked at any time by the commissioner for good cause, after notice of hearing.

4. Agent's License. Upon written notice from a dealer licensed under this chapter of the appointment of a suitable person to act as his agent in this state, the insurance commissioner may, if he is satisfied that the appointee is a suitable person, issue to him a license as such agent, upon the payment of a fee of ten dollars. Such license shall continue in force one year from date of issue, but may be revoked at any time by the insurance commissioner for good cause, after notice and hearing.

5. Exhibiting License. Every agent or dealer shall, upon

demand, exhibit his license to any mayor, selectman, sheriff or his deputy, constable or police officer, and to any person to whom he sells or offers to sell lightning rods, and shall furnish a copy of this chapter to the purchaser of such lightning rods. If he neglects or refuses to do so, he shall be liable to the penalty provided for acting as such agent or dealer without a license.

6. Limitations. The licenses provided for by this chapter are good for only one person, firm or corporation, and are not transferable.

7. Penalty. Any person not licensed as provided by this chapter, selling or offering for sale such lightning rods or other material, shall be fined not more than two hundred dollars, or imprisoned not more than six months, or both.

8. Suit. Any property owner whose property has been rodded under the provisions of this chapter may bring suit within one year from the date of the completion of said installation in the name of the commissioner upon the bond herein provided, and have the same procedure and remedies thereon, as in the case of bonds of county officers.

9. Service on Commissioner. Whenever legal process against such dealer is served upon the commissioner, he shall take such action as is provided in the case of the service of legal process against foreign insurance companies.

10. Existing Licenses. The provisions of this chapter shall not require the cancelling or re-issuing of any license issued prior to the effective date of this act.

2. Takes Effect. This act shall take effect as of August 1, 1947.

[Approved June 26, 1947.]

CHAPTER 238.

AN ACT RELATIVE TO UNCLASSIFIED IMPORTERS OF TOBACCO PRODUCTS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Tobacco Tax. Amend section 1 of chapter 79 of the Revised Laws as amended by section 1 of chapter 133 of the

Laws of 1947 by adding at the end thereof a new paragraph as follows: XVI. "Unclassified Importers" shall mean any person, firm, corporation, or association within the state other than a licensed manufacturer, wholesaler, sub-jobber, or vending machine operator who shall import, receive, or acquire from without the state tobacco products for use or consumption within the state.

2. Unclassified Importers. Amend chapter 79 of the Revised Laws by inserting after section 2, as amended by section 2, chapter 133, Laws of 1947, the following new section: **2-a. License.** Each unclassified importer shall, before importing, receiving, or acquiring tobacco products from without the state, secure a license from the tax commission. Each application for an unclassified importer's license shall be accompanied by a fee of one dollar. Any unclassified importer who shall import, receive, or acquire from without the state tobacco products for use or consumption within the state without a license as provided in this section, shall be punished by a fine of not more than twenty-five dollars for the first offense, and not more than two hundred dollars for each subsequent offense.

3. Licenses. Amend chapter 79 of the Revised Laws by inserting after section 3 the following new section: **3-a. Expiration.** Each unclassified importer's license shall expire on June 30 next succeeding the date of issuance, unless sooner revoked by the tax commission. The holder of each unclassified importer's license may renew the license for a further period of one year on the same terms and conditions as provided in section 2-a.

4. Notification to Tax Commission. Amend section 5 of chapter 79 of the Revised Laws by striking out said section and inserting in place thereof the following: **5. Tax Imposed.** A tax is hereby imposed at the rate of fifteen per cent upon the value of all tobacco products sold at retail in this state measured by the usual selling price. The payment of the tax shall be evidenced by affixing stamps to the smallest packages containing the tobacco products in which such products usually are sold at retail, but the word package as used herein shall not include individual cigars, cigarettes, or plugs or hanks of chewing tobacco, and such stamps shall be affixed in denominations of not less than one-half cent to an aggre-

gate value nearest the tax hereby imposed. No tax is imposed on any transactions the taxation of which by this state is prohibited by the constitution of the United States. Each unclassified importer shall within twenty-four hours after receipt of any unstamped tobacco products in this state notify the tax commission of the amount and brands of tobacco products received and the name and address of the consignor. The tax commission, thereupon, shall notify the unclassified importer of the amount of the tax due thereon, at the rate of fifteen per cent of the value thereof. Payment of the amount due the state shall be made within ten days from the mailing date of notice thereof. Any unclassified importer refusing to pay the tax on tobacco products imported by him within ten days after being notified of the amount of said tax by the tax commission, shall be subject to a fine of not less than twenty-five dollars or more than one hundred dollars.

5. Illegal Possession. Amend section 15 of chapter 79 of the Revised Laws as amended by section 12, chapter 133, Laws of 1947, by inserting after the word "hours" the words, or unless they shall have been imported, received, or acquired within twenty-four hours by a licensed unclassified importer who has notified the tax commission, as provided in section 5, so that said section as amended shall read as follows: **15. Forfeiture.** Any tobacco products found at any place in this state without stamps affixed thereto as required herein, unless they shall be in the possession of a licensed manufacturer, wholesaler, sub-jobber or vending machine operator, or unless they shall be in the course of transit from without this state and consigned to a licensed manufacturer, wholesaler, sub-jobber or vending machine operator, or a licensed retailer, or unless they shall have been received by a licensed retailer from without the state within twenty-four hours, or unless they shall have been imported, received, or acquired within twenty-four hours by a licensed unclassified importer who has notified the tax commission as provided in section 5, shall be forfeited in the manner provided by chapter 432 of the Revised Laws.

6. Prohibition. Amend chapter 79 of the Revised Laws by inserting after section 20 as inserted by section 14 of chapter 133 of the Laws of 1947, the following new section: **21. Newspaper Advertisements.** No newspaper published in

this state shall accept an advertisement from any out-of-the-state tobacco dealer for the sale of tobacco products by mail or express unless there is included in said advertisement the following words: A license must be obtained from the state tax commission to import cigarettes or tobacco products from without the state.

7. Takes Effect. This act shall take effect July 1, 1947. [Approved June 26, 1947.]

CHAPTER 239.

AN ACT RELATIVE TO CONSTRUCTION AND RECONSTRUCTION OF PRIMARY AND SECONDARY HIGHWAYS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Appropriation. The sum of two million dollars is hereby appropriated for the purpose of the construction and reconstruction of primary and secondary highways in the state. The sum hereby appropriated shall be expended under the direction of the highway department.

2. Bond Issue Authorized. In order to provide the funds for the payment of the appropriation authorized by section 1, the state treasurer is hereby authorized under the direction of the governor and council to borrow upon the credit of the state a sum not exceeding two million dollars and for that purpose may issue bonds or notes in the name and on behalf of the state. Such bonds or notes shall be deemed a pledge of the faith and credit of the state.

3. Form; Proceeds of Sale. The governor and council shall determine the form of such bonds or notes, their rate of interest, the dates when interest shall be paid, the dates of maturity, the places where principal and interest shall be paid, and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor. The treasurer may sell such bonds or notes under the direction of the governor and council provided all such bonds or notes shall be sold (1) at public sealed bidding, (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of

general circulation in New Hampshire, the first publication being not less than thirty days prior to the day the bids will be received, and (3) to the highest bidder. Out of the proceeds of the sale of said bonds or notes the governor is authorized to draw his warrants for the sum hereinbefore appropriated for the purposes of this act alone.

4. Accounts. The secretary of state shall keep an account of all such bonds or notes countersigned by the governor, showing the number and amount of each bond or note, the time of countersigning, the time when payable, and the date of delivery to the treasurer. The treasurer shall keep an account of each bond or note, showing the number and amount thereof, the name of the person to whom sold, the amount received for the same, the date of the sale, and the time when payable.

5. Short-Term Notes. Prior to the issuance of the bonds hereunder, and in anticipation of the collection of revenue hereunder, the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short-term loans to be refunded by the issuance of the bonds hereunder, provided, however, that at no one time shall the indebtedness of the state on such short-term loans exceed the sum of two million dollars.

6. Motor Vehicle Road Toll. Beginning with the final payment of the bonds provided for by chapter 41 of the Laws of 1929, as amended by chapter 151 of the Laws of 1933 and as further amended by chapter 1, Laws of 1936, and section 11, chapter 137, Laws of 1939, the additional road toll of one cent per gallon, provided for in section 8 of said chapter 41, shall be continued in full force and effect until the final payment of the bonds and notes provided for by this act. Such additional motor vehicle road toll shall be collected in the manner now provided. A separate account of such additional motor vehicle road toll shall be kept by the state treasurer to which he shall add from time to time, at the direction of the governor acting with the advice and consent of the council, such sums from the separate account provided for by said chapter 41 as are not reasonably necessary for the payment of the bonds provided for by said chapter. The funds so held shall be used at the discretion of the governor, with the approval of the council, to pay the interest and principal of

the bonds and notes provided for by this act. To the extent that said funds are insufficient, at any time, to pay the interest and principal due on any bonds and notes provided for by this act the governor shall draw his warrant upon the general highway fund for the payment thereof. Upon the final payment of the bonds and notes which may be issued under the authority of this act the governor and council shall forthwith by proclamation terminate the further collection of the additional motor vehicle road toll hereby provided.

7. Takes Effect. This act shall take effect upon its passage.

[Approved June 26, 1947.]

CHAPTER 240.

AN ACT RELATIVE TO SERVICE EXEMPTION FOR WAR VETERANS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Amendment. Amend chapter 73, Revised Laws, by striking out section 29, as amended by chapter 174, Laws of 1943, and by chapter 4, Laws of 1944, and inserting in place thereof the following: **29. Service Exemption.** Every resident of this state who served for not less than ninety days in the armed forces of the United States in any war in which the United States has been engaged and whose services were terminated under conditions other than dishonorable, or for service-connected death or disability within said ninety days, and the wife or widow of such person, in consideration or recognition of such service shall be exempt each year from taxation upon his taxable property to the value of one thousand dollars, provided such person and his wife or widow do not own taxable property in this state, exclusive of *bona fide* encumbrances of record thereon, to the value of more than five thousand dollars.

29-a. Proration of Exemption. If any entitled person or persons shall own a fractional interest in taxable property, each such entitled person shall be granted exemption in proportion to his interest therein, but in no case shall the total

exemption exceed one thousand dollars, except as provided in section 29-b.

29-b. Husband and Wife. A husband and wife, each qualified for exemption, shall be entitled to an exemption of two thousand dollars on their taxable property, provided they do not together own taxable property in this state exclusive of *bona fide* encumbrances of record thereon to the value of more than five thousand dollars.

29-c. Veterans of Allied Forces. Any person otherwise entitled under the provisions of sections 29, 29-a, or 29-b of this chapter who, being a resident of New Hampshire at the time of his entry therein, served on active duty in the armed forces of any of the governments associated with the United States in the wars set forth in section 29 shall be entitled to the exemption authorized by said section.

29-d. Application for Exemption. No person shall be entitled to the exemptions provided by section 29 unless he shall have filed with the selectmen or assessors, on or before April fifteenth of each year, an application therefor signed under penalty of perjury, on a form approved by the state tax commission, showing that the applicant is duly qualified and is the true and lawful owner of said property by presenting evidence of title and setting forth the name of the holder, character and amount of any *bona fide* encumbrance of record thereon and on his other taxable property. If any person, otherwise qualified to receive such exemption, shall satisfy the selectmen or assessors that he was prevented by accident, mistake or misfortune from filing said application before April fifteenth, said officials may receive said application at a later date and grant an exemption thereunder; but no such application shall be received or exemption granted after the local tax rate is approved.

29-e. Investigation. On receipt of said application the selectmen or assessors shall examine the same with reference to the right of exemption, the ownership of the property listed and the encumbrances reported; and if they are satisfied that the applicant has wilfully made any false statement in such application for the purpose of obtaining the exemption, they may refuse the applicant an exemption; but said applicant may appeal in writing within six months of receipt of the

tax bill, to the state tax commission, which may order an exemption, or an abatement if a tax has been assessed.

29-f. Total Disability. If any person, qualified as defined in section 29 of this chapter, shall be totally and permanently disabled from service connection, he or his wife or widow shall be exempt from taxation to the value of three thousand dollars under the conditions set forth in sections 29, 29-a, 29-b and 29-c of this chapter; provided that, in the case of undivided ownership, the limit of exemption for total disability shall be three thousand dollars as regards the interest of such entitled persons therein.

29-g. Definition. The word "resident" as used in section 29 shall mean a person who has resided in this state for at least six months preceding April 1 in the year in which exemption is claimed. In case a person eligible for tax exemption hereunder shall own taxable property in more than one town, he shall take his exemption first in the town where he resides. If he does not own the exemption limit in value of taxable property in the town where he resides, he shall be entitled to take the balance of such exemption in any other town in the state where he owns taxable property.

2. Takes Effect. This act shall take effect April 1, 1948.
[Approved June 26, 1947.]

CHAPTER 241.

AN ACT RELATING TO DAMAGE TO GAME BY DOGS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Damage to Game. Amend chapter 180 of the Revised Laws, section 36, by striking out the word "October" and inserting in place thereof the word, September, so that this section as amended shall read as follows: **36. Dogs at Large.** It shall be unlawful for the owner or custodian of any self-hunting dog to permit such a dog to run at large in territory inhabited by game birds or quadrupeds, or on lands where sheep are pastured, between April first and September first of any year. Provided that any organized club may hold an American Kennel Club licensed or sanctioned field trial on game which is otherwise protected. Said club shall secure

permission from the owner of the land on which said trial is to be held, and shall notify the director of the fish and game department, at least two weeks in advance, of the date and place of the trial. Whoever violates the provisions of this section shall be fined not more than twenty dollars.

2. Maiming Game. Amend chapter 180 of the Revised Laws by adding after section 38 the following new section: **38-a. Killing Dogs.** Any law enforcement officer may kill any dog found in the act of maiming deer.

3. Takes Effect. This act shall take effect upon its passage.

[Approved June 26, 1947.]

CHAPTER 242.*

AN ACT RELATIVE TO THE SALARY OF THE SOLICITOR OF
HILLSBOROUGH COUNTY.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Hillsborough County. Amend section 20, chapter 24, Revised Laws, as amended by chapters 40 and 136 of the Laws of 1943, and chapters 2, 27, 202 and 213 of the Laws of 1947, by striking out the word, "twenty-five" and inserting in place thereof the word, twenty-eight, so that said section as amended shall read as follows: **20. Salaries.** The annual salaries of the solicitors in the several counties shall be as follows:

In Rockingham, fifteen hundred dollars.

In Strafford, eighteen hundred dollars.

In Belknap, twelve hundred dollars.

In Carroll, twelve hundred dollars.

In Merrimack, two thousand dollars.

In Hillsborough, twenty-eight hundred dollars.

In Cheshire, fifteen hundred dollars.

In Sullivan, twelve hundred dollars.

In Grafton, twelve hundred dollars.

In Coos, eighteen hundred dollars.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 26, 1947.]

* See chapters 263, 268, 270, 291, *post*.

CHAPTER 243.

AN ACT RELATIVE TO SALARIES OF STATE OFFICERS AND
EMPLOYEES.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Additional Compensation. The annual salaries of all permanent state employees regularly employed in the state service on July 1, 1947, shall be their classified salary or salary set by the legislative act plus the increase to which they were entitled, as of June 30, 1947, under the provisions of chapter 200, Laws of 1945. On or after said July 1, 1947, the increase computed as above provided shall be deemed to be a part of the regular salary of said employees.

2. Classification System. As of July 1, 1947, the minimum and maximum salaries of classified employees of the state shall be increased to cover the permanent increase in salaries provided by section 1.

3. Long Service Employees. Any regular classified employee of the state who has completed ten years of continuous service for the state shall be paid, in addition to the salary to which he is entitled by the classification plan, as above revised, the sum of sixty dollars annually and an additional sixty dollars for each additional five years of continuous state service. The additional compensation provided by the provisions of this section shall not affect the maximums set by the classification plan and the receipt of said long service payments shall not prohibit the recipient thereof from receiving the yearly increments to which he may be otherwise entitled within his classification ranges.

4. State Officials. Any state official who has completed ten years of continuous service for the state shall be paid, in addition to his statutory salary the sum of sixty dollars annually and an additional sixty dollars for each additional five years of continuous state service.

5. Military Service. Any person who left state service to enter armed forces of the United States in World War I or World War II and who, upon termination of such military service, returned to state service without employment elsewhere may count the time so spent in such military service as

continuous state service to obtain benefits provided under sections 3 and 4.

6. Appropriation. There is hereby appropriated to the governor and council for the purposes of this act the following sums: For each of the fiscal years ending June 30, 1948 and June 30, 1949:

\$62,700. for general funds, departments and institutions.

6,060. for fish and game department.

780. for prison industries.

60. for aerial tramway.

22,860. for highway and motor vehicle departments.

7. Takes Effect. This act shall take effect as of July 1, 1947.

[Approved June 27, 1947.]

CHAPTER 244.

AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Commissioner of Agriculture. Amend section 3 of chapter 223 of the Revised Laws by striking out said section and inserting in place thereof the following: **3. Appointment.** The governor, with the advice and consent of the council, shall appoint a state commissioner of agriculture for a term of five years and until his successor is appointed and qualified. Prior to the appointment of a commissioner, the governor and council shall receive and consider the recommendations of the agricultural advisory board as to such appointment. The commissioner may be removed at any time for cause by the governor with the advice and consent of the council, of his own motion or upon recommendation of the agricultural advisory board. Vacancies in the office of commissioner shall be filled for the unexpired term only.

2. Board. Amend section 22, chapter 223, Revised Laws, by striking out said section and inserting in place thereof the following: **22. Agricultural Advisory Board.** The governor, with the advice and consent of the council, shall appoint ten members, one from each county, actively engaged in

agriculture as an occupation, to be known as the agricultural advisory board. The term of office of members of the board shall be five years and until their successors are appointed and qualified; provided that the first appointments to the board shall be made two for one year, two for two years, two for three years, two for four years and two for five years. Vacancies shall be filled for the unexpired term only. No member of the board shall be eligible for successive re-appointment. Appointments to the board shall be made on the basis of extensive practical experience and demonstrated ability in agriculture and on a non-partisan basis.

3. Powers of Board. Amend section 23, chapter 223, Revised Laws, by striking out said section and inserting in place thereof the following: **23. Duties.** The board shall meet once every three months and as much oftener as the board may determine, at such time and place as it may determine, to consider and formulate the general policies of the department of agriculture, consistently with existing law and to review the progress of the department. The commissioner of agriculture shall act as chairman *ex officio* at such meetings, and the board shall annually elect one of its members to serve as secretary. It shall be the duty of the commissioner to carry out the general policies established by the board. At least once each quarter, the board shall designate and advertise one of its meetings as a public hearing at which representatives of farm organizations and other interested persons may appear and be heard regarding matters affecting agriculture and the administration of laws related thereto. It shall be the duty of the board to promote close coordination of the activities of the department with the activities of the United States Department of Agriculture, the University of New Hampshire including extension work, and representative farm organizations. Upon the expiration of the term of office of the commissioner of agriculture or upon the occurrence of a vacancy in such office, it shall be the duty of the board to submit advisory recommendations to the governor and council concerning such new appointment or the filling of such vacancy. The members of the board shall receive their actual expenses when engaged in the performance of their duties.

4. Existing Advisory Board Abolished. The advisory board of the department of agriculture heretofore established

and existing by virtue of section 22, chapter 223, Revised Laws, is abolished upon the effective date of this act, and the terms of office of the present members of said board shall expire on said date.

5. Takes Effect. This act shall take effect on July 1, 1947.
[Approved June 27, 1947.]

CHAPTER 245.

AN ACT RELATIVE TO THE CONSTRUCTION AND ALTERATION OF STATE ARMORIES.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Appropriation. The sum of eight hundred twenty-five thousand dollars (\$825,000), or so much thereof as may be needed, is hereby appropriated for the construction of new state armories and for the enlarging and altering of existing state armories; provided, that the federal government contributes at least equally with the state in the costs of such construction, enlarging and altering; and provided, that the title to any armories constructed by the use of any of the funds herein provided shall be vested in the state. In the event that federal matching funds are not made available as hereinbefore provided, not exceeding the sum of one hundred thousand dollars (\$100,000) may be expended under the provisions hereof, without federal contributions, for enlarging or altering existing armories. The sums hereby appropriated shall be expended under the direction of the adjutant general with the approval of the governor and council.

2. Federal Assistance. The governor is hereby authorized to cooperate with and enter into such agreements with the federal government, or any agency thereof, as may be deemed desirable to secure the participation of the United States Government, through the allotment of federal funds, in the costs of constructing, enlarging or altering armories.

3. Funds Authorized. The treasurer is hereby authorized to borrow upon the credit of the state an amount not exceeding eight hundred twenty-five thousand dollars (\$825,000) to provide the funds herein appropriated and for that purpose

may issue bonds or notes, at such times, in such denominations, and with such rate of interest, dates of maturity and other provisions as the governor and council shall determine. Such bonds or notes shall be deemed a pledge of the faith and credit of the state and such bonds or notes shall be signed by the treasurer and countersigned by the governor. The proceeds from the sale of such notes or bonds shall be held by the governor, and paid out by him upon warrant drawn by the governor, with the advice and consent of the council, for the purposes herein set forth alone. The secretary of state and the treasurer shall keep account of such bonds or notes in the same manner as accounts are kept of other bonds or notes of the state.

4. Continuing Appropriation. The appropriation made hereunder shall be a continuing appropriation and shall not lapse.

5. Short Term Notes. Prior to the issuance of the notes or bonds herein provided, the treasurer, under the direction of the governor and council, may for said purposes borrow money from time to time on short term notes, to be refunded by the issuance of the bonds or notes authorized hereunder.

6. Town Appropriations. Any town may by vote at an annual meeting appropriate a sum of money for the purpose of paying the costs of, or contributing toward, purchase of land for a site for a new armory located within the limits of said town or located in another town within the same armory recruiting area as established by regulation of the adjutant general.

7. Takes Effect. This act shall take effect upon its passage.

[Approved June 27, 1947.]

CHAPTER 246.

AN ACT TO INCREASE THE FEES OF SHERIFFS AND DEPUTY SHERIFFS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Fees of Sheriffs. The fees of sheriffs and deputy sheriffs shall be as follows: I. For every service of a writ,

bill, libel or petition, two dollars, for every service of a writ of possession, five dollars, for every service of a subpoena, process, notice or execution, one dollar.

II. For making attachment of personal property, two dollars.

III. For taking bail, to be paid by the person bailed, one dollar.

IV. For actual travel to serve any writ, notice, subpoena, process or execution, to be reckoned from the place of service to the residence of the officer, in no case exceeding fifty miles, and for travel to attend any court by the order thereof, to be reckoned from the residence of the officer to the court, each mile, each way, ten cents.

V. For levying executions, on the dollar, for the first hundred dollars levied, four cents, for all above one hundred dollars, and not exceeding five hundred dollars, three cents, for all above five hundred dollars and not exceeding one thousand dollars, two cents, for all above one thousand dollars, one cent, minimum fee, three dollars.

VI. For each day of any session of the superior court, the sheriff shall receive eight dollars a day; for each day's actual attendance of the superior court by order thereof, each deputy shall receive eight dollars a day; for each day's actual attendance at supreme court by order thereof, the sheriff and each deputy, eight dollars a day; in addition, the sheriff and each deputy, travelling expense to attend any court; said fees and expenses to be audited and allowed by the court, to be paid out of the county treasury. For attending before a justice or municipal court, on trials where his presence is required, each day, three dollars.

VII. For making copies of writs each, one dollar.

VIII. For leaving the copy and return required in the attachment of real estate at the office or the dwelling house of a register of deeds, one dollar.

2. Repeal; Takes Effect. Section 28, chapter 380, Revised Laws as amended by chapter 59, Laws of 1943 and chapter 53, Laws of 1945, is hereby repealed. This act shall take effect upon its passage.

[Approved June 27, 1947.]

CHAPTER 247.

AN ACT RELATIVE TO HOSPITAL SURVEY AND CONSTRUCTION.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Hospital Survey. Amend the Revised Laws by inserting after chapter 154 the following:

Chapter 154-A**General Provisions**

1. Title. This chapter may be cited as the Hospital Survey and Construction Law.

2. Definitions. As used in this chapter the following words shall mean:

I. "Board" means the state board of health.

II. "The federal act" means Public Law 725 of the 79th Congress approved August 13, 1946, entitled the Hospital Survey and Construction Act.

III. "The surgeon general" means the surgeon general of the Public Health Service of the United States.

IV. "Hospital" includes public health centers and general, tuberculosis, mental, chronic disease, and other types of hospitals, and related facilities, such as laboratories, outpatient departments, nurses' home and training facilities, and central service facilities operated in connection with hospitals, but does not include any hospital furnishing primarily domiciliary care.

V. "Public health center" means a publicly owned facility for the provision of public health services, including related facilities such as laboratories, clinics, and administrative offices operated in connection with public health centers.

VI. "Non-profit hospital" means any hospital owned and operated by a corporation or association, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

3. Administration. The board of health shall constitute the sole agency of the state for the purpose of (1) making an inventory of existing hospitals, surveying the need for construction of hospitals, and developing a program of hospital construction as provided in sections 6 and 7, and (2) developing and administering a state plan for the construction of

public and other non-profit hospitals as provided in sections 9 and 15 hereof.

4. General Powers and Duties. In carrying out the purposes hereof, the board is authorized and directed:

I. To require such reports, make such inspections and investigations and prescribe such regulations as it deems necessary;

II. To provide such methods of administration, and take such other action as may be necessary to comply with the requirements of the federal act and the regulations thereunder;

III. To procure in its discretion the temporary or intermittent services of experts or consultants or organizations thereof, by contract, when such services are to be performed on a part-time or fee-for-service basis and do not involve the performance of administrative duties;

IV. To the extent that it considers desirable to effectuate the purposes hereof, to enter into agreements for the utilization of the facilities and services of other departments, agencies, and institutions, public or private;

V. To accept on behalf of the state and to deposit with the state treasurer any grant, gift or contribution made to assist in meeting the cost of carrying out the purposes hereof, and to expend the same for such purpose. The funds hereby accepted shall be kept by the state treasurer for the purposes of this chapter only;

VI. To make an annual report to the governor on activities and expenditures hereunder, including recommendations for such additional legislation as the board considers appropriate to furnish adequate hospital, clinic, and similar facilities to the people of this state.

5. Hospital Advisory Council. The hospital advisory council established under the hospital licensing law shall also advise and consult with the board of health in carrying out the administration hereof.

6. Survey and Planning Activities. The board is authorized and directed to make an inventory of existing hospitals, including public, non-profit and proprietary hospitals, to survey the need for construction of hospitals, and, on the basis of such inventory and survey, to develop a program for the construction of such public and other non-profit hospitals as will, in conjunction with existing facilities, afford the

necessary physical facilities for furnishing adequate hospital, clinic and similar services to all the people of the state.

7. Construction Program. The construction program shall provide, in accordance with regulations prescribed under the federal act, for adequate hospital facilities for the people residing in this state and in so far as possible shall provide for their distribution throughout the state in such manner as to make all types of hospital service reasonably accessible to all persons in the state.

8. Federal Funds for Survey and Planning. The board is authorized to make application to the surgeon general for federal funds to assist in carrying out the survey and planning activities herein provided. Such funds shall be deposited in the state treasury and shall be available to the board for expenditure for carrying out the purposes of this subdivision. Any such funds received and not expended for such purposes shall be repaid to the treasury of the United States.

State Plan for Construction of Hospital

9. State Plan. The board shall prepare and submit to the surgeon general a state plan which shall include the hospital construction program developed under the preceding subdivision and which shall provide for the establishment, administration, and operation of hospital construction activities in accordance with the requirements of the federal act and regulations thereunder. The board shall, prior to the submission of such plan to the surgeon general, give adequate publicity to a general description of all the provisions proposed to be included therein, and hold a public hearing at which all persons or organizations with a legitimate interest in such plan may be given an opportunity to express their views. After approval of the plan by the surgeon general, the board shall publish a general description of the provisions thereof in at least one newspaper having general circulation in each county in the state, and shall make the plan, or a copy thereof, available upon request to all interested persons or organizations. The board shall from time to time review the hospital construction program and submit to the surgeon general any modifications thereof which he may find necessary and may submit to the surgeon general such modifications of the state plan, not inconsistent with the requirements of the federal act, as it may deem advisable.

10. Minimum Standards for Hospital Maintenance and Operation. The board shall by regulation prescribe minimum standards for the maintenance and operation of hospitals which receive federal aid for construction under the state plan.

11. Priority of Projects. The state plan shall set forth the relative need for the several projects included in the construction program determined in accordance with regulations prescribed pursuant to the federal act, and provide for the construction, insofar as financial resources available therefor and for maintenance and operations make possible, in the order of such relative need.

12. Construction Projects; Applications. Applications for hospital construction projects for which federal funds are requested shall be submitted to the board and may be submitted by the state or any political subdivision thereof or by any other public or non-profit agency authorized to construct and operate a hospital. Each application for a construction project shall conform to federal and state requirements.

13. Consideration and Forwarding of Applications. The board shall afford to every applicant for a construction project an opportunity for a fair hearing. If the board, after affording reasonable opportunity for development and presentation of applications in the order of relative need, finds that a project application complies with the requirements of section 12 and is otherwise in conformity with the state plan, it shall approve such application and shall recommend and forward it to the surgeon general.

14. Inspection of Projects. From time to time the board shall inspect each construction project approved by the surgeon general, and, if the inspection so warrants, the board shall certify to the surgeon general that work has been performed upon the project, or purchases have been made, in accordance with the approved plans and specifications, and that payment of an installment of federal funds is due to the applicant.

15. Hospital Construction Fund. The board is hereby authorized to receive federal funds in behalf of, and transmit them to, such applicants. There is hereby established, separate and apart from all public moneys and funds of this

state, a Hospital Construction Fund. Money received from the federal government for a construction project approved by the surgeon general shall be deposited to the credit of this fund and shall be used solely for payments due applicants for work performed, or purchases made, in carrying out approved projects. Warrants for all payments from the hospital construction fund shall bear the signature of the board or its duly authorized agent for such purpose.

Miscellaneous

16. Severability. If any provision hereof or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the provisions or applications hereof which can be given effect without the invalid provision or application, and to this end the provisions hereof are declared to be severable.

2. Appropriation. The sum of seven thousand five hundred dollars for 1948 and seven thousand five hundred dollars for 1949 are hereby appropriated to be expended under the direction of the state board of health for the purposes of administering the provisions of this act and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

3. Takes Effect. This act shall take effect upon its passage.

[Approved June 27, 1947.]

CHAPTER 248.

AN ACT RELATING TO POWERS OF APPOINTMENT.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Power of Appointment. Amend the Revised Laws by inserting after chapter 364 the following new chapter:

Chapter 364-A

Powers of Appointment

1. Definitions. A power of appointment, whether or not coupled with an interest, and whether or not existing at the

time this section takes effect, and whether the power is held by the donee in an individual or in a fiduciary capacity, may be released, wholly or partially, by the donee thereof, unless otherwise expressly provided in the instrument creating the power. As used in this chapter, the term power of appointment includes all powers which are in substance and effect powers of appointment regardless of the language used in creating them and whether they are: (a) general, special, or otherwise; (b) in gross, appendant, simply collateral, in trust, or otherwise; (c) exercisable by will, deed, deed or will, or instrument amending a trust, or otherwise; (d) exercisable presently or in the future.

2. Release. A power releasable according to section 1, or under common law, may be released, wholly or partially, by the delivery of a written release executed by the donee of the power for consideration or under seal to any person who could be adversely affected by the exercise of the power, or to any person who alone or with another or others holds in trust property subject to the power, or, in the case of a power created by will, by the filing of such release in the registry of probate in the county in which such will was proved or allowed. No release of a power of appointment shall be valid as to land in this state subject to such power, except as against the releasor and persons having actual notice of the release, unless (a) in case of a power created by will or other written instrument, the release is acknowledged in the manner required in the case of deeds of land to entitle them to be recorded and is recorded in the registry of deeds for the county in which the land lies, or (b) in case of a power created by will, the release is filed in the registry of probate in the county in which such will was proved or allowed.

3. Effect of Release. A release executed by the donee of a power releasable according to section 1, or under common law, and delivered or filed in accordance with the first sentence of section 2 shall, subject to the second sentence of section 2, be effective to release the power to the extent in such release provided, whether it in substance provides for the release of all right of the donee to exercise the power, or for the release of all right of the donee to exercise the power otherwise than in respect of a part, therein defined, of the property subject to the power, or for the release of all right

of the donee to exercise the power otherwise than to or for the benefit of, in trust for, or in favor of a person or persons or class or classes of persons, therein specified, or an object or objects or class or classes of objects, therein defined.

4. Two or More Donees. If a power of appointment releasable according to section 1, or under common law, is or may be exercisable by two or more persons in conjunction with one another or successively, a release or disclaimer of the power, in whole or in part, executed, and delivered or filed, in accordance with the first sentence of section 2, by any one of the donees of the power, shall, subject to the second sentence of section 2, be effective to release or disclaim, to the extent therein provided, all right of such person to exercise or to participate in the exercise of the power, but, unless the instrument creating the power otherwise provides, shall not prevent or limit the exercise or participation in the exercise thereof by the other donee or donees thereof.

5. Definition of Release. The word "release," as used in sections 1 to 4, inclusive, shall include (1) an instrument wherein the person who executes it in substance states that he wholly releases, or agrees in no respect to exercise or participate in the exercise of, a power of appointment, and (2) an instrument wherein the person who executes it in substance states that he releases all right to exercise or participate in the exercise of a power of appointment otherwise than within limits therein defined or agrees not to exercise or participate in the exercise of a power of appointment otherwise than within limits therein defined.

6. Limitation. Release of a power of appointment otherwise releasable shall not be prevented merely by provisions in restraint of alienation or anticipation contained in the instrument creating the power.

7. Construction. Sections 1 to 6, inclusive, shall so far as possible be deemed to be declaratory of the common law of this state. Said sections shall be liberally construed so as to effectuate the intent that all powers of appointment whatsoever shall be releasable unless otherwise expressly provided in the instrument creating the power.

8. Donee May Disclaim. A donee of a power of appointment may disclaim the same at any time, wholly or in part, in the same manner and to the same extent as he might release it.

9. Other Releases. Nothing in sections 1 to 8, inclusive, shall prevent the release in any lawful manner of any releasable power of appointment or the disclaimer in any lawful manner of any power of appointment.

10. Separability Clause. If any of the provisions of any section of this chapter shall be held invalid or unconstitutional in relation to any of the applications thereof, such invalidity or unconstitutionality shall not affect other applications thereof, or other provisions in said section; and to these ends the provisions of said sections of this chapter are declared to be severable.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 30, 1947.]

CHAPTER 249.*

AN ACT RELATIVE TO SALARIES OF CERTAIN OFFICIALS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Salaries of Certain Officials. On and after July 1, 1947, the annual minimum salary of the secretary of state shall be five thousand five hundred dollars and the maximum six thousand dollars; of the deputy secretary of state the minimum salary, four thousand dollars and the maximum, four thousand five hundred dollars; and of the state treasurer, the minimum salary shall be five thousand five hundred dollars and the maximum, six thousand dollars.

2. Application of Statutes. Such parts of section 1 of an act relating to salaries passed in the present session of the legislature as are inconsistent with the provisions of this act, are hereby repealed. The holders of the above-named offices shall be entitled to the minimum salary as hereinbefore set forth and shall be entitled to an increase of one hundred dollars for each year thereafter but in no case shall the total salary exceed the above-named maximum.

3. Appropriation. The sum of fifteen hundred dollars for the fiscal year ending June 30, 1948, and a like sum for the

* See chapter 250, *post*.

fiscal year ending June 30, 1949, are hereby appropriated to provide for the additional salary increases set forth herein.

4. Takes Effect. This act shall take effect as of July 1, 1947.

[Approved June 30, 1947.]

CHAPTER 250.*

AN ACT RELATING TO SALARIES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Salaries Established. The annual salaries for the positions set forth in this section shall be established as follows:

Governor	\$6,000.	
Council	\$ 10. per diem	
	Minimum	Maximum
Commissioner of agriculture	\$5,000.	\$5,500.
Deputy commissioner of agriculture...	\$3,500.	\$4,000.
State veterinarian	\$4,500.	\$5,000.
Attorney general	\$6,500.	\$7,000.
Assistant attorney general	\$4,500.	\$5,000.
Director of aeronautics commission ..	\$4,500.	\$5,000.
Superintendent of state buildings and grounds	\$3,500.	\$4,000.
Bank commissioner	\$6,000.	\$6,500.
Deputy bank commissioners	\$4,000.	\$4,500.
Comptroller	\$6,000.	\$6,500.
Commissioner of education	\$8,000.	\$8,500.
Deputy commissioner of education	\$5,000.	\$5,500.
Fish and game	\$5,000.	\$5,500.
State forester	\$5,000.	\$5,500.
Director of recreation	\$5,000.	\$5,500.
State health officer	\$7,000.	\$7,500.
Highway commissioner	\$7,000.	\$7,500.
Assistant highway commissioner	\$6,000.	\$6,500.
Insurance commissioner	\$6,000.	\$6,500.
Deputy insurance commissioner	\$5,000.	\$5,500.
Labor commissioner	\$5,000.	\$5,500.

* See chapter 249, *ante*.

	Minimum	Maximum
Liquor commissioners	\$5,500.	\$6,000.
Motor vehicle commissioner	\$5,500.	\$6,000.
Deputy motor vehicle commissioner ..	\$4,500.	\$5,000.
Probation director	\$4,500.	\$5,000.
Public service commissioners	\$6,500.	\$7,000.
Purchasing agent	\$5,500.	\$6,000.
Executive director planning and de- velopment	\$5,000.	\$5,500.
Secretary of state	\$5,000.	\$5,500.
Deputy secretary of state	\$3,500.	\$4,000.
State librarian	\$3,750.	\$4,250.
Assistant state librarian	\$3,000.	\$3,500.
Superintendent of state police	\$5,500.	\$6,000.
State treasurer	\$5,000.	\$5,500.
Deputy state treasurer	\$3,500.	\$4,000.
Secretary of tax commission	\$5,000.	\$5,500.
Tax commissioners	\$4,000.	\$4,500.
Commissioner of weights and measures	\$4,500.	\$5,000.
Welfare commissioner	\$5,500.	\$6,000.
Secretary to the governor	\$4,000.	\$4,500.
Superintendent of industrial school ...	\$5,000.	\$5,500.
Superintendent of Laconia state school	\$5,500.	\$6,000.
Superintendent of state hospital	\$7,000.	\$7,500.
Superintendent of state sanatorium ..	\$5,500.	\$6,000.
Warden of state prison	\$5,000.	\$5,500.
Commandant of soldiers' home	\$2,500.	\$3,000.
Adjutant general	\$6,500	\$7,000.

2. **Automatic Increases.** Effective July 1, 1947, the holder of offices covered in section 1 shall be entitled to the base salary as set forth therein. Each year thereafter said holder shall be entitled to an increase of one hundred dollars for each year, but in no case shall the total salary exceed the maximum as established in section 1. Any office holder whose salary on July 1, 1947, is in excess of the minimum provided for that position shall not be decreased, but shall continue to receive any increase due until the maximum is reached.

3. **Maintenance.** In addition to the salaries above set forth the superintendents of the industrial school, Laconia state school, state hospital and state sanatorium and the warden of the state prison and commandant of the soldiers' home shall receive maintenance.

4. **Repeal of Laws.** All laws and parts of laws inconsistent with the provisions of this act are hereby repealed.

5. **Takes Effect.** This act shall take effect as of July 1, 1947.

[Approved June 30, 1947.]

CHAPTER 251.

AN ACT RELATIVE TO THE ESTABLISHMENT OF A STATE BOARD OF
FIRE CONTROL.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. **Fire Protection.** Amend the Revised Laws by inserting after chapter 175 the following new chapter:

Chapter 175-A

State Board of Fire Control

1. **Definitions.** For the purposes of this chapter, the following words shall be construed as follows:

I. The term "officer" means such officer or officers as the fire marshal, hereinafter mentioned, shall nominate or designate to execute the powers and perform the duties which the fire marshal is authorized to delegate herein.

II. The word "building" means any structure, framework or housing, public or private, excluding dwellings occupied by not more than three families, but including tanks, receptacles and containers for the storage of commodities or other materials.

III. The word "premises" means any lot or parcel of land, exclusive of buildings thereon, and including parking lots, tourist camps, trailer camps, airports, stockyards, junkyards, wharves, piers, and other places or enclosures, however owned or occupied.

IV. The term "fire hazard" means any building, premises, place or thing which, by reason of its nature, location, occupancy, condition or use, constitutes an unreasonable danger of loss, damage or injury to persons or property by fire or explosion of whatsoever origin.

V. The word "owner" shall be given its ordinary mean-

ing and be held to include any trustee, a board of trustees of property, or any person having freehold interest in property, but a lessee or mortgagee of such property shall not be deemed an owner thereof.

VI. The term "associate advisor" means the chief of the fire department of every city, town, village district and precinct in which a fire department is established, and the chairman of the board of selectmen of each town in which no fire department exists, or such other person as the majority of the board of selectmen shall designate.

2. **Board of Fire Control.** There shall be a state board of fire control consisting of five members appointed by the governor with the advice and consent of the council. The members shall be persons with experience and background in (1) a manufacturing industry; (2) the storage of petroleum products and in standard safety precautions with reference thereto; (3) the position of forest fire warden; (4) fire insurance underwriting, including knowledge of national standards of construction, causes of fire loss and regulations pertaining to fire safety; and (5) the position of chief of a municipal fire department. Members shall be appointed for terms of five years, except that the first appointments to the board shall be for terms of one, two, three, four and five years, respectively, as designated in their respective appointments. One member of the board shall be designated as chairman thereof by the governor.

3. **Vacancies, Tenure and Compensation.** In case of a vacancy occurring by death, resignation or otherwise it shall be filled by appointment for the unexpired term by the governor and council as provided in section 2. The members of said board shall serve until their successors are appointed and qualified. The members of the board shall serve without compensation but shall receive their legitimate expenses incurred in the performance of their duties.

4. **Powers.** The board shall have vested therein the management, supervision and direction of the duties and responsibilities as provided herein, except as limited by existing law or laws. It shall be responsible for supervising and enforcing all laws of the state relative to the protection of life and property from fire, fire hazards and related matters, and shall assist the several counties, cities, towns, village districts and precincts in supervising and enforcing local laws, by-laws

and ordinances where existent, relative to (a) the prevention of fires; (b) the storage, sale and use of combustibles and explosives; (c) the installation and maintenance of automatic or other fire alarm systems and fire extinguishing equipment; (d) the construction, maintenance and regulation of fire escapes; (e) the means and adequacy of exit, in case of fire, from factories, asylums, hotels, hospitals, churches, schools, halls, theatres, amphitheaters, and all other places in which numbers of persons work, live or congregate from time to time for any purpose; and (f) the investigation of the cause, origin and circumstances of fires, and (g) the transportation, storage and physical handling of flammable liquids which such board believes dangerous to the lives or safety of the citizens of the state. It shall be the duty and responsibility of the board to coordinate the activities of its office with duly authorized city, town, and village district, fire and building department officials and other state and local agencies required and authorized by state statutes or local ordinances to develop or enforce fire safety regulations. It shall further be the duty and responsibility of the board to assist, cooperate with, advise and counsel the associate advisors in the organization and efficient operation of fire departments and other fire protection organizations.

5. Rules and Regulations. The board is also empowered to adopt and promulgate reasonable and standard rules and regulations for the effective administration of the board, and to adopt and promulgate such reasonable standard rules and regulations to accomplish the intent and purposes of this chapter as it shall deem necessary, not inconsistent with the provisions hereof or any law of this state. The rules authorized hereunder shall be in accordance with established practicable means for securing safety to persons and property from fire and fire hazards and shall not be discriminatory in respect to persons engaged in like or similar businesses or industries. Such rules and regulations shall be adopted only after public hearing, notice of which shall be published in a paper of general circulation in the state at least fifteen days before holding such hearing, and such rules and regulations shall not become effective until published at least twice in some newspaper of general circulation in the state, if their application is general, or in some newspaper of local circulation, if their application is local, as provided in section 12.

6. Appeal. Any person or corporation aggrieved by any such rule or regulation may apply by petition to the superior court in the county in which such person or corporation resides or has its principal place of business, for a review of such rule or regulation, within ninety days after the effective date thereof. No such petition shall suspend the operation of the rule or regulation complained of; provided that the superior court may order a suspension of such rule or regulation pending the determination of such petition for review, whenever in the opinion of the court, justice may require such suspension. In the trial of such petition for review, the court shall consider not only the record of evidence presented to the board but also such additional evidence as the parties may offer. The court may hold unlawful and set aside rules and regulations of the board found to be (1) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law; (2) contrary to constitutional right, power, privilege or immunity; (3) in excess of statutory jurisdiction, authority or limitations; (4) without observance of procedure required by law; (5) unsupported by substantial evidence; or (6) unwarranted by the facts as found by the court. The court may make such final order or decree as justice may require.

7. State Fire Marshal. There shall be a state fire marshal who shall be a citizen of this state and shall be technically qualified by training and experience in the prevention, extinguishing and investigation of fires at the time of his appointment. He shall be the chief executive officer and secretary of the board. He shall be appointed by the board subject to the approval of the governor and council for an indefinite term. He shall carry out the policies determined by the board. He shall be subject to removal at any time by the governor and council on the recommendation of the board, for inefficiency, neglect of duty, or malfeasance in office, after hearing, with reasonable notice in writing of the charges against him. The board may prescribe his duties except as the same are prescribed by law. The office of the state fire marshal shall be located in Concord in suitable quarters provided by the state. He shall receive an annual salary of five thousand dollars. Such officer shall devote his entire time to the duties of the office and he shall discharge such duties and responsibilities of the board as are delegated to him.

8. Deputies and Assistants. The board shall fix the terms of employment for a deputy fire marshal and other officers and employees after nomination of such personnel by the state fire marshal.

9. Report of Causes and Origins of all Fires. Every fire occurring in this state shall be reported in writing to the state fire marshal within ten days after the occurrence of the same by the appropriate associate advisor and shall be in the form prescribed by the board and shall contain a statement of all facts relating to the cause and origin of such fire, so far as is possible, the extent of damage thereof and the insurance upon such property, and such other information as may be required. Fires resulting in losses of less than fifty dollars need not be reported. The board shall cause to be prepared necessary instructional data for the associate advisors and sufficient forms for their use in the reports required hereby and cause them to be printed and sent to each associate advisor. When the cause, origin and circumstances of any fire occurring in any city, town, village district or precinct in this state indicates that such fire was the result of design, or of suspicious origin the associate advisor shall immediately notify the chief of police and the county solicitor.

10. Associate Advisors. Any associate advisor may request the state fire marshal at any time to assist him in ascertaining the cause, origin and circumstances relative to any fire within his territorial jurisdiction, or to assist, advise or counsel him in supervising and monitoring any local law, by-law or ordinance promulgated by such city, town, village district or precinct within the intent and scope of this chapter.

11. Reports of Insurance Companies. Every fire insurance company transacting business in this state is hereby required to file with the board through a recognized bureau or organization of companies or through the secretary or other officer of the insurance company, a monthly report of fire losses showing the name of the assured, location of the property burned and probable causes of fire, and in addition, an annual report of all fires on which losses have been paid in the preceding calendar year, designating the class of occupancy, divided by construction and protection and by cause of fire for each class, giving the total insurance and loss paid on the property destroyed for all classes and by each cause. Such annual report shall be made to the board on or before the first

day of May of each year. Losses under fifty dollars need not be included in such reports. In the case of a fire of suspicious origin a preliminary report shall be made immediately through such bureau or association of companies or through some officer of the insurance company, showing the name of the assured, the date of the fire, location, occupancy, and such facts and circumstances as shall come to their knowledge and tending to establish the cause or origin of the fire.

12. Buildings and Premises. I. For cities, towns, village districts and precincts not having local laws and ordinances, and those cities, towns, village districts and precincts whose existent laws and ordinances do not afford the necessary fire safety measures, the board shall make and promulgate reasonable rules and regulations for the keeping, storage, use, manufacture, sale, handling, transportation or other disposition of highly flammable materials and rubbish, gun powder, dynamite, explosive or flammable fluids or compounds, tablets, torpedoes or any explosives of a like nature, or any other explosives, including fireworks and fire crackers, and may prescribe the materials and construction of receptacles and buildings to be used for any of the said purposes. These rules shall apply to the construction or remodeling of buildings and plants for flammable liquids and shall apply to new installation of and replacement of equipment for flammable liquids. These rules shall also apply to existing buildings, plants or equipment, which were not previously but are hereafter used for flammable liquids, but shall not apply to existing buildings, plants, structures or equipment now used for flammable liquids unless the state board shall determine the conditions constitute a fire hazard. These rules shall be adopted in conformity with the procedure set forth in section 5 and shall be subject to judicial review as provided in section 6. Any city, town, village district and precinct may adopt the rules and regulations of the board, by reference thereto, as a part of its local laws and ordinances.

II. The state fire marshal, or his authorized officers, upon complaint or whenever he or they shall deem it necessary, may inspect all buildings and premises within their jurisdiction. Whenever any of the said officers shall find any building or other structure which, for want of repairs, lack of, or insufficient fire escapes, automatic or other fire alarm apparatus or fire extinguishing equipment, or by reason of age

or other dilapidated condition, or from any other cause, is especially liable to fire, and which is so situated as to endanger other property, or whenever such officer shall find in any building combustible or explosive matter or flammable conditions dangerous to the safety of such buildings or to property therein, or to lives and safety of the public, he shall order the same to be removed or remedied by written order. If such order requires a structural change or alteration, it must be approved by the board before it is effective. Such order shall be complied with by the owner of such premises or buildings within the time limit specified in such order. Provided, however, that any such owner, who is aggrieved by any such order, may within fourteen days after the service of such order as hereinafter provided, file a petition with the superior court, praying for a review of such order; and it shall be the duty of such court to hear the same at the first convenient day, and to make such order in the premises as right and justice may require.

III. Service of orders issued under paragraph II shall be made by a sheriff or his deputy if the residence of the owner is within the state, and by an officer authorized to serve legal process, if without the state. An attested copy of such order shall also be contemporaneously served upon the tenant or occupant of the property, if any, in like manner. If the owner is not a resident of this state and his residence is unknown, the board may institute proceedings in equity in the superior court to enforce its order, and service thereof shall be made upon the tenant or occupant of the property, if any, and in such further manner as the court may order. In such case the court shall render such final decree on the board's order as justice may require.

13. Bond. Such parties so appealing to the superior court shall file with said court within two days a bond in the amount to be fixed by the court with at least two sufficient sureties, to be approved by the court, conditioned to pay all costs on such appeal in case such appellant fails to sustain his appeal or the same be dismissed for any cause.

14. Failure to Comply. I. If any owner fails to comply with the lawful order of the board or state fire marshal under paragraph II, section 12, or with the order as modified on appeal as herein provided, and within the time fixed, then the board is hereby empowered and authorized to cause such

order to be carried out and executed, at the expense of such owner.

II. If such owner within thirty days thereafter fails, neglects or refuses to pay the board the expenses thereby incurred by it, the board may proceed against such person or persons to recover the same in an action at law in the superior court. Said expenses for labor and material incurred by the board pursuant to the provisions hereof shall be a lien upon the property as provided in chapter 264, sections 12-16, inclusive.

III. Any owner or occupant failing to comply with an order of the superior court within thirty days after such appeal shall have been determined, as provided in paragraph II, section 12, or, if no appeal is taken, then within thirty days after the expiration of the time limit specified in the board's or state fire marshal's order, shall be liable to a penalty of twenty dollars for each day's neglect thereafter.

IV. The penalty herein provided may be recovered in an action at law brought in the superior court of the county where such property is located, in the name of the state, by the board.

15. Local Laws and Ordinances. In the cities, towns, village districts and precincts having local laws or ordinances in matters embraced in section 12, upon complaint of any person or persons that compliance with such laws or ordinances is not being effected, the board shall cause such complaint to be investigated and if such complaint is substantiated it shall have the authority to take the action necessary to enforce such local laws and ordinances.

16. Other Powers. The state fire marshal may, in addition to the reports made by any associate advisor, whenever he deems it expedient or advisable, examine or cause to be examined, the cause, circumstances and origin of any fire occurring in the state, by which property is endangered, damaged or destroyed, and may especially examine and decide whether the same was the result of carelessness or design, except where such fire occurs in a city, town or political subdivision thereof that has a permanent full-time fire chief. He shall have the power vested in a justice of the peace to compel the attendance of witnesses to testify before him upon inquiry.

17. Taking Testimony. The state fire marshal shall,

when in his opinion the proceedings under section 16 are necessary, take or cause to be taken the testimony on oath of all persons supposed to be cognizant of any facts or to have means of knowledge in relation to the matters concerning which such examination is made, cause the same to be reduced to writing. If he shall be of the opinion that there is sufficient evidence to charge any person with the crime of arson or incendiarism he shall furnish to the appropriate county solicitor all such evidence together with the names of witnesses and all information obtained by him, including a copy of all pertinent and material testimony in the case.

18. Witness Fees. Each person summoned and testifying before the board or the state fire marshal shall receive from the state treasurer, on certificate of the state fire marshal, for witness fees and mileage, such sums as are provided for similar activities in the superior courts of this state.

19. Entry. The state fire marshal or his authorized officers may at all reasonable hours enter any building or premises, at the request of any associate advisor, for the purpose of making an inspection or investigation which, under the provisions hereof, he may deem necessary to be made. If the owner or occupant refuses to permit such inspection, the state fire marshal or his authorized officers may if they have reasonable suspicion of the violation of the provisions hereof or of any rule or regulation of the board or of any local law or ordinance pertaining to fire prevention, apply under oath for the issuance of a search warrant as provided in chapter 424, and such warrant may issue upon a showing of just cause.

20. Records. The board shall cause to be kept and maintained by the state fire marshal a record of all fires occurring in this state and of all facts concerning the same, including statistics as to the extent of such fires and the damage caused thereby, and whether such losses were covered by insurance, and if so, in what amount. Such records shall be made daily from the reports made to him by the associate advisors under the provisions hereof. All such records shall be public, except any testimony taken in an investigation under the provisions hereof which the state fire marshal in his discretion may withhold from the public.

21. Penalty for Neglect of Official Duty. Any associate advisor who refuses or neglects to comply, after due notice by

the state fire marshal, with any of the requirements hereof, shall be fined not more than twenty-five dollars for each violation.

22. Penalty for Violation of Regulations. Whoever shall violate any rule or regulation of the board issued pursuant to section 5 or paragraph I, section 12, shall upon conviction thereof, be fined not more than one hundred dollars for each offense. All penalties, fees or forfeitures collected under the provisions of this chapter shall be paid into the treasury of the state.

23. Construction. It is hereby declared that this chapter is necessary for the public safety, health, peace and welfare, is remedial in nature, and shall be construed liberally, and shall not be declared unconstitutional or void for the reason that any section or provision thereof may be in contravention of the constitution. Should any provision or section hereof be held to be invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portion of such section or sections hereof, it being the legislative intent that this chapter shall stand, notwithstanding the invalidity of any such provision or section.

24. Conflicting Laws or Regulations. Nothing herein provided shall be construed to repeal or modify any existing statutes or regulations made thereunder by any state department or local officials, except as hereinafter provided.

2. Appropriations. The sum of twenty thousand dollars is hereby appropriated for the purpose of carrying out the provisions of this act for the fiscal year ending June 30, 1948, and a like sum for the fiscal year ending June 30, 1949, for the same purpose, and the governor is hereby authorized to draw his warrant for said sums or any part thereof, out of any money in the treasury not otherwise appropriated.

3. Repeal. Sections 22 to 28, inclusive of chapter 175 of the Revised Laws, and section 17 of chapter 321 of the Revised Laws, relative to investigation of causes of fires by the insurance commissioner, are hereby repealed.

4. Takes Effect. This act shall take effect and be in force from and after July 1, 1947.

[Approved June 30, 1947.]

CHAPTER 252.*

AN ACT TO INCREASE THE COMPENSATION OF THE CLERK OF THE
MANCHESTER MUNICIPAL COURT OF MANCHESTER.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Salaries. Amend section 8 of chapter 377 of the Revised Laws of New Hampshire, by striking out the word "twelve" and inserting in place thereof the word, eighteen, so that said section as amended shall read as follows: **8. Salaries.** The clerk of the Manchester municipal court shall receive an annual salary of eighteen hundred dollars, to be paid by said city in equal monthly payments; the salaries of all other clerks of municipal courts in cities or towns of five thousand population or more shall be not less than one hundred and fifty dollars, and as much more as the city or town in which such court is located may vote to pay.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 30, 1947.]

CHAPTER 253.

AN ACT RELATING TO THE SALARIES OF CLERKS OF MUNICIPAL
COURTS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Clerks of Municipal Courts. Amend section 8 of chapter 377 of the Revised Laws as amended by an act passed at the present session entitled "An Act to increase the compensation of the clerk of the Manchester municipal court" by striking out said section and inserting in place thereof the following: **8. Salaries.** The clerk of the Portsmouth municipal court shall receive an annual salary of eight hundred dollars, the clerk of the Manchester municipal court shall receive an annual salary of eighteen hundred dollars, to be paid by the respective cities in equal monthly payments; the salaries of all other clerks of municipal courts in cities or towns of five thousand population or more shall be not less

* See chapter 253, *post*.

than three hundred dollars, and as much more as the city or town in which said court is located may vote to pay.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 30, 1947.]

CHAPTER 254.

AN ACT PROVIDING FOR THE STUDY, TREATMENT AND CARE OF INEBRIATES.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Definitions. Certain terms used in this act shall be construed as follows unless a different meaning is clearly apparent from the language or context:

I. "Alcoholism" has reference to conditions resulting from the excessive use of alcoholic liquors.

II. "Alcoholic beverages" means intoxicating liquors as defined by section 33 of chapter 7 of the Revised Laws.

III. "Board" means the board for the study, treatment and care of inebriates.

IV. "Chronic alcoholic" means a person who, in consequence of prolonged excessive drinking, has developed a bodily disease or mental disorder.

V. "Compulsive drinker" means a person affected by an uncontrollable craving for alcoholic beverages.

VI. "Excessive drinker" means a person who drinks to an extent which exposes him to the risk of becoming a compulsive drinker or a chronic alcoholic.

VII. "Inebriate" means a person who may be an uncomplicated excessive drinker, compulsive drinker or a chronic alcoholic.

VIII. "Patients" is a general term meaning persons committed under the provisions of section 10, or persons who voluntarily submit themselves for treatment in accordance with the provisions of this act.

2. Board Constituted. There shall be a board for the treatment of inebriates consisting of five members to be appointed by the governor, with the advice and consent of the

council. The members of the first board shall be appointed for terms of one, two, three, four and five years respectively. Annually thereafter one member shall be appointed to succeed the member whose term then expires. The term of each member shall be stated in his commission, and each shall continue in office until his successor has been appointed and has qualified. If a vacancy occurs in the membership of the board, a member shall be appointed to serve for the unexpired term, and the governor may, with the consent of the council, remove any member for cause.

3. Compensation. The members of the board shall be paid eight dollars a day each for such time as they are engaged in the work of the board, and shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties.

4. Chairman, Clerk and Assistants. The governor shall designate the chairman of the board. The board shall elect a clerk, and shall, with the approval of the governor and council, employ such assistants as may be necessary.

5. Executive Director. The board, with the approval of the governor and council, shall appoint an executive director and fix his salary. The executive director shall perform such duties as the board may require of him and shall be allowed the necessary expenses incurred in the performance of his duties.

6. Duties of the Board. The duties of the board shall be (1) to study the problems of alcoholism within the state, (2) to formulate and carry out programs of education designed to curb the excessive use of alcohol and reduce the number of inebriates, (3) to establish such facilities and employ such personnel as are necessary and available for the diagnosis and rehabilitation of inebriates, (4) to accept for examination, diagnosis, guidance and treatment, insofar as funds permit, any person coming to it of his own volition for advice and guidance, and (5) to render biennially to the governor and council and the general court a report of its activities including recommendations for improvements therein, by legislation or otherwise.

7. Acceptance of Grants. The board is authorized to accept in the name of the state special grants of money or services from the federal or state governments or any of their agencies, and may accept gifts to carry on its activities.

8. **Buildings and Equipment.** The board, with the consent of the governor and council, may establish or construct an institution for the treatment of its patients and shall have authority to purchase or lease land, buildings, and equipment suitable for that purpose. The board shall have the management and control of the property so acquired, and shall, with the consent of the governor and council, appoint an administrator of any institution so constructed or established. The administrator shall not be a member of the board, and the board shall fix his salary, subject to the approval of the governor and council.

9. **State Hospital.** Until an institution is established, quarters for the reception and treatment of patients may be prepared at the state hospital, and all patients there received or committed thereto shall be subject to the discipline and control of the superintendent of that institution.

10. **Committals.** In accordance with the applicable procedure prescribed for commitments of mentally ill persons to the state hospital, or on petition of the board, the superior court may commit to the custody and control of the board for a period of not less than four months, nor more than three years, any inebriate or chronic alcoholic or any person who has been three times sentenced for a violation of section 14 of chapter 440 of the Revised Laws relating to drunkenness. The findings of the superior court on all questions of fact presented by the proceedings, shall be final. The provisions of law with respect to support at the state hospital shall, so far as applicable, apply equally to the support of patients committed to the custody and control of the board.

11. **Separability.** If any provision of this act is declared unconstitutional or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the act and the application of such provision to other persons and circumstances shall not be affected thereby.

12. **Appropriation.** For the purpose of carrying out the provisions of this act, the sum of thirty thousand dollars (\$30,000) is hereby appropriated, and the governor is authorized to draw his warrant for this sum out of any money in the treasury not otherwise appropriated.

13. **Takes Effect.** This act shall take effect upon its passage.

[Approved July 1, 1947.]

CHAPTER 255.

AN ACT RELATING TO BOUNTY ON BEARS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Bounty on Bears. If any person shall kill a wild bear within this state he shall receive from the selectmen of the town where it was killed a bounty of five dollars, if he shall produce to the said board the carcass and pelt of said bear, and prove to their satisfaction that said bear was killed within the limits of said town within thirty-six hours of the time of its production. Except, however, that in the counties of Coos, Carroll and Grafton the bounty shall be twenty dollars; and before a person shall receive said bounty, he shall show a game warden where said bear was killed.

2. Law Suspended. Such part of section 1 of chapter 180 of the Revised Laws as is inconsistent with the provisions of this act is hereby suspended during the time this act is in effect.

3. Takes Effect. This act shall take effect upon its passage and be effective until December 31, 1948.

[Approved June 30, 1947.]

CHAPTER 256.*

AN ACT RELATIVE TO THE SALARY OF THE SHERIFF OF COOS COUNTY.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Coos County. Amend section 27, chapter 380 of the Revised Laws as amended by chapter 195 of the Laws of 1943, chapter 189 of the Laws of 1945, section 2, chapter 2 of the Laws of 1947, and section 3, chapter 202 of the Laws of 1947 by striking out the word "fourteen" in the twelfth line and inserting in place thereof the word, eighteen, so that said section as amended shall read as follows: **27. Salaries.** The annual salaries of the sheriffs of the several counties shall be as follows:

* See chapter 291, *post*.

In Rockingham, fifteen hundred dollars.
 In Strafford, one thousand dollars.
 In Belknap, thirteen hundred dollars.
 In Carroll, twelve hundred dollars.
 In Merrimack, two thousand dollars.
 In Hillsborough, fifteen hundred dollars.
 In Cheshire, fifteen hundred dollars.
 In Sullivan, eight hundred dollars.
 In Grafton, one thousand dollars.
 In Coos, eighteen hundred dollars.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved June 30, 1947.]

CHAPTER 257.

AN ACT RELATIVE TO THE SALARIES OF THE TREASURERS OF MERRIMACK AND CHESHIRE COUNTIES.

*Be it enacted by the Senate and House of Representatives in
 General Court convened:*

1. **County Treasurers.** Amend section 13, chapter 48 of the Revised Laws, as amended by chapter 66, Laws of 1945, by striking out said section and inserting in place thereof the following: **13. Salaries.** The annual salaries of the treasurers of the several counties, to be in full for their services and allowances of every kind, except as hereinafter provided, shall be as follows:

In Rockingham, eight hundred dollars.
 In Strafford, four hundred dollars.
 In Belknap, three hundred dollars.
 In Carroll, five hundred dollars.
 In Merrimack, six hundred dollars.
 In Hillsborough, twelve hundred dollars.
 In Cheshire, four hundred dollars.
 In Sullivan, four hundred dollars.
 In Grafton, three hundred dollars.
 In Coos, four hundred dollars.

To the foregoing sums shall be added a reasonable sum for all necessary expenses upon order of the county commissioners.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 30, 1947.]

CHAPTER 258.

AN ACT RELATING TO NARCOTICS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Suspension of Certificates. Amend section 31 of chapter 256 of the Revised Laws by inserting after the word "hearing" in the second line, the words, except for addiction to drugs in which case the commission may immediately suspend a certificate, so that said section as amended shall read as follows: **31. Notice; Hearing.** Suspension or revocation of a certificate shall be only after notice and hearing, except for addiction to drugs in which case the commission may immediately suspend a certificate, and for the purposes of such hearing the board or any member thereof is authorized to examine witnesses under oath and to take oaths or affirmations, and to reduce the testimony given in any such case to writing. The registrant may appear with witnesses and be heard by counsel.

2. Return of Certificates. Amend section 32 of chapter 256 of the Revised Laws by adding at the end thereof the words, in case of a suspension for addiction to drugs, the certificate shall not be returned on appeal until the court shall find the decision of the commission is not sustained, so that said section as amended shall read as follows: **32. Appeal.** Within thirty days after the suspension or revocation of a certificate of registration the registrant may appeal to the superior court, and pending such appeal the decision of the commission shall be suspended until the court renders judgment, which shall be final in the case, and if the decision of the commission is not sustained the registrant shall be reinstated. In case of a suspension for addiction to drugs, the certificate shall not be returned on appeal until the court shall find the decision of the commission is not sustained.

3. Narcotics. Amend section 49 of chapter 256 of the

Revised Laws by striking out the same and inserting in place thereof the following: **49. Definition of Narcotics.** Narcotic drugs mean coca leaves, opium, isonipecaine, cannabis, and every other substance neither chemically nor physically distinguishable from them, together with such other drugs which shall be declared narcotics by the president of the United States.

4. Prohibitions. Amend section 50 of chapter 256 of the Revised Laws by striking out the same and inserting [in place] thereof the following: **50. Prohibited Acts.** It shall be unlawful for any person to manufacture, possess, have under his control, sell, prescribe, administer, dispense, or compound any narcotic drug except as authorized in this act.

5. Professional Practice. Amend chapter 256 of the Revised Laws by adding after section 51 the following new section: **51-a. Exceptions.** The foregoing provisions shall not apply to a physician or dentist prescribing, administering and dispensing narcotic drugs to patients in good faith and in the course of professional practice; nor to veterinarians in good faith and in the course of professional practice and not for use by human beings.

6. Takes Effect. This act shall take effect upon its passage.

[Approved June 30, 1947.]

CHAPTER 259.

AN ACT ESTABLISHING AN INTERSTATE FLOOD CONTROL COMMITTEE.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Committee Established. The governor shall on or before July 1, 1947, appoint a committee of three members to be composed of a director of the water resources board, the director of the state planning and development commission, and the attorney general to meet with duly authorized representatives of Maine, Vermont, Massachusetts, Connecticut, and Rhode Island to negotiate the terms of a compact or compacts between any of said states and with the government of

the United States as authorized by Public Resolution 104, 74th Congress, relating to the lessening of flood damage, control of pollution, and making other public improvements, on any rivers or streams whose drainage basin lies within any two or more of the said states and of the tidal waters common to any two or more of said states.

2. Duties. Such committee shall report the terms of such compact or compacts as may be agreed upon to the general court and in such report shall recommend such legislation, both state and federal, as may be necessary to render such a compact or compacts effective. No such compact shall be binding or obligatory upon the state of New Hampshire until it shall have been approved by the general court.

3. Compensation. The members of such committee shall serve without compensation but shall be entitled to reimbursement of expenses when engaged upon the work of the committee, to be paid from appropriations of their respective departments.

4. Takes Effect. This act shall take effect upon its passage.

[Approved June 30, 1947.]

CHAPTER 260.

AN ACT RELATIVE TO THE SALARIES OF THE SPECIAL JUSTICES OF THE MUNICIPAL COURTS OF PORTSMOUTH AND LACONIA.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Portsmouth and Laconia Municipal Courts. Amend section 4 of chapter 377 of the Revised Laws as amended by chapter 179, Laws of 1947, by inserting after the words "five hundred dollars" in the eighth line the words, of Portsmouth four hundred dollars, of Laconia two hundred dollars, so that said section as amended shall read as follows: **4. Compensation of Special Justices.** The special justice and justice of the peace requested to sit owing to the disqualification of the justice and special justice shall be paid, from the treasury of the city or town wherein said court is located, three dollars a

day for each day or part thereof that he shall serve in said capacity; provided, that the annual salaries of the special justices of the municipal courts of the following cities and town shall be as follows, of Manchester eighteen hundred dollars, of Nashua fifteen hundred dollars, of Concord five hundred dollars, of Portsmouth four hundred dollars, of Laconia two hundred dollars, and of Hampton one hundred and fifty dollars, to be paid by said cities and town, respectively, quarterly, and shall be in lieu of any other compensation or fees to such justices.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 30, 1947.]

CHAPTER 261.

AN ACT RELATIVE TO THE REGULATION OF RATES FOR FIRE INSURANCE AND CERTAIN CASUALTY INSURANCE.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Regulation of Rates. Amend the Revised Laws by inserting after chapter 329-A, as inserted by an act passed at the present session relative to rating organizations, the following new chapter:

Chapter 329-B

Regulation of Rates for Fire and Certain Casualty Insurance

1. Purpose. The purpose of this chapter is to promote the public welfare by regulating insurance rates to the end that they shall not be excessive, inadequate or unfairly discriminatory. Nothing in this chapter is intended to prohibit or discourage reasonable competition, or to prohibit, or encourage except to the extent necessary to accomplish the aforementioned purpose, uniformity in insurance rates, rating systems, rating plans or practices. This chapter shall be liberally interpreted to carry into effect the provisions of this section.

2. Scope of Chapter. This chapter applies to all classes of insurance that are now or may hereafter be written in this state under the provisions of section 1, paragraphs I, II, V,

VI, and VII of chapter 322 of the Revised Laws, including all insurance which is now or may be hereafter defined by statute, by the ruling of the insurance commissioner or by general custom as inland marine insurance, but shall not apply (a) to reinsurance (b) to insurance on vessels or craft, their cargoes, marine builders' risks, marine protection and indemnity, or other risks commonly insured under marine insurance as distinguished from inland marine insurance (c) to insurance on hulls of aircraft, including their accessories and equipment, and liability resulting from the ownership, use or maintenance of aircraft (d) to insurance against loss by reason of the liability to pay damages to others for damage to property or bodily injury including death arising from the operation, maintenance or use of motor vehicles (e) to workmen's compensation insurance (f) to accident and health insurance. If any kind of insurance, subdivision, or combination thereof, or type of coverage, is subject to both the provisions hereof expressly applicable to casualty insurance and to those expressly applicable to fire and marine insurance, an insurer to which both provisions are otherwise applicable shall file with the commissioner a designation as to which of these provisions shall be applicable to it with respect to such kind of insurance, subdivision or combination thereof, or type of coverage.

3. Making of Rates. Rates shall be made in accordance with the following provisions: (a) Rates shall not be excessive, inadequate or unfairly discriminatory.

(b) Due consideration shall be given to past and prospective loss experience within and outside this state, to the conflagration and catastrophe hazards, if any, to a reasonable margin for underwriting profit and contingencies, to dividends, savings or unabsorbed premium deposits allowed or returned by insurer to their policyholders, members or subscribers, to past and prospective expenses both countrywide and those specially applicable to this state, and to all other relevant factors within and outside this state, and in the case of fire insurance rates consideration shall be given to the experience of the fire insurance business during a period of not less than the most recent five-year period for which such experience is available.

(c) For fire and marine insurance, manual, minimum, class rates, rating schedules or rating plans, shall be made

and adopted, except in the case of specific inland marine rates on risks specially rated.

(d) For casualty insurance, the systems of expense provisions included in the rates for use by any insurer or group of insurers may differ from those of other insurers or groups of insurers to reflect the requirements of the operating methods of any such insurer or group with respect to any kind of insurance, or with respect to any subdivision or combination thereof for which subdivision or combination separate expense provisions are applicable. Risks may be grouped by classifications for the establishment of rates and minimum premiums. Classification rates may be modified to produce rates for individual risks in accordance with rating plans which establish standards for measuring variations in hazards or expense provisions, or both. Such standards may measure any differences among risks that can be demonstrated to have a probable effect upon losses or expenses.

(e) Except to the extent necessary to meet the provisions of subsection (a) of this section, uniformity among insurers in any matters within the scope of this section is neither required nor prohibited.

(f) Nothing in this section shall be taken to prohibit as unreasonable or unfairly discriminatory the establishment of classifications or modifications of classifications of risks based upon size, expense, management, individual experience, purpose of insurance, location or dispersion of hazard, or any other reasonable considerations, provided such classifications and modifications apply to all risks under the same or substantially similar circumstances or conditions.

(g) Nothing in this chapter shall abridge or restrict the freedom of contract between insurers and agents or brokers with respect to commissions.

(h) Rates made in accordance with this section may be used subject to the provisions of this chapter.

4. Rate Filings. (a) For fire and marine insurance, every insurer shall file with the commissioner, except as to inland marine risks which by general custom of the business are not written according to manual rates or rating plans, every manual, minimum, class rate, rating schedule or rating plan and every other rating rule, and every modification of any of the foregoing which it proposes to use. Specific inland

marine rates on risks specially rated made by a rating organization shall be filed with the commissioner.

(b) For casualty insurance, every insurer shall file with the commissioner every manual of classifications, rules and rates, every rating plan and every modification of any of the foregoing which it proposes to use.

(c) Every such filing shall state the proposed effective date thereof and shall indicate the character and extent of the coverage contemplated.

(d) When a filing is not accompanied by the information upon which the insurer supports such filing, the commissioner may require the insurer to furnish such information and such other statistical data as he may require.

(e) An insurer may satisfy its obligation to make such filings by becoming a member of, or subscriber to, a licensed rating organization which makes such filings, and by authorizing the commissioner to accept such filings on its behalf; provided, that nothing contained in this chapter shall be construed as requiring any insurer to become a member of or a subscriber to any rating organization.

(f) Specific inland marine rates on risks specially rated by a rating organization shall become effective when filed.

(g) Any special filing with respect to a surety or guaranty bond required by law or by court or executive order or by order, rule or regulation of a public body, not covered by a previous filing, shall become effective when filed.

(h) Under such rules and regulations as he shall adopt, the commissioner may, by written order, suspend or modify the requirement of filing as to any kind of insurance, subdivision or combination thereof, or as to classes of risks, the rates for which cannot practicably be filed before they are used. Such orders, rules and regulations shall be made known to insurers and rating organizations affected thereby. The commissioner may make such examination as he may deem advisable to ascertain whether any rates affected by such order are excessive, inadequate or unfairly discriminatory.

(i) Upon the written application of the insured, stating his reasons therefor, filed with and approved by the commissioner, a rate in excess of that provided by a filing otherwise applicable may be used on any specific risk.

(j) Beginning ninety days after the effective date of this chapter no insurer shall make or issue a contract or policy

except in accordance with the filings which are in effect for said insurer as provided in this chapter or in accordance with subsections (h) and (i) of this section. This subsection shall not apply to contracts or policies for inland marine risks as to which filings are not required.

5. **Disapproval of Filings.** (a) The commissioner may suspend any filing for not more than thirty days, such suspension to be effective from the time when the filing is received, pending inquiry and investigation as to whether the filing meets the requirements of this chapter. If at any time the commissioner finds that a filing does not meet the requirements of this chapter, he shall disapprove the same. He shall send to the insurer or rating organization which made such filing, written notice thereof specifying therein in what respects he finds such filing fails to meet the requirements of this chapter and the effective date of such disapproval. Said disapproval shall not affect any contract made or issued prior to such effective date.

(b) Any insurer or rating organization aggrieved by the disapproval of any filing may request in writing a hearing thereon before the commissioner which shall be held within thirty days. Within fifteen days thereafter, the commissioner shall notify the applicant of his decision.

(c) Any person or organization other than the insurer or rating organization making the filing aggrieved with respect to any filing which is in effect may make written application to the commissioner for a hearing thereon. Such application shall specify the grounds to be relied upon by the applicant. If the commissioner shall find that the application is made in good faith, that the applicant would be so aggrieved if his grounds are established, and that such grounds otherwise justify holding such a hearing, he shall, within thirty days after receipt of such applications, hold a hearing upon not less than ten days' written notice to the applicant and to every insurer and rating organization which made such filing. If, after such hearing, the commissioner finds that the filing does not meet the requirements of this chapter, he shall issue an order specifying in what respects he finds that such filing fails to meet the requirements of this chapter, and stating when, within a reasonable period thereafter, such filing shall be deemed no longer effective. Copies of said order shall be sent to the applicant and to every such

insurer and rating organization. Said order shall not affect any contract or policy made or issued prior to the expiration of the period set forth in said order.

6. Rules and Regulations. The commissioner may make reasonable rules and regulations necessary to effect the purposes of this chapter.

7. Information. Every rating organization and every insurer which makes its own rates shall, within a reasonable time after receiving written request therefor and upon payment of such reasonable charge as it may make, furnish to any insured affected by a rate made by it, or to the authorized representative of such insured, all pertinent information as to such rate. Every rating organization and every insurer which makes its own rates shall provide within this state reasonable means whereby any person aggrieved by the application of its rating system may be heard, in person or by his authorized representative, on his written request to review the manner in which such rating system has been applied in connection with the insurance afforded him. If the rating organization or insurer fails to grant or reject such request within thirty days after it is made, the applicant may proceed in the same manner as if his application had been rejected. Any party affected by the action of such rating organization or such insurer on such request may, within thirty days after written notice of such action, appeal to the commissioner, who, after a hearing held upon not less than ten days' written notice to the appellant and to such rating organization or insurer, may affirm or reverse such action.

8. Penalty. Any insurer or organization wilfully violating any of the provisions of this chapter may be fined not more than five hundred dollars. The commissioner may suspend or revoke the license of any insurer or organization for any violation of this chapter or the failure to comply with an order of the commissioner issued hereunder.

9. Hearing and Appeal. Any insurer or organization aggrieved by any order or decision of the commissioner shall be entitled to a rehearing and appeal in accordance with the provisions of chapter 414.

10. Severability. If any provision of this chapter is held invalid, the remainder of the chapter shall not be affected thereby.

2. **Repeal.** Section 16 of chapter 321 of the Revised Laws relative to fixing rates is hereby repealed.

3. **Appropriation.** The sum of ten thousand dollars is hereby appropriated to the insurance department for each of the fiscal years ending June 30, 1948 and June 30, 1949 to pay for such actuarial, statistical, and rating advisory services and other additional administrative costs as may be necessary in connection with the supervision of rates and rating organizations. The governor is hereby authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

4. **Takes Effect.** This act shall take effect on October 1, 1947.

[Approved June 30, 1947.]

CHAPTER 262.

AN ACT RELATIVE TO COMPENSATION OF MEMBERS OF THE STATE CLASSIFICATION PLAN BOARD.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. **Classification Plan Board.** Amend chapter 145 of the Laws of 1943, by inserting after section 5-a, as inserted by chapter 207, Laws of 1945, the following new section: **5-b. Compensation.** The employee members shall receive the sum of four dollars, each, for each day they are actually employed in the performance of their duties on said board, in addition to any other compensation they may receive from the state, and the non-employee members shall receive the sum of eight dollars, each, for each day they are actually employed in the performance of their duties on said board, and all members shall be reimbursed their necessary expenses incurred in connection with their duties hereunder: Provided, however, that the *per diem* payments to employee member trustees shall terminate as of December 31, 1948.

2. **Takes Effect.** This act shall take effect July 1, 1947.
[Approved June 30, 1947.]

CHAPTER 263.

AN ACT RELATING TO THE SALARY OF THE SOLICITOR OF
BELKNAP COUNTY.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Salary of Solicitor of Belknap County. Amend section 20 of chapter 24 of the Revised Laws, as amended by chapters 40 and 136 of the Laws of 1943, chapters 2, 27, 202, 213 of the Laws of 1947, and An Act relative to the salary of the solicitor of Hillsborough county, Laws of 1947, by striking out the word "twelve" after the word "Belknap" and inserting in place thereof the word, fifteen, so that said section as amended shall read as follows: **20. Salaries.** The annual salaries of the solicitors in the several counties shall be as follows:

In Rockingham, fifteen hundred dollars.

In Strafford, eighteen hundred dollars.

In Belknap, fifteen hundred dollars.

In Carroll, twelve hundred dollars.

In Merrimack, two thousand dollars.

In Hillsborough, twenty-eight hundred dollars.

In Cheshire, fifteen hundred dollars.

In Sullivan, twelve hundred dollars.

In Grafton, twelve hundred dollars.

In Coos, eighteen hundred dollars.

2. Takes Effect. This act shall take effect as of January 1, 1947, insofar as the salary of the solicitor of Belknap county is concerned, otherwise upon its passage.

[Approved July 1, 1947.]

CHAPTER 264.

AN ACT RELATING TO FIDUCIARIES.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Bond of Administrator. Amend paragraph III of section 13, chapter 352 of the Revised Laws, by adding at the end thereof the words, and annually thereafter unless excused by the judge of probate as provided by law, until a final account is filed and allowed, so that said paragraph as amended

shall read as follows: III. To render to the judge an account of administration, upon oath, within one year, and annually thereafter unless excused by the judge of probate as provided by law, until a final account is filed and allowed.

2. Administrators' and Executors' Accounts. Amend section 26 of chapter 353 of the Revised Laws by striking out said section and inserting in place thereof the following: **26. Filing Accounts.** Every administrator and executor shall file in the probate office an annual account of administration, unless upon petition he is excused by the judge of probate; but in no event shall he be excused for a period longer than three years. Before giving notice to settle his final account, he shall file it in the probate office of the county where it is to be settled, and shall cause the fact of such filing to appear in the notice, and shall at the same time file a statement of the names and residences of the heirs, legatees, and beneficiaries, if known to him.

3. Bond of Trustee. Amend paragraph II of section 1 of chapter 363 of the Revised Laws, by adding at the end thereof the words, unless excused by the judge of probate as provided by law, so that said paragraph as amended shall read as follows: II. That he will annually render an account to the judge of the annual income and profit thereof, unless excused by the judge of probate as provided by law.

4. Trustees' Accounts. Amend section 18 of chapter 363, Revised Laws, by striking out said section and inserting in place thereof the following: **18. Filing Accounts.** Every trustee shall file in the probate office an annual account of administration, unless upon petition he is excused by the judge of probate; but in no event shall he be excused for a period longer than three years. Before giving notice to settle his final account, he shall file it in the probate office, and shall cause the fact of such filing to appear in the notice, and shall at the same time file a statement of the names and residences of the beneficiaries in the trust estate.

5. Guardians' Accounts. Amend section 6 of chapter 341, Revised Laws, by striking out said section and inserting in place thereof the following: **6. Accounts.** He shall file in the probate office an annual account of administration, unless upon petition he is excused by the judge of probate. As often as once in three years he shall settle his account, and if he neglects for four years to settle, his trust may be revoked in

the discretion of the judge of probate, and in that event he shall not be again appointed guardian of the same person.

6. Notice to Beneficiaries. Amend chapter 349, Revised Laws, by adding after section 7 the following new sections:

8. Notice to Beneficiaries. Whenever any executor, administrator, trustee, conservator or guardian shall file an account in probate court, he shall contemporaneously give notice thereof as hereinafter provided to all persons beneficially interested therein. Such notice shall be sent by registered mail, return receipt requested, to the last known address of all such persons, and shall contain (1) a statement that the account has been filed, and, if the account is to be settled, the date when such account becomes returnable, and (2) the fact that the person may obtain a copy of the account from the register of probate upon payment of the statutory fee. **9. Person Beneficially Interested Defined.** A person shall be deemed to be beneficially interested in an account within the meaning of the preceding section if he is an heir or distributee of an intestate estate and the account has been filed by the administrator, or if he is a residuary legatee under a will and the account has been filed by the executor or administrator with will annexed, or if he is a ward and the account has been filed by his guardian or conservator, or if he is a beneficiary having a vested interest in a trust and the account has been filed by the trustee, or if he is the attorney general in estates involving charitable trusts.

7. Citation. Amend chapter 349 of the Revised Laws by inserting after section 1 the following new sections: **1-a. Citation.** The judge of probate may on his own motion issue a citation directed to any fiduciary appointed by or responsible to the probate court, requiring such fiduciary to appear before him to inform the court concerning any matters related to his trust over which the court has jurisdiction, and upon due notice and hearing, may make such order or decree as appears to the judge to be proper. **1-b. Service.** Service of citation under the preceding section shall be sufficient if made by registered mail, return receipt requested, at the address of record of the fiduciary. Any expenses incidental to carrying out the provisions of this or the preceding section shall be charged against the estate, and may, in the discretion of the judge of probate, be deducted from any fee or other compensation due the fiduciary.

8. **Takes Effect.** This act shall take effect on July 1, 1947.
[Approved July 1, 1947.]

CHAPTER 265.

AN ACT RELATING TO DAMAGE BY GAME BIRDS AND GAME.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. **By Game.** Amend section 21 of chapter 241 of the Revised Laws by striking out the whole of said section and inserting in place thereof the following: **21. By Game.** A person who suffers loss or damage to annual crops or fruit trees, or well-kept natural stands of blueberries maintained on a commercial basis which have been improved by burning and weeding or fertilization in a manner recommended by the New Hampshire Agricultural Experiment Station, by game, shall, if he claims damages therefor, within ten days from the discovery thereof, notify the director in writing of such damage. The director or his agent shall investigate such claim within thirty days from the receipt by him of notice of such damage, determine whether such damage was caused by game, and appraise the amount thereof to be paid. The appraisal shall be made at time of harvest; and the director shall present his certificate of the amount of his appraisal to the governor, who is authorized to draw his warrant upon the fish and game fund in payment therefor.

2. **Takes Effect.** This act shall take effect January 1, 1948.

[Approved July 1, 1947.]

CHAPTER 266.

AN ACT IN RELATION TO WORKMEN'S COMPENSATION.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. **Workmen's Compensation.** Amend chapter 216 of the Revised Laws as amended by chapters 24, 95 and 113, Laws of 1943 and chapter 154, Laws of 1945, by striking out the whole thereof and inserting in place thereof the following:

Chapter 216

1. **Title.** This chapter shall be known as the "Workmen's Compensation Law."

2. **Definitions.** As used in this chapter, the following words and phrases shall have the following meanings unless the context clearly requires otherwise:

I. Employer, means a person, partnership, association, corporation, and the legal representatives of a deceased employer, or the receiver or trustee of a person, partnership, association or corporation, who usually employs five or more persons, whether in one or more trades, businesses, professions or occupations, and whether in one or more locations, except farm labor and domestic service. Any other employer may elect to accept the provisions of this chapter in accordance with sections 3 and 6.

II. Employee, shall mean any person in the service of an employer subject to the provisions of this chapter under any contract of hire, express or implied, oral or written, except employees employed in farm labor or as domestic servants, and except railroad employees engaged in interstate commerce whose rights are governed by the Federal Employers' Liability Act.

III. Personal injury, or injury as used in and covered by this chapter shall mean accidental injury or death arising out of and in the course of the employment and the following diseases or death therefrom arising out of and in the course of the employment: anthrax, lead poisoning or its *sequelae*, *dermatitis venenata*, diseases due to the inhalation of poisonous gases or fumes or their *sequelae*, and silicosis and other pulmonary dust diseases subject to the provisions hereinafter set forth. It shall not include other diseases or death therefrom unless they are the direct result of an accident arising out of and in the course of employment, nor shall it include a disease which existed at commencement of the employment, nor a disease the last injurious exposure to the hazards of which occurred prior to the effective date of this chapter. When silicosis and other pulmonary dust diseases or death therefrom occur within the above definition of "personal injury" or "injury," compensation shall be payable under the provisions of this chapter, provided, however, that (1) no compensation shall be payable for partial disability; (2) in the event of temporary or permanent total disability or death,

notwithstanding any other provisions of this chapter, total compensation if disability or death occurred during July, 1947, shall not exceed the sum of five hundred dollars; thereafter the limit for total disability or death shall increase at the rate of fifty dollars each calendar month until the maximum allowed for other injuries under this chapter is reached; (3) the total amount of benefit in case of death shall not exceed the balance remaining between the amounts paid for disability and the total compensation payable under this chapter.

IV. Wages, shall include the market value of board, lodging, fuel and other advantages which can be estimated in money and which the employee receives from the employer as part of his remuneration; but shall not include any sum paid by the employer to his employee to cover any special expenses entailed on the employee by the nature of his employment.

V. (1) Average weekly wages, except as provided in subsection (2) shall be computed by taking the total straight time earnings of the injured employee in the service of the same employer during the preceding fifty-two weeks, divided by the actual number of hours worked, and multiplied by forty; if the injured employee shall have been in the employment of the same employer for less than one year, then his total straight time earnings for such less period divided by the actual number of hours worked, and multiplied by forty. Where by reason of the shortness of the time during which the employee has been in the employment of his employer or the nature or term of the employment, it is inequitable to compute the average weekly wages as above defined, regard may be had to the average weekly amount as above defined which, during the year previous to the injury, was being earned by a person, in the same grade, employed at the same work by the same employer, or, if there is no person so employed, by a person in the same grade, employed in the same class of employment in the same locality. (2) Average weekly wages, of an injured employee whose normal schedule of hours in the service of the same employer during the preceding fifty-two weeks has not exceeded twenty-four hours a week, shall be computed by dividing the total actual earnings in the service of the same employer by the actual number of weeks; if the injured employee shall have been in the employment of the same employer for less than one year, then his total actual earnings for such less period divided by the num-

ber of weeks employed by said employer. Where the injured employee has been in the employ of his employer less than one week, his average weekly wages shall be computed by taking into consideration the rate of pay designated in his agreement of employment and by prorating his earnings to the sum he would have earned for a full week's work based on the current number of hours or days for that job at the time the accident occurred.

VI. Insurance carrier, shall include any corporation, licensed to sell insurance in this state, from which an employer has obtained a workmen's compensation insurance policy in accordance with the provisions of this chapter.

VII. Dependents, shall mean the employee's widow, widower, children, parents, persons in the direct line of ascent or descent, or next of kin, who were wholly or partially dependent in fact upon the earnings of the employee for support at the time of the injury.

3. Election by Employers not Subject to Law. Any employer of less than five persons, or of farm labor or domestic servants may accept the provisions of this chapter by filing an election with the commissioner of labor. Such employer shall thereafter be liable to all of his employees in the same manner as other employers.

4. Compensation for State Employees. The governor and council, upon petition and hearing, may award compensation to employees of the state receiving personal injuries as defined herein to an amount not exceeding that provided under this chapter.

5. Payment. The governor is hereby authorized to draw his warrant for the payment of such sum or sums as may be awarded under the provisions of section 4, and, in case the department by whom the injured person was employed has a special maintenance fund, the same shall be charged thereto; if not, then to funds not otherwise appropriated.

6. Election by Municipalities. Any county, city, town, school district, or any other district established by law, may accept for designated or for all workmen in its employ, the provisions of this chapter, and it shall thereafter be liable to such workmen for any injury arising out of and in the course of employment in the manner provided in this chapter. The liability of any county, city, town, or district accepting said provisions shall not otherwise be enlarged or extended. The

acceptance for a county may be made by the commissioners thereof, for a city by the city council, for a town by the selectmen thereof, for a school district by the school board thereof, and for any other district by the commissioners thereof or other officers having by law the management of such district. Such acceptance shall be filed with the commissioner.

7. Posting of Notice. Every employer subject to this chapter, or who elects to accept its provisions, shall keep posted in a conspicuous place upon his premises a notice that he is working under the provisions of this chapter. If any employer fails to post and keep posted said notice, he shall be liable to a fine of ten dollars for each day of such failure.

8. Securing Compensation. Employers subject to this chapter shall secure compensation to their employees in one of the following ways: I. By insuring and keeping insured, the payment of such compensation with a company licensed to write workmen's compensation insurance in the state, and filing with the commission of labor, in a form prescribed by him, notice of such insurance, together with a copy of policy declarations.

II. By furnishing to the commissioner of labor satisfactory proof of financial ability to pay direct the compensation in the amounts and manner and when due as herein provided.

9. Liability of Employer Failing to Comply. Employers subject to this chapter who fail to comply with the provisions of section 8 shall be liable to a fine of one hundred dollars for each day of such non-compliance. An employee of such employer, or his dependents in case death ensued, may, file his application with the commissioner of labor for compensation in accordance with the terms of this chapter, and the commissioner shall hear and determine such application for compensation in like manner as in other claims before him; and the compensation so determined shall be paid by such employer to the person entitled thereto within ten days after receiving notice of the amount thereof as fixed and determined by the commissioner. An abstract of the award may be filed in the office of the clerk of the superior court in any county in the state and shall be docketed in the judgment docket thereof, and when so filed and docketed shall be a lien upon the property of the employer situated in the county for a period of eight years from the date of the award; execution may be issued thereon within eight years in the same manner

and with like effect as if said award were a judgment of the superior court.

10. Election by Employee not to Come Under this Chapter.

Unless and until an employee of an employer subject to this chapter, has filed with his employer and with the commissioner of labor, within fifteen days after this chapter becomes effective, or within fifteen days of date of employment, a declaration in writing that he does not accept the compensation provisions of this chapter, which declaration shall take effect from date of service on the commissioner of labor, he shall be assumed to have accepted the provisions of this chapter, and to have waived his rights of action at common law to recover damages for personal injuries against his employer. When such election has been filed, such employee shall be held to have rejected all rights and remedies granted by the provisions of this chapter and shall not be entitled to the benefits thereof; and in an action to recover damages for personal injury sustained by the employee in the course of his employment, or for death resulting from personal injuries so sustained after the employee has so elected, the employer shall have all the defenses which he would have had if the provisions of this chapter were not in force.

11. Injuries Outside the State. If an employee is injured while employed elsewhere than in this state, so that he or his dependents would be entitled to compensation if he had been injured in this state, such employee, or his dependents, upon releasing the employer from all liability under any other law shall be entitled to compensation if the contract of employment was made in this state and if the employer is engaged in business in this state; provided, however, that such employee's contract of employment was not expressly for service exclusively outside of this state; and provided further that recovery of damages in an action at law or compensation under the law of any other state shall bar recovery of compensation under the laws of this state.

12. Liability of Third Person. When an injury for which compensation is payable under the provisions of this chapter has been sustained under circumstances creating in some person other than the employer a legal liability to pay damages in respect thereto, the injured employee, in addition to the benefits of this chapter, may obtain damages from or proceed at law against such other person to recover damages;

provided, however, that the employer shall have a lien on the amount of damages recovered by the employee, less the expenses and costs of action, to the extent of the compensation already paid, or agreed or awarded to be paid by the employer under this chapter. No settlement by an employee of his claim for damages at law against such third person shall be binding until approved by the commissioner of labor, who shall make provisions for payment to the employer of the amount of his lien. If such settlement shall occur during the actual trial of an action at law, or the action shall go to judgment against such third person, the court before which such action is tried shall have and exercise all the powers of the commissioner of labor relative to the approval of such settlement and the making of necessary orders to insure payment to the employer of the amount of his lien. In any case in which the employee neglects to exercise his right of action by failing to proceed at law against such third person for a period of nine months after said injury, the employer may so proceed and shall be subrogated to the rights of the injured employee to recover against such third person, provided, if the employer recovers from such other person damages in excess of the compensation already paid, or agreed or awarded to be paid under the provisions of this chapter, then any such excess shall be paid to the injured employee, less the employer's expenses and costs of action. The procedure for approval of settlements and safeguarding rights of the employee in such cases shall be the same as is provided for protecting rights of the employer in cases of settlements made or actions at law brought by the employee under this section.

13. Employee's Fault. The employer shall not be liable for any injury to a workman which is caused in whole or in part by the intoxication, or serious and wilful misconduct of the workman. The provisions as to intoxication shall not apply, however, if the employer knew that the employee was intoxicated.

14. Notice of Claim. No proceedings for compensation, other than medical, hospital services, other remedial care, or property damage as provided in the following sections, shall be maintained unless notice of the accident as hereinafter provided has been given to the employer as soon as practicable after the happening thereof, and before the workman has voluntarily left the employment in which he was injured, and

within six months from the occurrence of the accident; or in case of the death of the workman, or in the event of his physical or mental incapacity, within six months after such death or the removal of such physical or mental incapacity; or, in the event that weekly payments have been made hereunder, within six months after such payments have ceased.

15. Defective Notice. No want, defect or inaccuracy of a notice shall be a bar to the maintenance of proceedings unless the employer proves that he is prejudiced by such want, defect or inaccuracy.

16. Contents. Notice of the accident shall apprise the employer of the claim for compensation hereunder, and shall state the name and address of the workman injured, and the date and place of the accident.

17. Service. The notice may be served personally, or by sending it by registered mail addressed to the employer at his last known residence or place of business.

18. Waiting Period. No compensation shall be paid for any injury which does not totally or partially incapacitate the employee from earning wages for a period of seven days, but if any incapacity continues for such period, compensation shall be computed from the time of the injury and continue during such incapacity.

19. Medical, Hospital Care, etc. During the first ninety days after an injury to an employee, an employer subject to this chapter, shall furnish to an injured employee, or cause to be furnished, free of charge, reasonable medical and hospital services, or other remedial care when needed, unless the injured employee shall decline or refuse to allow them to be furnished, and the injured employee, if he so chooses shall have the right of selection of a duly qualified physician or other remedial care upon due notice to the employer. Such ninety day period may be extended from time to time at the discretion of the commissioner of labor upon written request of the injured employee to the commissioner of labor and after the employer has been given an opportunity to file objections thereto and to be heard thereon. In the event of the loss of an eye, limb, or other member, or the loss of hearing, by reason of said injury, an employer, in addition to the foregoing care, shall, upon request, furnish, free of charge, an appropriate artificial appliance to replace such

loss. Such aid shall not be considered under the provisions of sections 20 to 24.

20. Compensation for Death. If death results from the injury, the employer shall pay to, or for the dependent or dependents of the deceased employee, as defined in section 1, for a period not exceeding three hundred weeks, a weekly compensation equal to sixty-six and two-thirds per cent of the deceased employee's average weekly wages, but not less than fifteen nor more than twenty-five dollars per week; provided that the total amount payable on account of a single death shall not exceed the sum of seventy-five hundred dollars.

I. In all cases where compensation is payable to a widow or widower for the benefit of herself or himself and dependent child or children, the commissioner of labor shall have power to determine in its discretion what portion of the compensation shall be applied for the benefit of any such child or children and may order the same paid to a guardian.

II. In the case of remarriage of a widow without dependent children compensation payments shall cease.

III. In case of remarriage of a widow who has dependent children the unpaid balance of compensation which would otherwise become her due shall be payable to the mother, guardian, or such other person as the commissioner of labor may order, for the use and benefit of such children during dependency.

IV. If the deceased employee leaves no dependents, the employer shall pay the expenses of burial not exceeding three hundred dollars.

21. Compensation for Temporary Total Disability. Where the injury causes total disability for work at any gainful occupation the employer, during such disability, but not including the first seven days thereof, unless such disability continues for seven days or longer, shall pay the injured employee a weekly compensation equal to sixty-six and two-thirds per cent of the employee's average weekly wages, but not less than ten dollars nor more than twenty-five dollars per week, unless the injured employee's average weekly wages as defined herein are less than ten dollars per week, in which case the compensation shall be the full amount of said average weekly wages. Payments shall not continue after the disability ends nor longer than three hundred weeks, and in case the total disability begins after a period of partial disability,

the period of partial disability shall be deducted from such total period of three hundred weeks.

22. Compensation for Permanent Total Disability. In case of the following injuries, the disability caused thereby shall be deemed total and permanent.

I. Total and permanent loss of sight in both eyes;

II. The loss of both feet at or above the ankle;

III. The loss of both hands at or above the wrist;

IV. The loss of one hand and one foot;

V. An injury to the spine resulting in permanent and complete paralysis of both legs or both arms, or of one leg and of one arm; and

VI. An injury to the skull resulting in incurable imbecility or insanity.

The above enumeration is not to be taken as exclusive. Compensation for permanent total disabilities shall be computed as provided in section 21, except that the minimum shall be not less than fifteen dollars a week. The total amount payable on account of one accident shall not exceed seventy-five hundred dollars.

23. Compensation for Temporary Partial Disability.

Where the disability for work resulting from an injury is partial, the employer during such disability, but not including the first seven days thereof, unless such disability continues for seven days or longer, shall pay to the injured employee a weekly compensation equal to sixty-six and two-thirds per cent of the difference between his average weekly wage before the injury and the average weekly wage which he is able to earn thereafter. Payments shall not continue after the disability ends, nor longer than three hundred weeks, and in case the partial disability begins after a period of total disability, the period of total disability shall be deducted from such total period of three hundred weeks.

24. Compensation for Permanent Partial Disability. In case of disability partial in character but permanent in quality, compensation computed as provided in section 21, except that the minimum shall be not less than fifteen dollars a week, shall be paid to the employee as follows:

I. Arm lost, one hundred seventy weeks' compensation, plus for actual healing period not in excess of thirty-two weeks' compensation:

II. Hand lost, one hundred forty weeks' compensation,

plus for actual healing period not in excess of thirty-two weeks' compensation;

III. Thumb lost, forty weeks' compensation, plus for actual healing period not in excess of twenty-four weeks' compensation;

IV. Index finger lost, twenty-five weeks' compensation, plus for actual healing period not in excess of eighteen weeks' compensation;

V. Middle finger lost, twenty weeks' compensation, plus for actual healing period not in excess of twelve weeks' compensation;

VI. Ring finger lost, fifteen weeks' compensation, plus for actual healing period not in excess of eight weeks' compensation;

VII. Little finger lost, ten weeks' compensation, plus for actual healing period not in excess of eight weeks' compensation;

VIII. Leg lost, one hundred seventy weeks' compensation, plus for actual healing period not in excess of forty weeks' compensation;

IX. Foot lost, one hundred twenty weeks' compensation, plus for actual healing period not in excess of thirty-two weeks' compensation;

X. Great toe lost, twenty weeks' compensation, plus for actual healing period not in excess of twelve weeks' compensation;

XI. Toe other than great toe lost, eight weeks' compensation, plus for actual healing period not in excess of eight weeks' compensation;

XII. Eye lost, one hundred weeks' compensation, plus for actual healing period not in excess of twenty weeks' compensation;

XIII. Loss of hearing in one ear, forty-two weeks' compensation;

XIV. Loss of hearing in both ears, one hundred seventy weeks' compensation;

XV. Compensation for the loss of more than one phalange of a digit shall be the same as for the loss of an entire digit. Compensation for the loss of the first phalange shall be one-half of the compensation for the loss of the entire digit;

XVI. Compensation for an arm or leg if amputated at

or above the elbow or at or above the knee, shall be the same as for the loss of the arm or leg, but if amputated between the elbow and the wrist, or the knee and the ankle shall be the same as for the loss of hand or foot;

XVII. Compensation for loss of eighty per cent or more of the vision of an eye shall be the same as for the loss of an eye;

XVIII. Compensation for loss of two or more digits or one or more phalanges of two or more digits of a hand or foot, may be proportioned to the loss of use of the hand or foot occasioned thereby, but shall not exceed the compensation for loss of a hand or foot;

XIX. Compensation for permanent total loss of use of a member shall be the same as for the loss of the member;

XX. Compensation for permanent partial loss of use of a member shall bear such relation to the amounts stated in the preceding paragraphs as the disabilities bear to those produced by the injuries named in said paragraphs.

25. Computation. The compensation paid under the provisions of sections 24 shall be in lieu of any and all compensation due under any other provisions of this chapter, except that if the total compensation to which the employee is entitled under the provisions of this chapter, exclusive of said section 24, exceeds the compensation provided under said section 24 said employee shall be entitled to such compensation in lieu of the compensation due under section 24.

26. Compensation for Loss of Property. Whenever an employee, by accident arising out of and in the course of the employment, has suffered the loss of glasses, false teeth, an artificial member, or hearing aid, said employee shall be paid an amount equal to the value of the property so lost. Any amount paid under the provisions of this section shall in no way affect compensation for personal injury otherwise provided for in this chapter.

27. Double Compensation. Compensation and death benefits provided for by this chapter shall be doubled in the case of minors injured while employed in violation of the provisions of chapters 137 and 212 of the Revised Laws. The insurance carrier shall be liable on its policy for one-half of the compensation or benefits that may be payable on account of the injury or death of such minor, and the employer shall be

wholly liable for the other one-half of such compensation or benefit.

28. Maximum Benefits. In no case, except as provided in sections 20, 22, 24 and 27, shall the weekly compensation payable under this chapter exceed sixty-six and two-thirds per cent of the average weekly wages, or exceed twenty-five dollars per week in amount, nor shall the total compensation exceed the sum of seventy-five hundred dollars; nor shall any payments extend over a period of more than three hundred weeks from the date of the injury.

29. Voluntary Payments. Payments made by an employer, or his insurer, to an injured employee during the period of his disability, or to his dependents, which by the provisions of this chapter were not due and payable when made, may, subject to the approval of the commissioner of labor, be deducted from the amount to be paid as compensation; provided that in case of disability such deduction shall be made by shortening the period during which compensation must be paid, and not by reducing the amount of the weekly payments under this chapter.

30. Savings or Insurance. No savings or insurance of the injured employee independent of this chapter, shall be taken into consideration in determining the compensation to be paid hereunder, nor shall benefits derived from any other sources than the employer be considered in fixing the compensation under this chapter.

31. Lump Sum Payments. Lump sum settlements may be permitted at the discretion of the commissioner of labor when it appears to the best interests of all concerned.

32. Medical Examination. Any employee entitled to receive weekly payments hereunder shall, if requested by the employer, or ordered by said commissioner of labor, submit himself for examination by a duly qualified medical practitioner or surgeon provided and paid by the employer, at a time and place reasonably convenient for the employee, within two weeks after the injury, and thereafter at intervals not oftener than once in a week. The employee shall have the right to have a physician or surgeon designated and paid by himself present at such examination; which right, however, shall not be construed to deny to the employer's physician or surgeon the right to visit the injured em-

ployee at all reasonable times and under all reasonable conditions so long as employee claims compensation hereunder.

33. Refusal to Submit to Examination. If the employee refuses to submit to such examination, or obstructs the same, his right to weekly payments shall be suspended until such examination has taken place, and no compensation shall be payable during or for account of such period.

34. Agreements. If an employer and an injured employee enter into an agreement in regard to compensation payable under the provisions of this chapter, a memorandum thereof shall be filed with said commissioner of labor; and, if approved by him, such agreement, subject to modification as provided in section 38 shall be enforceable as provided in section 40. Said commissioner shall approve such an agreement only when the terms thereof conform to the provisions of this chapter.

35. Hearings and Awards. If the compensation is not fixed by agreement, either party may petition the superior court for hearing and award in the premises, the venue to be according to civil actions *in personam* between the same parties, and the court shall set a time and place for hearing and order at least six days' notice thereof to the parties. At such hearing a full trial shall be had before a justice of the superior court, without jury; and within thirty days thereafter the court shall make its award setting forth its findings of fact and the law applicable thereto, and the clerk of court shall forthwith send to each of the parties and to the commissioner of labor, copies of such award.

36. Manner of Giving Notice of Hearing. Notices of hearings under the provisions of this chapter shall be given by delivering it or by sending it by registered mail, addressed to the employee, employer and to said employer's insurance company at his, or its, last known residence, or place of business. A copy of each notice shall be sent by registered mail to the commissioner of labor.

37. Examination by Physician. When application is made to said commissioner of labor, a duly licensed and impartial physician or surgeon may be appointed by said commissioner of labor to examine the injured employee and to report to said commissioner of labor. Said physician or surgeon shall receive for such an examination a fee of five dollars and necessary traveling and hotel expenses, which shall be paid by the state on vouchers approved by said commissioner of labor,

and said commissioner of labor may allow additional reasonable amounts in extraordinary cases. Whenever in the judgment of the commissioner of labor, expert medical testimony is required at any hearing, a duly licensed and impartial physician or surgeon may be appointed to testify. Said physician or surgeon shall receive a reasonable fee for his services, plus necessary traveling and hotel expenses, which shall be paid by the state on vouchers approved by said commission.

38. Modification of Awards and Agreements; Effect. Upon application of any party in interest upon the ground of change in the conditions, mistake as to nature or extent of injury or disability, fraud, undue influence or coercion, the superior court may, not later than one year after the date of the last payment fixed by the award, review said award, and upon such review, may make an order ending, diminishing or increasing the compensation previously awarded, subject to the maximum or minimum provided in this chapter and shall state its conclusions of fact and rulings of law. Such a review shall not affect such award as regards any money already paid. All procedure on such an application shall be the same as herein provided for original hearings.

39. Rules; Witnesses; Blanks. All process and procedure under the provisions of this chapter shall be as summary and simple as reasonably may be. Said commissioner of labor may make rules not inconsistent with such provisions, for carrying out the same and shall cause to be printed and furnished, free of charge, to any employer or employee such blank forms as he deems necessary to facilitate or promote the efficient administration of such provisions. Said commissioner of labor shall have the power, so far as it is necessary for the determination of matters within his jurisdiction, to subpoena witnesses, administer oaths and to examine the books and records of parties to such proceedings. The superior court shall, by proper proceedings, have power to enforce the attendance and testimony of witnesses and the production and examination of books, papers and records before said commissioner of labor.

40. General Powers of Commissioner of Labor. Questions arising under the provisions of this chapter, if not settled by agreement of the parties interested therein with the approval of the commissioner of labor shall be determined by the

superior court. The decision of said court shall be enforceable in the same manner as an equity decree, and appeals from such decisions may be taken to the supreme court; but in no case shall such an appeal suspend the operations of an award unless the court to which such appeal is taken, shall so order.

41. Preferences. All rights of compensation granted by the provisions of this chapter shall have the same preference or priority against the assets of the employer as is allowed by law for a claim by an employee against his employer for unpaid wages.

42. Assignments; Attorney's Fees. Claims for compensation under the provisions of this chapter shall not be assignable; and the compensation and claims therefor shall be exempt from all claims of creditors, except as herein provided. Claims for physicians, hospitals, and for other remedial care chargeable to the employee and rendered in connection with a compensated injury, and claims of attorneys for services rendered an employee in prosecuting a claim under the provisions of this chapter, when approved by said superior court, may be enforced against compensation awards in such manner as said superior court may direct.

43. Reports of Accidents by Employers. Every employer subject to this chapter shall keep a record of all injuries, fatal or otherwise, sustained by his employees in the course of their employment, and shall report or cause to be reported such an injury to said commissioner of labor, in writing, upon blanks to be procured from said commissioner of labor for such purpose, within forty-eight hours after knowledge of the occurrence of such an injury. At the termination of the disability of such injured employee, such employer shall make a final report upon blanks to be procured as herein provided; if such disability extends beyond a period of sixty days, such employer shall, at the expiration of each sixty days' period, at the request of said commissioner of labor, make a supplemental report to said commissioner of labor that such injured employee is still disabled, and, at the termination of such disability, shall file a final report as above provided. Such reports shall state the name and nature of the business of such employer, the location of the place where the accident occurred, the name, age, sex, wages and occupation of said injured employee, and shall state the date and hour of the accident causing such injury, the nature and cause thereof

and such other information as may be required by said commissioner of labor. An employer who wilfully refuses or neglects to make a report required by this section shall be fined not more than twenty-five dollars. Within sixty days after the termination of disability, each employer, or other party liable to pay the compensation provided for by this chapter, shall file with said commissioner of labor a statement showing the total payments made for compensation and for medical and hospital services of said injured employee.

44. Pre-existing Disability; Additional Indemnity. If an employee has at the time of injury permanent partial disability as defined in section 24, and, as a result of such injury, incurs further permanent disability, the employer shall only be liable for the permanent partial disability caused by the subsequent injury; provided, however, that in addition to such compensation for permanent partial disability, and after the cessation of payments by the employer, the disabled employee shall be paid by the commissioner of labor out of the funds of the second injury fund, the remainder of the compensation that would be due the injured employee for permanent total disability if the subsequent injury itself had been the cause of his permanent total disability, such payments to be made by the commissioner of labor monthly by orders drawn on the state treasurer to be charged against the second injury fund.

45. Creation Second Injury Fund. There is hereby created a fund to be known as the second injury fund and which shall consist of payments made to it as in this section provided. In every case of death of an employee under this chapter where there is no person entitled to compensation, the employer shall pay to the second injury fund the sum of five hundred dollars; and in every case of permanent, partial disability, under section 24, the employer shall pay to the second injury fund the sum of fifteen dollars; such sums to be deposited as herein provided. The state treasurer shall be custodian of the second injury fund and all disbursements therefrom shall be paid by him upon orders of the commissioner of labor. The state treasurer shall give a separate bond conditioned upon the faithful performance of his duties as custodian of the fund in an amount fixed by the commissioner of labor and with sureties approved by the governor and council. Interest earned by such portion of the second injury fund deposited by

the state treasurer shall be collected by him and placed to the credit of the fund. All moneys which may come into said second injury fund are hereby perpetually appropriated to the commissioner of labor to be used by him for the purposes stated in the preceding section. The second injury fund shall be administered by the commissioner of labor without liability on the part of the state or the commissioner of labor beyond the amount of such fund.

46. Penalty for False Representation. A person who wilfully makes a false statement or representation, for the purpose of obtaining any benefit or payment under the provisions of this chapter, either for himself or for any person shall be fined not more than one hundred dollars and the superior court may forfeit all his rights to the compensation sought.

47. General Penalty. Except as otherwise provided, any person, firm or corporation violating any provision of this chapter or any order of the superior court or of the commissioner of labor hereunder shall, upon conviction thereof, be fined not more than one hundred dollars.

48. Administration. All provisions of this chapter shall be administered and enforced by the commissioner of labor except as otherwise herein provided.

49. Powers. The commissioner of labor shall have the power to make rules and regulations not inconsistent with law for the purposes of enforcing the provisions of this chapter. Said commissioner of labor may employ such clerical or other assistants, as he deems necessary for the proper performance of the duties of said commissioner of labor under this act and shall fix their compensation, subject to the approval of the governor and council.

50. Report. Said commissioner of labor shall, in each even year, make a report to the governor showing the work done during the preceding two years and shall include therein a properly classified statement of its expenses, statistical information relating to the number and character of industrial accidents during such two years and such other information and recommendations as seem pertinent. Such report shall be printed as part of the biennial report of the commissioner of labor.

51. Appropriations. There is hereby appropriated for the commissioner of labor for the fiscal year ending June 30, 1948, the sum of ten thousand two hundred and fifty dollars, and

for the fiscal year ending June 30, 1949, the sum of seven thousand five hundred dollars.

52. Separability Clause. If any portion of this chapter is held unconstitutional or invalid, such holding shall not affect the validity of the chapter as a whole, or any part thereof which can be given effect without the part so held to be unconstitutional or invalid.

53. Takes Effect. This act shall take effect sixty days after passage, provided, however, that any employer who has filed an acceptance of chapter 216, of the Revised Laws and amendments thereto shall be assumed to have accepted this chapter, unless any such employer who employs less than five persons, or an employer of farm labor or domestic servants, shall notify the commissioner of labor that he does not accept the provisions of this chapter on or before sixty days after passage.

[Approved July 1, 1947.]

CHAPTER 267.

AN ACT RELATIVE TO UNEMPLOYMENT COMPENSATION AS TO ELIGIBILITY CONDITIONS FOR BENEFITS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Unemployment Benefits. Amend subsection D, section 3 of chapter 218 of the Revised Laws, as amended by section 4, chapter 56 of the Laws of 1943; section 8, chapter 138 of the Laws of 1945 and section 11, chapter 59 of the Laws of 1947 by striking out the whole of said subsection and inserting in place thereof the following: D. Prior to any week for which he receives benefits he has been totally unemployed (and for the purposes of this subsection an individual shall be deemed totally unemployed in any week in which he earns no wages in excess of three dollars) for a waiting period of one week within the same benefit year and fulfilled the other requirements of this section; provided that this requirement shall not interrupt the payment of benefits for consecutive weeks of unemployment because of a change in the benefit year, even though a change in the weekly benefit amount and maxi-

num benefits is effected. It is further provided that the period not to exceed one week of partial or total unemployment or the period not to exceed two weeks of partial unemployment immediately preceding the benefit year shall be deemed (for purposes of this subsection) to be within such benefit year as well as within the preceding benefit year. For the purposes of this paragraph, a week or weeks means the period of seven or fourteen calendar days immediately preceding the first day of the benefit year or the calendar week or weeks immediately preceding the benefit year. For the purposes of this subsection, two weeks of partial unemployment shall be deemed equivalent to one week of total unemployment. No week shall be counted as a week of total unemployment for the purposes of this subsection: (1) If benefits have been paid with respect thereto; (2) Unless he has annual earnings of not less than two hundred dollars within the base period in accordance with subsection P (2) of section 1.

2. Takes Effect. This act shall take effect upon its passage.

[Approved July 1, 1947.]

CHAPTER 268.

AN ACT RELATIVE TO THE SALARY OF THE SOLICITOR OF GRAFTON COUNTY.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Salary of Solicitor of Grafton County. Amend section 20 of chapter 24 of the Revised Laws, as amended by chapters 40 and 136 of the Laws of 1943, chapters 2, 27, 202, 213, 242 and An Act relative to the salary of the solicitor of Belknap county, Laws of 1947, by striking out the word "twelve" in the eleventh line and inserting in place thereof the word, eighteen, so that said section as amended shall read as follows: **20. Salaries.** The annual salaries of the solicitors in the several counties shall be as follows:

In Rockingham, fifteen hundred dollars.

In Strafford, eighteen hundred dollars.

In Belknap, fifteen hundred dollars.
In Carroll, twelve hundred dollars.
In Merrimack, two thousand dollars.
In Hillsborough, twenty-eight hundred dollars.
In Cheshire, fifteen hundred dollars.
In Sullivan, twelve hundred dollars.
In Grafton, eighteen hundred dollars.
In Coos, eighteen hundred dollars.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved July 1, 1947.]

CHAPTER 269.

AN ACT RELATIVE TO TAX SALES AND TRANSFER OF TAX LIENS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. **Taxes.** Amend section 32 of chapter 80 of the Revised Laws by striking out said section and inserting in place thereof the following: 32. **Part Owners.** Each person interested with others in any taxable real estate may pay his proportion of the tax assessed thereon, provided that his share or interest therein shall have been definitely determined and recorded in the annual invoice and in the warrant book as committed to the collector. In case of tax delinquency he may pay the taxes upon his share or interest in the property and the residue only may be sold. After the tax sale, and at any time before a deed thereto is given by the collector, he may redeem his interest in the land by paying his assessed proportion of the taxes, accrued interest and costs incident to advertisement and sale of said real estate.

2. **Real Estate Acquired by Town.** Amend said chapter 80 by inserting after section 32 a new section as follows: 32-a. **Transfer of Lien; Sale of Property.** No transfer of any tax lien upon real estate acquired by a town or city at a tax collector's sale for non-payment of taxes thereon shall be made to any person by the municipality during the two-year period allowed for redemption, nor shall title to any real estate taken by a town or city in default of redemption from a tax

sale be conveyed to any person unless the town, by majority vote at the annual meeting, or a city council by vote, shall authorize the selectmen or the mayor to transfer such lien or to convey such property by deed under such conditions as may be specified by the town meeting or city council. Such authority to transfer or to sell shall continue in effect for one year from the date of the town meeting or action by the city council unless otherwise provided.

3. Takes Effect. This act shall take effect upon its passage.

[Approved July 1, 1947.]

CHAPTER 270.

AN ACT RELATING TO THE SALARY OF THE SOLICITOR OF ROCKINGHAM COUNTY.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Salary of Solicitor of Rockingham County. Amend section 20 of chapter 24 of the Revised Laws as amended by chapters 40 and 136 of the Laws of 1943 and by chapters 2, 27, 202, 213, 242 and An Act relative to the salary of the solicitor of Belknap county, and An Act relative to the salary of the solicitor of Grafton county, Laws of 1947, by striking out the word "fifteen" after the word "Rockingham" and inserting in place thereof the word, eighteen, so that said section as amended shall read as follows: **20. Salaries.** The annual salaries of the solicitors in the several counties shall be as follows:

- In Rockingham, eighteen hundred dollars.
- In Strafford, eighteen hundred dollars.
- In Belknap, fifteen hundred dollars.
- In Carroll, twelve hundred dollars.
- In Merrimack, two thousand dollars.
- In Hillsborough, twenty-eight hundred dollars.
- In Cheshire, fifteen hundred dollars.
- In Sullivan, twelve hundred dollars.
- In Grafton, eighteen hundred dollars.
- In Coos, eighteen hundred dollars.

2. Takes Effect. This act shall take effect as of January 1, 1947, insofar as the salary of the solicitor of Rockingham county is concerned, otherwise upon its passage.

[Approved July 1, 1947.]

CHAPTER 271.

AN ACT RELATING TO COMPENSATION OF ATTACHES OF THE LEGISLATURE.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Legislature. Amend section 23 of chapter 9 of the Revised Laws, as amended by section 1, chapter 89 of the Laws of 1945, by striking out the whole of said section and inserting in place thereof the following: **23. Attaches.** The compensation of the following attaches of the senate and house of representatives shall be: sergeant-at-arms, \$6.50 a day; custodian of mails and supplies, \$6 a day; messengers, assistant messengers, telephone messengers, library messengers, doorkeepers, wardens and assistant wardens, pages and chaplain, \$5 a day; each for six days a week; provided that in case any one of such attaches of the senate or house of representatives shall be absent or incapacitated for the performance of his duties as such attache, his compensation may be suspended for such time during his [said] absence or incapacity as the finance committee of the senate or appropriations committee of the house of representatives may determine.

2. Takes Effect. This act shall take effect as of January 1, 1947.

[Approved July 1, 1947.]

CHAPTER 272.

AN ACT PROVIDING AN ADDITIONAL APPROPRIATION FOR THE FISH AND GAME DEPARTMENT FOR AN EXPANDED PROGRAM OF PROPAGATION.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Fish and Game. Amend chapter 240 of the Revised Laws by inserting after section 41 the following new section:

41-a. Program of Propagation. In addition to the fish and game fund and to any other moneys appropriated by the legislature for the fish and game department there is hereby appropriated the sum of one hundred and fifty thousand dollars for each of the fiscal years ending June 30, 1948 and June 30, 1949 for the purposes of an expanded program for the propagation of fish and game, by the director with the approval of the commission. The sums hereby appropriated shall be a continuing appropriation and shall not lapse, but shall be held by the state treasurer in a separate fund for the purposes of propagation of fish and game only. The governor is hereby authorized to draw his warrant for the sums hereby appropriated out of any money in the treasury not otherwise appropriated, or the state treasurer, with the consent of the governor and council, may for the purposes hereof borrow money from time to time by the issuance of serial notes in such sums as are needed, not to exceed one hundred fifty thousand dollars (\$150,000) annually. Said serial notes and interest thereon shall be a charge upon the sinking fund as provided by chapter 126 of the Laws of 1931.

2. Takes Effect. This act shall take effect July 1, 1947.

[Approved July 1, 1947.]

CHAPTER 273.

AN ACT RELATIVE TO MOTOR VEHICLE REGISTRATION FEES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Fees. Amend paragraph III of section 1 of chapter 118 of the Revised Laws by inserting after the word "vehicle" in the first line the words, farm truck, so that the same as amended shall read as follows: III. For each motor vehicle, farm truck or tractor, including trailers and semi-trailers equipped with pneumatic tires, except motor cycles and motor cycle sidecars, and except as provided in paragraph IV, the following rates based on the gross weight of the vehicle and load: All vehicles and load not exceeding four thousand pounds, thirty-five cents per hundred pounds; exceeding four thousand and not exceeding six thousand pounds, forty-five

cents per hundred pounds; exceeding six thousand pounds and not exceeding eight thousand pounds, fifty cents per hundred pounds; exceeding eight thousand pounds, sixty cents per hundred pounds. For all vehicles equipped with hard rubber tires the sum of twenty cents per hundred pounds shall be added to the above rates. For all vehicles equipped with iron, steel or other hard tires the sum of forty cents per hundred pounds shall be added to the above rates; provided that the minimum fee as provided herein shall be ten dollars for passenger vehicles and fifteen dollars for trucks. Equipment mounted on trucks of which the equipment is an integral part of the unit shall be registered at one third of the above rates. Cement mixers, saw rigs and air compressors towed by motor vehicles shall pay one tenth of the above rates except when towed exclusively within the limits of a single city or town, in which case no fees for registration shall be collected. In the registration of any tractor to be used in combination with a semi-trailer, the gross weight shall include the weight of such tractor, the weight of the heaviest semi-trailer to be used therewith, and the weight of the maximum load to be carried thereby, and separate registration certificates and plates shall be provided for the tractor and the semi-trailer. For the registration of each additional or extra semi-trailer the fee shall be twenty-five dollars.

2. Motor Vehicles. Amend paragraph IV of section 1 of chapter 118 of the Revised Laws as amended by chapter 48, Laws of 1945, by striking out the entire paragraph and inserting in place thereof the following: IV. For each road oiler or bituminous distributor the fee shall be seventy-five dollars. For each tractor used for agricultural purposes only, each vehicle of the tractor type used for agricultural purposes only and used to draw another vehicle in such a way that a part of the load is carried on such towing vehicle, each tractor used for power purposes only that does not haul loads on the public highways except as hereinbefore provided for tractor type vehicles, each tractor or truck used only on snow and each snowmobile, two dollars. Each commercial vehicle or truck used for agricultural purposes only and used on the public highways within a radius of five miles from the main entrance of the farm upon which said vehicle is operated, or used to transport animals and agricultural products to agricultural fairs and exhibits for exhibition purposes only, two dollars,

provided that such vehicle under such limited registration shall not be used for the purpose of transporting products for sale or for hire. For each farm truck of a total weight, determined as provided in paragraph III of the section, not exceeding sixteen thousand pounds, used only for the transportation of agricultural products produced on, and meant to be used in connection with the operation of, a farm or farms owned, operated or occupied by the registrant, the fee shall be twenty-five dollars, provided that a farm truck so registered shall not be used for the transportation of wood and lumber for sale other than from such farms on which the production of wood and lumber is incidental to other farm operations, nor shall such trucks be used for the retail delivery of milk. In the event that a farm truck registered under the twenty-five dollar fee as hereinbefore provided is thereafter registered for general use during the same registration year such fee shall be applied toward the fee for such general registration.

3. Takes Effect. This act shall take effect April 1, 1948.

[Approved July 1, 1947.]

CHAPTER 274.

AN ACT TO PROVIDE FOR THE DEVELOPMENT AND EXTENSION OF
RECREATIONAL FACILITIES ON PUBLIC LANDS, AND THE
FURTHER ACQUISITION OF RECREATIONAL AREAS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Declaration of Purpose. The purpose of this act is to provide funds as follows: I. For developments on the several public recreation areas where at present there is considerable investment of public funds and which, because of their age or extreme use, are not now capable of supplying recreation for the numbers of people who wish to use them, nor sufficiently developed to provide optimum financial returns;

II. For the acquisition by use of options of areas of unusual scenic, scientific, historic or recreational value suitable for future recreational development and needed to satisfy centers of population, out-of-state vacationists and the needs of the local recreation business, not now adequately served;

III. For necessary surveys and plans for future recreational development projects.

2. Developments. It shall be duty of the forestry and recreation commission to draw up the necessary plans and specifications for the needed developments on state forests and reservations as indicated herein, and to submit these, together with pertinent estimates as to the benefits that will accrue, such as increased services to the public and more efficient operations, to the governor and council, and with their approval proceed with these developments to the extent provided herein. The governor and council shall give preference to projects which show promise of becoming wholly or substantially self-liquidating. In approving any project, the governor and council may make such orders regarding the disposition of the revenues derived from such project as may be necessary, in their judgment, to insure the self-liquidating character of such project.

3. Appropriation. A sum not exceeding five hundred thousand dollars is hereby appropriated for projects as may be approved by the governor and council as provided in section 2.

4. Bonds or Notes Authorized. For the purpose of providing funds necessary for the appropriation made by section 3 the state treasurer is hereby authorized, under the direction of the governor and council, to borrow on the credit of the state from time to time a total of five hundred thousand dollars, for the purpose of carrying into effect the provisions of this act and for that purpose may issue bonds or notes in the name and on behalf of the state of New Hampshire at a rate of interest to be determined by the governor and council. The outstanding bonds or notes issued hereunder shall not at any one time exceed the sum of two hundred thousand dollars. The maturity dates of such bonds or notes shall be determined in each case by the governor and council but in no case shall they be later than 1959. Such bonds or notes may be renewed from time to time by the issuance of other bonds or notes in the same manner, but the maturity dates of such renewed bonds or notes shall not be later than 1959 and the total of the original bonds or notes plus such renewals shall not exceed five hundred thousand dollars. Bonds and notes authorized hereunder shall be paid from revenues from the operation of Cannon Mountain Aerial Tramway as provided in section 7. All bonds or notes (except short-term loans) issued under the provisions of this act shall be sold (1) at public sealed bidding (2) only after an advertisement calling

for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire, the first publication being not less than thirty days prior to the day the bids will be received, and (3) to the highest bidder. The governor and council may reject any or all bids.

5. Form. All such bonds or notes shall be in such form and such denominations as the governor and council shall determine, may be registerable as to both principal and interest, shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state.

6. Accounts. The secretary of state shall keep an account of all such bonds or notes countersigned by the governor, showing the number and amount of each bond or note, the time of countersigning, the date of delivery to the treasurer and the date of maturity. The state treasurer shall keep an account of each bond or note showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale and the date of maturity. The treasurer may negotiate and sell such bonds or notes by direction of the governor and council in such manner as they may determine most advantageous to the state. The proceeds of the sale of such bonds or notes shall be held by the treasurer and paid out by him upon warrants drawn by the governor for the purposes of this act alone and the governor, with the advice and consent of the council, shall draw his warrants for the payment from the funds provided for herein of all sums expended or due for the purposes herein authorized.

7. Payment of Bonds. Amend chapter 239 of the Revised Laws by inserting after section 6 the following new section:
6-a. Bonds for Recreational Activities. In addition to the payments authorized by section 6, from the balance of the special account therein provided, the sum of fifty thousand dollars shall be set aside annually beginning July 1, 1948, for ten successive years, which said sums shall be expended under the direction of the governor and council for the payment of the annually maturing principal payments upon the bonds or notes issued under the provisions of an act passed by the legislature of 1947 to provide for the development and extension of recreational facilities on public lands.

8. Interest Payments. Payment of interest on bonds or

notes herein authorized shall be a charge upon the forest improvement and recreational fund established by section 14, chapter 234 of the Revised Laws, as amended by section 10, chapter 184, Laws of 1945.

9. Takes Effect. This act shall take effect July 1, 1947.
[Approved July 1, 1947.]

CHAPTER 275.

AN ACT REQUIRING PRE-NATAL STANDARD SEROLOGICAL TESTS FOR SYPHILIS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Pre-natal Tests. Amend chapter 150 of the Revised Laws by inserting at the end thereof the following new subdivision:

Pre-natal Tests

18. Tests Required. Every physician attending pregnant women in the state for conditions relating to their pregnancy during the period of gestation or at delivery shall, in the case of every woman so attended, take or cause to be taken, a sample of blood of such woman at the time of first examination, and shall submit such sample to an approved laboratory for standard serological tests for syphilis. Such approved tests shall be tests for syphilis approved by the state health officer and shall be made at a laboratory approved to make such tests by said health officer. Such laboratory tests may be made on request without charge at the department of health.

2. Takes Effect. This act shall take effect as of July 1, 1947.

[Approved July 1, 1947.]

CHAPTER 276.

AN ACT RELATING TO THE RETIREMENT SYSTEM FOR STATE EMPLOYEES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. State Employee Members. Amend paragraph I of section 11 of chapter 183 of the Laws of 1945 by striking out

said paragraph and inserting in place thereof the following: I. The administration of this system is hereby vested in a board of five trustees to be appointed by the governor with the advice and consent of the council. Three trustees, to be known as the non-member trustees, shall be qualified persons with business experience who shall not be members of the system. Two trustees, to be known as the member trustees, shall be appointed from a panel of five names to be selected by the New Hampshire State Employees' Association from among the employees of the state. A panel of five employees shall be named by said association and filed with the secretary of state in advance of each such appointment. All vacancies shall be filled for the unexpired term and in like manner as the original appointments. Said trustees shall be appointed for a term of five years each and until their successors are appointed and qualified, provided, however, that for the first appointments the three non-member trustees shall be appointed for terms of one, three and five years respectively, and the two member trustees shall be appointed for terms of two and four years respectively. The governor shall designate the chairman of said board of trustees.

2. Compensation. Amend paragraph III of section 11 of chapter 183 of the laws of 1945 by striking out said paragraph and inserting in place thereof the following: III. The non-member trustees shall receive the sum of eight dollars per day for each day they are actually employed in the performance of their duties under this chapter; and all trustees shall be reimbursed for their necessary expenses incurred in connection with their duties. The member trustees shall receive the sum of four dollars per day for each day they are actually employed in the performance of their duties under this chapter, in addition to any other compensation they may receive from the state; provided, however, that the *per diem* payments to member trustees shall terminate as of December 31, 1948.

3. Takes Effect. This act shall take effect upon its passage.

[Approved July 1, 1947.]

CHAPTER 277.

AN ACT RELATING TO THE PAYMENT OF MOTOR VEHICLE ROAD
TOLLS BY CITIES AND TOWNS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Road Toll. Amend paragraph I of section 16 of chapter 120 of the Revised Laws, as amended by chapter 65 of the Laws of 1943, by inserting after the word "highways" in the fourth line the words, or any city, town, school district or village district which shall use any motor fuel in its own vehicles, so that said section as amended shall read as follows:

I. Any person who shall use any motor fuel, with respect to which the road toll herein imposed has been paid, in any way other than in motor vehicles for the purpose of generating power for the propulsion thereof upon the public highways, or any city, town, school district or village district which shall use any motor fuel in its own vehicles, or any dealer who shall make sales specified in paragraphs (a), (b) and (c) of section 3 of this chapter, shall be entitled to a refund to the extent of the amount of said tolls so paid, with respect to such motor fuel. The right to receive any refund under the provisions of this section shall not be assignable and any assignment thereof shall be void. Nor shall any payment thereof be made to any person other than the original person entitled thereto using or selling motor fuel as hereinabove in this section set forth.

2. Takes Effect. This act shall take effect upon its passage.

[Approved July 1, 1947.]

CHAPTER 278.

AN ACT RELATING TO THE TAKING OF LOBSTERS AND CRABS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Taking Lobsters and Crabs. Amend chapter 245 of the Revised Laws by inserting after section 43 the the following new section: **43-a. Removal of Devices.** Any person whose

license has been suspended shall within five days remove from the waters all lobster traps, pots, cars, or any device used in the taking or storing of lobsters and crabs.

2. Prohibition. Amend section 52 of chapter 245 of the Revised Laws by striking out the whole thereof and inserting in place thereof the following: **52. Prohibition.** If a conservation officer shall inform a person, from a boat or from a landing, that his boat and its contents are about to be inspected it shall be unlawful for said person to throw overboard or destroy any pot, trap, car, contrivance, bag, box or other receptacle used for storing or catching lobsters or crabs, or the contents thereof, prior to such inspection. If any person shall refuse to stand by for such inspection he shall be subject to arrest. Any person violating the provisions of this section shall be fined not exceeding one hundred dollars or imprisoned for not exceeding sixty days or both, and the director, in his discretion, after hearing, may suspend the license of such person to take lobsters and crabs, for not exceeding one year.

3. Takes Effect. This act shall take effect upon its passage.

[Approved July 1, 1947.]

CHAPTER 279.

AN ACT TO PROVIDE FOR THE MENTAL EXAMINATION AND TREATMENT OF CERTAIN CHILDREN.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Commission of Mental Health. The provisions of this chapter shall be administered by the commission of mental health established by section 34, chapter 17, Revised Laws, as amended by chapter 116, Laws of 1943.

2. Duties. The commission shall manage and conduct the mental hygiene clinics already existing under the division of mental hygiene and child guidance of the state hospital and such other clinics of that nature as may in the future be provided for. They shall also establish and maintain an institution to be known as the children's study home, but before

expending any money herein or hereafter appropriated for capital expense, shall submit plans and estimates for the same to the governor and council for their approval.

3. Purposes of the Home. The home shall be maintained primarily for the psychiatric and psychologic study and treatment of such children as may be committed to its care for that purpose; provided however, that children committed to the home for such purpose shall not be permitted to remain there longer than six months at any one time. Pending the time before an order may be made for the disposition of a neglected child under the provisions of section 10, chapter 132, Revised Laws, the commissioner of public welfare or his authorized agent may commit such child to the home until such order shall be made for the child's care but in no event for a period longer than sixty days, and shall not, provided space in the home is available, temporarily place such child in a county farm, unless it be a babe in the arms of a mother.

4. Powers of the Commission. The commission shall engage a director for the home and such staff members and employees as may be deemed by them necessary for the conduct of the home and clinics. They shall make regulations for the management of the home and clinics and all persons connected therewith and for the admission, care and treatment of children thereto and therein, and may alter the same from time to time as convenience may require, provided that said rules shall be consistent with the provisions of this act.

5. Commitment by Court. Amend section 14, chapter 132, Revised Laws, by striking out the same and inserting in place thereof the following: **14. Orders for Physical and Mental Treatment.** If it is alleged in any complaint or it appears at any time during the progress of the case that a neglected or delinquent child is in need for physical treatment, the failure to receive which is a contributing cause of neglect or delinquency, due notice of that fact shall be given as provided in section 4. If the court, upon hearing, finds that such treatment is reasonably required, he shall order the parent, guardian or custodian of the child to provide it. If this order is not obeyed within a reasonable time, the court shall require such treatment to be provided at the expense of the town in which the child resides, and recovery of the expenses thereby incurred shall be had from the person or persons chargeable

by law for the child's necessities. Upon like terms and subject to like payment, the court may order mental treatment for a neglected child. Any court finding that a juvenile is delinquent shall, before making disposition of the case as provided in section 13, order such delinquent to be taken for examination to the nearest mental hygiene clinic, having regard to time and place, that is served by the commission of mental health. If at the clinic the juvenile delinquent shall not appear to present a case for further mental study and treatment, the commission of mental health shall report to the court that fact and such other findings as may be pertinent, and the court shall dispose of the case as provided in section 13. If the juvenile shall appear to present a case for further study and treatment that fact shall be reported by the said commission to the court, and if the court finds that fact to be true, upon hearing and after notice as provided in section 4, the court may commit the juvenile to the children's study home for such further study, treatment and care. All transportation charges for juveniles in connection with their examination and study shall be paid in the same manner as provided for in connection with physical treatment, and the commission may recover for their study, treatment and care from the person or persons chargeable by law for the child's necessities. When the officers of the home are prepared to make a final report upon a juvenile committed by a court to the home, they shall transmit the report, in behalf of the commission, to the court. Such report shall contain all pertinent data as to the child's mental condition and the prognosis of the case and such other data as may be of aid to the court. The court may thereupon make such order for the disposition of the case as is authorized by section 13. If occasion appears, the court, after such order is made, may recommit the child to the home for further study, treatment and care and may thereafter modify the order disposing of the child as justice and the welfare of the child and society require, provided that such modification be within the scope of the authority conferred by section 13. All reports received by the court under this section shall be a part of the records of the court.

6. Admission to the Home of Other Children. Children not subject to proceedings in juvenile court may be admitted to the home for study, treatment and care upon such terms as the commission may determine.

7. **Discharge.** The commission may discharge any child committed to the home whenever further detention is in their opinion unnecessary or undesirable and return the child to the custody from which the home received the child.

8. **Records of the Commission.** Full and complete records shall be kept by the commission of the treatment and care of each child committed to the home and of the study of each child in both home and clinic. Such records shall only be available to any court that may have jurisdiction of the child in any matter pending in this state or to such person or persons as may be authorized by such court. Such records shall not be open to the inspection of any other persons, not on the staff of the commission, except that a justice of the superior court may in his discretion on application make an order to permit examination of the records by the prosecuting officer of any other jurisdiction in which charges of delinquency or crime are charged against the person involved. Nothing in this section shall be taken to prohibit the disclosure by the commission to the legislature or the public of the generalized facts relating to the children examined in the clinics or committed to the home, together with their conclusions as to the proper means for the control of such children and for child guidance as they draw from their experience, provided that the names and identities of particular children may not be disclosed.

9. **Capital Appropriation.** The sum of two hundred fifty thousand dollars (\$250,000) is hereby appropriated for the acquisition of lands, buildings, furniture, and equipment for said home. The state treasurer is hereby authorized, under the direction of the governor and council, to borrow said sum upon the credit of the state for the purposes herein authorized and for that purpose may issue bonds or notes in the name and on behalf of the state of New Hampshire at a rate of interest to be determined by the governor and council. The maturity dates of such bonds or notes shall be determined by the governor and council but in no case shall they be later than twenty years from the date of issue. Such bonds or notes may be renewed from time to time by the issuance of other bonds or notes in the same manner but the maturity dates of such renewed bonds or notes shall not be later than twenty years from the date of the issue of the original bond or

note renewed thereby. All such bonds or notes shall be in such form and such denominations as the governor and council shall determine, may be registerable as to both principal and interest, shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The secretary of state shall keep an account of all such bonds or notes countersigned by the governor showing the amount of the bond or note, the time of countersigning, and the date of delivery to the treasurer and the date of maturity. The state treasurer shall keep an account of each bond or note showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of sale, and the date of maturity. The treasurer may negotiate and sell such bonds or notes by direction of the governor and council in such manner as they may determine most advantageous to the state. The proceeds of the sale of such bonds or notes shall be held by the treasurer and paid out by him upon warrants drawn by the governor for the purposes of this act alone.

10. Operation and Maintenance. The sum of seventy thousand dollars (\$70,000) is hereby appropriated for the fiscal year ending June 30, 1949 for the operation and maintenance of such home and for the carrying on of such mental hygiene clinics, including the payment of salaries of the necessary personnel.

11. Takes Effect. This act shall take effect upon its passage.

[Approved July 1, 1947.]

CHAPTER 280.

AN ACT RELATING TO THE RACING COMMISSION.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Duties of Assistants. Amend section 4 of chapter 171 of the Revised Laws by inserting after the word "prescribed" in the fifth line thereof the words: The commission shall specify the duties to be performed by its assistants and employees and it shall have authority, for cause to terminate the employment of any member of its personnel; and by inserting

after the word "employee" in the seventh line the words, except police officers, so that said section as amended shall read as follows: **4. Assistants.** The commission, with the approval of the governor and council, is authorized to employ such assistants and employees as it may deem necessary to provide adequate policing and to carry out the purposes hereof at such compensation on a *per diem* basis as the commission may prescribe. The commission shall specify the duties to be performed by its assistants and employees and it shall have authority, for cause, to terminate the employment of any member of its personnel. It shall be unlawful, however, for the commission to appoint to any position under its jurisdiction any state, county, city, or town official or employee, except police officers, whose total annual salary or compensation from said state, county, city, or town exceeds one thousand dollars.

2. Employees of Licensees. Amend section 11 of chapter 171 of the Revised Laws by inserting after the word "hearing" in the ninth line thereof, the words: The commission may at any time for cause require the removal of any employee or official employed by any licensee hereunder, so that said section as amended shall read as follows: **11. Issuance of Licenses.** If the commission is satisfied that all the provisions hereof and the rules and regulations prescribed have been and will be complied with by the applicant, it may issue a license which shall expire on the thirty-first day of December. The license shall set forth the name of the licensee, the place where the races or race meets are to be held, and the time and number of days during which racing may be conducted by said licensee. Any license issued shall not be transferable nor assignable. Said commission shall have power to revoke any license for good cause upon reasonable notice and hearing. The commission may at any time for cause require the removal of any employee or official employed by any licensee hereunder. The license of any corporation shall automatically cease upon the change in ownership, legal or equitable, of fifty per cent or more of the voting stock of the corporation and the corporation shall not hold a running or harness horse race or meet for public exhibition without a new license.

3. Hours. Amend section 8, chapter 171, Revised Laws, by adding at the end thereof the words, nor any weekday

after seven o'clock P. M. eastern standard time, so that said section as amended shall read as follows: **8. Rules and Regulations.** Said commission shall make rules and regulations for the holding, conducting, and operating of all running or harness horse races or meets for public exhibition and for the operation of race tracks on which any such race or meet is held. No such race or meet shall be permitted on Sunday nor any weekday after seven o'clock P. M. eastern standard time.

4. Takes Effect. This act shall take effect upon its passage.

[Approved July 1, 1947.]

CHAPTER 281.

AN ACT RELATING TO THE REGULATION AND DEVELOPMENT OF
AERONAUTICS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Declaration of Purpose. Amend section 2 of chapter 306 of the Revised Laws by adding after paragraph (c) the following new paragraph: (d) Providing for the protection and promotion of the public interest and safety in connection with the operation of aircraft.

2. Investigations. Amend said chapter 306 by inserting after section 8 the following new section: **8-a. Investigations.** The commission, or the director when authorized by the commission, shall have the power to hold investigations, inquiries and hearings concerning aircraft accidents and violations or in connection with any matter relating to aeronautics and is authorized to do so jointly with any agency of the United States.

3. Aeronautics. Amend section 12 of said chapter 306 by striking out the same and inserting in place thereof the following: **12. State Airways System.** The state airways system is hereby declared to consist of all air navigation facilities available for public use now existing or hereafter established, whether publicly or privately owned and whether natural or man made, except those under the jurisdiction of the federal

government. It is hereby declared that jurisdiction over the state airways system is vested in the commission and that expenditure of state funds in the interest of safety on any or all of the facilities of this system serves a useful public purpose and satisfies a public need. The commission shall prescribe the terms and conditions of the activities authorized for each such facility.

4. Federal Aid Airport Funds. Amend said chapter 306 by inserting after section 15 the following new section: **15-a. Federal Aid Airport Funds.** No municipality in this state, whether acting alone or jointly with another municipality or with the state, shall submit to the Administrator of Civil Aeronautics of the United States any project application under the provisions of Section 9 (a) of the Act of Congress approved May 13, 1946, being a Public Law 377, 79th Congress, known and hereinafter designated as the "Federal Airport Act," or any amendment thereof, unless the project and the project application have been first approved by the commission. No such municipality shall directly accept, receive, receipt for, or disburse any funds granted by the United States under the Federal Airport Act, but it shall designate the director of aeronautics as its agent and in its behalf to accept, receive, receipt for and disburse such funds. It shall enter into an agreement with the director prescribing the terms and conditions of such agency in accordance with federal laws, rules and regulations and applicable laws of this state. Such moneys as are paid over by the United States government shall be retained by the state or paid over to said municipality under such terms and conditions as may be imposed by the United States government in making such grant.

5. Use of Air Navigation Facilities. Amend section 16 of said chapter 306 by inserting after the word "facilities" in the fifth line the words, prescribing the same minimum standards for all operators, and by adding at the end thereof the following: Such a contractual or lease agreement shall be adequate in its terms as to duration so as to assure permanence and stability to an operator in the use of the airport for any aeronautical business or operation up to the capacity of the airport with respect to air safety, so that said section as amended shall read as follows: **16. Use of Air Navigation Facilities.** There shall be no exclusive right for the use of any landing area or air navigation facility upon which state

or federal funds have been expended. Provided, that the state or a town acquiring air navigation facilities under the provisions of this chapter, is authorized to contract for or lease to any person the use of the facilities, prescribing the same minimum standards for all operators, and may establish reasonable rent or fees therefor. Such a contractual or lease agreement shall be adequate in its terms as to duration so as to assure permanence and stability to an operator in the use of the airport for any aeronautical business or operation up to the capacity of the airport with respect to air safety.

6: Airport Site. Amend said chapter 306 by inserting after section 17 the following new sections: **17-a. Approval.** Any municipality or person desiring or planning to construct or establish an airport prior to the acquisition of the site or prior to the construction or establishment of the proposed airport, may make application to the commission for approval of the site. The commission shall, with reasonable dispatch, grant approval of the site if it is satisfied: (1) that the site is adequate for the proposed airport; (2) that such proposed airport, if constructed or established, will conform to minimum standards of safety; and (3) that safe air traffic patterns could be worked out for such proposed airport and for all existing airports and approved airport sites in its vicinity. An approval of a site may be granted subject to any reasonable conditions which the commission may deem necessary to effectuate the purposes of this section, and shall remain in effect, unless sooner revoked by the commission, until a license for an airport located on the approved site has been issued pursuant to section 17-b. The commission, after notice and opportunity for hearing to holders of certificates of an approval, may revoke such approval when it shall reasonably determine (1) that there has been an abandonment of the site as an airport site, or (2) that there has been a failure within the time prescribed, or if no time was prescribed, within a reasonable time, to develop the site as an airport or to comply with the conditions of the approval, or (3) that because of changed circumstances the site is no longer usable for the aeronautical purposes for which the approval was granted. No approval shall be required for the site of any existing airport. **17-b. Airport Licenses.** The commission shall, with reasonable dispatch, upon receipt of an application for an original license and the payment of the duly required fee therefor, issue an

appropriate license if it is satisfied that the airport conforms to minimum standards of safety and that safe air traffic patterns can be worked out for such airport and for all existing airports and approved airport sites in its vicinity. All licenses shall be subject to the provisions of sections 19, 20, 21 and 22 of this act as to form of application, fees, effective date, duration and non-transferability. Licenses and renewals thereof may be issued subject to any conditions that the commission may deem necessary. After notice and opportunity for hearing to the licensee, the commission may revoke any license or renewal thereof, or refuse to issue a renewal, when it shall determine (1) that there has been an abandonment of the airport as such, or (2) that there has been a failure to comply with the conditions of the license or renewal thereof, or (3) that because of changed circumstances the airport has become either unsafe or unusable for the aeronautical purposes for which the license or renewal was issued.

7. **Aircraft Dealer Registration Certificate.** Amend section 29 of said chapter 306 by adding after paragraph VIII the following new paragraph: IX. For each aircraft dealer's registration certificate for ferrying and demonstration purposes, one dollar.

8. **Airways Toll.** Amend said chapter 306 by inserting after section 30 the following section: **30-a. Airways Toll.** There is hereby imposed an airways toll of four cents per gallon upon the sale of each gallon of motor fuel or fuel as defined in chapter 65, Laws of 1943, sold to and used in, the propulsion of aircraft. The airways toll shall be subject to the exemptions provided for government sales by section 3 of chapter 65, Laws of 1943. The amount of motor fuel or fuel sold to and used in the propulsion of aircraft shall be determined by, and the toll shall be collected by, the commissioner of motor vehicles, under the authority and procedure established by the provisions of chapter 65, Laws of 1943, and the commissioner of motor vehicles may further promulgate and establish such additional rules, regulations and procedures as he may deem necessary in the collection and allocation of the airways toll provided herein. In the case of sales of fuel, the airways toll shall be collected at the time of the sale of such fuel and payment made to the commissioner in the same manner as in the case of motor fuel. The com-

missioner shall pay monthly to the state treasurer all revenue collected in accordance with the foregoing provisions.

9. Aeronautical Fund. Amend section 32 of said chapter 306 by striking out the same and inserting in place thereof the following: **32. Aeronautical Fund.** There is hereby established in the state treasury a fund to be known as the aeronautical fund. All fees and fines or other income received by the commission under the provisions hereof; all revenue from the airways toll; and moneys herein or hereafter appropriated to carry out the provisions hereof shall be kept by the state treasurer in said aeronautical fund to be paid out by him upon warrants drawn by the governor with the advice and consent of the council for the purpose of this chapter subject to the following limitations on the revenue derived from the airways toll; one-half shall be used for the establishment and maintenance of air navigation facilities on the state airways system and one-half shall be used for the repayment of bonds or notes authorized hereunder. Subject to budgetary limitations, the aeronautical fund is annually appropriated for the use of the commission during the fiscal year of its receipt by the state treasurer and the unexpended balance of said fund shall be carried forward and added to the appropriation for the subsequent year.

10. Appropriation; Bonds or Notes Authorized. Amend section 33 of said chapter 306 by striking out the said section and inserting in place thereof the following new sections:

33. Appropriations; Bonds or Notes Authorized. The sum of one hundred fifty thousand dollars is hereby appropriated to be used as needed for the purpose of equal matching of town funds for the construction of airports, excluding the cost of land and buildings, under the Federal Aid Airport Program or for equal matching of town funds for the construction of airports, excluding the cost of land and buildings, by state contributions not in excess of five thousand dollars and to provide funds for said appropriation the state treasurer is hereby authorized under the direction of the governor and council to borrow upon the credit of the state not exceeding one hundred and fifty thousand dollars and for that purpose may issue bonds or notes in the name and on behalf of the state of New Hampshire. The treasurer shall recommend for the approval of the governor and council the form of such bonds, their rate of interest, the dates of maturity, the places where interest

and principal shall be paid and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The proceeds of the sale of such bonds or notes shall be held by the treasurer and paid out by him upon warrants drawn by the governor for the purposes of this act only, and the governor, with the advice and consent of the council, shall draw warrants for the payment from the funds provided for herein of all sums expended or due for the purposes herein authorized. Such bonds shall be negotiated by the treasurer by direction of the governor and council as they deem to be most advantageous to the state.

33-a. Accounts. The secretary of state shall keep an account of all such bonds or notes countersigned by the governor, showing the number and amount of each bond or note, the time of countersigning, the date of delivery to the treasurer and the date of maturity. The state treasurer shall keep an account of each bond or note showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of sale and the date of maturity.

33-b. Short-Term Notes. Prior to the issuance of the bonds or notes hereunder the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short-term loans to be refunded by the issuance of bonds or notes hereunder, provided, however, that at no time shall the indebtedness of the state on such short-term loans exceed the sum of one hundred and fifty thousand dollars.

11. Takes Effect. This act shall take effect on September 1, 1947.

[Approved July 1, 1947.]

CHAPTER 282.

AN ACT RELATIVE TO LIABILITY OF HOTEL KEEPERS FOR LOSSES
BY GUESTS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Hotel Keepers. Amend section 1 of chapter 208 of the Revised Laws by striking out said section and inserting in

place thereof the following: **1. Liability for Losses.** No hotel keeper, inn keeper, operator of over-night cabins, motor courts, or similar establishments, (hereinafter referred to as hotel keeper) shall be liable to a guest for the loss of wearing apparel or baggage belonging to such guest, where it shall appear that such loss takes place from the room or rooms assigned to such guest and provided such hotel keeper proves affirmatively that such loss was not caused or contributed to by his negligence or fault, or was caused solely by the negligence of such guest and in no case shall recovery for such loss exceed the sum of three hundred dollars. A hotel keeper shall provide a suitable safe in his hotel for the safe-keeping of money, jewelry, precious stones, watches, negotiable securities and other valuables belonging to the guests of such hotel and if such hotel keeper gives notice thereof by posting in the rooms of such guests and in the office of the hotel, in a conspicuous manner, a notice containing a copy of this section and stating therein the fact that such safe is provided in which such property may be deposited, such hotel keeper shall not be liable to any guest for the loss by theft, or otherwise, of any such property not delivered, or offered to be delivered, to the person in charge of the office of such hotel for deposit in such safe, provided such hotel keeper proves affirmatively that such loss was not caused or contributed to by his negligence or fault, or was caused solely by the negligence of such guest, and such hotel keeper shall not be liable to any guest for any sum in excess of one thousand dollars on account of the loss by theft, or otherwise, of any such property received for deposit, except by special contract in writing stating the kind and value of the property received and the kind and extent of the liability of the hotel keeper. Nor shall such hotel keeper be liable in any sum for the loss of other property, including wearing apparel and personal baggage, belonging to any guest and not within the room or rooms assigned to him, unless the same is specially entrusted to the care and custody of such hotel keeper or agents or servants.

2. Takes Effect. This act shall take effect upon its passage.

[Approved July 1, 1947.]

CHAPTER 283.

AN ACT RELATING TO COMPENSATION OF TRUSTEES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Trustees. Amend chapter 363, Revised Laws, by inserting after section 19 the following new section: **20. Compensation.** A trustee shall be allowed his reasonable expenses incurred in the execution of his trust; and unless otherwise expressly provided in the trust instrument, he shall have such reasonable compensation for services as the judge may allow. Unless otherwise expressly provided in the trust instrument, such compensation and expenses may be apportioned between principal and income as the judge may determine equitable.

2. Takes Effect. This act shall take effect upon its passage.

[Approved July 1, 1947.]

CHAPTER 284.

AN ACT RELATIVE TO THE SALARIES OF THE COMMISSIONERS OF ROCKINGHAM AND MERRIMACK COUNTIES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Rockingham and Merrimack Counties. Amend section 27 of chapter 47 of the Revised Laws, as amended by chapters 119, 150, 195 and 202 of the Laws of 1943, by section 1, chapter 66 of the Laws of 1945 and section 1, chapter 163, Laws of 1945, by striking out the words "ten hundred" where they occur in the fourth and seventh lines and inserting in place thereof the words, fifteen hundred, so that said section as amended shall read as follows: **27. Commissioners.** The annual salary of each commissioner of the following counties shall be as follows, payable monthly by the county:

In Rockingham, fifteen hundred dollars.

In Strafford, twelve hundred dollars.

In Belknap, twelve hundred dollars.

In Merrimack, fifteen hundred dollars.

In Hillsborough, twenty-seven hundred dollars.

In Cheshire, one thousand dollars.

In Sullivan, ten hundred dollars.

In Grafton, ten hundred dollars.

In Coos county each commissioner, when employed in the business of the county, shall receive five dollars a day, payable as hereinbefore provided. In Carroll county each commissioner, when employed in the business of the county, shall receive eight dollars a day, payable as hereinbefore provided. To the foregoing sums shall be added, in all the counties, a reasonable sum for all necessary expenses, upon order of the county auditors.

2. Rockingham County. For each of the periods from January 1, 1947 to January 1, 1948, and from January 1, 1948 to January 1, 1949, each county commissioner of the county of Rockingham shall be allowed and paid by the county the sum of three hundred dollars which said temporary compensation shall be in addition to the salary provided by section 27 of chapter 47 of the Revised Laws as hereinbefore amended. Said additional compensation shall be payable as provided in said section 27.

3. Takes Effect. This act shall take effect as of January 1, 1947.

[Approved July 1, 1947.]

CHAPTER 285.

AN ACT RELATIVE TO THE PRACTICE OF NURSING.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Practice of Nursing. Amend chapter 257 of the Revised Laws by striking out said chapter and inserting in place thereof the following:

Chapter 257

The Practice of Nursing

1. Board of Nurse Examiners. There shall be a board of five nurse examiners, one to be appointed each year by the commissioner of education from a list of two nominated by

the graduate nurses' association of New Hampshire. The term of office of each shall be five years and until a successor is appointed and qualified. Vacancies shall be filled in like manner for the unexpired term. No person shall be nominated for office as such board members unless he shall have had not less than five years of successful experience in the nursing profession, not less than two years of which experience shall have been in the field of nursing education. The board of nurse examiners shall be responsible for the direction and supervision of nursing education in all the schools of nursing in the state.

2. Director of Nursing Education. Said board, upon nomination of the commissioner of education and the approval of the governor and council, shall appoint a director of nursing education, whose salary shall be fixed by the board and who shall serve at the pleasure of the board. The duties of said director shall be defined by the board and shall include direction and supervision of the educational program in all schools of nursing in the state.

3. Rules, Reports. The board, with the advice of the commissioner of education, shall make all necessary rules for the examination of nurses applying for certification hereunder, and shall report annually to the governor the receipts and expenditures under the provisions hereof.

4. Compensation. Each member of the board of examiners shall be paid five dollars for each day actually engaged on official duties hereunder, and shall be reimbursed for actual expenses incurred therein. Said compensation and expenses shall be paid by the state to an amount not exceeding the fees received hereunder.

5. Definition. A person shall be deemed to be practicing nursing within the provisions of this chapter who for compensation or personal profit performs any professional services requiring the application of principles of nursing based on biological, physical and social sciences, such as responsible supervision of a patient requiring skill in observation of symptoms and reactions and the accurate recording of the facts and carrying out of treatments and medications as prescribed by a licensed physician, and the application of such nursing procedures as involve understanding of cause and effect in order to safeguard life and health of a patient and others.

6. Registration. Any person of good moral character over twenty-one years of age who is a citizen of the United States or who has legally declared his intention of becoming one or who is a citizen of a Canadian province, who holds a diploma from a state accredited school of nursing giving a course of at least three years or its equivalent in a university or college of nursing, affiliated with an institution or institutions approved by the board of nurse examiners as maintaining in this and other respects adequate standards, all of which shall be determined by the said board, and who shall have received from the board a certificate of qualification to practice as a registered nurse, shall be styled and known as a registered nurse and no other person shall assume such title or use the abbreviation R. N. or any other words, letters, or figures to indicate that the person using the same is a registered nurse.

7. Reciprocal Registration. Any person from another state registered by the board as maintaining standards not lower than those provided by this chapter, who shall show to the satisfaction of the board that he is properly and duly registered for the practice of nursing in such state, upon the payment of the fee for a certificate of qualification provided herein, shall be entitled to registration in this state without an examination.

8. Fees. Each person applying for certification of qualification to practice as a registered nurse, or for examination and such certification, shall pay to the commissioner of education a fee of ten dollars. The commissioner shall pay all fees so received and all fees from annual permits to the state treasurer who shall keep the same in a separate fund to be used only for the purposes of the board of nurse examiners hereunder.

9. Revocation. The board may revoke any certificate of qualification to practice nursing for sufficient cause after fourteen days' notice in writing to the holder thereof and a hearing. Such notice shall contain a statement of the grounds upon which the complaint is based. The hearings upon such complaints shall be conducted in private, except upon the special request of the party complained of. No person shall practice nursing under any revoked certificate.

10. Annual Permit. Any person who has at any time received a certificate of qualification to practice as a regis-

tered nurse, whether in this or any other state and intends to engage in the practice of nursing in this state, shall annually before July first file his name and address with the commissioner of education and pay to the commissioner a fee of one dollar, whereupon, if he has complied with all the requirements of this chapter, and the rules and regulations of the board of nurse examiners, he shall be granted a permit which shall entitle him to engage in the practice of nursing for the period ending on July first next following.

11. Prohibition. No person shall engage in the practice of nursing in this state unless he has received a certificate of qualification to practice and unless he has received an annual permit to so practice.

12. Persons Excepted. This chapter shall not apply to the gratuitous nursing of, or caring for the sick by friends or members of the family, nor to any person nursing the sick for hire who does not in any way assume to be a registered nurse. Provided further that a legally qualified nurse from another state may engage in the practice of nursing in this state, for a period not to exceed six months, if during said period application has been made for reciprocal registration hereunder.

13. Public Health Nursing. No person shall engage in any of the various forms of public health nursing unless he is a registered nurse and holds valid annual permit as provided in section 10; provided that this section shall not affect any person who, previous to July 1, 1925, has been employed in this state in said capacity.

14. False Representations. Any person who shall wilfully make any false representation in applying for a certificate of qualification or annual permit shall be fined not less than one hundred nor more than five hundred dollars.

15. Penalty. Whoever violates any other provision of this chapter shall be fined not less than one hundred dollars.

2. Appropriation. For the purpose of carrying out the provisions hereof there is hereby appropriated the sum of three thousand seven hundred and fifty dollars for the fiscal year ending June 30, 1948, and a like sum for the fiscal year ending June 30, 1949. The sums hereby appropriated by the state shall be expended under the direction of the board of nurse examiners and the governor is authorized to draw his

warrant for said sums out of any money in the treasury not otherwise appropriated. The sums appropriated under the provisions of this section shall be in addition to any fees received by said board of nurse examiners under the provisions of chapter 257 as hereinbefore amended. Any funds provided hereunder which are not expended in any fiscal year shall lapse into the general funds of the state.

3. Takes Effect. This act shall take effect as of July 1, 1947.

[Approved July 1, 1947.]

CHAPTER 286.

AN ACT TO PROVIDE STATE AID FOR LOW-RENT HOUSING.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Finding of Necessity and Purpose. It is hereby declared that there exists an acute shortage of housing for low-income inhabitants of the state, including many veterans of World War II, and their families, and that they are unable to obtain adequate, safe and sanitary dwelling accommodations within their financial means; that the resulting conditions of insecurity, overcrowding, use of unsound and unsanitary buildings and dislocation of family life are disruptive of family life, injuries to health and safety and detrimental to morale and constitute a dangerous threat to the well-being of the entire state; that private enterprise is not able to satisfactorily alleviate this shortage due to high material and labor costs; that the general welfare and security of the state and the health and living standards of its people require a production of residential construction and related community development sufficient to remedy the serious cumulative housing shortage, to provide homes for returned veterans and their families, and to provide homes for industrial workers; that it is in the public interest that work on housing projects for low-income families be commenced as soon as possible to alleviate the housing shortage which now constitutes an emergency; and that the necessity in the public interest for the provisions hereinafter enacted is a matter of legislative determination.

2. **Policy.** It is hereby declared to be the policy of the state of New Hampshire to promote the general welfare of the state by employing its credit and its funds to assist the cities and towns through local housing authorities to alleviate the shortage of decent, safe and sanitary dwellings for families of low income (as defined in section 3, chapter 169, Revised Laws); and to authorize the early planning and commencement of construction of low-rent housing projects, to be transferred, if advisable, from the program of financial assistance by the state to the program of federal assistance, when such is made available.

3. **Designation.** Sections 1-30 inclusive, of chapter 169 of the Revised Laws, as amended, are hereby designated Part I of said chapter.

4. **Definition.** For the purposes of Part II and Part III hereafter, the definition of "Federal Government" set forth in Part I, chapter 169, as amended, shall include the state government.

5. **State Housing Board.** Amend chapter 169 of the Revised Laws by adding after Part I, as hereinbefore numbered, the following new parts:

Part II

State Housing Board

1. **State Housing Board; Creation.** For the purpose of effecting the provisions of this chapter, there shall be a state housing board composed of four members to be appointed by the governor with the advice and consent of the council, one of whom shall be designated by the governor as chairman, and the executive director of the state planning and development commission, *ex officio*. Not less than two members shall be veterans. The members who are first appointed shall be designated to serve for terms of one, two, three, and four years, respectively, but thereafter the term of office shall be four years, and each member shall continue in office until his successor has been appointed and qualified, subject to removal for cause by the governor and council. If a vacancy occurs, it shall be filled for the remainder of the term. The majority of the board shall constitute a quorum.

2. **Compensation.** All the members of the board shall serve without salary, but they may receive such compensation

for attending meetings as may be fixed by the governor and council, with reasonable expenses incurred in the performance of their duties.

3. Powers. The state housing board shall have power:

(a) to adopt such regulations for carrying out the terms of this act as they shall find necessary and desirable;

(b) to collect and correlate information regarding housing projects and housing laws either within or without the state, and upon request to furnish local housing authorities, cities or towns, information and advice in connection with any housing project;

(c) to appoint such employees and contract for such consultants as they shall find necessary, and to fix their compensation, subject to the approval of the governor and council;

(d) with the consent of the governor and council, to enter into contracts with local housing authorities in the name of the state for assistance to one or more housing projects;

(e) to enforce any of its authorized orders in the courts of the state;

(f) to do such other acts or perform such other duties in connection with housing as may from time to time be authorized or delegated to it by the governor and council or the legislature.

Part III

State Assistance for Low-rent Housing Projects

1. Contracts for State Assistance of Housing Projects.

The state housing board may, in the name of the state, subject to the approval of the governor with the advice and consent of the council, enter into contracts with local housing authorities for assistance of one or more housing projects. Each such contract shall be based on a separate application made by a housing authority to the board. Eligibility for the state assistance of any housing project shall be determined by the board. All contracts for the construction or reconstruction of all buildings hereunder shall be awarded to the lowest responsible bidder submitting a sealed bid after an advertisement calling for bids has been published at least once in two successive weeks in a newspaper in general circulation in New Hampshire. The first publication of such advertisement shall be not less than thirty days prior to the

date upon which bids are received. If not more than one bid is received the local authority subject to approval of state housing board may negotiate a contract upon terms which it may deem most advantageous to the authority. The authority may reject any or all bids.

2. Form of Assistance. Contracts for state assistance of a housing project may provide for guarantee of temporary notes issued by the housing authority to finance the cost of the housing project prior to the issuance of definitive bonds, and for annual subsidies after the definitive bonds are sold, to assist in achieving and maintaining the low-rent character of the project. State guarantee of any temporary notes hereunder shall be made as provided in section 3. All bonds issued under the provisions of this act shall be sold (1) at public sealed bidding (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire, the first publication being not less than thirty days prior to the day the bids will be received, and (3) to the highest bidder. The governor and council may reject any and all bids, and/or negotiate with the highest bidder.

3. Temporary Notes. In anticipation of the sale of definitive bonds to meet the cost of a housing project authorized under a contract for assistance by the state, an authority may sell temporary notes in an amount not in excess of the cost of the housing project as approved by the state housing board in the contract for assistance with the authority. Any such note or notes may be refunded through the sale of similar notes, but no such refunding note or notes shall be issued after the sale of the definitive bonds covering the cost of the housing project. Notwithstanding the provisions of section 14, Part I of this chapter as amended, the payment of the principal of and interest on all such notes may be guaranteed by the state, as hereinafter provided, and the full faith and credit of the state is pledged for any such guarantee. No authority shall sell or offer for sale any such note or notes without receiving from the state housing board approval of the amount, the term, the time of sale, and any other conditions of sale which the board may deem relevant in connection with the sale of such note or notes. The state's guarantee of the pay-

ment of the principal of and interest on any such note or notes may be extended and shall take effect only upon affirmative vote of the board, subject to the approval of the governor with the advice and consent of the council, approving such guarantee on each issue of a note or notes prior to the negotiation thereof. The total amount of such notes outstanding shall not exceed seven million dollars at any one time.

4. Annual Subsidies. Each contract for assistance to a housing project entered into between the state and an authority shall provide that the state shall pay to the authority, out of moneys appropriated therefor by the state, annual subsidies to assist in achieving and maintaining the low-rent character of the housing project; provided, however, that the total amount of annual subsidies contracted for shall not exceed in any one year two hundred forty-five thousand dollars (\$245,000). The annual subsidies for any one housing project shall be payable in the amount of three and one-half per cent of the cost of the housing project as determined by the state housing board, and for the fixed period during which the definitive bonds issued to finance the cost of the housing project or any refunding bonds remain outstanding but in no event for more than forty-five years. Each such contract shall provide that (a) whenever in any year the receipts of an authority in connection with a housing project exceed its expenditures (including debt service, administration, establishment of reserves, and other costs) for that housing project, an amount equal to such excess shall be paid into the state treasury by the authority and there set aside for application toward the payment of subsequent annual subsidies, (b) the payment of annual subsidies shall begin after the authority has financed the cost of the housing project by the sale of its definitive bonds, (c) payment shall be made by the state at least fifteen days prior to the date or dates when instalments of principal become due and payable and (d) payment shall be made by the state treasurer upon the filing of a certificate prepared by the state housing board and approved by the governor and council certifying the amount of money to be paid, the date of payment and the payee.

The full faith and credit of the state is pledged to the payment of all annual subsidies contracted for by the state. When a contract for annual subsidies or the payments thereunder are pledged by an authority as security for bonds or

other indebtedness of the authority, the obligation to perform such contract and to make payments thereunder shall be absolute and unconditional so long as such bonds or other indebtedness and interest thereon are outstanding and unpaid, provided the terms of such bonds or such indebtedness or the resolutions or agreements in connection therewith do not mortgage the property constituting any part of the housing project to which the subsidies relate and contain a covenant by an authority against any conveyance or mortgaging of such property. Any conveyance or mortgage in violation of such covenant shall be void. In the event of a violation or attempted exercise by any party of any rights under such conveyance or mortgage (even though it is void), the state shall be entitled to take immediate possession of the project and, until in the opinion of the state housing board the possibility of the transfer of title, possession or control by or from the authority has been removed, to retain possession and operate the project in the place and stead of the authority, with all the rights and powers of the authority and subject to all its obligations respecting the possession and operating of the housing project, and the revenues therefrom. Definitive bonds issued by local authorities, whose payment is secured by pledge of annual state subsidy payments, may contain provision for the calling of such bonds at not less than par upon transfer of the project or projects which were financed by such bonds, to federal assistance as provided in section 6. The form and terms of all such definitive bonds shall be approved by the state housing board prior to the sale thereof.

5. Tax Exemption. No state subsidies shall be made available for any project unless and until the municipality in which such project is situated shall contract, or have contracted to exempt the housing project from local or municipal taxes to the extent permitted by section twenty-three, Part I; provided that such contract shall require an authority to make a payment in lieu of taxes at the end of each fiscal year of not less than ten per cent nor more than twenty per cent of the shelter rent collected.

6. Transfer of Projects to Federal Assistance. Upon the availability of federal financial assistance for low-rent housing projects, each authority which has a contract for assistance by the state pursuant to the provisions of this chapter shall, upon the receipt of written notice from the state hous-

ing board, immediately enter into negotiations with the federal government to arrange for federal financial assistance for such housing project and for the termination of financial assistance by the state. For any such housing project the state housing board is authorized to order any authority (a) to apply for federal financial assistance for any such housing project, (b) upon the approval of the federal government, to enter into a contract or contracts for federal assistance, and (c) upon the execution by the authority and the federal government of a contract or contracts for federal assistance, to terminate the contract for assistance by the state, and to call bonds the payment of which is secured by pledge of state assistance; provided such action is determined by the board to be financially expedient.

6. Appropriations. I. There is hereby appropriated the sum of eighteen thousand dollars for the fiscal year 1947-1948, and the sum of twelve thousand dollars for the fiscal year 1948-1949, or so much thereof as the governor and council may find necessary, for the expenses of the state housing board as herein created.

II. There is hereby annually raised, as hereinafter provided, and appropriated the sum of two hundred forty-five thousand dollars or so much thereof as may be necessary upon certification by the state housing board as herein required, for the purpose of paying the annual state subsidies provided under section 4, Part III, chapter 169 of the Revised Laws, as hereinbefore inserted. The state treasurer is hereby authorized, under the direction of the governor and council, to borrow on the credit of the state from time to time, not exceeding a total of two hundred and forty-five thousand dollars in any one fiscal year, for the purpose of carrying into effect the provisions of this act and for that purpose may issue bonds or notes in the name and on behalf of the state of New Hampshire at a rate of interest to be determined by the governor and council. The maturity dates of such bonds or notes shall be determined in each case by the governor and council but in no case shall they be later than twenty years from date of issue. Such bonds or notes may be renewed from time to time by the issuance of other bonds or notes in the same manner, but the maturity dates of such renewed bonds or notes shall not be later than twenty years from the date of the issue of the original bond or note renewed thereby. All

such bonds or notes shall be in such form and such denominations as the governor and council shall determine, may be registerable as to both principal and interest, shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The secretary of state shall keep an account of all such bonds or notes countersigned by the governor, showing the number and amount of each bond or note, the time of countersigning, the date of delivery to the treasurer and the date of maturity. The state treasurer shall keep an account of each bond or note showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale and the date of maturity. The treasurer may negotiate and sell such bonds or notes by direction of the governor and council in such manner as they may determine most advantageous to the state. The proceeds of the sale of such bonds or notes shall be held by the treasurer and paid out by him upon warrants drawn by the governor, upon certification by the state housing board, for the purposes of this act alone.

7. Takes Effect. This act shall take effect upon its passage, but no contract with a housing authority for state assistance for a housing project shall be entered into after June 30, 1951.

[Approved July 1, 1947.]

CHAPTER 287.

AN ACT APPROPRIATING FUNDS FOR CONSTRUCTION OF AN EDUCATIONAL BUILDING AT THE STATE INDUSTRIAL SCHOOL.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Appropriation. The sum of four hundred thousand dollars (\$400,000) is hereby appropriated for the purpose of constructing, furnishing and equipping an educational building at the state industrial school at Manchester, New Hampshire, together with certain changes in heating, water supply and electrical lines and for repairs to the wings in the rear of the so-called Old building caused by fire damage and for the

demolition of the walls of said Old building. The appropriation hereby made and the sum made available for this project shall be expended under the direction of the governor and council and the work shall be done in accordance with plans and specifications approved by said governor and council. All contracts for the purchase of equipment and the construction of all or any part of said building and reconstruction shall be let (1) at public sealed bidding, (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper in general circulation in New Hampshire, the first publication being not less than thirty days prior to the date the bids will be received, and (3) to the lowest responsible bidder.

2. Bonds or Notes Authorized. To provide funds for the appropriation made in section 1 hereof, the state treasurer is hereby authorized under the direction of the governor and council to borrow upon the credit of the state not exceeding the sum of four hundred thousand dollars and for that purpose may issue bonds or notes in the name and on behalf of the state of New Hampshire. The governor and council shall determine the form of such bonds or notes, their rate of interest, the dates when interest shall be paid, the dates of maturity, the places where principal and interest shall be paid and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor, and shall be deemed a pledge of the faith and credit of the state. The proceeds of the sale of such bonds or notes shall be held by the treasurer, and paid out by him upon warrants drawn by the governor for the purposes of this act alone and the governor with the advice and consent of the council, shall draw his warrants for the payment from the funds provided for herein of all sums expended or due for the purposes herein authorized. All bonds or notes (except short-term loans) issued under the provisions of this act shall be sold (1) at public sealed bidding, (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire, the first publication being not less than thirty days prior to the day the bids will be received, and (3) to the highest bidder.

3. Accounts. The secretary of state shall keep an account of all such bonds or notes countersigned by the governor,

showing the number and amount of each bond or note, the time of countersigning, the date of delivery to the treasurer and the date of maturity. The state treasurer shall keep an account of each bond or note showing the number thereof, the name of the person to whom sold, the amount received for same, the date of the sale and the date of maturity.

4. Short-Term Notes. Prior to the issuance of the bonds or notes hereunder the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short-term loans, which may be refunded by the issuance of the bonds or notes hereunder, provided, however, that at no one time shall the indebtedness of the state on such short-term loans exceed the sum of four hundred thousand dollars.

5. Takes Effect. This act shall take effect upon its passage.

[Approved July 1, 1947.]

CHAPTER 288.

AN ACT RELATING TO THE POWERS OF TRUST COMPANIES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Trust Companies. Amend section 31 of chapter 313 of the Revised Laws as amended by section 2, chapter 84, Laws of 1945, by striking out the words "twenty-five per cent" therein, and inserting in place thereof the words, fifty per cent, so that said section as amended shall read as follows:
31. In General. Such corporation may be authorized and empowered to receive on deposit, storage or otherwise, money, securities, jewelry, documents, evidences of debt, and other personal property of a similar character, for safe keeping, upon such terms or conditions as may be agreed upon, which said deposits may be made by corporations and persons acting individually or in any fiduciary capacity; to collect and disburse the income and principal of said property when due; to advance or loan money or credits on personal security or property; to advance or loan not exceeding fifty per cent of its capital and surplus on notes secured by first mortgage of real

estate situated in the New England states, but no such loan shall exceed seventy per cent of the value of the security except that in applying the foregoing limitations no consideration shall be given to such portion of any note as may be guaranteed by the Administrator of Veterans' Affairs under Title III of the Servicemen's Readjustment Act of 1944, as the same may be amended from time to time or insured by the federal housing administrator provided that such insurance is payable in cash or in debentures guaranteed as to principal and interest by the United States; to advance or loan on notes wholly guaranteed by the Administrator of Veterans' Affairs under Title III of the Servicemen's Readjustment Act of 1944, as amended from time to time, or wholly insured by the federal housing administrator, provided that such insurance is payable in cash or in debentures guaranteed as to principal and interest by the United States; to negotiate, purchase, and sell stocks, bonds, and other evidences of debt; to do a general banking business; and to conduct a savings bank business.

2. Takes Effect. This act shall take effect upon its passage.

[Approved July 1, 1947.]

CHAPTER 289.

AN ACT RELATING TO THE GENERAL FUNDS OF THE STATE.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Transfer of Funds to General Funds. A sum not exceeding six million seven hundred fifty thousand dollars for the fiscal year ending June 30, 1948, and a sum not exceeding six million seven hundred fifty thousand dollars for the fiscal year ending June 30, 1949, are hereby appropriated for the use of the state for general purposes and such sums shall be a charge upon the special fund constituted by chapter 126, Laws of 1931, as amended. The state treasurer, at such times and in such amounts as the governor and council may determine, within the limits hereinbefore provided, may trans-

fer such sums from said special fund to the general funds of the state.

2. **Takes Effect.** This act shall take effect July 1, 1947.
[Approved July 1, 1947.]

CHAPTER 290.

AN ACT MAKING SUPPLEMENTAL APPROPRIATIONS FOR THE EXPENSES OF THE STATE OF NEW HAMPSHIRE FOR THE YEAR ENDING JUNE 30, 1947.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. **Appropriation.** The sum of six hundred and fifty-nine thousand one hundred and fifty dollars is appropriated to be paid out of the treasury of the state for the purpose of supplementing appropriations made under chapter 212 of the Laws of 1945 for the fiscal year ending June 30, 1947.

2. **Authorization Required.** The appropriation made hereunder may be expended in such amounts as the governor and council may authorize.

3. **Takes Effect.** This act shall take effect upon its passage.

[Approved July 1, 1947.]

CHAPTER 291.

AN ACT RELATIVE TO THE SALARIES OF THE SHERIFFS OF GRAFTON AND HILLSBOROUGH COUNTIES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. **Grafton and Hillsborough Counties.** Amend section 27, chapter 380 of the Revised Laws, as amended by chapter 195, Laws of 1943, chapter 189, Laws of 1945, section 2, chapter 2, Laws of 1947, section 3, chapter 202, Laws of 1947, and an act of the session of 1947 relative to the salary of the sheriff of Coos county by striking out the words "one thousand" in the eleventh line and inserting in place thereof the words,

twelve hundred and fifty, and by striking out the word "fifteen" in the eighth line and inserting in place thereof the word, nineteen, so that said section as amended shall read as follows: **27. Salaries.** The annual salaries of the sheriffs of the several counties shall be as follows:

In Rockingham, fifteen hundred dollars.

In Strafford, one thousand dollars.

In Belknap, thirteen hundred dollars.

In Carroll, twelve hundred dollars.

In Merrimack, two thousand dollars.

In Hillsborough, nineteen hundred dollars.

In Cheshire, fifteen hundred dollars.

In Sullivan, eight hundred dollars.

In Grafton, twelve hundred and fifty dollars.

In Coos, eighteen hundred dollars.

2. Reports. Every sheriff and deputy sheriff shall file with the clerk of court in his respective county a statement of his income as sheriff or deputy sheriff for the year 1947, to be filed not later than April 1, 1948, and for the year 1948, to be filed not later than April 1, 1949. Such statements shall be under oath, shall show the income from each type of work (such as salary, court attendance, criminal investigation, service of civil process, etc.) and whether the same is for services, mileage or expenses.

3. Takes Effect. This act shall take effect upon its passage.

[Approved July 1, 1947.]

CHAPTER 292.

AN ACT RELATIVE TO DISPOSAL OF REVENUE FROM MOTOR VEHICLE ROAD TOLLS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Road Tolls. Amend section 41, chapter 22 of the Revised Laws as inserted by chapter 65, Laws of 1943, by striking out all of said section and inserting in place thereof the following: **41. Exception.** Annually on or before June one the motor vehicle commissioner shall compare the number of

gallons on which refunds have been made for the preceding calendar year for fuel used in the propulsion of boats on inland public waters of the state, with the number of gallons of such fuel sold and delivered directly into the fuel tanks, or supplementary fuel tanks, of boats or outboard motors upon the inland public waters for use in such boats or outboard motors, as reported to him, and if there be any balance of unrefunded tolls so collected, he shall report the same to the state treasurer who shall, on July one, next following, credit such balance to the public service commission, having jurisdiction over the navigation of such boats or motors. Funds so credited shall be used for the promotion of the safety of such navigation, and any balance remaining in said funds at the end of each fiscal year shall not lapse. The commissioner shall pay monthly to the state treasurer all revenue from the aircraft landing area toll.

2. Clarification. The airways toll established by the provisions of section 30-a of chapter 306 of the Revised Laws, as inserted by section 8 of an act of the session of 1947 relative to the regulation and development of aeronautics, shall be construed as being in lieu of the motor vehicle road tolls upon motor fuel used in the propulsion of aircraft. The motor vehicle commissioner before paying over to the state treasurer revenue collected from said airways toll shall deduct therefrom expenses of collection.

3. Takes Effect. This act shall take effect on September 1, 1947.

[Approved July 1, 1947.]

CHAPTER 293.

AN ACT RELATIVE TO A CHANGE OF NAME FOR LONG POND IN THE TOWN OF CROYDON.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Change of Name. The body of water in the town of Croydon, now known as Long Pond shall hereafter be known as Lake Coniston.

2. Takes Effect. This act shall take effect upon approval by a majority vote of the legal voters present and voting at the next regular town meeting or any special meeting held prior thereto in the town of Croydon.

[Approved July 1, 1947.]

CHAPTER 294.

AN ACT MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENTS AND LONG TERM REPAIRS FOR THE STATE OF NEW HAMPSHIRE.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Appropriation. The sum of two million, one thousand, two hundred ninety-four dollars (\$2,001,294), is hereby appropriated for the purposes and in the amounts listed below, which purposes include such related improvements, facilities, equipment and furnishings as are necessary to complete the same:

(a) For the state prison:

Replacing wiring in old cell block	\$5,000.00
Replacement of old fire hose..	3,500.00
Lathe for machine shop	2,500.00
Machine shop equipment	2,000.00
Roof repairs and snow guard south wing	10,000.00
Boiler and oil burner, changes in boiler house	25,000.00
Mess hall equipment	10,000.00
Remodeling guard room	20,000.00
Grills on cell block	20,000.00
Capping and pointing chimneys	1,200.00
Extending sprinkler system ..	750.00

\$99,950.00

(b) For the industrial school:		
Replacement of old laundry equipment	\$2,500.00	
Equipment for maintenance department	2,500.00	
Road repairs, fence and drainage pipe	5,000.00	
Repairs to farm barn and superintendent's house	2,000.00	
Rewiring girls' section and installation of security signaling devices	10,000.00	
Additional funds for Dale cottage	70,000.00	
		\$92,000.00
(c) For buildings and grounds:		
Fluorescent lighting	\$9,400.00	
Toilets	2,800.00	
Changing partitions in planning board	1,500.00	
Paint dome	1,200.00	
Tractor—snow plowing	1,700.00	
		\$16,600.00
(d) For adjutant general:		
Coal pocket—Franklin armory	\$5,000.00	
General repairs — Franklin armory	12,000.00	
Roadway repairs—Portsmouth armory	950.00	
Drill hall ceiling — Keene armory	3,000.00	
General repairs — Laconia armory	14,500.00	
General repairs — Nashua armory	9,800.00	
Fire hazard connections	6,800.00	
		\$52,050.00

(e) For forestry and recreation:		
Warehouse and storage building	\$36,000.00	
(f) For liquor commission:		
Warehouse addition	\$160,000.00	
(g) For Laconia state school:		
Replacement of burned barn ..	\$70,000.00	
Laundry equipment	3,500.00	
Fire protection	30,000.00	
		<hr/>
		\$103,500.00
(h) For Glencliff sanatorium:		
Laundry house	\$4,000.00	
Laundry equipment	4,000.00	
Re-equip kitchen	12,000.00	
		<hr/>
		\$20,000.00
(i) For state hospital:		
Nurses home	\$650,104.00	
Elevators	31,800.00	
Boiler plant		
Raising roof	12,720.00	
Enlarge mains	18,020.00	
Transformer capacity medi- cal-surgical building	2,250.00	
Change No. 3 boiler	65,000.00	
Brown building—furnishing..	10,000.00	
Bakery equipment	3,000.00	
Laundry equipment	18,300.00	
Sprinkler system	110,000.00	
Infirmary	500,000.00	
		<hr/>
		\$1,421,194.00

The appropriations hereby made and the sums made available for these projects shall be expended by the institutions and departments referred to herein under the direction of the governor and council and the work shall be done in accordance with plans and specifications approved by the governor and council.

2. Fish and Game Improvements. In addition to the appropriation of section 1 there is hereby appropriated the sum of three hundred thousand dollars for improvements and addi-

tions to hatcheries, streams and rearing stations of the fish and game department. This appropriation to be in addition to any other moneys appropriated for the fish and game department and shall be expended under the direction of the governor and council and the work shall be done in accordance with plans and specifications approved by the governor and council.

3. Bonds and Notes Authorized. To provide funds for the appropriation made in section 1 thereof the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state not exceeding the sum of two million, one thousand, two hundred ninety-four dollars (\$2,001,294), and to provide funds for the appropriations made in section 2 hereof, not exceeding the sum of three hundred thousand dollars (\$300,000), and for the purposes may issue bonds and notes in the name and on behalf of the state of New Hampshire. The governor and council shall determine the form of such notes or bonds, their rate of interest, and the dates when interest shall be paid, the dates of maturities, the places where principal and interest shall be paid, and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor, and shall be deemed a pledge of the faith and credit of the state. The payment of principal and interest on bonds or notes issued for the purposes of section 1 shall be made from the special fund as provided by chapter 126, Laws of 1931, as amended. The payment of principal and interest on bonds or notes issued for the purposes of section 2 shall be from income of the fish and game department, and no bond or note issued for this purpose shall mature more than five years from the date of issue. The proceeds of the sale of bonds and notes shall be held by the treasurer and paid out by him upon warrants drawn by the governor for the purposes of this act alone. And the governor, with the advice and consent of the council, shall draw his warrants for the payments from the funds provided for herein of all sums expended or due for the purposes herein authorized.

4. Accounts. The secretary of state shall keep an account of all such bonds or notes countersigned by the governor, showing the number and amount of each bond or note, the time of countersigning, the date of delivery to the treasurer and the date of maturity. The state treasurer shall keep an

account of each bond or note showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale and the date of maturity.

5. Short Term Notes. Prior to the issuance of the bonds or notes hereunder, the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short term loans, which may be refunded by the issuance of the bonds or notes hereunder. Provided, however, that at no one time shall the indebtedness of the state on such short term loans exceed the sum of two million, one thousand, two hundred ninety-four dollars (\$2,001,294) for the purposes of section 1, and the sum of three hundred thousand dollars (\$300,000) for the purposes of section 2.

6. Priority of Projects. The governor and council shall determine the time for undertaking the projects hereinbefore enumerated.

7. Federal Assistance. The governor and council are hereby authorized to cooperate with and enter into such agreements with the federal government, or any agency thereof, as they may deem advisable to secure federal funds for the purposes hereof.

8. Contracts for Construction. All contracts for the construction or reconstruction of all buildings hereunder shall be awarded to the lowest responsible bidder submitting a sealed bid after an advertisement calling for bids has been published at least once in two successive weeks in a newspaper in general circulation in New Hampshire. The first publication of such advertisement shall be not less than thirty days prior to the date upon which bids are received. If not more than one bid is received, the governor and council may negotiate a contract upon terms which it may deem most advantageous to the state. The state may reject any or all bids.

9. Transfer of Funds. In the event any one of the projects listed herein is completed at a cost less than the amount appropriated therefor, the surplus therefrom may be transferred to any of the other projects under direction of the governor and council.

10. Appropriations Extended. The unexpended balances of the amounts appropriated by chapter 185 of the Laws of 1943 and of chapter 210 of the Laws of 1945 are hereby ex-

tended so as to run for the same term as the amounts appropriated hereunder.

11. Sale of Bonds or Notes. All bonds or notes (except short-term loans) issued under the provisions of this act shall be sold (1) at public sealed bidding (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire, the first publication being not less than thirty days prior to the day the bids will be received, and (3) to the highest bidder. The governor and council may reject any and all bids and/or negotiate with the highest bidder.

12. Takes Effect. This act shall take effect upon its passage.

[Approved July 1, 1947.]

CHAPTER 295.

AN ACT TO LAY OUT AND CONSTRUCT A CONTINUOUS HIGHWAY
ON A NEW LOCATION ACROSS THE SOUTHEAST CORNER
OF THE STATE OF NEW HAMPSHIRE WESTERLY
OF THE PRESENT ROUTE U. S. 1.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Authority. The state highway commissioner, under the direction of the governor and council, shall locate and construct a continuous highway from a point on the Massachusetts-New Hampshire boundary in the town of Seabrook to a point in the city of Portsmouth, and shall operate and maintain said highway as a toll road as hereinafter provided.

2. Powers of Commissioner. The state highway commissioner is hereby authorized and empowered:

(a) To determine the location of the aforesaid toll road and to fix the width of its right of way.

(b) To acquire in the name of the state by purchase or by exercise of the right of condemnation as provided by statute such lands, property, rights, easements and interests as he may deem necessary for carrying out the provisions of this act.

(c) To designate the locations and establish, limit, and control such points of ingress to and egress from the toll road as may be necessary or desirable in his judgment to ensure the proper operation of the toll road and to prohibit entrance to or egress from the toll road at any points not so designated.

(d) To construct grade separations at intersections of the toll road with public roads and private ways, and to change and adjust the lines and grades of such roads and ways so as to accommodate the same to the design of such grade separations and to the design of the toll road.

3. Additional Powers. The state highway commissioner is further authorized to employ such assistants, engineers and agents, and to enter into such contractual relations in behalf of the state and to do and perform all such acts as are necessary for the public good, agreeably to the provisions of this act.

4. Funds Provided. A sum not exceeding seven million five hundred thousand dollars (\$7,500,000) is hereby raised as hereinafter provided for the purposes of carrying into effect the provisions of this act.

5. Borrowing Power. The state treasurer is hereby authorized under the direction of the governor and council to borrow upon the credit of the state a sum not exceeding seven million five hundred thousand dollars (\$7,500,000) for the purpose of carrying into effect the provisions of this act and for that purpose may issue bonds in the name and on behalf of the state of New Hampshire at a rate of interest to be determined by the governor and council.

The maturity dates of such bonds shall be determined by the governor and council but in no case shall they be later than thirty years from the date of issue and may be redeemable before maturity at the option of the governor and council at such price or prices and under such terms and conditions as may be fixed by the governor and council prior to the issuance of the bonds. Such bonds shall contain an express guarantee which shall be deemed a contract on the part of the state that tolls will be collected in accordance with the provisions of this act until the date of maturity of said bonds or until sufficient money shall have accumulated to pay said bonds and the interest thereon at dates of maturity. The bonds shall be in

such form and such denominations as the governor and council shall determine, may be registerable as to both principal and interest, shall be countersigned by the governor, and shall be deemed a pledge of the faith and credit of the state.

The secretary of state shall keep an account of all such bonds showing the number and amount of each, the time of countersigning, the date of delivery to the treasurer, and the date of maturity.

The state treasurer shall keep an account of each bond showing the number thereof, the name of the person to whom sold, the amount received from the same, the date of the sale and the date of maturity.

6. Sale of Bonds or Notes. All bonds or notes (except short-term loans) issued under the provisions of this act shall be sold (1) at public sealed bidding (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire, the first publication being not less than thirty days prior to the day the bids will be received, and (3) to the highest bidder. The governor and council may reject any or all bids, and/or negotiate with the highest responsible bidder.

The proceeds from the sale of such bonds shall be held by the treasurer and paid out by him upon warrants drawn by the governor for the purposes of this act alone, and the governor with the advice and consent of the council, shall draw his warrant for the payment from the funds provided by this act of all sums expended or due for the purposes herein authorized. All interest from such bonds shall be exempt from taxation within the state of New Hampshire.

7. Interim Expenses. Prior to the issuance of bonds hereunder there is hereby provided for interim expenses the sum of twenty-five thousand dollars (\$25,000), said sum to be a charge against the state highway fund. Such sum or such portion thereof as may be expended shall be repaid into the state treasury and credited to the state highway fund with money received from the proceeds of toll road bonds or tolls.

8. Tolls. Tolls or charges, which the highway commissioner deems necessary and reasonable for the use of said highway or any part of the right of way and other property acquired pursuant to the provisions hereof, shall be collected

from persons operating motor vehicles thereon or otherwise making use of said right of way. The tolls collected shall be deposited with the state treasurer who shall keep the same in a separate account, and the operating expenses and maintenance of the toll road shall be paid from said account as long as tolls are collected. From the balance remaining after payment of operation and maintenance, the governor with the approval of the council, shall pay the interest and principal on the bonds issued hereunder. During the construction of the toll road the governor may, if necessary, draw his warrant upon the highway fund to pay interest due upon any bonds that have been issued in accordance with the provisions of this act, such payment to be repaid to the highway fund from the collection of tolls.

9. Termination of Tolls. When all toll road bonds or toll road refunding bonds issued under the provisions of this act, including the interest thereon, shall have been paid or a sufficient amount for the payment of all such bonds and the interest thereon to the maturity thereof shall become available, the toll road if then in good condition and repair to the satisfaction of the state highway commissioner, shall become a part of the primary state highway system and shall thereafter be maintained by the state highway department free of tolls.

10. Definition. Said highway shall be a limited access highway as defined in Part 7, chapter 90 of the Revised Laws as amended by chapter 188, Laws of 1945, and all provisions thereof shall apply thereto.

11. Contracts for Construction. All contracts for the construction of the highway hereunder shall be awarded to the lowest responsible bidder submitting a sealed bid after an advertisement calling for bids has been published at least once in two successive weeks in a newspaper in general circulation in New Hampshire. The first publication of such advertisement shall be not less than thirty days prior to the date upon which bids are received. If not more than one bid is received the governor and council may negotiate a contract upon terms which it may deem most advantageous to the state. The state may reject any or all bids.

12. Takes Effect. This act shall take effect upon its passage, but construction of said highway shall not begin nor shall said bonds be issued until after the highway commis-

sioner and the governor and council have caused to be made a complete traffic survey and finding that it is feasible and practicable to locate and construct said highway pursuant to the provisions hereof.

[Approved July 1, 1947.]

CHAPTER 296.

AN ACT MAKING APPROPRIATIONS FOR THE EXPENSES OF THE STATE OF NEW HAMPSHIRE FOR THE YEAR ENDING JUNE 30, 1948.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Appropriations. The sums hereinafter mentioned are appropriated to be paid out of the treasury of the state for the purposes specified for the fiscal year ending June 30, 1948, to wit:

A continuing appropriation which shall not lapse, shall not be transferred to any other department, institution or account, and which shall be for the expenses of the legislature only

	\$300,000.00
Council of state governments	1,000.00

For legislative assistant to appropriations and finance committee:

Salary of assistant	\$6,000.00
Clerk stenographer	1,280.00
Current expenses	200.00
Travel	720.00
Total	8,200.00
Total legislative branch	\$309,200.00

For executive branch:

Office of governor:	
Salary of governor	\$6,000.00
Salary of secretary	4,000.00
Other personal services	5,967.00
Current expenses	2,980.00
Travel	500.00
Total	\$19,447.00

Emergency fund		\$50,000.00
Contingent fund		5,000.00
		<hr/>
Total		\$74,447.00
Council:		
Per diem		
(@ \$10.00 per diem)	\$2,500.00	
Current expenses	250.00	
Travel	2,000.00	
		<hr/>
Total		4,750.00
		<hr/>
Total executive branch		\$79,197.00
For judicial branch:		
Supreme court:		
Salary of justices	\$47,500.00	
Salary of clerk of court	2,600.00	
Salary of reporter	2,600.00	
Other personal services	2,341.00	
Current expenses	3,300.00	
Travel	250.00	
Printing and binding reports	3,500.00	
		<hr/>
Total	\$62,091.00	
Less estimated revenue	120.00	
		<hr/>
Net appropriation		\$61,971.00
Superior court:		
Salary of judges	\$57,000.00	
Other personal services	300.00	
Current expenses	3,100.00	
Travel	6,500.00	
		<hr/>
Total		66,900.00
For referees and masters:		
Salaries of referees	\$3,600.00	
Current expenses	200.00	
		<hr/>
Total		3,800.00

For judicial council		\$1,000.00
For probate court:		
Salary of judges	\$23,300.00	
Salary of registers	22,800.00	
Salary of deputies	10,835.00	
	<hr/>	
Total		56,935.00
		<hr/>
Total judicial branch		\$190,606.00
For adjutant general's department:		
Office of adjutant general:		
Salary of adjutant general	\$6,500.00	
Other personal services	6,495.00	
Current expenses	2,650.00	
	<hr/>	
Total		\$15,645.00
National guard:		
Personal services	\$17,972.00	
Current expenses	9,225.00	
Travel	1,200.00	
	<hr/>	
Total		28,397.00
Armories:		
Personal services	\$23,763.00	
Current expenses	31,060.00	
Travel	200.00	
Equipment	2,000.00	
	<hr/>	
Total		57,023.00
Rifle ranges:		
Personal services	\$1,861.00	
Current expenses	985.00	
Equipment	75.00	
	<hr/>	
Total		2,921.00
Uniform allowance		10,000.00
Photostating:		
Personal services	\$2,121.00	
Current expenses	2,600.00	
	<hr/>	
Total		4,721.00

Drill expenses—Travel	\$1,000.00
War service recognition	300.00

Total adjutant general's department \$120,007.00

For department of agriculture:

Office of commissioner:

Salary of commissioner	\$5,000.00
Salary of deputy commissioner	3,500.00
Other personal services	11,039.00
Current expenses	14,710.00
Travel	2,000.00
Equipment	750.00

Total \$36,999.00

Bureau of markets:

Personal services	\$16,556.00
Current expenses	14,500.00
Travel	2,400.00
Equipment	600.00
Market bulletin	6,500.00

Total 40,556.00

Division of animal industry:

Salary of state veterinarian	\$4,500.00
Other personal services	28,558.00
Current expenses	5,040.00
Travel	8,500.00
Equipment	1,500.00
Other expenditures	66,000.00

Total 114,098.00

Insect and plant disease control:

Personal services	\$14,221.00
Current expenses	1,680.00
Travel	2,250.00
Equipment	150.00

Total 18,301.00

Grants:

New Hampshire Horticultural Society	\$1,000.00
Granite State Dairymen's Association	500.00
New Hampshire Sheep Breeders' Association	250.00
New Hampshire Maple Producers' Association	250.00
State Soil Conservation Committee	2,500.00
Eastern States Building	3,500.00
Eastern States Exhibit	500.00
	<hr/>
Total department of agriculture	\$218,454.00

For attorney general:

Office of attorney general:

Salary of attorney general	\$6,500.00
Salary of assistant attorney general	4,500.00
Other personal services	18,212.00
Current expenses	1,975.00
Travel	800.00
Equipment	1,250.00
	<hr/>
Total	\$33,237.00

Register of public trusts:

Personal services	\$2,819.00
Current expenses	350.00
Travel	350.00
Equipment	250.00
	<hr/>
Total	3,769.00

Fees to registers of probate 4,250.00

Legacy tax:

Current expenses	\$1,075.00
Travel	200.00
Equipment	475.00
	<hr/>
Total	\$1,750.00

Total attorney general's department \$43,006.00

For comptroller's department:

Office of comptroller:

Salary of comptroller	\$6,000.00
Other personal services	37,361.00
Current expenses	3,450.00
Travel	1,000.00
Equipment	2,485.00

Total		\$50,296.00
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Travel bureau:

Personal services	\$6,846.00
Current expenses	475.00
Travel	100.00

Total		7,421.00
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Other expenditures:

State House Annex sinking fund	10,000.00
2% assessment—state police	2,700.00
Mt. Washington Observatory	1,500.00
Firemen's Relief	4,000.00
Prisoners' Aid Association	600.00
League of N. H. Arts and Crafts	10,000.00
N. H. Historical Society	500.00
Old Home Week Association	600.00
Military organizations	200.00
N. H. Veterans' Association	1,500.00
Atlantic Marine Fisheries	700.00
Classification Plan Board	1,500.00

Total comptroller's department		\$91,517.00
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For forestry and recreation:

Administration:

Salary of forester	\$5,000.00
Other personal services	17,059.33
Current expenses	3,800.00
Travel	750.00
Equipment	750.00

Total		\$27,359.33
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Nursery:		
Personal services	\$8,221.00	
Current expenses	2,920.00	
Equipment	150.00	
	<hr/>	
Total		11,291.00
Reforestation:		
Personal services	\$2,405.00	
Travel	900.00	
	<hr/>	
Total		3,305.00
District fire supervision:		
Personal services	\$9,395.00	
Current expenses	1,000.00	
Travel	2,050.00	
Equipment	2,500.00	
	<hr/>	
Total		14,945.00
Lookout stations		22,250.00
Warden training conferences		1,350.00
Prevention of fires:		
Personal services	\$1,835.37	
Current expenses	2,100.00	
Equipment	2,000.00	
Other expenditures	500.00	
	<hr/>	
Total		6,435.37
Forest fire bills to towns		7,500.00
White pine blister rust:		
Personal services	\$9,725.00	
Current expenses	450.00	
Travel	800.00	
Equipment	1,625.00	
	<hr/>	
Total		12,600.00
Federal Norris-Doxey:		
Personal services	\$6,056.00	
Current expenses	840.00	
Travel	2,610.00	

Equipment	\$144.00	
		<hr/>
Total		9,650.00
		<hr/>
Total forestry		\$116,685.70
For recreation:		
Salary of director	\$5,000.00	
Other personal services	127,018.00	
Current expenses	28,375.00	
Travel	5,500.00	
Equipment	20,000.00	
		<hr/>
Total	\$185,893.00	
*Less estimated income	89,167.00	
		<hr/>
Net total appropriation		\$96,726.00
For insurance department:		
Office of commissioner:		
Salary of commissioner	\$6,000.00	
Salary of deputy commissioner	5,000.00	
Other personal services	17,597.00	
Current expenses	6,530.00	
Travel	1,400.00	
Equipment	1,700.00	
		<hr/>
Total		\$38,227.00
For bureau of labor:		
Office of commissioner:		
Salary of commissioner	\$5,000.00	
Other personal services	12,409.00	
Current expenses	3,120.00	
Travel	1,100.00	
Equipment	1,500.00	
		<hr/>
Total		\$23,129.00

* In the above appropriation any income in excess of the estimate shall be available for expenditure as provided by statute.

Factory inspection:	
Personal services	\$10,560.00
Current expenses	890.00
Travel	3,500.00
Equipment	300.00
	<hr/>
Total	15,250.00
Minimum wage division:	
Personal services	\$6,823.00
Current expenses	1,140.00
Travel	3,500.00
Equipment	250.00
	<hr/>
Total	11,713.00
	<hr/>
Total bureau of labor	\$50,092.00
For motor vehicle department:	
Administration:	
Salary of commissioner	\$5,500.00
Salary of deputy commissioner	4,500.00
Other personal services	122,433.00
Current expenses	126,400.00
Travel	2,000.00
Equipment	8,000.00
Other expenditures	5,500.00
	<hr/>
Total	274,333.00
Gasoline road toll:	
Personal services	\$14,248.00
Current expenses	1,900.00
Travel	2,500.00
Equipment	750.00
	<hr/>
Total	19,398.00
Motor vehicle patrol:	
Personal services	\$39,546.00
Current expenses	200.00

Travel	\$18,000.00	
Total		57,746.00
Total motor vehicle department		\$351,477.00
Less revenue		351,477.00
Net appropriation		00.00
For purchasing agent:		
Salary of purchasing agent	\$5,500.00	
Other personal services	16,324.00	
Current expenses	2,050.00	
Travel	150.00	
Equipment	200.00	
Total purchasing agent		\$24,224.00
For secretary of state:		
Office of secretary:		
Salary of secretary	\$5,500.00	
Salary of deputy secretary	4,000.00	
Other personal services	12,396.00	
Current expenses	2,150.00	
Travel	400.00	
Equipment	375.00	
Total		\$24,821.00
Direct primary		7,000.00
Presidential primary		14,060.00
General election		6,150.00
Photostat division:		
Personal services	\$2,799.00	
Current expenses	625.00	
Total		3,424.00
Total secretary of state		\$55,455.00
For state library:		
Administration:		
Salary of librarian	\$3,750.00	
Salary of assistant librarian	3,000.00	
Other personal services	37,000.00	
Current expenses	6,450.00	

Travel	\$6,000.00	
Equipment	13,225.00	
Other expenditures	3,000.00	
		<hr/>
Total		\$67,025.00
Extension division:		
Current expenses	\$4,325.00	
Travel	3,000.00	
Equipment	9,070.00	
Other expenditures	400.00	
		<hr/>
Total		16,795.00
State aid		1,000.00
		<hr/>
Total state library		\$84,820.00
For state police:		
Salary of superintendent	\$5,500.00	
Other personal services	193,964.00	
Current expenses	57,275.00	
Travel	17,000.00	
Equipment	45,000.00	
		<hr/>
Total state police	\$322,129.00	
Less transfer from high-		
way funds	190,000.00	
		<hr/>
Total net appropriation		\$132,129.00
For buildings and grounds:		
Salary of superintendent	\$3,500.00	
Other personal services	86,556.50	
Current expenses	49,825.00	
Equipment	1,300.00	
		<hr/>
Total		\$141,181.50
Mailing division:		
Personal services	\$3,832.00	
Current expenses	585.00	
		<hr/>
Total		4,417.00

Franklin Pierce homestead		\$640.00
Daniel Webster birthplace		1,235.00
		<hr/>
Total buildings and grounds		\$147,473.50
For state treasury:		
Office of treasurer:		
Salary of treasurer	\$5,500.00	
Salary of deputy	3,500.00	
Other personal services	24,492.75	
Current expenses	5,277.50	
Travel	250.00	
Equipment	1,300.00	
	<hr/>	
Total		\$40,320.25
Highway division:		
Personal services	\$6,860.50	
Current expenses	1,600.00	
Equipment	3,410.00	
	<hr/>	
Total	\$11,870.50	
Less transfer from high- way funds	11,870.50	
	<hr/>	
Net appropriation		00.00
Intangible tax:		
Personal services	\$2,241.75	
Current expenses	300.00	
Equipment	423.50	
	<hr/>	
Total	\$2,965.25	
Less revenue	2,965.25	
	<hr/>	
Net appropriation		00.00
Trust funds		37,087.27
Bounties		12,000.00
		<hr/>
Total treasury department		\$89,407.52
For weights and measures:		
Salary of commissioner	\$4,500.00	
Other personal services	13,914.00	
Current expenses	2,000.00	

Travel	\$ 6,000.00	
Equipment	200.00	
	<hr/>	
Total weights and measures		\$26,614.00
For industrial school:		
Administration:		
Salary of superintendent	\$5,000.00	
Other personal services	7,998.00	
Current expenses	2,125.00	
Travel	750.00	
Equipment	100.00	
	<hr/>	
Total		\$15,973.00
Instruction:		
Personal services	\$8,814.00	
Current expenses	935.00	
Equipment	2,500.00	
	<hr/>	
Total		12,249.00
Custodial care:		
Personal services	\$39,408.00	
Current expenses	19,700.00	
Equipment	3,000.00	
	<hr/>	
Total		62,108.00
Auxiliary to custodial care		1,875.00
Operation of plant:		
Personal services	\$2,796.00	
Current expenses	25,750.00	
Equipment	2,800.00	
	<hr/>	
Total		31,346.00
Maintenance of plant:		
Personal services	\$7,640.00	
Current expenses	2,525.00	
Equipment	1,500.00	
	<hr/>	
Total		11,665.00

Agriculture:

Personal services	\$4,664.00
Current expenses	18,100.00
Equipment	3,500.00

Total		26,264.00
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Parole:

Personal services	\$1,989.00
Current expenses	150.00
Travel	1,200.00

Total		3,339.00
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Total industrial school		\$164,819.00
Less revenue		3,075.00

Net appropriation		\$161,744.00
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For Laconia state school:

Administration:

Salary of superintendent	\$5,500.00
Other personal services	10,682.00
Current expenses	1,712.00
Travel	1,800.00
Equipment

Total		\$19,694.00
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Professional care and treatment:

Personal services	\$100,839.00
Current expenses	3,735.00
Travel	50.00
Equipment	25.00

Total		104,649.00
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Custodial care:

Personal services	\$34,501.00
Current expenses	82,875.00
Travel	30.00
Equipment	7,362.00

Total		124,768.00
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Operation of plant:	
Personal services	\$14,718.00
Current expenses	40,605.00
	<hr/>
Total	55,323.00
Maintenance of plant:	
Personal services	\$9,999.00
Current expenses	4,565.00
Equipment	100.00
	<hr/>
Total	14,664.00
Agriculture:	
Personal services	\$34,399.00
Current expenses	45,725.00
Travel	35.00
Equipment	4,000.00
	<hr/>
Total	84,159.00
	<hr/>
Total Laconia state school	\$403,257.00
Less revenue	2,500.00
	<hr/>
Net appropriation	\$400,751.00
For soldiers' home:	
Administration:	
Salary of commandant	\$2,500.00
Other personal services	1,677.00
Current expenses	600.00
Travel	100.00
	<hr/>
Total	\$4,877.00
Custodial care:	
Personal services	\$9,683.00
Current expenses	9,400.00
	<hr/>
Total	19,083.00
Professional care:	
Personal services	\$6,788.00
Current expenses	800.00
	<hr/>
Total	7,588.00

Operation of plant:	
Personal services	\$7,135.00
Current expenses	6,050.00
Total	<u>13,185.00</u>
Maintenance of plant	800.00
Agriculture:	
Personal services	\$3,088.00
Current expenses	1,500.00
Total	<u>4,588.00</u>
Total soldiers' home	<u>\$50,121.00</u>
For state hospital:	
Administration:	
Salary of superintendent	\$7,000.00
Other personal services	68,499.00
Current expenses	10,870.00
Travel	400.00
Equipment	750.00
Total	<u>\$87,519.00</u>
Professional care:	
Personal services	\$578,500.00
Current expenses	41,997.00
Travel	2,475.00
Equipment	4,300.00
Total	<u>627,272.00</u>
Custodial care:	
Personal services	\$185,000.00
Current expenses	450,000.00
Equipment	11,800.00
Total	<u>646,800.00</u>
Operation of plant:	
Personal services	\$55,695.00
Current expenses	172,530.00
Travel	1,400.00
Equipment	5,000.00
Total	<u>234,625.00</u>

Maintenance of plant:	
Personal services	\$80,190.00
Current expenses	14,065.00
Travel	80.00
Equipment	5,000.00
Total	<u>99,335.00</u>
Agriculture:	
Personal services	\$32,000.00
Current expenses	54,270.00
Travel	50.00
Equipment	7,500.00
Total	<u>93,820.00</u>
Out patient clinic:	
Personal services	\$13,559.00
Current expenses	680.00
Travel	1,500.00
Equipment	300.00
Total	<u>16,039.00</u>
Total state hospital	\$1,805,410.00
Less revenue	5,500.00
Net appropriation	<u>\$1,799,910.00</u>
For state prison:	
Administration:	
Salary of warden	\$5,000.00
Other personal services	7,253.00
Current expenses	760.00
Travel	500.00
Equipment	475.00
Total	<u>\$13,988.00</u>
Instruction	2,700.00
Custodial care:	
Salary of deputy warden	\$3,035.00
Other personal services	81,901.00
Current expenses	64,275.00
Equipment	1,250.00
Total	<u>\$150,461.00</u>

Auxiliary to prison care		\$9,500.00
Operation of plant:		
Personal services	\$4,638.00	
Current expenses	7,556.00	
Total		<u>12,194.00</u>
Maintenance of plant		9,150.00
Agriculture:		
Personal services	\$4,688.00	
Current expenses	17,770.00	
Equipment	1,500.00	
Total	23,958.00	
Less transfer	12,000.00	
Net total		<u>11,958.00</u>
Parole:		
Personal services	\$7,859.00	
Current expenses	1,095.00	
Travel	2,600.00	
Equipment	125.00	
Total		<u>11,679.00</u>
Total state prison		\$221,630.00
Less revenue		<u>15,028.00</u>
Net appropriation		\$206,602.00
For state sanatorium:		
Administration:		
Salary of superintendent	\$5,500.00	
Other personal services	3,028.00	
Current expenses	1,090.00	
Travel	900.00	
Equipment	150.00	
Total		<u>\$10,668.00</u>
Professional care:		
Personal services	\$34,024.00	
Current expenses	6,610.00	
Equipment	1,100.00	
Total		<u>41,734.00</u>

Custodial care:	
Personal services	\$22,329.00
Current expenses	27,840.00
Equipment	500.00
	<hr/>
Total	50,669.00
Operation of plant:	
Personal services	\$15,556.00
Current expenses	20,006.00
Equipment	4,270.00
	<hr/>
Total	39,832.00
Maintenance of plant	4,700.00
Agriculture:	
Personal services	\$5,126.00
Current expenses	9,575.00
Equipment	3,000.00
	<hr/>
Total	17,701.00
	<hr/>
Total state sanatorium	\$165,304.00
For University of New Hampshire:	
Mileage fund	\$914,975.59
For barbers' board:	
Personal services	\$2,661.00
Current expenses	503.00
Travel	800.00
	<hr/>
Total	\$3,964.00
Less revenue	3,964.00
	<hr/>
Net appropriation	00.00
For chiropractic examiners	\$900.00
For board of education:	
Administration:	
Salary of commissioner	\$8,350.00
Salary of deputy commissioner	5,000.00
Other personal services	69,466.50
Current expenses	11,900.00

Travel	\$8,500.00	
Equipment	1,000.00	
Total		\$104,216.50
Equalization:		
Transportation		3,500.00
State wide supervision (net)	\$113,750.00	
Conferences	1,500.00	
Total		115,250.00
Smith-Hughes—(state):		
Personal services	\$5,297.50	
Current expenses	300.00	
Travel	1,200.00	
Total		6,797.50
Vocational rehabilitation:		
Current expenses	\$16,100.00	
Travel	500.00	
Equipment	400.00	
Total		17,000.00
George Deen:		
Personal services	\$6,118.00	
Current expenses	100.00	
Travel	2,000.00	
Total		8,218.00
State trade school—Manchester:		
Personal services	\$72,766.00	
Current expenses	32,700.00	
Travel	500.00	
Equipment	18,000.00	
Total		123,966.00
State trade school—Portsmouth:		
Personal services	\$53,747.00	
Current expenses	27,350.00	
Travel	1,000.00	
Equipment	18,000.00	
Total		100,097.00

Trade school (Concord office) :	
Personal services	\$15,892.00
Current expenses	1,325.00
Travel	1,700.00
Equipment	100.00
	<hr/>
Total	19,017.00
Training—veterans (on the job)	4,600.00
Area vocational schools:	
Personal services	\$1,795.00
Current expenses	400.00
Travel	1,200.00
Equipment	25,000.00
Other expenditures	81,989.00
	<hr/>
Total	110,380.00
School lunch program:	
Personal services	\$4,510.00
Travel	1,000.00
	<hr/>
Total	5,510.00
Keene teachers college:	
Personal services	\$221,939.00
Current expenses	98,700.00
Travel	800.00
Equipment	4,000.00
	<hr/>
Total	325,439.00
Plymouth teachers college:	
Personal services	\$137,033.00
Current expenses	56,225.00
Travel	700.00
Equipment	4,500.00
Fees	200.00
	<hr/>
Total	198,658.00
Education of deaf	30,000.00
	<hr/>
Total board of education	\$1,172,649.00

Less revenue	\$544,483.00
Net appropriation	\$628,166.00

In addition to the above appropriation said department shall receive for disbursement the income of the teachers' colleges' dormitories and practice schools, revenue from tuitions received by the Manchester and Portsmouth State Trade Schools, and the sums paid by school districts for the salaries of superintendents under section 44, chapter 135 of the Revised Laws. In this department any balance, excepting the equalization fund, which may be unexpended in any fiscal year, shall be placed in a special fund available for use for maintenance purposes the following year by and with the consent of the governor and council.

For board of health:

Administration:

Salary of state health officer	\$7,000.00
Other personal services	4,710.00
Current expenses	6,570.00
Travel	600.00
Equipment	100.00
Total	\$18,980.00

Finance:

Personal services	\$2,833.00
Current expenses	800.00
Equipment	200.00
Total	3,833.00

Vital statistics:

Personal services	\$10,255.00
Current expenses	950.00
Total	11,205.00

Public health nursing:

Personal services	\$21,598.00
Current expenses	965.00
Travel	5,252.00
Equipment	100.00
Total	27,915.00

Communicable disease control:

Personal services	\$21,198.00
Current expenses	60,400.00

Travel	\$1,850.00	
Equipment	300.00	
		<hr/>
Total		83,748.00
Eastern health district:		
Personal services	\$4,560.00	
Current expenses	1,285.00	
Travel	500.00	
		<hr/>
Total		6,345.00
Dental services:		
Personal services	\$6,341.00	
Current expenses	1,250.00	
Travel	900.00	
		<hr/>
Total		8,491.00
Maternal and child health and crippled children:		
Personal services	\$18,055.00	
Current expenses	4,450.00	
Travel	400.00	
		<hr/>
Total		22,905.00
Board of registration in medicine		925.00
Industrial hygiene:		
Personal services	\$13,307.00	
Current expenses	850.00	
Travel	1,500.00	
Equipment	500.00	
		<hr/>
Total		16,157.00
Diagnostic laboratories:		
Personal services	\$16,176.00	
Current expenses	5,930.00	
Travel	100.00	
Equipment	1,000.00	
		<hr/>
Total		23,206.00
Food and chemistry:		
Personal services	\$39,582.00	
Current expenses	1,650.00	

Travel	\$11,700.00	
Equipment	2,500.00	
Total		55,432.00
Sanitary engineering:		
Personal services	\$19,360.00	
Current expenses	1,610.00	
Travel	5,400.00	
Equipment	850.00	
Total		27,220.00
Total board of health		\$306,362.00
Less revenue		3,975.00
Net appropriation		\$302,387.00
For board of optometry		\$700.00
For milk control board:		
Personal services	\$10,403.00	
Current expenses	1,250.00	
Travel	2,500.00	
Equipment	300.00	
Total milk control board		\$14,453.00
For probation board:		
Salary of director	\$4,500.00	
Other personal services	53,701.00	
Current expenses	5,495.00	
Travel	13,000.00	
Equipment	1,000.00	
Total probation board		\$77,696.00
For board of public welfare:		
Administration:		
Salary of commissioner	\$5,500.00	
Other personal services	62,358.00	
Current expenses	18,825.00	
Travel	3,800.00	
Equipment	1,000.00	
Other expenditures	2,600.00	
Total		\$94,083.00

State services:	
Personal services	\$9,774.00
Current expenses	200.00
Travel	800.00
Equipment	580.00
	<hr/>
Total	11,354.00
Field services:	
Personal services	\$235,715.00
Current expenses	25,580.00
Travel	29,370.00
Equipment	4,485.00
	<hr/>
Total	295,150.00
Blind services:	
Personal services	\$32,693.00
Current expenses	1,450.00
Travel	2,150.00
Equipment	385.00
Grants	6,000.00
	<hr/>
Total	42,678.00
A. D. C. (state's share)	984,819.61
Special children's aid	2,500.00
Aid to needy blind (state's share)	85,732.51
Nesmith fund	3,700.00
Old age assistance (state's share)	922,990.21
Extra hospitalization	38,000.00
	<hr/>
Total public welfare	\$2,481,007.33
Less revenue	120,400.00
	<hr/>
Net appropriation	\$2,360,607.33
For state veterans' council:	
Personal services	\$17,423.00
Current expenses	1,935.00
Travel	8,400.00
Equipment	200.00
Burial claims	12,000.00
	<hr/>
Total veterans' council	\$39,958.00

For board of veterinary examiners		\$175.00
For water resources board:		
Personal services	\$11,782.50	
Current expenses	935.00	
Travel	800.00	
Equipment	125.00	
	<hr/>	
Total		\$13,642.50
Water control commission:		
Personal services	\$5,037.50	
Current expenses	1,480.00	
Travel	350.00	
	<hr/>	
Total		6,867.50
Stream flow gauging	\$10,000.00	
Less transfer from high-		
way funds	\$2,750.00	
Revenue	500.00	
	<hr/>	
	3,250.00	
	<hr/>	
Net appropriation		6,750.00
		<hr/>
Total water resources board		\$27,260.00
For aeronautics commission:		
Salary of director	\$4,500.00	
Other personal services	9,664.00	
Current expenses	2,000.00	
Travel	2,500.00	
Equipment	1,345.00	
	<hr/>	
Total aeronautics commission		\$20,009.00
For bank commission:		
Salary of commissioner	\$6,000.00	
Salary of deputies	8,000.00	
Other personal services	27,427.00	
Current expenses	5,300.00	
Travel	7,900.00	
Equipment	417.00	
	<hr/>	
Total bank commission		\$55,044.00

For cancer commission:

Personal services	\$14,192.00
Current expenses	27,925.00
Travel	1,200.00

Total cancer commission	\$43,317.00
Less revenue	9,000.00

Net appropriation	\$34,317.00
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For liquor commission:

Liquor administration:

Salary of commissioners, one-half	\$8,250.00
Other personal services	60,609.00
Current expenses	23,050.00
Travel	4,000.00
Equipment	1,500.00
Other expenditures	3,000.00

Total	\$100,409.00
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Beer administration:

Salary of commissioners, one-half	\$8,250.00
Other personal services	62,240.00
Current expenses	9,600.00
Travel	30,000.00
Equipment	1,500.00
Other expenditures	3,300.00

Total	114,890.00
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Liquor enforcement:

Personal services	\$16,038.50
Current expenses	175.00
Travel	10,000.00
Equipment	100.00
Other expenditures	485.00

Total	26,798.50
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Stores:

Personal services	\$367,136.00
Current expenses	168,450.00

Travel	\$7,000.00	
Equipment	12,000.00	
Other expenditures	17,000.00	
		<hr/>
Total		571,586.00
Warehouse:		
Personal services	\$50,061.00	
Current expenses	33,200.00	
Travel	100.00	
Equipment	5,000.00	
Other expenditures	2,000.00	
		<hr/>
Total		90,361.00
		<hr/>
Total liquor commission		\$904,044.50
Less revenue		904,044.50
		<hr/>
Net appropriation		00.00
For pharmacy commission:		
Personal services	\$1,600.00	
Current expenses	235.00	
Travel	700.00	
		<hr/>
Total		\$2,535.00
For planning and development commission:		
Administration:		
Salary of director	\$5,000.00	
Other personal services	70,025.00	
Current expenses	147,900.00	
Travel	11,000.00	
Equipment	4,500.00	
Other expenditures:		
Tourist service	5,000.00	
Regional associations*	16,950.00	
Land use board	250.00	
Wood waste utilization	4,000.00	

* This appropriation shall be administered by the state planning and development commission for the aid of regional development associations. Not more than \$2,825 may be allotted by the commission to any one regional association whose bounds, form of organization and program shall first have been approved by the commission. Any unexpended portion of this appropriation shall lapse and shall not be transferred to any other state appropriation.

N. Y. information bureau	\$25,000.00	
Fairs, shows, and exposition	3,500.00	
		<hr/>
Total planning and develop- ment commission		\$293,125.00
Less revenue		2,800.00
		<hr/>
Net appropriation		\$290,325.00
For public service commission:		
Salary of commissioners	\$19,500.00	
Other personal services	57,717.00	
Current expenses	17,350.00	
Travel	5,500.00	
Equipment	2,350.00	
		<hr/>
Total	\$102,417.00	
Less estimated revenue*	28,000.00	
		<hr/>
Net appropriation		\$74,417.00
For racing commission:		
Salary of commissioners	\$5,400.00	
Other personal services	34,414.00	
Current expenses	2,697.00	
Travel	2,600.00	
Equipment	250.00	
Other expenditures	135.00	
		<hr/>
Total racing commission	\$45,496.00	
Less revenue	45,496.00	
		<hr/>
Net appropriation		00.00
For state tax commission:		
Office of commission:		
Salary of two commissioners	\$8,000.00	
Salary of secretary	5,000.00	
Other personal services	18,878.00	
Current expenses	6,955.00	
Travel	6,000.00	
Equipment	823.00	
		<hr/>
Total		\$45,656.00

* Any income in excess of the above estimate shall be available for further expenditure for the purposes set up by the governing statutes.

Interest and dividends division:		
Personal services	\$10,931.00	
Current expenses	2,075.00	
Travel	750.00	
Equipment	400.00	
	<hr/>	
Total	\$14,156.00	
Less revenue	14,156.00	
	<hr/>	
Net appropriation		00.00
Utilities tax:		
Personal services	\$3,121.00	
Current expenses	150.00	
Travel	250.00	
Equipment	100.00	
	<hr/>	
Total	\$3,621.00	
Less revenue	3,621.00	
	<hr/>	
Net appropriation		00.00
Tobacco products:		
Personal services	\$23,657.00	
Current expenses	15,550.00	
Travel	9,000.00	
	<hr/>	
Total		48,207.00
Municipal accounting:		
Personal services	\$22,904.00	
Current expenses	1,125.00	
Travel	6,500.00	
Equipment	300.00	
	<hr/>	
Total	\$30,829.00	
Less revenue	12,037.00	
	<hr/>	
Net appropriation		18,792.00
	<hr/>	
Total tax commission		\$112,655.00
For policemen's retirement system		\$30,000.00
For teachers' retirement system		\$38,000.00

For employees' retirement system:	
Personal services	\$15,302.00
Current expenses	1,660.00
Travel	1,100.00
Equipment	400.00
Other expenditures	69,410.00
	<hr/>
Total employees' retirement	\$87,872.00
For board of accountancy	\$601.00
Less revenue	601.00
	<hr/>
Net appropriation	00.00
For fish and game commission:	
Current expenses	\$135.00
Travel	865.00
Employees' retirement	8,698.00
	<hr/>
	9,698.00
Conservation:	
Personal services	\$85,322.00
Current expenses	11,000.00
Travel	50,250.00
Equipment	10,500.00
	<hr/>
Total	157,072.00
Bob cat bounties	5,000.00
Damage:	
Personal services	\$3,471.00
Current expenses	2,475.00
Travel	1,100.00
Equipment	150.00
Damage awards	20,000.00
	<hr/>
Total	27,196.00
Administration:	
Salary of director	\$5,000.00
Other personal services	21,071.00
Current expenses	17,771.00
Travel	2,500.00
Equipment	250.00
	<hr/>
Total	46,592.00

Education:	
Personal services	\$5,724.00
Current expenses	7,935.00
Travel	1,600.00
Equipment	2,400.00
Shows	6,000.00
Total	<u>23,659.00</u>
Research:	
Personal services	\$11,403.68
Current expenses	4,400.00
Travel	3,500.00
Equipment	1,450.00
Total	<u>20,753.68</u>
Propagation of fish:	
Personal services	\$108,187.00
Current expenses	113,025.00
Travel	6,500.00
Equipment	7,300.00
Construction	280,000.00
Total	<u>515,012.00</u>
Propagation of game:	
Personal services	\$1,500.00
Current expenses	27,000.00
Travel	1,000.00
Equipment	500.00
Total	<u>30,000.00</u>
Pittman Robertson:	
Personal services	\$11,401.56
Current expenses	4,220.00
Travel	5,400.00
Equipment	900.00
Other expenditures	430.00
Total	<u>22,351.56</u>
Total fish and game	<u>\$857,334.24</u>
Less revenue and balance	<u>857,334.24</u>
Net appropriation	00.00

For board of hairdressers:		
Personal services	\$3,175.00	
Current expenses	1,555.00	
Travel	1,170.00	
Other expenditures	77.49	
	<hr/>	
Total hairdressers	\$5,977.49	
Less revenue	5,977.49	
	<hr/>	
Net appropriation		00.00
For prison industries:		
Personal services	\$45,040.00	
Current expenses	86,000.00	
Travel	350.00	
Equipment	4,500.00	
	<hr/>	
Total	\$135,890.00	
Less revenue	135,890.00	
	<hr/>	
Net appropriation		00.00
For aerial tramway:		
Personal services	\$93,139.00	
Current expenses	40,950.00	
Travel	1,500.00	
Equipment	3,500.00	
New building	20,000.00	
Retirement	3,303.00	
	<hr/>	
Total	\$162,392.00	
Less revenue	162,392.00	
	<hr/>	
Net appropriation		00.00
	<hr/>	
Total net appropriation	\$9,810,730.64	

2. Appointment: Prior to the prorogation of the Legislature of 1947, the appropriations committee of the house of representatives and the finance committee of the state senate, acting as a special committee, shall appoint a legislative budget assistant, whose name shall be filed with the secretary of state.

Compensation: Said assistant shall receive a salary of six thousand dollars for the fiscal year ending June 30, 1948, and six thousand one hundred dollars for the fiscal year ending June 30, 1949, and shall be reimbursed for actual exepnses when engaged in the duties of his office.

Duties: Said assistant shall serve as analyst into the financial condition of the state for the information of the legislature. He shall make research into receipts and expenditures of all state departments, institutions, commissions and agencies and report his findings and recommendations to the said committees on or before January 15th of every regular legislative session. He shall make such reports and statements to the committees and the legislature as may assist the members thereof to be more familiar with the financial condition and operations of the state government. Said assistant shall attend all hearings on state budgets as provided in section 7, chapter 23 of the Revised Laws and during the legislative session shall furnish such assistance as the said committees may request.

Use of supplies and office space: Said assistant shall be assigned office supplies and equipment belonging to the legislature. Suitable office space in the state house devoted to the use of the legislature shall be assigned to him for use during the interim between sessions.

Furnishing information: All state departments, institutions, commissions and agencies shall be required to furnish to the said budget assistant any information he may request relative to matters which may be of use to the said committees in dealing with the financial conditions of the state.

Assistance: The assistant may employ and fix the compensation of such assistants as he may require within the limits of the appropriation and the classification plan.

3. Takes Effect. Section 2 shall take effect upon passage of this bill. The provisions for the increase in salary of the governor as provided in an act relating to salaries passed at the present session of the legislature, shall not be effective until the first Wednesday of January, 1949. The balance of this act shall take effect July 1, 1947.

[Approved July 1, 1947.]

CHAPTER 297.

AN ACT MAKING APPROPRIATIONS FOR THE EXPENSES OF THE
STATE OF NEW HAMPSHIRE FOR THE YEAR ENDING
JUNE 30, 1949.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Appropriations. The sums hereinafter mentioned are appropriated to be paid out of the treasury of the state for the purposes specified for the fiscal year ending June 30, 1949, to wit:

A continuing appropriation which shall not lapse, shall not be transferred to any other department, institution or account, and which shall be for the expenses of the legislature only \$300,000.00

Council of state governments 1,000.00

For legislative assistant to appropriations
and finance committees as provided
by section 2 of House Bill No. 365:

Salary of assistant \$6,100.00

Clerk stenographer 1,340.00

Current expenses 200.00

Travel 720.00

Total 8,360.00

Total legislative branch \$309,360.00

For executive branch:

Office of governor:

Salary of governor \$6,000.00

Salary of secretary 4,100.00

Other personal services 6,165.00

Current expenses 2,980.00

Travel 500.00

Total \$19,745.00

Emergency fund 50,000.00

Contingent fund 5,000.00

Total governor's office \$74,745.00

For governor's council:

Per diem (@ \$10.00 per diem)	\$4,375.00
Current expenses	250.00
Travel	3,000.00
Equipment

Total	7,625.00
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Total executive branch	\$82,370.00
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For judicial branch:

For supreme court:

Salary of justices	\$47,500.00
Salary of clerk of court	2,600.00
Salary of reporter	2,600.00
Other personal services	2,407.00
Current expenses	3,300.00
Travel	250.00
Printing and binding reports	3,500.00

Total	\$62,157.00
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Less estimated revenue	140.00
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Net appropriation	\$62,017.00
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For superior court:

Salary of judges	\$57,000.00
Other personal services	300.00
Current expenses	3,100.00
Travel	6,500.00

Total	66,900.00
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For referees and masters:

Salary of referees	\$3,600.00
Current expenses	200.00

Total	3,800.00
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For judicial council	1,000.00
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For probate court:

Salary of judges	\$23,300.00
Salary of registers	22,800.00

Salary of deputies	\$10,835.00	
Total		56,935.00
Total judicial branch		\$190,652.00
For adjutant general's department:		
Office of adjutant general:		
Salary of adjutant general	\$6,600.00	
Other personal services	6,627.00	
Current expenses	2,650.00	
Total		\$15,877.00
National guard:		
Personal services	\$16,427.00	
Current expenses	8,475.00	
Travel	1,200.00	
Total		26,102.00
Armories:		
Personal services	\$24,672.00	
Current expenses	30,560.00	
Travel	200.00	
Equipment	500.00	
Total		55,932.00
Rifle ranges:		
Personal services	\$1,927.00	
Current expenses	935.00	
Equipment	75.00	
Total		2,937.00
Uniform allowance		10,000.00
Photostating:		
Personal services	\$2,187.00	
Current expenses	2,600.00	
Total		4,787.00
Drill expenses—travel		1,000.00
War service recognition		300.00
Total adjutant general's department		\$116,935.00

For department of agriculture:

Office of commissioner:

Salary of commissioner	\$5,100.00
Salary of deputy commissioner	3,600.00
Other personal services	11,369.00
Current expenses	15,335.00
Travel	2,000.00
Equipment

Total	\$37,404.00
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Bureau of markets:

Personal services	\$17,054.00
Current expenses	14,500.00
Travel	2,400.00
Market bulletin	6,500.00

Total	40,454.00
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Division of animal industry:

Salary of state veterinarian	\$4,600.00
Other personal services	29,206.00
Current expenses	5,040.00
Travel	8,500.00
Other expenditures	66,000.00

Total	113,346.00
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Insect and plant disease control:

Personal services	\$14,347.00
Current expenses	1,755.00
Travel	2,250.00
Equipment	150.00

Total	18,502.00
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Grants:

New Hampshire Horticultural Society	1,000.00
Granite State Dairymen's Association	500.00
New Hampshire Sheep Breeders' Association	250.00
New Hampshire Maple Producers' Association	250.00
State Soil Conservation Committee	2,500.00

Eastern States Building		\$1,500.00
Eastern States Exhibit		500.00
		<hr/>
Total department of agriculture		\$216,206.00
For attorney general:		
Office of attorney general:		
Salary of attorney general	\$6,600.00	
Salary of assistant attorney general	4,600.00	
Other personal services	18,668.00	
Current expenses	1,850.00	
Travel	800.00	
Equipment	800.00	
		<hr/>
Total		\$33,318.00
Register of public trusts:		
Personal services	\$3,465.00	
Current expenses	350.00	
Travel	350.00	
		<hr/>
Total		4,165.00
Fees for registers of probate		4,250.00
Legacy tax:		
Current expenses	\$1,075.00	
Travel	200.00	
Equipment	250.00	
		<hr/>
Total		1,525.00
		<hr/>
Total attorney general		\$43,258.00
For comptroller:		
Office of comptroller:		
Salary of comptroller	6,100.00	
Other personal services	38,100.00	
Current expenses	3,450.00	
Travel	1,000.00	
Equipment	2,135.00	
		<hr/>
Total		\$50,785.00
Travel bureau:		
Personal services	\$6,978.00	

Current expenses	\$475.00	
Travel	100.00	
		<hr/>
Total		7,553.00
Other expenditures:		
State House Annex sinking fund		10,000.00
2% Assessment—state police		2,700.00
Mt. Washington Observatory		1,500.00
Firemen's relief		4,000.00
Prisoners' Aid Association		600.00
League of N. H. Arts and Crafts		10,000.00
N. H. Historical Society		500.00
Old Home Week Association		600.00
Military organizations		200.00
N. H. Veterans' Association		1,500.00
Atlantic Marine Fisheries		700.00
Classification plan board		1,500.00
		<hr/>
Total comptroller's department		\$92,138.00
For forestry and recreation:		
Administration:		
Salary of forester	\$5,100.00	
Other personal services	17,336.33	
Current expenses	4,350.00	
Travel	750.00	
Equipment	1,250.00	
		<hr/>
Total		\$28,786.33
Nursery:		
Personal services	\$8,383.00	
Current expenses	2,920.00	
Equipment	150.00	
		<hr/>
Total		11,453.00
Reforestation:		
Personal services	\$2,435.00	
Travel	900.00	
		<hr/>
Total		3,335.00

District fire supervision:		
Personal services	\$9,659.00	
Current expenses	1,000.00	
Travel	2,050.00	
Total		12,709.00
Lookout stations		23,000.00
Warden training conferences		1,350.00
Prevention of fires:		
Personal services	\$1,868.37	
Current expenses	2,100.00	
Equipment	2,000.00	
Other expenditures	500.00	
Total		6,468.37
Forest fire bills to towns		7,500.00
White pine blister rust:		
Personal services	\$9,791.00	
Current expenses	450.00	
Travel	800.00	
Total		11,041.00
Federal Norris-Doxey:		
Personal services	\$6,056.00	
Current expenses	840.00	
Travel	2,610.00	
Equipment	144.00	
Total		9,650.00
Total forestry		\$115,292.70
For recreation:		
Salary of director	\$5,100.00	
Other personal services	151,847.00	
Current expenses	48,250.00	
Travel	5,500.00	
Equipment	15,000.00	
Total	\$225,697.00	
*Less estimated income	151,000.00	
Net total appropriations		\$74,697.00

For insurance department:

Salary of commissioner	\$6,100.00
Salary of deputy commissioner	5,100.00
Other personal services	18,119.00
Current expenses	6,530.00
Travel	1,400.00
Equipment	500.00

Total insurance	\$37,749.00
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For bureau of labor:

Office of commissioner:

Salary of commissioner	\$5,100.00
Other personal services	12,841.00
Current expenses	4,340.00
Travel	1,100.00
Equipment	300.00

Total	23,681.00
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Factory inspection:

Personal services	\$10,823.00
Current expenses	890.00
Travel	3,500.00
Equipment	300.00

Total	15,513.00
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Minimum wage:

Personal services	\$7,075.00
Current expenses	1,140.00
Travel	3,500.00
Equipment	250.00

Total	11,965.00
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Total bureau of labor	\$51,159.00
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For motor vehicle:

Administration:

Salary of commissioner	\$5,600.00
Salary of deputy commissioner	4,600.00
Other personal services	125,367.00

Current expenses	\$125,400.00	
Travel	2,000.00	
Equipment	8,000.00	
Other expenditures	5,500.00	
Total		276,467.00
Gasoline road toll:		
Personal services	\$14,441.00	
Current expenses	1,900.00	
Travel	2,500.00	
Equipment	750.00	
Total		19,591.00
Motor vehicle patrol:		
Personal services	\$40,139.00	
Current expenses	200.00	
Travel	18,000.00	
Total		58,339.00
Total motor vehicle		\$354,397.00
Less revenue		354,397.00
Net appropriation		00.00
For purchasing agent:		
Salary of purchasing agent	\$5,600.00	
Other personal services	16,643.00	
Current expenses	2,050.00	
Travel	150.00	
Equipment	200.00	
Total purchasing agent		\$24,643.00
For secretary of state:		
Office of secretary:		
Salary of secretary	\$5,600.00	
Salary of deputy secretary	4,100.00	
Other personal services	12,660.00	
Current expenses	2,245.00	
Travel	700.00	
Total		\$25,305.00

Direct primary		\$17,235.00
General election		27,550.00
Photostat division:		
Personal services	\$2,865.00	
Current expenses	1,200.00	
		<hr/>
Total		4,065.00
		<hr/>
Total secretary of state		\$74,155.00

For state library:

Administration:

Salary of librarian	\$3,850.00	
Salary of assistant librarian	3,100.00	
Other personal services	44,192.00	
Current expenses	6,700.00	
Travel	600.00	
Equipment	13,225.00	
Other expenditures	2,500.00	
		<hr/>
Total		\$74,167.00

Extension:

Current expenses	\$4,825.00	
Travel	4,000.00	
Equipment	7,700.00	
Other expenditures	400.00	
		<hr/>

Total		16,925.00
State aid		1,000.00
		<hr/>
Total state library		\$92,092.00

For state police:

Salary of superintendent	\$5,600.00	
Other personal services	195,662.00	
Current expenses	57,300.00	
Travel	17,000.00	
Equipment	30,000.00	
		<hr/>
Total state police		\$306,627.00
Less transfer from highway funds		190,000.00
		<hr/>
Total net appropriation		\$116,627.00

For building and grounds:	
Salary of superintendent	\$3,600.00
Other personal services	88,562.00
Current expenses	49,825.00
Equipment	.....
	<hr/>
Total	\$141,987.00
Mailing division:	
Personal services	\$3,964.00
Current expenses	585.00
	<hr/>
Total	\$4,549.00
Franklin Pierce homestead	640.00
Daniel Webster birthplace	835.00
	<hr/>
Total buildings and grounds	\$148,011.00
For state treasury:	
Office of treasurer:	
Salary of treasurer	\$5,600.00
Salary of deputy	3,600.00
Other personal services	24,786.25
Current expenses	5,527.50
Travel	250.00
Equipment	3,695.00
	<hr/>
Total	\$43,458.75
Highway division:	
Personal services	\$7,137.50
Current expenses	1,600.00
Equipment	1,528.50
	<hr/>
Total	10,266.00
Less transfer from high-	
way fund	10,266.00
	<hr/>
Net appropriation	00.00
Intangible tax:	
Personal services	\$2,291.25
Current expenses	300.00

Equipment	\$500.00	
		<hr/>
Total	\$3,091.25	
Less revenue	3,091.25	
		<hr/>
Net appropriation		00.00
Trust funds		37,087.27
Bounties		12,000.00
		<hr/>
Total treasury		\$92,546.02
For weights and measures:		
Salary of commissioner	\$4,600.00	
Other personal services	14,112.00	
Current expenses	2,000.00	
Travel	6,000.00	
Equipment	200.00	
		<hr/>
Total weights and measures		\$26,912.00
For industrial school:		
Administration:		
Salary of superintendent	\$5,100.00	
Other personal services	8,328.00	
Current expenses	2,225.00	
Travel	750.00	
Equipment	100.00	
		<hr/>
Total		\$16,503.00
Instruction:		
Personal services	\$9,210.00	
Current expenses	935.00	
Equipment	750.00	
		<hr/>
Total		10,895.00
Custodial care:		
Personal services	\$41,196.00	
Current expenses	20,200.00	
Equipment	3,000.00	
		<hr/>
Total		64,396.00

Auxiliary to custodial care		\$1,875.00
Operation of plant:		
Personal services	\$2,928.00	
Current expenses	24,750.00	
Equipment	500.00	
Total		28,178.00
Maintenance of plant:		
Personal services	\$7,904.00	
Current expenses	2,525.00	
Equipment	500.00	
Total		10,929.00
Agriculture:		
Personal services	\$4,862.00	
Current expenses	18,100.00	
Equipment	1,000.00	
Total		23,962.00
Parole:		
Personal services	\$2,055.00	
Current expenses	150.00	
Travel	1,200.00	
Total		3,405.00
Total industrial school		\$160,143.00
Less revenue		3,075.00
Net appropriation		\$157,068.00
For Laconia state school:		
Administration:		
Salary of superintendent	\$5,600.00	
Other personal services	11,073.00	
Current expenses	1,912.00	
Travel	1,800.00	
Equipment	90.00	
Total		\$20,475.00

Professional care and treatment:	
Personal services	\$103,605.00
Current expenses	3,735.00
Travel	50.00
Equipment	25.00
	<hr/>
Total	107,415.00
Custodial care:	
Personal services	\$36,019.00
Current expenses	82,875.00
Travel	30.00
Equipment	4,875.00
	<hr/>
Total	123,799.00
Operation of plant:	
Personal services	\$14,706.00
Current expenses	40,605.00
	<hr/>
Total	55,311.00
Maintenance of plant:	
Personal services	\$10,329.00
Current expenses	4,565.00
Equipment	100.00
	<hr/>
Total	14,944.00
Agriculture:	
Personal services	\$35,521.00
Current expenses	45,925.00
Travel	35.00
Equipment	2,500.00
	<hr/>
Total	83,981.00
	<hr/>
Total Laconia state school	\$405,975.00
Less revenue	2,500.00
	<hr/>
Net appropriation	\$403,475.00
For soldiers' home:	
Administration:	
Salary of commandant	\$2,600.00
Other personal services	1,743.00

Current expenses	\$600.00	
Travel	100.00	
		<hr/>
Total		\$5,043.00
Custodial care:		
Personal services	\$10,159.00	
Current expenses	9,400.00	
		<hr/>
Total		19,559.00
Professional care:		
Personal services	\$7,110.00	
Current expenses	800.00	
		<hr/>
Total		7,910.00
Operation of plant:		
Personal services	\$7,531.00	
Current expenses	6,050.00	
		<hr/>
Total		13,581.00
Maintenance of plant		800.00
Agriculture:		
Personal services	\$3,230.00	
Current expenses	1,500.00	
		<hr/>
Total		4,730.00
		<hr/>
Total soldiers' home		\$51,623.00
For state hospital:		
Administration:		
Salary of superintendent	\$7,100.00	
Other personal services	70,671.00	
Current expenses	11,160.00	
Travel	400.00	
Equipment	750.00	
		<hr/>
Total		\$90,081.00
Professional care:		
Personal services	\$585,000.00	
Current expenses	41,997.00	

Travel	\$2,475.00	
Equipment	2,500.00	
		<hr/>
Total		631,972.00
Custodial care:		
Personal services	\$185,000.00	
Current expenses	450,000.00	
Equipment	10,000.00	
		<hr/>
Total		645,000.00
Operation of plant:		
Personal services	\$56,619.00	
Current expenses	180,000.00	
Travel	1,400.00	
Equipment	3,500.00	
		<hr/>
Total		241,519.00
Maintenance of plant:		
Personal services	\$81,700.00	
Current expenses	14,065.00	
Travel	80.00	
Equipment	800.00	
		<hr/>
Total		96,645.00
Agriculture:		
Personal services	\$32,000.00	
Current expenses	54,270.00	
Travel	50.00	
Equipment	5,000.00	
		<hr/>
Total		91,320.00
Out-patient clinic:		
Personal services	\$13,883.00	
Current expenses	765.00	
Travel	1,500.00	
Equipment	300.00	
		<hr/>
Total		16,448.00
		<hr/>
Total state hospital		\$1,812,985.00

Less revenue		\$5,500.00
Net appropriation		\$1,807,485.00
For state prison:		
Administration:		
Salary of warden	\$5,100.00	
Other personal services	7,506.00	
Current expenses	910.00	
Travel	500.00	
Equipment	325.00	
Total		\$14,341.00
Instruction:		2,700.00
Custodial care:		
Salary of deputy warden	\$3,035.00	
Other personal services	83,485.00	
Current expenses	64,275.00	
Equipment	1,000.00	
Total		151,795.00
Auxiliary to prison care		9,500.00
Operation of plant:		
Personal services	\$4,770.00	
Current expenses	7,556.00	
Total		12,326.00
Maintenance of plant		8,150.00
Agriculture:		
Personal services	\$4,820.00	
Current expenses	17,770.00	
Equipment	1,500.00	
Total	\$24,090.00	
Less transfers	12,000.00	
Net total		12,090.00
Parole:		
Personal services	\$8,051.00	
Current expenses	1,095.00	
Travel	2,600.00	

Equipment	\$125.00	
Total		11,871.00
		<hr/>
Total state prison		\$222,773.00
Less revenue		15,028.00
		<hr/>
Net appropriation		\$207,745.00
For state sanatorium:		
Administration:		
Salary of superintendent	\$5,600.00	
Other personal services	3,160.00	
Current expenses	1,310.00	
Travel	900.00	
Equipment	150.00	
Total		\$11,120.00
Professional care:		
Personal services	\$34,768.00	
Current expenses	5,810.00	
Equipment	525.00	
Total		41,103.00
Custodial care:		
Personal services	\$23,157.00	
Current expenses	27,840.00	
Equipment	500.00	
Total		51,497.00
Operation of plant:		
Personal services	\$16,084.00	
Current expenses	15,706.00	
Equipment	100.00	
Total		31,890.00
Maintenance of plant		2,850.00
Agriculture:		
Personal services	\$5,380.00	
Current expenses	7,575.00	
Total		12,955.00
Total state sanatorium		\$151,415.00

For University of New Hampshire:		
Mileage fund		\$914,975.59
For barbers' board:		
Personal services	\$2,727.00	
Current expenses	503.00	
Travel	800.00	
	<hr/>	
Total barbers' board	\$4,030.00	
Less revenue	4,030.00	
	<hr/>	
Net appropriation		00.00
For chiropractic examiners		\$900.00
For board of education:		
Administration:		
Salary of commissioner	\$8,450.00	
Salary of deputy	5,100.00	
Other personal services	70,675.00	
Current expenses	11,900.00	
Travel	8,500.00	
Equipment	1,000.00	
	<hr/>	
Total		\$105,625.00
Equalization:		
Transportation		3,500.00
State wide supervision (net)	\$113,750.00	
Conferences	1,500.00	
	<hr/>	
Total		115,250.00
Smith-Hughes—(state):		
Personal services	\$5,312.50	
Current expenses	200.00	
Travel	1,000.00	
	<hr/>	
Total		6,512.50
Vocational rehabilitation:		
Current expenses	\$16,100.00	
Travel	500.00	
Equipment	400.00	
	<hr/>	
Total		17,000.00

George Deen (state):	
Personal services	\$6,238.00
Current expenses	100.00
Travel	1,800.00
	<hr/>
Total	8,138.00
State trade school—Manchester:	
Personal services	\$74,230.00
Current expenses	27,700.00
Travel	500.00
Equipment	10,000.00
	<hr/>
Total	112,430.00
State trade school—Portsmouth:	
Personal services	\$54,479.00
Current expenses	27,350.00
Travel	1,000.00
Equipment	15,000.00
	<hr/>
Total	\$97,829.00
Trade school (Concord office):	
Personal services	\$16,264.00
Current expenses	1,275.00
Travel	1,700.00
Equipment	100.00
	<hr/>
Total	19,339.00
Training—veterans (on-the-job)	4,600.00
Area vocational schools:	
Personal services	\$1,857.00
Current expenses	400.00
Travel	1,200.00
Equipment	25,000.00
Other expenditures	81,923.00
	<hr/>
Total	110,380.00
School lunch program:	
Personal services	\$4,690.00
Travel	1,000.00
	<hr/>
Total	5,690.00

Keene teachers college:	
Personal services	\$219,179.00
Current expenses	93,200.00
Travel	800.00
Equipment	4,000.00
	<hr/>
Total	\$317,179.00
Plymouth teachers college:	
Personal services	\$148,072.00
Current expenses	59,275.00
Travel	700.00
Equipment	1,200.00
Fees	200.00
	<hr/>
Total	209,447.00
Education of deaf	30,000.00
	<hr/>
Total board of education	\$1,162,919.50
Less revenue	542,618.00
	<hr/>
Net appropriation	\$620,301.50

In addition to the above appropriation said department shall receive for disbursement the income of the teachers' colleges' dormitories and practice schools, revenue from tuitions received by the Manchester and Portsmouth State Trade Schools, and the sums paid by school districts for the salaries of superintendents under section 44, chapter 135 of the Revised Laws. In this department any balance, excepting the equalization fund, which may be unexpended in any fiscal year, shall be placed in a special fund available for use for maintenance purposes the following year by and with the consent of the governor and council.

For board of health:

Administration:

Salary of state health officer	\$7,100.00
Other personal services	4,776.00
Current expenses	9,070.00
Travel	600.00
Equipment	100.00
	<hr/>
Total	21,646.00

Finance:		
Personal services	\$2,833.00	
Current expenses	800.00	
Equipment	200.00	
	<hr/>	
Total		3,833.00
Vital statistics:		
Personal services	\$10,508.00	
Current expenses	1,650.00	
	<hr/>	
Total		12,158.00
Public health nursing:		
Personal services	\$21,784.00	
Current expenses	965.00	
Travel	5,252.00	
Equipment	100.00	
	<hr/>	
Total		28,101.00
Communicable disease control:		
Personal services	\$23,906.00	
Current expenses	60,400.00	
Travel	1,850.00	
Equipment	300.00	
	<hr/>	
Total		86,456.00
Eastern health district:		
Personal services	\$4,620.00	
Current expenses	1,285.00	
Travel	500.00	
	<hr/>	
Total		6,405.00
Dental services:		
Personal services	\$6,467.00	
Current expenses	1,250.00	
Travel	900.00	
	<hr/>	
Total		8,617.00
Maternal and child health and crippled children:		
Personal services	\$18,379.00	

Current expenses	\$4,450.00	
Travel	400.00	
		<hr/>
Total		23,229.00
Board of registration in medicine		925.00
Industrial hygiene:		
Personal services	\$13,493.00	
Current expenses	850.00	
Travel	1,500.00	
Equipment	500.00	
		<hr/>
Total		16,343.00
Diagnostic laboratories:		
Personal services	\$16,638.00	
Current expenses	5,930.00	
Travel	100.00	
Equipment	1,000.00	
		<hr/>
Total		23,668.00
Food and chemistry:		
Personal services	\$40,427.00	
Current expenses	1,650.00	
Travel	11,700.00	
Equipment	1,500.00	
		<hr/>
Total		55,277.00
Sanitary engineering:		
Personal services	\$19,793.00	
Current expenses	1,610.00	
Travel	5,400.00	
Equipment	850.00	
		<hr/>
Total		27,653.00
		<hr/>
Total board of health		\$314,311.00
Less revenue		3,975.00
		<hr/>
Net appropriation		\$310,336.00

For board of optometry		\$700.00
For milk control board:		
Personal services	\$10,662.00	
Current expenses	1,250.00	
Travel	2,500.00	
Equipment	.....
	<hr/>	
Total milk control board		\$14,412.00
For probation board:		
Salary of director	\$4,600.00	
Other personal services	54,929.00	
Current expenses	6,095.00	
Travel	13,000.00	
Equipment	500.00	
	<hr/>	
Total probation board		\$79,124.00
For board of public welfare:		
Administration:		
Salary of commissioner	\$5,600.00	
Other personal services	63,756.00	
Current expenses	18,675.00	
Travel	3,800.00	
Equipment	1,000.00	
Other expenditures	2,600.00	
	<hr/>	
Total		\$95,431.00
State services:		
Personal services	\$10,086.00	
Current expenses	200.00	
Travel	800.00	
Equipment	250.00	
	<hr/>	
Total		11,336.00
Field services:		
Personal services	\$245,681.00	
Current expenses	25,960.00	
Travel	29,370.00	
Equipment	3,250.00	
	<hr/>	
Total		304,261.00

Blind services:	
Personal services	\$33,150.00
Current expenses	1,475.00
Travel	2,150.00
Equipment	100.00
Grants	6,000.00
	<hr/>
Total	42,875.00
A. D. C. (state's share)	1,250,568.72
Special childrens aid	2,500.00
Aid to needy blind (state's share)	94,326.24
Nesmith fund	3,700.00
Old age assistance (state's share)	998,216.27
Extra hospializaion	38,000.00
	<hr/>
Total public welfare	\$2,841,214.23
Less revenue	120,820.00
	<hr/>
Net appropriation	\$2,720,394.23
For state veterans council:	
Personal services	\$17,681.00
Current expenses	1,935.00
Travel	8,400.00
Equipment	200.00
Burial claims	13,000.00
	<hr/>
Total veterans council	\$41,216.00
For board of veterinary examiners	\$175.00
For water resources board:	
Personal services	\$11,962.00
Current expenses	1,010.00
Travel	800.00
Equipment	135.00
	<hr/>
Total	\$13,907.00
Water control commission:	
Personal services	\$5,102.50
Current expenses	1,840.00

Travel	\$350.00	
	<hr/>	
Total		7,292.50
Stream flow gauging	\$10,000.00	
Less transfer from high- way funds	\$2,750.00	
Less estimated revenue	500.00	
	<hr/>	3,250.00
Net appropriation		6,750.00
		<hr/>
Total water resources board		\$27,945.50
For aeronautics commission:		
Salary of director	\$4,600.00	
Other personal services	9,922.00	
Current expenses	2,000.00	
Travel	2,500.00	
Equipment	100.00	
	<hr/>	
Total aeronautics commission		\$19,122.00
For bank commission:		
Salary of commissioner	\$6,100.00	
Salary of deputies	8,200.00	
Other personal services	27,559.00	
Current expenses	5,100.00	
Travel	7,900.00	
Equipment	417.00	
	<hr/>	
Total bank commission		\$55,276.00
For cancer commission:		
Personal services	\$14,874.00	
Current expenses	28,120.00	
Travel	1,350.00	
	<hr/>	
Total cancer commission	\$44,344.00	
Less revenue	9,000.00	
	<hr/>	
Net appropriation		\$35,344.00

For liquor commission:

Liquor administration:

Salary of commis- sioners (1/2)	\$8,400.00
Other personal services	61,973.50
Current expenses	23,050.00
Travel	4,000.00
Equipment	1,500.00
Other expenditures	3,000.00

Total	\$101,923.50
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Beer administration:

Salary of commis- sioners (1/2)	\$8,400.00
Other personal services	62,996.00
Current expenses	9,600.00
Travel	30,000.00
Equipment	1,500.00
Other expenditures	3,300.00

Total	115,796.00
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Liquor enforcement:

Personal services	\$16,267.00
Current expenses	175.00
Travel	10,000.00
Equipment	100.00
Other expenditures	485.00

Total	27,027.00
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Stores:

Personal services	\$371,124.00
Current expenses	168,450.00
Travel	7,000.00
Equipment	12,000.00
Other expenditures	17,000.00

Total	575,574.00
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Warehouse:

Personal services	\$50,649.00
Current expenses	33,200.00
Travel	100.00

Equipment	\$5,000.00	
Other expenditures	2,000.00	
		<hr/>
Total		90,949.00
		<hr/>
Total liquor commission		\$911,269.50
Less revenue		911,269.50
		<hr/>
Net appropriation		00.00
For pharmacy commission:		
Personal services	\$1,600.00	
Current expenses	235.00	
Travel	700.00	
		<hr/>
Total pharmacy commission		\$2,535.00
For planning and development commission:		
Administration:		
Salary of director	\$5,100.00	
Other personal services	71,507.00	
Current expenses	147,900.00	
Travel	11,000.00	
Equipment	1,500.00	
Other expenditures:		
Tourist service	5,000.00	
Regional association*	16,950.00	
Land use board	250.00	
Wood waste utilization	4,000.00	
N. Y. information bureau	25,000.00	
Fairs, shows and expositions	3,500.00	
		<hr/>
Total planning and development commission		\$291,707.00
Less revenue		2,800.00
		<hr/>
Net appropriation		\$288,907.00

* This appropriation shall be administered by the state planning and development commission for the aid of regional development associations. Not more than \$2,825.00 may be allotted by the commission to any one regional association whose bounds, form of organization and program shall first have been approved by the commission. Any unexpended portion of this appropriation shall lapse and shall not be transferred to any other state appropriation.

For public service commission:

Salary of commissioners	\$19,800.00
Other personal services	58,731.00
Current expenses	17,350.00
Travel	5,500.00
Equipment	2,350.00

Total public service commission	\$103,731.00
Less estimated revenue*	28,000.00
Net appropriation	\$75,731.00

For racing commission:

Salary of commissioners	\$5,400.00
Other personal services	34,546.00
Current expenses	2,697.00
Travel	2,600.00
Equipment	250.00
Other expenditures	145.00

Total racing commission	\$45,638.00
Less revenue	45,638.00
Net appropriation	00.00

For state tax commission:

Office of commission:

Salary of two commissioners	\$8,200.00
Salary of secretary	5,100.00
Other personal services	19,274.00
Current expenses	6,955.00
Travel	6,000.00
Equipment	550.00

Total	\$46,079.00
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Interest and dividends division:

Personal services	\$11,189.00
Current expenses	2,075.00

* Any income in excess of the above estimate shall be available for further expenditure for the purposes set up by the governing statutes.

Travel	\$750.00	
Equipment	400.00	
Total	\$14,414.00	
Less revenue	14,414.00	
Net appropriation		00.00
Utilities:		
Personal services	\$3,187.00	
Current expenses	150.00	
Travel	250.00	
Equipment	100.00	
Total	\$3,687.00	
Less revenue	3,687.00	
Net appropriation		00.00
Tobacco products:		
Personal services	\$24,245.00	
Current expenses	13,050.00	
Travel	9,000.00	
Total		46,295.00
Municipal accounting:		
Personal services	\$23,360.00	
Current expenses	1,125.00	
Travel	6,000.00	
Equipment	300.00	
Total	\$31,285.00	
Less revenue	12,255.00	
Net appropriation		19,030.00
Total tax commission		\$111,404.00
For board of hairdressers:		
Personal services	\$3,336.00	
Current expenses	1,555.00	
Travel	1,170.00	
Other expenditures	81.18	
Total hairdressers	\$6,142.18	

Less revenue	\$6,142.18	
Net appropriation		00.00
For policemen's retirement system		\$30,000.00
For teachers' retirement system		\$38,000.00
For employees' retirement system:		
Personal services	\$15,519.00	
Current expenses	1,660.00	
Travel	1,100.00	
Other expenditures	69,410.00	
Total employees retirement		\$87,689.00
For board of accounting	\$601.00	
Less revenue	601.00	
Net appropriation		00.00
For fish and game department:		
Commission:		
Current expenses	\$135.00	
Travel	865.00	
Employees' retirement	8,698.00	
Total		\$9,698.00
Conservation:		
Personal services	\$85,322.00	
Current expenses	11,000.00	
Travel	50,250.00	
Equipment	10,500.00	
Total		157,072.00
Bob cat bounties		5,000.00
Damage:		
Personal services	\$3,471.00	
Current expenses	2,475.00	
Travel	1,100.00	
Equipment	150.00	
Damage awards	20,000.00	
Total		27,196.00

Administration:	
Salary of director	\$5,000.00
Other personal services	21,071.00
Current expenses	17,771.00
Travel	2,500.00
Equipment	250.00
	<hr/>
Total	46,592.00
Education:	
Personal services	\$5,724.00
Current expenses	7,935.00
Travel	1,600.00
Equipment	2,400.00
Shows	6,000.00
	<hr/>
Total	23,659.00
Research:	
Personal services	\$11,403.68
Current expenses	4,400.00
Travel	3,500.00
Equipment	1,450.00
	<hr/>
Total	20,753.68
Propagation of fish:	
Personal services	\$108,187.00
Current expenses	113,025.00
Travel	6,500.00
Equipment	7,300.00
Construction	280,000.00
	<hr/>
Total	515,012.00
Propagation of game:	
Personal services	\$1,500.00
Current expenses	27,000.00
Travel	1,000.00
Equipment	500.00
	<hr/>
Total	30,000.00
Pittman-Robertson:	
Personal services	\$11,401.56
Current expenses	4,220.00

Travel	\$5,400.00	
Equipment	900.00	
Other expenditures	430.00	
		<hr/>
Total		22,351.56
		<hr/>
Total fish and game department		\$857,334.24
Less revenue and balance		857,334.24
		<hr/>
Net appropriation		00.00
For prison industries:		
Personal services	\$45,694.00	
Current expenses	86,000.00	
Travel	350.00	
Equipment	2,000.00	
		<hr/>
Total prison industries	\$134,044.00	
Less revenue	134,044.00	
		<hr/>
Net appropriation		00.00
For aerial tramway:		
Personal services	\$94,183.00	
Current expenses	40,950.00	
Travel	1,500.00	
Equipment	3,500.00	
New building	40,000.00	
Retirement	3,345.00	
		<hr/>
Total aerial tramway	\$183,478.00	
Less revenue	183,478.00	
		<hr/>
Net appropriation		00.00
		<hr/>
Total net appropriation		\$10,158,105.54

2. **Takes Effect.** This act shall take effect as of July 1, 1948.

[Approved July 1, 1947.]

CHAPTER 298.

JOINT RESOLUTION IN FAVOR OF PATRICK T. MCLAUGHLIN.

*Resolved by the Senate and House of Representatives in
General Court convened:*

THAT the sum of eighty-six dollars and sixty-six cents (\$86.66) be and hereby is appropriated to reimburse the estate of Patrick T. McLaughlin, late of Peterborough, deceased, for payment on account of legacy and succession tax levied upon the sum of one thousand nineteen dollars and fifty-two cents (\$1,019.52) which passed by the laws regulating intestate succession to the father and mother of said Patrick T. McLaughlin, who died on October 24, 1944, while a prisoner of war of the military forces of the Empire of Japan; said sum of one thousand nineteen dollars and fifty-two cents (\$1,019.52) being the net worth of said estate, and the assets of said estate consisting entirely of pay of the said Patrick T. McLaughlin as private, Signal Corps, Army of the United States, which accumulated while he was a prisoner of war as aforesaid. The governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

[Approved March 12, 1947.]

CHAPTER 299.

JOINT RESOLUTION IN FAVOR OF MRS. ERWIN L. SHAVER.

*Resolved by the Senate and House of Representatives in
General Court convened:*

THAT the sum of eleven dollars and fifty-one cents (\$11.51) is hereby appropriated to Mrs. Erwin L. Shaver of 15 Shirley Road, Waltham, Massachusetts, on account of deposit in the Keene Five-Cent Savings Bank in the name of John E. Kendall, deceased, her former husband, which said account was unclaimed and turned into the state treasury November 11, 1915. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

[Approved March 12, 1947.]

CHAPTER 300.**JOINT RESOLUTION IN FAVOR OF THE ESTATE OF RONALD
MCGREGOR.**

*Resolved by the Senate and House of Representatives in
General Court convened:*

THAT the state treasurer be and hereby is directed to pay to the estate of Ronald McGregor, representative from Rochester, the balance of salary due said decedent as a member of the house of representatives.

[Approved March 25, 1947.]

CHAPTER 301.**JOINT RESOLUTION RELATING TO INVESTIGATION AND STUDY OF
THE CAUSE AND PREVENTION OF SERIOUS SEX CRIMES AND
THE ADVISABILITY OF IMPOSING MANDATORY SENTENCES
AND MORE STRINGENT SUPERVISION OF OFFENDERS
AFTER THEIR RELEASE.**

*Resolved by the Senate and House of Representatives in
General Court convened:*

THAT a commission, consisting of two members of the senate appointed by the president, three members of the house of representatives appointed by the speaker and five persons appointed by the governor, be created for the purpose of investigating and studying the cause and prevention of serious sex crimes and the advisability of imposing mandatory sentences upon conviction and a more stringent supervision of offenders upon their release. The commission shall report to the legislature not later than May 1, 1947 the result of its investigations and recommendations, if any, together with drafts of legislation necessary to carry out its recommendations. Said commission shall serve without compensation but shall be reimbursed for actual expenses when engaged in the business of the commission. The sum of one thousand dollars is hereby appropriated for the expenses of this commission and the governor is hereby authorized to draw his warrant for sums not exceeding said sum out of any money in the treasury not otherwise appropriated.

[Approved April 1, 1947.]

CHAPTER 302.

JOINT RESOLUTION IN FAVOR OF THE TOWN OF HOOKSETT.

Resolved by the Senate and House of Representatives in General Court convened:

THAT the sum of five hundred and seven dollars and thirty-nine cents (\$507.39) be and hereby is appropriated to reimburse the town of Hooksett for payments on account of collection of state tax on property of the Sisters of Mercy in said town for the years 1936 and 1937, which said tax was determined to have been erroneously collected by decision of the supreme court of the state. The governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

[Approved April 23, 1947.]

CHAPTER 303.

JOINT RESOLUTION EXTENDING A CERTAIN APPROPRIATION FOR CERTAIN GRADE CROSSINGS IN DALTON AND WHITEFIELD.

Resolved by the Senate and House of Representatives in General Court convened:

THAT the appropriation made by chapter 252 of the Laws of 1941, for the elimination of certain grade crossings in the towns of Dalton and Whitefield, and extended by chapter 219 of the Laws of 1943, and chapter 216 of the Laws of 1945, shall not lapse but shall be available for the purposes of said chapter until July 1, 1951.

[Approved May 13, 1947.]

CHAPTER 304.

JOINT RESOLUTION AUTHORIZING THE PRINTING AND DISTRIBUTING OF FORMS FOR THE MUNICIPAL COURTS OF THE STATE.

Resolved by the Senate and House of Representatives in General Court convened:

THAT the attorney general is hereby authorized and directed to have printed and distributed forms approved and recom-

mended by the judicial council to provide record books for the municipal courts of the state. The original distribution shall be made by the secretary of the judicial council. The sum not to exceed eight hundred dollars is hereby appropriated for the purposes hereof, and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

[Approved May 20, 1947.]

CHAPTER 305.

JOINT RESOLUTION IN FAVOR OF THE ESTATE OF STANLEY F. RICE.

*Resolved by the Senate and House of Representatives in
General Court convened:*

THAT the sum of seventy-eight dollars and seventy-six cents (\$78.76) be and hereby is appropriated to reimburse the estate of Stanley F. Rice, late of Northumberland, deceased, for payment on account of legacy and succession tax levied upon the sum of nine hundred and twenty-six dollars and fifty-eight cents (\$926.58) which passed by the laws regulating intestate succession to Jean S. Rice, mother of said Stanley F. Rice, who died on July 2, 1943, while a prisoner of war of the military forces of the Empire of Japan; said sum of nine hundred and twenty-six dollars and fifty-eight cents (\$926.58) being the net worth of said estate, and the assets of said estate consisting entirely of pay of the said Stanley F. Rice as first class private, Air Corps, Army of the United States, which accumulated while he was a prisoner of war as aforesaid. The governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated, and pay same to said Jean S. Rice of Groveton, mother and sole heir of said deceased Stanley F. Rice.

[Approved May 20, 1947.]

CHAPTER 306.**JOINT RESOLUTION RELATIVE TO A SPECIAL COMMITTEE TO STUDY
CAUSES OF ICE JAMS IN THE CONNECTICUT RIVER.**

WHEREAS, ice jams in the Connecticut river in the vicinity of Windsor, Vermont, and Cornish, New Hampshire, cause floods which disrupt interstate travel by railroad and highway, cause suffering to home owners and suspension of manufacturing and business activities; and

WHEREAS, in principal part the Connecticut river is a New Hampshire stream; and

WHEREAS, neither Vermont nor New Hampshire alone has sufficient jurisdiction over the conditions which cause such ice jams to correct the present situation; and

WHEREAS, at present there is lack of information in either state as to the exact cause or causes of these ice jams and of the work necessary to be done to protect lives and property and to keep lines of traffic open; now, therefore,

*Resolved by the Senate and House of Representatives in
General Court convened:*

THAT the highway department is hereby authorized to make an investigation, in cooperation with an agency of the state of Vermont having like authority, of the causes of ice jams in the Connecticut river and to make recommendations for action to correct the conditions.

The provisions of this resolution shall become effective upon the passage of like legislation by the state of Vermont.

[Approved May 21, 1947.]

CHAPTER 307.**JOINT RESOLUTION DIRECTING THE STATE PLANNING AND
DEVELOPMENT COMMISSION TO STUDY THE PROBLEMS
OF THE SMALLER COMMUNITIES.**

WHEREAS a serious situation exists in regard to the social and economic life of most of the smaller communities in New Hampshire brought about by greatly decreased population and taxable wealth of such communities,

WHEREAS there is a need for a thorough investigation of the causes for such decrease, and of finding means for developing recreational, agricultural and timber resources of such communities, now, therefore, be it

Resolved by the Senate and House of Representatives in General Court convened:

THAT the state planning and development commission is hereby directed to make a study of the problems and to make such recommendations for the improvement of conditions in the smaller communities of the state as appear advisable. The commission is further directed to appoint an advisory committee made up of people acquainted with and vitally interested in the problems of smaller communities, who shall meet from time to time to analyze the problems and aid in the drafting of recommendations. The state planning and development commission shall report its findings and make suggestions for remedial legislation to the next biennial session of the general court.

[Approved May 21, 1947.]

CHAPTER 308.

JOINT RESOLUTION IN FAVOR OF RALPH L. WHEELER.

Resolved by the Senate and House of Representatives in General Court convened:

THAT the sum of one thousand dollars (\$1,000) be and hereby is appropriated to Ralph L. Wheeler of Temple to reimburse him for the value of one bull, death of which was occasioned by wire from a snow fence erected by the highway department of the state. The sum appropriated shall be a charge upon the highway funds.

[Approved May 26, 1947.]

CHAPTER 309.**JOINT RESOLUTION IN FAVOR OF PRESERVATION OF THE STATE
HOUSE WILDLIFE EXHIBIT.**

*Resolved by the Senate and House of Representatives in
General Court convened:*

THAT the sum of one thousand dollars is hereby appropriated for the fiscal year 1947-1948 and a like sum is hereby appropriated for the fiscal year 1948-1949 for the improvement and preservation of the wildlife exhibit in the basement of the state house and the facilities for its display. The sums hereby appropriated shall be expended under the direction of the director of the fish and game department and the governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

[Approved May 29, 1947.]

CHAPTER 310.**JOINT RESOLUTION RELATING TO THE SPECIAL COMMISSION
STUDYING THE CAUSE AND PREVENTION OF SERIOUS
SEX CRIMES.**

*Resolved by the Senate and House of Representatives in
General Court convened:*

THAT the commission, appointed under the provisions of a joint resolution relating to investigation and study of the cause and prevention of serious sex crimes approved April 1, 1947, is hereby authorized and directed to continue its investigation and study, and report to the next session of the legislature the result of said investigations and studies and its recommendations thereupon. The appropriation authorized by said joint resolution shall be continued for the purposes of said commission and shall not lapse until two years from the date of the approval of this resolution.

[Approved May 29, 1947.]

CHAPTER 311.

JOINT RESOLUTION IN FAVOR OF SAMUEL W. TENOFSKY.

Resolved by the Senate and House of Representatives in General Court convened:

THAT the sum of nine thousand three hundred ninety-six dollars and thirty-two cents (\$9,396.32) is hereby appropriated as follows: The sum of one hundred sixty-five dollars to be allowed and paid to Samuel Lewis, M. D. of 475 Commonwealth Avenue, Boston, Mass., the sum of sixteen hundred fifty-six dollars to be allowed and paid to Charles Anthony Robinson, M. D. of 270 Commonwealth Avenue, Boston, Mass., the sum of five hundred sixty-two dollars to be allowed and paid to W. R. MacAusland, M. D. of 412 Beacon Street, Boston, Mass., the sum of one hundred dollars to be allowed and paid to Dr. Roger C. Graves of 12 Bay State Road, Boston, Mass., the sum of two hundred nine dollars to be allowed and paid to James M. Ballou, M. D. of 53 Summer Street, Keene, N. H., the sum of three hundred fifty dollars to be allowed and paid to Robert W. Holmes, M. D. of 28 Middle Street, Keene, N. H., the sum of eleven hundred seventy-eight dollars and ninety-five cents to be allowed and paid to the Carney Hospital of South Boston, Mass., the sum of one hundred seventy-five dollars and thirty-seven cents to be allowed and paid to the Elliot Community Hospital of Keene, N. H., expenses on account of an accident suffered by Samuel W. Tenofsky on August 26, 1944, when on duty as a member of the state guard; and in addition thereto the sum of five thousand dollars is hereby allowed said Samuel W. Tenofsky, to him or to his wife and children, to be paid in weekly installments of fifty dollars per week for one hundred weeks. The governor is hereby authorized to draw his warrants for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

[Approved June 3, 1947.]

CHAPTER 312.

JOINT RESOLUTION IN FAVOR OF ANGELO CHIOVITTI.

Resolved by the Senate and House of Representatives in General Court convened:

THAT the sum of four thousand three hundred and thirty-three dollars and fifty-seven cents (\$4,333.57) is hereby appropriated to reimburse Angelo Chiovitti for injuries received by him while on active duty with the state guard on July 16, 1945 at Keene, N. H. The governor is hereby authorized to draw his warrant for the sum hereby appropriated out of such sum in the treasury not otherwise appropriated and said sum shall be in full settlement of said claim.

[Approved June 4, 1947.]

CHAPTER 313.

JOINT RESOLUTION IN FAVOR OF THE ESTATE OF BENJAMIN RUSH TOLAND.

Resolved by the Senate and House of Representatives in General Court convened:

THAT the sum of \$596.13 be and hereby is appropriated to reimburse the estate of Benjamin Rush Toland, late of Concord, deceased, for payment on account of legacy and succession taxes levied upon the sum of \$7,013.32 which was devised to certain organizations including "One Hundred Neediest Cases," *New York Times*, New York, New York, by the said Benjamin Rush Toland who was killed by enemy action on February 21, 1945, while fighting the military forces of the Empire of Japan on the island of Iwo Jima; said sum of \$7,013.32 being the net worth of said estate. The governor is hereby authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated on condition that said sum be paid over by the Estate of Benjamin Rush Toland to the "One Hundred Neediest Cases." *New York Times*, New York, New York.

[Approved June 12, 1947.]

CHAPTER 314.**JOINT RESOLUTION RELATIVE TO REPAIRS TO A COVERED BRIDGE
IN THE TOWN OF STARK.**

WHEREAS, there is at present an old covered bridge on a class V road near the church in the town of Stark; and

WHEREAS, said bridge is of historic value and an asset to the state from a recreational standpoint; now therefore

*Resolved by the Senate and House of Representatives in
General Court convened:*

THAT the state highway department is authorized to expend from funds of the department such sum as represents fifty-five per cent of the cost of repairs to the before mentioned bridge, provided that the total cost of said repairs shall not exceed the sum of eleven thousand dollars, and provided further that the town of Stark shall appropriate sufficient money to cover forty-five per cent of the said costs.

[Approved June 18, 1947.]

CHAPTER 315.**JOINT RESOLUTION IN FAVOR OF ERNEST BEAULAC.**

*Resolved by the Senate and House of Representatives in
General Court convened:*

THAT the sum of two hundred thirty-four dollars and fifty-three cents (\$234.53) is hereby appropriated to Ernest Beaulac of Berlin to compensate him for damages caused to his automobile as a result of an accident occurring on March 30, 1945, on the state highway in Pinkham Notch due to the presence of a tree across the highway which was being handled by a crew of the highway department of the state. Said sum hereby appropriated shall be a charge upon the state highway fund.

[Approved June 19, 1947.]

CHAPTER 316.**JOINT RESOLUTION PROVIDING FOR THE CELEBRATION OF THE
FIFTIETH ANNIVERSARY OF THE SPANISH-AMERICAN
WAR, AND THE PARTICIPATION THEREIN BY THE
STATE OF NEW HAMPSHIRE.**

WHEREAS, May 9, 1948 will mark the fiftieth anniversary of the entry of the First Regiment, New Hampshire Volunteer Infantry, into the service of the United States in the War with Spain; and

WHEREAS, it is in every way fitting that this anniversary should be duly celebrated, not only by those who served in the ranks, but also by the people of the state generally, and by the state government; therefore be it

*Resolved by the Senate and House of Representatives in
General Court convened:*

THAT the governor is hereby authorized and directed to appoint a committee of such number of members as he may determine necessary to carry out the purposes hereof. Said committee shall consist of at least three members of the Spanish War Veterans Association and serve without compensation but may be reimbursed for necessary expenses incurred in the performances of duties hereunder. The sum of three thousand dollars is hereby appropriated to be expended by said committee for the purpose hereof, and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

[Approved June 19, 1947.]

CHAPTER 317.**JOINT RESOLUTION RELATING TO REPAIRS TO THE KELLEY FALLS
BRIDGE IN THE CITY OF MANCHESTER.**

*Resolved by the Senate and House of Representatives in
General Court convened:*

THAT the highway department is hereby authorized to expend from the funds of the department such sum as represents fifty per cent of the cost of repairs to the Kelley Falls

bridge in the city of Manchester, provided that the total cost of said repairs shall not exceed two hundred and twenty-five thousand dollars, and provided further that the city of Manchester shall appropriate sufficient money to cover fifty per cent of said costs.

[Approved June 25, 1947.]

CHAPTER 318.

JOINT RESOLUTION IN FAVOR OF ROBIE C. CALDWELL OF CONCORD.

Resolved by the Senate and House of Representatives in General Court convened:

THAT the sum of five thousand dollars (\$5,000) be and hereby is appropriated to compensate Robie C. Coldwell of Concord for personal injuries, resulting in total disability, received by him while employed as a guard at state prison on September 3, 1944, in a struggle with prisoners attempting to escape. The governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated. Said amount shall be in full settlement for all claims against the state.

[Approved June 25, 1947.]

CHAPTER 319.

JOINT RESOLUTION IN FAVOR OF THE ESTATE OF RAY KING
HODGKINS, JR.

Resolved by the Senate and House of Representatives in General Court convened:

THAT the sum of two hundred thirty-eight dollars and thirty-two cents (\$238.32) be and hereby is appropriated to reimburse the estate of Ray King Hodgkins, Jr., late of Claremont, deceased, for payment on account of legacy and succession tax levied upon the sum which passed by the laws regulating intestate succession to the father and mother of said Ray King Hodgkins, Jr., who died on January 11, 1943, while

a prisoner of war of the military forces of the Empire of Japan. The governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

[Approved June 25, 1947.]

CHAPTER 320.

JOINT RESOLUTION FOR AN INTERM COMMISSION TO STUDY THE PROJECT OF A PORT AUTHORITY FOR THE STATE OF NEW HAMPSHIRE.

*Resolved by the Senate and House of Representatives in
General Court convened:*

THAT the members of the state planning and development commission are hereby directed to act as an interim commission for the study and analysis of the problem of creating and establishing a port authority for the state of New Hampshire with a port of entry at Portsmouth, and for the industrial development of this section of the state. The commission to make a study of the necessary procedure of such establishment a part of this study, to consist of an examination of the already existing port authorities in Boston and New York and known as the Port of Boston Authority and the Port of New York Authority, together with consultations with steamship companies and railways which would be necessary to or affected by the port authority if it be created. The survey to be made by the commission shall include an investigation of the physical, financial and economic problems involved in the project. The interim commission shall be authorized to establish sub-committees within its membership. The commission shall report its findings and recommendations in writing to the next legislature, together with a draft of any bills whose enactment it may recommend. The interim commission shall have the power to summon witnesses who shall appear and testify under oath; to require the production of papers, records and maps; and to employ any necessary legal, clerical, stenographic or other assistance as may be necessary. The sum of five thousand dollars is hereby appro-

priated to carry into effect the provisions hereof, and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

[Approved June 25, 1947.]

CHAPTER 321.

JOINT RESOLUTION TO ESTABLISH AN INTERM COMMISSION TO
STUDY LEGISLATIVE PRACTICE AND PROCEDURE OF THE
GENERAL COURT.

*Resolved by the Senate and House of Representatives in
General Court convened:*

THERE is hereby created an interim commission to study and report on legislative practice and procedure of the general court, consisting of the speaker of the house and two members appointed by him and the president of the senate and one member appointed by him. It shall be the duty of the commission to investigate, study and examine the entire legislative process of the general court and to report such recommendations as the commission may deem advisable to expedite such legislative process and improve the efficiency thereof, not later than December 1, 1948. Said report to be printed and distributed to each elected member of the 1949 general court. Members of the commission shall serve without salary but shall receive their actual expenses while engaged on official business of the commission. Expenditures for such expenses shall be a charge upon the legislative appropriation.

[Approved June 26, 1947.]

CHAPTER 322.

JOINT RESOLUTION PROVIDING FUNDS FOR RECONSTRUCTION
AND REPAIR OF CERTAIN HIGHWAYS, BRIDGES AND
CULVERTS DAMAGED BY A CLOUDBURST IN JUNE,
1947, IN THE TOWN OF BATH.

*Resolved by the Senate and House of Representatives in
General Court convened:*

THAT the sum of seven thousand dollars (\$7000) is hereby appropriated to be paid to the town of Bath for not exceed-

ing one-half the amount expended by it for repairing certain highways, bridges and culverts destroyed by a cloudburst in June, 1947. The sum so appropriated hereunder shall be paid upon presentation of proper vouchers by the town and shall be a charge upon the highway fund.

[Approved June 30, 1947.]

CHAPTER 323.

JOINT RESOLUTION CONCERNING A BRIDGE IN THE TOWN OF WARNER.

Resolved by the Senate and House of Representatives in General Court convened:

THAT the highway department is authorized to expend from the funds of the department the sum of thirteen thousand dollars for the rebuilding of the so-called Bagley Bridge in the town of Warner provided that the town of Warner shall appropriate the sum of two thousand dollars to cover the cost of building approaches to said bridge.

[Approved June 30, 1947.]

CHAPTER 324.

JOINT RESOLUTION RELATIVE TO AGRICULTURAL RESOURCES OF THE STATE.

WHEREAS, the new scientific developments through the agricultural experiment station, the improved educational facilities of the college of agriculture and the extension service, and the adequate control of animal and poultry diseases, and the satisfactory servicing of agricultural marketing procedures through the state department of agriculture plainly indicate that there are ample opportunities and a pressing need for the development of the state's agriculture for the benefit of all its people, and

WHEREAS, these facilities for the improvement of agriculture need to be more fully used in advertising and in planning for the development of the state's agriculture, and

WHEREAS, the state planning and development commission is established by law for this purpose, be it hereby

Resolved by the Senate and House of Representatives in General Court convened:

THAT the state planning and development commission is instructed after suitable study and preparation to proceed with the advertising of the state's agricultural opportunities and farm products, and the planning for the fullest possible development of our agricultural resources, using the information and knowledge made available by the state's agricultural agencies and in cooperation with them and agricultural organizations and to expend from the funds of the commission such an amount as is required to carry out the purposes of this resolution, and to employ personnel adequately trained in the field of agriculture if necessary to accomplish the purposes of this resolution.

[Approved July 1, 1947.]

CHAPTER 325.

JOINT RESOLUTION PROVIDING FUNDS FOR RECONSTRUCTION AND REPAIR OF CERTAIN HIGHWAYS, BRIDGES AND CULVERTS DAMAGED BY A CLOUDBURST IN JUNE, 1947, IN THE TOWNS OF DALTON, LYMAN AND LITTLETON, WHITEFIELD, JEFFERSON AND LANCASTER.

Resolved by the Senate and House of Representatives in General Court convened:

THAT the sums of \$3750. and \$3250. are hereby appropriated to be paid to the towns of Lyman and Littleton, respectively, \$1500. for the town of Whitefield, \$2000. for the town of Jefferson, and \$4500. for the town of Lancaster, for not exceeding one-half the amount expended by them for repairing certain highways, bridges and culverts destroyed by a cloudburst in June, 1947. The sums so appropriated hereunder shall be paid upon presentation of proper vouchers by the towns and shall be a charge upon the highway funds.

THAT a sum not exceeding \$40,000. is hereby appropriated for the same purpose in the town of Dalton, provided that

said town of Dalton appropriates a sum of not less than \$5000. and that said sums be expended under the direction and supervision of the state highway department. The sum appropriated shall be a charge upon the highway fund.

[Approved July 1, 1947.]

CHAPTER 326.

JOINT RESOLUTION TO ESTABLISH A COMMISSION TO STUDY THE STATE'S DELINQUENCY AGENCIES.

*Resolved by the Senate and House of Representatives in
General Court convened:*

THAT the governor, with the advice and consent of the council, is hereby authorized to appoint a commission of five members for the purpose of making a complete study of the state's delinquency agencies, including the juvenile courts, the probation department and other law-enforcement agencies, the industrial school, which are uncoordinated at the present time for the proper handling of our juvenile delinquents. The commission is hereby instructed to lay out and recommend to the 1949 session of the general court a coordinated plan and define policies in the state's handling and care of its juvenile delinquents. Said report and recommendations shall be filed on or before December 31st, 1948. The members of said commission shall serve without pay but may be reimbursed for their travelling expenses incurred when engaged in official business of the commission. Said commission may employ and fix compensation of such assistants as may be necessary for the purposes hereof. The sum of three thousand dollars (\$3,000) is hereby appropriated for the purposes hereof and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

[Approved July 1, 1947.]

CHAPTER 327.

JOINT RESOLUTION TO ESTABLISH AN INTERIM COMMITTEE TO
STUDY THE OVERALL TAX STRUCTURE OF THE STATE.

*Resolved by the Senate and House of Representatives in
General Court convened:*

THAT a committee of five members be appointed as hereinafter provided, to study all phases of taxation in the state. Said committee shall be appointed by the governor with the advice and consent of the council, prior to September 1, 1947. Vacancies occurring shall be filled in the same manner.

Said committee shall make a careful study of present taxes, tax income from all sources, and possibilities of future revenue. Said committee shall have full power and authority to require from the several departments, boards and commissions of the state government, the assessors of cities and the selectmen of towns, and from individuals, fiduciaries, partnerships and corporations, such information and assistance as may be necessary for the purposes of the committee. Said committee shall have the authority to summon witnesses and hold hearings at such times and places as they may deem best. Said committee may employ such clerical or expert assistants as they may deem necessary. The members of said committee shall serve without compensation but shall be reimbursed for their necessary expenses when engaged in the business of said committee. Said committee shall report its findings and recommendations to the next session of the legislature.

The sum of seven thousand five hundred dollars or so much thereof as may be necessary is hereby appropriated to carry out the purposes of this resolution, and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

[Approved July 1, 1947.]

CHAPTER 328.

JOINT RESOLUTION TO PROVIDE FOR AN INVESTIGATION OF THE
LAWS RELATING TO TAX EXEMPTION OF REAL ESTATE AND
PERSONAL PROPERTY AND TO ASCERTAIN THE TOTAL
VALUE OF PROPERTY IN NEW HAMPSHIRE
SO EXEMPTED.

WHEREAS: The unavoidable increase in the cost of government of municipalities, the counties and the state, has been reflected in the upward trend of local taxation, reaching in certain New Hampshire towns almost to the point of confiscation, and with an average tax rate for the state of \$34.70 per thousand dollars of assessed valuation in 1946; and

WHEREAS: In the search for new sources of income through taxes that will not impose an added burden upon real estate, it may be found that some properties now tax free in whole or in part under application of existing laws relative to tax exemption are not lawfully entitled to such privilege; and

WHEREAS: Such properties, if and when found, should be restored to the annual invoice books as taxable real estate or personal property in compliance with the principle laid down in Article 12, Part I, of the Constitution of New Hampshire, to wit:—"Every member of the community has a right to be protected by it in the enjoyment of his life, liberty and property; he is, therefore, bound to contribute his share in the expense of such protection and to yield his personal service when necessary, or an equivalent;" therefore, be it

*Resolved by the Senate and House of Representatives in
General Court convened:*

THAT a thorough and impartial investigation be made of the whole subject of tax exemption in New Hampshire, inasmuch as the total value of such tax-exempt property is now estimated to be in excess of \$150,000,000, although no figures are available to show the total worth of governmentally owned real estate, nor of institutional holdings, properties of various societies and organizations and of certain lines of business enjoying special exemption privileges; and, be it further

RESOLVED, That a joint committee to consist of seven mem-

bers of the house and five members of the senate be appointed by the speaker of the house and by the president of the senate, respectively, to investigate the matter of tax exempt property of every kind in this state, with particular reference to the laws governing and permitting such exemptions, and to determine whether or not exemptions so granted were, and are now, in strict compliance with the statutes; said committee to have full power and authority to require from the several departments, boards and commissions of the state government and the assessors of cities and the selectmen of towns, such information and assistance as may be necessary for the purposes of the committee, and, further, while the members of said committee shall serve without pay, the sum of not more than twenty-five hundred dollars shall be made available from funds not otherwise appropriated, for clerical assistance and to pay the actual and necessary expenses incurred by the committee in securing such information as may be required and in preparing a report of its findings and recommendations to the present legislature or to the legislature of 1949.

[Approved July 1, 1947.]

CHAPTER 329.

JOINT RESOLUTION IN FAVOR OF CLARENCE A. DUBOIS AND OTHERS.

*Resolved by the Senate and House of Representatives in
General Court convened:*

THAT Clarence A. DuBois, sergeant-at-arms be allowed the sum of \$1,092; that Raymond B. Lakeman, sergeant-at-arms, be allowed the sum of \$526.50; that Ernest A. Shepherd, chaplain, be allowed the sum of \$770; that George L. Hurd, custodian of mail and supplies, be allowed the sum of \$972; that Lenne C. Twombly, Sherman L. Greer, Joseph J. Comi, Edith B. Gardner, Frank D. Gay, doorkeepers, be allowed the sum of \$800 each; that Oney Russell, warden of the coat room, be allowed the sum of \$810; that Lloyd E. Fogg, assistant warden of the coat room, be allowed the sum of \$780; that Tennyson Hood, library messenger, be allowed the sum of \$780; that Arthur L. Carpenter, telephone messenger, be

allowed the sum of \$745; that John S. Ball, sergeant-at-arms, be allowed the sum of \$924; that Donald W. Moore, messenger, be allowed the sum of \$810; that Earl Pollard, assistant messenger, be allowed the sum of \$780; that Jesse F. Young, telephone messenger, be allowed the sum of \$420; that Joseph O'Shea, Frank Thomas, Pasqual Rufo, pages, be allowed the sum of \$800 each; that Richard Palmer, page, be allowed the sum of \$780; that Carl E. Wallace, page, be allowed the sum of \$805; that James R. McLane, speaker's page, be allowed the sum of \$780; that Palmer C. Read, judiciary messenger, be allowed the sum of \$810; that Eugene C. Williams, appropriations messenger, be allowed the sum of \$750; that Alice V. Flanders, house stenographer, be allowed the sum of \$1,503; that Bessie A. Callaghan, senate stenographer, be allowed the sum of \$1,458; that Marion C. Colby, house stenographer, and Helen Y. Andrews, judiciary stenographer, be allowed the sum of \$1,296 each; that Grace J. White, senate stenographer, be allowed the sum of \$1,296; that Eleanor C. Brown, appropriations stenographer, be allowed the sum of \$1,215; that Melissa Bailey, house stenographer, be allowed the sum of \$1,134; that Esther C. Hurd, speaker's stenographer, be allowed the sum of \$972; that Alice Pope, mileage clerk, be allowed the sum of \$576; that Ernest P. Bragdon, governor's messenger, be allowed the sum of \$750; that Eliot U. Wyman, legislative counsel, be allowed the sum of \$8,228; that Cyril J. Fretwell, clerk of the house, be allowed the sum of \$1,900; that Benjamin F. Greer, senate clerk, be allowed the sum of \$1,430; that Frank M. Ayer, assistant clerk of the senate, be allowed the sum of \$1,525; that Robert L. Stark, assistant clerk of the house, be allowed the sum of \$1,425; that Dixon Turcotte, attorney-at-law, be allowed the sum of \$200 for drafting bills; that the superintendent of state buildings and grounds be allowed the sums of \$18 and \$846.15; that Nathalie Douillette, stenographer, be allowed the sum of \$92; that Joseph P. Dorion and Alfred Soar, pages, be allowed the sum of \$16 each; that Richard Hicks, Thomas Andrews, pages be allowed the sum of \$12 each; that Oliver Hepworth, assistant warden of the coat room, be allowed the sum of \$12; that the office of secretary of state be allowed the sum of \$3,080 for the employment of Cyril J. Fretwell, clerk of the house, for legislative work, in-

cluding the filing of the permanent journal. Said Cyril J. Fretwell shall serve under the direction of the secretary of state in such capacity as said secretary may direct. The sum for employment of Cyril J. Fretwell shall be available until December 31, 1948.

The above mentioned sums shall be a charge upon the legislative appropriation.

[Approved July 1, 1947.]

CHAPTER 330.

Names Changed

From January, 1945, to January, 1947, the registers of probate returned to the secretary of state the following changes of names made by the probate court:

ROCKINGHAM COUNTY—Louisa Burgess to Barbara Louise Burgess; Sarah June Heath to Sarah June Willey; Loren Austin Fernald to Loren Austin Tuttle; C. Padgett Hodson to Carey Padgett Hodson; Virginia Lowell Molte to Virginia Green Lowell; Isadore Stein to George Isadore Stein; Marshall Goodwin Pecker to Charles Goodwin Parker; Philip August Schmuck to Philip August Phillips; Laura Aldea Schmuck to Laura Aldea Phillips; Florido Richard Katsanos to Floros Nicholar Katsanos; Anastasios Marinopoulus to Anast Marinos; Stanley Kliewinski to Stanley Lewis; Catherine Etta Kliewinski to Catherine Etta Lewis; Robert Kliewinski to Robert Lewis; Mary Ann Kliewinski to Mary Ann Lewis; John Henry Paules to John Henry Gammon; Phyllis Mae Paules to Phyllis Mae Gammon; Dorothy L. Sargent to Dorothy Brewster; Minnie M. Kuntz to M. Denne Kuntz; Francesca Randall Dobson to Francesca Randall Mitchell; George May Watts to Georgia May Watts; Stanislaus Pis to Stanley Pizz; Genevieve Berry Malone to Genevieve Berry; Margaret L. Stevens to Margaret L. Barton; Marguerite E. Thomas to Marguerite Elizabeth Wendell; Jesse William Carter to William Jesse Carter; Steven Robert Gento, Jr. to Steven Robert Blinn; Marie O'Brien to Marie Roy; Andrew Joseph Ganitos to Andrew Joseph Pelletier; Mary Elizabeth J. Davenport to Betty Jean Davenport; C. Kenneth Mandigo

to C. Kenneth Mann; Vivian Y. Mandigo to Vivian Y. Mann; David Keith Mandigo to David Keith Mann; Hubert Joseph Vallier to Hubert Joseph Downing; George W. Fowler to Daniel W. Fowler; Marjorie Ann Call to Marjorie Ann Westgate; Lena Belmonte to Lena Lannon; Wtadjitaf Maskwa to Arthur Joseph Maskwa; Robert E. Weber to Robert E. Webber; Ruth B. Farcas to Ruth Bernice Cummings; Joan E. Strandell to Joan E. Howard; Joseph Hector Plouffe to Hector Joseph Plouffe; Isabella Kujeska to Isabella Rohr; Marian P. Williams to Marian Mort Palmer; Eva E. Mason to Eva E. Kennett; Lizzie May Fowler to Elizabeth May Fowler; Lorraine M. Felch to Lorraine M. Knowles; Nicholas Karamaplas to Nicholas Kay; Grace Elizabeth Karampalas to Grace Elizabeth Kay; Sandra Lee Karampalas to Sandra Lee Kay; Ernest C. Angelos to Ernest C. Owen; Rose Mitchell Carr to Rose Mitchell; Chester W. Dowe to Chester W. Dow; Norma Jean Gillespie to Normagene Gillespie; Laurance Alan Morgan, Jr. to Christopher Alan Morgan; Boleslaw Pahutsky to William Joseph Trosky; Hyman Fisher to Herbert Hyman Fisher.

STRAFFORD COUNTY — Anne Shirley Susmann to Anne Victoria Sussmann; Richard Paul Lambert to Joseph Leo Lavigne; Margaret Loretta McSorley to Margaret Loretta Gailey; Albert E. Maynard to Albert Edward Barcomb; Linda Lee Osborn to Linda Lee Baxter; Eva Emma Cushing to Eva Emma Lindbom; Frederick William Trongeau to Frederick William Goodwin; Arlene Lorraine Kirouac to Arlene Lorraine Dobbins; John Regis Cote to Robert James McKenney; Roland James Morse to Roland James Baxter; Baby Lamontagne to Roland Almon Snell; William Thomas Smith to James Frederick Meader; David Allen Hebert to David Allen Gagne; Diane Carol Marshall to Diane Marshall Davenport; Leo Joseph Desjardins to Roy Leo Gardner; Marie Cecile Godin to Judith Kate Weathers; Jacqueline Marie Guy to Jacqueline Marie Foster; Martha Susan Asadoorian to Miriam Brooks; Marie J. LaFay to Marie J. Valley; Linda Lee Grotty to Linda Lee Ochs; Richard Poisson to Richard Hussey; Dorothy Priscilla Buker to Dorothy Priscilla Lapete; Norma Louise McNeil to Norma Louise Paul; Patricia Ann Cormier to Priscilla Rachel Landry; Marie Auron (Lambert) Babin to Palma Ora (Lambert) Babin; Ronald Devoid to

Ronald W. Nichols; Donald Devoid to Donald A. Nichols; June Page to June P. Nichols; Paul Woodbury Wheeler to Paul Woodbury Knight; Robert Carlton Collins to Robert Carlton Berry; Dianne Alice Guptill to Dianne Alice Randall; David Butler to Peter Donald Weathers; June P. Nichols to June Louise Nichols; William R. Ellis to William R. Mountford; William White to William Mailhiot; William Francis Mullins to William Francis Morrison; Robert Elmer Walbridge to Robert Elmer Marble; Germaine Stella Carignan to Germaine Stella Glassburn; Mary Jeanne Desgroseilliers to Patricia Ann Hughes; Thelma Louise Collins to Thelma Louise Verville; John Joseph Szabo to John Joseph King; Louise May Chesley to Lois May Chesley; Joseph Basil Roux to Joseph Wheeler; Pauline Chesley to Pauline Ida Chesley; Brian Richard Robinson to Brian Richard Voge; Elizabeth Ann Hebert to Elizabeth Ann Gagne; Albin Joseph Kozminski to Albin Joseph Kozminski Malin; Marcia Louise Kozminski to Marcia Louise Malin; Edward John Paul Gulu-bicky to Edward John Paul Grieg; Vera Pauline Fannie to Carol Florence Nutbrown; Jerry Willie Locke to Jerry Willie Brown; Kenneth LeRoy Howland to Kenneth LeRoy Nisonger; David Raymond Howland to David Bliss Nisonger; Grace May Allard Blaylock to Grace Helen Blaylock; Dolores Marian Lacasse to Dolores Marian Tebbetts; Donna Marie Locke to Donna Marie Rodney; Stig Henry Wilhelm Andreason to Stephen William Andreason; Eleanor M. Hopps to Eleanor M. Horr; Theodore Papadopoulos to Theodore Pappas; Baby Anderson to David Earl Paisley; Lillian M. Smith to Katherine Elaine Donahue; Richard Ryan to Richard Andree Thivierge; Olga Munson Ladin to Olga Munson Lacy; Maxwell H. Ladin to Maxwell H. Lacy; Jeanne Elizabeth Fusco to Jeanne Elizabeth Timmons; Beverly Adele Fusco to Beverly Adele Timmons; Albert Guy Fusco to Albert Guy Timmons; J. Alfred R. Couture to Richard Alfred Couture; Florence Anita Graves to Florence Anita Barcomb; Jane Rose Doucette to Jane Rose Hayes; Peter Jason Lover to Peter Jason Fernald; Joyce May Patterson to Joyce May Gray; Joseph Henry Brown to Warren Howard Perry, Jr.; June Ann Kelley to June Ann Brazis; Carol Anne Young to Carol Ann Marcoux; Jan Cheryl Cullinan to Jan Cheryl Adams; Shirley Ann Hughes to Ency Ellen McCormack;

William Frederick Gray to William Frederick Connor; Mary Lois Demers to Mary Lois Grondin; Carol Marie Pichette to Carol Marie Harris; Wayne Chesley Grenier to Wayne Chesley Keays; Patricia Marie Burleigh to Patricia Marie Howard; Margaret Ellen Marquis to Margaret Ellen Pearson; Shirley Louise Hall to Virginia Louise Hall; Richard Hugh Kidder to Richard Hugh Caverly; Edward Norris Kidder to Edward Norris Caverly; Gloria Jean Haycock to Gloria Jean Nichols; Blandine Rose George to Pauline Rose George; Suzanne Gosselin to Barbara Jane Gagne; Donna Louise Glidden to Donna Louise Tarmey; Raymond Francis Williams to Raymond Francis Jussila; Joseph Martin Curran to Martin Joseph Curran; Carole Anne Cummiskey to Carole Anne Bradford; Prudence Lee DuBois to Bonnie Ellen Mills; Thomas Arthur Stacy to Thomas Arthur Gray.

BELKNAP COUNTY—Soterios Palathiotis to Samuel Pallas; Joseph Norman Breton Manning to Norman Joseph Breton; Bella Turlis to Bella Tatakis; Eileen Germain Tong to Eileen Germaine Tong Joyce; George Robert Altomare to George Robert Altomare Joyce; Joseph Patrick Altomare to Joseph Patrick Altomare Joyce; John DeMatha Altomare to John DeMatha Altomare Joyce; Victor Emanuel Tong to Victor Emanuel Tong Joyce; Rita Emily Tong to Rita Emily Tong Joyce; Francis Tong to Francis Tong Joyce; Edward Orville Skinner to Edward Joseph Skinner; Marie Rita Laramie to Marie Bertha Laramie; Barbara May Maxwell to Barbara May Gray; Joseph Wilfred Turcotte to Wilbrod Joseph Turcotte; Donald Arthur Riel to Arthur Donald Riel; Andrew Johnson to Andrew Dolphus Johnson; Arthur Harry Johnson to Arthur Carlton Johnson; Florence Emerson Drew to Florence Emerson Rich; Lucian Gay to Lucien Maurice Guay; George Roland Cardial to Roland George Cardinal; Joseph Francis Pilote to Frank Pelotte; Robert S. MacDonald to Robert S. Bastraw; Joseph Renault Garneau to Ronald Joseph Garneau; Virginia Maureen Sanders to Virginia Maureen Andrews; Bernice Prudence Elliott to Jerre Elliott; Rose Dora Croteau to Pauline Mary Croteau; Harold Lester Bruce to Harold Lester Brazeau; Kyle Sorrell to Frederick Kyle Sorrell; Elinor Seeley to Eleanor Louise Seeley; Perry to Lorraine Jeanne Poire; Laonia Vallia to Lionel E. Valliere; Daniel G. Watson to Daniel Webster Watson; Esther

C. Drury to Esther V. Nixon; Arthur Samson to Armand Paul Samson; Jessie Elizabeth Worcester Jones to Elizabeth Worcester; Mildred L. Murray to Mildred L. Whittey.

Changed by Adoption—Raymond Walter Davis to David Merlin Robinson; Pamela Jane Brackett to Jane Clark Riel; David Edgar Isrealian to David Edgar Piper; Beverly Richardson (alias Brooks) to Loris Mae Stone; Theresa M. Morin to Theresa M. Dunn; Virginia Estelle Hanson to Virginia Estelle Holmes; Norman Lewis Wescott to Norman Lewis Jones; Edward George Beattie to Edward George Greemore; Robert Lee Avery to Robert Lee Smith; Richard Raymond Craig to Richard Charles Robinson; Melvin John Knowlton to Ronald Alex Young; Roland G. Ellis to Roland Cleveland Dow; Foster Eddy Varrell to Foster Eddy Varrell; Frank Ernest Eldridge Fowler to Frank Ernest Eldridge; Harold Paul Enwright to Harold Paul Keniston; Hersey to Barbara Pence Mooney; Marie Bliss Hodgson to Marie Bliss Darling; Raymond R. Heath to Raymond R. Fowler; Robert C. Heath to Robert C. Fowler; John Sullivan to John Harold Jones; Richard George Page to Richard George Page; Evelyn Gladys Michaud to Evelyn Gladys Fisher; Bill Sylvester Bascom to Bill Sylvester Waldo, Jr.; Raymond Clinton Johnson to Raymond Clinton Thurston; Edward C. Lecour to Edward Paul Dupuis; Ernest Robert Morrison to Edward Robert Morrison; Joseph Sikorsky to Joseph A. Rowell; Mary Jean Harvey to Karenann Elizabeth Carr; Joanne Learned to Joanne Bean; Dorothy Beede to Dorothy B. Ellis; Frederick L. Varney to Frederick Varney Moulton; Rose Louise Blackey to Rose Louise Fugere; Henry Julian Fournier to Henry Julian Lemiux.

CARROLL COUNTY—Merle Eugene Smith to Merle Eugene Severy; Jessie A. Ambrose to Pansie A. Ambrose; Otis Conrad Ross to Conrad Ross McCormick; Dorothy Dawn Robinson to Betty Jean Robinson; Barbara Nelson to Barbara Bowles; James Lawrence Pratt to James Lawrence Plummer; Frank Harrison Pratt to Frank Harrison Plummer; Reginald Edward Clancy to Reginald Edward Williams; William Martin to William M. Ainsworth, Jr.; Neal Malcom Rogers to Neal Malcom Hansen; Eric Daniel Hughes to Eric Daniel Corrow; Andrew Lucien Elliott to Richard James Cotton; James

Robert Perry to James Rand Edgerly; John David Perry to John Worthy Edgerly.

MERRIMACK COUNTY—Harold N. Carey to Harold Arthur Falmer; Charles J. Kolioburdas to Charles James Thomas; James Thomas Kolioburdas to James Thomas; Marion Ruth Kolioburdas to Marion Ruth Thomas; Ruth Emma Kolioburdas to Ruth Emma Thomas; Irene M. Winslow to Irene M. Perreault; Irene Lorraine Marie Bertrand to Marie Irene Lorraine Stokes; Hazel Mae Barbrick to Hazel Mae Honey; Norman Arthur Letendre to Norman Arthur Pelletier; Howard Russell Beane to Russell Howard Beane; Donaldine Achia Bayley to Nancy Mildred Lees; Alice G. Bushway to Alice Donna Guimond; Anne Carol McDonald to Anne Carol San Soussi; Lombard deGuern Nyman to Lombard deGuern Rice; Holman Witson to Nazeer Aleem; Ernest Earl Bartley to Ernest Earl Plourde; Joseph Edward Nardini to Frank Joseph Nardini; Mildred B. Kenney to Mildred B. Hawthorne; Ellice F. Fannie to Ellice F. Andrews; Evelyn Gertrude Gile to Evelyn G. Dalton; Ethel M. Dunbar Lunt to Ethel M. Dunbar; Nancy Mahomet to Nancy Estelle Mahmot; Joan Louise Bishop to Joanne Louise Bishop; Myrna Selina Howe to Myrna Starratt Howe; Frank J. Karwocki to Frank J. Sullivan; Alice M. Mitchell to Alice Mary Gignac; Thelma Lynn Hitchcock to Madoline Lynn Hitchcock; Andrew J. Karwocki to Andrew J. Sullivan; Carrie E. Ames to Carrie E. Bacon; Frank Gustav Seligson to Frank Gustav Seldon; Elizabeth Juliane Auguste Seligson to Elizabeth Juliane Auguste Seldon; George Herman Lorenz Seligson to George Lawrence Seldon; Walter Flanders Hunt to Francis Perley Hunt; Ethel Manning Walters to Ethel Manning; Dorothy M. Osborne to Dorothy Mary Ford; Bertha May Park Lamson to Bertha May Park; Reginald Crosby to Reginald Lee Pierce; Dorris Crosby Boyce to Dorris Templeton Boyce; Dorothy Kay Frost to Dorothy Kay Dymont; Angele Lawrence Toussaint to Angele Lawrence Rondeau; Marilyn E. Jones to Marilyn Elizabeth Abbott; Mamie Gordon Matott to Mamie G. Gordon; Fernande Douphinett to Fernande-Margaret Roy; Margaret S. Boyle to Margaret S. Frost; Lois H. Gantz to Lois Leslie Hammond.

Changed by Adoption—"Baby" Gagnon to Robert Roch Ouellette; Angelina Edith Ciarla to Rosemary Ann Coderre;

Raymond Arthur Roy to John Ronald Tasker; Robert Williams to Robert Calvin Linscott; Robert Bixby to Robert Bixby Liberty; "Baby" Housman to Robert Rush; Martin Arthur Thornton to Martin Arthur Bowden; John Bragg to Rexford Booth Sherman; Edward H. Marshall, Jr. to Edward H. Marshall; Jean Olive Gould to Jean Olive Berry; Joanna Marie Pieroni to Joanna Marie Masson; "Baby" Lougee to Sonia L. Sydeman; Beverly Mae Grimes to Beverly Mae Ulman; Joseph Paul Marchand to Joseph Paul Gagnon; Beverly Ann Smith to Beverly Ann Taylor; Robert Coburn Fratus to Robert Arthur Coburn; John Cotton to John Robert Fridell; Kent Holmes to Jeffrey Charles Proctor; Barbara Ann Jervah to Lynn Bamford; Carol Ann King to Carol Ann Robinson; Elizabeth Ann Moody to Patricia Elaine Young; John Elliott Plaisted to Charles Eaton Haynes; Richard Douglas Collins to Richard Douglas Denis; Alton David Mooney to Alton David Emery; Francis Clyde Mooney to Francis Clyde Emery; Gail Elizabeth Littlefield to Dorothy Anne Gile; Douglas E. Bickford to Douglas E. Fields; "Baby" Kendall to Jane Alma Stewart; Sharon Lee Smith to Sharon Lee Munsey; "Baby" Cusson to Helene Ann Fortin; Phyllis Jane Elliott to Tashia Edith Elliott; Harriet Kilkis to Harriet Mae Dillon; William Kilkis to William Arthur Dillon, Jr.; Doris Loraine Muzzey to Doris Loraine Carter; "Baby" Thompson to Gerard Roy Boulay; Donna Lorraine Merrill to Donna Lorraine Yeaton; Adele Hasler to Mary Jean Chamberlin; Hope Latham to Hope Latham Hoyt; Yvonne Therese Lemay to Kris Tina McLaughlin; Ernest Blackman to Levi Ernest Nichols; Rebecca Ann Ciarla to Rebecca Ann Hall; Karen Cecelia Hall to Karen Cecelia Beard; Stanley Burton Hoyt to Stanley Burton Kenney; Myrna Huntington to Carolyn Colby; Robert Allen Lemay to Robert Allen Breslin; "Baby" Wiersma to Barbara Ann Chase; "Baby" Crawford to Bruce Robert Crawford; Teresa Sleeper to Betty Ainsley Griggs; Eldon Roger LaDuke to Eldon Roger Duclos; Robert Howard Jondreau to Robert Charles Sabin; Emile Arthur Belanger to Raymond Arthur Bradley; Mary Jeannien Francis Gendron to Mary Jeannien Francis Morin; Sharon Lee Armstrong to Sharon Lee Kane; Nellie Gertrude Demers to Nellie Gertrude Meeker; Wayne Douglas Price to Wayne Douglas Gilbert; Jacqueline Morin to Jacqueline McCormick;

Paul Morin to Paul McCormick; Dorothy Ann Vanasse to Dorothy Ann Dostie; Diana Cancia Vanasse to Diana Cancia Dostie; Molly Alice Devoid to Molly Alice Zagamy; Robert Alan Ash to Robert Alan Lockwood; Wanita Mae Tanner to Wanita Mae Smith; Joyce Ann Tanner to Joyce Ann Smith.

HILLSBOROUGH COUNTY—George Leo Feurstein to George Leo Firestone; Robert Arnold Saidel to Robert Marcus Saidel; Shirley E. Harding to Shirley Evelyn Sanderson; Wong Suey Hee also known as James Wong to Wong Suey Hee; Joseph Anthony Piaseczny to Joseph John Piaseczny; Albert Homer Gordon to Albert Homer Foster; Robert W. Lee to Robert W. Boulanger; Joseph Stanley Batura to Joseph Stanley Gawel; Stella Babalas to Stella Ballas; Pauline deNault Dondale Elliott to Paule Dondale Elliott; Joseph Henri Albert Ledoux to Henry Albert Ledoux; Mame Tempeli to Mamie DeBelis; Evangeline James Pitarys to Evangeline James; Bronca Yarmotowich to Bronca Yermal; Enoch Richard Nessen to Richard Enoch Nessen; Catherine N. Ouellette to Catherine N. Staite; Julius Cherkas or Czerkis to Julian Charkis; Anthony Daukas to Paul Toli Daukas; Nellie Walenkrikenic also known as Nellie Valentukievicz to Nellie Walent; Joan Beattie to Joan Carpenter Jackson; Julia Bucloveci to Julia Buslovich; Jewel A. A. von Schmitterlow to Jewell Ann Monroe; Lillian Florence Lavoy now Lones to Ruth Eileen (Lavoie) Lones; Pearl Ida Pethick to Pearl Ida Corbin; Grace Maud Piwowarczyk to Grace Maud Bowler; Henry Charles Ryll to Charles Henry Ryll; Odia Lessard St. Francois to Claudia Lessard St. Francois; Kastonta Swaracki to Kastanta Dvareckas; Raymond G. St. Laurent to Raymond G. Maher; Koula Mavrogeorge to Betty George; Zelma Dorothy Snowman to Sallie Knowlton; Lucille Bennett to Lucille Binette; Alexandra Huntington to Sandra Alexandra Huntington; Joseph Morissette to Dorilla Morissette; Marie Lorraine Lucille Hipsher to Lorraine Lucille Godbout; Edmond Armand Roland Lemery also known as Edmond N. Lemery to Armand Edward Edmond Lemery; Philip Edward Poisson to Edward N. P. Fisher; Evangeline Shea to Lillian Evangeline Shea; Adeline Skwarzynski to Adella Skwara; Mary Alice Theresa Freese to Theresa Mary Freese; Helen Anna Chiuszcz to Helen Anna Chrusz; Carl Casper Cohen to Carl Casper Conrad; Helen Selma Maki to Helen Selma Manninen; Mary June Palnaire

to Frances Louise Palriero; Knapp L. Vallas to Larry Knapp Vallas; Robert Paine to Robert Stuart Marsh; Elsie Ann Dery to Elizabeth Ann Dery; Katharine Petryczkowycz to Katherine Petry; Martha Petryczkowycz to Martha Petry; John Petryczkowycz to John Petry; Wasyl Petryczkowey to Wasyl Petry; Gordon Petryczkowycz to Gordon Petry; Mary Petryczkowycz to Mary Petry; Paul Allen Zeeler to Paul Allen Gallup; Marie Estelle Vivian Lally to Vivian Lally; Irma Louise Todt to Erma Louise Todt; Ellen Naomi Greene to Ellen Naomi Sherwin; Helyn A. Sedlewich to Helyn A. Sullivan; Ferdinand Frank Kisiolek to Ferdinand Frank Tomashevski; Joseph Walter Rotkiewicz to Joseph Walter Rock; Joseph Pinet to Joseph Pinet Merton; Virginia F. Prichard to Virginia Frank; Alice L. Weinstein to Alice L. Winston; Kenneth Michael Weinstein to Kenneth Michael Winston; Madeline Karen Weinstein to Madeline Karen Winston; Manuel Weinstein to Manny Winston; Fannie Steckewicz to Frances Stitzgerald; Vasilios Apostolopoulos to William Apostolos; Margaret McCrink to Margaret Wentworth; Joseph Romeo Lemelin to Romeo Alfred Lemelin; Nadia Buxton to Nadia Dalpra; Milda Jean Leavitt to Jean Forrest Leavitt; Phillip Anthony Saj to Phillip Anthony Sage; Mary Ann Saj to Mary Ann Sage; Alexander Joseph Saj to Alexander Joseph Sage; Leona Vivian Alter to Naomi Leona Vivian Alter; Martha Stanley Saj to Martha Stanley Sage; Emile Leo LaBonte to Emile Leo Lavallee; Katie A. Ryan to Hilda Grace Ryan; Vesalis P. Tsitsos to William P. Tsitsos; Raymond J. Zajackowski to Raymond J. Zankowski; Thrassivolos C. Louis Lioliopoulos to Louis C. Lylis; Stergios Apostologoulos to Stephen Apostolos; Pauline Matsopoulos to Pauline Matsis; Barney B. Labunsky to Barney B. Laben; Mary Stepanionis to Mary Anne Stepanon; Edward Stepanionis to Edward Joseph Stapanon; Helena Steponovitch Davis to Helen Stepanon Davis; Mathew John Matsopoulos to Mathew John Matsis; Benny Joseph Krystopowicz to Benny Joseph Kristoff; Wallenty Krzewski to Walter Walent Krewski; Arthur John Matsopoulos to Arthur John Matsis; John Matsopoulos to John Matsis; Frank T. Urgelevicz to Bruce Brenner; Peter Naczas to Peter Natches; Evangelos N. Anagnostopoulos to Van Anagnost; Richard James Daniels to James Robert Rock; Marie Ida Buchesne Brown to Anita

Buchesne Brown; Gordon Lee Conrey to Gordon Lee McLaughlin; Fred Hilton Colby to Fred H. Colby Walker; Francis Michael Dimick to Francis Michael Darrah; Genevieve Mariana Szostakiewicz to Genevieve Mariana Kenick; Teofil John Szostakiewicz to Theodore John Kenick; Mecislaw J. or Mieczyslaw Polchlopek to Matt J. Polk; Barbara M. Tuttle to Barbara M. Frye; Samuel Tabachnick to Samuel Taylor; Nancy Morse Mansfield to Nancy Stewart Morse; Raymond Clarence Gauthier to Raymond Ernest Gauthier; Florence Eva Sumner to Florence Eva Gage; Alphe Paul Emile Melancon to Paul Emile Melancon; Doris Duperron to Doris Bisson; Edward Joseph Gilman to Edward Joseph Guilmain; Arthur German Henderson to Arthur Robert Henderson; Niki Tsourides to Victoria Tsourides; Frances Januzewski to Frances Jackson; Wilfred Roland Raymond to Wilfred Raymond Berube; Lylona Dorothy Whalen to Lylona Dorothy Girard; Constantinos Sakellariou to Charles John Sakellariou; George Wong to Wong Teung Gwong; Thelma E. Green to Thelma E. Crockett; Roselda Claire Berle to Roselda Claire Gebo; Theodora Davis to Theodora Zissis; Sterge A. Papacostas to Sterge A. Costa; Leo Normand Gagnon to Norman Leon Kierstead; William Petryczkowicz or Petrykoz to William Ryan; Lillian Caroline Labombarde to Lillian Caroline Rapsis; Margaret Swart to Margaret Beasom Swart; Marjorie Johnson Dube to Marjorie Johnson; Constance Prudden to Constance Thurber Prudden; Deonizy Krzewski to Daniel Krewski; Bronica Rucz to Bernice Ruez; Wasyl Zylak to Russell Zela; Mikolaj Zyla to Nickey Zela; Saul Gorenstein to Saul Gordon; Peter Zyla to Peter Zela; Alfred Joseph Cossette to Alfred Joseph Biron; Romuald Joseph Champagne to Romeo Joseph Champagne; Leo E. Nusenoff to Leo E. Nason; Rose Marie Peters to Mary Jane Osborne; Doris E. Carter to Doris E. Sanborn; Americo des Santos to Americo Santos; Walter Charles Saj to Walter Charles Sage; Esther Boulanger to Esther Stone; Lillian Mabel Balcom to Lillian Mabel Boynton; Sheila Marlene Pockell to Sheila Bonnie Pockell; John A. Maksymiec to John Adolph Marker; Victoria Xenetimenus Devolites to Victoria Xenas Devolites; Annette Laurie Albreuczenski to Annette Laurie Albren; Fay Collier Nadeau to Fay Laura Collier; Michael Richard Shomsky to Michael Richard Stevens; Ludwik Albreuczenski

to Louis F. Albren; Joseph Armand Robert to Armand Joseph Robert; Joseph Alfred Maurice Dupre to Ernest Arthur Lamontagne; Harilaos Demos to Harry Demos; Eleanor Lorraine Stefonowicz to Eleanor Lorraine Stefen; James Gilbert Stefonowicz to James Gilbert Stefen; LeRoy Len Stefonowicz to LeRoy Len Stefen; John G. Bouboulica to John G. Bolos; Demetrios J. Boubouikas to James Bolos; Robert Lee Kreps to Robert Lee Holden; Zenny Owsink to Zenny Olsen; Panos Stamelos to Peter Stamelos; Wanda Jane Kane to Wanda Jane Kosowicz; Costas Dempelis to Charles Debelis; Aaron Sumner Marcus to Alan Sterling Marcus; Chan Shui Tong to Charlie Toy Kem; Mary Rose Auger Goulet to Louise Marie Rose Auger Goulet; Kenneth Neal Bishop to Kenneth Neal Pigeon; Jeanette Helen Leary to Jane Helen Leary; Lydia Pilkowicz to Lydia Pokultinis; Laurentia Anastasatos to Laura Anaston; Madeline Carol Doherty to Madeline Carol Dexter; Bruce Davis to James Bruce Davis; Annette Laurie Albrenzenski to Annette Laurie Albren; Ina Hamblin Bureau to Ina Augusta Hamblin; Marjorie L. Doody to Marjorie L. Lambert; Cynthia Claire Bronwen Chappell to Bronwen Claire Chappell; Lucille I. Kusiak to Lucille I. Jauron; Margaret S. Cushing to Margaret S. McCormack; Euridiki P. Karahalios to Everedeke Caris; Fred Kajzy to Fred Keyza; Lucille V. Roberts to Lucille Vincent; Michael Petryczkowycz to Michael Ryan; Yanina Owsink to Anita Olsen; William Edmond L'Homme to William Edmond Manning; Bibian Cote Piper to Bibian Cote; Robert Joseph Butler to Robert Joseph Johnson; Doris Shaw Walters to Doris Shaw; Maurice Martin to Maurice Grugnale.

Changed by Adoption—Mary Zienisz to Mary Cormier; Francis Roland Boily to Francis Roland Desmesmeules; Baby Rayno to James William Hall; Shirley Chase to Karen Anne Miles; Brenda Brown to Brenda Ruth Gossler; Terrance Dawson to Terrance Joseph Perrino; James Thomas Layfield to James Thomas Lessard; Mary Fitzgerald to Mary Linda Lee Menter; Alan David Amey to Robert Lewis Clark; Eugene Donald Samson to Eugene Donald Garand; Normand Charles Samson to Norman Charles Garand; Theresa Ouellette to Theresa Hackett; Nancy May Burnham to Nancy May Chandler; Betty Lou Rouleau to Denise Marie Grondin; Elaine Jacqueline Marquis to Elaine Jacqueline

Therhault; Edward Simpson to Edward Allard; Baby Bell to Gary Michael Hook; Reginald Billy to David Peter Ouellet; Donald Stanley Koehler to Donald Stanley Sanborn; Lucille Rita Koehler to Lucille Rita Sanborn; Joseph Leonelle Rudolph Huot to Rudolph Lionel Allaire; Joseph Pollock to David Joseph Hosking; Brian Harvey to Brian Paige Bush; Mildred Jean Dansevich to Theresa May Roulx; Eleanor Pearl Leavitt to Eleanor Pearl Cushing; Arthur Paris to Francis Joseph Arthur Prevost; Fernand Jules Paris to Fernand Jules Prevost; Marlene Mae Kingsbury to Shirley Louise French; Natalie Jean Blumberg to Linda Dwinell; Ronald Dudley to Richard Clarke; Joseph Patrick O'Rourke to Joseph Patrick Wagner; Richard Faro also known as Bergeron to Richard Leo Pratte; Baby Aiken to Cecily Esther Fowler; Rodney J. Pennington to Rodney Pennington Swanson; Pauline Elaine Tack to Pauline Elaine Proulx; Edward A. Whittemore to Edward A. Donnelly; Baby Raymond to Karen Phyllis Howland; Baby Gustitus to Jeannette Lucille Gatto; James Joseph LaBranche to Norman Edward Lampron; Baby Tirrell to James Franklin Barnard; Thomas Hembly Buchan Sydserff to Thomas Corrigan; Alan Francis LeRoux also known as Moffett to Alan Francis Kesterson; Howard Wendell Brown to Howard Wendell Grant; Donald E. Jones to Donald E. Berry; Maurice Surprise, Jr. also known as Pelletier to Maurice Gendron; Mary Ann Gallagher to Mary Ann Calderwood; Juliette Dube to Juliette Blais; Loraine Dube to Loraine Blais; Pauline Dube to Pauline Blais; George Markarian to George Emmons; Garald Lee Abel to Gerald Lee Germain; James Thrasher to Robert James Houle; David Malcolm Carter to David Malcolm Carter Naismith; Barton Warren Hedrick to Barton Warren Chabot; Marie Valcourt to Marie June Knight; James Robet Caron to Rodney Clarence Stone; Judith Elaine Biron to Constance Patricia Breton; Baby Robertson to Nancy Jane Warren; Alfred LeRoy Raymond to Alfred LeRoy Whitney; Charles Raymond Duerbitz also known as Falin to Charles Raymond Shannon; Patricia Anne Fulton to Patricia Anne Case; Shirley Ann Dufresne to Shirley Ann Greenlaw; Donna June Gelardi to Donna Re Starita; Frances Jones to Susan Jo Letzkus; Ann Huddleston to Ann Sheldon Fisher; Jane Owens McClure to Jane Austin Doty; Terry Veane McKee to Terry Veane Signor; Karol Tine Yianahopolas to Robert

George Carignan; James Edward Sornberger to James Edward Doyle, Jr.; Pamela Joyce Goodall to Pamela Joyce DeLorme; Alice Porter to Ellen Alice Donnelly; Jeanot Konigs to Jeano Cholette; Leon Albert Dionne to Leon Albert Prince; Philip LaPointe to Philip Savageau; Alice Mary Grimard to Alice Mary Dextras; Jo Anne Rowman to Jo Anne Battistelli; James Robert Trottier to Donald Paul Dubois; Cynthia Lee Hutson to Cynthia Lee Dugas; Marie Ellen Jenks to Marie Ellen Farrington; James Edward Clark to James Edward Schuessler; Robert David Briand to Robert David Webster; Paul Hamson to Kenneth Brigham George; Dolores Theresa O'Sullivan to Nancy Przybyla; Alice McGovern to Betty Ellen Greenwood; Wayne Burton Gorman to Wayne Burton Hartwell; Earl Kenneth Rivers to Earl Kenneth Anderson; Nellie Butler to Nellie Murphy; Raymond Emery Marcoux to Caliph Girard; Erma B. Claxton to Erma Bernardine Townsend; Patricia Ann Ireland to Patricia Ann Manning; Baby Cummings to Ronald Taylor Rogers; Richard Henry Connor to Richard Henry Parmenter; Marie Ann Ruest to Marie Anna Anderson; Walter Edmund Maple to Walter Edmund Castro; Sandra Carol Ditmore to Sandra Carol Voth; Sean David Foley to Richard Paul Allaire; Francis Fecteau to Francis Parent; Phillip Roland Gray to Phillip Roland Stickney; Ronald Lawrence Gray to Ronald Lawrence Stickney; Frank L. Hartshorn, Jr. to Roger Lee Lagasse; Linda Lee Patkus to Tamisan June Little; Richard Clinton Mousseau to Richard Clinton Leonard; Shirley Ann Joy to Shirley Ann Lazotte; Marilyn Kay Kenyon Kovach to Marilyn Kay Auger Kovach; May Enid Marcotte to May Enid Coffin; Marion Stella Dickerman to Margaret Kennard; Charles Francis McGowan to Raymond Robert Marquis; Norma Lee Bolduc to Norma Lee Sosnowski; Baby Sadowski to Walter J. Harrington, 2d; Baby Neilsen to Peter John Heikkila; Thomas J. Kenyon, Jr. to Thomas J. Auger; Eva Rose Shirley Paul to Shirley Eva Rose Dyer; Richard Gene Daigle to Richard Arthur Lessard; Anthony Robert Marcotte to Anthony Robert Spinelli; Alfred William Paul, Jr. to Alfred William Dyer; Garry Schellenger to Gary Cote; Anne Elizabeth Harris to Anne Elizabeth Harris Bishop; Carol Esta Wilkinson to Carol Esta Collins; Baby Westerhoff to Robert Edward Reagan; Phyllis Morrisette to Phyllis

Duguay; Andrea Lee Vaillancourt to Andrea Lee Hautsch; Joseph Oliver Maurice Daigle to Maurice Joseph Janelle; Doris Marie Duval to Marie Doris Beverly Menard; Joanena Mae Bugbee to Joanena Mae Salvas; Judith M. Karstok to Judith M. Parzych; Patricia Ann Reed to Patricia Ann Faulkingham; Thomas Lashua to Lawrence Harold Knudsen; Baby Laroche to Barbara Aline Schloth; Thomas Manley Sharpe, 3rd to Thomas Manley Peck; Linda Ann Rodonis to Linda Ann Flanders; Irene Pauline Gagnon to Irene Pauline Plaurd; Bruce Errol Hart to Paul Scott Pendleton; Baby Mack to Jo Leslie Bechard; Virginia Louise Salo to Janice Vianne LaPierre; Merline Jessie Cody to Merline Jessie Dyer; Marie Joan Gelinias to Marie Joan Hurd; Theresa Doris Beaulac to Doris Theresa Janelle; Louise Rachel Forcier to Louise Rachel Robbins; Jeannette Bouley to Jeannette Malenfant; Anne Mae Albert to Anne Mae Fournier; Doris Lussier to Nancy Ann Winter; Joan Rita Bourque to Beverly Rita Burns; Yvette Cecile Bolduc to Yvette Cecile Gregoire; Marie-Jeanne Carmen Laverdiere to Carmen Laverdiere.

CHESHIRE COUNTY—Philip Patterson to Harry J. Patterson; Mary Hyla Waite to Hyla Marie Waite; Raymond Ernest Wilson to Raymond Everett Wilson; Donna Lee Wadsworth to Donna Lee Wadsworth; Barbara Christine Smith to Barbara Christine Miles (Flagg); Mary Castaw to Lucinda Mary Castaw (Bouffard); Elena Micaroni to Elena M. Colantonio; Alice Bartoscheyce to Tatiana Alice Bartashevich; Verner Nelson Edoff, Jr. to Nelson Verner Edoff; Rudolph Nelson Buffum to Rudolph Nelson Flanders; Philip Austin Hubbard to John Austin Hubbard; Vargey L. Dombrowski to Roger Stanley Dubriske; Robert James Stoodley to Robert James Croteau; Francis Clifford Burrell to Francis Clifford Paquette; Maude Twitchell to Olive Maude Twitchell; Louise Ann Kennedy to Louise Ann Porter; Catherine Emily Soucise to Catherine Viola Soucise; Paul Kenneth Freeman to Paul Kenneth Daniels; James R. Lavigne to James Roland Holt; Mitchell Robert Bradbury to Robert Mitchell Bradbury; Frank Exavier Wilcox to Frank Exavier Turcotte; Cyrille Alphonse Wilcox to Cyrille Alphonse Turcotte; Henry George Wilcox to Henry George Turcotte; Charles Wescott Giles to Hollis Whitcomb Abbott; Robert Francis Farinoli to Robert Francis Shepard; Lawrence Herbert Bisonette to Lawrence

Herbert Karson; Edith Henrietta Lindquist Bissonette to Edith Henrietta Karson; Lawrence Eno Bissonette to Lawrence Eno Karson; Carol Betsey Whitcomb (maiden name) to Irene Elizabeth Wilder (maiden name) (Towsley); Charles Walter Howland to Donald Charles Kellom; Grace Evelyn Whitcomb to Grace Evelyn Kelley; Virginia Alice Bitters to Virginia Alice Luce; William Ancil Dorais to William Ancil Dailey; Anthony John Tasoulas to Christo John Tasoulas; Sara Franklin Ripley to Sally Franklin Ripley; Alfred Joseph Minkiewicz to Alfred Joseph Kelley; Marilyn Louise Babineau to Marilyn Louise Britton; Phyllis Jeanne Watson to Phyllis Efland Watson; Beverly Ann Poisson to Beverly Ann King; Sandra Ann Hall to Sandra Ann Davis; Patricia Louise Beam to Patricia Louise Bissell; Amedeo Sabatini, Jr. to David Boynton Staples; Barbara M. Hall to Barbara M. Sargent; Beverly Lorraine Richards to Beverly Lorraine Lessard; Philip Joseph Crecco to Philip Joseph Collins; Nastsia Julia Olinsky to Judith Olinsky; William J. Bedaw, Jr. to William J. Bedard; Parayula K. Kontinos to Eugenia K. Kontinos; Marfoula Zahos to Morfia Georgia Zahos; Richard Harold Worcester to Richard Harold Whittemore; Antonia Laura Knapp to Antonia Barbara Knapp; Frank B. Mills to Avanda Elmer Meader.

Changed by Adoption—Edward Thomas Case to David Stephen Calef; George Edward Robbins to George Edward Wilson; Paul Henry Barard to Henry Paul Desrosiers; Joyce Ruby Fennessy to Joyce R. Bingham; Doris Irene Mattson to Doris Irene Tielinen; William Foley to William Foley Coughlin; Sherry Lynn Horton to Sherry Lynn Carey; Thomas Woodward to Leonard Bursey Fuller; Douglas Lee MacKenzie to Douglas Lee Good; Oscar J. Thayer, Jr. to James Joseph Audet; Gardner Guillow Smith to Gardner Guillow Wyman; Jane McHardy Bland to Jane McHardy Leverich; Richard H. Columb to Richard Horace Wilder; Beverly Jean Dicey to Beverly Jean Reason; George Arthur Cole to George Arthur Hall; Richard Norman to John Leroy Blood; Laura Patricia Thayer to Laura Patricia Doran; Barbara Newell to Barbara Keenan; Arnold John Pelletier to James Arthur Beauregard; Anita Agnes Dutton to Anita Agnes Donnelly; Vichi Marie LaFarr to Mildred Marie Marcott; Joel Alan Braverman to

Joel Alan Brault; Larry Wayne Bissell to Edward Meehan Elliott; Bonnie Lee McCollester to Bonnie Lee Abare; Joyce Elaine Weeks to Joyce Elizabeth Knapp; Arthur M. Economu to Arthur M. Dunlap; Robert G. Economu to Robert G. Dunlap; Gail Ann Patnode to Gail Ann Boudrieau; Jean Christina Hovaness to Jean Christina Brandt-Erichsen; Warren Frederick Chamberlin to Warren Frederick Pierson; Robert Allen Salatas to Robert John Tedford; Donna Jean Forsyth to Donna Jean Carey; William Chris Jean to Nicola Tachi Tjimaki; Richard Parks to Richard Charles Skiffington; Jane Doe to Nancy Virginia Holt; Richard Edwin Duval to Richard Edwin Pickford; Judith Ann Morse to Lee Plaisted Hanna.

SULLIVAN COUNTY—Richard Allen Howe to David John Nutting; Roger Mack to Roger Mack Nichols; Richard Reid to Kern Warren Rhoades; Katherine Supko to Katherine Mantia; Josie Kawzowicz to Josephine Ann Kawzowicz; Tamara Carylin Hodder to Carylin Sturgis; William Webster Vandegrift to Billy B. Van, Jr.; Blanche Theresa Mignault to Theresa Melcher; Marie Violet Mignault to Violet Melcher; Cleomenis Anastasios Fragopulos to Cleo Anastasios Franklin; Georgia Vina Fragopulos to Vina Racheotes Franklin; Elaine Cleo Fragopulos to Elaine Cleo Franklin; Peter Ernest Fragopulos to Peter Ernest Franklin; Doris Elizabeth Merton to Doris Elizabeth Connolley; Larry M. Petrin to Larry Maurice Trepanier; Charlotte Marie Desiderio to Charlotte Marie Thibodeau; Mary Pikielnez to Mary Soja Johnson; Robert Maurice Rideout to Robert Maurice Caron; Virginia E. Smith to Virginia E. Brown; Mary William Milios to Mary William Miller; Stanley William Milios to Stanley William Miller; Alexander William Milios to Alexander William Miller; Theophile Niebrzydowski to Teofil Nebrydoski; Jadwiga Niebrzydowski to Jadwiga Nebrydoski; Joanne Niebrzydowski to Joanne Nebrydoski; Donald Dubrieul G. to Donald G. White; Francis Desmond to Frank E. Desmond; Rose Marie Clow to Rose Marie Eastman; Sandra Bond to Sandra Silver; Joan P. Belair to Joan P. Small; Robert Earl Freeman to Robert Earl Freeland; Tarmo Tapio Taimi to Thomas Tapio Taimi; Sandra Jane Howser to Nancy Ruth Ainsworth; Paul N. Murphy to Paul N. Goyette; Chloe A. Murphy to Chloe A. Goyette; Carol Ann Maskell to Shirley Louise Benner; Evelyn Lorraine Kennison to Evelyn Lorraine Dahms;

Paul Francis Richards to Paul Francis Hart; Helen Elizabeth Baker to Betty Ann Gorman; Gary Victor Gagner to Gary Victor Small; Frederick G. Gunn to Frederick M. Gunn; Joy Ann Clarke to Joy Ann Kinney; Jerry Wayne Smith to Jerry Wayne Huston; Rocco John Avery to Rocco John Tetreault; Francis Alfred Avery to Francis Alfred Couture; Anthony Albert Avery to Anthony Albert Sanford; Donald I. Sanborn to Donald I. Manning; Lawrence Gonsalves to Lawrence Converse; Donald Paul Bond to Donald Paul Pederson; George Everett Colby to George Everett Blue; Florence Lillian Foote Howard to Lillian Florence LaRue Howard; Helen E. Koivista to Irene Helen Koivisto; Lee June Pride to Lee June Moore; Guy Arthur Page to Robert Arthur Page; Francis Alexander King to Francis Alexander Taggart; Lee Andrew Christensen to Lee Andrew Carroll; Lee Andrew Carroll to Lee Francis Carroll; Michael Gary Bowker to Michael Gary Walker; Stephen Gerard Champagne to Andre Descoteau; Cecil Dan Nutting to Cecil Dan Currier; Patricia O'Connor to Patricia Pelton; Robert Carlyle Nichols to Robert Carlyle LaClair; Valma Loring Nottage to Valma Ray; Kenneth John Margeson to Marc Albert DeRobertis; Francis S. Brownell to Francis S. Collins; Carol Ann Coyer to Carol Ann Gendron; Helen Fisette Bellinger to Helen Kinney Bellinger; Joseph Philip Fisette to Robin Joseph Philip Kinney; Janet Lee Hamel to Janet Lee Thalasinis; Ann Ida Hannah Shulins to Anne Meredith Shulins; Donna Elizabeth Sheehan to Donna Elizabeth Boemig; Clair Rosemary Coles to Claire Rosemary Pomeroy; Neal Oakes Fairbanks to Neal Oakes Rice; Hugh Knight, Jr. to Hugh Barker; Judith Anne Tallman to Jane Louise Dustin. Velma M. Bean to Velma M. Lafontaine; Sadie M. Wilson to Sadie M. Fedelski; Myrtle E. Fountain to Myrtle Edith Ogden; Anna H. O'Rourke to Anna H. Erickson; Gladys Young to Gladys Stockholm; Emily Vandusen to Emily Szalucka; Gertrude A. McPhee to Gertrude A. Hentschel; Alice F. Tenney to Alice F. Mason; Jeannette E. Kimball to Jeannette E. Dunn; Betty Kebalka to Elizabeth Rollins; Gertrude A. Moylan to Gertrude L. Ahern; Eleanor Y. Chapman to Eleanor M. Young; Bessie Hyman Ratner to Bessie Hyman; Beverly Elizabeth Lewis to Beverly Elizabeth Dewey; Georgeana R. Spooone to Georgeana R. Powell.

GRAFTON COUNTY—Romulus Amorosino to John Amorosino; Malcolm Vance Armstrong to Malcolm Armstrong Lackey; Marilyn A. Bennett to Marilyn A. Batchelder; Harold William Baldwin to Harold William Sanders; Rutherford Philip Bagley to Philip Rutherford Bagley; Gordon Joseph Baillie to Gordon Joseph Stuart; Beverly Florence Bedard to Beverly Florence Thibodeau; Burl Louis Bedard to Burl Louis Thibodeau; David Edward Bedard to David Edward Thibodeau; Archie Raimond Bowles to Raimond Bowles; Hugo Lapquist Cox to Jon Eldon Cox; Robert Curtis Clark to Robert Curtis Lower; Arthur J. Cranshaw to Arthur James Cranshaw Borry; Alice Helen Douglass to Janet Caro St. Lawrence; Merton Elwin Dunham to Merton Elwin Lovely; Ronald Fields to Ronald Converse; Baby Gile to Russell Dow Rankin; Roland J. Gamache to Roland J. Gault; Francis William Geeb to Charles William Tarr; Baby Humphrey to David Anthony Picozzi; Jane Haskell to Jane Gibson; William Lee Hart to Howard Hollis Whitcomb; Sandra Mae Hall to Sandra Mae Seamans; William Haskins to William George Wayne Peabody; Gilbert Warfield Haley to Max Gilbert Haley; Richard Jackson to Wendell Lear Woodward; Melinda Ann Jordan to Linda Louise Hill; Henry Thurston Johnson to Richard Ashley Maynard; Catherine Ann Kolinsky to Catherin Ann Belanger; Gene Arthur Langmaid to Gene Arthur French; Mona Ann Leach to Paula Grace Leavitt; Dianna Theresa LaFlamme to Norma Jean Clough; Baby Ludgate to John Robert Bailey; Beverly Joan Leonard to Beverly Joan White; Daniel Carlisle LaBonte to Karl Edwin Kelly; Marilyn Morris to Esmeralda Wendy Triller; Sharlene Jean Merrill to Sharlene Olney Young; Linda Anne Marrone to Linda Anne French; Dorothy Fay McCollum to Dorothy Fay Downer; Mildred L. McCollum to Mildred Louise Downer; Bertha Geneva Mulherin to Brenda Mulherin; Barbara Muir McAuliffe to Barbara Virginia Muir; William Carrol Martinez to Richard Earl Gray; Mary Ann Marcotte to Mary Lydia Hill; Baby Boy Olsen to David Andrew Brown; Jacqueline Pratt to Jacqueline Ellis; Reginald Bruce Page to Bruce Reginald Miller; Marie Sonja Pare to Janet Lee Bisson; Patricia Ann Putnam to Kay Cooney; Gordon Earl Roberts to Gordon Earl Hannett; Katharyn Evelyn Saari to Catherine Melissa Brown; Richard Lewis Semons to Richard Lewis

Barnes; Cecile May Stevens to Cecile May Landry; Richard Wayne Smith to Richard Arthur Fletcher; Henry Roger Smith to Michael Elgin Andross; Winona Mae Spaulding to Winona Mae Paro; Lorraine Jean Splude to Lorraine Jean Haynes; Jeanne Marion Smith to Jeanne DeWoody Gile; Luther Lyall Williamson to Frederick Luther Williamson; Douglas Willard to Mark Wesley Triller; Edwin Webb to Charles Franklin Carle; Allen L. Weeks, to Allan Davis Emerton; Janice Elaine Weeks to Janice Elaine Emerton; Bertha Mae Wiggin to Bertha Mae Martin.

COOS COUNTY—Grace M. Hurlbert to Grace M. Keach; Lillian M. Provencher to Lillian Tremaine; Gladys M. Rice to Gladys Mae Gove; Florence Beverly Griffeth to Florence Beverly Hartford; Mary E. Lewis to Mary Maloney; Doris C. Nolet to Doris C. Levesque; Laura B. Rosenberg to Laura B. Hunter; Berta H. Brigham to Berta Hope Kingston; Elizabeth L. Mahan to Olive Marie Larrivee.

Roland Houle to Roland Theriault; Doris Eva Aube to Doris Eva Aubey; Angie Bernadine Martin to Bernadine Martin; Natalie Twitchell to Natalie McRae; Raymond Johnson to Raymond Nichols; Paul Jean Jalbert to Paul Leon Gilbert; Annie Nora Lebnon to Nora Labnon; Faheem Lebnon to Norman Michael Labnon; Barbara Corey to Barbara Labnon; Elias M. L. Corey to Louis Michael Labnon; Monassa Lebnon Corey to Morris Michael Labnon; Elizabeth Labnon to Alice Labnon; Michael Lebnon Cory to Michael Labnon; Anna Means Lepage to Anna Blanche Means; Marjorie Florence Holman to Marjorie Florence Betz; Roland Donald Rowell to Roland Donald Young; David Wolfgang Bernay to David Wolfgang Bernheimer; Laura Dauphinais to Laura Dauphney; Clifford Walter Dauphinais to Clifford Walter Dauphney; Robert Thomas Lonsdale to Robert Thomas McGee; Lebnon Michael Corey to Anthony T. Labnon; Tonia Lebnon Corey to Daniel Anthony Labnon; Martin Niemi to Martin Temple; Joseph Armand Philemon Couture to Joseph Armand Philemon Rousseau; Roy E. Bishop to Roy E. Mellow; Maria Elvira DiProspero to Marie Elvira Frechette; Ronald Leslie Jalbert to Ronald Leslie Gilbert.

Changed by Adoption—Donald Edward Welch to Donald Edward Flynn; "Infant" Murphy to Charles Joseph Dickey;

Catherine Janice Fuller to Catherine Janice Connary; Priscilla Ann Fisk to Priscilla Ann Parker; "Infant" Smith to Bonnie Dae Spencer; David Arthur Vincent to David Arthur Giroux; Rose Irene Pelchat to Rose Irene Leclerc; Leonard Ronald Leach to Ronald Joseph Dandeneau; Diane Mary Page to Mary Gertrude Yvonne Caron; Priscilla Fern Willey to Susan Althea Erickson; Leonard Ronald Joseph Nolet to Roland Joseph Routhier; Allen Barbin to Richard Robert Patrick; Rita Rose Marie Landry to Rita Rose Marie Suffill; "Annette" to Annette Napert; Stephen Hapgood Mills to Stephen Hapgood Shoff; Rita Rose Marie Remillard to Rita Rose Marie Nadeau; "Patricia Ann" to Mary Ann Massey; "Baby" Gagne to Judith Elaine Groves; Dorothy Jean Murphy to Francis Ann Lajoie; Richard James Cozzi to Richard James Dionne; Joseph Floribert Auger to Richard Joseph DeBlois; "Baby" Coe to James Eric Brown; Nancy Anne Bickford to Nancy Anne Mortenson; Alice Mary Frabee to Alice Mary Cote; Agnes Ann Frabee to Agnes Anne Cote; George Robert Houley to Robert Gerald Michaud; "Baby" Hayes to David Pickering Morse; Patrick O'Neil to Patrick O'Neil Connelly; Diane Childs to Marianne Keir; "Infant" McGinnis to Leonard Lawrence Morel.

From January, 1945, to January, 1947, the registers of probate returned to the secretary of state the following changes of names made by the superior court in divorce proceedings:

ROCKINGHAM COUNTY—Virginia A. Berlin to Virginia A. Stevens; Vivian H. Frink to Vivian G. Howard; Dorothy J. Petro to Dorothy J. Winn; Edythe M. Tessicini to Edythe L. Holt; Helen B. Cox to Helen B. Heskett; Elizabeth Liberty to Elizabeth Baker; Beatrice L. Sturtevant to Beatrice L. Brown; Frances P. Alain to Frances P. Emery; Velma E. O. Arsenault to Velma E. O. Senter; Esther M. Bangs to Esther M. Davis; Frances A. Barry to Frances A. Dion; Emma E. Buckley to Emma E. MacLean; Rose V. Hubbard to Rose V. Barthelemy; Mildred Raitt Parker to Mildred C. Raitt; Helen M. Gammon to Helen M. Cotnoir; Phyllis I. Gately to Phyllis I. Ashford; Phoebe H. Gray to Phoebe H. McLane; Olive Horton to Olive O'Leary; Ninetta Kozlowski to Ninetta Luce; Mary F. Brite to Mary F. Smith; Adeline Evelyn DiAngelis to Adeline Evelyn Novelle; Geneva B. Downing to Geneva

Bartlett; Valentine M. Erickson to Valentine J. Marcuri; Alice L. Heger Felch to Alice L. Heger; Christine M. Lasher to Christine M. Heacock; Martha Josephine Parks to Martha Josephine Rice; June Semple to June Bond; Mary L. Spinelli to Mary Louise Trefethen; Virginia Constance Zahn to Virginia Constance Stafford; Shirlie A. Lydon to Shirlie A. Arnold; Evelyn A. McQuarrie to Evelyn A. Ross; Josephine J. Novak to Josephine Jewell; Geraldine Frances Wagner to Geraldine Frances Trafton; Charlotte J. Cole to Charlotte Jeanette Wendell; Rita Edwards to Rita Federick; Florence M. Keough to Florence M. Gray; Beatrice I. Blais Cole to Beatrice I. Bliss; Elizabeth M. King to Elizabeth M. Harvey; Margaret Allen to Margaret Kelley; Ethel Mae Charious to Ethel Mae Jones; Victoria Ginalska to Victoria Tomaszewska; Nancy G. Goodwin to Nancy G. Hoyt; Thelma P. Groder to Thelma P. Ingalls; Frances Marjorie Huseby to Frances Marjorie Trefethen; Norma F. Lenane to Norma L. Frost; Barbara Virginia Noble to Barbara Virginia Harvey; Hazel M. Shina to Hazel M. Nichols; Barbara H. Willette to Barbara Helen Paul; Emma J. Eriksson to Emma J. Nelson; Shirlie E. Perkins to Shirlie E. Rowe; Adrienne Delphine Watts to Adrienne Delphine Rioux; Shirley Ellen Welch to Shirley Ellen Webber.

STRAFFORD COUNTY—Pearl G. McDonough to Pearl G. Lewis; Mary P. C. Proulx to Mary Pauline Clairmont; Irene P. Gagne to Irene P. Nault; Priscilla R. Labonte to Priscilla R. Maine; Georgia Zorbas to Georgia George; Violet G. Allison to Violet Eastman; Joyce E. Putt to Joyce Elizabeth Brown; Marilyn M. Robbins to Marilyn M. Clark; Cecile Carignan Johnstone to Cecile Carignan; Florence M. Seneca to Florence M. Jimerson; Rose D. Habel to Rose Delima Hebert; Mattie M. Speco to Mattie M. Riley; Mildred Esther Watts to Mildred Esther Hyllman; Barbara E. Quimby to Barbara E. Bennett; Lillian M. Wakefield to Lillian M. Chapman; Freda B. Jackson to Freda E. Burrows; Germaine G. Holland to Germaine G. Goupil; Lois A. Wallingford to Lois Appleton; Gabrielle M. Smith to Gabrielle M. Elliott; Winifred B. Lincoln to Winifred Elois Bowley; Marjorie L. MacKenzie to Marjorie Louise Charette; Marion H. Potts to Marion Hall; Barbara M. Pickup to Barbara H. Masury; Thelma F. Haywood to Thelma Fay Thompson; Eunice

Thayer Young to Eunice E. Thayer; Chrysanthe Athans to Chrysanthe Constantopoulos; Theresa M. Champagne to Theresa M. McCabe; Lillian A. Girard to Lillion A. Norton; Ellen Harmon Michaud to Ellen Harmon; Joan W. Kelly to Joan W. Cary; Lena R. Forcier to Lena R. Routhier; Ruth R. Smith to Ruth R. Shaw; Myrtie L. Watson to Myrtie L. Gould; Anna A. Otis to Anna A. Hutchins.

BELKNAP COUNTY—Alberta T. Bush to Alberta T. Kellock; Mildred Julia Clark to Mildred Julia Hamel; Laurette Messier Cotton to Lauretta Messier Cotton; Fitzpatrick Dufour to Patrick Dufour; Leona M. Gagnon to Leona M. Rollins; Geraldine M. Gleason to Geraldine M. Peary; Catherine H. Israelian to Catherine H. Matthews; Rena C. Marcoux to Rena C. Laplante; Cora E. Provençal to Cora E. Towns; Yvonne Savage to Eva Savage; Loretta M. Smith to Loretta M. Drowns; Phyllis Marion Smith to Phyllis Marion Crockett; Thurley A. Spooner to Thurley A. Trumbull; Rita Bernadette Dion to Rita Bernadette Fortin; Pearl E. Reed to Pearl E. Flanders; Caroline Greenwood Johnson to Caroline Charlotte Greenwood; Roxanna H. Lancaster to Roxanna Harmon; Nellie C. Royal to Nellie C. Bryant; Elizabeth Rausch Merrill to Elizabeth Rausch; Mabel C. Scarborough to Mabel C. Potter; Doraine E. Dodge to Doraine E. Batchelder.

CARROLL COUNTY—Beatrice M. Stillings to Beatrice M. Sleeper; Mae S. Capri to Mae E. Stanley; Ona I. Knight to Ona J. Bond; Isabel R. Vaughn to Isabel Rector; Ruth E. Welch to Ruth E. Pearson.

MERRIMACK COUNTY—Alberta E. VanDenburgh to Alberta Eleanor Sims; Gladys T. Sanborn to Gladys Collins Towle; Irene F. Breckney to Irene F. Fleury; Mary B. Badger to Mary E. Besse; Miriam S. Nelson to Miriam Alma Stover; Barbara M. Kimball to Barbara May Crawford; Mildred F. Mussey to Mildred F. Tucker; Alice J. Meeks to Alice J. Cass; Marion G. Banks to Ruth Marion Prowse; Jennie F. Johnson to Lennie F. Burdick; Dorothy Louise Nunes to Dorothy Louise Wing; Victoria L. French to Victoria L. Reid; Annie L. Campbell to Annie L. Stewart; Helen Cheney Miller to Helen Cheney; Agnes D. MacCowan to Agnes D. Farnum; Dorothy L. Andberg to Dorothy L. Rogers; Ida Ruth Bonner to Ida Ruth Brent; Dora F. LaFerte to Dora F. McGarey; Isabelle

Gaillardetz to Isabelle Albert; Bertha W. Sprague to Bertha Margaret Williams; Eva Annette Wing to Eva Annette Oakes; Gene Grow Dykeman to Gene Patrick Grow; Nellie Anderson to Nellie Wescott.

HILLSBOROUGH COUNTY — Cynthia Clifford to Cynthia Erskine; Mae Dorney Westerdahl to Mae Dorney; Mary L. Stevens to Mary Lyon; Lucille Douville to Lucille Lessard; Marie A. Turcotte Isabelle to Marie A. Turcotte; Nellie W. Lyons to Nellie W. Hanley; Marion R. Stark to Marion R. Talbot; Lauretta Duclos to Lauretta Frenette; Alice M. Grant to Alice M. Paul; Blanche Katulak to Blanche Kozacki; Janet Szemela to Janet Gilbert; Helen Firestone Parker to Helen Firestone; Laurence Y. Blake to Laurence Y. Lamothe; Emily Stantial to Emily Battersby; Mary Ann MacDonald to Mary Ann Buxton; Jeanne P. Pouliot to Jeanne P. Boisvert; Marie A. Somers to Marie A. Chouinard; Marion H. Sargent to Marion Edna Hersey; Virginia Dolores Ann Piecuch to Virginia Dolores Ann Morey; Marie L. Fleury to Marie L. O'Brien; Elizabeth R. Tanczos to Elizabeth R. Watkins; Evangeline Moulton to Evangeline Hines; Myrtle Lee Puckett to Myrtle Lee Barnes; Ellen French Odekirk to Ellen French; Phyllis VonInderstine to Phyllis Tuttle; Mada Pritchard to Mada Harriman; Leovina Alice Cullinan to Leovina Alice Worth; Lois Drabinski to Lois Allen; Florence Pierce to Florence Deroche; Ethel A. Brown to Ethel Anna Keefe; Dorothy Mae Kennedy to Dorothy Mae Wilson; Regina L. Guichard to Regina L. Dichard; Margaret E. Carder to Margaret E. Young; Blanche Irene Daneault to Blanche Irene Granz; Frances J. Garabedian to Frances G. Johnson; Lillian E. Clark to Lillian E. Putnam; Dorila U. Fraser to Dorila Ursula Wilson; Alyce Moore to Alyce Williams; Germaine A. Vachon to Germaine A. Theriault; Celeste Fyffe to Celeste Melin; Ethel P. Boucher to Ethel P. Wordios; Edna V. Trudeau to Edna V. Stone; Barbara R. Simons to Barbara R. Seymour; Ethel S. Nicholson to Ethel M. Sprague; Claire L. Roy to Claire L. Lambert; Adella Zautra to Adella H. Jazel; Ella Huskie Legault to Ella Huskie; Dorothy M. Dorsett to Dorothy M. Ralph; Lillian P. Walsh to Lillian P. Mayou; Helen E. Cutting to Helen E. Morrell; Beverly Pelletier to Beverly Clark; Ursula M. Bagley to Ursula M. Couture; Marian Burke to Marian Shaw; Anita Elise Mitchell to Anita

Elise Levesque; Theresa Dempsey to Theresa Lucier; Alberta M. Jacob to Alberta May Burbank; Irene Niquette to Irene Biron; Eva Ouellette to Eva Levesque; Marion E. Clark to Marion E. Coney; Helen Rogers to Helen Sullivan; Florence B. Minott to Florence B. Horton; Helen Mary Kofer to Helen Mary Bruno; Margaret B. Marquis to Margaret B. Jacobson; Dorothy Bergeron to Dorothy Hartshorn; Charlotte Ames Gallo to Charlotte Ames; Arlene P. Harriman to Arlene P. Pierce; Yvette Francoeur to Yvette Ricard; Irelean English to Irelean Moulton; Daisy F. Matthews to Daisy F. Burpee; Charlotte B. Brazelton to Charlotte Bargiel; Doris M. Toscano to Doris M. O'Brien; Betsey S. MacDonald to Betsey Adams Schadt; Marion Grace Gauthier to Marion Grace Dunican; Antoinette Prince to Antoinette Ermalovich; Rita Naro to Rita Savoie; Beatrice R. Rahmanop to Beatrice R. Allen; Ruth E. Brown to Ruth E. Felch; Juliette Lloyd to Juliette Gagne; Emilienne O. Gabriel to Emilienne O. Lajoie; Muriel Bertha Grauer to Muriel Bertha Gouin; Dorothy Rudisill to Dorothy Murphy; Genevieve E. Cherry to Genevieve E. Waters; Alexina M. Peppin to Alexina Marie Lussier; Jeanne C. Dufour to Jeanne C. Theriault; Lena Marie Gallagher to Lena Marie Rainville; Mae Hayes to Mae DeWaele.

CHESHIRE COUNTY—Doris Lambert Phillips to Doris Lambert Wyman; Bernice Elnora Lavigne to Bernice Elnora Holt; Catherine Amelia Hemeon to Catherine Amelia Champney; Beverly Maranda Warriner to Beverly Maranda Phelps; Theresa Shirley Lampman to Theresa Shirley Ward; Avis L. Simons to Avis Leona LaBelle; Phyllis M. Tyo to Phyllis Marie Kent; Virginia A. Read to Virginia Alice Goodrum; Ida Berman to Ida Tenofsky; Betty Miller Canavan to Betty Miller; Hulda M. Norton to Hulda May Morrill; Margaret E. Howard to Margaret Elizabeth Russell; Jeanette P. Navish to Jeannette Louise Parizo; Ethel I. Sizemore to Ethel I. Cutter; Bertha D. Heil to Bertha Dostilio; Irene M. Deyo to Irene Marie Lamoureux; Amy Demerse Burns to Amy Dodge Demerse; Gloria L. Goodell to Gloria Mae Lane; June P. King to June P. Howland; Eleanor M. MacDonald to Eleanor M. Vigneault; Lila E. Fuller to Lila E. Wilder; Dorothy W. Calkins to Dorothy W. Marchand; Mildred T. Barron to Mildred T. Solomon; Lena Shine to Lena Sharkey; Elizabeth Jean Fair to Elizabeth Jean Briggs; Anna S. Conway to Anna Sanstock.

GRAFTON COUNTY—Vivian B. Shortt to Vivian L. Brown; Isabelle H. Perron to Isabelle Hutchinson; Eleanor Worthley Dickinson to Eleanor Worthley; Charlotte M. Howard to Charlotte Adele Marchetti; Ruth Ann St. Pierre to Ruth Ann Dow; Ida Sargent to Ida Davis; Mary A. Davio to Mary A. Hansen; Esther Louise Lynde to Esther Louise Taylor; Helen R. Mason to Helen R. Soper; Anita M. DeMosh to Anita M. Blake; Anna H. Cleveland to Anna Louise Harriman; Pauline E. Roy Barbin to Pauline E. Roy; Marion Louise MacKenzie to Marion Louise Logan; Allene C. Phelps to Allene C. Brown; Robby N. Franklin to Robby Naomi Williamson; Marion L. Lucas to Marion L. Laythe; Marjorie D. Moses to Marjorie D. Dyke; Edwina Elizabeth Sippell Rowland to Edwina Elizabeth Sippell; Helen P. Adams to Helen Pinard; Alice Fuller to Alice Allen; Bernadette Sullivan to Bernadette Harvey; Henrietta R. Plummer to Henrietta Evelyn Rainey; E. Pearle Lebeaux to E. Pearle Dexter; Eleanor Swett Kramer to Eleanor Jane Swett; Barbara C. Higgins to Barbara C. Burnham; Inez E. Bellerose to Inez E. Kenney; Marie E. Allen to Marie E. Woods; Mary B. Ziter to Mary A. Brouillett; Evelyn H. Harris to Evelyn Hammond; Harriett R. Baker to Harriet R. Munroe; Martha Keniston Thompson to Martha Keniston; Isabel E. Acorn to Isabel Evans; Winona B. Eastman to Winona Walker; Cora W. McCarthy to Cora Belle Whitehouse.

PRIVATE ACTS

CHAPTER 331.

AN ACT LEGALIZING THE BIENNIAL ELECTION HELD IN THE
TOWN OF FARMINGTON, NOVEMBER 5, 1946.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Proceedings Legalized. The votes and proceedings at the biennial election in the town of Farmington, on the fifth day of November, 1946, are hereby legalized, ratified and confirmed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved January 28, 1947.]

CHAPTER 332.

AN ACT RELATIVE TO THE HOWE LIBRARY IN THE TOWN OF
HANOVER.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Howe Library. Amend section 2 of chapter 215 of the Laws of 1899, as amended by chapter 293 of the Laws of 1913, by striking out the words "to an amount not exceeding two hundred thousand dollars," in the fourth and fifth lines, so that said section as amended shall read as follows: Sect. 2. Said corporation by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall have power to take, acquire, and hold real and personal estate by lease, purchase, donation, bequest, or otherwise; and, said institution being in the nature of a public charity, its property shall be exempt from taxation.

2. Tax Exemption. This act shall not change the status of

this corporation as to tax exemption from what it was immediately prior to the passage of this act.

3. Takes Effect. This act shall take effect upon its passage.

[Approved January 28, 1947.]

CHAPTER 333.

AN ACT TO AMEND THE CHARTER OF MARY HITCHCOCK MEMORIAL HOSPITAL.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Mary Hitchcock Memorial Hospital. Amend section 2 of chapter 236 of the Laws of 1889, as amended by chapter 313, Laws of 1929, by striking out the words "to an amount not exceeding two million dollars" in the fourth and fifth lines, so that said section as amended shall read as follows: Sect. 2. Said corporation by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall have power to take and acquire and hold real and personal estate by lease, purchase, donation, bequest, or otherwise, for the purpose of establishing and maintaining a hospital at Hanover aforesaid, erecting suitable buildings, and properly furnishing the same with whatever may be desirable or necessary for the successful operation of said institution; and said institution being in the nature of a public charity, its property shall be exempted from taxation.

2. Tax Exemption. This act shall not change the status of this corporation as to tax exemption from what it was immediately prior to the passage of this act.

3. Takes Effect. This act shall take effect upon its passage.

[Approved February 4, 1947.]

CHAPTER 334.

AN ACT LEGALIZING THE BIENNIAL ELECTION IN THE TOWN OF
LOUDON.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Proceedings Legalized. The votes and proceedings at the biennial election in the town of Loudon on the fifth day of November, 1946, are hereby legalized, ratified and confirmed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved February 11, 1947.]

CHAPTER 335.

AN ACT LEGALIZING THE BIENNIAL ELECTION IN THE TOWN OF
KENSINGTON.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Proceedings Legalized. The votes and proceedings at the biennial election in the town of Kensington on the fifth day of November, 1946, are hereby legalized, ratified and confirmed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved February 18, 1947.]

CHAPTER 336.

AN ACT ABOLISHING THE BOARD OF PARK COMMISSIONERS OF
THE CITY OF NASHUA.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. City of Nashua. Chapter 241 of the Laws of 1895, as amended by chapter 182, Laws of 1897, relative to a board of park commissioners for the city of Nashua, is hereby repealed.

2. **Board Abolished.** The board of park commissioners of the city of Nashua as at present constituted is hereby abolished.

3. **Transfer of Authority.** The regulation, care and management of public squares, parks and commons in the city of Nashua shall be vested in the city councils of the city of Nashua which said city councils are authorized to provide by ordinance for such boards for said purposes as they may determine.

4. **Takes Effect.** This act shall take effect upon its passage.

[Approved February 19, 1947.]

CHAPTER 337.

AN ACT LEGALIZING THE BIENNIAL ELECTION HELD IN THE
TOWN OF ALTON NOVEMBER 5, 1946.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. **Proceedings Legalized.** The votes and proceedings at the biennial election in the town of Alton on the fifth day of November, 1946, are hereby legalized, ratified and confirmed.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved February 26, 1947.]

CHAPTER 338.

AN ACT TO AUTHORIZE THE VILLAGE FIRE PRECINCT OF THE
TOWN OF WOLFEBORO TO EXCEED ITS LIMIT OF BONDED
INDEBTEDNESS AND TO ISSUE SERIAL NOTES OR
BONDS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. **Additional Debt Authorized.** The Village Fire Precinct of the town of Wolfeboro is hereby authorized to incur indebtedness in an amount not exceeding fifty thousand dollars

for the purpose of improving its electric light plant, extending its electric lines and for delayed maintenance, said amount to be in addition to the amounts already authorized by law.

2. Bonds Authorized. The commissioners of the Village Fire Precinct are hereby empowered and authorized to issue for and in behalf of said district serial notes or bonds to the amount of fifty thousand dollars for the purposes noted in section 1 hereof. Said notes or bonds shall be issued in conformity to the Revised Laws, chapter 72.

3. Interest Rate. Said notes or bonds shall bear interest at a rate not exceeding two and one-half per cent and shall be signed by the precinct commissioners and countersigned by the precinct treasurer.

4. Takes Effect. This act shall take effect upon its passage.

[Approved February 26, 1947.]

CHAPTER 339.

AN ACT TO LEGALIZE THE BIENNIAL ELECTION OF THE
TOWN OF LYMAN, HELD NOVEMBER 5, 1946.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Proceedings Legalized. All votes and proceedings of the biennial election of the town of Lyman, held November 5, 1946, are hereby legalized, ratified and confirmed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved February 26, 1947.]

CHAPTER 340.

AN ACT TO AMEND THE CHARTER OF THE CITY OF BERLIN.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. City of Berlin. Amend section 8 of chapter 121 of the Laws of 1897 by inserting after the word, "moderator" in the

second line a comma and the following: a ward clerk, so that said section as amended shall read as follows: **Sect. 8.** Each ward shall at each state biennial election choose by ballot a moderator, a ward clerk and three supervisors of check lists, who shall hold office for two years and until their successors are elected and qualified, and shall receive for their services only such compensation as the city council may vote. Said supervisors shall perform all the duties required by law of selectmen of wards in cities and supervisors of check lists in towns; and for all purposes requiring such officers shall be considered selectmen of said wards.

2. **Biennial Meetings.** Amend section 10 of chapter 121 of the Laws of 1897 by striking out said section and inserting in place thereof the following: **Sect. 10.** The biennial meeting of each ward shall be held on the second Tuesday of March in the year 1948, and biennially thereafter, at such place in said city as may be fixed by said city council. The board of supervisors shall prepare a check list for each ward for use at such meetings.

3. **Councilmen.** Amend section 11 of said chapter 121 by striking out the same and inserting in place thereof the following: **Sect. 11.** Each ward at the biennial meeting in March, 1948 shall elect a councilman who shall serve for a term of four years. On the second Tuesday in March, 1949, at a special meeting, each ward shall elect a councilman who shall serve for the term of one year. At the biennial meeting, in March, 1950, each ward shall elect a councilman who shall serve for the term of four years and a councilman who shall serve for the term of two years. At every biennial election in March thereafter, each ward shall elect a councilman who shall serve for the term of four years and a councilman who shall serve for the term of two years.

4. **Mayor.** Amend section 12 of said chapter 121 as amended by section 1, chapter 225, Laws of 1903, section 1, chapter 327, Laws of 1911, and section 2, chapter 268, Laws of 1943, by striking out the word "annually" in the second line and inserting in place thereof the words, biennially at the March meeting, so that said section as amended shall read as follows: **Sect. 12.** The mayor of said city shall be chosen biennially at the March meeting and shall have a negative upon all acts of the council to which his veto power would ex-

tend had the city government herein constituted provided for a board of aldermen, and such veto power shall extend to individual items of appropriations. He shall preside in all meetings of the city council, but shall have no veto except in case of an equal division. In his absence, the council may elect one of their number chairman, who shall have all the powers and perform all the duties of mayor during his absence of disability, or during a vacancy in said office from any cause. The mayor shall receive an annual salary of fifteen hundred dollars. Such salary shall be in full for services of every kind rendered and shall be paid monthly.

5. **City Clerk.** Amend section 13 of said chapter 121, as amended by section 2, chapter 225, Laws of 1903, and section 1, chapter 342, Laws of 1913, by striking out said section and inserting in place thereof the following: **Sect. 13.** The mayor and council shall biennially, on the last Monday of March meet for the purpose of taking their respective oaths, and shall annually meet on the last Monday of March for the purpose of electing a city clerk who shall be the clerk of the said council and whose salary shall be fixed by the city council.

6. **City Officials.** Amend section 14 of said chapter 121, as amended by section 3, chapter 225, Laws of 1903, section 1, chapter 320, Laws of 1909, section 1, chapter 349, Laws of 1913, section 1, chapter 312, Laws of 1915, section 1, chapter 320, Laws of 1917 and section 1, chapter 268, Laws of 1943, by striking out said section up to and including the word "quarterly" in the twenty-third line and inserting in place thereof the following: **Sect. 14.** Said mayor within one week of said annual meeting held on the last Monday of March, 1910, shall appoint, subject to confirmation by the council, a board of three assessors, to hold office from the first day of April, 1910, one of whom shall be chosen for three years, one for two years and one for one year, and thereafter annually at said time, shall appoint subject to the confirmation of the council one assessor who shall hold office for three years, who shall receive for their services such salary as shall be fixed by the city council; said assessors shall have the power to employ necessary clerical help at salaries to be fixed by the city council; and said mayor shall also, within thirty days of said annual meeting, appoint subject to confirmation

of said council, a board of health of not more than three persons, one of whom shall be chosen for three years, one for two years, and one for one year, and thereafter annually at said time shall appoint, subject to confirmation of the city council, one member of the board of health, who shall hold office for three years; a city treasurer who shall serve as treasurer of the board of education and receive as compensation such salary as shall be fixed by said city council, payable quarterly; so that as amended said section shall read as follows: **Sect. 14.** Said mayor within one week of said annual meeting held on the last Monday of March, 1910, shall appoint, subject to confirmation by the council, a board of three assessors, to hold office from the first day of April, 1910, one of whom shall be chosen for three years, one for two years and one for one year, and thereafter annually at said time, shall appoint subject to the confirmation of the council one assessor who shall hold office for three years, who shall receive for their services such salary as shall be fixed by the city council; said assessors shall have the power to employ necessary clerical help at salaries to be fixed by the city council; and said mayor shall also, within thirty days of said annual meeting, appoint subject to confirmation of said council, a board of health of not more than three persons, one of whom shall be chosen for three years, one for two years, and one for one year, and thereafter annually at said time shall appoint, subject to confirmation of the city council, one member of the board of health, who shall hold office for three years; a city treasurer who shall serve as treasurer of the board of education and receive as compensation such salary as shall be fixed by said city council, payable quarterly; city auditor, collector of taxes, city solicitor, highway commissioner, sewer commissioner, inspector of buildings and city engineer; and within thirty days of said annual meeting, the said mayor shall also appoint, subject to confirmation, a chief engineer and assistant engineer of the fire department, and may create such other governmental departments and appoint, subject to confirmation as hereinbefore set forth, such officers or agents as are necessary for the good government of the city not otherwise provided for. Said council shall receive a fee of six dollars each for actual attendance at all regular, special or adjourned meetings, provided, however, that the

total sum to be paid to each councilman for attendance at all meetings shall not exceed two hundred fifty dollars per annum.

7. Application. During such times as the ordinance adopted by the city of Berlin relative to indefinite term of office for the chief engineer and assistant engineer of the fire department, in accordance with the provisions of section 9-a, chapter 66 of the Revised Laws, as inserted by chapter 110, Laws of 1945, shall be in effect, the provisions of section 6 hereof inconsistent with said ordinance shall be suspended.

8. Referendum; Takes Effect. This act shall not take effect unless it is adopted by a majority vote of the legal voters present and voting on the question at the regular city election to be holden in the city of Berlin on the second Tuesday of March, 1947, under an article in the warrants for such meeting. The mayor and council shall meet at two o'clock in the afternoon on the second day after said meeting, examine the returns and declare the result. If it shall appear that a majority of those voting at said meeting on said question have voted in the affirmative the act shall be declared to have been adopted. If adopted as hereinbefore provided the act shall except as otherwise herein provided take effect on the first day of April, 1947.

Any officers chosen and qualified by the charter provisions in force prior to said April 1, 1947, the effective date of this act, if adopted, shall hold their offices for the remainder of the term thereof as therein provided and until their successors are chosen and qualified and ward clerks elected at the March meeting, 1947, shall hold their respective offices until the ward clerks elected at the biennial election in 1948 are chosen and qualified.

[Approved February 27, 1947.]

CHAPTER 341.

AN ACT PROVIDING SALARIES FOR THE ALDERMEN OF THE CITY OF NASHUA.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. City of Nashua. From and after the thirty-first day of December, 1946, the salary of each ward alderman of the

city of Nashua shall be one hundred dollars per year, payable in equal quarterly payments, the salary of each alderman at large of said city shall be two hundred dollars per year, payable in equal quarterly payments, provided the alderman at large who acts as clerk of the board of aldermen shall receive, in addition to his salary as such alderman, an additional sum of one hundred dollars per year, payable in the same manner.

2. Takes Effect. This act shall take effect as of January 1, 1947.

[Approved March 4, 1947.]

CHAPTER 342.

AN ACT TO ESTABLISH A POLICE COMMISSION FOR THE TOWN OF CLAREMONT.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Establishment. The governor, with the advice and consent of the council, shall appoint and commission for the town of Claremont a police commission on or before July 1, 1947 consisting of three persons one of whom shall hold office for one year, one for two years and one for three years from the date of his appointment, or until their successors are duly appointed and qualified. Said commissioners shall have been residents of said town for at least five years immediately preceding the date of their appointment. Not more than two of said commissioners shall be of the same political party. The governor with the advice and consent of the council shall annually thereafter appoint and commission one commissioner for a term of three years. Any vacancy on said commission shall be filled in like manner for the unexpired term.

2. Removal of Commissioners. The governor, with the advice and consent of the council, shall have full power to remove any commissioner at any time, for just cause and after due hearing, which cause shall be specified in the order of removal.

3. Duties of Police Commission. The said police commissioners shall appoint such police officers, constables and

superior officers, as they may in their judgment deem necessary and fix their compensation. Said commissioners shall have authority to remove any officer at any time for just cause and after due hearing, which cause shall be specified in the order of removal. Said commissioners shall have full authority to make and enforce all rules and regulations for the government of the police force of the town of Claremont.

4. Compensation. Said police commissioners shall serve without compensation but may be reimbursed for necessary expenses incurred in the performance of their duties hereunder.

5. Takes Effect. This act shall take effect upon its passage.

[Approved March 5, 1947.]

CHAPTER 343.

AN ACT TO AMEND THE CHARTER OF SANBORN SEMINARY.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Trustees of Sanborn Seminary. Amend section 4 of chapter 216 of the Laws of 1883, the charter of Sanborn Seminary, by striking out said section and inserting in place thereof the following: **Sect. 4.** The board shall consist of not less than seven nor more than fifteen trustees, as the board may from time to time determine, a majority of whom shall constitute a quorum. A major part of the board shall consist of men or women who are not inhabitants of the town where the seminary is situated. If any of the corporators named shall decline the trust, or as often as any of said trustees shall die, resign, or in the judgment of the major part of the other trustees be rendered by age or otherwise incapable of discharging the duties of his office, the trustees remaining and surviving, or the major part of them, may elect one or more persons to fill the vacancy or vacancies, and shall elect whenever the number of trustees remaining shall be less than seven.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 12, 1947.]

CHAPTER 344.**AN ACT AUTHORIZING THE REINSTATEMENT OF NORTHERN TELEGRAPH COMPANY.**

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Reinstatement. Northern Telegraph Company, a corporation duly established by An Act passed July 6, 1866, as amended by chapter 140, Laws of 1872, which was dissolved by chapter 298, Laws of 1937, may within ninety days after April 1, 1947, reinstate itself as a corporation by the payment of one hundred dollars in full for fees in arrears and penalties, and by filing with the secretary of state annual returns for the years 1936 to 1946, inclusive, and a statement under oath, signed by the clerk or acting clerk of such corporation, that it is desired that its charter shall remain in full force and effect; provided that no remedy against such corporation, its stockholders or officers, for any liability incurred shall be impaired hereby except that no penalty for failure to pay any fees or file any returns before the date of April 1, 1947, shall be imposed; otherwise the charter of said corporation shall be forfeited in accordance with the terms of chapter 298, Laws of 1937, and this act shall in that case have no effect whatsoever.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 12, 1947.]

CHAPTER 345.**AN ACT RELATING TO WARD LINES IN THE CITY OF CONCORD.**

Be it enacted by the Senate and House of Representatives in General Court convened:

1. City of Concord Ward Lines. The ward lines of the city of Concord shall be bounded and described as follows:

Wards 1, 2 and 3 shall include all the territory now included in said wards as defined and described in the charter of said city of Concord.

Ward 4 shall include the territory bounded and described as follows: Commencing at a point in the center of the Merrimack river where the center line of Bridge Street intersects with the center line of said river; thence up said river to a point where the center line of said river intersects the center line of Eastman Street under the Federal Bridge; thence southerly and westerly by the center lines of Eastman Street and Penacook Street to the center line of Bradley Street; thence by the center lines of the following streets: Bradley to Church, Church to Rumford, Rumford to Beacon, Beacon extended to High, High to Rockland, Rockland to Auburn; thence in a straight line to the intersection of Center and North Fruit Streets extended; thence by the center line of Center Street to the center line of North Main Street; thence southerly on the center line of North Main Street to the center line of Bridge Street; thence easterly along the center line of Bridge Street to the point of beginning.

Ward 5 shall include all the territory bounded and described as follows: Commencing at a point in the center of the Merrimack river where the center line of said river intersects the center line of Bridge Street; thence down the center line of said river to a point where the center line of said river intersects the center line of Pleasant Street Extension extended easterly; thence westerly by the center line of Pleasant Street Extension extended easterly, the center line of Pleasant Street Extension, and the center line of Pleasant Street to the center line of North Fruit Street; thence northerly along the center line of North Fruit Street to the center line of Center Street extended westerly; thence easterly along the center line of Center Street to the center line of North Main Street; thence southerly along the center line of North Main Street to the center line of Bridge Street; thence easterly along the center line of Bridge Street to the point of beginning.

Ward 6 shall include the territory bounded and described as follows: Commencing in the center of the Merrimack river at a point where the center line of said river intersects the center line of Pleasant Street Extension extended easterly; thence down said river to a point where the center line of said river intersects the center line of Downing Street extended easterly; thence westerly by said extension of Downing Street,

the center line of Downing Street and the center line of Clinton Street to the center line of South Fruit Street; thence northerly by the center line of South Fruit Street to the center line of Pleasant Street; thence easterly by the center line of Pleasant Street, the center line of Pleasant Street Extension and the center line of Pleasant Street Extension extended easterly to the point of beginning.

Ward 7 shall include all the territory now included in said ward as defined and described in the charter of said city of Concord.

Ward 8 shall include the territory bounded and described as follows: Commencing at a point in the center of the Soucook river where the line between Concord and Loudon intersects said river; thence northwesterly along the line between Concord and Loudon to a point one hundred and sixty rods westerly from a stone post on said line (said post being about ten feet west of the Loudon road, so-called); thence southwesterly in a straight line to a point where the road leading from Sugar Ball intersects East Side Drive; thence southerly on the center line of East Side Drive fourteen hundred feet; thence due west to the center of the Merrimack river; thence southerly by the center line of said river to a point where the center line of the Soucook river intersects the center line of the said Merrimack river; thence easterly and northerly by the center line of the Soucook river to the point of beginning.

Ward 9 shall include all the territory now included in said ward and defined and described in the charter of said city of Concord.

2. Representatives. Until a new census shall be taken, by authority of this state or of the United States, there shall be no change in the number of representatives to the general court from any ward in the city.

3. Term of Office. The duly elected officials of any ward who are residents of an area which, by the passage of this act, is annexed to another ward may continue to hold the office for the term for which they were elected. They shall not be allowed to be a candidate to succeed themselves at the next election after the passage of this act.

4. Senatorial Districts. Unless changed by this or at some future session of the general court there shall be no change in the senatorial districts.

5. Check Lists. Upon the passage of this act the supervisors of the check lists shall prepare a list of all the legal voters affected by this change showing the name, address, and party designation (if any). This list shall be forwarded to the supervisors in the ward to which the voter is transferred, who shall then enter the names upon the check lists for their ward and notify the individual voter, in writing, that they have done so.

6. Inconsistent Acts. All acts and parts of acts in the charter of said city of Concord, or laws of the state inconsistent with the provisions of this act are hereby repealed.

7. Takes Effect. This act shall take effect and be in force upon its passage.

[Approved March 19, 1947.]

CHAPTER 346.

AN ACT LEGALIZING THE PROCEEDINGS OF THE SPECIAL TOWN MEETING HELD IN THE TOWN OF CORNISH ON AUGUST 17TH, 1946.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Proceedings Legalized. The votes, proceedings and appropriations of the special town meeting held in the town of Cornish on the seventeenth of August, 1946, are hereby legalized, ratified and confirmed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 19, 1947.]

CHAPTER 347.

AN ACT RELATIVE TO THE UNION SCHOOL DISTRICT IN CONCORD.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Union School District. Amend section 1 of chapter 230 of the Laws of 1927, as amended by section 1, chapter 277 of

the Laws of 1939, by striking out the word "treasurer" in the second line, so that said section as amended shall read as follows: **1. Official Ballot.** For all elections of moderator, clerk and members of the board of education of Union School District in Concord the voting shall be upon an official ballot only. A plurality of votes cast shall be necessary for election to each office to be filled.

2. School Treasurer. The treasurer of Union School District in Concord shall be chosen annually by the board of education of Union School District in Concord during the month of June and shall hold office for one year from July 1 and until his successor is chosen and qualified. The salary of the treasurer shall be fixed annually by the board of education of Union School District in Concord.

3. Repeal; Takes Effect. All acts and parts of acts inconsistent with this act shall not apply to Union School District in Concord. This act shall take effect upon its passage and the treasurer for Union School District in Concord for the year beginning July 1, 1947 shall be chosen in accordance herewith.

[Approved March 20, 1947.]

CHAPTER 348.

AN ACT RELATING TO THE POWERS AND DUTIES OF THE TRUSTEES OF TRUST FUNDS OF THE CITY OF CONCORD.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Concord Trustees of Trust Funds. Amend section 1 of chapter 256, Laws of 1931, by striking out said section and inserting in place thereof the following: **1. Membership; Custody; Investments.** The city treasurer of the city of Concord for the time being shall be *ex officio* one of the trustees of trust funds of said city. The other two trustees shall be chosen, as vacancies occur, for terms of three years. The trustees may delegate the custody of the said funds to one of their number, and thereafter the trustees not in actual custody of the funds shall be relieved of all individual responsibility with respect to such custody. The funds shall be

invested only by deposit in some savings bank or in the savings department of a national bank or trust company in this state, or in shares of any building and loan association or cooperative bank, incorporated and doing business under the laws of this state, or in the shares of any federal savings and loan association, located and doing business in this state, or in bonds, notes or other obligations of the United States government, or in state, county, town, city, school district, water and sewer district bonds and the notes of towns or cities in this state; and such stocks and bonds as are legal for investment by New Hampshire savings banks; and when so invested the trustees shall not be liable for the loss thereof. The trustees may retain investments as received from donors, until the maturity thereof. All investments and reinvestments of the trust funds and all collections of principal of said investments shall be made only with the authority of a majority vote of the full board of trustees.

2. Takes Effect. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved March 25, 1947.]

CHAPTER 349.

AN ACT TO INCREASE THE SALARIES OF THE ASSESSORS OF THE CITY OF CONCORD.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Increase in Salary. Amend section 38, chapter 305, Laws of 1909, as amended by chapter 245, Laws of 1919, as amended by chapter 194, Laws of 1923 and chapter 258, Laws of 1931, by striking out said section and inserting in place thereof the following: **Sect. 38.** The board of assessors shall meet for taking their oaths of office and organization at three o'clock in the afternoon on the fourth Tuesday of January in the years 1911, 1912 and biennially thereafter. At such meeting they shall choose one of their number to act as chairman for a term of two years, except that the term of the chairman chosen in the year 1911 shall be one year. The member act-

ing as clerk shall receive the sum of twenty-eight hundred dollars annually and the other members each the sum of twenty-four hundred dollars annually in full for their services.

2. Office. Amend section 39, chapter 305, Laws of 1909, by striking out said section and inserting in place thereof the following: **Sect. 39.** The board of assessors shall have an office in the city hall, assigned and furnished for that purpose by the board of aldermen.

3. Full Time Service. Amend section 40, chapter 305, Laws of 1909, as amended by chapter 341 of the Laws of 1911, and by section 2, chapter 258 of the Laws of 1931, by striking out said section and inserting in place thereof the following: **Sect. 40.** All members of the board shall be in attendance at such office for the transaction of business daily during business hours, and the board shall hold such additional meetings in the evening as may be necessary to give all taxpayers a convenient opportunity to be heard. Nothing in this section shall be construed as forbidding the absence of all members of the board from the office during office hours when elsewhere engaged in viewing and assessing property.

4. Takes Effect. This act shall take effect as of January 1, 1947.

[Approved March 25, 1947.]

CHAPTER 350.

AN ACT LEGALIZING THE ANNUAL TOWN MEETING IN THE TOWN
OF LEBANON HELD ON MARCH 12, 1946.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Proceedings Legalized. The votes and proceedings at the annual town meeting in the town of Lebanon on the twelfth day of March, 1946, are hereby legalized, ratified and confirmed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 25, 1947.]

CHAPTER 351.

AN ACT AUTHORIZING THE HAMPTON FALLS SCHOOL DISTRICT IN
THE TOWN OF HAMPTON FALLS TO ISSUE NOTES OR BONDS
FOR SCHOOL PURPOSES AND TO EXCEED ITS
DEBT LIMIT.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Authorization. The Hampton Falls School District in the town of Hampton Falls is hereby authorized to issue serial notes or bonds to an amount not exceeding forty-five thousand dollars, in addition to the amount which it may issue within its debt limitation, for the purpose of constructing and equipping a new school house to replace the one recently destroyed by fire. Said notes or bonds shall be signed by the school board, or a majority thereof, and countersigned by the treasurer.

2. Terms. Said issue of serial notes or bonds shall be due and payable at such times, not more than twenty years from the date of issue, in such amounts, and in such manner, as the school board of said district may determine and at a rate of interest to be fixed by said board.

3. Debt Limit Exceeding. The debt authorized by this act shall be exempt from the limitation imposed upon the borrowing capacity of said district by section 7 of chapter 72 of the Revised Laws.

4. Application of Laws. Except as otherwise provided herein the provisions of chapter 72 of the Revised Laws shall apply to the notes or bonds herein authorized.

5. Takes Effect. This act shall take effect upon its passage.

[Approved March 25, 1947.]

CHAPTER 352.

AN ACT RELATING TO EXPENSES OF THE BOARD OF ALDERMEN OF
THE CITY OF MANCHESTER.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Manchester Aldermen. Amend section 1, chapter 220 of the Laws of 1901, as amended by section 1, chapter 333 of the Laws of 1917, by striking out said section and inserting in place thereof the following: **Sect. 1.** Each member of the board of aldermen of the city of Manchester shall be paid the sum of four hundred dollars per year for services, payable quarterly.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 1, 1947.]

CHAPTER 353.

AN ACT TO INCREASE THE BORROWING POWER OF THE HOOKSETT
VILLAGE WATER PRECINCT.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Issuance of Bonds. The Hooksett Village Water Precinct, from after the effective date of this act and subject to the limitations in sections 2 and 3, is hereby empowered to issue on the credit of the precinct serial bonds, for the purpose of providing funds for the purchase and acquisition of the property of the Hooksett Aqueduct Co., Inc., and for the construction of a municipal water works system, to an amount not exceeding one hundred fifteen thousand dollars. In acquiring the property of said Hooksett Aqueduct Co., Inc., the precinct shall be governed by the provisions of chapter 56, Revised Laws, to the extent not inconsistent with this act. The provisions of chapters 70 and 72, Revised Laws, shall govern the authorization, issuance, form and sale of said bonds; provided, however, that said bonds may be made due and payable at such times not more than thirty years from

their date of issue, as the precinct commissioners may determine.

2. Limitation. If the power to borrow granted to the precinct under this act shall not have been exercised prior to July 1, 1951, such power shall be deemed to have expired on that date.

3. Further Limitation. The power to borrow granted by this act shall not be exercised by the precinct until the precinct shall have been enlarged, in accordance with the provisions of chapter 70, Revised Laws, to include the territory on the westerly side of the Merrimack River in the town of Hooksett presently served by said Hooksett Aqueduct Co., Inc.

4. Exception. In ascertaining and fixing the debt limit of the town or school district of Hooksett, under the provisions of chapter 72, Revised Laws, all indebtedness incurred under the authority of this act shall be excluded.

5. Takes Effect. This act shall take effect upon its passage.

[Approved April 8, 1947.]

CHAPTER 354.

AN ACT TO REPEAL THE CHARTER OF MILLS CEMETERY ASSOCIATION.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Repeal. Chapter 215, Laws of 1889, incorporating the Mills Cemetery Association is hereby repealed.

2. Disposition of Property. This corporation shall, nevertheless, continue as a body corporate for the term of three years from the date that this act takes effect for the purpose of presenting and defending suits by or against it and of gradually closing and settling its concerns and distributing its assets, including the disposition and transfer of all or any part of its property and for no other purpose; provided that for the purpose of any suit or action by or against it pending at the end of said term of three years, this corporation shall continue as a body corporate until ninety days after final judgment or decree in such suit or action; and provided

further that the superior court shall have power at any time when it shall be made to appear, upon the petition of any interested party, that the protection of proprietary or other rights requires the doing of any act or thing by or in behalf of this corporation, to order the doing of such acts or things, and for this purpose may appoint or authorize an agent to act for and in the name of this corporation, and any action so ordered and done shall be effective corporate action.

3. Takes Effect. This act shall take effect upon its passage.

[Approved April 9, 1947.]

CHAPTER 355.

AN ACT LEGALIZING THE BIENNIAL ELECTION HELD IN THE
TOWN OF ATKINSON, NOVEMBER 5, 1946.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Proceedings Legalized. The votes and proceedings at the biennial election in the town of Atkinson on the fifth day of November, 1946, are hereby legalized, ratified and confirmed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 10, 1947.]

CHAPTER 356.

AN ACT RELATIVE TO THE MARCH MEETING IN THE TOWN OF
BRISTOL.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Proceedings Validated. The votes and proceedings of the annual town meeting in the town of Bristol held on the eleventh day of March, 1947, are hereby legalized, ratified and confirmed in so far as the same may be affected by the error in date on the official ballot used at said meeting.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 10, 1947.]

CHAPTER 357.

AN ACT LEGALIZING THE ANNUAL MEETING OF THE MADISON SCHOOL DISTRICT.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Proceedings Legalized. The votes and proceedings at the annual meeting of the Madison school district, held on March 11, 1947, are hereby legalized, ratified and confirmed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 10, 1947.]

CHAPTER 358.

AN ACT AUTHORIZING THE RINDGE SCHOOL DISTRICT IN THE TOWN OF RINDGE TO ISSUE NOTES OR BONDS FOR SCHOOL PURPOSES, AND TO EXCEED ITS DEBT LIMIT.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Authorization. The Rindge School District in the town of Rindge is hereby authorized to issue serial notes or bonds to an amount not exceeding forty thousand dollars (\$40,000), for the purpose of constructing and equipping a new school house. Said notes or bonds shall be signed by the school board, or a majority thereof, and countersigned by the treasurer.

2. Terms. Said issue of serial notes or bonds shall be due and payable at such times, not more than twenty-five years from the date of issue, in such amounts, and in such manner, as the school board of said district may determine and at a rate of interest to be fixed by said board.

3. Debt Limit Exceeding. The debt authorized by this act shall be exempt from the limitation imposed upon the borrowing capacity of said district by section 7 of chapter 72 of the Revised Laws.

4. Application of Laws. Except as otherwise provided herein the provisions of chapter 72 of the Revised Laws shall apply to the notes or bonds herein authorized.

5. **Action Ratified.** The action taken at the March 11, 1947 meeting of the school district in the town of Rindge, is hereby legalized, ratified and confirmed to the extent that it conforms to the preceding sections of this act.

6. **Takes Effect.** This act shall take effect upon its passage.

[Approved April 15, 1947.]

CHAPTER 359.

AN ACT RELATING TO THE CONSTRUCTION AND FINANCING OF A WATER SYSTEM FOR THE TOWN OF WINCHESTER.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. **Authorization.** The town of Winchester is hereby authorized and empowered to construct and maintain such water system as it may deem necessary.

2. **Bonds and Notes.** For the purpose of providing funds for the water system, as authorized by section 1, the town of Winchester is hereby authorized and empowered to issue on the credit of the town serial bonds or notes to an amount not to exceed two hundred and fifty-five thousand dollars. Said serial bonds or notes shall be due and payable, not more than thirty years from their date of issue, in such manner as is provided by chapter 72 of the Revised Laws, as amended by chapter 5, Laws of 1947.

3. **Debt; Limit.** In ascertaining and fixing the net debt of the town of Winchester all indebtedness incurred under the authority of this act shall be deducted.

4. **Application of Laws.** Except as hereinbefore otherwise provided, the provisions of chapter 56 of the Revised Laws relative to water systems and the provisions of chapter 72 of the Revised Laws relative to municipal bonds, shall apply to the water system of the town of Winchester and to the bonds and notes herein authorized.

5. **Proceedings Legalized.** The votes and proceedings of the town of Winchester at the annual meeting of March 11, 1947, in so far as the same related to the construction and

maintenance of the water system, and the issuance of bonds therefor, are hereby ratified, legalized and confirmed.

6. Takes Effect. This act shall take effect upon the passage.

[Approved April 17, 1947.]

CHAPTER 360.

AN ACT RELATIVE TO LEGALIZING SCHOOL DISTRICT MEETINGS IN
THE TOWN OF HAMPTON FALLS.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Proceedings Legalized. The votes and proceedings at a meeting of the Hampton Falls school district held on March 11, 1947, and the votes and proceedings at an adjourned meeting of said district held on March 27, 1947, in so far as the same related to construction of a school building, issuance of bonds or notes therefor, and appointment of a special committee to assist in such action and the appropriation for school purposes, are hereby legalized, ratified and confirmed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 23, 1947.]

CHAPTER 361.

AN ACT RELATIVE TO DESIGNATION OF CERTAIN ROADS IN THE
TOWNS OF AMHERST, MERRIMACK, LITCHFIELD AND
LONDONDERRY.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Designation of Road. The provisions of section 1 of Part 13 of chapter 90 of the Revised Laws, as inserted by chapter 188 of the Laws of 1945, relative to the completion of class II highways, are hereby waived with respect to Baboosic road in the towns of Amherst and Merrimack and

the so-called Cemetery road in the towns of Litchfield and Londonderry. The above named towns through which said highways pass shall be entitled to state aid in the manner provided for class V roads for the year 1946 and 1947, and each ensuing year until there is erected a bridge in accordance with chapter 187 of the Laws of 1945.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 23, 1947.]

CHAPTER 362.

AN ACT LEGALIZING THE ELECTION OF OFFICERS AT THE ANNUAL MEETING OF THE TOWN OF BOSCAWEN, HELD MARCH 11, 1947.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Election Legalized. The votes and proceedings relative to the election of town officers at the annual meeting of the town of Boscawen held on March 11, 1947, are hereby legalized, ratified and confirmed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 23, 1947.]

CHAPTER 363.

AN ACT LEGALIZING CERTAIN PROCEEDINGS AT THE ANNUAL MEETING OF THE TOWN OF BENNINGTON, MARCH 11, 1947.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Election Legalized. The votes and proceedings relative to election of town officers at the annual meeting of the town of Bennington held on March 11, 1947, are hereby legalized, ratified and confirmed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 23, 1947.]

CHAPTER 364.**AN ACT EXTENDING THE POWERS OF THE MEREDITH VILLAGE
FIRE DISTRICT.**

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Meredith Village Fire District. The Meredith Village Fire District, organized under the general laws, is hereby empowered and authorized to enact zoning regulations and for that purpose shall have all the powers conferred upon towns by sections 50 to 71, inclusive, of chapter 51 of the Revised Laws, and the planning board of said Meredith Village Fire District, now or hereafter established, is and shall be deemed to have the powers of a planning board under section 14 of chapter 53 of the Revised Laws.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 23, 1947.]

CHAPTER 365.**AN ACT RELATING TO WATER RIGHTS IN THE TOWN OF
MARLBOROUGH.**

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Authorization. The town of Marlborough is hereby authorized to take water for the purposes of a municipal waterworks from Stone Pond, which is partially in the town of Marlborough and partially in the town of Dublin, provided that before June 1, 1950, said town, at a meeting duly called for the purpose, votes to establish a municipal waterworks and to acquire necessary land or water rights under the provisions of chapter 56, Revised Laws, and other applicable statutes.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 1, 1947.]

CHAPTER 366.

AN ACT LEGALIZING THE PROCEEDINGS AT THE SCHOOL MEETING
IN THE TOWN OF JAFFREY HELD ON MARCH 10, 1947.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Proceedings Legalized. The votes and proceedings at the annual meeting of the Jaffrey School District held on the tenth day of March, 1947, are hereby legalized, ratified and confirmed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 13, 1947.]

CHAPTER 367.

AN ACT LEGALIZING THE ANNUAL TOWN MEETINGS OF 1945
AND 1946 IN THE TOWN OF EFFINGHAM.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Proceedings Legalized. The votes and proceedings at the annual town meetings of the town of Effingham, held on the thirteenth day of March, 1945 and the twelfth day of March, 1946, are hereby legalized, ratified and confirmed in the following respects and not otherwise: (1) As to attendance of ballot inspectors; (2) as to the election as town treasurer of a candidate then presently disqualified by reason of being a supervisor of the check-list.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 20, 1947.]

CHAPTER 368.

AN ACT LEGALIZING CERTAIN VOTES AND PROCEEDINGS AT THE TOWN MEETING IN NEW DURHAM, MARCH 11, 1947.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. **Proceedings Legalized.** The votes and proceedings at the town meeting in the town of New Durham held March 11, 1947, relative to the appropriation for a new building to house equipment and the issuance of certain serial notes are hereby legalized, ratified and confirmed.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved May 20, 1947.]

CHAPTER 369.

AN ACT LEGALIZING THE MARCH SCHOOL DISTRICT MEETING IN THE TOWN OF SWANZEY.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. **Proceedings Legalized.** The votes and proceedings at the school district meeting of the town of Swanzeay, held on March 11, 1947, are hereby legalized, ratified and confirmed, as regards the posting of the warrant.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved May 20, 1947.]

CHAPTER 370.

AN ACT LEGALIZING THE VOTES AND PROCEEDINGS AT THE ANNUAL ELECTION IN THE TOWN OF HANOVER.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. **Proceedings Legalized.** The notice given in connection with the annual election in the town of Hanover on the

eleventh day of March, 1947, is hereby legalized, ratified and confirmed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 20, 1947.]

CHAPTER 371.

AN ACT REPEALING THE CHARTER OF THE CITIZENS GUARANTY SAVINGS BANK.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Repeal. Chapter 191 of the Laws of 1899, being the charter of the Citizens Guaranty Savings Bank, located in the city of Nashua, as amended by chapter 270, Laws of 1901, and chapter 335, Laws of 1917, is hereby repealed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 20, 1947.]

CHAPTER 372.

AN ACT LEGALIZING THE SCHOOL MEETING HELD IN THE TOWN OF LEBANON, MARCH 10, 1947.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Proceedings Legalized. The votes and proceedings at the school meeting in the town of Lebanon, on the tenth day of March, 1947, are hereby legalized, ratified and confirmed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 29, 1947.]

CHAPTER 373.

AN ACT LEGALIZING THE VOTES AND PROCEEDINGS AT THE TOWN
MEETING HELD IN THE TOWN OF BRENTWOOD
MARCH 11, 1947.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Proceedings Legalized. The votes and proceedings at the annual town meeting held in the town of Brentwood March 11, 1947, are hereby legalized, ratified and confirmed as to filings by candidates voted on at said meeting, and not otherwise.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 10, 1947.]

CHAPTER 374.

AN ACT TO EMPOWER THE PUBLIC SERVICE COMMISSION TO
AUTHORIZE THE TRANSFER, MORTGAGE AND OPERATION OF
THE PARKER-YOUNG COMPANY PUBLIC UTILITY
DEPARTMENT PROPERTY, RIGHTS AND
FRANCHISES.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Authority of Public Service Commission. The public service commission is hereby empowered to authorize (a) the transfer of the property, franchise, rights and system of The Parker-Young Company Public Utility Department by The Parker-Young Company, a corporation organized under the laws of the state of Maine, to Marcalus Manufacturing Company, Inc., a corporation organized under the laws of the state of New Jersey; (b) the mortgage thereof by Marcalus Manufacturing Company, Inc., to The Parker-Young Company; and (c) the operation thereof by Marcalus Manufacturing Company, Inc., if it shall find that such transfer, mortgage and operation will be for the public good. Any such transfer, mortgage and operation so authorized by the public service

commission is hereby excepted from any of the provisions of chapter 289 of the Revised Laws insofar as said chapter prohibits the acquisition, mortgage and operation of a public utility by a foreign corporation.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 10, 1947.]

CHAPTER 375.

AN ACT RELATIVE TO THE CHARTER OF THE CITY OF DOVER.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. City of Dover. Amend section 3 of chapter 329 of the Laws of 1929, by striking out said section and inserting in place thereof the following: **3. Election; Aldermen; Councilmen.** The board of aldermen shall consist of five members, to be elected at large at each biennial municipal election, commencing at the December, 1947 election, for a term of two years each. The common council shall be composed of five members, one to be elected from each ward at each biennial municipal election, commencing at the December, 1947 election, for a term of two years each. The present incumbents of the board of aldermen and common council shall continue for the full term for which they were severally elected, and present and future incumbents shall continue in office until their respective successors shall have been duly elected and qualified. Any vacancies in the board of aldermen or in the common council shall be filled, for the balance of the term, by the board of aldermen, or by the remaining members thereof, as the case may be. Vacancies in the common council shall be filled from among qualified residents of the ward in which the vacancies occur. Election of aldermen at the biennial municipal election shall be by vote of the city of Dover at large, as in the election for mayor.

2. Elections. Amend section 24 of said chapter 329 by striking out said section and inserting in place thereof the following: **24. School Committee.** There shall be a school committee for said city, to consist of five elective members,

together with the mayor of said city, who shall, *ex officio*, be a member thereof, but who shall have the right to cast a vote only in case of a tie in any vote, resolution or other question before said committee. The term of service of all members of said school committee as now constituted shall terminate on December 31, 1947. At the biennial municipal election to be held in the month of December, 1947, said five school committee members shall be elected at large by the voters of the city of Dover, the three candidates receiving the highest number of votes at said election to serve for a term of four years and the candidates receiving the fourth and fifth highest number of votes to serve for a term of two years each, the terms of such five elected members to begin on the first day of January, 1948; at each biennial municipal election thereafter, a sufficient number of members shall be elected at large to fill the terms expiring on the first day of January of the year following said election, and the members so elected shall serve for terms of four years each, beginning on said first day of January. Provided, however, that no political party caucus, primaries or convention shall nominate any candidate for said school committee, and the names of candidates for school committee shall appear on the ballots without any political designation whatsoever; and provided further that the ballot for school committee shall contain the names only of such residents of Dover as shall have filed with the city clerk, not less than thirty days before the date of the biennial municipal election, a written notice of intention to be a candidate at such election. Vacancies occurring in said school committee from any cause shall be filled by the board of aldermen for the unexpired term.

3. Takes Effect. This act shall take effect upon its passage.

[Approved June 10, 1947.]

CHAPTER 376.

AN ACT TO INCORPORATE NEW ENGLAND COLLEGE.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. New England College. Fred T. Connor, Harry L. Holmes, Milo Farmer, George M. Chase, Mary S. Jameson, James W. Doone, Max Israel, and George W. Boynton, their associates and successors, are hereby created a body politic and corporate by the name of New England College for educational purposes; and by that same name may sue and be sued, prosecute and defend to final judgment and execution, and shall be and hereby are invested with all the powers and privileges, and made subject to all the liabilities of corporations of a similar nature; and may take and hold real and personal estate by purchase, devise, donation, payment or otherwise, for the purposes of said corporation, and at pleasure may sell, convey, use, enjoy and dispose of the same; shall be entitled to the same tax exemption upon its real and personal estate as is granted to corporations of a similar nature by general law; may have a common seal and shall change the same at pleasure; may make such by-laws for the government of the corporation and the election, admission and expulsion of members and associates thereof as they shall deem necessary and proper, said by-laws being not inconsistent with the laws of this state or nation; and upon any member or associate refusing to conform to the by-laws so made, such person shall cease to be a member of said body politic; and said corporation may establish in the county of Merrimack, state of New Hampshire, a college for the higher education of men and women to be called New England College, may prescribe the rules for the government of said college, the course of studies to be pursued therein; and may when and during the period it is approved by the state board of education for the granting of specified degrees, confer upon its graduates the degrees of associate in arts or associate in science, and further upon the approval of the state board of education it may after meeting adequate academic standards, grant degrees of Bachelor of Arts or Bachelor of Science.

2. Trustees. There shall be twenty-four trustees. They shall be divided into three classes of eight members each.

Class one shall hold office until June 1, 1948, class two shall hold office until June 1, 1949, and class three shall hold office until June 1, 1950. At the expiration of the term of office of each of said classes, successors shall be elected for a term of three years by the remaining two classes. Any vacancy in the board of trustees by death, resignation or otherwise may be filled for the balance of the term at any regular or special meeting of the board by the remaining trustees. Pending the election of said board of trustees, the management of said corporation shall be in and by said incorporators.

3. Incorporators First Meeting. A majority of said incorporators may call a meeting of said corporation to elect said trustees at such time and place in the state as they may elect by giving the other incorporators at least ten days' written notice of said meeting.

4. Takes Effect. This act shall take effect upon its passage.

[Approved June 11, 1947.]

CHAPTER 377.

AN ACT REQUIRING A NEW REGISTRATION OF VOTERS IN THE CITY OF PORTSMOUTH.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Cancellation of Check-lists; Re-registration. On September 2, 1947, all check-lists in the city of Portsmouth shall become null and void, and all legal voters, including those whose names now appear upon the voting lists, shall be required to re-register with the board of registrars of voters of said city.

2. Sessions for Registration. The board of registrars of voters for the city of Portsmouth shall be in session at the city hall for the purpose of preparing new lists of voters for at least fifteen days, the first session to be held on September 3, 1947, and the last session to be held on September 23, 1947. Said sessions shall continue from nine o'clock to twelve o'clock noon, from two o'clock to five o'clock in the afternoon and from seven o'clock to nine o'clock in the evenings of said days, the time and place of said meetings to be advertised in a

newspaper published in Portsmouth for at least three days prior to the first meeting and thence for at least seven days during the period that the meetings are held.

3. **Registration.** The board shall make a complete alphabetical list of all male voters and a complete alphabetical list of all female voters in each of the several wards, and shall record the first or Christian name of each voter in full, but may use initial letters to designate the middle name or names of voters; they shall also record against the name of each voter the name of the street, and the number of the dwelling in which said voter resides. The board shall enter upon the check-lists of the respective wards, as being entitled to vote in the respective wards, the names of those persons only who are known to them to be legal voters in the ward in which they live, and, in case the voter is unknown to them, only if such voter shall come before them and give satisfactory evidence to the board that such voter is a legal voter in some ward of the city; provided, however, that if any person is, at the time said sessions are held, physically unable to come before the board, the board may, upon satisfactory evidence of the right of the person, register him as a voter. The board of registrars may require any person applying for registration to submit to an examination under oath as to his right to be registered. Any member may administer the oath, and any false statement by the applicant upon such examination shall be perjury and be punished accordingly. No qualification shall be required for registering than is agreeable to the constitution and laws of the state. The board shall issue a registration certificate to every person whose name is placed upon the check-list as a legal voter, and no name shall be placed upon said check-list unless such registration certificate has been issued. The registration certificate to be issued shall show that it is the certificate of the board of registrars of voters of the city of Portsmouth, it shall be serially numbered, shall show the date of issue, the name and address of the legal voter, and after the address of the legal voter shall appear the words "has been registered as a legal voter in ward . . . , " and said registration certificate shall be signed by the clerk of the board. The board shall have all registration certificates prepared in duplicate in book form, with not less than five certificates on a page, the first or original sheet

to be printed on pages so perforated that the original certificate can be detached and given to the legal voter, while the pages of the second or duplicate sheet shall not be perforated but shall remain intact in the book and shall become the permanent record of said board of all legal voters registered by the board. Henceforth no name shall be placed upon the check-list at any time unless a registration certificate shall have first been issued to the legal voter. The city council shall provide adequate facilities in city hall for the safe storage by the board of its records, and no book of registration certificates shall be removed from city hall except upon court order.

4. Posting Check-lists. The registrars shall, not later than October 3, 1947, post in two public places in each ward the check-lists for that ward prepared according to this act, and public notice shall be given as to the location of the public places at which said check-lists have been posted. Before the lists are posted in each ward the registrars shall take and subscribe before a notary public or justice of the peace the following oath, the blanks being first properly filled, which oath shall be upon each posted list, to wit:

We, the board of registrars of voters of the city of Portsmouth, do solemnly swear that, according to our best knowledge, the within list contains the names of those persons only who are by actual residence the legal registered voters in ward . . . in said city. So help us God.

The magistrate before whom said oath is taken shall make on the face of said check-list a certificate thereof.

5. Perjury; Fraud. Any registrar who shall swear falsely in taking the oath upon the check-list prescribed by this act shall be deemed to be guilty of perjury, and shall be liable to the punishment prescribed therefor; and if any registrar shall wilfully or fraudulently place upon the check-list the name of any person who is not qualified to be put thereon as a legal voter in the ward to which the check-list belongs, or shall refuse to place upon such check-list the name of any person who is a legal voter in the ward, or shall neglect or refuse to attend to the duties of his office, or in anyway wilfully violate the provisions of this act, he shall be punished by imprisonment in the county jail for not less than thirty days nor more than six months or by fine of not less than one hundred dollars nor more than five hundred dollars, or both, to the use of the county of Rockingham.

6. Police Attendance. The city marshal of said city shall, if requested, detail an officer or officers to attend upon said board during its sessions, to preserve order and obedience to law.

7. Expense. The city council of the city of Portsmouth shall make available to the board such funds as shall be sufficient to enable the board to obtain such clerical assistance, and to incur such expense, as may be necessary for said board to properly perform its duties as required by this act.

8. Compensation. The clerk shall keep a record of attendance of all members and each member, excepting the clerk, shall receive one dollar and twenty-five cents for each hour of attendance and not more than eight hours shall be allowed for any one day. The clerk shall receive one dollar and fifty cents for each hour of attendance and he shall keep all records of the proceedings of the board and shall have supervision of the preparation and printing of all check-lists required to be prepared by this act. The clerk shall certify to the correctness of the payroll of the board and the payroll shall be approved by the chairman of the board.

9. Repealing Clause, etc. All acts and parts of acts inconsistent with the provisions of this act, in so far as they relate to the city of Portsmouth, are hereby repealed, and this act shall take effect upon September 1, 1947.

[Approved June 12, 1947.]

CHAPTER 378.

AN ACT RELATING TO THE REGISTRATION OF VOTERS IN THE CITY OF PORTSMOUTH.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Meetings of Board of Registrars. The board of registrars of voters of the city of Portsmouth shall be in session at the city hall for the purpose of revising and correcting the list of voters, for six days before the biennial state election and for three days before other elections, within one month next preceding the day of election, the last session for registration to be held on the third Monday preceding the day

of election. Said sessions shall continue from nine o'clock to twelve o'clock noon, from two o'clock to five o'clock in the afternoon and from seven o'clock to nine o'clock in the evening of said days, the times and place of said meetings to be advertised in a newspaper published in Portsmouth for at least three days prior to the first meeting. Said board shall also meet on the Friday preceding the day of election and on election day, as hereafter provided.

2. Registration. The board shall make a complete alphabetical list of all male voters and a complete alphabetical list of all female voters in each of the several wards, and shall record the first or Christian name of each voter in full, but may use initial letters to designate the middle name or names of voters; they shall also record against the name of each voter the name of the street and the number of the residence, if numbered, in which said voter resides. The board shall enter upon the check-lists of the respective wards, as being entitled to vote in the respective wards, the names of those persons only who are known to them to be legal voters in the ward in which they live, and, in case the voter is unknown to them, only if such voter shall come before them and give satisfactory evidence to the board that such voter is a legal voter in some ward of the city; provided, however, that if any person is, at the time said sessions are held, physically unable to come before the board, the board may, upon satisfactory evidence of the right of the person, register him as a voter. The board of registrars may require any person applying for registration to submit to an examination under oath as to his right to be registered, and any member of the board may administer the oath, and any false statement by the applicant upon such examination shall be perjury and be punished accordingly. No qualification shall be required for registering than is agreeable to the constitution and laws of the state. The board shall issue a registration certificate to every person whose name is placed upon the check-list as a legal voter, and no name shall be placed upon said check-list unless such registration certificate has been issued. The registration certificate to be issued shall show that it is the certificate of the board of registrars of voters of the city of Portsmouth, it shall be serially numbered, shall show the date of issue, the name and address of the legal voter, and after the address of the legal

voter shall appear the words "has been registered as a legal voter in ward . . . , " and said registration certificate shall be signed by the clerk of the board. The board shall have all registration certificates prepared in duplicate in book form, with not less than five certificates on a page, the first or original sheet to be printed on pages so perforated that the original certificate can be detached and given to the legal voter, while the pages of the second or duplicate sheet shall not be perforated but shall remain intact in the book and shall become the permanent record of said board of all legal voters registered by the board. No name shall be placed upon the check-list at any time unless a registration certificate shall have first been issued to the legal voter. The city council shall provide adequate storage facilities in city hall for the safe storage by the board of its records, and no book of registration certificates shall be removed from city hall except upon court order.

3. Preparation; Posting Check-lists. No check-list prepared for a previous election shall be used at any subsequent election if the board of registrars has, during the period of registration just closed, made over one hundred changes throughout the city in said check-lists; said changes to include both new registrations and changes in address of legal voters already registered. Every check-list shall state in bold type at the top of the list, that it is an alphabetical list of male or female voters, as the case may be, in ward . . . , city of Portsmouth, together with the date, the latter being the month, day and year of the election for which the list has been prepared. On the second Monday preceding the day of election, the registrars shall post on the outside of each of the ward buildings and in one other public place in each ward, the check-list to be used in that ward at the election and said board shall also file with the city clerk for public inspection check-lists of each of the several wards. Before the check-lists are posted in each ward and filed with the city clerk, the registrars shall take and subscribe before a notary public or justice of the peace the following oath, the blanks being first properly filled, which oath shall appear upon each list, to wit:

We, the board of registrars of voters of the city of Portsmouth, do solemnly swear that, according to our best knowledge, the within list contains the names of those persons only

who are by actual residence the legal registered voters in ward . . . in said city. So help us God.

The magistrate before whom said oath is taken shall make on the face of said check-list a certificate thereof. The board shall also file with the city clerk a statement stating that the check-lists have been posted in each of the several wards as required by this act, and shall state the location of the places at which the check-lists were posted, and the day and hour at which the posting occurred. Said statement shall be sworn to before a notary public or justice of the peace and shall be open to public inspection at the office of the city clerk for at least sixty days following the day of election.

4. Issuance of Voting Certificates. On the Friday preceding the day of election said board of registrars shall be in session from nine o'clock to twelve o'clock noon and from two o'clock to five o'clock in the afternoon, and on election day said board shall be in session during the hours that the polls are open, solely for the correction of errors, so that in case the name of any legal voter whose name appeared on the check-list used at the preceding election has been left off the new list through error, or in case any person to whom a registration certificate has been issued during the regular sessions of the board held for that purpose has been left off the check-list by error; or in case it shall appear that an applicant will attain his majority on or before election day, but since the third Monday before election, and is otherwise qualified as a legal voter; or in case the applicant will have resided for six months on or before the day of election in the ward in which he is now living, but such residence was not gained until after the third Monday before the day of election, and also provided he is otherwise qualified as a legal voter, the registrars shall issue to the moderator a voting certificate entitling the applicant to vote in the ward in which he resides and the clerk of the ward shall, if the applicant votes, check the name of the person so voting on the back of the certificate and return the same to the city clerk with the ballots and check-lists and said voting certificate shall be preserved in the same manner as the ballots. No voting certificate shall be issued by the board until a registration certificate shall have first been issued, and all voting certificates issued at said session held on the Friday preceding the day of election shall be delivered to the

city clerk at the close of said session. The city clerk shall hold all voting certificates deposited with him by the board on said Friday preceding the day of election until the opening of the polls on election day when he shall deliver the same to the moderators of the several wards, taking a receipt from each moderator therefor. Said board shall keep a record of all voting certificates issued and shall file with the city clerk at the close of the session on the Friday preceding the day of election a list showing the name, address and ward of each person for whom a voting certificate has been issued, together with the reason for its issuance, and before filing said list with the city clerk said registrars shall take and subscribe before a notary public or justice of the peace the following oath, to wit:

We, the board of registrars of voters of the city of Portsmouth, do solemnly swear that the within list contains the names and addresses of all those persons for whom voting certificates have been issued, and the reason for issuance, at the session of the board held Friday So help us God.

The magistrate before whom said oath is taken shall make on the face of said list a certificate thereof, and the city clerk shall preserve said list for at least sixty days after the day of election, and said list shall be open to public inspection. All voting certificates issued during the day of election shall be delivered to the moderators of the several wards by some member of said board who shall take a receipt from the moderator therefor and return said receipt to the clerk of said board who shall preserve the same for at least sixty days after the day of election. The board shall keep a record of all voting certificates issued on the day of election and shall file with the city clerk immediately at the close of the session a list showing the name, address and ward of each person for whom a voting certificate has been issued, together with the reason for its issuance, and before filing said list with the city clerk said registrars shall take and subscribe before a notary public or justice of the peace the following oath, to wit:

We, the board of registrars of voters of the city of Portsmouth, do solemnly swear that the within list contains the names and addresses of all those persons for whom voting certificates have been issued, and the reason for issuance, at the session of the board held Tuesday So help us God.

The magistrate before whom said oath is taken shall make on the face of said list a certificate thereof, and the city clerk shall preserve said list for at least sixty days after the day of election, and said list shall be open to public inspection. No voting certificates shall be issued except at the session of said board held on the Friday preceding the day of election and at the session held on the day of election.

5. Perjury; Fraud. Any registrar who shall swear falsely in taking the oath upon the check-lists or upon the lists of voting certificates issued, as prescribed by this act, shall be deemed to be guilty of perjury and shall be liable to the punishment prescribed therefor; and if any registrar shall wilfully or fraudulently place upon the check-list the name of any person who is not qualified to be put thereon as a legal voter in the ward to which the check-list belongs, or shall refuse to place upon such check-list the name of any person who is a legal voter in the ward, or shall neglect or refuse to attend to the duties of his office, or in any other way wilfully violates the provisions of this act, he shall be punished by imprisonment in the county jail for not less than thirty days nor more than six months, or by fine of not less than one hundred dollars nor more than five hundred dollars, or both, to the use of the county of Rockingham.

6. Police Attendance. The city marshal of said city shall, if requested, detail an officer or officers to attend upon said board during its sessions, to preserve order and obedience to law.

7. Expense. The city council of the city of Portsmouth shall make available to the board such funds as shall be sufficient to meet the necessary and reasonable expense incurred by the board in the proper performance of its duties.

8. Compensation. The clerk of the board shall keep a record of attendance of all members and each member, excepting the clerk, shall receive one dollar and twenty-five cents for each hour of attendance and not more than eight hours shall be allowed to any member for any one day. The clerk shall receive one dollar and fifty cents for each hour of attendance and he shall keep all records of the proceedings of the board and shall supervise the preparation and printing of all check-lists. The clerk shall certify to the correctness of the payroll of the board and the payroll shall be approved by the chairman of the board.

9. Repealing Clause. Chapter 279 of the Laws of 1943 is hereby repealed and all other acts and parts of acts inconsistent with the provisions of this act, in so far as they relate to the city of Portsmouth, are hereby repealed, and this act shall take effect upon September 1, 1947.

[Approved June 12, 1947.]

CHAPTER 379.

AN ACT RELATIVE TO SCHOOLS IN THE TOWN OF CHARLESTOWN.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Charlestown Schools. Amend section 1 of chapter 208 of the Laws of 1889 by striking out the whole of said section and substituting therefor the following: 1. That the persons and property in the school district of Charlestown embraced in what was known as and included prior to 1885 in school districts numbered 5, 6, 7 and 12 in the town of Charlestown, shall be subject to taxation or assessment for the purpose of raising money for the erection, repairs, and insurance of all schoolhouses, school grounds and buildings used for school purposes within said territory and for the erection, repairs, and insurance of high and junior high schoolhouses, high and junior high school grounds and buildings used for high and junior high school purposes anywhere within the limits of said town of Charlestown, and are hereby relieved and exempted from liability to taxation or assessment for the purposes of raising money for use for such purposes in all other parts of said district; and the persons and property in the remainder of said school district of Charlestown are hereby relieved and exempted from taxation or assessment for money for the erection, repairs, or insurance of all schoolhouses, school grounds, and buildings used for school purposes within said territory heretofore included in said former school districts numbered 5, 6, 7 and 12 except for the erection, repairs, or insurance of high and junior high schoolhouses, high and junior high school grounds and buildings used for high and junior high school purposes anywhere within the limits of said town of Charlestown.

2. Proceedings Ratified. The votes and proceedings at the meeting of the school district of Charlestown at its meeting on March 11, 1947, are hereby legalized, ratified and confirmed so far as the same conform to the provisions of section 1.

3. Takes Effect. This act shall take effect upon its passage.

[Approved June 12, 1947.]

CHAPTER 380.

AN ACT RELATIVE TO THE SALARY OF THE MAYOR OF THE CITY OF SOMERSWORTH.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Somersworth. Amend section 5 of chapter 269 of the Laws of 1939 by striking out the words "seven hundred" in the third line and inserting in place thereof the words, one thousand, so that said section as amended shall read as follows: **5. Mayor.** The mayor shall be chosen at the municipal election for a term of two years and shall receive a salary of one thousand dollars per annum. He shall have a negative upon all the acts of the council to which his veto power would extend had the city government herein constituted provided for a board of aldermen, and such veto shall extend to individual items of appropriation. He shall preside in the meetings of the city council, but shall have no vote except in case of an equal division. In the absence of the mayor the council may elect by ballot one of the members chairman who shall have all the powers of performing all the duties of the mayor during such absence, or during disability or a vacancy in office from any cause.

2. Takes Effect. This act shall take effect as of July 1, 1947.

[Approved June 12, 1947.]

CHAPTER 381.

AN ACT AUTHORIZING THE TOWN OF DURHAM TO ISSUE SERIAL BONDS OR NOTES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Authorization. The town of Durham is hereby authorized to incur indebtedness in an amount not exceeding one hundred seventy thousand dollars (\$170,000) including the amount authorized by chapter 72 of the Revised Laws, for the purpose of renewing and extending the present sewer system of said town.

2. Issuance of Bonds or Notes. For the purpose and to the extent set forth in section 1 of this act, said town is hereby authorized and empowered to issue serial notes or bonds in accordance with the remaining provisions of chapter 72 of the Revised Laws, as amended by chapter 5, Laws of 1947, except as hereinafter provided.

3. Debt Limit. The debt authorized by this act shall be exempt from the limitations imposed upon the borrowing capacity of said town by section 7 of chapter 72 of the Revised Laws, and in ascertaining and fixing the net debt of the town of Durham, under the provisions of chapter 72 of the Revised Laws, all indebtedness incurred under the authority of this act shall be deducted.

4. Takes Effect. This act shall take effect when approved by a majority of those present and voting at a regular or any special meeting of the voters of said town held on or before July 1, 1952; provided that the warrant of such meeting shall contain an article calling for the consideration of such approval; and provided further that the requirement in section 9, chapter 72 of the Revised Laws, to the effect that a majority of all the legal voters must be present and vote at such special meeting, and the limitations set forth in section 5 of chapter 51 of the Revised Laws, shall not be applicable.

[Approved June 12, 1947.]

CHAPTER 382.

AN ACT RELATIVE TO THE GIRLS' CLUB OF MANCHESTER,
NEW HAMPSHIRE.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Tax Exemption. The Girls' Club of Manchester, New Hampshire, a voluntary corporation, is hereby classified as a charitable institution entitled to all the tax exemptions for like institutions as set forth in sections 24, 25 and 26, chapter 73, Revised Laws. The provisions of section 28 of said chapter 73, relative to real estate hereafter acquired, shall not apply to said corporation except as to real estate acquired after ten years subsequent to the effective date of this act.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 18, 1947.]

CHAPTER 383.

AN ACT RELATING TO THE SOCIETY FOR THE PRESERVATION OF
NEW ENGLAND ANTIQUITIES.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Tax Exemption. The real estate in Portsmouth commonly known as the Governor Langdon estate is hereby exempted from taxation so long as owned by The Society for the Preservation of New England Antiquities or any organization which may become its successor in title, subject to the condition that the said property be maintained for historical purposes as a charitable enterprise.

2. Inconsistent Acts. All acts inconsistent herewith are hereby repealed to the extent of allowing the exemption provided in section 1.

3. Takes Effect. This act shall take effect upon its passage.

[Approved June 19, 1947.]

CHAPTER 384.

AN ACT TO EMPOWER THE CITY OF CONCORD TO CONSTRUCT A
RESERVOIR ON TURKEY RIVER IN SAID CITY FOR
RECREATIONAL AND AUXILIARY WATER SUPPLY
PURPOSES AND OTHER MUNICIPAL USES.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Declaration of Purpose. The construction by the city of Concord of a reservoir on Turkey river in said city, thus creating an artificial lake having approximately one thousand six hundred acres of water surface in said city and approximately eight hundred and forty acres of water surface in the town of Bow, is hereby declared to be a public purpose in view of the need for public recreational facilities, the advantage of an auxiliary water supply, the elimination of submarginal land, swamps and bogs, the provision of a potential seaplane base, the enhancement of neighboring property values, and the advantages of flood control and conservation of water resources to be derived therefrom.

2. Definitions. As used in this chapter the following words and terms shall have the following meanings:

I. The word "municipality" shall mean the city of Concord, and action of the municipality hereunder shall be by the board of mayor and aldermen of the city of Concord, except as otherwise specifically provided.

II. The word "project" shall include all property, rights, easements and franchises relating thereto and necessary or convenient for its operation, and shall embrace all means of accomplishing the aims set forth in section 1, including, without limiting the generality of the foregoing, reservoir, dam, embankments, diversion and distribution canals, lateral ditches, sewers and sewage works, pumping units, mains, pipelines, water works, beaches, wharves, recreational areas, and land or interests therein necessary for the relocation of highways and other public facilities and utilities necessitated by the construction of the project.

3. Powers. The municipality is hereby authorized and empowered to construct and operate a dam and reservoir on Turkey river in said municipality at a point westerly of St. Paul's School, so-called, the crest of the spillway of said dam

not to exceed substantially the elevation of three hundred and forty feet above sea level. The municipality is further authorized and empowered to operate said project so as to provide public recreational facilities including those for swimming, boating, fishing, ice sports, and picnic or playgrounds; and for the accomplishment of these ends, the municipality may construct and provide buildings, wharves, rafts, boating facilities, beaches, and recreational grounds. The municipality is further authorized to utilize and develop said project as an auxiliary water supply with appurtenant works and to construct sewer systems and works in connection with such project, in accordance with existing law. The town of Bow is also hereby authorized to draw water for municipal fire protection purposes from said project within the limits of said town, upon such reasonable terms and conditions as may be agreed upon between it and the municipality.

4. Acquisition of Property. For the purposes of this project, the municipality may acquire personal property and land, easements, flowage rights and interests or rights in land of any nature whatsoever, situated in said municipality and in the town of Bow, hereinafter referred to as real estate, as may be needed for said project, by purchase, lease or otherwise and upon such terms and conditions, including price, as the municipality may deem reasonable. The municipality is authorized to acquire a reasonable surrounding zone of marginal or littoral real estate in order to have access to all sections of the shoreline, to provide shore recreational facilities, to protect the waters of the reservoir from contamination and to prevent erosion of the shoreline by promoting desirable growth and vegetation. Whenever any real estate, including such as may be held for public use, of any other municipality, school district or other political subdivision is required for the purposes of the project, the selectmen for such town, the school board for such district, and the commissioners or governing body for such other political subdivision, may grant and convey or surrender and release such real estate to the municipality for such compensation and upon such terms as may be agreed upon by such official representatives and the municipality. The said municipality shall also have the right to acquire by eminent domain any real estate necessary for the purposes of the project, as herein authorized, in the manner hereinafter provided:

I. Said municipality shall apply by petition to the superior court for the county in which such real estate is located, to acquire such real estate for and in the name of the municipality and to have assessed the damages occasioned by the taking. There shall be filed with such petition a plan or location of the real estate to be acquired and there shall be set forth in the petition the names and residences so far as known to said municipality of all persons having or claiming to have any right, title or interest in or to such real estate.

II. The superior court shall order notice of any such petition to be given in such manner as justice may require. The procedure shall in general be in accordance with the practice in equity. The preliminary questions, if any, and the issues relating to the rights, titles and interests of the parties shall be heard and determined before the assessment of damages. To assess the damages occasioned by the taking, the superior court, unless the parties elect a trial by jury, may appoint three suitable persons as commissioners, who shall after hearing the parties assess the damages and make report of the assessment to the superior court. If either party shall so elect, the damages shall be assessed by jury. Upon payment or tender of the amount of the judgment rendered in any such petition the title to the real estate to be acquired thereby shall vest in municipality and suitable order or decree may be entered confirming title.

III. In trying any question of damages, the appraisal for taxation of such real estate, and in cases where less than the whole tract or interest is sought to be acquired, the appraisal for taxation of the entire tract or interest, by the selectmen or tax assessors for the tax year in which such petition shall have been filed, and for as many preceding years as the commissioners or the court may consider relevant, shall be competent as evidence of value.

IV. All such petitions shall be prosecuted to final judgment on behalf of the municipality by the city solicitor or such other person as may be designated by the board of mayor and aldermen.

V. Said municipality at any time after filing such petition may enter upon and take possession of the real estate to be acquired thereby upon providing such security as justice may require, to pay any damages occasioned by the entry or

to satisfy any judgment which may be rendered on the petition. The amount of the security and all questions relating thereto may be determined by the superior court upon the application of either party. For purposes of surveying and other investigation, said municipality or its agents shall be entitled to enter upon any real estate, doing no unnecessary damage, and the owner thereof may, if the parties are unable to agree, recover any damages sustained by him by reason of any preliminary entry authorized by this section, by action at law against said municipality.

5. Changing Locations. Whenever it shall become necessary for the purposes of said project to flow water upon or otherwise prevent the use of any highway, bridge, electric transmission, or distribution line, telephone or telegraph line, or other property or facilities in public use, if it shall appear that the accommodation or convenience of the public requires a change in the grade of such highway or bridge, or the relocation of such highway, bridge, electric transmission or distribution line, telephone or telegraph line, or other property or facilities in public use, or if it shall appear that such highway or bridge are no longer required in the public interest and should be discontinued, and if the municipality shall be unable to agree with the person, corporation, town or other municipality having such highway, bridge, electric transmission or distribution line, telephone or telegraph line, or other property or facilities, for such change in grade, for such relocation or for such discontinuance, said municipality may apply by petition to the superior court in the county where such highway, bridge, electric transmission or distribution line, telephone or telegraph line, or other property or facilities are located, for authority to change the grade of such highway or bridge, or for the relocation of such highway, bridge, electric transmission or distribution line, telephone or telegraph line, or other property or facilities, or for the discontinuance of such highway or bridge, and for determination of the damages, if any, which may be occasioned to any person, corporation, town or other municipality by reason of such change, relocation or discontinuance. The superior court upon the filing of such petition shall order notice thereof to be given in such manner as justice may require, and such proceedings shall be had thereon as justice may require. For the

purpose of relocating any such highway, bridge, electric transmission or distribution line, telephone or telegraph line or other property or facilities, the superior court may appoint three suitable persons as commissioners who shall, after hearing the parties, make such relocation and file a return of their proceedings in the superior court. Said municipality in accordance with the terms of the final decree, including the payment or tender of such damages as may be awarded, shall be entitled to proceed with such change in grade or relocation or to consider such discontinuance as effective. Said municipality may acquire such real estate as may be necessary for the relocation of any highway, bridge, electric transmission or distribution line, telephone or telegraph line, or other property or facilities, in the manner provided in section 4 hereof, but the title thereto shall be taken in the name of the person, corporation, town or other municipality for whose benefit said real estate is acquired. If the relocation, change of grade, or discontinuance of any state highway or bridge shall be necessary, the state highway commissioner is authorized to enter into appropriate agreements with the municipality to accomplish such purposes.

6. Management. The management of said project shall be vested in a board of five directors to be appointed by the mayor of the municipality and confirmed by the board of aldermen, one of whom shall be designated chairman by the mayor. The membership of said board of directors shall consist of four residents of the municipality and one resident of the town of Bow. Each board member shall hold office for five years and until his successor is appointed and qualified, except that the first appointments to the board shall be for one, two, three, four and five year terms, respectively. The board members shall receive such compensation for their services as may be determined by the board of mayor and aldermen. The powers of the board with regard to construction and management of the project and the making of contracts with respect thereto shall be defined by ordinance of the board of mayor and aldermen. The board of mayor and aldermen may authorize the board to charge reasonable fees for the use of recreational facilities of the project to finance the cost of construction and operation thereof. Nothing contained in the charter of said municipality or in acts amendatory thereof

shall be construed to prohibit the employment of members of the staff of the city planning board in the management of said project or in other capacities with reference thereto.

7. Tax Exemption. All property and rights acquired by the municipality, except as provided in section 8, shall be exempt from all taxation; but the municipality shall make payments, on or before the first day of December in each year to the town of Bow, of such sums as would have been assessed against such tax exempt property and rights in such town if the same had been included in the tax invoice for such year at the tax valuation of the same on April 1, 1947.

8. Leases. The municipality may lease to provide individuals or corporations sections or lots out of the surrounding zone of marginal or littoral real estate acquired by it when in the judgment of the board of mayor and aldermen such action will improve the shoreline of such reservoir, prevent undue erosion, promote the development of suitable vegetation and other growth, and return tax exempt property to the taxable lists subject to restrictions necessary to protect said project and safeguard public rights therein. Such leases may be made for terms not exceeding sixty years with rights of renewal and shall contain such restrictions and covenants as are deemed reasonably necessary to protect the waters of the project from contamination or other injurious consequence, to improve the shoreline, to prevent undue erosion, and to promote the development of suitable vegetation and other growth on the leased premises. Rents may be charge for such leases, and the revenues derived therefrom shall be devoted exclusively to financing the cost of construction and operation of the project. Real estate leased under authority of this section and improvements made or buildings erected thereon shall forthwith become taxable as is other real estate.

9. Federal Aid. The municipality shall have the power to accept cooperation and financial aid from the United States or any agency thereof in the construction, maintenance, operation and financing of the project, and may enter into agreements and shall have the power to do any and all things necessary in order to avail itself of such aid and cooperation.

10. Bond Issue; Commencement of Construction. The municipality is authorized to issue its serial bonds in a sum not exceeding one million dollars for the purpose of financing

the cost of the project. The procedure for issuance and the form of such bonds shall be governed by chapter 72, Revised Laws. Bonds issued hereunder may be made payable over a period not to exceed fifty years from the date of their issuance. Such bonds may be made payable solely from the revenues derived from the project or partly from such revenues and partly from taxation or wholly from taxation, as may be determined by the board of mayor and aldermen. Construction of said project shall not be commenced until the plans for the project have been approved by the board of mayor and aldermen after public hearing thereon nor until the proposed bond issue has been authorized as provided in section 11, chapter 72, Revised Laws. Sums borrowed under authority of this section shall not be included in determining the borrowing capacity of the municipality under said chapter 72.

11. Name. The name of the reservoir created by the project shall be Concord Lake.

12. Takes Effect. This act shall not take effect unless it is adopted by a majority vote of those voting thereon at the next regular election of the city of Concord following the passage thereof nor unless it is adopted by a majority vote of those voting thereon at the next annual meeting of the town of Bow following the passage hereof. The city clerk shall cause to be included on the ballot for the next regular election of the city of Concord the following question: "Do you approve the provisions of the act entitled 'An Act to empower the city of Concord to construct a reservoir on Turkey river in said city for recreational and auxiliary water supply purposes and other municipal uses?'" Beneath said question shall be printed the words "Yes" and "No" with suitable squares in which the voter may indicate his choice. The vote on this question shall be duly counted by the regular ward election officers and returned to the city clerk as provided by law. The board of mayor and aldermen shall canvass the total vote and declare the result which shall be recorded by the city clerk. In the town of Bow, the selectmen shall include the foregoing question on the warrant for the next annual town meeting. The vote thereon shall be by ballot and the moderator shall declare the result and cause it to be recorded by the town clerk. The effective date of the act shall be the date of its

adoption by the town of Bow, provided it has first been adopted by the city of Concord. If the city of Concord shall fail to adopt said act, the town of Bow is relieved from the requirement of voting on the foregoing question.

[Approved June 19, 1947.]

CHAPTER 385.

AN ACT TO REVISE THE CHARTER OF THE CITY OF DOVER.

Be it Enacted by the Senate and House of Representatives in General Court convened:

I. City Established

1. **Incorporation.** The inhabitants of the city of Dover shall continue to be a body politic and corporate under the name of the "City of Dover," and as such to enjoy all the rights, immunities, powers, and privileges and be subject to all the duties and liabilities now appertaining to or incumbent upon them as a municipal corporation. All existing property of the city shall remain vested in it, and all its existing debts and obligations shall remain obligatory upon it, under this revised charter.

2. **Wards.** The city shall continue to be divided into five wards as at present constituted, and except as herein otherwise provided the general laws relative to wards of cities, officers thereof, and voters, check-lists, elections, and jurors therein shall be applicable to such wards.

II. Elections

3. **Conduct of Elections.** The election officers in each ward whose duty it is to conduct regular biennial elections shall conduct a municipal election at the expense of the city in the same manner as a regular biennial election on the Tuesday following the first Monday in November of the odd numbered years, to choose councilmen at large; in the first election under this charter there shall be chosen nine councilmen at large, the five with the largest number of votes to serve for four-year terms, and the four with the next largest number of votes to serve for two-year terms; and thereafter at such municipal elections there shall be elected councilmen for four-year

terms to replace the ones whose terms expire on the first day of January following such election. The supervisor of the check-list in each ward shall fix the polling place therein and give notice thereof when the check-list for the municipal election is first posted.

4. Qualification of Voters. Persons who would be qualified to vote in a biennial election if held on the day of such municipal election shall be the qualified voters therein. Municipal elections hereunder shall be deemed elections within the meaning of all general statutes, penal and otherwise, and said statutes shall apply to municipal elections so far as consistent with this charter. The polls shall be open at each municipal election from eight o'clock in the forenoon to six o'clock in the evening in each ward.

5. Preparation of Ballots. The city clerk shall prepare the ballots to be used at the municipal elections in form as nearly like the ones used in biennial elections as the requirements of this charter permit. The ballot shall contain the names in alphabetical order without party designation of all who file in writing with the city clerk as candidates for the office of councilman not later than five o'clock in the afternoon of the fifteenth day before the election. Candidates for councilman shall pay the city clerk a fee of three dollars except those on whose behalf a petition shall have been filed by at least fifty qualified voters. No name shall be printed on the ballot by reason of such a petition unless consent thereto shall be endorsed on the petition or otherwise filed in writing in the office of the city clerk by the candidate himself not later than ten days before the election. Below the list of names of the candidates there shall be as many blank spaces as there are councilmen and school committee members to be elected. The city clerk shall have the same powers and duties with reference to municipal elections as has the secretary of state with reference to general biennial elections so far as such powers and duties are not inconsistent herewith.

6. Contested Elections. Within seven days after a municipal election the council shall canvass the votes cast and the candidates receiving the highest number of votes for the offices to be filled shall be declared elected. Within seven days thereafter the council shall, subject to such rules and regulations as it may prescribe, upon request of any candidate, recount the ballots cast in the election and hear and determine

any contest on the ground of fraud or misconduct therein. Decisions of the council in cases of contested elections shall be final. Tie votes for any elective office shall be resolved by lot in the manner that the council may determine. In cases arising under this section the council shall have the power to subpoena witnesses and compel the production of all pertinent books, records and papers.

III. The Governing Body

7. Term and Number of Members. Except as otherwise provided in this charter, all the powers of the city shall be vested in a council of nine councilmen elected at large for terms of four years. The city clerk shall act as clerk of the council.

8. Mayor. The council shall, at its first regular meeting following each election, choose one of its members mayor for a term of two years. The council shall choose one of its members mayor pro tem, who shall act in the absence or disability of the mayor. In the event of a vacancy occurring in the office of mayor, the council shall choose one of its members mayor at the next regular meeting to serve for the unexpired term. The mayor shall be the official head of the city for all ceremonial purposes, he shall preside at all meetings of the council, and may speak and vote in such meetings. All other duties of the mayor prescribed by law shall be exercised by the manager provided for in this charter.

9. Qualifications. No person shall be a candidate for election as councilman or school committee member who is not a duly qualified voter in the city and who has not been a resident of the city for at least two years immediately preceding his election. No councilman or school committee member shall, during his term, be eligible to hold any other municipal office except mayor or mayor pro tem.

10. Vacancies. Vacancies occurring in the office of councilman at any time after the election of a candidate or candidates thereto shall be filled by the appointment of some qualified person who receives the votes of at least five members of the council by the second regular meeting following the creation of the vacancy.

11. Compensation. Councilmen shall receive ten dollars for each council meeting upon attendance not to exceed in

the aggregate two hundred dollars per year in full for their services.

12. Meetings. All meetings of the council shall be public. Regular meetings shall be held on such day of each month at such time as the council shall, from time to time, by ordinance or resolution direct, and special meetings upon notice delivered to each councilman by the city clerk at the written request of the manager or at least five councilmen. The council shall establish its own rules and a majority shall constitute a quorum for the transaction of the business of the council. Newly elected members of the council shall assume office at the regular January meeting in each even numbered year.

13. Ordinances. Municipal legislation shall be by ordinance. Each ordinance shall be identified by a number and a short title. The enacting clause of each ordinance shall be "The City of Dover ordains" and the effective date of each ordinance shall be specified in it. All ordinances shall be recorded in full uniformly and permanently by the city clerk and each ordinance so recorded shall be authenticated by the signature of the mayor and the city clerk. Ordinances shall be published, compiled, and revised in such a manner and at such time as the council shall determine.

14. General Powers. Except as herein otherwise provided, the council hereby established shall have all the powers and discharge all the duties conferred or imposed upon city councils in convention, city councils voting concurrently or boards of mayor and aldermen acting separately, by chapters 62 to 66 of the Revised Laws or other general laws now in force or hereafter enacted or upon the existing city councils or board of mayor and aldermen of the city of Dover by special laws not hereby repealed. The council shall have the powers of selectmen of towns so far as consistent with this charter. All provisions of such laws pertaining to the powers or duties of any or all such bodies shall be construed to apply to the council hereby established unless a contrary intent or provision herein appears, it being the purpose of this act to confer upon said council all functions of either or both branches of the existing city councils, except such as are specifically transferred to the manager. All committees of the council and all boards shall be deemed advisory and policy making only except as herein otherwise provided. The city clerk shall be elected by a majority vote of the entire council for a term of two years.

III (a) School Committee

14-a. School Committee, Election. There shall be a school committee for said city, to consist of five elective members, together with the mayor of said city, who shall ex officio be a member thereof, but who shall have the right to cast a vote only in case of a tie in any vote, resolution or other question before said committee. The term of service of all members of said school committee as now constituted shall terminate on December 31 of the year in which this charter shall be adopted by referendum under the provisions of section 58 of this act. At the biennial municipal election to be held in the month of December of said year, said five school committee members shall be elected at large by the voters of the city of Dover, the three candidates receiving the highest number of votes at said election to serve for a term of four years and the candidates receiving the fourth and fifth highest number of votes to serve for a term of two years each, the terms of such five elected members to begin on the first day of January of the following year; at each biennial municipal election thereafter, a sufficient number of members shall be elected at large to fill the terms expiring on the first day of January of the year following said election, and the members so elected shall serve for terms of four years each, beginning on said first day of January. Provided, however, that no political party caucus, primaries or convention shall nominate any candidate for said school committee, and the names of candidates for school committee shall appear on the ballots without any political designation whatsoever; and provided further that the ballot for school committee shall contain the names only of such residents of Dover as shall have filed with the city clerk, not less than thirty days before the date of the biennial municipal election, a written notice of intention to be a candidate at such election. Vacancies occurring in said school committee from any cause shall be filled by majority vote of entire council for the unexpired term.

IV. Administrative Service

15. Manager. The chief administrative officer of the city shall be called the manager. The council shall appoint as manager for an indefinite term, and fix the salary of, a qualified person who receives the votes of at least six members of the council. The first council elected under this charter shall

appoint a manager within three months after the effective date of this charter.

16. Qualifications. The manager shall be chosen solely on the basis of his executive and administrative qualifications, but he need not be a resident of the city or the state at the time of his appointment. No person who has within three years been elected by popular vote to any office in the city of Dover shall be chosen manager.

17. Removal. The manager may be removed by a majority vote of the members of the council as herein provided. At least thirty days before the proposed removal of the manager, the council shall adopt a resolution stating its intention to remove him and the reasons therefor, a copy of which shall be served forthwith on the manager who may, within ten days, demand a public hearing in which event the manager shall not be removed until such public hearing has been held. Upon or after passage of such a resolution, the council may suspend him from duty, but his pay shall continue until his removal. In case of such a suspension the council may appoint an acting manager to serve at the pleasure of the council for not more than ninety days. The action of the council in removing the manager shall be final.

18. General Powers and Duties of Manager. The manager shall supervise the administrative affairs of the city and shall carry out the policies enacted by the council. He shall be charged with the preservation of the public peace and health and the safety of persons and property, and shall see to the enforcement of the ordinances of the city, this charter, and the laws of the state. He shall keep the council informed of the condition and needs of the city and shall make such reports and recommendations as he may deem advisable, and perform such other duties as may be prescribed by this charter, or required of him by ordinance or resolution of the council, not inconsistent with this charter. He shall have and perform such other powers and duties not inconsistent with the provisions of this charter as now are or hereafter may be conferred or imposed upon him by municipal ordinance or upon mayors of cities by general law. He shall have the right to take part in the discussion of all matters coming before the council, but not the right to vote.

19. Appointive Power of Manager. The manager shall

have the power to appoint and remove, subject to the provisions of this charter, all officers and employees in the administrative service of the city; but the manager may authorize the head of a department or office responsible to him to appoint and remove subordinates in such department or office. All such appointments shall be without definite term unless for provisional, temporary, or emergency service not to exceed the maximum periods which may be prescribed by the rules and regulations of the merit plan.

20. Non-interference by the Council. Neither the council nor any of its members shall direct or request the appointment of any person to office or employment, or his removal therefrom, by the manager or any of the administrative officers. Neither the council nor any member thereof shall give orders to any of the administrative officers either publicly or privately. Any violation of the provisions of this section by a councilman shall be a misdemeanor, conviction of which shall constitute immediate forfeiture of his office.

21. Appointive Officers. There shall be appointed by the manager an assessor or assessors as determined from time to time by the city council, city clerk, treasurer, police chief, fire chief, and such other officers as are necessary to administer all departments which the council shall establish, which departments shall replace all existing departments, boards, and commissions. The powers and duties of these officers and heads of departments so appointed shall be those prescribed by state law, by this charter, or by ordinance.

22. Administrative Departments. The first manager under this charter shall draft and submit to the council within six months after assuming office an ordinance dividing the administrative service of the city into departments, divisions, and bureaus and defining the functions and duties of each. After the adoption of an ordinance or ordinances on the foregoing subject, the council by ordinance may create, consolidate, or abolish departments, divisions, and bureaus of the city and define or alter their functions and duties. Such ordinances shall be known as the "Administrative Code." Each officer shall have supervision and control of his department and the employees therein and shall have power to prescribe rules and regulations, not inconsistent with general law, this charter, the administrative code, and the rules and regulations of the merit

plan. Pending passage of such code the manager may establish temporary regulations.

23. Purchasing Procedure. The administrative code shall establish purchasing and contract procedure including the assignment of all responsibility for purchases to one or more persons, the combination of purchasing of similar articles by different departments, and purchasing by competitive bids wherever practical.

V. Finance

24. Fiscal Year. The fiscal and budget year of the city shall begin on the first day of January unless another date shall be fixed by ordinance.

25. Financial Control. The manager shall appoint an officer other than the treasurer who shall maintain accounting control over the finances of the city, make financial reports, and perform such other duties as may be required by the administrative code. He shall audit and approve all authorized claims against the city before paying the same.

26. Budget Procedure. At such time as may be requested by the manager or specified by the administrative code, each officer or director of a department shall submit an itemized estimate of the expenditures for the next fiscal year for the departments or activities under his control. The manager shall submit the proposed budget to the council at least one month before the start of the fiscal year of the budget.

27. Budget Hearing. A public hearing on the budget shall be held before its final adoption by the council, at such time and place as the council shall direct, and notice of such public hearing together with a copy of the budget as submitted shall be published at least one week in advance by the city clerk.

28. Date of Presentation. The budget shall be presented not later than the twenty-seventh day of the first month of the fiscal year. This section shall not apply to the first fiscal year after this charter takes effect, in which instance the budget shall be presented not later than two months after the appointment of the manager.

29. Appropriations After Budget is Adopted. No appropriation shall be made for any purpose not included in the annual budget as adopted unless voted by a two-thirds majority of the council after a public hearing held to discuss said appro-

priation. The council shall by resolution designate the source of any money so appropriated.

30. Budget Control. At the beginning of each quarterly period during the fiscal year and more often if required by the council, the manager shall submit to the council data showing the relation between the estimated and actual income and expenses to date, together with outstanding indebtednesses and estimated future expenses; and if it shall appear that the income is less than anticipated, the council or manager may reduce the appropriation for any item or items, except amounts required for debt and interest charges, to such a degree as may be necessary to keep expenditures within the cash income. The manager may provide for monthly or quarterly allotments of appropriations to departments, funds, or agencies under such rules as he shall prescribe.

31. Transfer of Appropriations. After the budget has been adopted, no money shall be drawn from the treasury of the city, nor shall any obligation for the expenditure of money be incurred, except pursuant to a budget appropriation unless there shall be a specific additional appropriation therefor. The head of any department, with the approval of the manager, may transfer any unencumbered balance or any portion thereof from one fund or agency within his department to another fund or agency within his department; the manager, with the approval of the council, may transfer any unencumbered appropriation balance or any portion thereof from one department to another.

32. Depository. The council shall designate the depository or depositories for city funds, and shall provide for the daily deposit of all city moneys. The council may provide for such security for city deposits as it may deem necessary, except that personal surety bonds shall not be deemed proper security.

33. Independent Audit. An independent audit shall be made of all accounts of the city government at least annually and more frequently if deemed necessary by the council. Such audit shall be made by certified public accountants experienced in municipal accounting, or by the state tax commission or its representatives. An abstract of the result of such audit shall be made public. At least once every five years the council shall request that such audit be made by the state tax commission or by auditors selected by said commission if then authorized

by law to make such audit. An annual report of the city's business shall be made available.

34. Official Bonds. Any city officer elected or appointed by authority of this charter may be required by the council to give a bond to be approved by the city solicitor for the faithful performance of the duties of his office, but the manager and all officers receiving or disbursing city funds shall be so bonded. All official bonds shall be corporate surety bonds, and the premiums thereon shall be paid by the city. Such bonds shall be filed with the city clerk.

35. Borrowing Procedure. Subject to the applicable provisions of state law and the rules and regulations provided by ordinance in the administrative code, the council, by resolution, may authorize the borrowing of money for any purpose within the scope of the powers vested in the city and the issuance of bonds of the city or other evidence of indebtedness therefor, and may pledge the full faith, credit, and resources of the city for the payment of the obligation created thereby. Borrowing for a term exceeding one year shall be authorized by the council only after a duly advertised public hearing.

VI. Merit Plan

36. Appointments. Appointments and promotions to all positions in the service of the city shall be made solely on the basis of merit and only after examination of the applicants' fitness. So far as practicable examinations shall be competitive.

37. Rules and Regulations. The first manager under this charter shall draft and submit to the council within three months after assuming office a set of rules and regulations, which shall become effective one month after its submission unless vetoed by the council within that period, providing for the establishment of a merit system of personnel administration and the implementation of such portions of that system as are prescribed by this charter. The rules and regulations may be amended during said month by the council. The rules and regulations shall include provisions with regard to classification, compensation, selection, training, promotion, discipline, vacations, retirement, and any other matters necessary to the maintenance of efficient service and the improvement of working conditions. The rules and regulations shall continue in force subject to amendments submitted from time to

time by the manager which shall become effective one month after the submission unless vetoed by the council within that period. Until the first set of such rules and regulations becomes effective, the manager may establish temporary rules and regulations.

38. Compensation. The compensation of all officers and employees not fixed by this charter shall be fixed in the rules and regulations of the merit plan by a schedule of pay which shall include a minimum and maximum and such intermediate rates as may be deemed desirable for each class of position provided for in said rules and regulations. In increasing or decreasing items in the city budget, the council shall not increase or decrease any individual salary item but shall act solely with respect to total salaries in the various departments of the city.

39. Personnel Advisory Board. There is hereby established a personnel advisory board of three citizens holding no other political office and appointed one member by the manager, one by the council, and the third by these two appointees. In the first instance only the member appointed by the manager shall serve for one year, the member appointed by the council for two years, and the third member for three years, in each case beginning on the date of appointment; the terms of all succeeding members shall be for three years beginning on the expiration of the term each succeeds. It shall be the duty of the personnel advisory board to study the broad problems of personnel policy and administration, to advise the council concerning the personnel policies of the city and the manager regarding the administration of the merit plan and retirement system, and to hear appeals from any employee aggrieved as to the status or condition of his employment or retirement. The board shall issue written reports containing findings of facts and recommendations to the manager upon such appeals but the board shall have no power to reinstate an employee unless it finds, after investigation, that disciplinary action was taken against the employee without sufficient cause, or for religious, racial, or political reasons.

40. Certification of Compensation. No compensation shall be paid without certification by the manager, or such officer as he may direct, that the recipients are employed by the city and that their rates of compensation comply with the pay

schedules provided for in section 38. If such officer approves payments not in conformity therewith, he and his surety shall be liable for the amount of such payments. A taxpayer or resident may maintain a civil action to restrain payment of compensation to persons unlawfully appointed or employed or to recover for the city any sums paid contrary to the provisions of this charter.

41. Employees When Charter Adopted. No employee of the city at the time this charter is adopted shall be required to take any examination in order to continue within the employment of the city. All other provisions of the merit plan will apply to such employees. All officers and employees of the city holding office at the time this charter takes effect, except those whose position or office has been abolished hereby, shall continue to hold office until their respective successors shall be elected or appointed, as the case may be, and qualified.

VII. Special Assessments

42. Council Resolution. The council shall have power to determine that the whole or any part of the expense of any public improvement shall be defrayed by special assessments upon the property especially benefited and shall so declare by resolution. Such resolution shall state the estimated cost of the improvement, what proportion of the cost thereof shall be paid by special assessments, and what part, if any, shall be a general obligation of the city, the number of installments in which special assessments may be paid, and shall designate the districts or land and premises upon which special assessments shall be levied.

43. Procedure Fixed by Ordinance. The council shall prescribe by general ordinance complete special assessment procedure concerning plans and specifications, estimate of costs, notice and hearing, the making of the special assessment roll and correction of errors, the collection of special assessments, and any other matters concerning the making of improvements by the special assessment method.

VIII. Retirements

44. Retirement. The rules and regulations of the merit plan may establish a system for the retirement of any city employee who shall have attained an age or condition of health which warrants retirement from further service. Any such plan shall provide payments to retired employees only as addi-

tional compensation for services rendered after the inauguration of such a plan and before retirement.

IX. Miscellaneous Provisions

45. Oath of Office. Every person elected or appointed to any city office before entering upon the duties of his office shall take and subscribe to an oath of office as provided by law which shall be filed and kept in the office of the city clerk.

46. Notice of Election or Appointment. Written notice of election or appointment of any city officer shall be mailed to him at his address by the city clerk within forty-eight hours after the appointment is made or the vote canvassed. If within ten days from the date of the notice such officer has not filed with the city clerk a written notice of acceptance of such election or appointment and shall not take, subscribe to, and file with the city clerk an oath of office, such neglect shall be deemed a refusal to serve and the office shall thereupon be deemed vacant, unless the council shall extend the time in which such officer may qualify.

47. Vacancy Defined. In addition to other provisions of this charter, a vacancy shall be deemed to exist in any office when an officer dies, resigns, is removed from office, is convicted of a felony, is physically incapacitated, or is judicially declared to be mentally incompetent.

48. Official Interest in Contracts. No elective or appointive officer or employee of the city shall take part in a decision concerning the business of the city in which he has a financial interest aside from his salary as such officer or employee, direct or indirect, greater than any other citizen or taxpayer.

49. Private Use of Public Property. No officer or employee shall devote any city property or labor to private use except as may be provided by law or ordinance.

50. Liability for Discharge. The removal in accordance with this charter with or without cause of a person elected or appointed or otherwise chosen for a fixed term shall give no right of action for breach of contract or otherwise.

51. Notice of Claim. No action at law or bill in equity shall be sustained against the city unless a notice setting forth the nature and amount, if any, of the claim shall have been delivered or sent by registered mail to the office of the city clerk not less than sixty days prior to the commencement of said action at law or bill in equity.

52. Municipal Court. The municipal court of the city as at present constituted is hereby continued.

53. Violations. All violations of provisions of this charter unless otherwise provided are hereby declared to be misdemeanors and all such violations and all violations of city ordinances for which no other punishment is provided, shall be punishable by a fine not exceeding five hundred dollars or imprisonment for a period not exceeding ninety days, or both, in the discretion of the court.

54. Public Records. All records of the city shall be public.

55. Trust Funds. Trust funds, except where otherwise provided by the instrument creating such trust, shall be kept separate and apart from all other funds and shall be invested by the treasurer in investments from time to time legal for mutual savings banks in the state of New Hampshire.

X. Saving Clauses and Adoption of Charter

56. Saving Clause. So much of the previous charter of the city and of laws passed in amendment or supplement thereof, as are in force when this act is adopted relative to the constitution and bounds of its several wards, its school districts and sewer, lighting, and other special precincts and their government and affairs, municipal court, and to the borrowing of money in aid of its school districts, is hereby continued in force, with the exception of such provisions as are inconsistent with this charter; and all special legislation relative to the government of the city, inconsistent herewith, is hereby repealed. All general laws relative to the government of cities shall remain in force in the city so far as the same can be applied consistently with the intents and purposes of this charter, but shall be deemed superseded as to this city so far as inconsistent herewith. Existing ordinances and other municipal regulations shall remain in force so far as the same can be applied consistently with the intents and purposes of this charter, but are hereby annulled so far as inconsistent herewith. In all existing laws, ordinances, and regulations hereby saved, reference to the city councils, board of mayor and aldermen, or other bodies or officers hereby abolished and superseded, or to bodies or officers whose constitution or functions are hereby altered, shall be taken to mean the body or officer upon whom jurisdiction of the matter in question is conferred by this charter or by the administrative code.

57. Tenure of Office. The incumbents when this charter takes effect, who are not elected by popular vote, of all municipal offices not hereby abolished or superseded shall continue to hold the same until the expiration of their respective terms where a term of years exists, or until such offices are abolished or superseded by lawful ordinances.

58. Referendum. This charter shall not take effect unless it is adopted by a majority vote of those voting thereon at a special referendum to be held in the city of Dover on the fourth Tuesday of September, 1947, or at a subsequent referendum as is hereinafter provided for. The city clerk then in office shall cause to be included on the ballot then used the following question: "Shall the provisions of an act entitled 'An Act to revise the charter of the city of Dover' be adopted?" Beneath this question shall be printed the word "yes" and the word "no" with a square immediately opposite each said word, in which the voter may indicate his choice. The referendum relative to the adoption of this charter shall be conducted in every way, except as otherwise herein provided, in the same manner as the election for the nomination of candidates for mayor and aldermen under the present charter. If a majority of those voting on this question vote in the affirmative on this question, this act shall be declared to have been adopted. If this act should not be adopted at said special election, the question of the adoption of this shall again be voted on at any regular municipal election during the ten years immediately following the passage of this act if at least three per cent of the number voting at the last previous municipal election, all qualified voters of the city, shall sign a petition requesting such vote, said petition to be submitted to the city clerk at least thirty days prior to said election.

59. Separability. The sections of this charter and the parts thereof are separable. If any portion of this charter, or the application thereof to any person or circumstance, shall be held invalid, the remainder thereof or the application of such invalid portions to other persons or circumstances shall not be affected thereby.

60. Takes Effect. Section 58 of this act shall take effect upon its passage, and if adopted at the special election or a referendum provided for in said section, the remainder of this act shall take effect as follows: So much as relates to the

preliminaries for and the holding and conduct of the first municipal election shall take effect immediately upon such adoption. For all other purposes this charter shall take effect on the first day of January following the first election under this charter.

[Approved June 25, 1947.]

CHAPTER 386.

AN ACT LEGALIZING THE PROCEEDINGS OF THE SPECIAL SCHOOL MEETING IN THE TOWN OF ATKINSON HELD ON
JUNE 17, 1947.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Proceedings Legalized. The calling, posting and advertising of the warrant and the votes and proceedings of the special meeting of the Atkinson school district held on the 17th day of June, 1947, are hereby legalized, ratified and confirmed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 25, 1947.]

CHAPTER 387.

AN ACT RELATIVE TO CORRECTION OF CHECK-LISTS IN THE CITY OF BERLIN.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. City of Berlin. In the city of Berlin the supervisors of the check-list shall be in session for the correction of the check-list, at some suitable place in the city, two days at least before the day of the election, the last of which shall be five days prior to election, and upon which all hearings shall be finally closed. The first session shall be upon the third Tuesday next preceding the day of election in said city, and shall be adjourned to such subsequent day or days as will permit all claims to be heard and decided. The names of all persons

not qualified to vote on or before said final session but who shall clearly be qualified to vote on election day, may be added to the check-list on or before said session. No additions or corrections shall be made after midnight five days prior to election day, except as provided in section 16, chapter 32, Revised Laws. Said additions and corrections shall be made to the previously posted check-list on or before midnight on the succeeding Saturday, either by additions or corrections to said check-list or by posting a new corrected check-list. Notice of the day, hour and place of each session of said board of supervisors shall be given upon the check-lists first posted.

2. Application of Statutes. Such part of section 6-b of chapter 32 of the Revised Laws, as inserted by section 3, chapter 81 of the Laws of 1943 as is inconsistent with the provisions of this act shall not apply to the sessions for the correction of the check-list in the city of Berlin.

3. Takes Effect. This act shall take effect upon its passage.

[Approved June 25, 1947.]

CHAPTER 388.

AN ACT RELATIVE TO LIFE, ACCIDENT AND HEALTH INSURANCE BENEFITS FOR EMPLOYEES OF THE CITY OF LACONIA.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Powers of the City of Laconia. The mayor and city council of the city of Laconia are hereby authorized to establish a plan for providing life, accident, health and hospitalization insurance benefits for the regular employees of the city and may appropriate such sums of money as they may deem necessary for the purpose of paying a proportionate share of the cost of such benefits or any part thereof.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 25, 1947.]

CHAPTER 389.

AN ACT TO REPEAL CHARTERS OF CERTAIN CORPORATIONS.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Charters Repealed. The charter or certificate of incorporation of each of the following named corporations is hereby repealed, revoked and annulled except as otherwise here specified:

- Acme Mica Co., Inc. (Rumney, 1944)
- Addison-Wesley Press, Inc. (Manchester, 1942)
- Ajaco Beef Company (Laconia, 1945)
- Arrow Manufacturing Company, Inc. (Manchester, 1945)
- Ballard Engineering and Construction Corporation, The (Concord, 1944)
- Bankers Finance Corporation (Berlin, 1935)
- Barker Mills, Inc. (Manchester, 1945)
- Belknap Petroleum Corporation (Laconia, 1939)
- Bell & Sons Company, J. F. (Berlin, 1917)
- Benson, Inc., John T. (Hudson, 1930)
- Berlin Baseball Club, Incorporated (Berlin, 1940)
- Bethlehem Meat Market, Inc. (Bethlehem, 1942)
- Better Foods, Inc. (Manchester, 1944)
- Blodgett & Son Company, F. E. (Concord, 1922)
- C-M Folding Box Company (Portsmouth, 1942)
- Camp Tahigwa, Inc. (Sanbornton, 1932)
- Capitol Electric Supply Company (formerly Seaman's Electric Shop, Inc., Concord, 1928)
- Caron Enterprise, Inc., E. J. (Manchester, 1928)
- Carter-Smith Company (Conway, 1944)
- Cheshire Chemical Company (Winchester, 1912)
- Claremont Athletic Club, Inc. (Claremont, 1940)
- Colebrook Dairy Producers, Inc. (Colebrook, 1940)
- Commercial Realty Company (Concord, 1923)
- Concord Aero-Service Inc. (Concord, 1943)
- Corliss Theatres Inc. (Lancaster, 1937)
- Country Properties Incorporated (Laconia, 1935)
- Cralip Mine Company (Plymouth, 1942)
- Dowd Company, The T. J. (Nashua, 1930)
- Exeter Enterprises, Inc. (Exeter, 1946)

- Fairways, Incorporated (formerly Marsh-Parsons Company, Nashua, 1928)
- Fish, J. Hamilton, Inc. (Keene, 1934)
- Fitzgibbons Mining Corporation, The (Alstead, 1943)
- Ford Foundry Company, The (Concord, 1911)
- Franco-American Realty Corporation (Nashua, 1945)
- Franconia Hotel Corporation (Lincoln, 1940)
- Franklin Developments, Incorporated (Franklin, 1945)
- Gas Corporation of New Hampshire (Nashua, 1944)
- Gilbert Associates, Inc. (Walpole, 1940)
- Gilsum Mills, Inc. (Gilsum, 1942)
- Godfrey, Inc., F. E. (Concord, 1935)
- Grandview Mountain Ski Tow, Inc. (North Woodstock, 1941)
- Granite Leather Company (Greenville, 1942)
- Grimes Restaurant Inc. (Manchester, 1939)
- Groton Mica Mines, Inc. (Concord, 1942)
- H. & P. Stores Inc. (Portsmouth, 1940)
- Harsumo Company (Concord, 1936)
- Home Builders, Incorporated (Laconia, 1940)
- Howe, Inc., Francis H. (Alton, 1946)
- Intervale Playgrounds, Inc. (Intervale, 1933)
- Jaro Company, The (Manchester, 1941)
- Johnson-Barker Company (formerly Johnson, Barker and Devlin Company, Nashua, 1922)
- Keene Silk Fibre Mills, Inc. (Keene, 1933)
- Kings Distilling Company, Incorporated (Newmarket, 1944)
- Laconia Hotel Corporation (Laconia, 1936)
- Lawrence Manufacturing Company (formerly Amoskeag-Lawrence Yarns, Inc., Manchester, 1939)
- LeBel Footwear, Inc. (Manchester, 1945)
- Leonard, Inc., William (Laconia, 1939)
- Little Cape Codders Cabins, Inc. (Laconia, 1943)
- Littleton Construction Company (Littleton, 1931)
- Lothrop & Pinkham Company (Dover, 1904)
- Lydiard, Inc., Edward L. (Laconia, 1929)
- Mademoiselle, Inc. (Manchester, 1940)
- Manchester Paper Box Co., Inc. (Manchester, 1946)
- Manchester Rayon Mills, Inc. (Manchester, 1943)
- Martin Company, Arthur E. (Manchester, 1926)

- Meredith Construction Company, Inc. (Meredith, 1929)
Monadnock Carpet Company, Inc. (Milford, 1944)
Mt. Coolidge Farms, Inc. (Lincoln, 1944)
Nashua Art Bronze Foundry, Inc. (Nashua, 1935)
Nashua Theatres, Inc. (Nashua, 1935)
New England Advertising Associates, Inc. (Manchester, 1941)
New England Minerals, Inc. (Springfield, 1944)
New Hampshire Bond and Mortgage Company (Nashua, 1928)
New Hampshire Food Council, Inc. (Concord, 1941)
New Hampshire Music Camp Inc., The (Groton, 1940)
Newmarket Salvage Corporation (Newmarket, 1942)
North Haverhill Dairy Cooperative (North Haverhill, 1945)
Northern Airlines, Inc. (Laconia, 1944)
Northern Flying Club, Inc. (Milan, 1944)
Notre-Dame Realty Company (Manchester, 1920)
Odd Fellows Building Association of Hudson, New Hampshire (Hudson, 1901)
Pan American Construction and Engineering Co., (Exeter, 1944)
Piper Trail Corporation (Albany, 1939)
Pippin, Inc., Ed (Lebanon, 1944)
Plante Operating Co., Inc. (Manchester, 1945)
Portsmouth Home Builders Corporation (Portsmouth, 1940)
Record Press, Inc., The (Rochester, 1934)
Rene's Package Delivery Service, Inc. (Berlin, 1939)
Rimmon Companions of Manchester, N. H., The (Manchester, 1906)
Rines Hotel Corporation (Manchester, 1935)
Roberts Trading Corporation (Franklin, 1945)
Rochester Wood Flour, Inc. (Rochester, 1945)
Rollins Securities and Realty Company (Dover, 1925)
Rosenfield Lumber Company, Inc. (Berlin, 1942)
Seaboard Fibre Company (Portsmouth, 1937)
Skillings Co., Inc., H. W. (Somersworth, 1946)
Smith Corporation, The Frank (Lancaster, 1928)
Smith Shoe Corporation, Sam (formerly Smith-Levy Shoe Corporation, Newmarket, 1939)
Somersworth Manufacturing Co. (Nashua, 1932)

Squog Outing Club (Manchester, 1909)
Star Market, Inc. (Manchester, 1933)
State Oil Company (Manchester, 1932)
Steel Castings Inc. (Rollinsford, 1942)
Stevens Co., Inc., John H. (Manchester, 1946)
Sugar River Manufacturing Company (Newport, 1922)
Tavern Company, The (Peterborough, 1917)
Terrace Street Garage, Inc. (Claremont, 1941)
Timely Casual Footwear Inc. (Manchester, 1946)
United States Wood Heel Company, Inc. (Somersworth,
1935)
Vickers Electric Shop, Inc. (Farmington, 1933)
Washington Shoe Co. Inc. (Salem Depot, 1938)
Watson, Inc., Earl (Portsmouth, 1945)
White Brook Farms, Inc. (formerly The Safety Container
Company, Inc., Keene, 1923)
Yankee Shoemakers Inc., The (formerly The Smiths Inc.,
Newmarket, 1943)

The principal place of business and date and year of incorporation, when given in the above list, are included for the purpose of distinguishing corporations of the same or similar names.

2. Voluntary Corporation. The charter of the Milford Mutual Fire Insurance Company organized under the provisions of the general voluntary corporation law in 1861, is hereby repealed, and the act, approved July 4, 1860, authorizing the formation of a fire insurance company under the name of Milford Fire Insurance Company is hereby repealed.

3. Remedies Preserved. No remedy against any such corporation, its stockholders or officers, for any liability previously incurred, shall be impaired hereby.

4. Reinstatement. Any such corporation may, within ninety days after the date that this act takes effect, reinstate itself as a corporation by the payment of any fees in arrears and the filing with the secretary of state of any annual returns required by law and a statement under oath, signed by the clerk or secretary of such corporation, that it desires that its charter or certificate of incorporation shall remain in full force and effect.

5. Disposition of Property. Any corporation whose charter is hereby repealed, revoked and annulled, shall, never-

theless, continue as a body corporate for the term of three years from the date that this act takes effect, for the purpose of presenting and defending suits by or against it and of gradually closing and settling its concerns and distributing its assets, including the disposition and transfer of all or any part of its property and for no other purpose; provided that for the purpose of any suit or action by or against any such corporation, pending at the end of said term of three years, such corporation shall continue as a body corporate until ninety days after final judgment or decree in such suit or action; and provided further that the superior court shall have power at any time when it shall be made to appear, upon the petition of any interested party, that the protection of proprietary or other rights requires the doing of any act or thing by or in behalf of any such corporation, to order the doing of such acts or things, and for this purpose may appoint and authorize an agent to act for and in the name of such corporation and any action so ordered and done shall be effective corporate action.

6. Takes Effect. This act shall take effect upon its passage.

[June 25, 1947.]

CHAPTER 390.

AN ACT ESTABLISHING THE WARD LINES IN THE CITY OF PORTSMOUTH.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. City of Portsmouth. Amend section 1 of chapter 183 of the Laws of 1895 by striking out said section and inserting in place thereof the following: Section 1. The city of Portsmouth in the county of Rockingham hereby is and shall continue to be divided into five wards, which shall be constituted as follows:

Ward 1 shall contain all that part of said city included within a line commencing at the center of the waterway under the Portsmouth and Dover railroad track, where it crosses from Noble's island to Freeman's point and thence continu-

ing along the Piscataqua river northerly to Gosling road; thence running westerly through the center of Gosling road to the line between Newington and Portsmouth; thence by said line between Newington and Portsmouth to Rockingham avenue, so-called, formerly called "The New Road," thence along the center of said Rockingham avenue, formerly called "The New Road," to Woodbury avenue at the junction of Woodbury avenue and Myrtle avenue; thence turning and running through the center of said Woodbury avenue to the junction of said Woodbury avenue and Dennett street; thence turning and running through the center of Dennett street to Maplewood avenue; thence turning and running through the center of Maplewood avenue to the center of the North Mill bridge, so-called; thence turning in a straight line southerly across the North Mill pond, so-called, to the center of the junction of McDonough and Dover streets, so-called; thence through the center of Dover street to Islington street; thence easterly through the center of Islington street to the center of Congress street; thence running through the center of Congress street to Market square; thence through the center of Market square and Market street to Deer street; thence turning and running westerly through the center of Deer street to Vaughan street; thence turning and running northerly through the center of Vaughan street to the intersection of Vaughan street and Raynes avenue; thence by direct line from said intersection of Vaughan street and Raynes to the point begun at.

Ward 2 shall contain all that part of said city included within a line beginning at the intersection of Chapel street and Daniels street and thence running through the center of Daniels street to the center of Market square; thence through the center of Market square to Congress street, through the center of Congress street to Islington street, through the center of Islington street to Columbia street, thence through the center of Columbia street to State street; thence through the center of State street to Cass street, thence through the center of Cass street to Middle street provided, however, that all residences on the westerly side of Cass street between State and Middle street including also those residences on Friend street shall be in Ward 2, thence from the junction of Cass street and Middle street through the center of Middle street

through to the intersection of Middle road and Lafayette road, provided, however, that all residences on the northerly and westerly side of Middle street between Cass street and the intersection of Middle road and Lafayette road shall be in ward 2; thence running from said intersection of Middle road and Lafayette road through the center of Lafayette road to the intersection of South street; thence turning and running through the center of South street to the junction of Junkins avenue; thence turning and running through the center of Junkins avenue northerly to the junction of said Junkins avenue and Pleasant street; thence turning and running again northerly through the center of said Pleasant street to the junction of Court and Pleasant streets; thence turning and running in an easterly direction through the center of said Court street to Atkinson street; thence turning and running northerly through the center of Atkinson street to State street; thence through the center of State street to Chapel street; thence through the center of Chapel street to the point begun at.

Ward 3 shall contain all that part of said city which lies northerly and westerly of Wards 1 and 2 and westerly at the center of Lafayette road.

Ward 4 shall contain all that part of said city which lies southerly and easterly of Wards 2 and 5, including all the islands except Noble's island.

Ward 5 shall contain all that part of said city included in a line beginning at the intersection of Daniels street and Chapel street and thence running westerly through the center of Daniels street to Market square; thence through the center of Market square and Market street to Deer street; thence turning and running westerly through the center of Deer street to Vaughan street; thence turning and running northerly through the center of Vaughan street to the intersection of Vaughan street and Raynes avenue; thence by direct line from said intersection of Vaughan street and Raynes avenue to the center of the waterway under the Portsmouth and Dover railroad track where it crosses from Noble's island to Freeman's point; thence southerly along the Piscataqua river to a point along the shore of said river opposite the center of the foot of Gardner street; thence across Mechanics street through the center of Gardner street to Marcy street, formerly

called Water street; thence along the center of Marcy street to its intersection with the street, lane, or place which runs over Meeting House Hill, so-called on the northerly side of the South Ward Room, so-called; thence turning and running northerly through the center of Manning street to the intersection of Howard street; thence turning and running west-erly by the center of said Howard street to the junction of Washington, Howard and Pleasant streets; thence turning and running in a northerly direction in the center of Pleasant street to the intersection of Court and Pleasant streets; thence turning and running in an easterly direction by the center of said Court street to Atkinson street; thence turning and running northerly through the center of Atkinson street to State street; thence through the center of State street to Chapel street, thence through the center of Chapel street to the point begun at.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved June 26, 1947.]

CHAPTER 391.

AN ACT IN RELATION TO RIVIER COLLEGE.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. **Rivier College.** The establishment and maintenance of Rivier College in the city of Nashua by the Couvent de la Presentation de Marie, a voluntary corporation formed under the provisions of chapter 147 of the Public Statutes of New Hampshire, is hereby approved and authorized and the said corporation is hereby authorized and empowered to transfer to a new corporation which may be organized under chapter 272 of the Revised Laws the right to use the name Rivier College; the powers and privilege granted to the said Couvent de la Presentation de Marie by chapter 294 of the Laws of 1935 and by the provisions hereof, and such real and personal property as the said Couvent de la Presentation de Marie may determine. Any such new corporation after transfer of said name, powers and privileges shall be deemed for all purposes

the continuation of, and the legal successor to Rivier College as conducted by the said Couvent de la Presentation de Marie as fully as if such new corporation had conducted said college from the establishment thereof.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 26, 1947.]

CHAPTER 392.

AN ACT TO ESTABLISH THE CITY OF CLAREMONT UNDER THE COUNCIL MANAGER PLAN.

*Be it Enacted by the Senate and House of Representatives in
General Court convened:*

I. City Established

1. Establishment. The inhabitants of the town of Claremont, in the county of Sullivan, shall continue to be a body corporate and politic under the name of the "City of Claremont."

2. Rights and Obligations Saved. All existing property now of said town of Claremont shall be vested in said city under the provisions of this charter, and all debts and obligations of said town shall be considered and shall continue for all purposes the debts and obligations of said city of Claremont under this charter.

II. Elections

3. Wards. The city of Claremont shall be divided into three wards.

4. Ward One. Ward one shall contain all that part of said city included within a line starting at the center of Sugar river where it crosses the easterly city line, thence following the center of Sugar river northwesterly to the Main street bridge, thence southerly following the easterly boundary lines of parcels connected with houses standing on the easterly side of Main street and fronting on Main street, or standing on the corners of Main street on the easterly side thereof, to the intersection of Main and Union streets, thence southerly following the easterly boundary lines of parcels connected with

houses standing on the easterly side of Union street and fronting on Union street, or standing on the corners of Union street on the easterly side thereof, to the intersection of Union and Mulberry street, thence southerly following the easterly boundary lines of parcels connected with houses standing on the easterly side of Mulberry street and fronting on Mulberry street, or standing on the corners of Mulberry street on the easterly side thereof, to the Boston & Maine Railroad tracks, thence easterly along the tracks to the center of Broad street, thence following the center line of Broad street to its end, thence directly south to the city line, thence easterly to the southeasterly corner of the city line, thence northerly to the point of beginning.

Ward Two. Ward Two shall contain all that part of said city included within a line commencing at a point in the center of Main street where it crosses the northerly city line, thence southerly along the center of Main street to Sugar river, thence southerly following the easterly boundary lines of parcels connected with houses standing on the easterly side of Main street and fronting on Main street, or standing on the corners of Main street on the easterly side thereof, to the intersection of Main and Union streets, thence southerly following the easterly boundary lines of parcels connected with houses standing on the easterly side of Union street and fronting on Union street, or standing on the corners of Union street on the easterly side thereof, to the intersection of Union and Mulberry streets, thence continuing southerly following the easterly boundary lines of parcels connected with houses standing on the easterly side of Mulberry street and fronting on Mulberry street, or standing on the corners of Mulberry street on the easterly side thereof, to the Boston & Maine Railroad tracks, thence easterly along the Boston & Maine Railroad tracks to the center of Broad street, thence southerly along the center line of Broad street to the intersection of South street and Broad street, thence directly south to the city line, thence westerly along the city line to the southwesterly corner of the city line, thence northerly to the northwesterly corner, thence easterly along the city line to the point of beginning.

Ward Three. Ward Three shall contain all that part of said city included within a line commencing at a point in the center

of Sugar river where it crosses the easterly city line, thence following the center of Sugar river northwesterly to the Main street bridge, thence northwesterly along the center of Main street to the northerly city line, thence easterly on city line to the northeasterly corner of the city line, thence southerly along the easterly city line to the point of beginning at Sugar river.

5. School District. The school district of the town of Claremont as presently constituted shall be a body corporate and politic and shall have all the powers and shall be subject to the same obligations and duties as are conferred or imposed upon town school districts by the statutes of the state of New Hampshire, in such case made and provided. However, the school district and the city manager provided for under this charter are hereby authorized to enter into such voluntary agreements for cooperative purchasing and the maintenance of buildings as may be desirable to effect economies and promote efficiency.

6. Representatives to General Court. Each ward shall elect three representatives to the general court until such time as any or all of said wards shall by virtue of their constitutional rights be entitled to a different number.

7. Biennial Election. In the first instance the election officers in each ward whose duty it is to conduct regular biennial elections shall conduct a municipal election on the second Tuesday in December following the adoption of this charter for the election of councilmen, who will take office on the first week-day in January. Thereafter councilmen shall be elected on the first Tuesday after the first Monday of November biennially, in the odd numbered years. The councilmen elected at said biennial elections shall take office on the first week-day of January following this election. Said elections shall be held and conducted in the same manner as is prescribed by law for the biennial election.

8. Ward Officials. Each ward shall at each state biennial election choose by ballot a moderator, clerk and three supervisors of the check-list who shall hold office for two years and until their successors are elected and qualified. Said supervisors shall perform all the duties required by law of selectmen of wards in cities and of supervisors of check-lists in towns, and for all purposes requiring such officers shall be con-

sidered and be the selectmen of their wards. No other selectmen shall be chosen.

9. Ward Check-lists. The selectmen of the town of Claremont shall within fourteen days from the date of adoption of this act by the town appoint a moderator, clerk and three supervisors of the check-list and four inspectors of election for each ward, which officers shall be residents of their respective wards. Said supervisors shall act as and be selectmen of their respective wards for the purpose of calling the first ward meeting, and shall call said meeting according to law. They shall seasonably prepare check-lists for their respective wards, and perform all duties respecting the same required by law. The supervisors of the check-list in each ward shall fix the polling place therein and give notice thereof.

10. Preparation of Ballots. The city clerk shall prepare the ballots to be used at the municipal elections in form as nearly like the ones used in state biennial elections as the requirements of this charter permit. The ballot shall contain the names in alphabetical order without party designation of all who file with the city clerk as candidates for councilman not later than five o'clock in the afternoon of the fifteenth day before the election. Candidates shall pay the city clerk a fee of one dollar except those on whose behalf a petition shall have been filed by at least fifty qualified voters. No name shall be printed on the ballot by reason of such petition unless consent thereto shall be endorsed on the petition by the candidate himself not later than ten days before the election. Below the list of names of candidates for councilman there shall be as many blank spaces as there are councilmen to be elected. The city clerk shall have the same powers and duties with reference to municipal elections as has the secretary of state with reference to general biennial elections so far as such powers and duties are not inconsistent herewith. In the first instance, the town clerk shall have the same duties and powers as are given under this charter to the city clerk.

11. Qualification of Voters. Persons who would be qualified to vote in a biennial election if held on the day of such municipal election shall be the qualified voters therein. Municipal elections hereunder shall be deemed elections within the meaning of all general statutes, penal and otherwise, and said statutes shall apply to municipal elections so far as consistent

with this charter. The polls shall be open at each municipal election from nine o'clock in the forenoon to eight o'clock in the evening in each ward.

12. Procedure. The qualified voters in each ward, at said election, shall give in to the moderator their votes which shall be received, sorted, counted and declared, and the ward clerk shall make a true and certified copy of the record of the votes and said record, certified also by a majority of the supervisors and the moderator, shall be delivered by the ward clerk to the city clerk within twenty-four hours after the meeting.

13. Ballots; Preservation. All the ballots cast at a municipal election shall be kept by the city clerk sealed for two months, and may be opened during said two months after a request for a recount by any candidate voted for at the election at which they were cast, upon order of any court or the city council.

14. Canvass. The city council shall meet on the Thursday next following the election, and the city clerk having entered upon the record the number of votes given in each ward for every person voted for on the ballots, shall lay before the council the returns of such votes, and the council shall examine the same and declare the persons having the largest number of votes to be elected as councilmen, or such other officers as may be balloted upon, and shall cause them to be notified of their elections.

15. Contested Elections. Within seven days after a municipal election the council shall canvass the votes cast and the candidates receiving the highest number of votes for the offices to be filled shall be declared elected. Within seven days thereafter the council shall, subject to such rules and regulations as it may prescribe, upon request of any candidate, recount the ballots cast in the election and hear and determine any contest on the ground of fraud or misconduct therein. Decisions of the council in cases of contested elections shall be final. Tie votes for any elective office shall be resolved by lot in the manner that the council may determine. In cases arising under this section the council shall have the power to subpoena witnesses and compel the production of all pertinent books, records, and papers. In the first instance of an election under this charter the selectmen of the town of Claremont shall have the same powers and

duties as are granted to the council with respect to subsequent elections thereunder.

III. Administration

16. The Council. The entire administration of all fiscal, prudential and municipal affairs of the city of Claremont shall, except as otherwise provided, be vested in a city council of nine councilmen, three to be elected at-large and two to be elected from each ward. Each councilman shall hold office for a term of two years. The city clerk shall act as clerk of the council.

17. Mayor. The council shall at its first meeting in January following its election choose one of its members as mayor for the duration of his then existing term as councilman. He shall preside at meetings of the council and may speak and vote in such meetings. He shall be recognized as head of the city for all ceremonial purposes. All other duties of the mayor prescribed by law shall be exercised by the manager provided for in this charter. The council shall also from its members elect an assistant mayor who shall act as mayor during the absence or disability of the mayor, and if a vacancy occurs, shall become mayor for the completion of the unexpired term.

18. Qualifications. Any person may be a candidate for election as councilman provided he or she is a duly qualified voter in the city and has been a resident of the city for at least two years immediately preceding the election. No person in default to the city shall be eligible for election to the council.

19. Compensation. No councilman shall, while in office, receive any pay or compensation of any sort, either as councilman or for any other personal services rendered for the benefit of the city, or be employed by the city, or any department or branch thereof, for any compensation, excepting that this provision shall not apply to compensation of call members of the fire department.

20. Dealings of Councilmen with City. No councilman, or other official of the city, shall sell to or buy from the city any goods or commodities while in office other than by open competitive public bid.

21. Meetings. All meetings of the council shall be public. Regular meetings shall be held on such day of each month at

such time as the council shall, from time to time, by ordinance or resolutions direct, and at such other times as are required by this charter. Special meetings may be had upon notice delivered to each councilman by the city clerk at the request of the mayor, manager, or a majority of the councilmen. The council shall establish its own rules. A majority of the council shall constitute a quorum for the transaction of business.

22. Ordinances. Municipal legislation shall be by ordinance. Each ordinance shall be identified by a number and a short title. The enacting clause shall be "The City of Claremont Ordains" and the effective date of each ordinance shall be specified in it. Each ordinance shall be introduced in writing in the form it is to be finally passed, and after passage on its first reading shall be published at least once together with a notice of the time and place when and where it will be considered for final passage. The first such publication shall precede the date of said hearing by at least the time required by any statute relating to such subject but in no case less than one week. All ordinances shall be recorded in full uniformly and permanently by the city clerk and each ordinance so recorded shall be authenticated by the signature of the mayor and city clerk. Ordinances shall be published within thirty days after their passage; and shall be further published, compiled and revised in such manner and at such time as the council shall determine.

23. General Powers. The city council created by this act shall, except as herein otherwise provided, have all the powers and do and perform, in reference to each other or otherwise, all the duties which mayors, boards of aldermen and common councils of cities and selectmen of towns are by law authorized or required to do and perform, either separately or otherwise, except in so far as such powers or duties are inconsistent with other provisions of this charter or with powers or duties specifically transferred to the manager, and all provisions of statutes pertaining to the duties or powers of aldermen or common councils, separately or otherwise, shall be construed to apply to said city council, except in so far as a contrary intention appears in this act or in so far as they may be inconsistent with other provisions of this charter or with powers or duties specifically transferred to the manager.

24. Salaries. The city council of the city of Claremont is hereby empowered to fix a scale of salaries to be paid to all officials and agents of said city of Claremont in accordance with the provisions of section 52 of this charter except the salaries to be paid to police officers and school teachers.

25. Procedure to Fix Salaries. No ordinance of said city council relating to a scale of salaries as above set forth shall be valid until it has had three separate readings in said council, only one reading at any meeting of said council, and shall have received the votes of at least two-thirds of all the members elected to said council upon its final passage.

26. Manager. The city council shall appoint an officer of the city of Claremont who shall have the title of city manager and who shall have the powers and duties hereinafter provided. He shall be appointed for an indefinite term by the votes of two-thirds of the members of the council. The first council elected under this charter shall appoint a manager, within three months after the effective date of this charter.

27. Qualifications. The manager shall be chosen solely on the basis of his executive and administrative qualifications but he need not be a resident of the city or state at the time of his appointment. During his tenure of office, he shall reside within the city. No person who has within two years been elected by popular vote to any office in the city of Claremont shall be chosen manager.

28. Removal. The manager may be removed by a majority vote of the members of the council as herein provided. At least thirty days before the proposed removal of the manager, the council shall adopt a resolution stating its intention to remove him and the reasons therefor, a copy of which shall be served forthwith on the manager who may, within ten days, demand a public hearing in which event the manager shall not be removed until such public hearing has been held. Upon or after passage of such resolution the council may suspend him from duty, but his pay shall continue until his removal. In case of such a suspension the council may appoint an acting manager to serve at the pleasure of the council for not more than ninety days. The action of the council in removing the manager shall be final.

29. Non-Interference by the Council. Neither the council nor any of its members shall direct or request the appoint-

ment of any person to office or employment, or his removal therefrom, by the manager or any of the administrative officers. Neither the council nor any member thereof shall give orders to any of the administrative officers either publicly or privately. Any violation of the provisions of this section by a councilman shall be a misdemeanor, conviction of which shall constitute immediate forfeiture of his office.

30. Powers and Duties of Manager. The city manager shall be the chief executive and administrative officer of the city government, and carry out the policies laid down by the city council. He shall be responsible to the city council for the proper administration of all affairs of the city except the school department and police department, but including the preservation of the public health, the safety of property and management of all municipally owned utilities and be in responsible charge of the maintenance, care, construction or otherwise of all streets, highways, bridges, sewers, parks, playgrounds, buildings and all other municipally owned structures. He shall keep the council informed of the condition and needs of the city and shall make such reports as may be required by law, this charter or ordinance, or may be requested by the council, and such other reports and recommendations as he may deem advisable, and perform such other duties as may be prescribed by this charter, or required of him by ordinance or resolution of the council not inconsistent with this charter. He shall have and perform such other powers and duties not inconsistent with the provisions of this charter as now are or hereafter may be conferred or imposed upon him by municipal ordinance or upon mayors of cities by general law. He shall have the right to take part in the discussion of all matters coming before the council but not the right to vote.

31. Power to Appoint and Remove. The manager shall have the power to appoint and remove, subject to the provisions of this charter, all officers and employees in the administrative service of the city; but the manager may authorize the head of a department or office responsible to him to appoint and remove subordinates in such department or office. All such appointments shall be without definite term unless for provisional, temporary or emergency service not to exceed the maximum periods which may be prescribed by the rules and regulations of the merit plan.

32. Certain Officers. The manager shall appoint a city clerk, auditor, treasurer, assessor or assessors, collector, fire chief, health officer, and such other officers as he deems necessary to administer all departments which the council shall establish, which departments shall replace all existing departments, boards and commissions, except as herein specifically excepted. The duties of any two or more such officers may be combined in one officer. The powers and duties of these officers and heads of departments so appointed shall include those prescribed by state law, by this charter or by ordinance.

33. Administrative Departments. The first manager under this charter shall draft and submit to the council within six months after assuming office an ordinance dividing the administrative service of the city into departments, divisions and bureaus and defining the functions and duties of each. After the adoption of the ordinance, upon recommendation of the manager, the council by ordinance may create, consolidate, or abolish departments, divisions and bureaus of the city and define or alter their functions and duties. Such ordinances shall be known as the "Administrative Code." Each officer shall have supervision and control of his department and the employees therein and shall have power to prescribe rules and regulations, not inconsistent with general law, this charter, the administrative code and the rules and regulations of the merit plan. Pending passage of such code the manager may establish temporary regulations.

34. Commissions. All commissions as constituted and existing at the time of the adoption of this charter shall continue to exist hereunder until such time as they may be consolidated or abolished pursuant to section 33 above, but their authority as previously prescribed by law or ordinance is hereby repealed and hereafter they shall serve only in an advisory capacity to the council in matters of policy affecting their respective jurisdiction and to the manager in matters of administration relating thereto.

35. Purchasing Procedure. The administrative code shall establish purchasing and contract procedure including the assignment of all responsibility for purchases to a single person, the combination of purchasing of similar articles for different departments and purchasing by competitive bids whenever practical.

36. Municipal Year. The fiscal and budget year of the city shall begin on the first day of January unless another date shall be fixed by ordinance.

37. Financial Control. The auditor shall maintain accounting control over the finances of the city, make financial reports and perform such other duties as may be required by the administrative code. No bill against the city shall be approved by the city manager until the auditor has audited and approved the same and certified that said bill was lawfully contracted, that the prices charged for all goods and materials are reasonable, that the goods or materials were actually received by the city and that it is in favor of a person legally entitled to receive payment for the same.

38. False Audit, Penalty. If the auditor provided for under section 37 above, shall knowingly make any false certification in any case provided for in section 37 or approve any bill when the appropriation for which the same should be paid is exhausted, he shall be fined not exceeding two hundred dollars or imprisoned not exceeding six months, or both.

39. Unauthorized Payment; Penalty. If the disbursing officer of the city shall pay out any money from the city treasury except on order of the city manager after approval by the auditor, he shall be fined not exceeding two hundred dollars or imprisoned not exceeding six months, or both and shall be personally bound to refund to the city any sum so paid.

40. Budget Procedure. At such time as may be requested by the manager or specified by the administrative code, each officer or director of a department shall submit an itemized estimate of expenditures for the next fiscal year for the departments or activities under his control. The manager shall submit the proposed budget to the council at least one month before the start of the fiscal year of the budget.

41. Budget Hearing. A public hearing on the budget shall be held before its final adoption by the council, at such time and place as the council shall direct, and notice of such public hearing together with a copy of the budget as submitted shall be published at least one week in advance by the city clerk.

42. Date of Final Adoption. The budget shall be finally adopted not later than the last day of the first month of the fiscal year. Should the council take no final action on or prior

to such day, the budget as submitted shall be deemed to have been finally adopted by the council. This section shall not apply to the first fiscal year after this charter takes effect, in which instance the budget shall be presented not later than two months after the appointment of the manager.

43. Appropriations After Budget Is Adopted. No appropriation shall be made for any purpose not included in the annual budget as adopted unless voted by two-thirds majority of the council after a public hearing held to discuss said appropriation. The council shall by resolution designate the source of any money so appropriated.

44. Budget Control. At the beginning of each quarterly period during the fiscal year and more often if required by the council, the manager shall submit to the council data showing the relation between the estimated and actual income and expenses to date, together with outstanding indebtednesses and estimated future expenses; and if it shall appear that the income is less than anticipated the council or manager may reduce the appropriation, for any item or items, except amounts required for debt and interest charges, to such a degree as may be necessary to keep expenditures within the cash income. The manager may provide for monthly or quarterly allotments of appropriations to departments, funds, or agencies under such rules as he shall prescribe.

45. Transfer of Appropriations. After the budget has been adopted, no money shall be drawn from the treasury of the city, nor shall any obligation for the expenditure of money be incurred, except pursuant to a budget appropriation unless there shall be a specific additional appropriation therefor. The head of any department, with the approval of the manager, may transfer any unencumbered balance or any portion thereof from one fund or agency within his department to another fund or agency within his department; the manager, with the approval of the council, may transfer any unencumbered appropriation balance or any portion thereof from one department to another.

46. Depository. The council shall designate the depository or depositories for city funds, and shall provide for the daily deposit of all city moneys. The council may provide for such security for city deposits as it may deem necessary, except

that personal surety bonds shall not be deemed proper security.

47. Independent Audit. An independent audit shall be made of all accounts of the city government at least annually and more frequently if deemed necessary by the council. Such audit shall be made by certified public accountants experienced in municipal accounting or by the state tax commission or its representatives. An abstract of the results of such audit shall be made public. At least once every five years the council shall request that such audit be made by the New Hampshire state tax commission if then authorized by law to make such audit. An annual report of the city's business shall be made available.

48. Official Bonds. Any city officer elected or appointed by authority of this charter may be required by the council to give a bond to be approved by the city solicitor for the faithful performance of the duties of his office, but the manager and all officers receiving or disbursing city funds shall be so bonded. All official bonds shall be corporate surety bonds and the premiums thereon shall be paid by the city. Such bonds shall be filed with the city clerk.

49. Borrowing Procedure. Subject to the applicable provisions of state law and the rules and regulations provided by ordinance in the administrative code, the council, by resolution, may authorize the borrowing of money for any purpose within the scope of the powers vested in the city and the issuance of bonds of the city or other evidence of indebtedness therefor, and may pledge the full faith, credit, and resources of the city for the payment of the obligation created thereby. Borrowing for a term exceeding one year shall be authorized by the council only after a duly advertised public hearing. In no event shall the term of such bonds exceed the limitations imposed by state law.

IV. Merit Plan

50. Appointments. Appointments and promotions to all positions in the service of the city shall be made solely on the basis of merit and only after examination of the applicants' fitness. So far as practicable examination shall be competitive.

51. Rules and Regulations. The first manager under this charter shall draft and submit to the council within three

months after assuming office a set of rules and regulations, which shall become effective one month after its submission unless vetoed by the council within that period, providing for the establishment of a merit system of personnel administration and for the implementation of such portions of that system as are prescribed by this charter. The rules and regulations shall include provisions with regard to classification, compensation, selection, training, promotion, discipline, vacations, retirement, and any other matters necessary to the maintenance of efficient service and the improvement of working conditions. The rules and regulations shall continue in force subject to amendments submitted from time to time by the manager which shall become effective one month after their submission unless vetoed by the council within that period. Until the first set of rules and regulations become effective, the manager may establish temporary rules and regulations.

52. Compensation. The compensation of all officers and employees not fixed by this charter shall be fixed in the rules and regulations of the merit plan by a schedule of pay which shall include a minimum and maximum and such intermediate rates as may be deemed desirable for each class of position provided for in said rules and regulations and which shall be enacted in the form of an ordinance as provided in sections 24 and 25. In increasing or decreasing items in the city budget, the council shall not increase or decrease any individual salary item but shall act solely with respect to total salaries in the various departments of the city.

53. Personnel Advisory Board. There is hereby established a personnel advisory board of three citizens holding no other political office and appointed, one member by the manager, one by the council, and the third by these two appointees. In the first instance only, the member appointed by the manager shall serve for one year, the member appointed by the council for two years and the third member for three years, in each case beginning on the date of appointment; the term of all succeeding members shall be for three years beginning on the expiration of the term each succeeds. It shall be the duty of the personnel advisory board to study the broad problems of personnel policy and administration, to advise the council concerning the personnel policies of the city and the manager regarding the administration of the merit plan and retire-

ment system, and to hear appeals of any employee aggrieved as to the status or condition of his employment or retirement. The board shall issue written reports containing findings of facts and recommendations to the manager upon such appeals but the board shall have no power to reinstate an employee unless it finds, after investigation, that disciplinary action was taken against the employee for religious, racial, or political reasons.

54. Certification of Compensation. No compensation shall be paid without certification by the manager, or such officer as he may direct, that the recipients are employed by the city and that their rates of compensation comply with the pay schedule provided for in section 52. If such officer approves payments not in conformity therewith, he and his surety shall be liable for the amount of such payments.

55. Taxpayers Remedy. A taxpayer may maintain a civil action to restrain payment of compensation to persons unlawfully appointed or employed or to recover for the city any sums paid contrary to the provisions of this charter.

56. Employees When Charter Adopted. No employee of the city at the time this charter is adopted shall be required to take any examination in order to continue within the employment of the city. All other provisions of the merit plan will apply to such employees.

V. Special Assessments

57. Council Resolution. The council shall have power to determine that the whole or any part of the expense of any public improvement shall be defrayed by special assessments upon the property especially benefited and shall so declare by resolution. Such resolution shall state the estimated cost of the improvement, what proportion of the cost thereof shall be paid by special assessments, and what part, if any, shall be a general obligation of the city, the number of installments in which special assessments may be paid, and shall designate the districts or land and premises upon which special assessments shall be levied.

58. Procedure Fixed By Ordinance. The council shall prescribe by general ordinance complete special assessment procedure concerning plans and the specifications, estimate of costs, notice and hearing, the making of the special assessment

roll and correction of errors, the collection of special assessments, and any other matters concerning the making of improvements by the special assessment method.

VI. Miscellaneous Provisions

59. Oath of Office. Every person elected or appointed to any city office before entering upon the duties of his office shall take and subscribe to an oath of office as provided by law which shall be filed and kept in the office of the city clerk.

60. Notice of Election or Appointment. Written notice of election or appointment of any city officer shall be mailed to him at his address by the city clerk within forty-eight hours after the appointment is made or the vote canvassed. If within ten days from the date of the notice, such officer has not filed with the city clerk a written notice of acceptance of such election or appointment and shall not take, subscribe to, and file with the city clerk an oath of office, such neglect shall be deemed a refusal to serve and the office shall thereupon be deemed vacant, unless the council shall extend the time in which such officer may qualify.

61. Vacancy Defined. In addition to other provisions of this charter, a vacancy shall be deemed to exist in any office when an officer dies, resigns, is removed from office, is convicted of a felony, is physically incapacitated, or is judicially declared to be mentally incompetent.

62. Official Interest in Contracts. No elective or appointive officer or employee of the city shall take part in a decision concerning the business of the city in which he has a financial interest aside from his salary as such officer or employee direct or indirect, greater than any other citizen or taxpayer.

63. Private Use of Public Property. No officer or employee shall devote any city property or labor to private use except as may be provided by law or ordinance.

64. Use of Streets by Public Utilities. Every public utility shall pay such part of the cost of improvement or maintenance of streets, alleys, bridges, and public places as shall arise from its use thereof, and shall protect and save the city harmless from all damages arising from said use.

65. Liability for Discharge. The removal in accordance with this charter with or without cause of a person elected or

appointed or otherwise chosen for a fixed term shall give no right of action for breach of contract, or otherwise.

66. Municipal Court. The municipal court of the city as at present constituted is hereby continued.

67. Public Records. All books of account, in relation to the receipt, holding or disbursement of money of the city kept by any official of the city, shall be paid for by the city, shall remain the property of the city, and shall be turned over to the city clerk whenever the keeper of the books of account retires from office. All books pertaining to city affairs kept by the city manager, city clerk, or any other elective or appointive officer of the city shall be kept in the city buildings in their proper places and shall not be removed therefrom without an order of court or a vote of the city council first had and obtained. All books and accounts of any official of the city and all records of the city council and any committee thereof shall at all times in business hours be open to the inspection of any citizen of the city.

68. Trust Funds. Trust funds of the city of Claremont, except where otherwise provided by the instrument creating such trust, shall continue to be kept separate and apart from all other funds and shall remain in the hands of the trustees of trust funds, one of whom shall be appointed by the mayor each year for a term of three years. Said trustees shall invest such funds in securities legal for investment by mutual savings banks of this state.

69. Saving Clause. All special legislation now in force relating to water works, sewers, the E. Charles Goodwin Community Center, registration and elections, borrowing money, issuing bonds or refunding same, is hereby continued in force insofar as it is not inconsistent with the provisions of this charter, the powers thereby given to the town of Claremont or any board or commission thereof being vested in the city of Claremont, subject, however, to all the provisions of this charter. Special legislation relating to the police commission is hereby continued in force. All special legislation relative to the government of cities shall remain in force in the city so far as the same can be applied consistently with the interests and purposes of this charter, but shall be deemed superseded as to this city so far as inconsistent herewith.

70. Savings Clause; Municipal Legislation. All ordinances

and by-laws of the town of Claremont or its selectmen shall continue in force until altered or repealed, except where a contrary intent herein appears.

71. Tenure of Office. The incumbents when this charter takes effect, who are not elected by popular vote, of all municipal offices not hereby abolished or superseded shall continue to hold the same until the expiration of their respective terms where a term of years exists, or until such offices are abolished or superseded by lawful ordinances.

72. Referendum. This charter shall not take effect unless it is adopted by a majority ballot vote at a special election to be held on the third Tuesday of October, 1947, or at a subsequent referendum as is hereinafter provided for. On the ballot then used the following question shall appear, "Shall the provisions of an act entitled 'An Act to establish the city of Claremont' be adopted?" Beneath the question shall be printed the word "Yes" and the word "No" with a square immediately opposite each word, and the voter shall indicate his choice by making a cross in the appropriate square. If a majority of those voting on this question vote in the affirmative on this question, this act shall be declared to have been adopted. If this act should not be adopted at said special election, the question of the adoption of this act may again be voted on at any annual town meeting in an odd numbered year following the passage of this act if at least three per cent of the number voting at the last previous annual town meeting, all qualified voters of the city, shall sign a petition requesting such vote, said petition to be submitted to the selectmen at least fourteen days prior to said election.

73. Repeal or Amendment. No section or provision of this charter may be repealed or amended unless the act making such repeal or amendment refers specifically to this charter and to the sections or provisions so repealed.

74. Separability Clause. The sections of this charter and the parts thereof are separable. If any portion of this charter, or the application thereof to any person or circumstance, shall be held invalid, the remainder thereof or the application of such invalid portions to other persons or circumstances shall not be affected thereby.

75. Takes Effect. Section 72 of this act shall take effect upon its passage, and if adopted at the special election or a'

referendum provided for in said section, the remainder of this act shall take effect as follows: So much as relates to the preliminaries for and the holding and conduct of the first municipal election shall take effect immediately upon such adoption. For all other purposes this charter shall take effect on the first week-day in January following the first election under this charter.

[Approved June 30, 1947.]

CHAPTER 393.

AN ACT RELATIVE TO THE UNITED BAPTIST CONVENTION OF NEW HAMPSHIRE.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Trustees of United Baptist Convention. The management and control of the affairs, business and property of the United Baptist Convention of New Hampshire, formerly the New Hampshire Baptist Convention, and the performances of all trusts and duties thereunto pertaining shall be vested in a board of trustees to consist of not less than seven nor more than twenty-seven, who shall be elected by the Convention for such periods as the corporation may determine, and shall hold their office until their successors are chosen and qualified. Said board shall have the power to fill any vacancy in the board or in any office of the Convention until the next annual election, and shall have and be vested with all the powers of the Convention.

2. Application of Laws. Such part of section 1, chapter 187, Laws of 1901 and any other part of the charter of the United Baptist Convention being an act approved June 24, 1826 and amendments thereto, which are inconsistent with the provisions of this act are hereby repealed to the extent of such inconsistencies.

3. Effective Date. This act shall take effect upon its passage, provided that the present trustees of said United Baptist Convention shall continue in office until their successors chosen under the provisions of this act have qualified.

[Approved June 30, 1947.]

CHAPTER 394.

AN ACT RELATING TO THE CONSTRUCTION AND FINANCING OF A
WATER WORKS SYSTEM FOR THE WALLIS SANDS, RYE
NORTH BEACH AND FOSS BEACH DISTRICT IN
THE TOWN OF RYE.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Authorization. The Wallis Sands, Rye North Beach and Foss Beach District in the town of Rye is hereby authorized to incur indebtedness in an amount not exceeding one hundred fifty thousand dollars (\$150,000), including the amount authorized by chapter 72 of the Revised Laws, for the purpose of purchasing or constructing, or both, and maintaining and operating such water works system as it may deem necessary for municipal use and for the use of its inhabitants and others. Said district shall have all necessary power to take any property, including any existing utilities, it may need in connection with the establishment of such water system, by condemnation proceedings.

2. Issuance of Bonds or Notes. For the purpose and to the extent set forth in section 1 of this act, the Wallis Sands, Rye North Beach and Foss Beach District in the town of Rye is hereby authorized and empowered to issue serial notes or bonds in accordance with the remaining provisions of chapter 72 of the Revised Laws, as amended by chapter 5, Laws of 1947, except as hereinafter provided.

3. Debt Limit. The debt authorized by this act shall be exempt from the limitations imposed upon the borrowing capacity of said Wallis Sands, Rye North Beach and Foss Beach District in the town of Rye by section 7 of chapter 72 of the Revised Laws, and in ascertaining and fixing the net debt of the town of Rye, the Rye school district, in the town of Rye under the provisions of chapter 72 of the Revised Laws, all indebtedness incurred under the authority of this act shall be deducted.

4. Application of Laws. Except as herein otherwise provided, the provisions of chapter 72 of the Revised Laws relative to municipal bonds shall apply to the water works of Wallis Sands, Rye North Beach and Foss Beach District in the town of Rye and to bonds and notes herein authorized.

5. **Takes Effect.** This act shall take effect when approved by a majority of those present and voting at a regular or any special meeting of the voters of said Wallis Sands, Rye North Beach, and Foss Beach District in the town of Rye, held on or before July 1, 1952; provided that the warrant of such meeting shall contain an article calling for the consideration of such approval; and provided further that the requirements in section 4, chapter 70, and section 9, chapter 72 of the Revised Laws to the effect that a majority of all the legal voters must be present and voting at such special meeting, and the limitations set forth in section 5 of chapter 51 of the Revised Laws, shall not be applicable.

[Approved June 30, 1947.]

CHAPTER 395.

AN ACT RELATIVE TO LIFE, ACCIDENT AND HEALTH INSURANCE BENEFITS FOR EMPLOYEES OF THE CITY OF DOVER.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. **Powers of the City of Dover.** The mayor and city council of the city of Dover are hereby authorized to establish a plan for providing life, accident, health and hospitalization insurance benefits for the regular employees of the city and may appropriate such sums of money as they may deem necessary for the purpose of paying a proportionate share of the cost of such benefits or any part thereof.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved June 30, 1947.]

CHAPTER 396.

AN ACT AUTHORIZING THE COUNTY OF MERRIMACK TO
REIMBURSE THE TOWN OF HOOKSETT FOR CERTAIN
COUNTY TAXES.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Reimbursement. The county convention of Merrimack county is hereby authorized and directed to raise and appropriate the sum of two thousand two hundred and twenty-three dollars and sixty cents (\$2,223.60) to reimburse the town of Hooksett for an excess in the amount of county taxes paid or abated by said town during the years 1936, 1937 and 1940 to 1944, inclusive, on account of a judgment rendered against said town by the supreme court of the state relating to the taxation of property of the Sisters of Mercy in said town.

2. Takes Effect. This act shall take effect upon its passage.

[Approved June 30, 1947.]

CHAPTER 397.

AN ACT RELATIVE TO THE UNION SCHOOL DISTRICT IN CONCORD
AND THE CANTERBURY SCHOOL DISTRICT.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

1. Repeal. Chapter 267 of the Laws of 1901 is hereby repealed.

2. Annexation. The homestead farm formerly of Harry A. Sargent in the Shoestring district, so-called, in Concord is disannexed from the town of Canterbury and annexed to Union School District in Concord for school purposes.

3. Takes Effect. This act shall take effect on July 1, 1947.
[Approved July 1, 1947.]

CHAPTER 398.

AN ACT TO AMEND THE CHARTER OF THE CITY OF PORTSMOUTH.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1. Corporate Existence Continued. The inhabitants of the city of Portsmouth shall continue to be a body politic and corporate under the name of the "City of Portsmouth," and as such shall exercise and enjoy all the rights, immunities, powers and privileges and shall be subject to all the duties and obligations now incumbent on or pertaining to said city as a municipal corporation.

2. Rights and Obligations Saved. All existing property now of said city of Portsmouth shall be vested in said city under the provisions of this amended charter, and all debts and obligations of said city shall be considered and shall continue for all purposes the debts and obligations of said city of Portsmouth under this amended charter.

3. Wards. The city of Portsmouth shall continue to be divided into five wards as at present constituted.

4. Biennial Elections. On the first Tuesday after the first Monday of November biennially, in the odd numbered years, hereafter, the voters of the city of Portsmouth shall meet for the choice of councilmen and six members of the board of education. The officers elected at said biennial elections shall take office on the first week day of January following this election. Said elections shall be held and conducted in the same manner as is prescribed by law for the biennial election.

5. Board of Registrars. The board of registrars of voters shall make up and post for every municipal election a list of the legal voters of said city of Portsmouth as prescribed by law.

6. Preparation of Ballots. The city clerk shall prepare the ballots to be used at the municipal elections in form as nearly like the ones used in state biennial elections as the requirements of this amended charter permit. The ballot shall contain the names in alphabetical order without party designation of all who file with the city clerk as candidates for councilman or for members of the board of education, not later than five o'clock in the afternoon of the fifteenth day before the election. Candidates shall pay the city clerk a fee of five dollars except those on whose behalf a petition shall have been

filed by at least fifty qualified voters. No name shall be printed on the ballot by reason of such petition unless consent thereto shall be endorsed on the petition by the candidate himself not later than ten days before the election. Below the list of names of candidates for councilman there shall be as many blank spaces as there are councilmen to be elected. There shall similarly be as many blank spaces below the names of candidates for members of the board of education as there are members to be elected to said board. The city clerk shall have the same powers and duties with reference to municipal elections as has the secretary of state with reference to general biennial elections so far as such powers and duties are not inconsistent herewith.

7. Procedure. The qualified voters in each ward, at said election, shall give in to the moderator their votes which shall be received, sorted, counted and declared, and a record thereof made in the same manner as votes for senators; and a copy of the record, certified by the moderator, by a majority of the selectmen and the ward clerk, shall be delivered by the ward clerk to the city clerk within twenty-four hours after the meeting.

8. Ballots; Preservation. All the ballots cast at a municipal election shall be kept by the city clerk, sealed, for two months, and may be opened during said two months after a request for a recount by any candidate voted for at the election at which they were cast, upon order of any court, the city council or the elections committee of said city council.

9. Canvass. The city council shall meet on the Thursday next following the election, and the city clerk having entered upon the record the number of votes given in each ward for every person voted for on the ballots, shall lay before the council the returns of such votes, and the council shall examine the same and declare the persons having the largest number of votes to be elected as councilmen, or members of the board of education, or such other officers as may be balloted upon, and shall cause them to be notified of their election.

10. Contest. Within seven days thereafter the council shall, subject to such rules and regulations as it may prescribe, upon request of any candidate, recount the ballots cast in the election and hear and determine any contest on the ground of fraud or misconduct therein, and to assist therein

shall have the power to send for persons and papers, and may adjourn from time to time not later than the time appointed for the installation of the new city council. Decisions of the council shall be final. Tie votes for any elective office shall be resolved by lot in such manner as the council may determine.

11. Absentee Voting. Any legal voter of the city of Portsmouth who is absent from said city on the day of the meeting for the election of city and ward officers, held in November biennially, or who, by reason of physical disability, is unable to vote in person at said meeting, may vote at said election by so-called absentee ballot. The provisions of sections 61 to 75 of chapter 34 of the Revised Laws, so far as applicable hereto and not inconsistent herewith, shall apply to such absentee voting in said city, provided that the city clerk shall prepare the forms and ballots for such voting and said clerk shall also prepare the instructions required in section 74 of said chapter 34.

12. The Council. The entire administration of all fiscal, prudential and municipal affairs of the city of Portsmouth shall, except as otherwise provided, be vested in a city council of nine councilmen, elected at large, for terms of two years. The city clerk shall act as clerk of the council.

13. Mayor. The council shall, at its first meeting in January following its election, choose one of its members mayor for a term of two years. He shall preside at meetings of the council, and shall be recognized as head of the city for all ceremonial purposes. The council shall also from its members elect an assistant mayor who shall act as mayor during the absence or disability of the mayor, and if a vacancy occur, shall become mayor for the completion of the unexpired term.

14. Qualifications. No person shall be a candidate for election as councilman who is not a duly qualified voter in the city and who has not been a resident of the city for at least two years immediately preceding his election; nor shall any person in default to the city be eligible for election to the council.

15. Other Offices. No councilman shall, during his term as councilman, be eligible to hold any other municipal office except mayor. This section shall not be construed to prevent any councilman from also serving as a call member of the fire department.

16. Compensation. No councilman shall, while in office, receive any pay or compensation of any sort, either as councilman or for any other personal services rendered for the benefit of the city, or be employed by the city, or any department or branch thereof, for any compensation, excepting that this provision shall not apply to compensation of call members of the fire department.

17. Dealings of Councilmen with City. No councilman, or other official of the city, shall sell to or buy from the city any goods or commodities while in office other than by open competitive public bid.

18. Meetings. All meetings of the council shall be public. Regular meetings shall be held at seven o'clock in the evening on the first Thursday of each month, and at such other times as are required by this charter. Special meetings may be had upon notice delivered to each councilman by the city clerk at the request of the mayor, the manager or a majority of the councilmen. The council shall establish its own rules. A majority of the council shall constitute a quorum for the transaction of business.

19. Ordinances. Municipal legislation shall be by ordinance. Each ordinance shall be identified by a number and a short title. The enacting clause shall be "The City of Portsmouth Ordains" and the effective date of each ordinance shall be specified in it. Each ordinance shall be introduced in writing in the form it is to be finally passed, and after passage on its first reading shall be published at least once together with a notice of the time and place when and where it will be given a public hearing and be considered for final passage. The first such publication shall precede the date of said hearing by at least the time required by any statute relating to such subject but in no case less than one week. All ordinances shall be recorded in full uniformly and permanently by the city clerk and each ordinance so recorded shall be authenticated by the signature of the mayor and city clerk. Ordinances shall be published within thirty days after their passage; and shall be further published, compiled and revised in such manner and at such time as the council shall determine.

20. General Powers. The city council created by this act shall, except as herein otherwise provided, have all the powers and do and perform, in reference to each other or otherwise, all the duties which mayors, boards of aldermen and common

councils of cities are by law authorized or required to do and perform, either separately or otherwise; and all provisions of statutes pertaining to the duties or powers of aldermen or common councils, separately or otherwise, shall be construed to apply to said city council, unless a contrary intention appears in this act.

21. Salaries. The city council of city of Portsmouth is hereby empowered to fix a scale of salaries to be paid to all officials and agents of said city of Portsmouth, in accordance with the provisions of section 48 of this charter except the salaries to be paid the police officers, judge of the municipal court, and school teachers and officials under the jurisdiction and authority of the board of education of said Portsmouth.

22. Procedure to Fix Salaries. No ordinance of said city council relating to a scale of salaries as above set forth shall be valid until it has had three separate readings in said council, only one reading at any meeting of said council, and shall have received the votes of at least two-thirds of all the members elected to said council upon its final passage.

23. Manager. The city council shall appoint an officer of the city of Portsmouth who shall have the title of city manager and who shall have the powers and duties hereinafter provided. He shall be appointed for an indefinite term by the votes of two-thirds of the members of the council. The first council elected under this charter shall appoint a manager, within three months after the effective date of this charter.

24. Qualifications. The manager shall be chosen solely on the basis of his executive and administrative qualifications but he need not be a resident of the city or state at the time of his appointment. During his tenure of office, he shall reside within the city. No person who has within two years been elected by popular vote to any office in the city of Portsmouth, in Rockingham county, or in the state of New Hampshire shall be chosen manager.

25. Removal. The manager may be removed by a majority vote of the members of the council as herein provided. At least thirty days before the proposed removal of the manager, the council shall adopt a resolution stating its intention to remove him and the reasons therefor, a copy of which shall be served forthwith on the manager who may, within ten days, demand a public hearing in which event the manager shall not be removed until such public hearing has been held. Upon

or after passage of such a resolution the council may suspend him from duty, but his pay shall continue until his removal. In case of such a suspension the council may appoint an acting manager to serve at the pleasure of the council for not more than ninety days. The action of the council in removing the manager shall be final.

26. Non-Interference by the Council. Neither the council nor any of its members shall direct or request the appointment of any person to office or employment, or his removal therefrom, by the manager or any of the administrative officers. Neither the council nor any member thereof shall give orders to any of the administrative officers either publicly or privately. Any violation of the provisions of this section by a councilman shall be a misdemeanor, conviction of which shall constitute immediate forfeiture of his office.

27. Powers and Duties of Manager. The city manager shall be the chief executive and administrative officer of the city government, and carry out the policies laid down by the city council. He shall be responsible to the city council for the proper administration of all affairs of the city except the school department and police department, but including the preservation of the public health, the safety of property and management of all municipally owned utilities and be in responsible charge of the maintenance, care, construction or otherwise of all streets, highways, bridges, sewers, parks, playgrounds, buildings and all other municipally owned structures of whatever nature, not specifically by statute allotted to the board of education. He shall keep the council informed of the condition and needs of the city and shall make such reports as may be required by law, this charter, or ordinance, or may be requested by the council, and such other reports and recommendations as he may deem advisable, and perform such other duties as may be prescribed by this charter, or required of him by ordinance or resolution of the council not inconsistent with this charter. He shall have and perform such other powers and duties not inconsistent with the provisions of this charter as now are or hereafter may be conferred or imposed upon him by municipal ordinance or upon mayors of cities by general law. He shall have the right to take part in the discussion of all matters coming before the council, but not the right to vote.

28. Power to Appoint and Remove. The manager shall

have the power to appoint and remove, subject to the provisions of this charter, all officers and employees in the administrative service of the city; but the manager may authorize the head of a department or office responsible to him to appoint and remove subordinates in such department office. All such appointments shall be without definite term unless for provisional, temporary, or emergency service not to exceed the maximum periods which may be prescribed by the rules and regulations of the merit plan.

29. Certain Officers. The manager shall appoint a city clerk, treasurer, assessor or assessors as determined from time to time by the city council, collector, fire chief, health officer, and such other officers as he deems necessary to administer all departments which the council shall establish, which departments shall replace all existing departments, boards and commissions, except as herein specifically excepted. The duties of any two or more such officers may be combined in one officer. The powers and duties of these officers and heads of departments so appointed shall include those prescribed by state law, by this charter or by ordinance.

30. Administrative Departments. The first manager under this charter shall draft and submit to the council within six months after assuming office an ordinance dividing the administrative service of the city into departments, divisions and bureaus and defining the functions and duties of each. After the adoption of that ordinance, upon recommendation of the manager, the council by ordinance may create, or abolish, departments, divisions, and bureaus of the city and define or alter their functions and duties. Such ordinances shall be known as the "Administrative Code." Each officer shall have supervision and control of his department and the employees therein and shall have power to prescribe rules and regulations, not inconsistent with general law, this charter, the administrative code, and the rules and regulations of the merit plan. Pending passage of such code the manager may establish temporary regulations.

31. Purchasing Procedure. The administrative code shall establish purchasing and contract procedure including the assignment of all responsibility for purchases to a single person, the combination of purchasing of similar articles for different departments and purchasing by competitive bids whenever practical.

32. Municipal Year. The first week day of January shall be the beginning of the municipal year.

33. Financial Control. The city council shall appoint one officer to be known as the city auditor who shall maintain accounting control over the finances of the city, make financial reports and perform such other duties as may be required by the city council. No bill against the city shall be approved by the city manager until the city auditor has audited and approved the same and certified that said bill was lawfully contracted, that the prices charged for all goods and materials are reasonable, that the goods or materials were actually received by the city and that said bill is in favor of a person legally entitled to receive payment for the same. The city auditor shall be the chief accounting officer of the city and the accounting system of every department of the city shall meet his requirements. No person, when authorized, shall order any goods or materials except upon orders or requisitions approved by the city auditor.

34. False Audit, Penalty. If that officer shall knowingly make any false certification in any case provided for in section 33 or approve any bill when the appropriation for which the same should be paid is exhausted, he shall be fined not exceeding two hundred dollars or imprisoned not exceeding six months, or both.

35. Unauthorized Payment; Penalty. If the disbursing officer of the city shall pay out any money from the city treasury except on order of the city manager after approval by the auditor, he shall be fined not exceeding two hundred dollars or imprisoned not exceeding six months, or both, and shall be personally bound to refund to the city any sum so paid.

36. Budget Procedure. At such time as may be requested by the manager or specified by the administrative code, each officer or director of a department shall submit an itemized estimate of expenditures for the next fiscal year for the departments or activities under his control. The manager shall submit the proposed budget to the council at least one month before the start of the fiscal year of the budget.

37. Budget Hearing. A public hearing on the budget shall be held before its final adoption by the council, at such time and place as the council shall direct, and notice of such public hearing together with a copy of the budget as submitted shall be published at least one week in advance by the city clerk.

38. Date of Final Adoption. The budget shall be finally adopted not later than the twenty-seventh day of the second month of the fiscal year. Should the council take no final action on or prior to such day, the budget as submitted, shall be deemed to have been finally adopted by the council. This section shall not apply to the first fiscal year after this charter takes effect.

39. Appropriations After Budget is Adopted. No appropriation shall be made for any purpose not included in the annual budget as adopted unless voted by two-thirds majority of the council after a public hearing held to discuss said appropriation. The council shall by resolution designate the source of any money so appropriated.

40. Budget Control. At the beginning of each quarterly period during the fiscal year and more often if required by the council, the manager shall submit to the council data showing the relation between the estimated and actual income and expenses to date; and if it shall appear that the income is less than anticipated the council or manager may reduce the appropriation, for any item or items, except amounts required for debt and interest charges, to such a degree as may be necessary to keep expenditures within the cash income. The manager may provide for monthly or quarterly allotments of appropriations to departments, funds, or agencies under such rules as he shall prescribe.

41. Transfer of Appropriations. After the budget has been adopted, no money shall be drawn from the treasury of the city, nor shall any obligation for the expenditure of money be incurred, except pursuant to a budget appropriation unless there shall be a specific additional appropriation therefor. The head of any department, with the approval of the manager, may transfer any unencumbered balance or any portion thereof from one fund or agency within his department to another fund or agency within his department; the manager, with the approval of the council, may transfer any unencumbered appropriation balance or any portion thereof from one department to another.

42. Depository. The council shall designate the depository or depositories for city funds, and shall provide for the daily deposit of all city moneys. The council may provide for such security for city deposits as it may deem necessary, except that personal surety bonds shall not be deemed proper security.

43. Independent Audit. An independent audit shall be made of all accounts of the city government at least annually and more frequently if deemed necessary by the council. Such audit shall be made by public accountants experienced in municipal accounting. An abstract of the results of such audit shall be made public. An annual report of the city's business shall be printed and made available.

44. Official Bonds. Any city officer elected or appointed by authority of this charter may be required by the manager to give a bond to be approved by the city solicitor for the faithful performance of the duties of his office, but all officers receiving or disbursing city funds shall be so bonded. All official bonds shall be corporate surety bonds, and the premiums thereon shall be paid by the city. Such bonds shall be filed with the city clerk.

45. Borrowing Procedure. Subject to the applicable provisions of state law and the rules and regulations provided by ordinance in the administrative code, the council, by resolution, may authorize the borrowing of money for any purpose within the scope of the powers vested in the city and the issuance of bonds of the city or other evidence of indebtedness therefor, and may pledge the full faith, credit, and resources of the city for the payment of the obligation created thereby. Borrowing for a term exceeding one year shall be authorized by the council only after a duly advertised public hearing. Provided, however, that the council shall not borrow for a time longer than the certified life of any improvement or equipment for which said money is borrowed, and said certification of the life of said equipment or improvement shall be made by the council by vote and incorporated in and be part of the statement of the purpose of such loan. In no event shall the term of such bonds exceed the limitations imposed by state law.

46. Appointments. Appointments and promotions to all positions in the service of the city shall be made solely on the basis of merit and only after examination of the applicants' fitness. So far as practicable examination shall be competitive.

47. Rules and Regulations. The first manager under this charter shall draft and submit to the council within three months after assuming office a set of rules and regulations, which shall become effective one month after its submission

unless vetoed by the council within that period, providing for the establishment of a merit system of personnel administration and for the implementation of such portions of that system as are prescribed by this charter. The rules and regulations shall include provisions with regard to classification, compensation, selection, training, promotion, discipline, vacations, retirement, and any other matters necessary to the maintenance of efficient service and the improvement of working conditions. The rules and regulations shall continue in force subject to amendments submitted from time to time by the manager which shall become effective one month after their submission unless vetoed by the council within that period. Until the first set of such rules and regulations become effective, the manager may establish temporary rules and regulations.

48. Compensation. The compensation of all officers and employees not fixed by this charter shall be fixed in the rules and regulations of the merit plan by a schedule of pay which shall include a minimum and maximum and such intermediate rates as may be deemed desirable for each class of position provided for in said rules and regulations and which shall be enacted in the form of an ordinance as provided in sections 21 and 22. In increasing or decreasing items in the city budget, the council shall not increase or decrease any individual salary item but shall act solely with respect to total salaries in the various departments of the city.

49. Personnel Advisory Board. There is hereby established a personnel advisory board of three citizens holding no other political office and appointed, one member by the manager, one by the council, and the third by these two appointees. In the first instance only, the member appointed by the manager shall serve for one year, the member appointed by the council for two years, and the third member for three years, in each case beginning on the effective date of this charter; the term of all succeeding members shall be for three years beginning on the expiration of the term each succeeds. It shall be the duty of the personnel advisory board to study the broad problems of personnel policy and administration, to advise the council concerning the personnel policies of the city and the manager regarding the administration of the merit plan and retirement system, and to hear appeals of any employee aggrieved as to the status or condition of his

employment or retirement. The board shall issue written reports containing findings of facts and recommendations to the manager upon such appeals but the board shall have no power to reinstate an employee unless it finds, after investigation, that disciplinary action was taken against the employee for religious, racial, or political reasons.

50. Certification of Compensation. No compensation shall be paid without certification by the manager, or such officer as he may direct, that the recipients are employed by the city and that their rates of compensation comply with the pay schedule provided for in section 48. If such officer approves payments not in conformity therewith, he and his surety shall be liable for the amount of such payments.

51. Tax Payers Remedy. A tax payer may maintain a civil action to restrain payment of compensation to persons unlawfully appointed or employed or to recover for the city any sums paid contrary to the provisions of this charter.

52. Politics. No person holding a position, other than councilman, or call fireman, in the service of the city, shall continue in such position after becoming a candidate for nomination or election to any public office, nor shall such person make any contribution to the campaign funds of any political party or any candidate for public office or take any part in the management, affairs, or political campaign of any political party, further than in the exercise of his rights as a citizen to express his opinion and to cast his vote. Whoever violates any provision of this section shall be punished by a fine of not more than fifty dollars and upon final conviction thereof his office or position in the service of the city shall be vacated and he shall never again be eligible for any office or position, elective or otherwise, in the service of the city.

53. Employees When Charter Adopted. No employee of the city at the time this charter is adopted shall be required to take any examination in order to continue within the employment of the city. All other provisions of the merit plan will apply to such employees.

54. Retirements. The rules and regulations of the merit plan may establish a system for the retirement of any city employee who shall have attained an age or condition of health which warrants retirement from further service. Any such plan shall provide payments to retired employees only

as additional compensation for services rendered after the inauguration of such a plan and before retirement.

55. Oath of Office. Every person elected or appointed to any city office before entering upon the duties of his office shall take and subscribe to an oath of office as provided by law which shall be filed and kept in the office of the city clerk.

56. Notice of Election or Appointment. Written notice of election or appointment of any city officer shall be mailed to him at his address by the city clerk within forty-eight hours after the appointment is made or the vote canvassed. If within ten days from the date of the notice, such officer shall not take, subscribe to, and file with the city clerk an oath of office, such neglect shall be deemed a refusal to serve and the office shall thereupon be deemed vacant, unless the council shall extend the time in which such officer may qualify.

57. Vacancy Defined. In addition to other provisions of this charter, a vacancy shall be deemed to exist in any office when an officer dies, resigns, is removed from office, is convicted of a felony, or is judicially declared to be mentally incompetent.

58. Official Interest in Contracts. No elective or appointive officer or employee of the city shall take part in a decision concerning the business of the city in which he has a financial interest aside from his salary as such officer or employee, direct or indirect, greater than any other citizen or tax payer.

59. Private Use of Public Property. No officer or employee shall devote any city property or labor to private use except as may be provided by law or ordinance.

60. Use of Streets by Public Utilities. Every public utility shall pay such part of the cost of improvement or maintenance of streets, alleys, bridges, and public places as shall arise from its use thereof, and shall protect and save the city harmless from all damages arising from said use.

61. Liability for Discharge. The removal in accordance with this charter, with or without cause, of a person elected or appointed or otherwise chosen for a fixed term shall give no right of action for breach of contract.

62. Notice of Claim. No action at law or bill in equity shall be sustained against the city unless a notice setting forth the nature and amount, if any, of the claim shall have been delivered or sent by registered mail to the office of the city

clerk not less than sixty days prior to the commencement of said action at law or bill in equity.

63. Municipal Court. The municipal court of the city as at present constituted is hereby continued.

64. Violations. All violations of provisions of this charter unless otherwise provided are hereby declared to be misdemeanors and all such violations and violations of city ordinances for which no other punishment is provided shall be punishable by a fine not exceed five hundred dollars or imprisonment for a period not exceeding ninety days, or both, in the discretion of the court.

65. Public Records. All books of account, in relation to the receipt, holding or disbursement of money of the city kept by any official of the city, shall be paid for by the city, shall remain the property of the city, and shall be turned over to the city clerk whenever the keeper of the books of account retires from office. All books pertaining to city affairs kept by the city manager, city clerk, or any other elective or appointive officer of the city shall be kept in the city buildings in their proper places and shall not be removed therefrom without an order of court or a vote of the city council first had and obtained. All books and accounts of any official of the city and all records of the city council and any committee thereof shall at all times in business hours be open to the inspection of any citizen of the city.

66. Excessive Expenditures; Penalty. If any officer, board or commission or member thereof, of said city, excepting the board of police commissioners, having authority to make contracts or expend money in behalf of the city shall, by making any contract, purchasing any goods or employing any labor, or otherwise, undertake to make the city liable for any amount in excess of the funds available therefor from income or appropriation, said officer, board, or commission, or member thereof, shall be removed from office by the city council after due hearing.

67. Trust Funds. Trust funds of the city of Portsmouth shall continue to be kept separate and apart from all other funds and shall remain in the hands of the trustees of trust funds, one of whom shall be appointed by the mayor each year for a term of three years. Said trustees shall invest such funds in securities legal for investment by mutual savings banks of this state.

68. Saving Clause. So much of the previous charter of the city of Portsmouth and of laws passed in amendment thereof as is now in force relative to its water works and sewers are continued in force, the powers thereby given to said city of Portsmouth or any board or commission thereof are hereby vested in said city council in the same manner as though they were originally so written. All special legislation relating to registration and elections, the jurisdiction of the municipal health officer over the harbor, harbor master, police retirement, municipal court, schools and school department, and the borrowing of money for various purposes is hereby continued in force, with the exception of provisions inconsistent with this charter; but all special legislation relative to the government of the city, not herein expressly saved, is hereby repealed. All general laws relative to the government of cities shall remain in force in the city so far as the same can be applied consistently with the interests and purposes of this charter, but shall be deemed superseded as to this city so far as inconsistent herewith.

69. Saving Clause Municipal Legislation. All ordinances and by-laws of the city or its city council shall continue in force until altered or repealed, except where a contrary intent herein appears.

70. Tenure of Office. The incumbents when this charter takes effect, who are not elected by popular vote, of all municipal offices not hereby abolished or superseded shall continue to hold the same until the expiration of their respective terms where a term of years exists, or until such offices are abolished or superseded by lawful ordinances.

71. Referendum. This charter shall not take effect unless it is adopted by a majority of all voters voting at the municipal election to be held in the city of Portsmouth on November 4, 1947. On the ballot used in said election the following question shall appear at the bottom of said ballot, "Shall the provisions of an act entitled 'An Act to amend the charter of the city of Portsmouth' for the establishment of a city manager form of government be adopted?" Beneath the question shall be printed the word "Yes" and the word "No" with a square immediately opposite each word, and the voter may indicate his choice by making a cross in the appropriate square. If a majority of all voters voting at the said municipal election to be held in the city of Portsmouth on November 4,

1947, shall vote "Yes" upon said question, this act shall be declared to have been adopted.

72. Repeal or Amendment. No section or provision of this charter may be repealed or amended unless the act making such repeal or amendment refers specifically to this charter and to the sections or provisions so repealed.

73. Separability. The sections of this charter and the parts thereof are separable. If any portion of this charter, or the application thereof to any person or circumstance, shall be held invalid, the remainder thereof or the application of such invalid portions to other persons or circumstances shall not be affected thereby.

74. Takes Effect. Section 71 of this act shall take effect upon its passage, and if this act is adopted at the municipal election to be held November 4, 1947, as provided in said section 71, then the election of officers on November 4, 1947, shall be nullified and a special election shall be held on December 9, 1947, for the election of nine councilmen and six members of the board of education who shall take office on the first week day of January following their election. Said special election on December 9, 1947, shall be conducted in the same manner as prescribed in sections 4, 5, 6, 7, 8, 9, 10, 11, 12 and 14 of this act. The remainder of this act, other than section 71, shall take effect as follows: So much as relates to the preliminaries for and the holding and conduct of the first municipal election on December 9, 1947, shall take effect immediately upon adoption. For all other purposes this charter shall take effect on January 1, 1948.

[Approved July 1, 1947.]

CHAPTER 399.

AN ACT AUTHORIZING THE TOWN OF HAMPTON TO ISSUE SERIAL BONDS OR NOTES.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Hampton. The town of Hampton is hereby authorized to incur indebtedness in an amount not exceeding two hundred thousand dollars for the purpose of constructing such sewer-

age system and/or sewerage disposal plant as it may deem necessary. Any serial bonds or notes issued in accordance with the provisions hereof shall be due and payable at such times, not more than thirty years from their date of issue, in such manner and with such provisions as the selectmen may determine. Said borrowing shall be in accordance with chapter 72 of the Revised Laws of 1942, or any amendments thereto, except as hereinbefore stated, but in ascertaining and fixing the net debt of the town of Hampton under the provisions of said chapter 72, all indebtedness incurred under the authority of this act shall be deducted.

2. **Premiums.** Any premium received upon such bonds or notes, less the cost of preparing, issuing and marketing them, shall be applied to the payment of the principal of the first bonds or notes so to mature, and the contributions from other sources for the payment of said bonds or notes shall be reduced correspondingly.

3. **Takes Effect.** This act shall take effect upon its passage.

[Approved July 1, 1947.]

CHAPTER 400.

AN ACT TO ESTABLISH A FINANCE COMMISSION IN THE CITY OF PORTSMOUTH.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. **Finance Commission.** Within thirty days after the passage of this act, the governor, with the advice and consent of the council, shall appoint a finance commission for the city of Portsmouth to consist of three persons, inhabitants of and qualified voters in the city of Portsmouth, who shall have been such for at least three years prior to the date of their appointment. One commissioner shall be appointed to serve until January 1, 1949; one to serve until January 1, 1950; and one to serve until January 1, 1951, and thereafter as the terms of office expire in each year, one member for a term of three years. Vacancies in the commission shall be filled for the unexpired term by the governor, with the advice

and consent of the council. The governor and council may remove any member of the board for inefficiency, neglect of duty or malfeasance in office after a hearing with reasonable notice in writing of the charges against him. The chairman shall be designated by the governor. No more than two of said commissioners shall be of the same political party.

2. Duties. It shall be the duty of the finance commission to make an immediate investigation of the financial condition of the city of Portsmouth and all its departments, such investigation to include an audit of the city accounts. This investigation and audit shall be instituted within thirty days of the appointment of this commission. Thereafter it shall be the duty of the finance commission from time to time to investigate any and all matters relating to appropriations, loans, expenditures, accounts and methods of administration affecting the city of Portsmouth or any department thereof as may appear necessary and to make an annual audit and report thereon to the mayor and city council and to make the same public.

3. Witnesses. For the purpose of enabling the said commission to perform the duties and carry out the objects herein contemplated and to enable the mayor and city council to receive the reports and findings of said commission as a basis for such laws, ordinances or administrative orders as may be deemed necessary, justices of the peace and all other magistrates empowered to issue subpoenas and compel the attendance of witnesses in the courts of this state shall have the same power to compel attendance and the production of evidence in any proceeding before the finance commission. Witnesses summoned to appear before the finance commission shall receive the same fees for travel and attendance as if summoned to appear before and in attendance upon the superior court and witnesses, refusing or neglecting to appear or refusing to testify, may be compelled to do so as provided by law.

4. Disapproval of Appropriations. The finance commission shall have the right to disapprove or reduce in amount, any item of any appropriation or any portion of the amount of any proposed loan or indebtedness, and the finance commission in case it shall disapprove the whole or any part of any resolution or vote of the mayor and city council to raise or appropriate money by taxation or otherwise shall exercise its

power of veto thereof within ten days after the resolution or vote shall have been presented to it; otherwise, such resolution or vote shall become effective and binding.

5. Approval of Bonds. No bonds, notes, certificates or other evidences of indebtedness shall be issued, executed or delivered to bind said city of Portsmouth until the same have been approved by said commission. The vote of approval by said commission shall be filed in the office of the city clerk. This section shall apply to bonds, notes, certificates or evidences of indebtedness now authorized but not yet issued by said city.

6. Control over Expenditures. The finance commission shall have general supervision and control over the expenditure of all money appropriated by said city and shall make such rules and regulations to govern purchases, sales, payments, fixing of salaries and wages, the letting of contracts by all city departments, committees, boards, trustees, officials or agents as they may deem necessary to insure economy and efficiency.

7. Salaries. The chairman of said commission shall receive an annual salary of fifteen hundred dollars and the other members shall receive an annual salary of one thousand dollars each, to be paid by said city in equal monthly payments; and the commission further is authorized to employ such clerks as may be necessary and to fix their compensation and to incur such expense in conducting its investigations as it may deem necessary, the compensation of such clerks and the expense of said investigations being a charge against said city of Portsmouth which shall appropriate funds to pay therefor.

8. Takes Effect. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon approval by a majority vote of the legal voters present and voting at the next regular city election or any special election held prior thereto in the city of Portsmouth after its passage.

[Approved July 1, 1947.]

CHAPTER 401.**AN ACT RELATIVE TO THE SALARIES OF THE MAYOR AND ALDERMEN OF THE CITY OF CONCORD.**

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Mayor and Aldermen of Concord. Amend section 51 of chapter 305, Laws of 1909 as amended by chapter 327, Laws of 1913 and by chapter 257, Laws of 1919 by striking out said section and inserting in place thereof the following: Sect. 51. The salary of the mayor shall be the two thousand dollars per annum, payable monthly. The salary of each alderman who is a member of the board of public works shall be three hundred dollars per annum, and the salary of each alderman not a member of the latter board one hundred fifty dollars per annum. Each alderman who is a member of the committee on accounts and claims shall receive the sum of ten dollars additional. The salaries of the aldermen shall be payable at the end of each financial year. There shall be deducted from the salary of each alderman the sum of three dollars for each regular or special meeting of the board of aldermen, and, if a member of the board of public works for each regular or special meeting of the latter board, which the record of the city clerk shall show he failed to attend; except that a member of either board may be excused for unavoidable nonattendance at any of its meetings, by vote of a majority of the members thereof, and no deductions shall be made on account of such nonattendance if such excuse is voted. But engagements of a business or social nature shall not constitute a ground for such excuse. Unless otherwise provided by this act or by other statutes not hereby repealed or superseded, the compensation or services of all other city and ward officers, except appointees and employees of the board of public works may be fixed by ordinance or determined in such manner as the city ordinances may prescribe.

2. Takes Effect. This act shall take effect as of January 1, 1948.

[Approved July 1, 1947.]

CHAPTER 402.

AN ACT AMENDING THE CHARTER OF THE CITY OF DOVER.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Wentworth Hospital and Dover City Hospital Trustees. Amend section 42 of chapter 329, Laws of 1929, being the charter of the city of Dover by striking out said section and inserting in place thereof the following: **42. Wentworth Hospital and Dover City Hospital Trustees.** I. The city of Dover is hereby authorized to do and perform any and all acts necessary to maintain the Wentworth hospital agreeably to the terms and conditions imposed in the deed of trust creating such hospital, and the elective members of the board of trustees of said hospital as now created, shall continue in service for the full term for which they were severally elected, and hereafter in the month of March, annually, the board of mayor and aldermen shall upon nominations duly submitted by the mayor elect one citizen of said city to be a member of said board of hospital trustees who shall hold office for the full term of five years from the date of his said election, and until his successor is elected and qualified, unless sooner removed. If a vacancy occurs the mayor and aldermen shall, upon nomination as aforesaid, elect some person to fill said vacancy for the residue of said term. Said mayor and aldermen may remove any member of said board of hospital trustees at any time for cause, upon charges duly filed with the clerk of said city and upon a full hearing thereon; provided, however, that no member of said board shall be removed except upon the affirmative vote of two-thirds of all the members of said board of mayor and aldermen, voting by yea and nay, and at no time shall all the members of said board be of the same political party. The mayor and president of the common council shall be, *ex-officio*, members of said board, with all the rights and privileges of their associates on the board.

II. The city of Dover is also hereby authorized to construct and do and perform any and all acts necessary to establish and maintain a Dover city hospital. The board of trustees of said Dover city hospital shall consist of the members of the board of trustees of the Wentworth hospital and shall be

elected and hold office as provided in the preceding paragraph.

2. Repeal. All acts and parts of acts inconsistent with this act are hereby repealed.

3. Takes Effect. This act shall take effect upon its passage.

[Approved July 1, 1947.]

THE STATE OF NEW HAMPSHIRE

Office of Secretary of State.

Concord, July 12, 1947.

I hereby certify that the acts and resolutions and changes of names contained in this volume have been compared with the originals in this office and found to be correctly printed.

ENOCH D. FULLER,
Secretary of State.

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Prepared by
ELIOT U. WYMAN

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