

ACTS, 1982. - Chap. 125, 126.

Be it enacted, etc., as follows:

Section 27A of chapter 111 of the General Laws, as most recently amended by chapter 145 of the acts of 1963, is hereby further amended by striking out the eighth sentence and inserting in place thereof the following sentence: - A member town of a regional health district formed pursuant to this section may withdraw by majority vote taken at the annual town meeting of such member town, and said vote to withdraw shall become effective on the last day of the next fiscal year.

Approved June 3, 1982.

Chap. 125. AN ACT VALIDATING THE ACTS AND PROCEEDINGS TAKEN BY THE TOWN OF MILLIS AT THE ANNUAL ELECTION AND TOWN MEETING HELD IN THE YEAR NINETEEN HUNDRED AND EIGHTY-TWO.

Be it enacted, etc., as follows:

SECTION 1. All acts and proceedings of the town of Millis at the annual election and town meeting held in the year nineteen hundred and eighty-two and at all adjourned sessions thereof, and all acts done in pursuance thereof, are hereby ratified, validated, and confirmed, notwithstanding the failure of said town to comply with the law relative to the posting of the warrant for said meeting and election.

SECTION 2. This act shall take effect May third, nineteen hundred and eighty-two.

Approved June 3, 1982.

Chap. 126. AN ACT RELATIVE TO CERTAIN FEES PAID TO THE TOWN CLERK OF ROWLEY.

Be it enacted, etc., as follows:

SECTION 1. The town clerk of the town of Rowley shall, commencing on July first, nineteen hundred and eighty-two and on the first Monday of each month thereafter, pay over to the treasurer of the town of Rowley that part of the dog license funds formerly retained by such clerk under the provisions of

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section one hundred and forty-seven of chapter one hundred and forty of the General Laws, and that part of the fish and game license funds formerly retained by such clerk under the provisions of section seventeen of chapter one hundred and thirty-one of the General Laws; provided that the town clerk's salary, to be effective July first, nineteen hundred and eighty-two, shall, in addition to any general salary increase voted from time to time for elected officials, include an amount equal to the fees retained under said section one hundred and forty-seven of said chapter one hundred and forty and said section seventeen of said chapter one hundred and thirty-one, during the fiscal year July first, nineteen hundred and eighty-one through June thirtieth, nineteen hundred and eighty-two.

SECTION 2. Money paid over to the treasurer of the town of Rowley under section one shall become part of the estimated receipts of the town of Rowley.

SECTION 3. This act shall take effect upon its acceptance by the town of Rowley.

Approved June 3, 1982.

Chap. 127. AN ACT RELATIVE TO THE PROCEEDINGS FOR THE FORECLOSURE OF MORTGAGES UNDER THE SOLDIERS' AND SAILORS' CIVIL RELIEF ACT.

Be it enacted, etc., as follows:

Section 1 of chapter 57 of the acts of 1943 is hereby amended by striking out the last paragraph, added by section 2 of chapter 105 of the acts of 1959, and inserting in place thereof the following paragraph: -

In proceedings under this section, no person who is not a record owner of the equity of redemption in the mortgaged property and who is not entitled to the benefit of the Soldiers' and Sailors' Civil Relief Act, 50 USC Sections 510 to 591, inclusive, with respect to the mortgage, trust, deed or other security described in the bill, whether named as a defendant in the bill or not, shall be entitled to appear or be heard in such proceeding, except on behalf of a person so entitled, or unless an affidavit by the claimant, or a certificate by counsel appearing for him, stating that he is in the service and thus entitled to the benefits of said act, is filed with the appearances. Such proceedings shall be limited to the issues of the existence of

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such persons and their rights, if any.

Approved June 3, 1982.

Chap. 128. AN ACT PROVIDING FOR A COUNTY VETERANS' AGENT IN THE COUNTY OF DUKES COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section three of chapter one hundred and fifteen of the General Laws or of any other provision of law to the contrary, the county of Dukes County is hereby authorized to establish the position of county veterans' agent. The county commissioners of said county shall appoint said county veterans' agent, with the advice of the Dukes County Selectmen's Association; provided, however, that the position shall have been advertised in a newspaper published in said county at least seven days before the date the appointment is made. Said county commissioners shall fix the compensation, determine the expenses of and may remove the county veterans' agent, and shall determine if the position shall be a full or part-time position. The county veterans' agent shall serve as veterans' agent for the several towns within the county of Dukes County. He shall meet the qualifications of and shall have all the powers and duties of a veterans' agent appointed under the provisions of said section three of said chapter one hundred and fifteen. His office shall be maintained in a county owned facility. The administrative costs of the county veterans' agent shall be paid by the county and apportioned among the towns of said county on the basis of the county tax formula. Expenditures for veterans' benefits to veterans and their dependents shall be made by the town in which the veteran or dependent resides.

SECTION 2. The position of veterans' agent in the several towns in the county of Dukes County shall terminate upon the appointment of a county veterans' agent as provided for in section one.

Approved June 3, 1982.

Chap. 129. AN ACT RELATIVE TO MEMBERSHIP ON THE GOVERNING COMMITTEE OF THE MASSACHUSETTS MOTOR VEHICLE REINSURANCE FACILITY.

ACTS, 1982. - Chap. 130.

Be it enacted, etc., as follows:

The first paragraph of section 113H of chapter 175 of the General Laws, as appearing in section 3 of chapter 365 of the acts of 1977, is hereby amended by inserting after the third sentence the following two sentences: - Effective July first, nineteen hundred and eighty-two such governing committee shall consist of three members from insurance companies participating in the plan and two members from associations of insurance producers appointed for terms of six years, two members from insurance companies participating in the plan and two members from associations of insurance producers appointed for terms of two years. The governing committee shall be responsible for the hiring of the employees of the plan.

Approved June 3, 1982.

Chap. 130. AN ACT INCREASING THE PENALTIES FOR ILLEGAL DUMPING OF TRASH, REFUSE OR RUBBISH.

Be it enacted, etc., as follows:

SECTION 1. Section 16 of chapter 270 of the General Laws is hereby amended by striking out the first paragraph, as amended by chapter 105 of the acts of 1979, and inserting in place thereof the following paragraph: -

Whoever places, throws, deposits, discharges or causes to be placed, thrown, deposited or discharged, any trash, bottles or cans, refuse, rubbish, garbage, debris, scrap, waste or any other material of any kind on a public highway or within twenty yards thereof, or on any other public land, or in or upon coastal or inland waters, as defined in section one of chapter one hundred and thirty-one, respectively, or within twenty yards of any such water, or on property of another, shall be punished by a fine of not more than two hundred dollars for the first offense and not more than one thousand dollars for each subsequent offense, and the court may require, in addition thereto, that such person remove, at his own expense, such trash, refuse, rubbish, debris or materials. The permission of the owner of land to place, throw, deposit or discharge such trash, refuse, rubbish, garbage, debris, scrap, waste or any other material of any kind on such owner's land shall constitute a defense in any trial for such offense.

SECTION 2. The last sentence of said section 16 of said