

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, BOSTON, May 28, 1937.

Honorable FREDERIC W. COOK, *Secretary of the Commonwealth,
State House.*

SIR: — I, Charles F. Hurley, by virtue of and in accordance with the provisions of the Forty-eighth Amendment to the Constitution, "The Referendum II, Emergency Measures" do declare that in my opinion, the immediate preservation of the public peace, health, safety and convenience requires that the law passed on the twenty-eighth day of May, in the year nineteen hundred and thirty-seven, entitled "An Act repealing the Law providing for Party Primaries and Pre-Primary Conventions of Political Parties, and Reviving and Continuing in Force Certain Other Laws" should take effect forthwith, that it is an emergency law, and that the facts constituting the emergency are as follows:

Because its delayed operation to the date set forth in the Act will result in inconvenience to the public and to State, City and Town officials, acting on behalf of the public who in the process of their deliberations on and framing of their annual budgets must be certain as to the financial requirements for each budget item involving public expenditures for governmental activities.

Very truly yours,
CHARLES F. HURLEY,
Governor.

OFFICE OF THE SECRETARY, BOSTON, May 28, 1937.

I hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at five o'clock and nineteen minutes P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter three hundred and eighty-four, acts of nineteen hundred and thirty-seven.

F. W. COOK,
Secretary of the Commonwealth.

AN ACT PROVIDING FOR CERTAIN AMENDMENTS IN THE LAWS REGULATING THE OCCUPATION OF HAIRDRESSING, AND LIMITING THE TIME WITHIN WHICH CERTAIN ACTIONS AGAINST REGISTERED HAIRDRESSERS AND CERTAIN OPERATORS AND REGISTERED SHOPS MAY BE COMMENCED. *Chap. 385*

Be it enacted, etc., as follows:

SECTION 1. Section forty-three of chapter thirteen of the General Laws, inserted by section one of chapter four hundred and twenty-eight of the acts of nineteen hundred and thirty-five, is hereby amended by adding at the end the following: — ; provided, that inspectors or investigators

G. L. (Ter. Ed.), 13, § 43, etc., amended.

Chairman,
etc., powers
of board.

appointed by the board shall be registered hairdressers, — so as to read as follows: — *Section 43.* The board shall hold regular meetings at the state house on the second Tuesday of January, May and October in each year, and such additional meetings at such times and places as it may determine. At the regular meeting in January it shall annually organize by the choice of a chairman and a secretary who shall be members of the board. Before entering upon the discharge of the duties of his office, the secretary shall give to the state treasurer a bond, in such amount and with such sureties as shall be approved by the governor and council, upon the recommendation of the board, conditioned upon the faithful discharge of his duties. Such bond, with the approval of the governor and council and with the oath of office endorsed thereon, shall be filed in the office of the state secretary. The board shall have a common seal, and the members thereof may administer oaths. The board may appoint such agents and employees as the work of the board may require; provided, that inspectors or investigators appointed by the board shall be registered hairdressers.

G. L. (Ter.
Ed.), 112,
§ 87U, etc.,
amended.

SECTION 2. Section eighty-seven U of chapter one hundred and twelve of the General Laws, inserted by section two of said chapter four hundred and twenty-eight, is hereby amended by striking out the last sentence and inserting in place thereof the following: — A school or shop shall not pay a student for any services rendered by him. The board shall make such reasonable rules and regulations as may be necessary to insure a proper course of training for apprentices in shops, — so as to read as follows: — *Section 87U.* All students enrolled in registered schools and all apprentices employed or studying in registered shops shall, within fifteen days after entering upon their courses of study, be registered with the board by such schools or shops. Students at registered schools and apprentices at registered shops may, within such fifteen day period, register with the board. No fee shall be required for such registration. No student or apprentice shall practice hairdressing or manicuring upon any paying customer, except to assist a registered hairdresser or operator who is working on such customer. A school or shop shall not pay a student for any services rendered by him. The board shall make such reasonable rules and regulations as may be necessary to insure a proper course of training for apprentices in shops.

Students to
be registered.

G. L. (Ter.
Ed.), 112,
§ 87V, etc.,
amended.

SECTION 3. Section eighty-seven V of said chapter one hundred and twelve, as so inserted, is hereby amended by adding at the end the following: — Any person making application for examination hereunder may be allowed to practice as an operator until the next examination by the board, and the board may grant, without charge, a permit authorizing him to practice as such operator until such next examination, and the board may extend such permit until a subsequent examination by the board, — so as to read as follows: — *Section 87V.* Any registered student who has

Examination
of operators,

completed a course of at least six months, including at least one thousand hours of professional training, in a school approved by the board, and any registered apprentice who in the opinion of the board has received the equivalent of such a course, if such registrant after application accompanied by an examination fee of five dollars for a first examination or three dollars for a second or subsequent examination, passes an examination satisfactory to the board, may be registered by the board as an operator, and as such may practice hairdressing for compensation under the supervision of a registered hairdresser during the period of such original registration, and thereafter, upon payment annually of a renewal fee of two dollars. Any person making application for examination hereunder may be allowed to practice as an operator until the next examination by the board, and the board may grant, without charge, a permit authorizing him to practice as such operator until such next examination, and the board may extend such permit until a subsequent examination by the board.

fee, registration.

SECTION 4. Section eighty-seven W of said chapter one hundred and twelve, as so inserted, is hereby amended by inserting after the word "hairdressing" in the seventh line the words:— in a registered shop, — so as to read as follows:— *Section 87W.* Any operator who has had not less than six months practical experience as such, and who, after application accompanied by an examination fee of ten dollars for a first examination or five dollars for a second or subsequent examination, passes a practical examination satisfactory to the board, may be registered by the board as a hairdresser, and thereafter may practice hairdressing in a registered shop for compensation and may supervise operators, without additional payment for the period during which such person was originally registered as an operator, and thereafter upon payment annually of a hairdresser's renewal fee of two dollars.

G. L. (Ter. Ed.), 112, § 87W, etc., amended.

Registration of hairdressers, examination, fee, etc.

SECTION 5. Section eighty-seven Z of said chapter one hundred and twelve, as so inserted, is hereby amended by striking out in the second line the words "hairdresser or any" and inserting in place thereof the words:— hairdresser, operator or, — by inserting after the word "hairdressers" in the fifth and sixth lines the word:— , operators, — and by inserting after the word "hairdresser" in the eighth line the words:— , fifteen dollars in the case of an operator, — so as to read as follows:— *Section 87Z.* The board may register, without examination, any hairdresser, operator or manicurist who has been registered as such under the laws of another state which, in the opinion of the board, maintains a standard substantially equivalent to that of this commonwealth, and in which hairdressers, operators and manicurists registered in this commonwealth are given like recognition, upon payment of a fee of twenty dollars, in the case of a hairdresser, fifteen dollars in the case of an operator, and five dollars in the case of a manicurist.

G. L. (Ter. Ed.), 112, § 87Z, etc., amended.

Registration without examination.

Any person who has completed in another state, or in a school in this commonwealth supported by public funds, a course of professional training, substantially equivalent to that required by section eighty-seven V, and who, after application accompanied by an examination fee of five dollars for a first examination or three dollars for a second or subsequent examination, passes an examination satisfactory to the board, may be registered by the board as an operator.

G. L. (Ter. Ed.), 112, § 87BB, etc., amended.

SECTION 6. Section eighty-seven BB of said chapter one hundred and twelve, as so inserted, is hereby amended by adding at the end the following:—Any registered hairdresser who has had not less than three years practical experience as such, and who, after application accompanied by an examination fee of fifteen dollars for a first examination or ten dollars for a second or subsequent examination, passes an examination satisfactory to the board, may be registered by the board as an instructor, and thereafter may instruct in hairdressing in any registered school during the period of original registration, and thereafter, upon payment annually of a renewal fee of two dollars.

No person not so registered may instruct in hairdressing in any registered school except as authorized by the board.

The board may make such reasonable rules and regulations as are necessary for the proper conduct of schools, qualifications of instructors, courses of study, and hours of study, and as to standards of professional training, — so as to read as follows:—*Section 87BB.* The board may register any school which it approves, upon payment of a school registration fee of fifty dollars, and such school may annually be registered upon payment of a renewal fee of twenty-five dollars; provided, that standards of professional training satisfactory to the board are there maintained and a sufficient course is there given. Any registered hairdresser who has had not less than three years practical experience as such, and who, after application accompanied by an examination fee of fifteen dollars for a first examination or ten dollars for a second or subsequent examination, passes an examination satisfactory to the board, may be registered by the board as an instructor, and thereafter may instruct in hairdressing in any registered school during the period of original registration, and thereafter, upon payment annually of a renewal fee of two dollars.

Registered school.

No person not so registered may instruct in hairdressing in any registered school except as authorized by the board.

The board may make such reasonable rules and regulations as are necessary for the proper conduct of schools, qualifications of instructors, courses of study, and hours of study, and as to standards of professional training.

SECTION 7. Said chapter one hundred and twelve is hereby further amended by striking out section eighty-seven EE, as so inserted, and inserting in place thereof the following:—*Section 87EE.* The board, under such reasonable rules and regulations as it may make, may for cause,

G. L. (Ter. Ed.), 112, § 87EE, etc., amended.

Suspension of registration.

including unprofessional conduct, fraud, deceit or misrepresentation in practice or in advertising, habitual drunkenness, gross incompetence, or for violation of any of the provisions of sections eighty-seven T to eighty-seven JJ, inclusive, or any rule or regulation made thereunder, suspend or cancel any registration granted under said sections eighty-seven T to eighty-seven JJ, inclusive; provided, that before any registration shall be so suspended or cancelled the registrant shall have had notice in writing of the charge or charges against him or it, and, at a day specified in said notice, which shall be at least five days after the service of notice thereof, shall have been given a public hearing and an opportunity to present testimony in his or its behalf, and to confront the witnesses against him or it. The mailing of a registered letter, postage prepaid, containing a notice of such hearing, and addressed to the registrant at his or its address in this commonwealth as it appears in his or its registration, shall be a sufficient service of such notice, and said five days shall begin to run from the day of such mailing.

The board may compel the attendance of witnesses and the production of documents at any such hearing.

SECTION 8. Section eighty-seven II of said chapter one hundred and twelve, as so inserted, is hereby amended by inserting after the word "board" in the third line the following:— or unless granted a permit by the board under section eighty-seven V, — so as to read as follows:—*Section 87II.* Whoever engages in or follows, or attempts to engage in or follow, the occupation of hairdressing or manuring, unless duly registered by the board or unless granted a permit by the board under section eighty-seven V, and whoever conducts, or attempts to conduct, a shop or school not so registered, and whoever violates any provision of sections eighty-seven T to eighty-seven HH, inclusive, or any rule or regulation made under authority thereof, shall, in addition to any other penalty prescribed or authorized by said sections, be punished by a fine of not more than one hundred dollars.

G. L. (Ter. Ed.), 112, § 87II, etc., amended.

Penalty.

SECTION 9. Section four of chapter two hundred and sixty of the General Laws, as most recently amended by section four of chapter two hundred and ninety-one of the acts of nineteen hundred and thirty-four, is hereby further amended by inserting after the word "sanitaria" in the eighth line the words:— , hairdressers, operators and shops registered under sections eighty-seven T to eighty-seven JJ, inclusive, of chapter one hundred and twelve, — so as to read as follows:— *Section 4.* Actions for assault and battery, false imprisonment, slander, actions against sheriffs, deputy sheriffs, constables or assignees in insolvency for the taking or conversion of personal property, actions of tort for injuries to the person against counties, cities and towns, and actions of contract or tort for malpractice, error or mistake against physicians, surgeons, dentists, optometrists, hospi-

G. L. (Ter. Ed.), 260, § 4, etc., amended.

Limitation of certain actions.

tals and sanitarium, hairdressers, operators and shops registered under sections eighty-seven T to eighty-seven JJ, inclusive, of chapter one hundred and twelve, shall be commenced only within two years next after the cause of action accrues; and actions for libel and actions of tort for bodily injuries or for death the payment of judgments in which is required to be secured by chapter ninety and also actions of tort for bodily injuries or for death or for damage to property against officers and employees of the commonwealth, of the metropolitan district commission, and of any county, city or town, arising out of the operation of motor or other vehicles owned by the commonwealth, including those under the control of said commission, or by any such county, city or town, suits by judgment creditors in such actions of tort under section one hundred and thirteen of chapter one hundred and seventy-five and clause (10) of section three of chapter two hundred and fourteen and suits on motor vehicle liability bonds under section thirty-four G of said chapter ninety shall be commenced only within one year next after the cause of action accrues.

SECTION 10. Section nine of this act shall apply only to causes of action accruing subsequent to the effective date of this act.

Approved May 28, 1937.

Application
of preceding
section.

Chap. 386 AN ACT TO PROVIDE FOR THE FUNDING BY THE CITY OF WALTHAM OF CERTAIN OVERPAYMENTS OF TAXES ASSESSED TO THE WALTHAM WATCH COMPANY.

Be it enacted, etc., as follows:

SECTION 1. The city of Waltham, for the purposes set forth in section two of this act, may issue from time to time bonds or notes to an amount not exceeding, in the aggregate, one hundred and fifty thousand dollars, which shall bear on their face the words, City of Waltham Tax Funding Loan, Act of 1937. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than five years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. The sums raised by authority of this act shall be used only for the purpose of paying to the Waltham Watch Company, a Massachusetts corporation, so much of the taxes assessed upon real estate and machinery used in the conduct of its business in the years nineteen hundred and thirty-one, nineteen hundred and thirty-two, nineteen hundred and thirty-three, nineteen hundred and thirty-four, nineteen hundred and thirty-five and nineteen hundred and thirty-six as may be lawfully abated by the board of tax appeals or by the board of assessors of said city. Payments