

OFFICE OF THE SECRETARY, BOSTON, JULY 20, 1960.

I, Joseph D. Ward, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by his Excellency the Governor of the Commonwealth of Massachusetts at two o'clock and ten 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 five hundred and forty-two of the acts of nineteen hundred and sixty.

JOSEPH D. WARD,  
*Secretary of the Commonwealth.*

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**Chap. 543.** AN ACT CREATING THE SOUTHEASTERN MASSACHUSETTS TECHNOLOGICAL INSTITUTE AND PROVIDING FOR THE CONSOLIDATION THEREIN OF THE NEW BEDFORD INSTITUTE OF TECHNOLOGY AND THE BRADFORD DURFEE TECHNICAL INSTITUTE.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide without delay an engineering and technological institute to assist in the diversification of industries in southeastern Massachusetts and in the strengthening of the present industries in that area, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public welfare and convenience.

*Be it enacted, etc., as follows:*

SECTION 1. Chapter 15 of the General Laws is hereby amended by striking out section 19, as most recently amended by section 3 of chapter 347 of the acts of 1957, and inserting in place thereof the following section:—*Section 19.* The trustees of the University of Massachusetts, the board of commissioners of the Massachusetts Maritime Academy, the trustees of the Bradford Durfee College of Technology, the trustees of the Lowell Technological Institute of Massachusetts, the trustees of the New Bedford Institute of Technology and the trustees of the Southeastern Massachusetts Technological Institute shall serve in the department.

SECTION 2. Said chapter 15 is hereby further amended by inserting after section 21, under the caption SOUTHEASTERN MASSACHUSETTS TECHNOLOGICAL INSTITUTE, the following section:—*Section 21A.* There shall be a board of trustees for the Southeastern Massachusetts Technological Institute consisting of fifteen members to be appointed by the governor with the advice and consent of the council and the commissioner of education as an ex officio member. Of the trustees first appointed, three shall be selected from the board of trustees of the New Bedford Institute of Technology and three from the board of trustees of the Bradford Durfee College of Technology. Of the fifteen trustees originally appointed, six shall be appointed for a term of three years, five for a term of two years and four for a term of one year. The successor of each such trustee shall be appointed for a term of three years and until his successor shall be duly appointed and qualified, except that any person appointed to fill a vacancy shall serve only for the unexpired term.

SECTION 3. The General Laws are hereby amended by inserting after chapter 75A the following chapter:—

CHAPTER 75B.

SOUTHEASTERN MASSACHUSETTS TECHNOLOGICAL INSTITUTE.

*Section 1.* The Southeastern Massachusetts Technological Institute hereafter referred to as the institute, shall be maintained by the commonwealth for the purpose of giving instruction in the theory and practical arts of engineering and science, the liberal arts, and other appropriate curricula which shall be established from time to time to include such scientific, technological, and other studies as may be deemed desirable by the board of trustees of said institute.

*Section 2.* The institute may have a common seal which may be altered by the board of trustees.

*Section 3.* All accounts for construction and maintenance and for expenditures under special appropriations shall be approved by the trustees, or, if the trustees shall so vote, by the president or by some other designated alternate, or a member of the board of trustees, and shall be filed with the comptroller. Copies of the payrolls and bills shall be kept at the institute.

*Section 4.* All receipts from student activities shall be retained by the trustees in a revolving fund or funds and shall be expended as the trustees shall direct in furthering the activities from which the receipts were derived; provided, that the foregoing shall not authorize any action in contravention of the requirements of section 1 of Article LXIII of the Amendments to the Constitution. The said fund or funds shall be subject to annual audit by the state auditor.

*Section 5.* A complete accounting of receipts and expenditures shall be made to the governor annually. Monthly statements of receipts and expenditures shall be made to the comptroller by the president or his designated alternate, who shall keep complete records and files of payrolls and bills in his office. The term "receipts" as herein used shall include all federal grants received by the trustees.

*Section 6.* The trustees shall determine the time and place of their meetings and the manner of giving notice thereof.

*Section 7.* The trustees shall make all rules, regulations, and by-laws consistent with law, with reasonable penalties, for the government of the institute.

*Section 8.* The trustees shall administer property held in accordance with special trusts, and shall also administer grants or devises of land and gifts or bequests of personal or real property made to the commonwealth for the use of the institute, and shall execute certain trusts, investing the proceeds thereof in notes or bonds or property secured by sufficient mortgages or other securities.

*Section 9.* The trustees shall, on behalf of the commonwealth, manage and administer the property, real and personal, belonging to the commonwealth and occupied or used by the institute, and shall keep in repair, houses, buildings, and equipment so used or occupied.

*Section 10.* The trustees shall annually make a report for the institute, which, with appendices, may be printed in six parts, as follows:—

1. The report of the trustees.
2. The report of the president and other officers of administration.
3. The catalog of the institute.

4. The report of the director of the research foundation and its other officers.

5. The detailed reports of the evening division and other divisions or agencies of the institute.

6. The resources of the institute, its courses and methods of instruction, the number of its teachers and students during the preceding school year, and the number of its graduates.

*Section 11.* The trustees may confer such appropriate degrees as they shall determine and prescribe.

*Section 12.* The trustees shall elect the president, the necessary professors, tutors, instructors, teachers and other officers and assistants of the institute and shall define the duties and tenure of office in accordance with the appropriate laws of the commonwealth.

*Section 13.* The trustees may insure the buildings of the institute and their contents in such amounts as they deem sufficient.

*Section 14.* The trustees may fix the rates of tuition to be charged by the institute, but the yearly tuition for day school students who are non-residents of the commonwealth shall not be less than one hundred and fifty dollars.

*Section 15.* The trustees may establish a division to be called the Evening Division, Southeastern Massachusetts Technological Institute, to be conducted under their direction, and in which shall be given such evening instruction in the theory and practical arts of engineering and science, the liberal arts, and other subjects as they deem appropriate.

*Section 16.* Subject to section seventeen, the trustees may, in the name of and for the commonwealth, lease to any professor, instructor, teacher or employee of said institute, or to any society, association or fraternity established thereat, land on the campus of the institute, owned by the commonwealth, for the erection and maintenance of suitable dwellings thereon, at the sole expense of the lessee and for the lessee's use and occupancy. Not more than one half an acre shall be so leased to any one such person or organization. Such leases shall contain such written terms, conditions, restrictions and reservations as the parties agree upon.

*Section 17.* No lease under section sixteen shall become operative until it is approved by the governor and council.

*Section 18.* The trustees shall make just and reasonable provision for the employment of students at the institute for manual labor and certain skilled labor consistent with the institute's needs.

*Section 19.* The institute may establish and manage, under such regulations as the board of trustees may from time to time prescribe, the Southeastern Massachusetts Technological Research Foundation, hereinafter called the research foundation, for the purpose of promoting research at the institute by obtaining, administering or disposing of patents or inventions resulting from such research or otherwise and devoting the income therefrom to further research, beneficial to the institute and to the commonwealth. The research foundation may (1) receive and hold in separate custody gifts, bequests and devises of real or personal property; (2) receive and hold in separate custody compensation or reimbursement resulting from inventions, patents, contractual or other research, the conducting of tests for outside agencies or other funds that may be acceptable to the foundation;

(3) disburse funds so acquired for purposes of instruction, research, tests, inventions, discovery, development or engineering consistent herewith; (4) obtain, administer and dispose of patents, assignments, grants, licenses or other rights and hold the same in separate custody; (5) make assignments, grants, licenses, or other disposal, equitably in the public interest, of any rights in or to inventions, discoveries, patent applications or patents owned, acquired or controlled by it, and to charge therefor and collect and to incorporate in funds in the custody of the research foundation reasonable compensation in such form as the board of trustees may determine; and (6) execute contracts with employees or others for the purpose of carrying out the provisions hereof and permitting such employees or others to share in the net proceeds of such contracts as the board of trustees shall determine.

The foregoing shall not authorize any action in contravention of the requirements of section 1 of Article LXIII of the Amendments to the Constitution. The funds of the research foundation shall be subject to annual audit by the state auditor. No activities, specified in the foregoing, shall be undertaken by the research foundation which in the opinion of the board of trustees will be likely to interfere with the regular, efficient and proper exercise of the functions of said institute.

In conducting contractual or other research, tests or similar activities, the research foundation shall give preference to citizens of and to corporations organized under the laws of the commonwealth.

The board of trustees shall prescribe and enforce such regulations as it may deem necessary, with regard to the ownership of inventions developed with the use of facilities of the institute by students, research fellows, staff members, faculty or other persons, the transfer of such inventions, or patent applications or patents resulting therefrom, to the research foundation, the amount of the respective shares of the inventor, the institute, and the research foundation in the proceeds therefrom, and the arbitration of any and all disagreements involving the same.

*Section 20.* The director of the research foundation may from time to time publish in reports, bulletins, special circulars or otherwise, the results of special studies or research or analysis of general interest and value to the industries represented at or interested in the institute.

**SECTION 4.** The board of trustees for the Southeastern Massachusetts Technological Institute may acquire, in the name of the commonwealth, by gift, devise, purchase or the exercise of the right of eminent domain in accordance with the provisions of chapter seventy-nine of the General Laws, a suitable site subject to the approval of the governor and council for the campus of the Southeastern Massachusetts Technological Institute in an area most accessible to the major population centers of the region.

**SECTION 5.** Said board of trustees shall have the power, subject to appropriation and the provisions of sections thirty A to thirty J of chapter seven of the General Laws to prepare plans and specifications and to award contracts for the construction of necessary class rooms and library, laboratory, dormitory, administration and other buildings at the site of the campus.

**SECTION 6.** To provide for the orderly consolidation and integration of Bradford Durfee College of Technology and New Bedford In-

stitute of Technology into the Southeastern Massachusetts Technological Institute the board of trustees of said technological institute shall file with the governor a "first stage certificate" in which it shall certify in writing that it has acquired the campus site and completed the plans and specifications for the structures to be placed thereon. Upon the completion of the structures said board shall file with the governor a "final stage certificate", in which it shall certify in writing that said structures have been completed.

SECTION 7. Upon the filing of the final stage certificate, the board of trustees of the Southeastern Massachusetts Technological Institute shall be vested with all the powers, rights and privileges and shall be subject to all the duties of the trustees of Bradford Durfee College of Technology and New Bedford Institute of Technology. The Bradford Durfee College of Technology and New Bedford Institute of Technology shall thereby be consolidated into the Southeastern Massachusetts Technological Institute which shall be deemed for all purposes a continuation of the Bradford Durfee College of Technology and New Bedford Institute of Technology. The said trustees of Bradford Durfee College of Technology and New Bedford Institute of Technology shall transfer to the board of trustees of the Southeastern Massachusetts Technological Institute all property, real or personal and all rights which they hold by reason of their office as said trustees and they shall execute any deeds, contracts and assignments and institute any legal proceedings necessary to transfer such property and rights.

SECTION 8. Upon the filing of the final stage certificate, the Research Foundation of New Bedford Institute of Technology shall transfer by deed, assignment, or otherwise, all real or personal property and all rights of whatever nature or description, of which it has title or custody or to the benefit of which it is entitled, to the Southeastern Massachusetts Technological Institute Research Foundation. The Research Foundation of New Bedford Institute of Technology shall thereby be consolidated into the Southeastern Massachusetts Technological Institute Research Foundation which shall be deemed for all purposes a continuation of the Research Foundation of New Bedford Institute of Technology, and which shall be vested with all the powers, rights and privileges and shall be subject to the duties and obligations of the Research Foundation of New Bedford Institute of Technology. The Research Foundation of New Bedford Institute of Technology and the board of trustees of New Bedford Institute of Technology shall execute any deeds, contracts or assignments and shall institute any legal proceedings necessary to transfer such property and rights.

SECTION 9. Upon the filing of the final stage certificate, the professional staffs and employees of Bradford Durfee College of Technology and New Bedford Institute of Technology shall be transferred to the Southeastern Massachusetts Technological Institute without loss or impairment of tenure, status, retirement or civil service rights.

SECTION 10. Upon the filing of the final stage certificate, the phrases, "New Bedford Textile Institute", "New Bedford Institute of Textiles and Technology", "New Bedford Institute of Technology", "Bradford-Durfee Institute of Technology of Fall River", "Bradford Durfee College of Technology" or any words connoting

the same when used in any statute, ordinance, by-law, rule or regulation shall mean the Southeastern Massachusetts Technological Institute.

*Approved July 7, 1960.*

**Chap. 544.** AN ACT REDEFINING THE WORD "VETERAN".

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is, in part, to immediately redefine the word "veteran", therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Be it enacted, etc., as follows:*

SECTION 1. Clause Forty-third of section 7 of chapter 4 of the General Laws is hereby amended by striking out the first paragraph, as amended by chapter 299 of the acts of 1960, and inserting in place thereof the following paragraph:—

"Veteran" shall mean any person, male or female, including a nurse, (a) whose last discharge or release from his wartime service, as defined herein, was under honorable conditions and who (b) served in the army, navy, marine corps, coast guard, or air force of the United States for not less than ninety days active service, at least one day of which was for wartime service, provided that any person who so served in wartime and was awarded a service-connected disability or a Purple Heart, or who died in such service under conditions other than dishonorable, shall be deemed to be a veteran notwithstanding his failure to complete ninety days of active service.

SECTION 2. This act shall take effect on July tenth, nineteen hundred and sixty.

*Approved July 8, 1960.*

**Chap. 545.** AN ACT RELATIVE TO EXPENDITURES FOR THE CARE, MAINTENANCE AND REPAIR OF TUBERCULOSIS HOSPITALS IN CERTAIN COUNTIES.

*Be it enacted, etc., as follows:*

SECTION 1. The trustees of the Bristol county tuberculosis hospital and the county commissioners of the other counties hereinafter specified are hereby authorized to expend for the year nineteen hundred and sixty the sums set forth in this act for the care, maintenance and repair of the county tuberculosis hospitals within their respective counties, and to assess the same in the manner set forth in section eighty-five of chapter one hundred and eleven of the General Laws.

The sums set forth are based upon detailed schedules approved by the joint committee on counties, copies of which are deposited with the director of accounts.

Said director shall file with said trustees and said county commissioners and with the county treasurer a certification of the amounts set forth in the approved schedules for such hospitals. Except as provided by this act or except as otherwise provided by law, no liability may be incurred and no expenditure shall be made in excess of the amount available in an existing main group, a class or a sub-class.