

Be it enacted, etc., as follows:

Section 8A of chapter 152 of the General Laws, as most recently amended by section 3 of chapter 742 of the acts of 1972, is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

A party who has by accident, mistake or through other reasonable cause, omitted to request a hearing from a written order filed under section seven within the time limited therein or who has failed to petition the division for leave to request such a hearing within the time limited in this section, or omitted to claim a review from a decision rendered under section eight within the time limited under section ten, may, within two years from the filing of such order or decision with the division, petition the superior court for the county in which the injury occurred, or for the county of Suffolk, or the municipal court of the city of Boston, if the injury occurred in Suffolk county, for leave to request such hearing or to claim such review, and the court may grant such petition and permit such request or such claim to be filed if it finds that justice and equity require it, notwithstanding that a decree has previously been rendered on such order or decision as provided in section eleven.

Approved, October 7, 1976.

Chap. 393. AN ACT FURTHER REGULATING THE ASSESSMENT OF TAXES IN CASES WHERE APPROPRIATIONS HAVE NOT BEEN VOTED FOR THE NEXT FISCAL YEAR.

Be it enacted, etc., as follows:

Section 23 of chapter 59 of the General Laws is hereby amended by striking out the fourth paragraph, as appearing in chapter 43 of the acts of 1975, and inserting in place thereof the following paragraph:-

If, prior to June first the assessors of any city except Boston shall not have received from the city clerk a certificate under section fifteen A of chapter forty-one of the appropriations voted for the annual budget for the next fiscal year and if it appears to them, after inquiry of the city clerk, that such appropriations have not been voted, they shall forthwith assess a tax for said year in accordance with the provisions of this section, except that, in determining the amount of the tax to be assessed, there shall be considered as having been appropriated for the annual budget for said year an amount equal to the aggregate appropriations voted for the annual budget for the then current fiscal year.

Approved October 7, 1976.

Chap. 394. AN ACT DESIGNATING THE "E" BUILDING AT THE NORTHAMPTON STATE HOSPITAL AS THE FLORENCE L. EATON BUILDING.

Be it enacted, etc, as follows:

The building presently known as the “E” building at the Northampton state hospital shall be designated and known as the Florence L. Eaton building, in honor of Florence L. Eaton, a former director of nurses at said hospital. A suitable marker bearing said designation shall be attached thereto by the department of mental health.

Approved October 7, 1976.

Chap. 395. AN ACT AUTHORIZING THE CITY OF MALDEN TO ESTABLISH A BOARD OF PARK COMMISSIONERS.

Be it enacted, etc., as follows:

SECTION 1. There shall be established within the city of Malden a board of park commissioners, consisting of five persons appointed by the mayor with the approval of the city council, who shall hold office for terms of one, two, three, four and five years, respectively, from the first Monday in May next following such appointment or until their successors are qualified; and thereafter the mayor, with the approval of the city council, shall annually, before the first Monday in May, appoint one such commissioner for a term of five years from the first Monday in May. No member of the city council nor the clerk or treasurer of said city shall be appointed to said board. A vacancy on said board shall be filled in like manner for the residue of any unexpired term. A commissioner may be removed by a vote of two thirds of all the members of the city council. Such commissioners shall serve without compensation. Said board shall have all the powers of a board of park commissioners created pursuant to chapter forty-five of the General Laws.

SECTION 2. Section 2 of chapter 384 of the acts of 1954 is hereby amended by striking out, in line 4, the words “park commission”.

SECTION 3. Said section 2 of said chapter 384 is hereby further amended by striking out, in line 15, the words “the park commission,”.

SECTION 4. Said chapter 384 is hereby further amended by striking out section 3 and inserting in place thereof the following section:-

Section 3. There shall be within the department of public works, but subject to the control of the commission, a division of highways, a division of water works and a division of engineering. Each such division shall assume such management and control as shall be determined by the commission.

SECTION 5. All the powers, duties, facilities, properties and appropriations formerly within the jurisdiction of the division of forestry and parks within the public works commission under the