
Chap. 28

SECTION 27. The first paragraph of said section 24N of said chapter 90, as so appearing, is hereby amended by striking out the sixth sentence and inserting in place thereof the following:- The defendant's license or permit to operate a motor vehicle shall remain suspended for a period of 180 days; provided, however, that any person who is under the age of 21 or who has been previously convicted of a violation under section 24 or a like violation by a court of any other jurisdiction shall have his license or right to operate suspended forthwith for a period of 1 year for such refusal; provided, further, that any person previously convicted 2 or more times of a violation under section 24 of a like violation by a court of any other jurisdiction shall have his license or right to operate suspended forthwith for a period of 18 months for such refusal.

SECTION 28. Section 8 of chapter 90B of the General Laws, as so appearing, is hereby amended by inserting after the word "commonwealth", in line 2, the following words:- with a percentage, by weight, of alcohol in their blood of eight one-hundredths or greater, or.

SECTION 29. Said section 8 of said chapter 90B, as so appearing, is hereby further amended by striking out, in lines 172 to 174, inclusive, the words "; and if such evidence is that such percentage was eight one-hundredths or more, there shall be a presumption that such defendant was under the influence of intoxicating liquor".

SECTION 30. Section 8A of said chapter 90B, as so appearing, is hereby amended by inserting after the word "commonwealth", in lines 1 and 2 and in line 29, the following words:- with a percentage, by weight, of alcohol in their blood of eight one-hundredths or greater, or.

SECTION 31. Section 8B of said chapter 90B, as so appearing, is hereby amended by inserting after the word "commonwealth", in lines 1 and 2 and in line 31 the following words:- with a percentage, by weight, of alcohol in their blood of eight one-hundredths or greater, or.

SECTION 32. Subsection (2) of said section 8B of said chapter 90B, as so appearing, is hereby amended in line 31 by inserting after the word "commonwealth" the following:- with a percentage, by weight, of alcohol in their blood of eight one-hundredths or greater, or.

SECTION 33. Section 26 of said chapter 90B, as so appearing, is hereby amended by inserting after the word "vehicle", in line 1, the following words:- with a percentage, by weight, of alcohol in their blood of eight one-hundredths or greater, or.

Approved June 30, 2003.

Chapter 29 AN ACT RELATIVE TO CERTAIN CAPITAL SPENDING AUTHORIZATIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the extension of certain capital spending authorizations that will

Chap. 29

otherwise revert on June 30, 2003 but which are needed to fund obligations during fiscal year 2004, 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. Notwithstanding any general or special law to the contrary, the unexpended balances of capital accounts which otherwise would revert on June 30, 2003 but which are necessary to fund obligations during fiscal year 2004 are hereby re-authorized until September 30, 2003, at which time these re-authorizations shall terminate and shall revert. The secretary of administration and finance shall file with the clerk of the house of representatives on or before September 1, 2003, a report and any legislation necessary to effectuate the de-authorization of capital accounts, delineated by item of appropriation, determined to be no longer necessary, and recommendations and amounts necessary to re-authorize capital accounts, delineated by item of appropriation, to fund ongoing capital projects throughout the remainder of fiscal year 2004.

SECTION 2. This act shall take effect as of June 30, 2003.

Approved July 3, 2003.

Chapter 30. AN ACT VALIDATING ACTION TAKEN BY THE MARTHA'S VINEYARD REFUSE DISPOSAL AND RESOURCE RECOVERY DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the Martha's Vineyard Refuse and Resource Recovery District, in this act called the district, may issue bonds or notes for a term not exceeding 20 years for the purpose of reimbursing itself for the payment of capital costs paid through operating funds in the fiscal year ending June 30, 2002.

SECTION 2. The actions taken by the district committee on October 2, 2002 to authorize the issuance of bonds or notes in the amount of \$500,000 for the payment of capital costs of the district, are hereby ratified, approved and confirmed in all respects, and, notwithstanding any general or special law or any provision of the district agreement to the contrary, such bonds or notes may be issued by the district.

SECTION 3. This act shall take effect upon its passage.

Approved July 9, 2003.