

Any rule or regulation, adopted under this section, prohibiting the parking or standing of vehicles on the whole or any part or parts of one or more streets, ways, highways, roads or parkways, under the control of the city, may provide that it shall not apply at such times as shall be prescribed in such rule or regulation to any motor vehicle registered under chapter ninety of the General Laws and owned or used by a person residing on an estate abutting in whole or in part the portion of the street, way, highway, road or parkway where such vehicle is parked, who, in the year in which such vehicle is parked or in the preceding December for such year, shall have given, by a writing executed in such form and detail as such rule or regulation shall prescribe and filed with the officer in command of the police division in which such vehicle is parked, notice of intention to park at such estate and shall display in a conspicuous place on such vehicle, while parked, such visible evidence of the giving of such notice as such rule or regulation shall prescribe; but neither the giving of such notice nor the issuance of visible evidence of the giving thereof shall be construed to assign any specific space to any person or vehicle.

For the purposes of this act and of section twenty C of chapter ninety of the General Laws, such off-street parking areas and facilities operated by the real property board of the city as said board shall from time to time designate shall be deemed to be ways under the control of the city during such periods of time as said board shall from time to time determine.

Approved May 13, 1964.

Chap. 388. AN ACT ESTABLISHING THE HIGHER EDUCATION FACILITIES COMMISSION FOR THE PURPOSE OF ASSISTING THE COMMONWEALTH IN ITS PARTICIPATION IN THE GRANT PROGRAMS UNDER THE HIGHER EDUCATION FACILITIES ACT OF NINETEEN HUNDRED AND SIXTY-THREE.

Be it enacted, etc., as follows:

SECTION 1. There shall be in the department of education, but in no manner subject to its control, the Higher Education Facilities Commission, hereinafter called the commission, to consist of the commissioner of education or his designee, the president of the University of Massachusetts or his designee who shall be a dean thereof, the director of admissions or a person holding a similar administrative position therein, the president of the Lowell Technological Institute or his designee who shall be a dean thereof, the director of admissions or a person holding a similar position therein, the president of the South-eastern Massachusetts Technological Institute or his designee, the chairman of the board of trustees of the state colleges and the chairman of the board of regional community colleges, all of the foregoing to serve as members *ex officio*, and thirteen persons to be appointed by the governor, one of whom shall represent a private technological college or institute in the commonwealth, one shall represent a two year private technical college or institute in the commonwealth, one shall represent a private women's college in the commonwealth, one shall represent a private college or university in the commonwealth operated by a religious society or order but not primarily a theological seminary or institution, one shall represent a private junior college in the commonwealth, two

shall represent private colleges or universities in the commonwealth not included in any of the foregoing specified categories, three shall represent the general public, and three shall be chosen with due regard for their experience, activity or interest in higher education, whether by reason of affiliation with an institution of higher education or with any body connected with any such institution or with any organization interested in higher education. A person shall be deemed to represent a college, university or other institution of higher learning, if he serves as the president, a dean, the director of admissions of, or holds a similar administrative position in, such college, university or other institution of higher education. The governor, from time to time, shall designate one of the members as chairman. Each member appointed by the governor shall serve for a term of five years. Vacancies shall be filled for the unexpired term in the same manner as the original appointment. The members shall serve without compensation but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties.

SECTION 2. The commission shall:

(a) Collect, correlate and analyze data relating to the extent and character of facilities within the commonwealth used for higher educational purposes or susceptible for such use;

(b) Assemble or otherwise obtain and keep current statistics detailing the number and character of both full and part-time students enrolled in each of the several types of higher educational institutions within the commonwealth, and project trends in such enrollments;

(c) Prepare, keep current, and administer a state plan for higher education facilities to be submitted to the federal department of health, education and welfare, or any agency successor thereto, in connection with the participation of the commonwealth in programs authorized by the Higher Education Facilities Act of 1963;

(d) Receive, evaluate and approve applications for such federal aid as may be available pursuant to the laws of the United States for the improvement or expansion of higher educational facilities, and develop such criteria and priorities, consistent with applicable law, as may be required in connection with its functions respecting such applications;

(e) Issue, revise and amend rules and regulations for the implementation of the said federal act and for the administration of any of its responsibilities and functions pursuant thereto;

(f) Make such investigations and hold such hearings as may be necessary or appropriate in the conduct of its work;

(g) Apply for, receive, administer, expend and account for such federal moneys as may be available, from time to time, within the areas of its work; and

(h) Do such other things as may be necessary and incidental to the administration of the foregoing powers.

The provisions of chapter thirty A of the General Laws shall not apply to the commission or to the exercise of any of its functions.

SECTION 3. The commission may employ an adequate technical staff and such other employees as, in its opinion, the work and duties of the commission may require and may expend for such purpose and other necessary expenses such amounts as may be appropriated therefor, including funds received from the federal government. Such technical staff and other employees shall not be subject to the provisions of section

nine A of chapter thirty nor to chapter thirty-one of the General Laws. The commission shall be provided with suitable quarters in the State House or elsewhere in the City of Boston.

SECTION 4. It shall not be a violation of section six or of clause (a) of section twenty-three of chapter two hundred and sixty-eight A of the General Laws if any member of the commission acts in matters affecting an institution which he represents or in which he holds any office or with which he has any connection, direct or indirect.

SECTION 5. Any reference in this act to a private college, university, junior college or other private institution of higher education shall be deemed to refer only to non-profit institutions.

Approved May 13, 1964.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, June 1, 1964.

The Honorable KEVIN H. WHITE, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Endicott Peabody, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 388 of the Acts of 1964 entitled "An Act Establishing the Higher Education Facilities Commission for the Purpose of Assisting the Commonwealth in Its Participation in the Grant Programs Under the Higher Education Facilities Act of Nineteen Hundred and Sixty-Three." and the enactment of which received my approval on May 13, 1964, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act would defeat its purpose as this commission should be established without delay in order to avail itself of Federal grants.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, June 1, 1964.

I, Kevin H. White, 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 twelve o'clock and thirty 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-eight of the acts of nineteen hundred and sixty-four.

KEVIN H. WHITE,
Secretary of the Commonwealth.