

The appointing authority shall forward the name of such mentally retarded person to the director together with a certificate from the department of mental health that said person is mentally retarded and a statement of approval of such employment of said mentally retarded person from the Massachusetts rehabilitation commission. The director may also require the appointing authority to submit a written agreement including the following: (1) a statement by the appointing authority as to the specific position, title, grade and duties to be assigned to the mentally retarded person who is to be employed, (2) a statement by the appointing authority that prior to employing the mentally retarded person it has obtained a certificate from the Massachusetts rehabilitation commission that the retarded person (a) can satisfactorily perform the duties of the position, (b) is physically qualified to do the work without hazard to himself or to others, and (c) is socially competent to maintain himself in a work environment, (3) a commitment by the appointing authority that it will fully utilize the advice and assistance of the Massachusetts rehabilitation commission for advice to the employee's immediate supervisor in the training and supervision of the employee and for post-placement counseling to the employee, (4) a statement that the appointing authority will not terminate a mentally retarded person's employment without prior notification to the Massachusetts rehabilitation commission. Thereupon, the director of civil service shall approve such appointment. The director may require any such mentally retarded person to undergo such tests as in his opinion will test the fitness of the applicant to properly perform the duties of the position.

Upon the approval by the director of such employment in accordance with the provisions of this section, the retarded person shall be regarded as properly appointed to the position and shall continue subject to the provisions of this chapter.

The position of any such mentally retarded person who has been employed in a year-round temporary position in the commonwealth for a continuous period of three years or more for which compensation has been duly paid or authorized under the same or a like item in prior appropriation acts shall be deemed to be a permanent position. The director of personnel shall, by title and code number and subject to approval of the commission on administration and finance, certify to the budget commissioner, the comptroller, the director of civil service, each appointing authority concerned, and the house and senate committees on ways and means, each such position to be included.

Any appointments to positions for which the federal standards for a merit system of personnel administration apply shall not be approved unless the appointee meets such established standards.

Approved August 17, 1967.

Chap. 563. AN ACT AUTHORIZING THE CITY OF WORCESTER TO CONVEY TO THE WORCESTER REDEVELOPMENT AUTHORITY A PORTION OF WORCESTER COMMON IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law, the city manager of the city of Worcester is hereby authorized to sell and convey in the name and on behalf of said city to the Worcester Rede-

velopment Authority for redevelopment purposes, on terms to be determined by the city manager and the city council of said city, a certain portion of the land known as the Worcester Common, part of which is park land and part of which is cemetery land, situated southeasterly of a line parallel to and eighty feet northwesterly of the northwesterly boundary of Salem square.

SECTION 2. The Worcester Redevelopment Authority shall not use any of the land conveyed for the purposes provided for in section one until the remains of any dead that may be buried in any portion of said land have been removed and reinterred in suitable graves in another portion of said Worcester Common, or in Hope Cemetery in said city. Prior to any such removal or reinterment said authority shall first attempt to contact the nearest known relative of any person there buried to ascertain whether they desire to reinter the remains elsewhere. Said authority shall provide suitable markers for all the remains so removed and reinterred and shall bear the expense thereof.

SECTION 3. This act shall take effect upon its acceptance by an affirmative vote of a majority of all the members of the city council of said city and the approval of its city manager.

Approved August 17, 1967.

Chap. 564. AN ACT AUTHORIZING THE USE OF ELECTRONIC VOTING SYSTEMS IN PRIMARIES, PRELIMINARY ELECTIONS AND ELECTIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide forthwith for the possible use of electronic voting systems in the current year, 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. Section 25 of chapter 54 of the General Laws, as amended by section 9 of chapter 411 of the acts of 1943, is hereby further amended by adding the following paragraph: —

Where electronic voting systems are used, if the system requires the use of a special marking unit, such units shall be supplied to a number of not less than one for every one hundred voters.

SECTION 2. Section 32 of said chapter 54, as appearing in the Tercentenary Edition, is hereby amended by adding the following paragraph: —

No system of casting or counting ballots which employs electrical or electronic tabulating equipment or data processing equipment, or which employs special marking inks or punch card devices in the marking of ballots, shall be used by any city or town without prior authorization of the state secretary. Said secretary may, for the purpose of assisting in the evaluation of a system, approve its use in any city or town. Prior to such approval, specimens and plans of any marking devices or equipment and minimum specifications of tabulation equipment utilized by such system shall be filed with said secretary by the manufacturers or distributors of said devices and equipment.

SECTION 3. Section 33 of said chapter 54 is hereby amended by striking out the last paragraph, added by section 2 of chapter 709 of the acts