

Chap. 885. AN ACT AUTHORIZING CITIES AND TOWNS TO EXPEND MONIES FROM THE CONSERVATION FUND TO PAY DAMAGES FOR THE TAKING OF PROPERTY BY EMINENT DOMAIN FOR CONSERVATION PURPOSES.

Be it enacted, etc., as follows:

Section 8C of chapter 40 of the General Laws is hereby amended by inserting after the fourteenth sentence, inserted by section 2 of chapter 768 of the acts 1965, the following sentence: — Upon a like vote, a city or town may expend monies in the fund, if any, established under the provisions of clause (51) of section five for the purpose of paying, in whole or in part, any damages for which such city or town may be liable by reason of any such taking. *Approved January 5, 1968.*

Chap. 886. AN ACT PROVIDING PENSIONS FOR SPECIAL JUDGES OF PROBATE AND INSOLVENCY.

Be it enacted, etc., as follows:

Section 65B of chapter 32 of the General Laws is hereby amended by adding the following paragraph: —

A special judge of probate and insolvency who shall be retired under Article LVIII of the amendments to the constitution or a special judge of probate who is sixty-five years of age or over and shall resign his office after in either case having served as a special judge of probate for at least ten years shall be entitled to receive a pension for life at an annual rate equal to three fourths of his average yearly earnings as special judge of probate during the period of ten years next preceding such retirement or resignation or during the period of ten years next preceding December thirty-first of the year nineteen hundred and fifty-six or at an annual rate equal to three fourths of his average yearly earnings as such special judge of probate during the entire period of his service in said office, whichever is the higher rate, but not exceeding in any event an annual rate equal to three fourths of the annual rate of salary of the judge of probate for the county in which he was appointed.

Approved January 5, 1968.

Chap. 887. AN ACT PROHIBITING MEMBERS OF COUNTY OR MUNICIPAL COMMISSIONS OR BOARDS FROM BEING APPOINTED OR ELECTED BY THE OTHER MEMBERS THEREOF TO CERTAIN POSITIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 268A of the General Laws is hereby amended by inserting after section 15 the following section: —

Section 15A. No member of a county commission or board shall be eligible for appointment or election by the members of such commission or board to any office or position under the supervision of such commission or board. No former member of such commission or board shall be so eligible until the expiration of thirty days from the termination of his service as a member of such commission or board.

SECTION 2. Said chapter 268A is hereby further amended by inserting after section 21 the following section: —

Section 21A. Except as hereinafter provided, no member of a municipal commission or board shall be eligible for appointment or election by the members of such commission or board to any office or position under the supervision of such commission or board. No former member of such commission or board shall be so eligible until the expiration of thirty days from the termination of his service as a member of such commission or board.

The provisions of this section shall not apply to a member of a town commission or board, if such appointment or election has first been approved at an annual town meeting of the town.

Approved January 5, 1968.

Chap. 888. AN ACT RELATIVE TO THE COMPUTATION OF THE PENSIONS PAYABLE TO SPECIAL JUSTICES OF DISTRICT COURTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 32 of the General Laws is hereby amended by striking out section 65B, as most recently amended by section 9 of chapter 738 of the acts of 1956, and inserting in place thereof the following section:—

Section 65B. A special justice of a district court, including the municipal court of the city of Boston, who shall be retired under Article LVIII of the Amendments to the Constitution, or a special justice thereof sixty-five years of age or over who shall resign his office, after in either case having served as a special justice for at least ten years, shall be entitled to receive a pension for life at an annual rate equal to three fourths of his average yearly earnings as special justice for any five years of service in said office, whether consecutive or not, for which such earnings were the highest, but not exceeding in any event an annual rate equal to three fourths of the annual rate of salary of the justice of his court or, in the case of the municipal court of the city of Boston, three fourths of the annual rate of salary of an associate justice of said court, payable from the same source and in the same manner as the salary of such justice or associate justice, as the case may be.

SECTION 2. Section sixty-five B of chapter thirty-two of the General Laws, as amended by section one of this act, shall not apply to any special justice appointed to such office between the effective date hereof and December thirty-first, nineteen hundred and sixty-eight, both dates inclusive.

Approved January 5, 1968.

Chap. 889. AN ACT GRANTING CREDITABLE SERVICE TO CERTAIN MEMBERS OF THE RETIREMENT SYSTEM WHO SERVED IN THE ARMED FORCES DURING CERTAIN PERIODS.

Be it enacted, etc., as follows:

Subdivision (1) of section 5 of chapter 32 of the General Laws is hereby amended by adding after paragraph (i), added by section 8 of chapter 597 of the acts of 1967, the following paragraph:—

(j) Any member who was appointed while serving in the armed forces between January first, nineteen hundred and forty and July first, nineteen hundred and fifty-five, or who, during such period, was certified for appointment, but entered the military service before such