

*Section 9.* Except as provided in this chapter, an executor or administrator shall not be held to answer to an action by a creditor of the deceased which is not commenced within six months from the time of his giving bond for the performance of his trust, or to such an action which is commenced within said six months unless before the expiration thereof the writ in such action has been served by delivery in hand upon such executor or administrator or service thereof accepted by him or a notice stating the name of the estate, the name and address of the creditor, the amount of the claim and the court in which the action has been brought has been filed in the proper registry of probate. An executor, administrator or administrator de bonis non shall not be held to answer to an action by a creditor of the deceased which is commenced within any other or additional period of limitation for bringing such action provided by or under this chapter unless before the expiration of such period the writ in such action has been served by delivery in hand upon him or service thereof accepted by him or a notice as aforesaid has been filed in the proper registry of probate. The probate court may allow creditors further time for bringing actions, not exceeding one year from the time of the giving of his official bond by such executor or administrator, provided that application for such further time be made before the expiration of six months from the time of the approval of the bond.

SECTION 2. This act shall apply only to estates of persons dying on or after January the first, nineteen hundred and seventy-two.

*Approved July 21, 1971.*

**Chap. 549.** AN ACT AUTHORIZING WILLISTON ACADEMY, FORMERLY KNOWN AS WILLISTON SEMINARY, TO HOLD ADDITIONAL REAL AND PERSONAL PROPERTY.

*Be it enacted, etc., as follows:*

Williston Academy, originally incorporated under the name of Williston Seminary by chapter twenty-eight of the acts of eighteen hundred and forty-one, may hold real and personal estate to the value of ten million dollars, to be devoted exclusively to the purposes of education.

*Approved July 21, 1971.*

**Chap. 550.** AN ACT RELATIVE TO THE CONSTRUCTION, FINANCING, OPERATION OR LEASING OF SOLID WASTE DISPOSAL FACILITIES IN THE CITY OF MALDEN.

*Be it enacted, etc., as follows:*

SECTION 1. The third sentence of section 1 of chapter 867 of the acts of 1970 is hereby amended by inserting after the word "shall", in line 2, the word:— not, — so as to read as follows:— In carrying out the foregoing, the city shall not be subject to sections forty-four A to forty-four L, inclusive, of chapter one hundred and forty-nine of the General Laws or sections thirty-nine F to thirty-nine M, inclusive, of chapter thirty of the General Laws, or to any law or ordinance requiring competitive bidding or the solicitation of bids by advertisement.

SECTION 2. Section 2 of said chapter 867 is hereby amended by striking out the second sentence and inserting in place thereof the following two sentences: — Each authorized issue shall mature serially beginning not later than two years and ending not later than thirty years after the date of issue or the date of commencing regular operation of the facility or facilities to be provided under this act, as determined or estimated by the mayor, whichever date is later. The maturities of each issue shall be arranged so that the amounts payable in the several years for principal and interest combined shall be as nearly equal as it is practicable to make them in the opinion of the officers authorized to issue the bonds or notes, or in the alternative in accordance with a schedule providing for a more rapid amortization of principal.

SECTION 3. Said chapter 867 is hereby further amended by striking out section 4 and inserting in place thereof the following section: —

*Section 4.* Indebtedness incurred under this act shall be in excess of the statutory limits prescribed by section ten of chapter forty-four of the General Laws, but shall, except as provided herein, be subject to the applicable provisions of said chapter forty-four, exclusive of sections seven, eight and seventeen thereof. In addition to other lawful items, the project costs to be financed by the issue of bonds or notes hereunder may include initial training costs, the cost of test or trial operations and interest up to the date of commencing regular operation of the facility or facilities to be provided under this act, as determined or estimated by the mayor.

SECTION 4. Said chapter 867 is hereby further amended by striking out section 5 and inserting in place thereof the following section: —

*Section 5.* In addition to any other power conferred by law, the city of Malden may from time to time contract for the operation by others of any facility or facilities financed or to be financed in whole or in part under this act or may from time to time lease the same to others for operation by them and may contract with any such operator for the disposal of refuse, garbage and waste, or for any of the foregoing, or for the purchase or use of by-products or residue resulting from the operation of such facilities. All other cities, towns and other public agencies and private parties are also authorized from time to time to contract with the city of Malden or with any such operator for the disposal of refuse, garbage and waste, or for any of the foregoing, or for the purchase or use of by-products or residue resulting from the operation of such facilities. Without limiting the generality of the foregoing, contracts hereunder may include provisions for the delivery of minimum amounts of refuse, garbage and waste and payments for the use of the facilities to be based thereon, unit prices, which may be graduated, and adjustments thereof. Any contract or lease under this section by a city or town, including the city of Malden, may be entered into by the appropriate officers acting under general authorization of the city council or town meeting and may run for a period not exceeding thirty-one years from the date of the contract or lease or from the date of commencing regular operation of the facility or facilities to be provided under this act, as determined or estimated in such contract or lease, whichever date is later. Any contract or lease hereunder may include provisions for arbitration. A contract by a city or town hereunder shall not be subject to section four of chapter forty of the General Laws

and shall not be precluded by the acceptance of section nine A of chapter ninety-two of the General Laws. The obligations represented by payments by a city or town under such a contract shall not be included in any determination of the borrowing capacity of such city or town under any limitation on its indebtedness.

SECTION 5. Said chapter 867 is hereby further amended by inserting after section 7 the following two sections: —

*Section 7A.* The establishment and operation of solid waste disposal facilities hereunder shall be subject to applicable laws except as otherwise provided herein. Reasonable requirements may be imposed thereon by proceedings or regulations pursuant to section one hundred and fifty A or chapter one hundred and eleven of the General Laws but the assignment of a site may not be rescinded, other than on appeal from the original assignment, pursuant to that section or otherwise.

*Section 7B.* In the event that solid waste disposal facilities hereunder include or are to include facilities for the production of steam as a by-product, any necessary steam pipes may be laid by the city as part of the solid waste disposal facilities project, or by the city or its redevelopment authority as part of an urban renewal project or by a corporation operating or leasing the solid waste disposal facilities. For this purpose such a corporation, whether domestic or foreign, shall have the powers granted by section twelve of chapter one hundred and fifty-eight of the General Laws but the production and sale of such steam and the foregoing grant of powers shall not cause the corporation to be otherwise subject to such chapter one hundred and fifty-eight or excluded from chapter one hundred and fifty-six or one hundred and fifty-six B of the General Laws or cause the corporation to be deemed a heat or power company for the purposes of the corporation laws of the commonwealth.

SECTION 6. This act shall take effect upon its passage.

*Approved July 22, 1971.*

**Chap. 551.** AN ACT SUSPENDING THE PROVISIONS OF LAW RELATIVE TO CERTAIN SOUND LEVEL LIMITATIONS IN CONNECTION WITH THE SALE OF NEW RECREATION OR SNOW VEHICLES.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to provide for the immediate suspension of the provisions of law relative to certain sound level limitations in connection with the sale of new recreation or snow vehicles, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

*Be it enacted, etc., as follows:*

SECTION 1. The third paragraph of section 24 of chapter 90B of the General Laws, as appearing in section 2 of chapter 589 of the acts of 1970, is hereby amended by striking out, in line 1, the word "seventy-one" and inserting in place thereof the word: — seventy-two, — so as to read as follows: —

On or after January the first, nineteen hundred and seventy-two no new recreation vehicle or new snow vehicle shall be sold in the commonwealth unless such vehicle is certified by the manufacturer as being