

Chap. 957. AN ACT PROVIDING FOR THE PAYMENT OF UNEMPLOYMENT BENEFITS DURING THE PENDENCY OF AN APPEAL FROM A DETERMINATION OR DECISION THAT SUCH PAYMENTS ARE DUE.

Be it enacted, etc., as follows:

SECTION 1. Section 39 of chapter 151A of the General Laws, as appearing in section 16 of chapter 763 of the acts of 1951, is hereby amended by striking out, in lines 13 to 16, inclusive, the words "unless a hearing is requested by a party affected within five days after receipt, but in no case more than seven days after mailing of said notice" and inserting in place thereof the words:— in accordance with such determination. A party entitled to notice may request a hearing within five days after receipt, but in no case more than seven days after mailing of said notice., — and by striking out, in lines 25 to 27, inclusive, the words "unless an application for a review by the board of review is filed in accordance with section forty" and inserting in place thereof the words:— in accordance with such decision.

SECTION 2. Section 41 of said chapter 151A is hereby amended by striking out the last sentence, as appearing in section 1 of chapter 685 of the acts of 1941, and inserting in place thereof the following three sentences:— Benefits shall be paid or denied in accordance with the decision of the board or the examiner, as the case may be. If the board modifies or rescinds the decision of the examiner, benefits shall be paid or denied in accordance with the decision of the board. Unless action is taken under section forty-two, the decision of the board shall be final on all questions of fact and law.

SECTION 3. Section 42 of said chapter 151A is hereby amended by inserting after the penultimate sentence, as appearing in chapter 434 of the acts of 1947, the following sentence:— Benefits shall be paid or denied in accordance with the decision of such single justice during the pendency of such appeal.

SECTION 4. Said chapter 151A is hereby further amended by inserting after section 42A the following section:—

Section 42B. If any determination under section thirty-nine, or any decision under section thirty-nine, forty-one or forty-two, is finally modified or reversed, any benefits which have been paid but to which the claimant was not entitled under such final decision shall be deemed to be erroneous payments recoverable under section sixty-nine.

Approved October 27, 1971.

Chap. 958. AN ACT REQUIRING THE HOLDING OF A PUBLIC HEARING BY A SCHOOL COMMITTEE PRIOR TO ITS CHANGING ANY SCHOOL DISTRICT UNDER A PLAN PROPOSED TO ELIMINATE RACIAL IMBALANCE IN ITS PUBLIC SCHOOLS.

Be it enacted, etc., as follows:

Section 37D of chapter 71 of the General Laws is hereby amended by inserting after the second paragraph the following paragraph:—

A school committee shall not alter or change a school district or districts under such a plan without holding a public hearing. Said school committee shall cause the notice of the time and place of such hearing

and of the subject matter, sufficient for identification, to be published in a newspaper of general circulation in the city or town once in each of two successive weeks, the first publication to be not less than fourteen days before the day of the hearing or if there is no such newspaper in such city or town then by posting such notice in a conspicuous place in the city or town hall for a period of not less than fourteen days before the day of such hearing and also send notice by mail, postage prepaid, to each parent affected by the proposed change. At the hearing any person, whether entitled to notice thereof or not, may appear in person or be represented by an agent who need not be an attorney.

Approved October 27, 1971.

Chap. 959. AN ACT REPEALING THE LAW RELATIVE TO THE REVOCATION OF REGISTRATIONS OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

Section 5 of chapter 90 of the General Laws is hereby amended by striking out the last sentence, inserted by chapter 254 of the acts of 1970.

Approved October 27, 1971.

Chap. 960. AN ACT INCREASING ACCIDENTAL DEATH BENEFIT ALLOWANCES TO DEPENDENT BENEFICIARIES OF CERTAIN PUBLIC EMPLOYEES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide forthwith for increased accidental death benefit allowances to dependent beneficiaries of certain public employees who undergo hazardous conditions while in the performance of their duties, 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. Subdivision (2) of section 9 of chapter 32 of the General Laws is hereby amended by striking out the second sentence, as most recently amended by section 1 of chapter 600 of the acts of 1968, and inserting in place thereof the following sentence: — In addition to any such payment, there shall be paid to such member's dependent beneficiary or beneficiaries, as hereinafter designated in this subdivision, an accidental death benefit allowance to consist of a yearly amount of pension equal to seventy-two per cent of the annual rate of regular compensation of such member on the date such injury was sustained or such hazard was undergone, or equal to seventy-two per cent of the average annual rate of his regular compensation for the twelve-month period for which he last received regular compensation immediately preceding the date of his death, whichever is greater; provided, that in the event an allowance is paid under this section as the result of the death of a member who had previously been retired for accidental disability, the amount of such allowance shall not be less than the annual amount of the pension portion of the allowance payable to such retired employee as of the date of his death.

SECTION 2. Notwithstanding any provision of law to the contrary, any beneficiary or beneficiaries receiving an accidental death benefit