

ACTS, 1981. - Chap. 386.

as provided in this act.

SECTION 9. Any police officer of the town of Webster may patrol any part of the waters of said lake, and shall have authority to arrest any person for violating the law in, on, or adjacent to, the waters of said lake or any rule or regulation established under the authority of this act, and may serve warrants and make arrests therefor on the waters of said lake or in any part of said town of Webster.

SECTION 10. Nothing herein contained shall prevent the enforcement of any by-law of the town of Webster upon any part of said waters lying within the limits of said town.

SECTION 11. Nothing herein contained shall in any way interfere with the water rights of Cranston Print Works Company or prevent or interfere with the operation and control by said company of the outflow gates in the dam located at the northern end of Webster lake. The Webster Lake Commission shall have no power to regulate or control the level of Webster lake or to control the flow of water from Webster lake.

SECTION 12. Any person who violates any rule, regulation or order of said Commission or any provision of this act shall be punished by a fine to be determined by said Commission; provided, however, that such fine for violation of any such rule, regulation or order shall not exceed one hundred dollars.

SECTION 13. All expense incurred by the Webster Lake Commission shall be borne by the town of Webster, subject to appropriation.

Approved August 6, 1981.

Chap. 386. AN ACT MAKING CERTAIN CHANGES IN THE ELECTION LAWS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 10 of chapter 39 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by chapter 34 of the acts of 1981, and inserting in place thereof the following sentence:- Every town meeting or town election, except as hereinafter provided, shall be called in pursuance of a warrant, under the hands of the selectmen, notice of which shall be given at least seven days before the annual meeting or an annual or special election and at least fourteen days before any special town meeting.

ACTS, 1981. - Chap. 386.

SECTION 2. Section 11 of chapter 41 of the General Laws is hereby amended by striking out the first sentence, as appearing in chapter 101 of the acts of 1974, and inserting in place thereof the following two sentences:- As used in this section, the term "vacancy" includes a failure to elect. If a vacancy occurs in any town office, other than the office of selectman, town clerk, treasurer, collector of taxes or auditor, the selectmen shall in writing appoint a person to fill such vacancy.

SECTION 3. Section 81A of said chapter 41 is hereby amended by striking out the seventh sentence, as amended by chapter 143 of the acts of 1959, and inserting in place thereof the following sentence:- A vacancy occurring otherwise than by expiration of term shall be filled for the unexpired term, in a city, in the same manner as an original appointment, and, in a town, if the members of the board are appointed, in the same manner as an original appointment and, if they are elected by appointment for the duration of the unexpired term, in the manner provided in section eleven.

SECTION 4. The first paragraph of section 4 of chapter 51 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 269 of the acts of 1980, and inserting in place thereof the following sentence:- Registrars, assistant registrars, or boards having similar duties under any special or general law, or one or more of them, except in the city of Boston, shall annually in January or February visit or communicate with the residents of every building in their respective cities and towns, and, after diligent inquiry, shall make true lists containing, as nearly as they can ascertain, the name, date of birth, occupation, nationality if not a citizen of the United States, and residence on January first in the preceding year and in the current year, of every person three years of age or older residing in their respective cities and towns.

SECTION 5. Section 31 of said chapter 51 is hereby amended by striking out the last sentence, as amended by chapter 175 of the acts of 1974, and inserting in place thereof the following sentence:- The registrars of voters of each city and town shall, however, hold sessions on the appropriate Saturday preceding the final day for registration as provided by section twenty-eight, whether or not the provisions of section one hundred and ten A of chapter forty-one are in effect in their respective cities and towns.

SECTION 6. Section 5 of chapter 52 of the General Laws is

ACTS, 1981. - Chap. 386.

hereby amended by striking out the last sentence, added by chapter 303 of the acts of 1963, and inserting in place thereof the following sentence:- The treasurer of such committee shall qualify for his office by filing a written acceptance thereof with the director of campaign and political finance, as provided in section five of chapter fifty-five.

SECTION 7. Section 3 of chapter 53 of the General Laws is hereby amended by striking out the first three sentences, inserted by chapter 224 of the acts of 1971, and inserting in place thereof the following three sentences:- A person whose name is not printed on a state primary ballot as a candidate for an office, but who receives sufficient votes to nominate him therefor, shall, within thirteen days following five o'clock post meridian on the day said primary was held, file in the office of the state secretary a written acceptance of said nomination and a receipt from the state ethics commission verifying the fact that a statement of financial interest has been filed under chapter two hundred and sixty-eight B. A person whose name is not printed on a city or town primary ballot, but who receives sufficient votes to nominate him, shall, within six days from the aforementioned time and day, file a written acceptance of said nomination in the office of the city or town clerk. The name of any such person who fails to file such written acceptance, and such receipt if required, shall not be printed on the official ballot to be used at the ensuing election.

SECTION 8. Section 87 of chapter 54 of the General Laws is hereby amended by striking out subsection (b), as most recently amended by chapter 87 of the acts of 1975, and inserting in place thereof the following subsection:-

(b) Blank forms of application for such ballots, worded as follows:

I, _____, hereby apply for an absent voting ballot. The place of my legal residence is in the city or town of _____ in the state of _____, and, as I believe, I am a duly registered voter at _____ (Street and Number) in the city or town of _____ and entitled to vote at the next state election at ward _____, precinct _____, in said city or town of _____.

(Signature)

(Date)

CHECK ONE:

Mail official absent voting ballot to _____ (Street and Number) _____ (City or Town) _____ (State or Country).

ACTS, 1981. - Chap. 386.

____ I will call for the ballot at the office of the town or city clerk or election commission and will vote upon said ballot in said office at a time arranged with the clerk.

(If in the service of the United States, the applicant will fill out the following:)

I am in the military, naval, civil service of the United States, and my rank or official position is _____.

(Signature)

(Date)

(If unable by reason of physical disability to cast his vote in person at the polling place, the applicant will sign the following:)

I hereby certify that I will be unable by reason of physical disability to cast my vote in person at the polling place on the date of the election.

(Signature)

(Date)

Signed under the pains and penalties of perjury.

We, the undersigned, a majority of the registrars of voters of the _____ of _____, hereby certify that the above signature, to the best of our knowledge and belief, appears to be genuine, and that we believe said _____ is a duly registered voter in said ward _____, precinct _____, city or town or _____.

Registrars of the _____ of _____.

Any form of written communication evidencing a desire that an absent voting ballot be sent to him for use for voting at any election where absent voting is permitted shall be given the same effect as an application for an absent voting ballot made in the form prescribed by law.

SECTION 9. Subsection (c) of said section 87 of said chapter 54 is hereby amended by striking out clause (2), as amended by section 3 of chapter 545 of the acts of 1969, and inserting in place thereof the following clause:-

(2) for ballots delivered in person at the office of the clerk:
COMMONWEALTH OF MASSACHUSETTS

_____, ss.

I, _____, do solemnly swear that I am a registered voter at _____, (voting address) in the city or town of _____, Massachusetts in ward _____, precinct _____, that on the day of the special state election or biennial state election to be held on _____ I shall be absent from the city or town in which I am a voter, that I have carefully read the instructions delivered to me with the ballot herein enclosed, and that I have marked, enclosed and sealed

ACTS, 1981. - Chap. 386.

the within ballot as stated hereon by the person taking my oath.

Signature _____ (of voter)

Subscribed and sworn to before me by the above person, personally known to me or identified to my satisfaction, this _____ day of _____, 19__, in the city (or town of _____), and I hereby certify that when I was alone with the above person he showed me the ballot herein enclosed, unmarked, and then in my presence marked the same without my seeing how he marked it, after which he sealed said ballot in this envelope. I had no communication with the above person as to how he was to vote.

Name _____

Clerk (or assistant) of the city (or town) of _____

SECTION 10. Section 89 of said chapter 54 is hereby amended by striking out the sentence inserted by chapter 16 of the acts of 1960, and inserting in place thereof the following sentence:- No such application shall be deemed to be seasonably filed unless it is received in the office of the city or town clerk or the registrars of voters before noon on the day preceding the election for which such absent voting ballot is requested, but if the day preceding the election is a Sunday or legal holiday, then before five o'clock post meridian on the last previous day on which the office is open.

SECTION 11. Section 94 of said chapter 54 is hereby amended by striking out the eighth sentence, added by chapter 379 of the acts of 1980, and inserting in place thereof the following sentence:- Said clerk shall notify, as soon as possible, each voter whose ballot was rejected that such ballot has been rejected.

SECTION 12. The second paragraph of subsection (b $\frac{1}{2}$) of section 103 O of said chapter 54, as appearing in section 3 of chapter 420 of the acts of 1976, is hereby amended by inserting after the word "America", in line 4, the words:- , or other acceptable identification.

SECTION 13. Said chapter 54 is hereby further amended by inserting after section 116 the following section:-

Section 116A. Any person whose name does not appear on the state election ballot, but who receives sufficient votes to elect him to an office appearing on said ballot, shall within three days after the certification of his election file a statement of financial interest under chapter two hundred and sixty-eight B with the state ethics commission, if he has not already done so.

SECTION 14. Clause (a) of section 5 of chapter 268B of the General Laws, as appearing in section 20 of chapter 210 of the

ACTS, 1981. - Chaps. 387, 388.

acts of 1978, is hereby amended by adding the following sentence:- Every candidate for public office who has not filed nomination papers with the state secretary, but on whose behalf a statement of organization of a political committee has been filed with the director of campaign and political financed under section five of chapter fifty-five, and who is seeking public office by the so-called "write in" or "sticker" method, shall within three days after such filing file a statement of financial interest with the commission.

Approved August 6, 1981.

Chap. 387. AN ACT AUTHORIZING THE REDEVELOPMENT BOARD OF THE TOWN OF ARLINGTON TO SELL OR LEASE A CERTAIN PARCEL OF LAND.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any special or general law to the contrary, the redevelopment board of the town of Arlington is hereby authorized to sell or lease for commercial or other redevelopment purposes a certain parcel of land with improvements thereon located at numbers 5 and 11 Water street in said town.

SECTION 2. This act shall take effect upon its passage.

Approved August 8, 1981.

Chap. 388. AN ACT AUTHORIZING THE DEPARTMENT OF FISHERIES, WILDLIFE AND RECREATIONAL VEHICLES TO GRANT CERTAIN EASEMENTS ON, OVER AND ACROSS CERTAIN LAND IN THE TOWN OF MERRIMAC FOR THE CONSTRUCTION OF A SANITARY SEWER.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to allow construction of a sanitary sewer in the town of Merrimac to begin, 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. The department of fisheries, wildlife and recreational vehicles, pursuant to section seventeen A of chapter twenty-one of the General Laws, in the name and on behalf of