

dollars, shall grant a license to catch or take both lobsters and edible crabs from the coastal waters of the commonwealth. Except as hereinafter provided, such licenses to catch or take both lobsters and edible crabs shall be granted only to individuals who are citizens of the commonwealth and who have resided therein for at least one year next preceding the date of such license, but no such license shall be issued to a minor under seventeen years of age except with the written consent of his parent, guardian or custodian and at the discretion of the director.

The director may grant such a license to catch or take both lobsters and edible crabs to any individual who is an alien residing in the commonwealth; provided that such alien resided in the commonwealth, and was actually engaged in lobster fishing in the coastal waters thereof, for five years next preceding December first, nineteen hundred and twenty.

A non-resident citizen of the United States temporarily residing or intending temporarily to reside in any coastal city or town may in any year, upon payment of the fee required by this section, obtain a license to take lobsters or edible crabs during June, July, August and September of such year, for consumption only by the licensee and his family who are so residing. Licenses hereunder, except those granted to non-resident citizens of the United States, shall expire on December thirty-first next succeeding the granting of the same unless sooner made void as provided in this chapter. Each applicant for a license under this section shall state the color scheme or other special markings of the buoys desired to be used by him, which, if approved by the director, shall be set forth in his license, and all buoys used by him shall be marked accordingly, and all buoys, pots, traps and lobster cars used by him shall be marked with the licensee's initials or name or the number assigned to him by the director, which shall be branded or cut into the surface thereof.

Any person licensed under the provisions of the preceding paragraph may, upon application to the director, obtain one or more helper's licenses, which shall authorize one person for each such license issued to assist such licensee in the taking of lobsters and crabs in the coastal waters of the commonwealth by means of traps or pots. Said licensee shall retain in his possession any such helper's licenses obtained by him, but such helper's licenses shall be applicable to any person so assisting said licensee. The fee for each helper's license shall be ten dollars.

A licensee shall at all times, while acting in pursuance of his license or being assisted therein, exhibit his license and helper's licenses upon the demand of any officer qualified to serve criminal process, and upon failure so to do shall be punished by a fine of not more than twenty-five dollars.

The director shall state in his annual report the number of licenses of each kind granted under this section.

*Approved September 6, 1960.*

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**Chap. 643.** AN ACT RELATIVE TO MUNICIPAL LIGHT COMMISSIONS.

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

Chapter 164 of the General Laws is hereby amended by inserting after section 56 the following five sections:—

*Section 56A.* The words "municipal light commission" as used in this section and in sections fifty-six B to fifty-six E, inclusive, shall mean a light commission, gas and electric commission or similar body established by act of the legislature and vested with all powers and duties formerly exercised by the mayor and selectmen under this chapter, and with the powers and duties conferred upon municipal light boards under this chapter.

No member of a municipal light commission or manager thereof shall directly or indirectly make a contract with the city or municipal lighting plant or receive any commission, discount, bonus, gift, contribution or reward from or any share in the profits of any person making or performing such contract unless such member or manager immediately upon learning of the existence of such contract, or that such contract is proposed, shall notify in writing the municipal light commission or city of the nature of his interest in such contract and shall abstain from doing any official act on behalf of the commission or plant in reference thereto.

A violation of any provision of this section shall render the contract in respect to which such violation occurs voidable at the option of the commission. Any person violating the provisions of this section shall be punished by a fine of not less than fifty nor more than one thousand dollars or by imprisonment for not more than one year, or both.

This section shall not apply to contracts of employment between a municipal lighting plant and its manager.

This section shall not apply to contracts between the city or municipal lighting plant and a corporation of which the member or manager is a stockholder or bondholder, unless the member or manager or a member of his immediate family owns or controls more than one per cent of the capital stock or more than one per cent of the outstanding bonds of such corporation.

*Section 56B.* All contracts made by a municipal light commission where the amount involved is one thousand dollars or more shall be in writing. Any contract made as aforesaid may be required to be accompanied by a bond with sureties satisfactory to the municipal light commission, or by a deposit of money, certified check or other security for the faithful performance thereof, and such bonds or other securities shall be deposited with the city or town treasurer until the contract has been carried out in all respects; and no such contract shall be altered except by a written agreement of the contractor, the sureties on his bond, if any, and the officer or members of the municipal light commission making the contract.

*Section 56C.* Every municipal light commission or manager thereof, who makes or executes a contract on behalf of a municipal lighting plant, where the amount involved is one thousand dollars or more, shall furnish said contract or a copy thereof to the city or town auditor within one week after its execution. Said city or town auditor shall keep such contract or copy on file, open to public inspection during business hours. Such contracts or copies shall be kept in a separate book, arranged according to the subject of the contract, or in other convenient form. An index of the subject matter of the

contracts and to the names of the contractors shall be made semi-annually, and shall also be open to public inspection in some convenient form. All allowances under and additions to such contracts, or copies thereof, shall be filed with the city or town auditor, together with a sworn statement of the officer making such allowances or additions that the same are correct and in accordance with the contract. A city or town auditor, municipal light commissioner or manager wilfully failing to comply with this section shall be punished by a fine of not less than ten nor more than one hundred dollars.

*Section 56D.* No contract for the purchase of equipment, supplies or materials, the actual or estimated cost of which amounts to one thousand dollars or more, except in cases of special emergency involving the health, safety or welfare of the people or their property, shall be awarded unless proposals for the same have been invited by advertisement in at least one newspaper published in the city or town in which the lighting plant is located, or, if there is no such newspaper, in a newspaper published in the same county, such publication to be at least one week before the time specified for the opening of said proposals. Such advertisement shall state the time and place for opening the proposals in answer to said advertisement, and shall reserve to the municipal light commission the right to reject any or all such proposals. All such proposals shall be opened in public. No bill or contract shall be split or divided for the purpose of evading any provision of this section.

This section shall not apply to contracts for the supply of electricity to a municipal plant except that such contract shall be subject to the approval of the department of public utilities. Said department may, upon its own initiative, where such contract is for a period longer than three years, after notice and a public hearing, make such order relative to the rates, prices and charges covered by such contract as it deems the public interest requires.

*Section 56E.* Any member of a municipal light board or municipal light commission appointed under the provisions of any general or special law may be removed by the appointing authority for misfeasance or malfeasance in office or wilful neglect of duty. Prior to such removal the member shall be given a full hearing before the appointing authority, of which hearing he shall have at least three days' written notice, exclusive of Sundays and holidays, from the appointing authority. Said notice shall contain a full and complete statement of the specific reasons which are alleged to constitute the cause for such removal. Within two days, exclusive of Sundays and holidays, after completion of said hearing, the appointing authority shall give such member a written notice of his decision, stating fully and specifically the reasons therefor.

Any hearing under this section shall, if either party concerned so requests in writing, be public, and at any such hearing the member concerned shall be allowed to answer the charges preferred against him either personally or by counsel.

Within thirty days after receipt of the decision of the appointing authority, a member who was so removed may appeal to the superior court for the county in which the plant is located. Notwithstanding a decision of the appointing authority removing a member he shall

continue to serve until the expiration of the appeal period provided in this paragraph. If such member appeals as hereinbefore provided such appeal shall be advanced for a speedy hearing. The court shall hear all pertinent evidence and determine the facts, and, upon the facts as so determined, annul or affirm such decision. Until the court affirms the order removing such member, his removal shall not take effect and such member shall continue to exercise the powers and perform the duties of his office. The decision of the court shall be final and conclusive upon the parties and a copy of the decision shall be forwarded forthwith by the clerk of the court to the appointing authority.

*Approved September 6, 1960.*

**Chap. 644.** AN ACT FURTHER DEFINING THE DUTIES OF THE MASS TRANSPORTATION COMMISSION.

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

Chapter 16 of the General Laws is hereby amended by striking out section 10, added by chapter 416 of the acts of 1959, and inserting in place thereof the following section:—*Section 10.* The commission shall investigate and study mass transportation problems and plan co-ordinated mass transportation facilities and land use policies affecting the commonwealth, the metropolitan Boston area and the city of Boston. The commission shall also investigate and study the relationship of mass transportation facilities, land use and urban renewal and development to the economic needs and opportunities of the commonwealth and to the civil defense and disaster program with particular emphasis on the financial, legal, economic, technical and social problems. The commission shall study and plan for co-ordinating the highway program of the commonwealth and the federal government with other mass transportation facilities. The commission shall work with appropriate federal agencies and agencies of the commonwealth in connection with highway, transportation, land use and urban renewal and development studies. The commission shall from time to time make such recommendations to the governor and the general court for the co-ordination of highway and mass transportation programs and for the development of integrated plans for mass transportation and land use as the commission may deem advisable.

*Approved September 6, 1960.*

**Chap. 645.** AN ACT AUTHORIZING THE COMMONWEALTH TO SELL AND CONVEY CERTAIN LAND IN THE TOWN OF PLYMOUTH TO THE PILGRIM SOCIETY.

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

The commissioner of public works, in the name of and on behalf of the commonwealth, is hereby authorized, subject to approval by the governor and council, to sell and convey to the Pilgrim Society, by a deed approved as to form by the attorney general, all the right, title and interest of the commonwealth in and to certain land situated in the town of Plymouth and described in a certain instrument recorded in the Plymouth county registry of deeds, Book 1387, Page 99; pro-