

ACTS, 1985. – Chaps. 321, 322, 323.

Chapter 321. AN ACT AUTHORIZING THE DOMESTIC INSURANCE COMPANIES TO INVEST IN CERTAIN OBLIGATIONS OF THE AFRICAN DEVELOPMENT BANK.

Be it enacted, etc., as follows:

Section 63 of chapter 175 of the General Laws, as appearing in the 1984 Official Edition, is hereby amended by striking out paragraph 3A and inserting in place thereof the following paragraph:-

3A. In bonds, notes or obligations issued, assumed or guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development bank, the Asian Development bank or the African Development bank.

Approved September 26, 1985.

Chapter 322. AN ACT FURTHER EXTENDING CERTAIN IMMUNITY TO MUNICIPAL ARSON SQUADS.

Be it enacted, etc., as follows:

Section 32 of chapter 148 of the General Laws, as appearing in the 1984 Official Edition, is hereby amended by striking out the third paragraph and inserting in place thereof the following paragraph:-

In the absence of fraud, malice or criminal act, no insurance company, or person who furnished information on its behalf, or any duly licensed insurance agent or broker, or any employee of such agent or broker, through whom the policy was issued nor any member of the local municipal arson squad of the fire or police department shall be liable for damages in a civil action or subject to criminal prosecution for any conduct reasonably undertaken pursuant to the provisions of this section.

Approved September 26, 1985.

Chapter 323. AN ACT AUTHORIZING THE MAILING OF CERTAIN DOCUMENTS IN TORT OR CONTRACT ACTIONS BY CERTIFIED MAIL ONLY.

Be it enacted, etc., as follows:

The first paragraph of section 79G of chapter 233 of the General Laws, as appearing in the 1984 Official Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- In an action of tort or contract, or for consequential damages arising therefrom, an itemized bill for medical, dental or hospital services rendered to a person injured, subscribed and sworn to under the penalties of perjury, by the physician, dentist, optometrist, chiropractor, physical therapist or podiatrist, or authorized

ACTS, 1985. – Chaps. 324, 325.

agent of the hospital rendering such services, shall be admissible as evidence of the necessary, fair and reasonable charge for such services; provided, that said bill shall include only the date and place of each service rendered because of said injury and the charge therefor without reference to the injury itself or the history thereof; and provided, further that written notice of the intention to offer such a bill as such evidence, together with a copy thereof, has been given to the opposing party or parties, or to his or their attorneys, by mailing the same by certified mail not less than ten days before the trial, and that an affidavit of such notice is filed with the clerk of the court forthwith.

Approved September 26, 1985.

Chapter 324. AN ACT REQUIRING A NONBINDING QUESTION ON THE BALLOT REGARDING A NATIONAL HEALTH PROGRAM.

Be it enacted, etc., as follows:

For the purpose of ascertaining the will of the voters relative to a national health care program, the secretary of state shall cause to be placed on the official ballot to be used at the biennial state election in the year nineteen hundred and eighty-six the following question:-

"Shall the commonwealth of Massachusetts urge the United States Congress to enact a national health program which:-

provides high quality comprehensive personal health care including preventive, curative and occupational health services; is universal in coverage, community controlled, rationally organized, equitably financed, with no out-of-pocket charges, is sensitive to the particular health needs of all, and is efficient in containing its cost; and whose yearly expenditure does not exceed the proportion of the Gross National Product spent on health care in the immediately preceding fiscal year? This question is nonbinding".

Approved September 30, 1985.

Chapter 325. AN ACT PROVIDING FOR THE CONFIDENTIALITY OF COMMUNICATIONS MADE DURING CERTAIN MEDIATION OF DISPUTES.

Be it enacted, etc., as follows:

Chapter 233 of the General Laws is hereby amended by inserting after section 23B the following section:-

Section 23C. All memoranda, and other work product prepared by a mediator and a mediator's case files shall be confidential and not subject to disclosure in any judicial or administrative proceeding involving any of the parties to any mediation to which such materials apply. Any