

which such teacher is employed; and provided further, that, in the case of any person in the service of any institution or school in the department of mental health, the department of public health or the department of public welfare whose employment is not subject to chapter thirty-one and the rules and regulations made thereunder, such withholding shall be made on account of salary payments during the first six months of service, but shall be held in escrow by the payroll authority until completion of said six months, and that, if employment terminates prior to completion of said six months, employing authorities are hereby authorized to make the proper refunds.

*Approved May 23, 1974.*

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**Chap. 250.** AN ACT DESIGNATING THE TREATMENT CENTER FOR EMPHYSEMA AT LEMUEL SHATTUCK HOSPITAL AS THE DR. JOHN MASON TYLER EMPHYSEMA TREATMENT CENTER.

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

The treatment center for emphysema at Lemuel Shattuck hospital shall be designated and known as the Dr. John Mason Tyler emphysema treatment center, in memory of Dr. John Mason Tyler, a former head of the cardiopulmonary unit at said hospital. A suitable marker bearing said designation shall be attached to said center by the department of public health.

*Approved May 23, 1974.*

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**Chap. 251.** AN ACT RELATIVE TO RETIREMENT OF EMPLOYEES OF SAVINGS BANKS AND EMPLOYEES OF CO-OPERATIVE BANKS.

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

SECTION 1. The fourth sentence of the third paragraph of section 74 of chapter 168 of the General Laws, as appearing in section 1 of chapter 197 of the acts of 1959, is hereby amended by striking out, in line 12, the words "average salary for the five years" and inserting in place thereof the words:— highest average salary for any three successive years within the five years next.

SECTION 2. The third paragraph of section 51 of chapter 170 of the General Laws is hereby amended by striking out the fourth sentence, as amended by section 5 of chapter 401 of the acts of 1971, and inserting in place thereof the following sentence:— If upon retirement after December thirty-first, nineteen hundred and fifty-eight, from a participating bank of an employee eligible for retirement under the by-laws of the association (a) the annuity or pension, as determined on a fixed benefit basis prior to any conversion to any variable pension which may then be available under the by-laws of the association, provided by contributions from any and all banks, as defined in the second paragraph of this section,