

ACTS, 1983. - Chaps. 415, 416, 417.

**Chap. 415. AN ACT FURTHER REGULATING CERTAIN TRANSPORTATION OF FOOD.**

Be it enacted, etc., as follows:

Chapter 149 of the General Laws is hereby amended by striking out section 49, as most recently amended by section 1 of chapter 70 of the acts of 1961, and inserting in place thereof the following section:-

Section 49. Sections forty-seven and forty-eight shall not apply to establishments used for the manufacture or distribution of gas, electricity, milk or water, to hotels, to the transportation of food, nor to the sale or delivery of food by or in establishments other than restaurants. This section shall not apply to railroads or railways as defined in section one of chapter one hundred and sixty.

Approved October 11, 1983.

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**Chap. 416. AN ACT RELATIVE TO THE ASSESSMENT OF PROPERTY TAXES IN THE TOWN OF SPENCER.**

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section twenty-one C of chapter fifty-nine of the General Laws or any other general or special law to the contrary, the town of Spencer is hereby authorized to assess for taxes in fiscal year nineteen hundred and eighty-four an amount equal to one hundred and two and one-half per cent of fiscal year nineteen hundred and eighty-two allowable tax levy limit, established by the commissioner of revenue for said town; provided, however, that the total taxes assessed within said town shall not exceed two and one-half per cent of the full and fair cash value of said town.

SECTION 2. The provisions of this act shall take effect as of July first, nineteen hundred and eighty-three.

Approved October 11, 1983.

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**Chap. 417. AN ACT RELATIVE TO THE ENFORCEMENT OF CERTAIN MOTORBOAT LAWS.**

Whereas, The deferred operation of this act would tend to

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defeat its purpose, which is to immediately provide for the enforcement of certain motorboat laws, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety. \_\_\_\_\_

Be it enacted, etc., as follows:

SECTION 1. Chapter 90B of the General Laws is hereby amended by inserting after section 12 the following section:-

Section 12A. Any officer authorized to enforce the provisions of this chapter who observes a motorboat or vessel being used without personal flotation devices required under this chapter or which is in an overloaded or other unsafe condition and which, in his judgment, presents a substantial risk of injury or loss of life by the use of said motorboat or vessel, may terminate such use and direct the operator to take whatever immediate and corrective steps which are necessary for the safety of the persons aboard such motorboat or vessel, including, but not limited to, directing the operator to proceed to a mooring and to remain there until such motorboat or vessel is deemed to be safe.

As used in this section the term "other unsafe condition" shall mean: (a) the motorboat or vessel is not displaying the navigation lights between sunset and sunrise; (b) the motorboat or vessel has fuel leakage from either the fuel system or engine; (c) the motorboat or vessel has an accumulation of fuel in the bilges or in a compartment other than a fuel tank; (d) the motorboat or vessel does not meet the ventilation requirements for tanks and engine spaces; or (e) the motorboat or vessel does not meet the requirements for backfire flame control.

SECTION 2. Section 14 of said chapter 90B is hereby amended by striking out subsection (b), as most recently amended by section 2 of chapter 714 of the acts of 1974, and inserting in place thereof the following subsection:-

(b) whoever as a scuba diver, so-called, or boat operator violates any provision of section five, five A, seven, subsection (b) of section nine, section twelve, twelve A, or thirteen A or of any rule or regulation pertaining thereto shall be punished by a fine of not less than ten nor more than fifty dollars.

Approved October 13, 1983.

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Chap. 418. AN ACT RELATIVE TO THE LICENSING AND KEEPING OF DOGS IN THE CITY OF NEWTON.

Be it enacted, etc., as follows: