

jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

SECTION 17. The provisions of chapter four hundred and fifty-seven of the acts of eighteen hundred and ninety-nine and of chapter five hundred and twenty-five of the acts of nineteen hundred and one and of all other general or special laws, or parts thereof, inconsistent herewith and of any zoning ordinance of the city of Boston are declared to be inapplicable to the state office building, or any other facility or structure constructed under the provisions of this act. The provisions of section four of chapter sixteen of the General Laws shall not apply to the provisions of this act.

SECTION 18. Section twelve of chapter sixty-three of the General Laws is hereby amended by inserting after paragraph (r) inserted by section eleven of chapter seven hundred and one of the acts of nineteen hundred and fifty-seven, the following paragraph: —

(s) Bonds or evidences of indebtedness issued by the Massachusetts State Office Building Association. *Approved October 3, 1958.*

CHAP. 604. AN ACT FURTHER REGULATING THE DISPOSAL OF CONTAINERS USED FOR REFRIGERATIVE PURPOSES.

*Whereas*, The deferred operation of this act would tend to defeat its purpose which is, in part, to immediately extend the provisions of law requiring an owner of certain containers used for refrigerative purposes to remove the door thereof before discarding the same so that said provisions shall apply to any person discarding such a container whether or not such person is the owner thereof, 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:*

Chapter 271 of the General Laws is hereby amended by striking out section 46, as amended by section 1 of chapter 191 of the acts of 1954, and inserting in place thereof the following section: — *Section 46.* Whoever discards or sets aside for failure to use a container originally used for refrigerative purposes without first removing the door or doors, unless the container may be easily opened from the inside, shall be punished by a fine of not more than one hundred dollars.

*Approved October 3, 1958.*

CHAP. 605. AN ACT ESTABLISHING A MASSACHUSETTS BOARD OF REGIONAL COMMUNITY COLLEGES AND PROVIDING FOR THE ESTABLISHMENT OF REGIONAL COMMUNITY COLLEGES.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide immediately for an expanded regional higher educational program for the commonwealth, 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. Chapter 15 of the General Laws is hereby amended by adding at the end the following section: — *Section 27.* There is hereby established in the department, but not subject to its control, a Massa-

chusetts board of regional community colleges, hereinafter called the board, which shall consist of fifteen members, including the commissioner of education, the president of the university of Massachusetts, a president of a state teachers college elected annually by the presidents of the state teachers colleges including the Massachusetts school of art, a president of a Massachusetts technical institute elected by the presidents of such technical institutes, and eleven members appointed by the governor with the advice and consent of the council, at least one of whom shall be the president of a private college, university, or junior college in the commonwealth. The members shall serve without compensation, but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties. The governor, in his initial appointments, shall designate three members to serve for six years, three members for five years, two members for four years, one member for three years, one member for two years, and one member for one year. Upon the expiration of the term of office of a member of the board his successor shall be appointed for a term of six years. The governor shall from time to time designate one of the members as chairman. The board shall appoint and fix the duties of a chief administrative officer, to be known as the president of the Massachusetts regional community colleges, and may employ and fix the duties of such other persons and expend such funds as are necessary to carry out the functions of the board, within the limits of the amounts appropriated therefor. The board is hereby authorized and empowered to receive and use such private foundation funds or such federal funds as may be available in the carrying out of its functions. Said president and all employees of the regional community colleges shall receive such compensation as the board shall determine, and shall not be subject to chapter thirty-one.

The duties of the board shall include the determination of the need for education at the community and junior college level throughout the commonwealth, and the development and execution of an over-all plan to meet this need. The board shall then establish and maintain regional community colleges at suitable locations in accordance with this plan. The board shall have the power to construct, lease or otherwise provide any facilities required for these colleges, including the right to take land for such purposes by eminent domain under the provisions of chapter seventy-nine. The board may also enter into agreements for the use of local facilities with a local school committee or other local authority or jointly with local school committees or other authorities of two or more cities or towns; provided, that the board and the local school committee or committees or other local authorities, shall have the right to review this agreement for the use of local facilities at any time. The board may, upon six months' notice and after consultation with the local school committee or committees or other authorities, require changes in such an agreement or discontinue the agreement. The school committee or school committees or other local authorities may discontinue the agreement at the close of any academic year, provided at least six months' notice is given to the board.

The board shall have general supervision and control of regional community colleges established under the provisions of this section, shall select the dean and other officers of each college and shall define their duties and tenure of office.

The board shall have complete authority with respect to the election or appointment of officers and professional staff, including their dismissal, promotion, demotion and transfer, including the assignment of their respective ranks and duties within quotas and titles established in the appropriation act by the general court. For the purposes of this section, professional staff shall include all persons employed for actual instruction of students and corresponding positions in the fields of experiment, extension, law enforcement and related activities.

The board may hire such professional personnel at a rate above the minimum and within the grade to which the position is allocated upon determination by the board that the person to be employed has served satisfactorily in a comparable position for a period of time equivalent to the period required by the general salary schedule had such service been entirely in the service of the commonwealth.

The board may, without prior approval, within the limits of appropriation made therefor, engage consultants and lecturers and employ such temporary professional employees at rates and in titles corresponding to permanent positions authorized for these colleges as they shall determine necessary for the operation of the colleges for periods not exceeding the fiscal year.

The board may, notwithstanding the provisions of section twenty-one of said chapter thirty, authorize the payment of overtime or extra compensation to such professional employees, within the limits of appropriations made therefor, for such services rendered in summer sessions or other periods outside the session periods of the normal academic year; provided, that the trustees shall determine that such services shall not interfere with regular full-time activities as provided by law required of such professional employees. The board shall establish the curricula which shall be substantially equivalent to the first two years of college education, including post-high school professional or vocational education, and may establish programs of adult education; shall fix the tuition to be charged, and may grant the degree of Associate in Arts or Associate in Science, or both such degrees, to persons who complete the required courses of instruction in such colleges.

Each regional community college established under this section shall have an advisory board to consist of ten members appointed by the governor. The members shall be residents of the region served by the college. In the initial appointments, two members shall be appointed to serve for five years, two for four years, two for three years, two for two years, and two for one year. Upon the expiration of the term of a member of an advisory board his successor shall be appointed for a term of five years. At least one member of each advisory board shall be a representative of business, and one shall be a representative of labor.

SECTION 2. Chapter 71 of the General Laws is hereby amended by inserting after section 80, inserted by chapter 127 of the acts of 1958, the following section: — *Section 81.* Notwithstanding the provisions of sections seventy-five to seventy-nine, inclusive, no junior college shall be established by a city or town after January first, nineteen hundred and fifty-nine.

SECTION 3. Chapter 73 of the General Laws is hereby amended by striking out section 7, as most recently amended by chapter 309 of the acts of 1957, and inserting in place thereof the following section: —

*Section 7.* The department may grant the degree of Bachelor of Education or of Bachelor of Science in Education to any person completing a four-year course in a Massachusetts state teachers college, and the degree of Master of Education to graduates of colleges or universities who have satisfactorily completed a graduate course of instruction in any such teachers college. The department may grant the degree of Bachelor of Fine Arts to any student at the Massachusetts school of art upon the successful completion of certain four-year prescribed courses in the field of fine arts.

SECTION 4. Section 9 of said chapter 73, added by section 4 of chapter 620 of the acts of 1948, is hereby repealed.

*Approved October 3, 1958.*

CHAP. 606. AN ACT PROVIDING FOR THE CONSTRUCTION, MAINTENANCE, REPAIR, OPERATION OR LEASING OF A GARAGE FOR THE PARKING OF MOTOR VEHICLES UNDER BOSTON COMMON IN THE CITY OF BOSTON AND CREATING THE MASSACHUSETTS PARKING AUTHORITY, DEFINING ITS POWERS AND DUTIES, AND PROVIDING FOR THE FINANCING OF SUCH GARAGE.

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

SECTION 1. *Declaration of Necessity.* — It is hereby declared that the free circulation of traffic of all kinds through the streets of the city of Boston is necessary for the rapid and effective fighting of fires and disposition of police forces in said city and for the health, safety and general welfare of the public, whether residing in said city or traveling to, through or from said city in the course of lawful pursuits; that in recent years the parking of motor vehicles in the streets of said city has so substantially impeded such free circulation of traffic as to constitute at the present time a public nuisance endangering the health, safety and welfare of the general public, as well as endangering the economic life of said city; that this parking nuisance is not capable of being adequately abated except by the construction and operation of a garage under Boston Common in said city; that notwithstanding chapter two hundred and ninety-four of the acts of nineteen hundred and forty-six, and subsequent acts amendatory thereof, and chapter seven hundred and one of the acts of nineteen hundred and fifty-seven, such a garage has not been constructed; and a public exigency exists which makes the provisions of this act a public necessity.

SECTION 2. *Definitions.* — As used in this act, the following words and terms shall have the following meanings, unless the context shall indicate another or different meaning or intent: —

(a) "Authority" shall mean the Massachusetts Parking Authority, created by section three of this act, or, if said Authority shall be abolished, the board, body, authority or commission succeeding to the principal functions thereof or to whom the powers given by this act to the Authority shall be given by law.

(b) "City" shall mean the city of Boston.

(c) "Cost of the project" shall embrace the cost of preparing plans and specifications for, and constructing the garage, tunnel, and underground passageway, as hereinafter defined, including all necessary and