

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, October 9, 1958.

The Honorable EDWARD J. CRONIN, *Secretary of the Commonwealth, State House, Boston, Mass.*

DEAR MR. SECRETARY:— I, Foster Furcolo, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 628 of the Acts of 1958, entitled, "An Act Authorizing the State Examiner of Electricians to Appoint their Employees and Establish their Duties" and the enactment of which received my approval on October 7, 1958, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act for ninety days would defeat its purpose in that it will delay the filling of existing vacancies in accordance with the provisions of said act.

Very truly yours,

FOSTER FURCOLO,

Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, October 9, 1958.

I, John W. Newman, Deputy Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at four o'clock and ten minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter six hundred and twenty-eight of the acts of nineteen hundred and fifty-eight.

JOHN W. NEWMAN,

Deputy Secretary of the Commonwealth.

CHAP. 629. AN ACT PROVIDING THAT CERTAIN COMPENSATION SHALL BE PAID BY THE COMMONWEALTH TO DEPENDENTS OF AN OFFICER OR ENLISTED PERSON OF THE ARMED FORCES OF THE COMMONWEALTH IN CASE OF DEATH RESULTING FROM INJURY, SICKNESS OR DISEASE WHILE PERFORMING ANY MILITARY DUTIES FOR WHICH HIS DEPENDENTS ARE ENTITLED TO COMPENSATION FROM THE UNITED STATES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 33 of the General Laws is hereby amended by striking out section 88, as appearing in section 1 of chapter 590 of the acts of 1954, and inserting in place thereof the following section:—
Section 88. An officer or enlisted person of the armed forces of the commonwealth, while performing any military duty lawfully ordered under any provision of this chapter, or a person not a member of the armed

force of the commonwealth, but who is the owner, or is employed by the owner of a motor vehicle lawfully loaned to or hired by the commonwealth under section eighty-nine and whose services are loaned or given to the commonwealth for any purpose set forth in said section, or a person rendering assistance to any of the armed forces of the commonwealth in connection with the use of a motor vehicle under any provision of section eighty-nine by request or order of any responsible officer of said armed forces and who by reason of such voluntary action, employment or assistance and without fault or neglect on his part, receives any injury, is disabled, or contracts any sickness or disease, incapacitating him from pursuing his usual business or occupation, shall, during the period of such incapacity, receive compensation to be fixed by a board appointed under the provisions of section ninety to inquire into his claim, and actual necessary expenses for medical services and care, medicines and hospitalization. In case of death resulting from such injury, sickness or disease, except in the case of any such death for which compensation is payable under the provisions of the second paragraph of this section, compensation shall be paid to the decedent's dependents, as determined in accordance with clause (3) of section one and section thirty-two of chapter one hundred and fifty-two, in the amounts provided by and otherwise subject to section thirty-one of said chapter; provided, that dependents other than widows and children shall receive compensation to be fixed by said board, which shall exercise all the powers given by said provisions of chapter one hundred and fifty-two to the division of industrial accidents.

In case of death, resulting from injury, sickness or disease, of an officer or enlisted person of the armed forces of the commonwealth while performing any military duty for which he or his dependents are entitled to benefits or compensation from the United States, and notwithstanding any rights to or receipt of such benefits or compensation, or both, compensation in the amount of twenty-five dollars weekly for a period of two hundred weeks shall be paid to the decedent's dependents, as determined in accordance with clause (3) of section one and section thirty-two of chapter one hundred and fifty-two; provided, however, that no such compensation shall be so paid unless the board finds that the injury, sickness or disease resulting in such death was without fault or neglect on the part of the decedent.

For the purposes of this section a parent shall be conclusively presumed to be wholly dependent for support upon a child under twenty-one years of age.

SECTION 2. Section 90 of said chapter 33, as so appearing, is hereby amended by inserting after the word "shall", in line 6, the words:— except as otherwise provided in section eighty-eight.

Approved October 7, 1958.

CHAP. 630. AN ACT ESTABLISHING A TRAFFIC COMMISSION IN THE CITY OF NEW BEDFORD.

Be it enacted, etc., as follows:

SECTION 1. There is hereby established in the city of New Bedford, hereinafter referred to as the city, a traffic commission to consist of the commissioner of public works or his representative, the chief of police