

Chap. 731 AN ACT RELATIVE TO THE REORGANIZATION OF THE CORRECTIONAL SYSTEM OF THE COMMONWEALTH, INCLUDING THE PROBATION SERVICE.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the reorganization of the correctional system of the commonwealth, including the probation service, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public welfare and convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 27,
§ 3, etc.,
amended.

SECTION 1. Chapter 27 of the General Laws is hereby amended by striking out section 3, as appearing in section 1 of chapter 770 of the acts of 1955, and inserting in place thereof the following section: — *Section 3.* There shall be in the department an advisory committee on correction consisting of the commissioner of correction, the chairman of the parole board, the commissioner of probation and nine members appointed by the governor for terms of three years each, except that of the first appointed members three shall be appointed for a term of one year, three for a term of two years and three for a term of three years. The committee shall meet at least twice a year upon call of the chairman who shall be designated by the governor and shall meet at any time upon call of the governor. The committee shall visit at least annually each correctional institution of the commonwealth. Its function shall be to give advice and to make recommendations to the governor regarding any matter affecting the department or the correction program, and it shall have no other powers or duties. For services on the committee, its members shall be paid no compensation but they shall receive their expenses necessarily incurred in rendering such service.

Advisory
committee on
correction.

G. L. (Ter.
Ed.), 119, § 64,
amended.

SECTION 2. Chapter 119 of the General Laws is hereby amended by striking out section 64, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 64.* The commissioner of probation may supervise the probation work for wayward and delinquent children, and make necessary inquiries in regard to the same, and in his annual report may make such recommendations as he considers advisable for the improvement of methods of dealing with such children.

Powers of
commissioner
of probation.

G. L. (Ter.
Ed.), 120,
§ 22, etc.,
amended.

SECTION 3. Section 22 of chapter 120 of the General Laws, as appearing in section 22 of chapter 310 of the acts of 1948, is hereby amended by striking out in line 4 the second time it appears, and in line 7, the word "board" and inserting in place thereof, in each instance, the word: — commissioner.

G. L. (Ter.
Ed.), 124,
§ 1, etc.,
amended.

SECTION 4. Section 1 of chapter 124 of the General Laws, as most recently amended by section 7 of chapter 770 of the acts of 1955, is hereby further amended by strik-

ing out paragraph (e) and inserting in place thereof the following paragraph:—

(e) He shall visit the institutions of the commonwealth under his supervision and control at least once every sixty days, and he or his representative shall make frequent visits to the jails and houses of correction and shall investigate and keep informed as to the management, condition and discipline of all such institutions, and the treatment of the inmates thereof, and the books of the said institutions shall be open for his examination.

Additional powers and duties of the commissioner of correction.

SECTION 5. Section 1 of chapter 125 of the General Laws, as appearing in section 11 of chapter 770 of the acts of 1955, is hereby amended by striking out, in lines 3 and 4, the words "Massachusetts Correctional Institution, Boston", the state prison;— and by inserting after the word "institutions", the first time it appears in line 14, the words:— together with such other state prison camps as may be established under sections eighty-three A and eighty-three E of chapter one hundred and twenty-seven.

G. L. (Ter. Ed.), 125, § 1, etc., amended.

SECTION 6. Section 20 of chapter 127 of the General Laws, as amended by section 20 of said chapter 770, is hereby further amended by striking out, in lines 1 and 2, the words "at one of the correctional institutions of the commonwealth".

G. L. (Ter. Ed.), 127, § 20, etc., amended.

SECTION 7. Said chapter 127 is hereby further amended by inserting after section 83D the following section:— *Section 83E.* The commissioner is hereby authorized to establish, on land under the control of the department of natural resources and upon sites approved by the commissioner of natural resources, or wherever authorized by the governor and council, camps to which male prisoners may be transferred prior to their release upon parole. The commissioner shall transfer to any camp so established any prisoner whose parole has been approved by the parole board unless otherwise recommended by the parole board. Such camp shall provide such training and preparation for release as will best enable the prisoners to attain successful readjustment within the community.

G. L. (Ter. Ed.), 127, new § 83E, added.

Establishment of pre-parole camps for male prisoners.

SECTION 8. Section 97 of said chapter 127, as most recently amended by section 58 of chapter 770 of the acts of 1955, is hereby further amended by inserting after the words "eighty-three B", in line 9, the words:— , eighty-three E.

G. L. (Ter. Ed.), 127, § 97, etc., amended.

SECTION 9. Section 133A of said chapter 127, inserted by section 70 of said chapter 770, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— Every prisoner who is serving a sentence for life in a correctional institution of the commonwealth, except prisoners confined to the hospital at the Massachusetts Correctional Institution, Bridgewater, and except prisoners serving a life sentence for murder in the first degree, shall be eligible for parole, and the parole board shall, within sixty days before the expiration of twenty

G. L. (Ter. Ed.), 127, § 133A, etc., amended.

Certain prisoners sentenced for life eligible for parole.

years of such sentence, and thereafter at least once in each ensuing three-year period, consider carefully and thoroughly the merits of such case on the question of releasing such person on parole.

G. L. (Ter. Ed.), 127, § 141, etc., amended.

SECTION 10. Section 141 of said chapter 127, as most recently amended by chapter 578 of the acts of 1947, is hereby further amended by striking out, in line 7, the word "third" and inserting in place thereof the word:— half.

G. L. (Ter. Ed.), 127, § 151, etc., amended.

Temporary care of sick prisoner at correctional institution after expiration of sentence, etc.

SECTION 11. Said chapter 127 is hereby further amended by striking out section 151, as amended by section 25 of chapter 180 of the acts of 1932, and inserting in place thereof the following section:— *Section 151.* When a prisoner at the expiration of his sentence is in such condition from bodily infirmity or disease as to render his removal from a correctional institution inexpedient, the principal officer of such institution may, with the approval of the physician, authorize his temporary care at said institution, and shall forthwith report to the commissioner all of the circumstances. If it shall appear to the commissioner that such care may be required for a period longer than sixty days, he shall ascertain whether said discharged prisoner is suffering from tuberculosis or from any other disease for which treatment facilities are available in hospitals or sanatoria under the supervision of the department of public health, and in such case he shall notify the commissioner of public health who shall, if he finds that such facilities are available, receive the discharged prisoner; and if no facilities are available in the department of public health, the commissioner of correction shall notify the board of public welfare in the town where said prisoner has settlement, who shall receive him or direct his transfer to a hospital at their expense; and if said prisoner has no settlement in any town in the commonwealth, the commissioner of correction shall notify the commissioner of public welfare, who shall receive said discharged prisoner at the Tewksbury state hospital and infirmary.

G. L. (Ter. Ed.), 265, § 2, etc., amended.

Certain prisoners sentenced for life not eligible for parole.

Exception.

SECTION 12. Section 2 of chapter 265 of the General Laws is hereby amended by striking out the last sentence, as amended by section 78 of chapter 770 of the acts of 1955, and inserting in place thereof the following sentence:— No person shall be eligible for parole under section one hundred and thirty-three A of chapter one hundred and twenty-seven while he is serving a life sentence for murder in the first degree; but if his sentence is commuted therefrom by the governor and council under the provisions of section one hundred and fifty-two of said chapter he shall thereafter be subject to the provisions of law governing parole for persons sentenced for lesser offences.

G. L. (Ter. Ed.), 276, § 83, etc., amended.

SECTION 13. Section 83 of chapter 276 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by section 1 of chapter 735 of the acts of 1955, and inserting in place thereof the following paragraph:— The superior court, the chief justice of the municipal court of the city of Boston, subject to the approval

of the associate justices thereof, and the justice of each other district court and of the Boston juvenile court may appoint such male and female probation officers as they may respectively from time to time deem necessary for their respective courts; provided, that no person shall be appointed until his or her qualifications have been examined by the commissioner of probation and approved by him as meeting the standards established by the committee on probation as provided in section ninety-nine A. In any court other than the municipal court of the city of Boston having two or more probation officers, one of such probation officers may be designated as chief probation officer; and in any court having six or more probation officers, one of such probation officers may be designated as assistant chief probation officer. The superior court shall designate one probation officer as supervisor of probation for said court. In the municipal court of the city of Boston the chief justice of said court, subject to the approval of the associate justices thereof, may designate such probation officers of said court as follows: — chief probation officer, first assistant chief probation officer, second assistant chief probation officer, two deputy probation officers, and probation officer. The phrase "probation officer" as used in this section shall, unless the context otherwise requires, be construed to include chief probation officer, assistant chief probation officer, supervisor of probation, first assistant chief probation officer, second assistant chief probation officer, and deputy probation officer.

Probation
officers.

SECTION 13A. Said section 83 of said chapter 276 is hereby further amended by striking out the second paragraph, inserted by section 2 of said chapter 735, and inserting in place thereof the following paragraph: —

G. L. (Ter.
Ed.), 276,
§ 83, etc.,
further
amended.

The compensation of probation officers in all of the courts of the commonwealth shall be fixed according to schedules established from time to time by the committee on probation, who shall direct the commissioner of probation to consult the probation committee of the superior court, the justices of the municipal court of the city of Boston, the administrative committee of the district courts, and the county commissioners in the several counties relative thereto. The compensation of each probation officer appointed by the superior court shall be paid by the commonwealth. The compensation of probation officers in district courts, in the municipal court of the city of Boston and in the Boston juvenile court shall be paid by the county on vouchers approved respectively by the justice of such district court, by the chief justice of the municipal court of the city of Boston or by the justice of the Boston juvenile court. The justices of the district courts, other than the district courts in Suffolk county, the municipal court of the city of Boston and the Boston juvenile court, shall, annually, not later than the first Wednesday of December, submit to the county commissioners of their respective counties estimates of the amounts necessary to pay the compensation for the ensuing year of the proba-

Compensa-
tion of proba-
tion officers.

tion officers appointed under this section, and said county commissioners shall include such estimates in the estimates required by section twenty-eight of chapter thirty-five. The justices of the district courts of Suffolk county, the municipal court of the city of Boston and the Boston juvenile court shall annually, before the first day of November, submit to the supervisor of budgets of the city of Boston estimates of the amounts necessary to pay the compensation for the ensuing year of the probation officers appointed under this section, and said estimates shall be included in the county budget of Suffolk county for the ensuing year. Every probation officer shall be removable for cause by the justices of the court making the appointment; provided that no probation officer shall be removed or discharged from office by said justices unless such removal or discharge shall be approved in writing by the committee on probation.

G. L. (Ter. Ed.), 276, § 83A, etc., amended.

Appointment of probation officers to act exclusively in juvenile cases in certain district courts.

SECTION 14. Section 83A of said chapter 276 is hereby amended by striking out the first paragraph, as most recently amended by section 1 of chapter 563 of the acts of 1951, and inserting in place thereof the following two paragraphs: — The administrative committee of the district courts shall designate, and from time to time redesignate, such district courts within each of the counties of the commonwealth as in the opinion of said committee should join in the appointment of probation officers to act exclusively in juvenile cases in each such court, and the district courts so designated or redesignated shall thereupon join in the appointment of full-time probation officers to act as aforesaid; provided, that the foregoing provisions shall not apply to the municipal court of the city of Boston, nor to the Boston juvenile court nor to the other district courts in the county of Suffolk. Each such probation officer shall be appointed by the justices of the courts so joining; provided, that if a majority of said justices fails to agree in the selection of a person for appointment of such probation officers within a period of thirty days after such designation or redesignation by said administrative committee, such appointment shall be made by the committee on probation established by section ninety-nine A; and provided, further, that no person shall be appointed until his qualifications have been examined by the commissioner of probation and approved by him as meeting the standards established by said committee on probation. Each officer appointed under this section shall be removable for cause by the justices of the courts for which such appointment was made; provided, that no such officer shall be removed or discharged from office unless such removal or discharge shall be approved in writing by the committee on probation.

The compensation of probation officers appointed under this section shall be fixed according to a schedule established from time to time by the committee on probation, who shall direct the commissioner of probation to consult the administrative committee of the district courts and the county commissioners of the several counties relative thereto. The justices of courts having probation officers appointed under

this section shall annually, not later than the first Wednesday in December, submit to the county commissioners of their respective counties estimates of the amounts necessary to pay the compensation for the ensuing year of the probation officers appointed hereunder, and said county commissioners shall include such estimates in the estimates required by section twenty-eight of chapter thirty-five.

SECTION 15. Section 85 of said chapter 276, as amended by section 1 of chapter 145 of the acts of 1950, is hereby further amended by striking out, in lines 10 and 11, the words "board of probation has in its" and inserting in place thereof the words: — commissioner of probation has in his.

G. L. (Ter. Ed.), 276, § 85, etc., amended.

SECTION 16. Section 88 of said chapter 276, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following paragraph: —

G. L. (Ter. Ed.), 276, § 88, amended.

The administrative committee of the district courts, in consultation with the commissioner of probation, may designate and redesignate such district courts within each of the counties of the commonwealth as in the opinion of said committee should join in the establishment of a probation district office for the clerical service of the probation officers of the district courts so designated or redesignated, and the district courts so designated or redesignated shall thereupon consult with the commissioner of probation as to the establishment of such a probation district office, and shall join in the employment of such clerical assistance as is necessary to keep, index and consolidate the records in such form as may be required by the commissioner of probation in connection with the probation service of the said courts. The compensation for such service, together with such other necessary expenses as the courts shall incur in connection with such work, shall be paid by the county upon vouchers approved by one of the justices of said courts, designated by said administrative committee.

Establishment of probation district offices for clerical service of probation officers of certain district courts.

SECTION 17. The first paragraph of section 89 of said chapter 276, as most recently amended by chapter 364 of the acts of 1953, is hereby further amended by inserting after the word "The", in line 1, the words: — superior court or the.

G. L. (Ter. Ed.), 276, § 89, etc., amended.

SECTION 17A. The second paragraph of said section 89 of said chapter 276, added by section 1 of chapter 477 of the acts of 1941, is hereby amended by adding at the end the following sentence: — No temporary probation officer appointed under this section shall serve for more than ninety days unless his appointment to such temporary office has been approved by the commissioner of probation.

G. L. (Ter. Ed.), 276, § 89, etc., further amended.

Temporary probation officers.

SECTION 18. Section 97 of said chapter 276, as amended by section 2 of chapter 677 of the acts of 1941, is hereby further amended by striking out, in line 4, the words "department of public welfare" and inserting in place thereof the words: — youth service board or the division of youth service.

G. L. (Ter. Ed.), 276, § 97, etc., amended.

SECTION 19. Said chapter 276 is hereby further amended by striking out section 98, as amended by chapter 145 of the acts of 1932, and the caption preceding said section, and

G. L. (Ter. Ed.), 276, § 98, etc., amended.

Commissioner
of probation,
term, salary,
etc.

inserting in place thereof the following section: — *Section 98.* There shall be a commissioner of probation, who shall have executive control and supervision of the probation service. He shall be appointed for a term of six years by the committee on probation. He shall be paid by the commonwealth a salary of twelve thousand dollars.

The commissioner, with the approval of the committee on probation shall appoint a deputy commissioner, and may, with like approval, remove him. The deputy commissioner shall be paid by the commonwealth a salary of nine thousand dollars.

The commissioner of probation shall be provided with suitable accommodations in the Suffolk county court house or elsewhere, and may employ such assistance, including a director of research and other research assistance, as is needed to perform his work, and to compile, evaluate and make available for official use and public education the statistical information on delinquency and crime available in his records.

Reasonable expenses for travel and subsistence while engaged in official business within or without the commonwealth shall be paid to the commissioner and deputy commissioners.

G. L. (Ter.
Ed.), 276, § 99,
etc., amended.

Powers and
duties of
commissioner
of probation.

SECTION 20. Said chapter 276 is hereby further amended by striking out section 99, as amended by chapter 348 of the acts of 1952, and inserting in place thereof the following section: — *Section 99.* The commissioner of probation shall supervise the probation work in all of the courts of the commonwealth, and for such purpose he and his staff shall have access to all probation records in said courts. He shall establish standards for probation work throughout the commonwealth, including methods and procedures of investigation, and shall establish and promulgate rules concerning supervision, casework, record keeping, accounting and caseload in all courts, subject to the approval of the committee on probation established by section ninety-nine A. He shall provide consultation service to all probation departments. He shall qualify or disqualify applicants for positions as probation officers prior to their appointment under section eighty-three, according to standards fixed by the committee on probation; provided, that any applicant disqualified by the commissioner for such appointment shall have the right of appeal to the committee on probation. He may recommend to a court or courts the appointment of additional probation or clerical personnel or both, and shall notify the committee on probation within thirty days as to the action taken by such court or courts concerning such recommendations. He shall conduct training programs for probation personnel. He shall conduct research studies relating to crime and delinquency, and may participate with other public and private agencies in joint research studies.

To promote the co-ordination and development of the probation service, the commissioner of probation may hold

conferences on probation within the commonwealth, and may authorize the attendance of any or all justices of the several courts and of any or all probation officers at such conferences or at any other conference within or without the commonwealth which in his judgment will further the interests of the probation service. The traveling expenses of said justices or officers when authorized to attend any such conference shall be paid as the other expenses of the respective courts or offices are paid.

SECTION 21. Said chapter 276 of the General Laws is hereby further amended by inserting after section 99 the following section:— *Section 99A*. There shall be a committee on probation of which the chief justice of the superior court shall be chairman, consisting of the chief justice of the superior court, the chief justice of the municipal court of the city of Boston, the chairman of the administrative committee of the district courts, and two persons appointed by the chief justice of the supreme judicial court, to serve for terms of five years; provided, that of the first two persons appointed by the chief justice of the supreme judicial court, one shall be appointed for a term of five years and the other shall be appointed for a term of three years.

G. L. (Ter. Ed.), 276, new § 99A, added. Committee on probation, membership, term.

The committee shall, subject to the provisions of section ninety-eight, appoint the commissioner of probation.

Powers and duties of committee.

The committee shall consult with the commissioner of probation as to standards of probation work throughout the commonwealth.

The committee, in consultation with the commissioner of probation, shall establish and promulgate standards for the appointment of probation officers to be appointed in all the courts of the commonwealth; shall furnish copies of such standards to the courts of the commonwealth; and shall hear appeals from the decisions of the commissioner of probation in the qualification of probation officers according to such standards.

The committee, in consultation with the commissioner of probation, shall study and investigate the salary scale for the compensation of probation officers in all the courts of the commonwealth, and shall fix salary schedules from time to time for probation officers in such courts, including minimum and maximum salaries and step raises.

If the commissioner of probation shall notify the committee on probation that a recommendation by him to any court or courts for the appointment of additional probation or clerical personnel has not been acted upon, the committee on probation shall investigate such failure to act and may make such recommended appointments according to its established standards; and such appointees shall be paid in the same manner as are other probation or clerical personnel in said court or courts.

Upon recommendation of the commissioner of probation, the committee on probation may recommend to any court of the commonwealth disciplinary action, including removal or

discharge for cause, with regard to any probation officer appointed by said court, and, if no action is taken by said court within thirty days, the committee on probation may take or require such action as it deems best. No probation officer shall be removed or discharged by any court until such removal or discharge shall have been approved in writing by the committee on probation. Before recommending or approving the removal or discharge of any probation officer, the committee on probation shall grant a hearing to such officer.

The members of the committee, except the chief justice of the superior court or any other person paid on an annual basis by the commonwealth, shall receive such compensation for their services actually performed in the work of such committee as the governor and council shall approve, to be paid from the state treasury; and all members of such committee shall be allowed their necessary expenses, including clerical expenses, incurred in the performance of their duties, subject to the approval of the governor and council.

SECTION 22. Said chapter 276 is hereby further amended by striking out section 100, as most recently amended by section 34 of chapter 319 of the acts of 1953, and inserting in place thereof the following section: — *Section 100.* Every probation officer, or the chief or senior probation officer of a court having more than one probation officer, shall transmit to the commissioner of probation, in such form and at such times as he shall require, detailed reports regarding the work of probation in the court, and the commissioner of correction, the penal institutions commissioner of Boston and the county commissioners of counties other than Suffolk shall transmit to the commissioner, as aforesaid, detailed and complete records relative to all paroles and permits to be at liberty granted or issued by them, respectively, to the revoking of the same and to the length of time served on each sentence to imprisonment by each prisoner so released specifying the institution where each such sentence was served; and under the direction of the commissioner a record shall be kept of all such cases as the commissioner may require for the information of the justices and probation officers. Police officials shall co-operate with the commissioner and the probation officers in obtaining and reporting information concerning persons on probation. The information so obtained and recorded shall not be regarded as public records and shall not be open for public inspection but shall be accessible to the justices and probation officers of the courts, to the police commissioner for the city of Boston, to all chiefs of police and city marshals, and to such departments of the federal, state and local governments and such educational and charitable corporations and institutions as the commissioner may from time to time determine. The commissioner of correction and the youth service board or the division of youth service shall at all times give to the commissioner and the probation officers such information as may be obtained from the records concerning prisoners under sentence or who have been released.

G. L. (Ter. Ed.), 276, § 100, etc., amended.

Detailed reports regarding probation work, etc.

Record.

Accessibility of information.

SECTION 23. Said chapter 276 is hereby further amended by striking out section 101, as amended by chapter 30 of the acts of 1936, and inserting in place thereof the following section: — *Section 101.* The commissioner of probation shall make an annual report to the general court of the probation work of the courts for the year ending on December thirty-first preceding. The report shall include such information as the commissioner may consider useful, with his suggestions or recommendations.

G. L. (Ter. Ed.), 276, § 101, etc., amended.

Annual report to general court.

SECTION 24. Said chapter 276 is hereby further amended by striking out section 101A, inserted by section 1 of chapter 364 of the acts of 1947, and inserting in place thereof the following section: — *Section 101A.* The commissioner of probation shall establish uniform forms of blanks and records for use in the probation offices of the district courts, and, upon receipt of competitive bids, shall order and maintain such supply of said forms as he shall determine to be necessary to meet the requirements of all such offices. The county commissioners of each county shall from time to time secure from the commissioner of probation forms for use by district court probation offices in such county, in such quantities as shall be determined by them and by said commissioner of probation. The actual expense of preparing such forms shall be apportioned by said commissioner among the several counties in proportion to the quantities required by each, and the county commissioners of each county shall audit the bills therefor and order payment thereof. No forms of blanks and records other than those established and furnished hereunder shall be used in such probation offices unless approved by said commissioner.

G. L. (Ter. Ed.), 276, § 101A, etc., amended.

Uniform blanks and records for probation offices.

SECTION 25. Section 102 of said chapter 276, as most recently amended by section 2 of chapter 364 of the acts of 1947, is hereby further amended by striking out, in line 5, the word "board" and inserting in place thereof the word: — commissioner.

G. L. (Ter. Ed.), 276, § 102, etc., amended.

SECTION 26. Said chapter 276 is hereby further amended by striking out section 103, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 103.* Upon the appointment, removal, retirement or resignation of a probation officer, the clerk of the court by which said probation officer was appointed or removed, or from which he retired or resigned, shall forthwith give notice thereof to the commissioner of probation.

G. L. (Ter. Ed.), 276, § 103, amended.

Commissioner to be given notice of appointment or removal of probation officers.

SECTION 27. Chapter 279 of the General Laws is hereby amended by striking out section 50, as amended by section 112 of chapter 770 of the acts of 1955, and inserting in place thereof the following section: — *Section 50.* There shall be present at the execution of the sentence of death, in addition to the principal officer, deputy and such officers of the state prison as the principal officer deems necessary, the commissioner of correction or his representative, the person performing the execution under the direction of the principal officer, the prison physician, the chief surgeon of the militia, a medical examiner for Norfolk county, or, if they are unable

G. L. (Ter. Ed.), 279, § 50, etc., amended.

Witnesses of the execution.

to be present, such physicians as the principal officer approves. The physicians present shall be the legal witnesses of the execution. There may also be present the sheriff of the county where the defendant was convicted or his deputy, a priest or minister of religion and, with the approval of the principal officer, not more than three other persons.

G. L. (Ter. Ed.), 279, § 51, amended.

Post mortem examination of certain bodies.

SECTION 28. Said chapter 279 is hereby further amended by striking out section 51, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 51.* There shall be a post mortem examination by a medical examiner for Norfolk county of the body of every person electrocuted in conformity with the sentence of a court.

SECTION 29. From the effective date of this act until June thirtieth, nineteen hundred and fifty-seven, the compensation of each probation officer appointed by the superior court shall be apportioned by it from time to time among the counties wherein said officer performs his duties; and on and after July first, nineteen hundred and fifty-seven, the compensation of such probation officers shall be paid by the commonwealth as provided in section eighty-three of chapter two hundred and seventy-six of the General Laws, as amended by section thirteen A of this act.

SECTION 30. The compensation of any probation officer in service on the effective date of this act shall not be lowered by the operation of this act; nor shall any probation officer in service on the effective date of this act be subject to removal or dismissal for failure to meet the standards of training or experience to be established under this act by the committee on probation for the appointment of probation officers.

SECTION 31. The board of probation is hereby abolished, and all books and papers of said board shall forthwith be turned over to the commissioner of probation appointed under section ninety-eight of chapter two hundred and seventy-six of the General Laws, as amended by section nineteen of this act. All unexpended balances of monies heretofore appropriated for said board of probation abolished by this section shall be immediately available for expenditure by the said commissioner of probation. The employees of the board of probation abolished by this section are hereby transferred to serve under said commissioner of probation without impairment of their civil service status.

SECTION 32. The powers and duties of the board of probation not affected by this act or by succeeding acts shall hereafter be exercised and performed by the commissioner of probation appointed under section ninety-eight of chapter two hundred and seventy-six of the General Laws, as amended by section nineteen of this act, and when used in any statute, rule or regulation, the phrase "board of probation" or any words connoting the same shall mean said commissioner of probation, unless a contrary intent clearly appears.

SECTION 33. Sections nineteen and twenty-one of this act shall take effect on October first, nineteen hundred and fifty-six. All other sections of this act shall take effect upon the appointment of a commissioner of probation, as provided in said sections nineteen and twenty-one.

Effective dates.

Approved October 5, 1956.

AN ACT PROVIDING FOR THE NUMBER OF APPOINTEES OF THE SERGEANT-AT-ARMS OF THE GENERAL COURT. *Chap. 732*

Be it enacted, etc., as follows:

Section 19 of chapter 3 of the General Laws, as most recently amended by chapter 81 of the acts of the current year, is hereby further amended by striking out, in line 4, the word "sixty-two" and inserting in place thereof the word: — sixty-three, — so as to read as follows: — *Section 19.* The number of doorkeepers, assistant doorkeepers, general court officers and pages of the senate and of the house shall not exceed sixty-three in all.

G. L. (Ter. Ed.), 3, § 19, etc., amended.

Number of appointees of sergeant-at-arms of the general court.

Approved October 5, 1956.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, October 5, 1956.

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

DEAR MR. SECRETARY: — I, Christian A. Herter, 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 732 of the Acts of the current year, entitled, "An Act providing for the Number of Appointees of the Sergeant-at-Arms of the General Court" and the enactment of which received my approval October 5, 1956 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 would unnecessarily curtail the efficiency of the operation of the General Court at a time when maximum manpower is needed in the operations of the duties of the Sergeant-at-Arms of the General Court because of deferred vacation schedules of personnel, structural changes in the building and their ordinary and regular business necessitated by the closing of the current session and preparation for the next session of the Legislature.

Very truly yours,
CHRISTIAN A. HERTER,
Governor of the Commonwealth.