

suspension of license shall become effective and such suspension shall remain in effect for a period fixed by him, unless he modifies or rescinds such suspension, or until the order upon which such suspension is based is modified, rescinded or reversed. No license shall be suspended or revoked except upon a written order of the commissioner, stating his findings, made after a hearing held upon not less than ten days' written notice to such organization specifying the alleged violation.

Hearing on decision of commissioner.

Section 52F. (a) Any insurer or rating organization aggrieved by any order or decision of the commissioner made without a hearing may, within thirty days after notice of the order to the insurer or organization, make written request to the commissioner for a hearing thereon. The commissioner shall hear such party or parties within thirty days after receipt of such request and shall give not less than fifteen days' written notice of the time and place of the hearing. Within thirty days after such hearing the commissioner shall affirm, reverse or modify his previous action, specifying his reasons therefor. Pending such hearing and decision thereon the commissioner may suspend or postpone the effective date of his previous action.

(b) Nothing contained in sections fifty-two C to fifty-two F, inclusive, shall require the observance at any hearing held under authority thereof of formal rules of pleading or evidence.

Appeal from decision of commissioner.

(c) Any order or decision of the commissioner under authority of said sections shall be subject to review, which shall be on the basis of the record of the proceedings before the commissioner and shall not be limited to questions of law, by appeal to the supreme judicial court at the instance of any party in interest.

The court shall determine whether the filing of the appeal shall operate as a stay of any such order or decision of the commissioner. The court may, in disposing of the issue before it, modify, affirm or reverse the order or decision of the commissioner in whole or in part.

Invalidity of any section, etc., not to affect remainder.

Section 52G. If any section, subsection, subdivision, paragraph, sentence or clause of said sections fifty-two C to fifty-two F, inclusive, is held invalid or unconstitutional, such decision shall not affect the remaining portions of said sections.

Effective date.

SECTION 3. This act shall take effect on January first, nineteen hundred and forty-eight.

Approved June 28, 1947.

Chap.620 AN ACT MAKING CERTAIN PROVISIONS OF LAW RELATING TO COMPRESSED AIR TANKS INAPPLICABLE TO CERTAIN RECEPTACLES USED IN THE LIFTING OF AUTOMOBILES.

Be it enacted, etc., as follows:

Section 34 of chapter 146 of the General Laws, as amended by section 1 of chapter 319 of the acts of 1938, is hereby

G. L. (Ter. Ed.), 146, § 34, etc., amended.

further amended by adding at the end the following sentence: — This section shall be inapplicable in case of the installation or use of a receptacle temporarily holding oil and air and used for the purpose of lifting automobiles, but only if said receptacle is approved by the board as being of a type which conforms to recognized standards of engineering practice as such standards apply to receptacles designed for such purpose and as meeting the requirements of regulations referred to in section thirty-five which regulations are hereby made applicable to such receptacles for this purpose.

Automobile
lifts excepted.

Approved June 28, 1947.

AN ACT AUTHORIZING THE MAKING OF HARBOR IMPROVEMENTS BY THE STATE DEPARTMENT OF PUBLIC WORKS IN THE TOWN OF MARSHFIELD.

Chap. 621

Be it enacted, etc., as follows:

SECTION 1. Subject to the conditions herein imposed, the department of public works is hereby authorized and directed to dredge a channel in the harbor in the town of Marshfield to a depth of not less than six feet at mean low water, and to dredge a basin in said harbor to a depth of not less than eight feet at mean low water, and to repair the jetties in Marshfield harbor. No work shall be begun until the town of Marshfield has assumed liability, in the manner provided by section twenty-nine of chapter ninety-one of the General Laws, for all damages that may be incurred hereunder, nor until there has been paid into the state treasury by the county of Plymouth the sum of five thousand dollars and by said town of Marshfield the sum of ten thousand dollars, which, together with such sum, not exceeding ten thousand dollars, as may hereafter be appropriated by the commonwealth, shall constitute a fund for the improvements herein authorized; provided, that the total cost of such improvement shall not exceed twenty-five thousand dollars; and provided, further, that if any of the aforesaid sum remains after the completion of such improvements one fifth of such remainder shall be repaid to said county and two fifths thereof shall be repaid to said town.

SECTION 2. For the purpose of meeting the payments required to be made by the county of Plymouth under this act, the treasurer of said county, with the approval of the county commissioners, may borrow from time to time, on the credit of the county, such sums as may be necessary, not exceeding, in the aggregate, five thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Plymouth County-Marshfield Harbor Dredging Loan Act of 1947. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than five years from their dates. Such bonds or notes shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private