

the board. Whenever used in this act the words "Soldiers' Benefits" shall include state aid, military aid, soldiers' relief, soldiers' burials and war allowances.

SECTION 2. The members of the board aforesaid, when acting under this act, shall receive from the commonwealth compensation to the same extent as provided for services under chapter three hundred and sixty-six of the acts of nineteen hundred and thirty-three, as amended.

SECTION 3. A loan order voted in any city under authority of this act shall be deemed to be an emergency order and as such may be passed in such manner as is provided for emergency orders or ordinances in its charter, and shall be in full force and effect immediately upon final favorable action thereon by its city council or chief executive, as the case may be, or upon the expiration of any period specified by such charter for the approval or disapproval of such orders by its chief executive in any case where he fails to approve or disapprove such an order within such period, notwithstanding any provision of general or special law or ordinance to the contrary; provided, that in the city of Boston such loan orders may be passed in the manner provided in its charter for loan orders for temporary loans in anticipation of taxes.

SECTION 4. In any city a loan order under authority of this act may be passed by vote of two thirds of all the members of the city council, or of each branch thereof where there are two branches, exclusive of those members who are in the military or naval forces of the United States and are not present at the meeting at which any such vote is taken at the time of the vote, notwithstanding any provision of law to the contrary.

*Approved March 5, 1945.*

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AN ACT ENABLING COUNTIES, CITIES, TOWNS AND DISTRICTS  
TO SECURE THE BENEFITS PROVIDED BY THE FEDERAL GOVERNMENT TO ASSIST THEM IN PUBLIC WORKS PROJECTS. *Chap. 74*

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

SECTION 1. The emergency finance board, established under section one of chapter forty-nine of the acts of nineteen hundred and thirty-three, in this act referred to as the board, shall, in addition to the powers and duties otherwise conferred or imposed upon it, exercise and perform the powers and duties hereinafter conferred or imposed upon it, and the provisions of said section one relative to action by the board shall apply in the case of action under this act. Each appointive member of the board, when acting under this act, shall receive from the commonwealth as compensation, in addition to any sums otherwise so payable, for each day's attendance at board meetings, the sum of thirty dollars; provided, that the total amount paid hereunder to any member for compensation as aforesaid shall not exceed three thousand dollars in any period of twelve months.

The director of the division of accounts, and an assistant in said division designated by him, and the state treasurer shall, for each day's service rendered in connection with the work of the board under this act be paid thirty dollars in addition to his regular compensation; provided, that the total amount paid hereunder to said director or to said assistant or to said treasurer for compensation as aforesaid shall not exceed two thousand dollars in any period of twelve months.

The board may employ, subject to the approval of the governor and council, such experts and additional clerical assistance as it may require.

SECTION 2. Any county, except Suffolk or Nantucket, if authorized by the county commissioners, or any city or town, including Boston and Worcester, if authorized by a two thirds vote as defined in section one of chapter forty-four of the General Laws, with the approval of the mayor in cities or of the selectmen in towns, and any district, with the approval of the prudential committee, commissioners or trustees, as the case may be, may engage in any useful public works project in cooperation with the federal government in any program authorized under any act or joint resolution of congress, but only in case such project is approved, as hereinafter provided, by the board and by the governor, and in case the proper federal authorities have approved a grant or loan, or grant and loan, therefor of federal money under any act or joint resolution of congress. Such projects, so approved, shall be carried out in all respects subject to the provisions of said act or joint resolution and to such terms, conditions, rules and regulations not inconsistent with applicable federal laws and regulations as the board may establish, with the approval of the governor, to ensure the proper execution of such projects. Any such county, city, town or district may accept and use for carrying out any project so approved any grant or loan, or any grant and loan, of federal funds under said act or joint resolution; and, for the purpose only of carrying out such project, may borrow from the United States of America or other sources, or both, such sums as may be fixed by the board as hereinafter provided, and may issue bonds, notes or other forms of written acknowledgment of debt, for such terms and carrying interest at rates not exceeding such rates, as may be fixed by the board as hereinafter provided.

Any city, town or district may borrow hereunder, for projects for which borrowings are authorized by section seven of said chapter forty-four of the General Laws and for other projects for which borrowings are not authorized by section eight of said chapter, amounts incurred under authority of this act, not exceeding, in the aggregate outstanding at any one time, one per cent of the average of the assessors' valuation of its taxable property for the three preceding years, reduced and otherwise determined as provided in section ten of said chapter, without affecting

its future borrowing capacity, and in addition, after such limit of one per cent is reached, may so borrow therefor so much as may be required of any amount within its debt limit, as determined in accordance with said section ten, not then borrowed or authorized by such city, town or district to be borrowed; and any city, town or district may borrow hereunder for projects of any class for which borrowings are authorized by section eight of said chapter, water projects being treated as a single class for the purposes hereof, amounts incurred under authority of this act, not exceeding, in the aggregate outstanding at any one time, one per cent of the last preceding assessed valuation of such city, town or district without affecting its future borrowing capacity, and in addition, after such limit of one per cent is reached, may so borrow therefor so much as may be required of any amount authorized by said section eight for such class of projects not then borrowed or authorized by such city, town or district to be borrowed, and no borrowing hereunder for any project for which borrowings are authorized by said section eight shall be reckoned in determining the borrowing capacity of such city, town or district under said section ten.

In case a loan shall represent borrowings both within and beyond either of the said special one per cent limits, and such loan shall be later reduced, through the retirement of bonds, notes or other forms of written acknowledgment of debt, or otherwise, such reduction shall be deemed to have been made wholly in respect of that portion of the loan which represented borrowing beyond the said special one per cent limit so long as any of the said portion remains outstanding. In fixing the periods for which money may be borrowed hereunder for projects for which borrowings are not authorized by said chapter forty-four, the board shall be guided by the above limitations as applied to the provisions of said chapter applicable to like projects.

The board shall fix the terms of and maximum rates of interest on the bonds, notes or other forms of written acknowledgment of debt issued hereunder; which terms and rates of interest, in case of obligations to be issued to the United States of America, shall be fixed in accordance with the applicable federal laws and regulations and subject to the approval of the proper federal authorities. All the provisions of said chapter forty-four, exclusive of the limitation contained in the first paragraph of section seven thereof, that no loan shall be authorized unless a sum equal to twenty-five cents on each one thousand dollars of the assessed valuation of the city or town has been appropriated or voted to be raised by taxation, shall apply to any borrowing hereunder by any city, town or district, including Boston and Worcester, except as hereinbefore provided and, in respect of any borrowing from the United States of America, except in so far as such provisions of law may be in conflict with applicable federal laws and regulations.

Each county, city, town or district seeking the approval of any projects by the board shall submit to it all information required with respect to the financial condition of such county, city, town or district, its outstanding indebtedness within and without its limit of indebtedness, if any, the estimated cost of the project, the alleged necessity therefor, and the proposed method of financing the same. In granting or withholding its approval, the board shall take into consideration, among other things, the necessity of the proposed project, the ability of such county, city, town or district to finance the same, the extent to which the carrying out of the project will tend to relieve unemployment and the extent to which the maintenance of the project when completed will tend to increase or decrease the annual expenditures of such county, city, town or district and to increase or decrease the tax burden upon its inhabitants.

SECTION 3. If a county, city, town or district shall have an agreement with the federal government whereby such government grants such county, city, town or district a sum of money to be used with funds provided by said county, city, town or district for a public works project, including defense public works projects, and shall be required primarily to pay that portion of the expense for which reimbursement is to be received from the grant, the treasurer of such county, city, town or district, with the approval of the county commissioners, mayor, selectmen, prudential committee, commissioners, or trustees, as the case may be, in anticipation of the receipt of the proceeds of such grant, may incur debt, which, in the case of a city, town or district, shall be outside the debt limit, to an amount not exceeding the amount of the grant as shown by the grant agreement, and may issue notes therefor, payable in not exceeding one year from their dates. Any loan issued under this act for a shorter period than one year may be refunded by the issue of other notes maturing within the required period; provided, that the period from the date of issue of the original loan to the date of maturity of the refunding loan shall not be more than one year. The proceeds of the grant, so far as necessary, shall be applied to the discharge of the loan. The treasurer of any county, city, town or district which upon the effective date of this act has outstanding any temporary loan issued under authority of chapter eighty-two of the acts of nineteen hundred and thirty-eight or section two of chapter six hundred and thirty-nine of the acts of nineteen hundred and forty-one, or which thereafter issues any such temporary loan under authority of this act may, with the approval of the board, extend such temporary loan for a period or periods not exceeding, in the aggregate, one year beyond the term provided for an original loan by the act under which such loan was made.

SECTION 4. Any officer or department of a county, city, town or district charged with the duty of carrying out any project so approved, shall have, in addition to any powers

expressly given by any statute, such powers as may be determined and certified by the board to be proper and reasonably necessary to carry out such project, including the power to take property by eminent domain on behalf of such county, city, town or district; provided, that no source of water supply and no works for sewage disposal shall be installed without first having the approval of the state department of public health. If such officer or department is aggrieved by such action, he or it may, within ten days after notice thereof, appeal to the governor, whose decision shall be final. The board is hereby authorized to make all necessary orders, rules and regulations and perform all necessary actions under this act; and none of such orders, rules, regulations and actions shall be declared inoperative, illegal or void for any omission of a technical nature in respect thereto. Nothing in this act shall require any action in contravention of applicable federal laws and rules and regulations nor preclude action in conformity therewith.

SECTION 5. The governor is hereby authorized to take any and all steps necessary from time to time to enable counties, cities, towns and districts of this commonwealth to secure grants or loans, or grants and loans, of federal funds for public works, and the board is hereby directed to cooperate and assist him in every possible way.

SECTION 6. Loans by counties, cities, towns and districts may be authorized under the provisions of this act until July first, nineteen hundred and forty-seven.

SECTION 7. Part I of chapter three hundred and sixty-six of the acts of nineteen hundred and thirty-three, and acts in amendment thereof and in addition thereto, are hereby repealed provided, that this repeal shall not affect any action taken thereunder prior to the effective date of this act nor affect the validity of any bond, note or other written form of acknowledgment of debt lawfully issued thereunder and outstanding upon such effective date; but, to the fullest extent possible conformably to its terms, this act shall be construed as a continuance of the provisions of said Part I and not as a new enactment. *Approved March 5, 1945.*

AN ACT RELATING TO THE MASSACHUSETTS HISTORICAL SOCIETY. *Chap. 75*

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

SECTION 1. Nothing in the act of incorporation of The Massachusetts Historical Society, approved February nineteenth, seventeen hundred and ninety-four, or in chapter forty-one of the acts of eighteen hundred and fifty-seven, shall prevent said society from electing resident members, associate members, corresponding members and honorary members under such conditions, upon such terms and in such numbers as said society may from time to time prescribe by its by-laws.