

of the purification or disposal of drainage or sewage. No person shall be required to bear the expense of such consultation, advice or experiments. Towns and persons shall submit to said department for its advice and approval their proposed system of water supply or of the disposal of drainage or sewage, and no such system shall be established without such approval. All petitions to the general court for authority to introduce a system of water supply, drainage or sewerage shall be accompanied by a copy of the recommendation, advice and approval of said department thereon. The department may after a public hearing require a city or town or water company to make such improvements relative to any existing treatment works as in its judgment may be necessary for the protection of the public health. In this section the term "drainage" means rainfall, surface and subsoil water only, and "sewage" means domestic and manufacturing filth and refuse.

Approved May 24, 1937.

Chap. 341 AN ACT FURTHER REGULATING THE MANUFACTURE AND SALE OF FROZEN DESSERTS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 94, § 65J, etc., amended.

SECTION 1. Section sixty-five J of chapter ninety-four of the General Laws, inserted therein by section one of chapter three hundred and seventy-three of the acts of nineteen hundred and thirty-four, is hereby amended by striking out the second paragraph and inserting in place thereof the following new paragraph: —

Suspension of license.

Any license may be suspended by the local board of health which issued it, and any license or permit may be suspended by the department, after similar notice and hearing and for any of the foregoing reasons, until the holder of such license or permit complies with the conditions prescribed by the department for its reinstatement.

G. L. (Ter. Ed.), 94, § 65L, etc., amended.

SECTION 2. Section sixty-five L of said chapter ninety-four of the General Laws, as so inserted, is hereby amended by inserting after the word "Milk", in the seventeenth line, the words: — in letters not smaller than eight point type and which letters shall be larger than any other lettering upon the package or wrapper. No person shall offer for sale, or sell, any ice milk if the purchaser has requested ice cream, — so that subdivision (c) will read as follows: —

Penalty.

(c) No person shall sell or offer or expose for sale ice milk, unless contained in a package, or enclosed in a wrapper, upon which shall be conspicuously printed in the English language the words "Ice Milk" in letters not smaller than eight point type and which letters shall be larger than any other lettering upon the package or wrapper. No person shall offer for sale, or sell, any ice milk if the purchaser has requested ice cream.

SECTION 3. Section sixty-five P of said chapter ninety-four, as so inserted, is hereby amended by adding at the end the following new paragraph:—

G. L. (Ter. Ed.), 94, § 65P, etc., amended.

(f) Except where otherwise provided in sections sixty-five G to sixty-five S, inclusive, the provisions of sections one hundred and eighty-six to one hundred and ninety-five, inclusive, shall apply to frozen desserts and to ice cream mix, and to any materials intended for use, or used, in the manufacture thereof.

Application of certain sections.

SECTION 4. Section one hundred and eighty-five A of said chapter ninety-four, as appearing in the Tercentenary Edition, is hereby repealed.

G. L. (Ter. Ed.), 94, § 185A, repealed.

Approved May 24, 1937.

AN ACT TO PREVENT THE MISLEADING OF PATRONS OF CERTAIN PLACES AS TO THE BENEFICIARIES OF TIPS GIVEN TO HAT-CHECK AND CIGARETTE GIRLS AND THE LIKE.

Chap. 342

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and forty-nine of the General Laws is hereby amended by inserting after section one hundred and fifty-nine, as appearing in the Tercentenary Edition, the following new section:— *Section 159A.* No licensee under chapter one hundred and thirty-eight or chapter one hundred and forty or under any special licensing law, and no holder of a concession on the licensed premises, shall require any person employed in or upon such licensed premises, or in or upon such part of such licensed premises as is under his control, as the case may be, to check or care for articles of clothing or baggage or to sell cigarettes, cigars, tobacco or other articles of merchandise, to pay over or account for the whole or any portion of the tips or gratuities which are received by the person so employed, unless there is displayed in a conspicuous place in plain view of all persons entering such licensed premises or part thereof, as the case may be, a sign upon which shall be stated the percentage of the tips or gratuities given to persons so employed which such persons are permitted to retain, or, if no percentage is permitted to be so retained, that such persons are not permitted to retain any percentage of such tips or gratuities. The department may make, amend and annul rules and regulations necessary to carry out the purposes of this section and shall be responsible for its enforcement.

G. L. (Ter. Ed.), 149, new section 159A, added.

Taking of tips regulated.

SECTION 2. Section forty-eight of chapter one hundred and forty of the General Laws, as so appearing, is hereby repealed.

G. L. (Ter. Ed.), 140, § 48, repealed.

Approved May 24, 1937.