

Said chapter four hundred and twenty-nine is further amended by striking out section four and inserting in place thereof the following:

Section 4. The amounts to be paid by cities and towns as aforesaid shall be assessed and collected by the state treasurer as a part of their state tax in the year nineteen hundred and thirty-nine.

SECTION 4. No payment shall be made or obligation incurred under authority of any special appropriation made by this act for construction of public buildings or other improvements at state institutions until plans and specifications have been approved by the governor, unless otherwise provided by such rules and regulations as the governor may make.

SECTION 5. This act shall take effect upon its passage.

Approved July 16, 1938.

Chap. 498 AN ACT PROVIDING FOR THE PAYMENT BY THE COMMONWEALTH TO ITS MUNICIPALITIES OF A PORTION OF THE HIGHWAY FUND TO ENABLE THEM TO CARRY OUT LOCAL HIGHWAY PROJECTS FOR THE PURPOSE OF ALLEVIATING EXISTING CONDITIONS RESULTING FROM UNEMPLOYMENT, AND PROVIDING FOR THE RECONSTRUCTION AND REPAIR OF CERTAIN HIGHWAYS AND BRIDGES DAMAGED BY THE RECENT STORM.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. (Disapproved by the governor by message to the house of representatives filed July 27, 1938. Objections of governor sustained by vote of the house of representatives July 27, 1938.)

SECTION 2. (Disapproved by the governor by message to the house of representatives filed July 27, 1938. Objections of governor sustained by vote of the house of representatives July 27, 1938.)

SECTION 3. For the purpose of repairing the damage to public ways in the commonwealth caused by the recent storm, there shall also be available for expenditure by the state department of public works and certain cities and towns, without further appropriation, from the Highway Fund, such amounts as shall be determined by said emergency finance board, as hereinafter provided, but not exceeding, in the aggregate, five hundred thousand dollars. Any sums made available for expenditure by the state department of public works under this section shall be expended by it, together with federal funds, if any, allocated to the commonwealth and available for such expenditure, for the purpose of repairing or reconstructing state highways, including surface drainage, sidewalks, curbing and bridges, so damaged; and any sum received by a city or town under

this section shall be placed in a separate fund and shall, under the direction of the local highway department, be expended, without appropriation, together with federal funds, if any, allocated to such city or town and available for such expenditure, for the purpose of repairing or reconstructing local highways, including surface drainage, sidewalks, curbs and bridges, so damaged.

SECTION 4. Projects to be entered into under authority of section three of this act shall be submitted to said emergency finance board, in the case of state highways by the commissioner of public works and in case of local highways by the mayor and city council in the case of cities or by the selectmen in the case of towns, and no project shall be entered into under said section three unless it is approved, with respect to the necessity and location thereof, by said board. The decision of said board shall be final.

SECTION 5. Persons employed for work on any project entered into under authority of this act shall not be subject to the civil service laws or the rules and regulations made thereunder.

Approved July 27, 1938.

AN ACT PROVIDING FOR THE FUNDING OF OVERLAY DEFICITS AND OTHER ITEMS BY THE CITY OF LOWELL, AND RELATIVE TO BORROWINGS BY SAID CITY ON ACCOUNT OF PUBLIC WELFARE, SOLDIERS' BENEFITS AND FEDERAL EMERGENCY UNEMPLOYMENT RELIEF PROJECTS. Chap. 499

Be it enacted, etc., as follows:

SECTION 1. The city of Lowell, for the purposes specified in section two of this act, may issue from time to time bonds or notes to an amount not exceeding, in the aggregate, four hundred thousand dollars; provided, that no bonds or notes authorized by this section shall be issued later than the thirty-first day of December, nineteen hundred and forty. Such bonds or notes shall bear on their face the words, City of Lowell Funding Loan, Acts of 1938. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than ten years from their dates. Indebtedness incurred under this section shall, except as herein provided, be subject to the provisions of chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof. The said city may issue temporary notes of the city, payable in not more than one year from their dates, in anticipation of the issue of serial bonds or notes authorized by this section, but the time within which such serial bonds or notes shall become due and payable shall not, by reason of such temporary notes, be extended beyond the time fixed by this section. All notes issued in anticipation of the issue of said serial bonds or notes shall be paid from the proceeds thereof.

SECTION 2. The amounts borrowed under authority of section one shall be used for meeting so much of the deficits