

SECTION 2. Notwithstanding the provisions of section twenty of chapter forty-four of the General Laws, the town of Dighton is authorized to appropriate the balance of the proceeds of debt issued for the sewerage collections system project to provide for the deficits referred to in section one, in fiscal year nineteen hundred and ninety-one or thereafter.

SECTION 3. This act shall take effect upon its passage.

Approved November 7, 1989.

Chapter 490. AN ACT RELATIVE TO THE CRIME OF BREAKING AND ENTERING A MOTOR VEHICLE.

Be it enacted, etc., as follows:

Section 18 of chapter 266 of the General Laws, as appearing in the 1988 Official Edition, is hereby amended by inserting after the word "ship", in line 3, the words:- or motor vehicle.

Approved November 7, 1989.

Chapter 491. AN ACT RELATING TO THE APPOINTMENT OF ELECTION OFFICERS IN CITIES AND TOWNS.

Be it enacted, etc., as follows:

SECTION 1. Section 11B of chapter 54 of the General Laws, as appearing in the 1988 Official Edition, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

If, upon the expiration of fifteen days after notice given in writing prior to June fifteenth, in any year by the mayor or other appointing authority to the chairman of any political committee by whom lists are to be filed hereunder, and to the chairman of the state committee of such political party, neither the state nor city chairman shall have filed original or supplemental lists, the mayor or other appointing authority may appoint as election officers registered voters of the city recommended by the city clerk or election commission, who, in the opinion of the mayor or other appointing authority, are qualified to act as such.

SECTION 2. Section 12 of said chapter 54, as so appearing, is hereby amended by striking out the second, third, and fourth paragraphs, and inserting in place thereof the following three paragraphs:-

The chairman of the town committee of each political party may, not later than June first in each year, file with the registrars a list of enrolled members of such party who desire appointment as election officers. The selectmen shall, not later than

April fifteenth of each year, make written notification to the chairman of record of the town committee of each political party that said list must be submitted no later than June first of the same year. Upon the filing of such lists the registrars shall forthwith proceed to the consideration thereof, and shall, on or before June thirtieth submit to the selectmen the names of persons whose names appear on the lists who in their opinion are qualified to act as election officers. The lists submitted by town committees shall contain not more than eight names for each office to be filled. Supplemental lists may be filed with the selectmen and registrars by the said chairman at any time before the appointments are made, for the purpose of filling vacancies which may occur in the original lists. No person shall be appointed as an election officer until he is found qualified to act as such as herein provided. Appointments shall be made from the original list before any names are taken from any supplemental list. All persons listed on the original list who have not been appointed as election officers shall be notified by certified mail of the appointment of a person listed on the supplemental list at least five days prior to such appointment.

If, upon the expiration of fifteen days after notice given in writing prior to June fifteenth in any year by the selectmen to the chairman of any political committee who has not filed original or supplemental lists, and to the chairman of the state committee of such political party, neither the state nor town chairman shall have filed such lists, the selectmen may appoint as election officers registered voters of the town and recommended by the town clerk, who in the opinion of the selectmen, are qualified to act as such.

The registrars may, if they deem it necessary, conduct examinations of persons whose names appear on the lists filed hereunder. Five days' notice shall be given of any such examination. The chairman of each town committee may appear and be heard either in person or by counsel, during the conduct of such examinations.

SECTION 3. Section 13 of said chapter 54, as so appearing, is hereby amended by inserting after the third sentence the following sentence:- The preceding party representation requirements of this section apply only if the chairman of the city or town committee of each political party or the chairman of the state committee of such party files with the registrars lists of enrolled members of the party who desire appointment as election officers in accordance with the provisions of sections eleven B and twelve.

SECTION 4. Section 14 of said chapter 54, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- If there is a vacancy in the number of election officers, or if an election officer declines his appointment and gives notice thereof to the city or town clerk within ten days following the date of his appointment, the mayor or the selectmen shall, except as provided in section sixteen, fill the vacancy; and, if the party

representation requirements of section thirteen apply, the appointment shall be so made as to preserve the equal representation of the two leading political parties.

Approved November 7, 1989.

Chapter 492. AN ACT FURTHER REGULATING THE COST OF WATER AND SEWER SERVICES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 40 of the General Laws is hereby amended by inserting after section 39J the following section:-

Section 39J 1/2. No local body shall charge for water or sewer services on a descending unit rate basis. For the purposes of this section a local body shall be a city, town, district, commission or other political subdivision or instrumentality of the commonwealth responsible for providing by itself or through an officer, board, department or division thereof local water supply or local sewer services; except as otherwise expressly provided herein, in any case where local water supply or local sewer services within the territorial boundaries of a local body are provided in whole or in part by a political subdivision or public instrumentality of the commonwealth separate from such local body, the term "local body" as used in this section shall mean, within the service area thereof, that political subdivision or public instrumentality.

SECTION 2. This act shall take effect on January first, nineteen hundred and ninety-one.

Approved November 7, 1989.

Chapter 493. AN ACT GOVERNING THE MAINTENANCE OF LOCKUPS.

Be it enacted, etc., as follows:

Section 34 of chapter 40 of the General Laws, as appearing in the 1988 Official Edition, is hereby amended by adding the following paragraph:-

For the purposes of this section, the word "maintain" shall include the provision of any prescribed medication and nutritionally adequate meals to a person committed to such lockup. Compliance with this section shall be enforced pursuant to section twenty-one of chapter one hundred and eleven.

Approved November 7, 1989.