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Section 42. If it appears that a crime has been committed and that there is probable cause to believe the prisoner guilty, the court or justice shall, if final jurisdiction is not exercised, admit the prisoner to bail, if the crime is bailable and sufficient bail is offered; otherwise, except as provided for in section sixteen of chapter one hundred and twenty-five, such prisoner shall be committed to jail for trial.

Approved January 8, 1990.

Chapter 665. AN ACT FURTHER REGULATING THE VETERANS SERVICES APPEALS PROCESS.

Be it enacted, etc., as follows:

SECTION 1. The twelfth paragraph of clause Forty-third of section 7 of chapter 4 of the General Laws, as appearing in the 1988 Official Edition, is hereby amended by striking out paragraph (c) and re-lettering paragraphs (d), (e), and (f) as (c), (d), and (e), respectively.

SECTION 2. Section 2 of chapter 115 of the General Laws is hereby amended by striking out the third paragraph, as so appearing, and inserting in place thereof the following paragraph:-

The commissioner shall decide all controversies between towns relative to the residence of applicants for veterans' benefits and, subject to the approval of the attorney general, his decisions shall be final. He shall decide any controversies between any applicant and a veterans' agent or part-time veterans' agent relative to the validity or amount of a claim for such benefits. Any claimant veterans' agent or part-time veterans' agent aggrieved by a decision of the commissioner shall have a right to appeal the decision, after due notice, to the division of administrative law appeals established within the executive office of administration and finance pursuant to section four H of chapter seven, hereinafter in this section referred to as "the division". Any person aggrieved by a decision of the commissioner or by the failure of a city or town to render adequate veterans' benefits or to approve or reject an application for veterans' benefits within forty-five days of receiving such application, or aggrieved by the withdrawal of such benefits, shall also have a right, after due notice, to appeal to the division. A hearing on such appeal held pursuant to this paragraph shall be conducted at a location convenient to the person appealing and shall be conducted as an adjudicatory proceeding under chapter thirty A. The division shall issue its decision within ninety days after the day of the filing of the appeal, except that when an aggrieved person appeals the rejection of his application for veterans' benefits or the failure to act on said application or the failure of a city or town to render assistance to meet an emergency or hardship

situation, the division shall render and issue its decision within forty-five days after the date of filing of said appeal. Further review of such decision may be had by any party upon application made to the governor and council within ten days after his receipt of notice of the decision. Whether or not an application for further review is made to the governor and council, the decision of the division, or the decision of the governor and council, if an application for further review is made, shall be subject to judicial review in accordance with the provisions of chapter thirty A. The time for commencing such an action for judicial review shall run from the receipt of notice of the decision of the division, or, in the event that an application for further review is made to the governor and council, from the receipt of notice of the decision of the governor and council. In such an action for judicial review, the record shall consist of (a) the entire proceedings before the division of administrative law appeals and, if applicable, the governor and council, or (b) such portions thereof as the commissioner and the parties may stipulate, or (c) a statement of the case agreed to by the commissioner and the parties.

Approved January 8, 1990.

Chapter 666. AN ACT AUTHORIZING A PILOT PROJECT IN THE DEPARTMENT OF PERSONNEL ADMINISTRATION.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, the personnel administrator is hereby authorized to administer a pilot project to determine if alternative methods of certification for employment in the service of the commonwealth are feasible or desirable. Said pilot project shall be developed in accordance with basic merit principles as defined in section one of chapter thirty-one of the General Laws; provided, however, that, except as specifically provided herein, said pilot project shall be administered in accordance with the provisions of said chapter thirty-one. The pilot project shall be based on the eligible list established pursuant to the civil service examination administered April sixteenth, nineteen hundred and eighty-eight for the titles of Accountant I; Accountant II; Accountant III; Accountant IV; Accountant V; Accountant, Bureau of Accounts, D.O.R. I; Accountant, Bureau of Accounts, D.O.R. II; Accountant, Bureau of Accounts, D.O.R. III; Accountant, Bureau of Accounts, D.O.R. IV; Accountant, Bureau of Accounts, D.O.R. V; Auditor I; Auditor II; Auditor III; Auditor IV; Budget Examiner I; Budget Examiner II; Budget Examiner III; Institution Treasurer I and Institution Treasurer II, each of which has been determined by the labor relations commission to bargain collectively with unit one or six.

All appointments pursuant to said pilot project shall be made only after a certification of names of the individuals determined by the said personnel