

however, that except by agreement of the parties, no such civil jury trial shall proceed with less than ten jurors remaining on the panel.

Nothing in this section shall impair the right of the court to fill vacancies in the manner provided in section twenty-six B.

Approved June 20, 1972.

Chap. 461. AN ACT MAKING CERTAIN CHANGES IN THE LAW REGULATING THE PAYMENT OF SUMS DUE TO CONTRACTORS AFTER COMPLETION OF CERTAIN PUBLIC WORKS AND PUBLIC BUILDING CONTRACTS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 39G of chapter 30 of the General Laws, as appearing in chapter 499 of the acts of 1956, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:—The contracting authority shall deduct and retain from payment of said final estimate a sum sufficient to satisfy any and all valid claims that have been duly filed against a contractor under the provisions of section thirty-nine F, and may also deduct and retain from such payment any other amounts to be deducted or retained in accordance with the terms of the contract.

SECTION 2. Said section 39G of said chapter 30 is hereby further amended by striking out the last paragraph, as appearing in chapter 597 of the acts of 1955, and inserting in place thereof the following paragraph:—

If a contracting authority or its duly authorized representative or agent delays or fails to prepare any final or semifinal estimate within the period of time provided by this section, interest on the amount due the contractor on any such final or semifinal estimate shall be computed and paid by the contracting authority at the rate of three percentage points above the rediscount rate then charged by the Federal Reserve Bank of Boston. Payment of interest shall begin on the sixty-sixth day after the contract has been satisfactorily completed or the project has been substantially completed and opened to public use, as the case may be, and shall be paid until the date such estimate has been prepared and submitted to the contractor for acceptance. The amount of such interest shall be included in the estimate when prepared.

Approved June 20, 1972.

Chap. 462. AN ACT ESTABLISHING A SENATE ART COMMITTEE.

Be it enacted, etc., as follows:

Chapter 3 of the General Laws is hereby amended by adding after section 64, added by section 1 of chapter 1008 of the acts of 1971, the following section:—

Section 65. There is hereby established in the senate a senate art committee, hereinafter called the committee, to consist of the president and the minority leader thereof, and seven persons to be appointed by the president, of whom at least three shall be members

of The Doric Dames, Inc. Each member shall be appointed for a term coterminous with that of the president, and shall serve at his pleasure.

The committee shall consider and advise the senate relative to any matter germane to the upgrading and restoration of the quarters in the state house used by the members of the senate and its employees, with particular attention to the historical and artistic qualities of said quarters. The committee may file recommendations from time to time with the clerk of the senate, but shall file an annual report with the clerk before the first Wednesday in December of each year.

Approved June 20, 1972.

Chap. 463. AN ACT FURTHER REGULATING THE RATES OF SPEED OF CERTAIN VEHICLES ON PUBLIC HIGHWAYS.

Be it enacted, etc., as follows:

Section 17 of chapter 90 of the General Laws is hereby amended by adding the following sentence:—No person shall operate any vehicle or combination of vehicles or combinations of vehicles and trailers having a gross vehicle weight of more than ten thousand pounds on a limited access state highway or any other divided highway at a rate of speed in excess of five miles per hour below the limits posted in accordance with the provisions of section eighteen.

Approved June 20, 1972.

Chap. 464. AN ACT FURTHER REGULATING THE EMPLOYMENT, DISMISSAL OR SUSPENSION OF SUPERINTENDENTS OF PUBLIC SCHOOLS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 71 of the General Laws is hereby amended by striking out section 41, as appearing in section 1 of chapter 132 of the acts of 1956, and inserting in place thereof the following section:—

Section 41. Every school committee, in electing a teacher, who has served in its public schools for the three previous consecutive school years shall employ him to serve at its discretion; but any school committee may elect a teacher who has served in its schools for not less than one school year to serve at such discretion. A teacher not serving at discretion shall be notified in writing on or before April fifteenth whenever such person is not to be employed for the following school year. Unless said notice is given as herein provided, a teacher not serving at discretion shall be deemed to be appointed for the following school year.

A school committee may award a contract to a superintendent of schools for a period not exceeding six years. Nothing in this section shall be construed to prevent a school committee from voting to employ a superintendent of schools who has completed three or more years' service to serve at its discretion

SECTION 2. Section 42 of said chapter 71, as most recently amended by chapter 388 of the acts of 1970, is hereby further