

provisions of chapter one hundred and nineteen of the General Laws. Adoptive parents shall, prior to adoption, make arrangements with said department for the receipt of said postadoptive support payments in order to be eligible to receive them.

Eligibility for payments for medical or remedial care of a child to be adopted shall be determined in accordance with an income and resource schedule based on the number of persons in the household, including said child, and the out-of-pocket expenses for the medical and remedial care of said child. Such payments shall not exceed the medical or remedial care payments currently authorized by said department for a comparable child in family foster care under the provisions of chapter one hundred and nineteen of the General Laws, and such payments shall be made directly to providers of service. The medical or remedial services provided shall require the prior approval of said department in the manner set forth by departmental regulations, and such payments shall not supersede payments or services available from other federal, state, local or private medical or remedial programs or insurance plans. If such medical or remedial services arise out of injury, disease or disability for which a third party may be liable, said department shall require the person receiving such medical or remedial care to assign to the commonwealth from the proceeds of any such claim against such third party the amounts so expended. Only adoptive parents who have made arrangements with the department prior to adoption to receive postadoption assistance for medical or remedial care shall be eligible to receive such assistance.

A recipient of said financial subsidy shall annually provide the department with copies of his federal and state income tax returns and a financial statement which includes full disclosure of assets and liabilities. Said department shall annually review the need of a recipient for such subsidy and shall terminate any payments when such need no longer exists.

SECTION 2. In evaluating a petitioner's ability to provide suitable support for a child pursuant to section six of chapter two hundred and ten of the General Laws, a probate court shall give consideration to assurances by the department of public welfare that it will provide or contribute funds for the necessary maintenance care or medical or remedial care for the child.

SECTION 3. The provisions of this act and the subsidy program established hereunder shall apply to one hundred adoptions only and shall cease to be operative thereafter. *Approved November 1, 1971.*

Chap. 964. AN ACT PROVIDING FOR THE ESTABLISHMENT OF THREE ADDITIONAL POSITIONS OF ASSOCIATE COMMISSIONER OF EDUCATION.

Be it enacted, etc., as follows:

Section 1F of chapter 15 of the General Laws is hereby amended by striking out the second paragraph, as amended by section 1 of chapter 887 of the acts of 1970, and inserting in place thereof the following paragraph: —

Each of the divisions shall be headed by an associate commissioner. The board shall, by a majority vote of all its members, appoint the associate commissioners, and shall establish their salaries. The board

shall appoint such associate commissioners from lists submitted by the commissioner, who shall nominate three candidates, ranked according to his preference, for each such office to be filled. The person appointed associate commissioner for the division in the area of curriculum and instruction shall have had experience and background in all major curricula, the person appointed associate commissioner for the division of occupational education shall have had experience and background in vocational and occupational education, and the person appointed associate commissioner for the division of special education shall have had experience and background in special education.

Approved November 1, 1971.

Chap. 965. AN ACT RELATIVE TO VALIDATING AND MAKING IRREVOCABLE CERTAIN LICENSES GRANTED BY THE DEPARTMENT OF PUBLIC WORKS TO MAINTAIN EXISTING FILL AND STRUCTURES IN CERTAIN TIDEWATERS IN THE TOWN OF COHASSET.

Be it enacted, etc., as follows:

SECTION 1. Licenses numbered 3153 and 3860 granted by the department of public works to John G. Carzis on June the twenty-eighth, nineteen hundred and forty-nine and June the eleventh, nineteen hundred and fifty-six, respectively, to maintain existing fill and structures in certain tidewaters in the town of Cohasset shall, notwithstanding any provision of law to the contrary and notwithstanding the failure to record said licenses within one year as required by section eighteen of chapter ninety-one of the General Laws, be valid and irrevocable, upon recording of attested copies of said licenses within one year from the effective date of this act; provided, however, if the commonwealth or any of its political subdivisions shall take, within ten years after the effective date of this act, any land which has the benefit of said licenses, the damages recoverable by reason of such taking shall not exceed the cost of acquisition of such land by the owner from whom the taking is made together with the cost to such owner of any buildings or improvements thereon, with interest at four per cent annually from the date any such cost was incurred.

SECTION 2. Said department may grant licenses pursuant to chapter ninety-one of the General Laws for the aforesaid purposes for land in said town now owned by John G. Carzis, which, with the buildings and other structures thereon, is known as Hugo's Lighthouse, bounded easterly by Cohasset Harbor, southerly by land of Barbara B. Kinne, southwesterly by Border Street, westerly by land of Jessie B. Cox and northerly by said Harbor which shall, notwithstanding any provision of section fifteen of said chapter ninety-one, to the contrary, be irrevocable, subject, however, to the conditions, which shall be expressed in any such license, that applicable provisions of said chapter ninety-one are complied with and that if the commonwealth or any of its political subdivisions shall take, within ten years after such license is granted, any land which has the benefit of such license, the damages recoverable by reason of such taking shall not exceed the cost of acquisition of such land by the owner from whom the taking is made together with the cost to such owner of any buildings or improvements thereon, with interest at four per cent annually from the date any such cost was incurred.

Approved November 1, 1971.