

ACTS, 1982. - Chap. 365.

whoever has in his possession any such visual material knowing the contents or having sufficient facts in his possession to have knowledge of the contents thereof, with the intent to disseminate the same, shall be punished in the state prison for a term of not less than ten nor more than twenty years or by a fine of not less than ten thousand dollars nor more than fifty thousand dollars or three times the monetary value of any economic gain derived from said dissemination, whichever is greater, or by both such fine and imprisonment.

It shall be an affirmative defense in any prosecution pursuant to this section that such dissemination of any visual material that contains a representation or reproduction of any posture or exhibition in a state of nudity was produced, processed, published, printed or manufactured for a bona fide scientific or medical purpose, for an educational or cultural purpose for a bona fide school, museum or library, or where the person who is so represented or reproduced in a state of nudity is over the age of eighteen years.

For the purposes of this section, the determination whether the child in any visual material prohibited hereunder is under eighteen years of age may be made by the personal testimony of such child, by the testimony of a person who produced, processed, published, printed or manufactured such visual material that the child therein was known to him to be under eighteen years of age, by testimony of a person who observed the visual material, or by expert medical testimony as to the age of the child based upon the child's physical appearance, by inspection of the visual material, or by any other method authorized by any general or special law or by any applicable rule of evidence.

SECTION 3. Section 31 of said chapter 272 is hereby amended by inserting after the word "twenty-nine A", in lines 1 and 2, as appearing in section 4 of said chapter 917, the word:- twenty-nine B.

Approved July 20, 1982.

EMERGENCY LETTER, July 21, 1982 @ 9:47 A.M.

Chap. 365. AN ACT AUTHORIZING THE TOWN OF PLYMOUTH TO ISSUE AN ADDITIONAL LICENSE FOR THE SALE OF ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES TO J.R. ALGIRD, INC.

ACTS, 1982. - Chap. 366.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section seventeen of chapter one hundred and thirty-eight of the General Laws, the licensing authority of the town of Plymouth is hereby authorized to issue to J.R. Algird, Inc. d/b/a Jerry's package store, a license for the sale of all alcoholic beverages not to be drunk on the premises under the provisions of section fifteen of said chapter one hundred and thirty-eight. Said license shall be subject to all the provisions of said chapter one hundred and thirty-eight except said section seventeen.

(The foregoing was laid before the Governor on the eighth day of July, 1982 and after ten days it had "the force of a law", as prescribed by the Constitution, as it was not returned by him with his objections thereto within that time.)

Chap. 366. AN ACT FURTHER REGULATING THE REGISTRATION OF CERTIFIED PUBLIC ACCOUNTANTS.

Be it enacted, etc., as follows:

SECTION 1. Section 87A of chapter 112 of the General Laws is hereby amended by striking out paragraph (b), as appearing in section 2 of chapter 663 of the acts of 1963, and inserting in place thereof the following paragraph:-

(b) A partnership engaged in the commonwealth in the practice of public accounting may register with the board as a partnership of certified public accountants, provided:-

(1) that each partner thereof personally and regularly engaged within the commonwealth in the practice of public accounting as a member thereof is a certified public accountant registered under this section or section eighty-seven B and holds a valid biennial permit issued under section eighty-seven B or is a professional corporation registered under paragraph (c);

(2) that each active partner thereof who is resident in the United States is a certified public accountant in good standing of some state or is a professional corporation registered under paragraph (c); and

(3) that each resident manager in charge of an office of the firm located in the commonwealth is a certified public accountant registered under this section or section eighty-seven B and holds a valid biennial permit issued under section eighty-seven B or is a professional corporation registered under paragraph (c).

Application for such registration shall be made upon the