

ing liquor, opium or other drugs, cruel and abusive treatment or, on the libel of the wife, if the husband, being of sufficient ability, grossly or wantonly and cruelly refuses or neglects to provide suitable maintenance for her; provided, however, that a divorce shall be decreed although both parties have cause, and no defense upon recrimination shall be entertained by the court.

SECTION 2. Said chapter 208 is hereby further amended by striking out section 22, as amended by chapter 433 of the acts of 1962, and inserting in place thereof the following section:—

*Section 22.* In order to prove a libel for divorce on the grounds of desertion, the libellant shall establish that the libellee left voluntarily and without justification and with intent not to return, that at the time such libellee left the libellant did not consent thereto, and that the libellee failed to cohabit with the libellant for at least one year next prior to the date of filing of the libel. A libel for divorce for desertion shall not be defeated by a temporary return or other act of the libellee if the court finds that such return or other act was not made or done in good faith, but with intent to defeat such libel. The prior filing of a libel for divorce or a petition for separate support shall not be deemed to raise a conclusive presumption to defeat a libel for divorce for desertion.

SECTION 3. Sections one and two of this act shall take effect as to libels for divorce filed on or after July first, nineteen hundred and seventy-four.

*Approved June 13, 1974.*

**Chap. 359.** AN ACT PROVIDING PENALTIES FOR VIOLATIONS OF THE CONTROLLED SUBSTANCES ACT RELATIVE TO RESEARCH AND STUDY PROJECTS INVOLVING CERTAIN DRUGS.

*Be it enacted, etc., as follows:*

Section 8 of chapter 94C of the General Laws is hereby amended by adding after paragraph (h), added by section 11 of chapter 806 of the acts of 1972, the following paragraph:—

(i) Whoever knowingly or intentionally violates any provision of this section shall be punished for each offense by imprisonment in a jail or house of correction for not more than one year or by a fine of not more than one thousand dollars, or both.

*Approved June 13, 1974.*

**Chap. 360.** AN ACT EXTENDING THE OPERATION OF THE LAW ENABLING CITIES AND TOWNS TO CONTROL RENTS AND EVICTIONS.

*Be it enacted, etc., as follows:*

Section 13 of chapter 842 of the acts of 1970 is hereby amended by

striking out, in line 2, the words "April the first" and inserting in place thereof the words:— December the thirty-first.

*Approved June 13, 1974.*

**Chap. 361.** AN ACT RELATIVE TO THE PROMULGATION OF CERTAIN REGULATIONS UNDER THE LAW PROVIDING FOR THE ESTABLISHMENT OF CERTAIN STATE ADMINISTRATIVE PROCEDURES.

*Be it enacted, etc., as follows:*

SECTION 1. Paragraph (5) of section 1 of chapter 30A of the General Laws, as most recently amended by section 2 of chapter 712 of the acts of 1970, is hereby further amended by striking out clause (c).

SECTION 2. Paragraph (3) of section 3 of said chapter 30A is hereby amended by striking out the first paragraph, as appearing in section 1 of chapter 681 of the acts of 1954, and inserting in place thereof the following paragraph:—

If the agency reasonably finds that the immediate adoption or amendment of a regulation is necessary for the preservation of the public health, safety or general welfare, and that observance of the requirements of notice and affording interested persons an opportunity to present data, views, or arguments would be contrary to the public interest, the agency may dispense with such requirements and adopt the regulation or amendment as an emergency regulation or amendment. The agency's finding and a brief statement of the reasons for its finding shall be incorporated in the emergency regulation or amendment as filed with the state secretary under section thirty-seven of chapter thirty. An emergency regulation or amendment shall not remain in effect for longer than three months unless during that time the agency gives notice and affords interested persons an opportunity to present data, views, or arguments as required in this section, and files notice of compliance with the state secretary.

SECTION 3. Said chapter 30A is hereby further amended by striking out section 7, as amended by section 1 of chapter 1114 of the acts of 1973, and inserting in place thereof the following section:—

*Section 7.* Unless an exclusive mode of review is provided by law, judicial review of any regulation or of the sufficiency of the reasons for its adoption as an emergency regulation may be had through an action for declaratory relief in the manner and to the extent provided under chapter two hundred and thirty-one A.

*Approved June 14, 1974.*

**Chap. 362.** AN ACT ALLOWING THE SAVINGS BANK INVESTMENT FUND TO ESTABLISH SEPARATE INVESTMENT FUNDS.

*Be it enacted, etc., as follows:*

SECTION 1. Section 1 of chapter 283 of the acts of 1945 is hereby