

the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 886 of the Acts of 1970, entitled "AN ACT PROVIDING THAT CERTAIN POLICE OFFICERS SHALL BE EXCUSED FROM DUTY WITHOUT LOSS OF PAY WHILE IN ATTENDANCE AS OFFICIAL DELEGATES AT AN ANNUAL CONVENTION OF THE MASSACHUSETTS POLICE ASSOCIATION." and the enactment of which received my approval on September 1, 1970, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

So that police officers affected by this legislation may receive its benefits in the current year.

Sincerely,
FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, September 2, 1970.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Acting Governor of the Commonwealth of Massachusetts at eight o'clock and fifty-two minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter eight hundred and eighty-six of the acts of nineteen hundred and seventy.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 887. AN ACT ESTABLISHING A DIVISION OF SPECIAL EDUCATION UNDER THE BOARD OF EDUCATION.

Be it enacted, etc., as follows:

SECTION 1. Section 1F of chapter 15 of the General Laws, as most recently amended by section 1 of chapter 837 of the acts of 1969, is hereby further amended by striking out the first two paragraphs and inserting in place thereof the following two paragraphs:—

The board of education shall by a two thirds vote of all its members appoint a commissioner of education, in this chapter called the commissioner, and may in its discretion by majority vote of all its members remove him. He shall be the secretary to the board, its chief executive officer and the chief state school officer for elementary and secondary education. He shall receive such salary, not exceeding thirty thousand dollars, as the board may determine, and subject to appropriation, such other prerequisites as the board may approve. The board shall, by a two thirds vote of all its members and upon recommendation by the commissioner, appoint a deputy commissioner of education and may in its discretion by majority vote remove him. The Board shall establish seven divisions in the following areas: (a) curriculum and instruction, (b) administration and personnel, (c) research and development, (d) school facilities and related services, (e) state and federal assistance, (f) occupational education, and (g) special education.

The four divisions in the areas of curriculum and instruction, administration and personnel, occupational education, and special education shall each be headed by an associate commissioner, and each of the other three divisions shall be headed by an assistant commissioner. The board shall, by a majority vote of all its members, appoint the associate commissioners and the assistant commissioners, and shall establish their salaries. The board shall appoint such associate commissioners and assistant 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.

SECTION 2. All employees of the bureau of special education who, immediately prior to the effective date of this act, held positions classified under chapter thirty-one of the General Laws or had tenure in their positions by reason of section nine A of chapter thirty of the General Laws are hereby transferred to the service of the division of special education established by section one F of chapter fifteen of the General Laws, as appearing in section one of this act; every such transfer shall be without impairment of civil service status, seniority, retirement and other rights of the employee, without interruption of his service within the meaning of said chapter thirty-one or section nine A of chapter thirty, and without reduction in his compensation and salary grade, notwithstanding any change in his title or duties made as a result of such transfer. All employees of the bureau of special education who immediately prior to the effective date of this act held, with or without such tenure, positions not so classified are hereby transferred to the service of said division of special education without impairment of seniority, retirement and other rights, without interruption of service within the meaning of said section nine A of chapter thirty and without change in compensation or salary grade.

SECTION 3. Section fifteen A of chapter fifteen of the General Laws is hereby repealed.

Approved September 1, 1970.

Chap. 888. AN ACT REVISING THE LAWS RELATIVE TO THE ADMISSION, TREATMENT AND DISCHARGE OF MENTALLY ILL AND MENTALLY RETARDED PERSONS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 19 of the General Laws is hereby amended by adding the following five paragraphs: —

The department shall designate those facilities to which persons may be committed or admitted as patients under the provisions of chapter one hundred and twenty-three. The department shall periodically in-