

AN ACT MAKING CERTAIN INFORMATION SECURED UNDER THE EMPLOYMENT SECURITY LAW AVAILABLE FOR USE IN CERTAIN CRIMINAL ACTIONS BROUGHT BY THE COMMONWEALTH. Chap.512

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make certain information secured under the Employment Security Law available forthwith for use in certain criminal actions brought by the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Emergency preamble.

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

The second sentence of section 46 of chapter 151A of the General Laws, as appearing in section 1 of chapter 685 of the acts of 1941, is hereby amended by striking out, in line 2, the word "used" and inserting in place thereof the word:—admissible,— and by inserting after the word "law", in line 5, the words:— or under chapter two hundred and sixty-four,— so as to read as follows:— Such information shall not be open to the public, nor shall it be admissible in any action or proceeding unless the division or the commonwealth is a party to such action or proceeding, or unless such action or proceeding is in the nature of a criminal prosecution under some provision of federal law or under chapter two hundred and sixty-four, but any employer or claimant, upon request, shall be supplied by the division with information concerning his own record which is necessary to him in his relations with the division.

G. L. (Ter. Ed.), 151A, § 46, etc., amended.

Certain information under employment security law not available to public, admissible as evidence except in specified cases.

*Approved May 28, 1954.*

AN ACT AUTHORIZING NON-PROFIT HOSPITAL SERVICE CORPORATIONS TO CONTRACT WITH GOVERNMENTAL AGENCIES TO PROVIDE HOSPITAL SERVICE OR REIMBURSEMENT FOR OTHER HEALTH SERVICES. Chap.513

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

The first paragraph of section 5 of chapter 176A of the General Laws, as amended by section 3 of chapter 287 of the acts of 1953, is hereby further amended by adding at the end the following:— and may contract with any agency of the United States of America, of the commonwealth or any city or town within the commonwealth for the purpose of providing hospital service or reimbursement for other health services.

G. L. (Ter. Ed.), 176A, § 5, etc., amended.

Certain hospital service contracts, permitted.

*Approved May 28, 1954.*

AN ACT ESTABLISHING A DIVISION OF SPECIAL EDUCATION. Chap.514

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

SECTION 1. Section 4 of chapter 15 of the General Laws is hereby amended by striking out the third sentence, as appearing in section 2 of chapter 585 of the acts of 1952, and inserting in place thereof the following sentence:— In the

G. L. (Ter. Ed.), 15, § 4, etc., amended.

Division of special education, established.

G. L. (Ter. Ed.), 15, new § 15A, added.

Director and supervisors, appointment of.

G. L. (Ter. Ed.), 69, new §§ 29A, 29B, added.

Duty of division.

Reimbursement by commonwealth of certain costs, authorized.

G. L. (Ter. Ed.), 70, new § 3C, added.

Payments by commonwealth, authorized.

G. L. (Ter. Ed.), 71, § 46, etc., amended.

Classifications of retarded children, established.

department there shall be a division of library extension, a division of immigration and Americanization, a division of the blind, a division of elementary and secondary education, a division of teachers colleges, a division of university extension, a division of research and statistics, a division of vocational education, a division of vocational rehabilitation, and a division of special education.

SECTION 2. Said chapter 15 is hereby further amended by inserting after section 15 the following section:— *Section 15A*. The division of special education shall consist of a director to be appointed by the board, at such salary as it may determine. The board shall appoint such supervisors and may assign to them, under the supervision of the director, such functions as he and the board deem advisable, in the supervision of the education of children who are mentally retarded, physically handicapped, deaf or hard of hearing, blind, or with impaired vision or speech.

SECTION 3. Chapter 69 of the General Laws is hereby amended by inserting after section 29 the following two sections under the caption:— DIVISION OF SPECIAL EDUCATION. *Section 29A*. The division of special education shall direct and supervise all special education supported in whole or in part by the commonwealth or any of its subdivisions, and shall be responsible for the compliance by cities and towns with the program of special classes established under the provisions of sections forty-six, forty-six A and forty-six B of chapter seventy-one for the instruction of educable and trainable mentally retarded children.

*Section 29B*. One half of the cost of the expenses of the instruction, training and support of the children in the special classes provided under section forty-six or forty-six B, actually rendered or furnished, including their necessary traveling expenses, whether daily or otherwise, but not exceeding ordinary and reasonable compensation therefor, shall be reimbursed to the towns by the commonwealth upon approval of the department and certification by it that such classes meet the standards and requirements prescribed by it.

SECTION 4. Chapter 70 of the General Laws is hereby amended by inserting after section 3B, inserted by chapter 774 of the acts of 1950, the following section:— *Section 3C*. In addition to payments provided by section three, the state treasurer shall annually, on or before November twentieth, pay from the proceeds of taxation on incomes under chapter sixty-two to any city or town such sums as may be certified by the commissioner on account of classes conducted as provided in section twenty-nine B of chapter sixty-nine.

SECTION 5. Chapter 71 of the General Laws is hereby amended by striking out section 46, as most recently amended by section 4 of chapter 194 of the acts of 1941, and inserting in place thereof the following section:— *Section 46*. The school committee of every town shall annually ascertain, under regulations prescribed by the department and the

department of mental health, the number of children retarded in mental development in attendance upon its public schools, or of school age and resident therein. Such children shall be placed in the following classifications: — (a) the educable mentally retarded; (b) the trainable mentally retarded; and (c) the custodial mentally retarded. At the beginning of each school year the committee of every town where there are five or more such children, as determined in accordance with the first sentence of this section, shall, and every town where there are less than five such children may, establish special classes for the instruction of the educable mentally retarded children and for the instruction of the trainable mentally retarded children according to their mental attainments, under regulations prescribed by the department. A child appearing to be mentally retarded in any less degree may, upon request of the superintendent of schools of the town where he attends school, be examined under such regulations as may be prescribed by the department and the department of mental health. No child under the control of the department of public welfare or of the child welfare division of the institutions department of the city of Boston or of a similar agency of any other city, who is retarded in mental development within the meaning of this section, shall, after complaint made by the school committee to the department of public welfare or said division or similar agency, be placed in a town which is not required to maintain a special class as provided for in this section.

Establishment of special classes, required.

SECTION 6. Said chapter 71 is hereby further amended by inserting after section 46B, inserted by section 1 of chapter 296 of the acts of 1954, the following two sections: — *Section 46C.* Any city or town having fewer than ten mentally retarded children may, with the approval of the department, join with another such city or town or with other such cities and towns to provide the necessary special classes, as provided in section forty-six.

G. L. (Ter. Ed.), 71, new §§ 46C, 46D, added.

Joint classes by certain cities and towns, authorized.

*Section 46D.* The parent or guardian of any child classified under the provisions of section forty-six may apply in writing to the department for a review of such determination.

Review of classification.

*Approved May 28, 1954.*

AN ACT MAKING CERTAIN CHANGES IN THE LAW RELATIVE TO THE TAXATION OF CORPORATIONS.

*Chap. 515*

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

SECTION 1. Section 18 of chapter 63 of the General Laws, as most recently amended by section 1 of chapter 486 of the acts of 1948, is hereby further amended by inserting after the word "commissioner", in line 27, the words: — with the approval of the state tax commission, — by striking out, in lines 56 and 57, the word "commissioner" and inserting in place thereof the word: — commission, — by striking out, in line 59, the word "commissioner's" and inserting in place thereof the word: — commission's, — and by inserting after

G. L. (Ter. Ed.), 63, § 18, etc., amended.