

opened at twelve o'clock noon and shall be closed not earlier than eight o'clock in the evening, and all votes upon any question so submitted shall be taken by ballot and the check list used in the several precinct meetings in the same manner as in the election of town officers. The questions so submitted shall be determined by vote of the same proportion of voters at large voting thereon as would have been required by law of the town meeting members, had the question been finally determined at a representative town meeting. The questions so submitted shall be stated upon the ballot in substantially the same language and form in which they were stated when presented to the representative town meeting by the moderator and as appears from the records of said meeting. If such a petition is not filed within said period of five days, the vote of the representative town meeting shall become operative and effective at the expiration of said period.

SECTION 9. *Acceptance of Act.* — The selectmen of Auburn shall call, in the manner prescribed therefor by law, a special town meeting, to be held between such hours on such week day during the first ten days in the October following the enactment thereof as they shall determine; except that said meeting shall convene not later than twelve o'clock noon and dissolve not earlier than eight o'clock post meridian on the day appointed. At said special meeting the question of the acceptance of this act shall be submitted to the voters of said town and no other business transacted. The vote on said question shall be taken in precincts by ballot in accordance with the provisions of the General Laws so far as the same shall be applicable, in answer to the question, which shall be placed upon the official ballot to be used at said meeting: — "Shall an act passed by the General Court in the year nineteen hundred and fifty, entitled 'An Act establishing in the town of Auburn representative town government by limited town meetings' be accepted by this town?" If a majority of the voters voting on this question shall vote in the affirmative, this act shall take effect forthwith so far as it relates to dividing the territory of the town into four precincts as provided in section one of this act; and so far as it relates to the election of town meeting members, it shall take effect for the purposes of town elections to be held on the first Monday of March thereafter and for all things pertaining thereto.

Approved July 14, 1950.

AN ACT TO PROVIDE FOR THE SAFETY OF THE COMMONWEALTH
DURING THE EXISTENCE OF AN EMERGENCY RESULTING
FROM DISASTER OR FROM HOSTILE ACTION.

Chap. 639

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to unify the sovereign powers of the commonwealth for the purpose of meeting the public need and requirements, therefore it is hereby

Emergency
preamble.

declared to be an emergency law, necessary for the immediate preservation of the public health, safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. In this act, unless the context otherwise requires, the following words shall have the following meanings: —

“Civil defense” shall mean the preparation for and the carrying out of all emergency functions, other than functions for which military forces other than the national guard are primarily responsible, for the purpose of minimizing and repairing injury and damage resulting from disasters caused by attack, sabotage or other hostile action or by fire, flood, earthquake or other natural causes; said functions shall include specifically, but without limiting the generality of the foregoing, fire-fighting and police services, medical and health services, rescue, engineering and air-raid warning services, evacuation of persons from stricken areas, emergency welfare services, communications, radiological, chemical and other special weapons of defense, emergency transportation, existing or properly assigned functions of plant protection, temporary restoration of public utility services and other functions;

“Local organization for civil defense” shall mean an organization created in accordance with the provisions of this act by state or local authority to perform local civil defense functions.

SECTION 2. There is hereby created within the executive branch of the commonwealth a division of civil defense hereinafter called the “civil defense agency”, which shall be under the direction of a director of civil defense hereinafter called the “director”. The governor shall, with the advice and consent of the council, appoint the director to serve during his pleasure. The director shall devote his full time to his duties under this act, shall not hold any other public office and shall receive, subject to appropriation, such annual salary as the governor and council approve. He shall co-ordinate the activities of all organizations for civil defense within the commonwealth, and shall co-operate and maintain liaison with civil defense agencies of other states and the federal government, shall, subject to the direction and control of the governor, be the executive head of the civil defense agency, and shall have such additional authority, duties and responsibilities authorized by this act as may be prescribed by the governor, and shall be responsible to the governor for carrying out the program for civil defense of the commonwealth. The director may, within the limits of the amount appropriated therefor, appoint such experts, clerks and other assistants as the work of the civil defense agency may require and may remove them, and may make such expenditures as may be necessary in order to execute effectively the purposes of this act. Such employees shall not be subject to chapter thirty-one

of the General Laws. The director and other personnel of the civil defense agency shall be provided with suitable office space, furniture, equipment and supplies in the same manner as provided for personnel of other state departments.

SECTION 3. There is hereby created an unpaid civil defense advisory council hereinafter called the "defense council", the members of which shall be appointed by the governor. The defense council shall include such department heads and other officers of the commonwealth as the governor may deem necessary and the director of the civil defense agency. The governor shall appoint the chairman of said defense council to serve during his pleasure. Said defense council shall be in the executive branch of the government and shall serve under the governor and shall be subject to his supervision and control. Said defense council shall advise the governor and the director on matters pertaining to civil defense.

SECTION 4. The governor shall have general direction and control of the civil defense agency, and shall be responsible for carrying out the provisions of this act and may assume direct operational control over any or all parts of the civil defense functions within the commonwealth; he may at the request of the director authorize the employment of such technical, clerical, stenographic or other personnel, and may make such expenditures, within the appropriation therefor or from other funds made available to him for the purposes of civil defense or to deal with disaster or threatened disaster should it occur, as may be necessary to carry out the purposes of this act. He may co-operate with the federal government, and with other states and private agencies in all matters pertaining to the civil defense of the commonwealth and the nation, may propose a comprehensive plan and program for the civil defense of the commonwealth, and in accordance with said plan and program may institute training and public information programs and take all other preparatory steps, including the partial or full mobilization of civil defense organizations in advance of actual disaster as he may deem necessary. He may make studies and surveys to ascertain the capabilities of the commonwealth for civil defense and to plan for the most efficient emergency uses thereof, may delegate any administrative authority vested in him under this act, and may appoint, in co-operation with local authorities, metropolitan area directors.

SECTION 5. Because of the existing possibility of the occurrence of disasters of unprecedented size and destructiveness resulting from enemy attack, sabotage or other hostile action, in order to insure that the preparations of the commonwealth will be adequate to deal with such disasters, and generally to provide for the common defense and to protect the public peace, health, security and safety, and to preserve the lives and property of the people of the commonwealth — if and when the congress of the United States shall declare war, or if and when the President of the United States shall

by proclamation or otherwise inform the governor that the peace and security of the commonwealth are endangered by belligerent acts of any enemy of the United States or of the commonwealth or by the imminent threat thereof, or upon the occurrence of any disaster or catastrophe resulting from attack, sabotage or other hostile action or by fire, flood, earthquake or other natural causes, the governor may issue a proclamation or proclamations setting forth a state of emergency.

(a) Whenever the governor has proclaimed the existence of such a state of emergency, he may employ every agency and all members of every department and division of the government of the commonwealth to protect the lives and property of its citizens and to enforce the law. Any member of any such department or division so employed shall be entitled to the protection of existing applicable provisions of law relative to any type of service of the commonwealth as well as the protection afforded by this act.

(b) After such proclamation has been made, the governor may, in the event of disaster or shortage making such action necessary for the protection of the public, take possession (1) of any land or building, machinery or equipment; (2) of any horses, vehicles, motor vehicles, aircraft, ships, boats or any other means of conveyance, rolling stock of steam, diesel, electric railroads or of street railways; (3) of any cattle, poultry and any provisions for man or beast, and any fuel, gasoline or other means of propulsion which may be necessary or convenient for the use of the military or naval forces of the commonwealth or of the United States, or for the better protection or welfare of the commonwealth or its inhabitants as intended under this act. He may use and employ all property of which possession is taken, for such times and in such manner as he shall deem for the interests of the commonwealth or its inhabitants, and may in particular, when in his opinion the public exigency so requires, lease, sell, or, when conditions so warrant, distribute gratuitously to or among any or all of the inhabitants of the commonwealth anything taken under clause (3) of this paragraph. If real estate is seized under this paragraph a declaration of the property seized containing a full and complete description shall be filed with the register of deeds in and for the county in which the seizure is located, and a copy of said declaration furnished the owner. If personal property is seized under this paragraph the civil defense authorities by whom seized shall maintain a docket containing a permanent record of such personal property, and its condition when seized, and shall furnish a true copy of the docket recording to the owner of the seized property. He shall, with the approval of the council, award reasonable compensation to the owners of the property which he may take under the provisions of this section, and for its use, and for any injury thereto or destruction thereof caused by such use.

(c) Any owner of property of which possession has been

taken under paragraph (b), to whom no award has been made, or who is dissatisfied with the amount awarded him by the governor, with the approval of the council, as compensation, may file a petition in the superior court, in the county in which he lives or has a usual place of business, or in the county of Suffolk, to have the amount to which he is entitled by way of damages determined. The petitioner and the commonwealth shall severally have the right to have such damages assessed by a jury, upon making claim, in such a manner as may be provided, within one year after the date when possession of the property was taken under paragraph (b), except that if the owner of the property is in the military service of the United States at the time of the taking, it shall be brought within one year after his discharge from the said military service.

(d) Any owner of property of which possession has been taken under this act, to whom no award has been made, or who is dissatisfied with the amount awarded him as compensation by the governor, with the approval of the council, may have his damages assessed under chapter seventy-nine of the General Laws, instead of proceeding under the provisions of this act. If any such taking, in itself, constitutes an appropriation of property to the public use, compensation may be recovered therefor under chapter seventy-nine of the General Laws from the body politic, or corporate, appropriating such property.

SECTION 6. The governor shall have the power and authority to co-operate with the federal authorities and with the governors of other states in matters pertaining to the common defense or to the common welfare, and also so to co-operate with the military and naval forces of the United States and of the other states, and to take any measures which he may deem proper to carry into effect any request of the President of the United States for action looking to the national defense or to the public safety.

SECTION 7. During the effective period of so much of this act as is contingent upon the declaration of a state of emergency as hereinbefore set forth, the governor, in addition to any other authority vested in him by law, shall have and may exercise any and all authority over persons and property, necessary or expedient for meeting said state of emergency, which the general court in the exercise of its constitutional authority may confer upon him as supreme executive magistrate of the commonwealth and commander-in-chief of the military forces thereof, and specifically, but without limiting the generality of the foregoing, the governor shall have and may exercise such authority relative to any or all of the following: —

(a) Health or safety of inmates of all institutions.

(b) Maintenance, extension or interconnection of services of public utility or public-service companies, including public utility services owned or operated by the commonwealth or any political subdivision thereof.

(c) Policing, protection or preservation of all property, public or private, by the owner or person in control thereof, or otherwise.

(d) Manufacture, sale, possession, use or ownership of (1) fireworks or explosives, or articles in simulation thereof; (2) means or devices of communication other than those exclusively regulated by federal authorities; (3) articles or objects (including birds and animals) capable of use for the giving of aid or information to the enemy or for the destruction of life or property.

(e) Transportation or travel on Sundays or week-days by aircraft, watercraft, vehicle or otherwise, including the use of registration plates, signs or markers thereon.

(f) Labor, business or work on Sundays or legal holidays.

(g) Assemblages, parades or pedestrian travel, in order to protect the physical safety of persons or property.

(h) Public records and the inspection thereof.

(i) Regulation of the business of insurance and protection of the interests of holders of insurance policies and contracts and of beneficiaries thereunder and of the interest of the public in connection therewith.

(j) Vocational or other educational facilities supported in whole or in part by public funds, in order to extend the benefits or availability thereof.

(k) The suspension of the operation of any statute, rule or regulation which affects the employment of persons within the commonwealth when, and at such times as such suspension becomes necessary in the opinion of the governor to remove any interference, delay or obstruction in connection with the production, processing or transportation of materials which are related to the prosecution of war or which are necessary because of the existence of a state of emergency.

(l) Regulation of the manner and method of purchasing or contracting for supplies, equipment or other property or personal or other services, and of contracting for or carrying out public works, for the commonwealth or any of its agencies or political subdivisions.

(m) Receipt, handling or allocation of money, supplies, equipment or material granted, loaned or allocated by the federal government to the commonwealth or any of its agencies or political subdivisions.

(n) Protection of depositors in banks, and maintenance of the banking structure of the commonwealth.

(o) Variance of the terms and conditions of licenses, permits or certificates of registration issued by the commonwealth or any of its agencies or political subdivisions.

(p) Regulating the sale of articles of food and household articles.

(q) Modification or variation in the classifications established under sections forty-five to fifty, inclusive, of chapter thirty of the General Laws and sections forty-eight to fifty-six, inclusive, of chapter thirty-five of the General Laws.

SECTION 8. The governor may exercise any power, authority or discretion conferred on him by any provision of this act pertaining to such section as requires preparation in anticipation of a declaration of a state of emergency by the issuance or promulgation of executive orders or general regulations, or through such department or agency of the commonwealth, including the civil defense agency, or of any political subdivision thereof, or such person as he may direct by a writing signed by him and filed in the office of the state secretary. Any department, agency or person so directed shall act in conformity with any regulations prescribed by the governor for its or his conduct.

Whoever violates any provision of any such executive order or general regulation issued or promulgated by the governor, for the violation of which no other penalty is provided by law, shall be punished by imprisonment for not more than one year, or by a fine of not more than five hundred dollars, or both.

SECTION 8A. Any provision of any general or special law or of any rule, regulation, ordinance or by-law to the extent that such provision is inconsistent with any order or regulation issued or promulgated under this act shall be inoperative while such order or such last-mentioned regulation is in effect; provided that nothing in this section shall be deemed to affect or prohibit any prosecution for a violation of any such provision before it became inoperative.

SECTION 9. Notwithstanding the provisions of chapter thirty-one of the General Laws, or any other provision of law affecting civil service, and the rules made thereunder on and after the declaration of a state of emergency, the director of civil service, supported by a majority vote of the civil service commission may: —

(a) Approve or extend provisional appointments without time limitations until lists can be established or until appointments can be made from eligible lists.

(b) Extend temporary appointments which are made from civil service lists beyond the life of the list.

(c) Allow temporary transfers, without regard to classification, beyond a period of six months.

(d) Restrict leaves of absence except for entrance into the armed forces of the United States, for illness, and for such other reason as said director deems to be in the public interest.

(e) Exclude from eligible lists the names of individuals who refuse to accept positions which they have previously signified a willingness to accept.

(f) Restore to the eligible lists the names of persons so removed.

(g) Exclude from the operation of the civil service laws and rules and regulations any of the positions or employments in temporary agencies, boards or other governmental units of the commonwealth or of its political subdivisions, the existence and powers of which agencies, boards or other

units are limited to a period terminating not later than one year after the termination of any future declaration of a state of emergency, or any lesser period.

(h) Shall approve in writing the temporary re-employment of any former officer or employee of the commonwealth or of any political subdivision thereof who has been retired under any retirement or pension law, or who has been separated from the public service by reason of superannuation or disability without a retirement allowance or pension to any position or employment subject to chapter thirty-one of the General Laws. Any person so employed shall receive full compensation for such services less any retirement allowance or pension received by him. The written approval of the appointing officer, board or committee shall be required in the re-employment of such former officers or employees to any office or employment not subject to said chapter thirty-one.

Any appointment or transfer made under this section shall be effective only for the period during which this section is to be operative.

SECTION 10. During any blackout or during the period between the air-raid warning and the following "all clear" signal, regular, special and reserve members of the police and fire forces of the commonwealth or of its political subdivisions, and members of the state guard and the armed forces of the United States, while in uniform, may enter upon private property for the purpose of enforcing blackout or air-raid precaution rules, regulations or orders issued by or under authority of the governor. Such members may at any time enter upon private property in compliance with the written order of the governor, for the sole purpose of enforcing the laws, rules, regulations, by-laws or ordinances specifically set forth by the governor in such orders; provided, that nothing in this section shall be construed or deemed to prohibit any entry upon private property otherwise authorized by law. Any entry made under the foregoing provision shall be reported by the person making such entry forthwith to the director of the local organization for civil defense.

SECTION 11. (a) The mayor and city council in cities and the selectmen in towns, or such other persons or bodies as are authorized under existing laws to appoint firemen or policemen, may appoint, train and equip volunteer, unpaid auxiliary firemen and auxiliary police and may establish and equip such other volunteer, unpaid public protection units as may be approved by said civil defense agency and may appoint and train their members. Chapters thirty-one, thirty-two and one hundred and fifty-two of the General Laws shall not apply to persons appointed hereunder.

(b) Cities and towns may by ordinance or by-law, or by vote of the aldermen, selectmen, or board exercising similar powers, authorize their respective police departments to go to aid another city or town at the request of said city or town

in the suppression of riots or other forms of violence therein, and, while in the performance of their duties in extending such aid, the members of such departments shall have the same powers, duties, immunities and privileges as if performing the same within their respective cities or towns. Any such ordinance, by-law or vote may authorize the head of the police department to extend such aid subject to such conditions and restrictions as may be prescribed therein. Any city or town aided under and in accordance with this section shall compensate any city or town rendering aid as aforesaid for the whole or any part of any damage to its property sustained in the course of rendering the same and shall reimburse it in whole or in part for any payments lawfully made to any member of its police department or to his widow or other dependents on account of injuries or death suffered by him in the course of rendering aid as aforesaid or of death resulting from such injuries.

(c) The head of the fire or police department of any town or city of the commonwealth shall, after the issuing of any proclamation provided for in this act, order such portion of his department, with its normal equipment, as the governor may request, for service in any part of the commonwealth where the governor may deem such service necessary for the protection of life and property. When on such service, police officers and firemen shall have the same powers, duties, immunities and privileges as if they were performing their duties within their respective cities or towns. The commonwealth shall compensate any city or town for damage to its property sustained in such service and shall reimburse it for any payments lawfully made by it to any member of its police or fire department or to his widow or other dependents on account of injuries sustained by him in such service or of death resulting from such injuries. Persons appointed to the auxiliary police force in a city or town shall exercise or perform such of the powers or duties of police officers as may be prescribed by the appointing authority; provided, that said powers or duties shall not be exercised or performed by them except while they are on active duty and displaying an authorized badge or other insignia after being called to such duty by the head of the police force of such city or town to meet a situation which, in his opinion, cannot be adequately handled by the regular police force and by the reserve police force, if any, of such city or town. Auxiliary police in towns, but not in cities, may be authorized by the appointing authority to exercise the powers conferred by section ten of this act upon members of regular, special, or reserve police forces of said towns.

SECTION 12. On and after a declaration of an emergency neither the commonwealth nor any political subdivision thereof, nor other agencies, nor any person engaged in any civil defense activities while in good faith complying with or attempting to comply with this act or any other rule or regulation promulgated pursuant to the provisions of this

act, shall be civilly liable for the death of or any injury to persons or damage to property as result of such activity except that the individual shall be liable for his negligence. The provisions of this section shall not affect the right of any person to receive benefits to which he would otherwise be entitled under this act, or under the workmen's compensation law, or under any pension law, or under any other special and general law nor the right of any such person to receive any benefits or compensation under any act of congress.

No city or town shall be liable for any damage sustained to person or property as the result of an authorized black-out.

SECTION 13. Each political subdivision of the commonwealth is hereby authorized and directed to establish a local organization for civil defense in accordance with the state civil defense plan and program.

Each local organization for civil defense shall have a director, who shall, in the case of a city, be appointed by the mayor, or in a city having the Plan E form of government by the city manager, and in towns shall be appointed by the selectmen, or in towns having a town manager by the manager, and who shall have direct responsibility for the organization, administration and operation of such local organization for civil defense, subject to the direction and control of such appointing authority. Each local organization for civil defense shall perform civil defense functions within the territorial limits of the political subdivision within which it is organized, and, in addition, shall conduct such functions outside of such territorial limits as may be required pursuant to the provisions of section seven of this act.

In carrying out the provisions of this act, each political subdivision in which any disaster, as described in section one, occurs, shall have the power to enter into contracts and incur obligations necessary to combat such disaster, protecting the health and safety of persons and property, and providing emergency assistance to the victims of such disaster. Each political subdivision is authorized to exercise the powers vested under this section in the light of the exigencies of the extreme emergency situation, without regard to time-consuming procedures and formalities prescribed by law, excepting mandatory constitutional requirements, pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, the levying of taxes and the appropriation and expenditure of public funds.

SECTION 14. The director of each local organization for civil defense may, in collaboration with other public and private agencies within the commonwealth, develop or cause to be developed mutual aid arrangements for reciprocal civil defense aid and assistance in case of disaster too great to be dealt with unassisted. Such arrangements shall be

consistent with the state civil defense plan and program, and in time of emergency it shall be the duty of each local organization for civil defense to render assistance in accordance with the provisions of such mutual aid arrangements. The director of each local organization for civil defense may, subject to the approval of the governor, enter into mutual aid arrangements with civil defense agencies or organizations in other states for reciprocal civil defense aid and assistance in case of disaster too great to be dealt with unassisted.

SECTION 15. Each political subdivision shall have the power to make appropriations in the manner provided by law for making appropriations for the ordinary expenses of such political subdivision, for the payment of expenses of its local organization for civil defense.

Whenever the federal government or any agency or officer thereof, or any person, firm or corporation, shall offer to the commonwealth, or to any political subdivision thereof, services, equipment, supplies, materials or funds by way of gift, grant or loan, for purposes of civil defense, the commonwealth, acting through the governor, or such political subdivision, acting through its governing body, may accept such offer, and upon acceptance the governor or governing body of such political subdivision may authorize any officer of the commonwealth, or of the political subdivision, as the case may be, to receive such services, equipment, supplies, materials or funds on behalf of the commonwealth, or such political subdivision, and subject to the terms of the offer and the rules and regulations, if any, of the agency making the offer.

SECTION 15A. For the purpose of meeting expenditures authorized under section fifteen, a city or town may raise such sums as may be necessary by taxation, or by transfer from available funds, or may borrow from time to time and may issue bonds or notes therefor which shall bear on their face the words (city or town) Civil Defense Loan, Act of 1950. Each authorized issue shall constitute a separate loan and such loans shall be paid in not more than five years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 15B. The city auditor, town accountant, or, if there is no such officer, the town treasurer, of every city and town making expenditures under authority of section fifteen or section fifteen A of this act shall file quarterly with the director of accounts of the department of corporations and taxation of the commonwealth a report of liabilities incurred and expenditures made under authority of sections fifteen and fifteen A in such form and detail as said director may require.

SECTION 16. In carrying out the provisions of this act, the governor and the executive officers, or governing bodies

of the political subdivisions of the commonwealth, are directed to utilize the services, equipment, supplies and facilities of existing departments, offices and agencies of the commonwealth, and of the political subdivisions thereof, to the maximum extent practicable; and the officers and personnel of all such departments, offices and agencies of the commonwealth, and of the political subdivisions thereof, to the maximum extent practicable; and the officers and personnel of all such departments, offices and agencies are directed to co-operate with and extend such services and facilities to the governor and to the civil defense organizations of the commonwealth upon request.

The governor may assign to a state agency any activity concerned with disaster preparedness and relief of a nature related to the existing powers and duties of such agency, and it shall thereupon become the duty of such agency to undertake and carry out such activity on behalf of the commonwealth.

SECTION 17. No organization for civil defense established under the authority of this act shall participate in any form of political activity, nor shall it be employed directly or indirectly for political purposes.

SECTION 18. No person shall be employed or associated in any capacity in any civil defense organization established under this act who advocates, or has advocated, a change by force or violence in the constitutional form of the government of the United States, or in this commonwealth, or the overthrow of any government in the United States by force or violence, or who has been convicted of, or is under indictment or information charging any subversive act against the United States. Each person who is appointed to serve in an organization for civil defense shall, before entering upon his duties, take an oath, in writing, before a person authorized to administer oaths in this commonwealth, which oath shall be substantially as follows: —

“I, , do solemnly swear (or affirm) that I will support and defend the constitution of the United States and the constitution of the Commonwealth of Massachusetts against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties on which I am about to enter.

“And I do further swear (or affirm) that I do not advocate, nor am I a member of any political party or organization that advocates, the overthrow of the government of the United States or of this commonwealth by force or violence; and that during such time as I am a member of the (name of civil defense organization), I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this commonwealth by force or violence.”

SECTION 19. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or application of the act which can be given effect without the invalid provision or application; and to this end the provisions of this act are declared to be severable.

SECTION 20. It shall be the duty of the members of, and of each and every officer, agent and employee of every political subdivision of this commonwealth and of each member of all other governmental bodies, agencies and authorities of any nature whatsoever fully to co-operate with the governor and the director of civil defense in all matters affecting civil defense. The governor is authorized to make, amend and rescind orders, rules and regulations pertaining to civil defense, and it shall be unlawful for any municipality or other subdivision or any other governmental agency of this commonwealth to adopt any rule or regulation or to enforce any such rule or regulation that may be at variance with any such order, rule or regulation established by the governor. Each such organization shall have available for inspection at its office all orders, rules and regulations made by the governor, or under his authority. In the event of a dispute on the question of whether or not any such rule or regulation is at variance with an order, rule or regulation established by the governor under this act, the determination of the governor shall control.

SECTION 21. For the purpose of carrying out the provisions of this act, the civil defense agency may expend such sums as may hereafter be appropriated therefor.

SECTION 22. This act or any part hereof shall become inoperative by the adoption of a joint resolution to that effect by the house and senate acting concurrently or in any event on July first, nineteen hundred and fifty-two.

Approved July 20, 1950.

AN ACT RELATIVE TO CERTAIN RAPID TRANSIT IMPROVEMENTS *Chap. 640*
IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of section 2 of chapter 649 of the acts of 1949 is hereby amended by striking out in lines 11, 12 and 13 the words “, and shall provide continuous platform facilities between said Park street station and said Boylston street station”, — so as to read as follows: — The authority shall construct and equip an addition to the existing Tremont street subway in the city of Boston connecting with the said subway at or near the junction of Hanover street and Scollay square, thence running in a general southerly direction under Beacon Hill and Boston Common and through and under public and private lands and ways, and connecting with Park street station of said subway and shall also in connection with such construction enlarge and alter