board, which shall be retained on file by the parole board as part of its official records and shall be admissible in any proceeding filed by a claimant under this chapter.

(C) If a claimant granted judicial relief or a full pardon shows he did not properly receive a copy of the information required by this section, he shall receive a 1 year extension on the 2 year time limit provided in section 8.

SECTION 2. Section 9 of chapter 258 D of the General Laws, inserted by this act, shall apply to any court granting judicial relief consistent with subclause (a) of clause (ii) of subsection (B) of section 1 of said section 9 of said chapter 258D, on or after the effective date of this act.

SECTION 3. Sections 1 to 8, inclusive, of chapter 258 D of the General Laws, inserted by this act, shall apply to erroneous felony convictions occurring on, before or after the effective date of this act. Notwithstanding said section 8 of said chapter 258D, a person convicted, incarcerated or released from custody before the effective date of this act shall commence an action pursuant to chapter 258D within 3 years of the effective date of this act. Any action by the commonwealth challenging or appealing a grant of judicial relief described in subsection (B) of said section 1 of said chapter 258D shall toll the 3 year period. Every action brought pursuant to chapter 258D of the General Laws that is not commenced within the time required by this section or by said section 8 of said chapter 258D is forever barred from consideration by the courts of the commonwealth.

Approved December 30, 2004.

Chapter 445. AN ACT AUTHORIZING MARTHA'S VINEYARD AFFORDABLE HOUSING COVENANTS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the towns of Aquinnah, Chilmark, Edgartown, Oak Bluffs, Tisbury and West Tisbury may adopt by-laws designating the Dukes County Regional Housing Authority as their agent to create, administer and enforce the Martha's Vineyard housing needs covenants. These covenants shall run with the land for a specified number of years or if no termination date is specified, then in perpetuity, and shall be executed by or on behalf of the owner of the land appropriate to: (a) limiting the use of all or part of the land to occupancy by persons or families of middle income in either rental or other housing, (b) restricting the resale price of all or part of the property in order to ensure its affordability by future middle income purchasers, or (c) in any way limiting or restricting the use or enjoyment of all or any portion of the land for the purpose of encouraging or ensuring the creation or retention of the rental and other housing for occupancy by middle income persons and families. For the purpose of this act, "middle income persons and households" shall mean persons or households earning less than 150 per

cent of Dukes county median household income as reported from time to time by the United States Department of Housing and Urban Development.

SECTION 2. Section 3 of chapter 102 of the acts of 1986 is hereby amended by adding the following paragraph:-

The provisions of section 32 of chapter 121B of the General Laws that require that rents of dwelling units in certain projects be a percentage of tenant income shall not apply to any low rent housing project that has not been developed or acquired by the authority with state assistance under section 32, 34 or 41 of said chapter 121B, but all units in any such low rent housing project shall be leased to families of low income, elderly persons of low income or handicapped persons of low income.

SECTION 3. This act shall take effect upon its passage.

Approved December 30, 2004.

Chapter 446. AN ACT RELATIVE TO TOWN MEETING WARRANT SUMMARIES IN THE TOWN OF NORTH ANDOVER.

Be it enacted, etc., as follows:

Chapter 2 of the charter of the town of North Andover, which is on file in the office of the archivist of the commonwealth as provided in section 12 of chapter 43B of the General Laws, is hereby amended by striking out section 2-2-4 and inserting in place thereof the following section:-

Section 2-2-4 The warrant for each special town meeting shall have a summary of each article prepared by the town clerk, published in a newspaper of general circulation at least 7 days before the meeting. The publication shall include the location where copies of the full warrant text can be obtained or viewed, or where mailed requests for copies may be sent.

Approved December 30, 2004.

Chapter 447. AN ACT RELATIVE TO TOWN MEETING WARRANTS IN THE TOWN OF NORTH ANDOVER.

Be it enacted, etc., as follows:

Chapter 2 of the charter of the town of North Andover, which is on file in the office of the archivist of the commonwealth as provided in section 12 of chapter 43B of the General Laws, is hereby amended by striking out section 2-2-2 and inserting in place thereof the following section:-