

who contracts with the Authority or is interested, either directly or indirectly, in any contract with the Authority or in the sale or lease of any property, either real or personal, to, or in the purchase or lease of any property from the Authority, shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both.

Approved April 18, 1960.

Chap. 329. AN ACT PROVIDING THAT CALL MEMBERS OF THE FIRE DEPARTMENT IN THE TOWN OF SHREWSBURY APPOINTED HEREAFTER SHALL NOT BE SUBJECT TO THE CIVIL SERVICE LAWS AND RULES.

Be it enacted, etc., as follows:

SECTION 1. The civil service laws and rules shall not apply to call members of the fire department in the town of Shrewsbury appointed after the effective date of this act.

SECTION 2. This act shall take effect upon its acceptance by a majority of the voters of said town at an annual town meeting or any special town meeting called for the purpose.

Approved April 18, 1960.

Chap. 330. AN ACT AUTHORIZING THE FORMATION OF A REGIONAL SCHOOL DISTRICT FOR VOCATIONAL EDUCATION BY THE TOWNS OF METHUEN, ANDOVER AND NORTH ANDOVER AND THE CITY OF LAWRENCE.

Be it enacted, etc., as follows:

SECTION 1. The city of Lawrence, by vote of its city council, and the towns of Methuen, Andover and North Andover, or any two of said towns by vote in town meeting duly called therefor, may create a special unpaid board to be known as a regional school district planning board, to consist of one member of the school committee of said city to be appointed by the city council, and one member of the school committee of each of said towns so voting to be appointed by the moderator. Said city and each of said towns may appropriate for the expense of said board such sum or sums, not exceeding one tenth of one per cent of the assessed valuation of such municipality in the preceding year, as it may deem necessary. Said board shall organize forthwith upon its appointment by the election of a chairman and secretary-treasurer.

SECTION 2. It shall be the duty of the regional school district planning board to study the advisability of establishing a regional school district, its organization, operation and control, and of constructing, maintaining and operating a school or schools to serve the needs of such district; to estimate the construction and operating costs thereof; to investigate the methods of financing such school or schools, and any other matters pertaining to the organization and operation of a regional school district; and to submit a report of its findings and recommendations to the city council of said city and to the selectmen of each of said towns.

SECTION 3. The said regional district planning board may recommend that there shall be established a regional school district which may include all the municipalities represented by its membership, or alternatively, any specified combination of such municipalities. If the said regional district planning board so recommends, it shall submit a proposed agreement or agreements setting forth as to each alternative recommendation, if such be made, the following:—

(a) The number, composition, method of selection, and terms of office of the members of the regional district school committee.

(b) The municipality or municipalities in which, or the general area within the regional school district where, the regional district school or schools are to be located.

(c) The method of apportioning the expenses of the regional school district, and the method of apportioning the costs of school construction, including any interest and retirement of principal of any bonds or other obligations issued by the district among the several municipalities comprising the district, and the time and manner of payment of the shares of said municipalities of any such expense.

(d) The method by which school transportation shall be provided.

(e) The terms by which any municipality may be admitted to or separated from the regional school district.

(f) The method by which the agreement may be amended.

(g) The detailed procedure for the preparation and adoption of an annual budget.

(h) Any other matters, not incompatible with law, which the said board may deem advisable.

Copies of such agreement shall be submitted to the emergency finance board, established under chapter forty-nine of the acts of nineteen hundred and thirty-three of the General Laws, and the department of education, and, subject to their approval, to the several municipalities for their acceptance.

The type of regional district school or schools shall be a vocational high school or schools consisting of grades nine through twelve, inclusive, which may offer vocational education notwithstanding that one or more of the towns may have previously joined a regional school district or districts providing for vocational education. When the district has been organized and its school is available for use, no city or town belonging to the district and no other regional school district of which such city or town is a member shall offer vocational education except with the approval of the commissioner of education. Said commissioner shall not give such approval if in his opinion it would involve unnecessary duplication of facilities. As used in this section, vocational education includes such kinds of education as may be provided by cities or towns pursuant to chapter seventy-four of the General Laws.

SECTION 4. The agreement made under section three of this act, or any amendment to such an agreement, may contain provisions authorizing any member municipality to sell, lease or grant a license to use any school building and any land appurtenant thereto or used in connection therewith to the regional school district, and any such municipality may authorize such sale, lease or license accordingly, notwith-

standing the provisions of section three of chapter forty of the General Laws or any other provisions of law to the contrary. In case of a sale, the price and time or times of payment and the method by which the municipalities other than the selling municipality shall be assessed for such payment shall be set forth in the agreement or amendment; but in no case shall payments be made which shall extend over a period in excess of twenty years. In the case of a lease or license to use the rental or license fee and terms of payment and assessment shall be set forth in the agreement or amendment. The lease or license to use may be for a term or period not in excess of twenty years, and may contain provisions for the extension of the lease or license to use for an additional term or period not in excess of twenty years, at the option of the regional district school committee.

SECTION 5. Upon receipt by the city council of Lawrence of a recommendation that a regional school district be established, and of a proposed agreement therefor submitted in accordance with the provisions of sections one to three, inclusive, of this act, said council shall direct the city clerk to cause the question of accepting the provisions of this act to be placed on the ballot to be used at the next state election or at the regular city election to be held in the year nineteen hundred and sixty-one, whichever occurs first, in substantially the form hereinafter set forth; and upon receipt by the selectmen of each of said towns of a recommendation that a regional school district be established and of a proposed agreement therefor submitted in accordance with the provisions of sections one to three of this act, said selectmen shall cause to be presented for determination by vote, with printed ballots at an annual or a special town meeting called for the purpose the question of accepting the provisions of this act, which question shall be in substantially the following form:—"Shall the city (town) accept the provisions of an act passed by the General Court in the year nineteen hundred and sixty, providing for the establishment of a regional school district by the city of Lawrence, and the towns of (such towns as may be recommended under section three of this act) and the construction, maintenance, and operation of a regional school by the said district in accordance with the provisions of a proposed agreement filed with the city council of said city and the selectmen of said towns?" If a majority of the voters in said city, present and voting, and a majority of the voters present and voting on said question in at least two of said towns shall vote in the affirmative, this act shall become fully effective, and the proposed regional school district, comprising said city and the towns which accepted this act as herein provided, shall be deemed to be established forthwith in accordance with the terms of the agreement so adopted.

SECTION 6. The regional school district established under the provisions of section five shall be a body politic and corporate with all the powers and duties conferred by law upon school committees, and with the following additional powers and duties:—

- (a) To adopt a name and a corporate seal.
- (b) To sue and be sued, but only to the same extent and upon the same conditions that a city or town may sue or be sued.
- (c) To acquire property within the municipalities comprising the

district under the provisions of chapter seventy-nine and section fourteen of chapter forty of the General Laws, for the purposes of the district, and to construct, reconstruct, add to, remodel, make extraordinary repairs to, equip, organize and operate a school or schools for the benefit of the municipalities comprising the district, and to make any necessary contracts in relation thereto.

(d) To incur debt for the purpose of acquiring land and constructing, reconstructing, adding to, and equipping a school building or buildings for a term not exceeding twenty years or for the purpose of remodeling and making extraordinary repairs to a school building or buildings for a term not exceeding ten years; provided, however, that any indebtedness so incurred shall not exceed an amount approved by the emergency finance board; and provided, further, that written notice of the amount of the debt and of the general purposes for which it was authorized shall be given to the city council of said city and to the board of selectmen in each of the member towns comprising the district not later than seven days after the date on which said debt was authorized by the district committee; and no debt may be incurred until the expiration of thirty days from the date said debt was authorized by the district committee. If, prior to the expiration of said period, the city council of said city expresses disapproval of the amount authorized by the district committee, or any member town expresses such disapproval by vote of a majority of the voters present and voting on the matter at a town meeting called for the purpose of expressing such disapproval, the said debt shall not be incurred and the district school committee shall thereupon prepare an alternative proposal and a new or revised authorization to incur debt.

(e) To issue bonds and notes in the name and upon the full faith and credit of said district; said bonds or notes shall be signed by the chairman and the treasurer of the district committee and each issue of bonds or notes shall be a separate loan.

(f) To receive and disburse funds for any district purpose.

(g) To incur temporary debt in anticipation of revenue to be received from member municipalities.

(h) To assess member municipalities for any expenses of the district.

(i) To receive any grants or gifts for the purposes of the regional district school or schools.

(j) To engage legal counsel.

(k) To submit an annual report to each of the member municipalities, containing a detailed financial statement, and a statement showing the method by which the annual charges assessed against each municipality were computed, together with such additional information relating to the operation and maintenance of such school or schools as may be deemed necessary by the district school committee or by the city council of said city or by the selectmen of any member town.

(l) To employ a superintendent of schools who may also be a superintendent of one or more of the municipalities comprising said district, and said superintendent shall have all the powers and duties imposed upon school superintendents by law.

(m) To adopt an annual operating and maintenance budget, not later than December first.

SECTION 7. The powers, duties and liabilities of a regional school district shall be vested in and exercised by a regional district school committee organized in accordance with the agreement. The committee shall choose a chairman by ballot from its membership. It shall appoint a secretary and a treasurer who may be the same person, but who need not be members of said committee. The treasurer shall receive and take charge of all money belonging to the district and shall pay any bill of the district which shall have been approved by the committee. The treasurer may, by vote of said committee, be compensated for his services. The treasurer of said district shall be subject to the provisions of sections thirty-five, fifty-two and one hundred and nine A of chapter forty-one of the General Laws to the extent applicable.

SECTION 8. The regional district school committee shall annually determine the amounts necessary to be raised to maintain and operate the district school or schools during the ensuing calendar year, and the amounts required for payment of debt and interest incurred by the district which will be due in the said year, and shall apportion the amount so determined among the several municipalities in accordance with the terms of the agreement. The amounts so apportioned for each municipality shall, prior to December thirty-first in each year, be certified by the regional district treasurer to the treasurers of the several municipalities. Each municipality shall appropriate the amounts so certified, and in case any such municipality fails to pay over to the treasurer of said district the amount of its apportionment within the time specified in said agreement for such payment, the district school committee shall invoke the provisions of section thirty-four of chapter seventy-one of the General Laws. The city or town treasurer, as the case may be, shall pay the amount so appropriated or any amount ordered to be raised by court decree to said district at the time or times specified in the agreement.

SECTION 9. The regional school district shall be subject to all laws pertaining to school transportation; and when the agreement provides for the furnishing of transportation by the regional school district, the commonwealth shall reimburse such district to the full extent of the amounts expended for such transportation, except that no such reimbursement shall be made for transportation of any pupil who resides less than one and one half miles, measured by a commonly traveled route, from the district school which he attends. The state treasurer shall annually, on or before November twentieth, pay to the regional school district from the proceeds of the tax on incomes, which shall be available therefor, subject to appropriation, the sums required for such reimbursement and approved by the commissioner of education. There shall be allocated from the proceeds of the tax on incomes such sums as said commissioner shall certify as necessary for the payment of such reimbursement.

SECTION 10. Each municipality comprising the regional school district shall continue to receive state aid for educational purposes in the amount to which it would be entitled if such district had not been

formed; and such regional school district shall be entitled to receive state aid for construction of regional schools. The state treasurer in making annual payments to the several municipalities of the amounts required under chapter seventy of the General Laws shall pay to each municipality comprising a regional school district an additional amount equal to fifteen per cent of the amount to which such municipality would be entitled if such regional school district had not been formed. No payment shall be made under section three B of chapter seventy of the General Laws to any such municipality prior to the date of award of a contract for the construction of a regional school by the regional district school committee.

SECTION 11. The director of accounts in the department of corporations and taxation shall annually cause an audit to be made of the accounts of the regional district school committee, and for this purpose he, and his duly accredited agents, shall have access to all necessary papers, books and records. Upon the completion of each audit, a report thereon shall be made to the chairman of the district committee, and a copy thereof shall be sent to the mayor of said city and to the chairman of the board of selectmen of each town and the chairman of the school committee of each municipality which is a member of the district. The director shall apportion the cost among the several municipalities which are members of the district on the basis provided by section three of this act, and submit the amounts of each apportionment to the state treasurer, who shall issue his warrant requiring the assessors of the municipalities which are members of the district to assess a tax to the amount of the expense, and such amounts shall be collected and paid to the state treasurer as provided by section twenty of chapter fifty-nine of the General Laws.

SECTION 12. The regional school district shall maintain a contributory retirement system for non-teaching employees of the district, subject in all respects to the applicable provisions of chapter thirty-two of the General Laws.

SECTION 13. No municipality in the regional school district shall be liable for any obligation imposed on any other municipality in said district by authority of this act, or of any agreement thereunder, any other provision of law to the contrary notwithstanding.

SECTION 14. The members of the aforesaid emergency finance board when acting under this act shall receive from the commonwealth compensation to the same extent as provided under chapter three hundred and sixty-six of the acts of nineteen hundred and thirty-three, as amended, including chapter seventy-four of the acts of nineteen hundred and forty-five.

SECTION 15. The provisions of sections sixteen to twenty-eight, inclusive, of chapter forty-four of the General Laws shall, so far as pertinent, apply to the regional school district, but the provisions of said section sixteen relating to the countersigning of bonds and notes and the provisions of section twenty-four of said chapter forty-four relating to the countersigning and approval of notes and the certificates of the clerk relating thereto shall not apply to said district.

SECTION 16. If any provision of this act, or the application of such provision to any person or circumstances, shall be held invalid, the

remainder of said act and the application of such provisions to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

SECTION 17. This act shall take effect upon its passage.

Approved April 25, 1960.

Chap. 331. AN ACT PERMITTING THE RECORDING OF CERTAIN DECREES, ORDERS, INSTRUMENTS AND PROCEEDINGS OF PROBATE COURTS BY MEANS OF MICROPHOTOGRAPHY OR OTHER SIMILAR PHOTOGRAPHIC PROCESS.

Be it enacted, etc., as follows:

Section 36 of chapter 215 of the General Laws is hereby amended by striking out the third sentence, added by chapter 498 of the acts of 1958, and inserting in place thereof the following sentence:—They may also direct the recording of any decrees, orders, instruments and other proceedings in their offices irrespective of the time when such decrees, orders, instruments or other proceedings were made, received or held, by means of microphotography or other similar photographic process, and, in such case need not maintain books for such records but shall provide such filing equipment therefor as they deem proper, the cost of which shall be paid by the county.

Approved April 25, 1960.

Chap. 332. AN ACT RELATIVE TO THE POWERS AND DUTIES OF THE COMMISSIONER OF INSURANCE AND OF THE REGISTRAR OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

Section 34H of chapter 90 of the General Laws is hereby amended by striking out the second paragraph, as amended by chapter 39 of the acts of 1948, and inserting in place thereof the following two paragraphs:—

The registrar shall forthwith upon receipt of a notice under section thirty-four F of the failure of the owner of a motor vehicle to maintain a deposit send written notice to the owner of the motor vehicle covered by such deposit that the registration thereof will be revoked, unless within five days after the sending of said notice he shall file with the registrar a new certificate.

The registrar shall forthwith upon receipt of a notice under section one hundred and thirteen C of said chapter one hundred and seventy-five of the cessation of the authority of an insurance or surety company to issue or execute motor vehicle liability policies or bonds in the commonwealth, upon the written request of the commissioner of insurance, send written notice to every owner of a motor vehicle covered by a motor vehicle liability policy or bond issued or executed by such a company that the registration thereof will be revoked unless within five days after the sending of said notice he shall file with the registrar a new certificate; provided, that if the authority of such a company to issue or execute motor vehicle liability policies or bonds