

*Chap.* 10 AN ACT AUTHORIZING THE TOWN OF PLYMOUTH TO ESTABLISH A COMMISSION OF PUBLIC SAFETY EXERCISING THE POWERS OF CERTAIN OTHER BOARDS, DEPARTMENTS AND OFFICES.

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

SECTION 1. There shall be established in the town of Plymouth a commission of public safety, hereinafter called the commission, which shall be under the jurisdiction of three unpaid commissioners. The initial members thereof shall be appointed by the board of selectmen to take office on May first next following the date on which this act becomes fully effective by vote of the town as hereinafter provided, one to serve for one year, one for two years and one for three years, and thereafter when the term of any member expires, his successor shall be appointed by said board of selectmen to serve for three years. In all cases, the members shall serve until their successors are appointed and qualified. The members of the commission shall, after each appointment, elect one of their number to act as chairman until the following May first. If a vacancy occurs on the commission, the remaining members, together with the board of selectmen, shall fill such vacancy for the unexpired term. No person shall serve on the commission who holds another elective or appointive office in the town, or who is an employee of the town.

SECTION 2. The commission shall succeed to and be vested with all the rights, powers, duties, facilities, properties and appropriations, now or from time to time invested by general or special law or vote of the town in the following boards, departments and offices in said town, to wit:— board of health, fire department, forest fire department and police department, and such boards, departments and offices shall thereupon be abolished when this act becomes fully effective. The commission shall also have the rights, powers and duties now vested in the board of selectmen with respect to the building inspector, dog officer, sealer of weights and measures and surveyor of wood and bark, and when this act becomes fully effective as hereinafter provided, the board of selectmen shall cease to have any authority relative thereto. The commission shall also have all the rights, powers and duties, with respect to all inspection services, now or hereafter existing by statute, vote of the town, or otherwise, which have to do with the promotion or protection of public health, safety or morals. No contracts or liabilities in force when this act becomes fully effective shall be affected hereby, but the commission shall be the lawful successor relative to such contracts or liabilities of such boards, departments or offices. It shall be the duty of the aforesaid boards, departments and offices, when this act becomes fully effective, to turn over to the commission all contracts, papers, documents, plans and property in their custody and control, and each shall furnish to the commission such information as may be requested by the commission.

In the event only that an act establishing in said town a commission of public works is passed by the general court in the year nineteen hundred and fifty-one and accepted by the town, the commission of public safety shall have no jurisdiction over the collection and disposal of garbage and the physical care of dumps.

SECTION 3. This act shall be submitted for acceptance to the voters of the town at the annual town election in March, nineteen hundred and fifty-one, in the form of the following question which shall be placed on the official ballot to be used for the election of town officers at said election: "Shall an act passed by the general court in the year nineteen hundred and fifty-one, entitled 'An Act authorizing the Town of Plymouth to establish a Commission of Public Safety exercising the Powers of certain other Boards, Departments and Offices' be accepted?" If a majority of the votes cast in answer to said question is in the affirmative, this act shall become fully effective on May first, nineteen hundred and fifty-one. If a majority of the votes so cast is not in the affirmative, said question shall be placed on the official ballot to be used for the election of town officers at the annual town election in the year nineteen hundred and fifty-two, and if the act is not so accepted in the year nineteen hundred and fifty-two, said question shall be placed on said ballot at the annual town election in the year nineteen hundred and fifty-three. If a majority of the votes cast in answer to said question in either of said years nineteen hundred and fifty-two or nineteen hundred and fifty-three is in the affirmative, this act shall become fully effective on May first following said vote. If this act is not accepted as provided herein, it shall become null and void.

SECTION 4. At any time after the expiration of five years from the date on which this act is accepted by the town, ten per cent of the qualified voters of the town may petition the selectmen that the question of rescinding such acceptance be submitted to the voters at the next biennial state election. Upon the filing of such petition, the following question shall thereupon be placed on the official ballot to be used at said election in said town: "Shall the town of Plymouth rescind the prior acceptance of an act passed by the general court in the year nineteen hundred and fifty-one entitled 'An Act authorizing the Town of Plymouth to establish a Commission of Public Safety exercising the Powers of certain other Boards, Departments and Offices'?" If a majority of the votes cast in answer to said question is in the affirmative, then at the next annual town election held after said vote to rescind, the town shall elect such boards, commissions, committees and officers as are necessary to exercise and perform the powers, rights and duties transferred to the commission of public safety by this act. Such action shall not affect any contract or liability then created or existing. All general laws respecting town administration and town officers and any special laws relative to said town, the operation of which

has been suspended or superseded by the acceptance of this act, shall then be in full force and effect. Any by-law inconsistent with such special or general laws shall be revoked thereby. Any subsequent vote to rescind the acceptance of this act shall not be taken more often than once in two years.

*Approved January 29, 1951.*

Chap. 11 AN ACT ESTABLISHING A TOWN MANAGER FORM OF GOVERNMENT FOR THE TOWN OF AMHERST.

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

SECTION 1. *Acceptance of this Act.* — This act shall be submitted to the qualified voters of the town of Amherst at the annual town election in the year nineteen hundred and fifty-one. The vote shall be taken in precincts by ballot in accordance with the provisions of chapter ten of the acts of nineteen hundred and thirty-six so far as the same shall be applicable, in answer to the following question which shall be placed upon the official ballot to be used at such election: "Shall an act passed by the General Court in the year nineteen hundred and fifty-one, entitled, 'An act establishing a town manager form of government for the town of Amherst' 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 immediately so far as it relates to the ensuing annual town election and shall take full effect upon the qualification of a majority of the selectmen first elected as provided in this act. If this act is rejected by the voters when so first submitted, it may be submitted in like manner at one or more annual town elections, and if approved it shall become effective as above provided, such submission to be made, however, only pursuant to a petition therefor of ten per cent of the registered voters of the town filed with the town clerk not later than thirty days prior to such annual town election. This act shall cease to be operative after nineteen hundred and fifty-four unless sooner accepted by the town.

SECTION 2. *Election of Selectmen.* — At the first annual election following the acceptance of this act the voters shall elect by ballot five selectmen of whom the first two in the number of votes received shall serve three years, the second two in such order shall serve two years, and the fifth shall serve one year. At each annual election thereafter there shall be elected in place of those selectmen whose terms are about to expire an equal number of selectmen, each to serve for three years. The selectmen shall serve until their successors are elected and qualified. If for any reason a vacancy or vacancies occur in the membership of the selectmen, the remaining members shall call a special town election to fill the vacancy or vacancies for the unexpired term or terms, except that if such vacancy or vacancies occur less than three months prior to the annual election and not less than