
Chapter 154. AN ACT RELATIVE TO THE DRACUT WATER SUPPLY DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 433 of the acts of 1905 is hereby amended by striking out section 11, as amended by section 1 of chapter 683 of the acts of 1977, and inserting in place thereof the following section:-

Section 11. The Dracut Water Supply District shall, after the acceptance of this act at a legal meeting called for the purpose, elect by ballot three persons to hold office, one until the expiration of three years, one until the expiration of two years and one until the expiration of one year from the next succeeding annual district meeting, to constitute a board of water commissioners; and at every annual meeting thereafter one such commissioner shall be elected by ballot for the term of three years. All the authority granted to said district by this act and not otherwise specially provided for shall be vested in said board of water commissioners, who shall be subject however to such instructions, rules and regulations as said district may impose by its vote. Said district shall at its next annual meeting and at every third annual meeting thereafter elect by ballot a clerk for a term of three years. Said commissioners shall appoint a treasurer of said district who shall not be one of their number, who shall give bonds to the district to such an amount and with such sureties as may be approved by the commissioners; and a majority of the commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in said board or in the office of clerk from any cause may be filled for the remainder of the unexpired term by said water district at any legal meeting called for the purpose. No money shall be drawn from the district treasury on account of the water works except by a written order of said commissioners or a majority of them. Said commissioners shall annually make to said district a full report in writing of their doings and expenditures.

SECTION 2. Said chapter 433 is hereby further amended by inserting after section 11 the following section:-

Section 11A. (a) Any holder of an elective office, with more than six months remaining in the term for which he was elected, may be recalled therefrom by voters in the manner provided in this section.

(b) One hundred or more voters may file with the clerk of the Dracut Water Supply District an affidavit containing the name of the officer whose recall is sought and a statement of the grounds upon which the petition is based. Said clerk shall thereupon deliver to said voters petition blanks demanding such recall, printed forms of which he shall keep available. The blanks shall be issued by said clerk with his signature and official seal attached thereto. They shall be dated and addressed to the board of commissioners, shall contain the names of all persons to whom they are issued, the name of the person whose recall is sought, the grounds for recall as stated in the affidavit, and shall demand the election of a successor to such office. A copy of the petition shall be entered in a record book to be kept in the office of said clerk. The recall petition shall be returned and filed with said clerk within 20 days following the date of the filing of the affidavit and shall have been signed by at least ten per

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cent of the voters and shall contain their names and addresses. Said clerk shall, within 24 hours of receipt of the petition, submit the number of signatures that are names of voters.

(c) If the petition shall be certified by said clerk to be sufficient, he shall forthwith submit the same with his certificate to the board of commissioners. Upon its receipt of the certificate, the board of commissioners shall forthwith give written notice of such petition and certificate to the officer whose recall is sought. If said officer does not resign his office within five days after delivery of such notice, the board of commissioners shall order an election to be held not less than 60 nor more than 90 days after the date of the clerk's certificate of the sufficient petition. If a vacancy occurs in said office after a recall election has been ordered, the election shall nevertheless proceed as provided in this section and the ballots for candidates, notwithstanding a recall provision to the contrary, shall be counted.

(d) Any officer whose recall is sought may not be a candidate to succeed himself in the recall election. The nomination of candidates, the publication of the warrant for the recall election, and the conduct of the same shall all be in accordance with the provisions of the law relating to elections, unless otherwise provided in this section.

(e) Ballots used in recall elections shall state the following propositions in the order indicated:

For the recall of (name of officer)

Against the recall of (name of officer)

Adjacent to each proposition, there shall be a place to vote for either of said propositions. After the proposition shall appear the word "candidates" and the names of the candidates nominated as required in section 42 of chapter 54 of the General Laws. If a majority of the votes cast upon the question of recall is in the affirmative, the candidate receiving the highest number of votes shall be declared elected. If a majority of the votes on the question is in the negative, the ballots for candidates need not be counted, except as provided in subsection (c).

(f) The incumbent shall continue to perform the duties of his office until the recall election. If he is not recalled in the election, he shall continue in office for the remainder of his unexpired term, subject to recall as before, except as provided in this section. If he is recalled in the election, he shall be deemed removed upon the qualification of his successor who shall hold office during the unexpired term. If the successor fails to qualify within five days after receiving notification of his election, the incumbent shall thereupon be deemed removed and the office vacant.

(g) No recall petition shall be filed against an officer within three months after he takes office, or in the case of an officer subjected to recall election and not recalled thereby, until at least six months after the election at which his recall was submitted to the voters.

SECTION 3. Section 12 of said chapter 433 is hereby amended by adding the following sentence:- No person appointed pursuant to this section, including, but not limited to, the superintendent, shall be a commissioner.

SECTION 4. Section 3 shall take effect upon the election for commissioner of the district to be held in the year 2001.

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SECTION 5. Section 1 shall take effect on February 1, 2000.

SECTION 6. The remaining provisions of this act shall take effect upon its passage.

Approved December 9, 1999.

Chapter 155. AN ACT RELATIVE TO THE WORCESTER FIREMEN'S RELIEF ASSOCIATION.

Be it enacted, etc., as follows:

The Worcester Firemen's Relief Association, a corporation duly established under the laws of the commonwealth, may, upon the death of any member in good standing, pay to the beneficiary of such member a sum not to exceed \$10,000, as may be determined by vote of said corporation, and upon the retirement of any member in good standing, a sum not to exceed one-half of the death benefit as may be determined by vote of the corporation. Membership in the association shall be limited to members and retired members of the fire department of the city of Worcester and clerks and mechanics of said fire department.

Approved December 9, 1999.

Chapter 156. AN ACT EXEMPTING THE POSITION OF DEPUTY CHIEF OF POLICE IN THE TOWN OF MILTON FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The position of deputy chief of police in the town of Milton shall be exempt from the provisions of chapter 31 of the General Laws.

SECTION 2. The provisions of section 1 shall not impair the civil service status of the person holding the position of deputy chief of police in the town of Milton on the effective date of this act.

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

Approved December 16, 1999.

Chapter 157. AN ACT EXEMPTING THE POSITION OF CHIEF OF POLICE OF THE CITY OF WALTHAM FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows: