

house shall be designated and known as the Jonathan Brant courtroom, in recognition of the Honorable Jonathan Brant for his many contributions to the judiciary, his community and the commonwealth. The division of capital asset management and maintenance shall erect suitable markers bearing the designation in compliance with the standards of the division.

Approved, December 1, 2010.

Chapter 381. AN ACT AUTHORIZING RECALL ELECTIONS IN THE TOWN OF BELMONT.

Be it enacted, etc., as follows:

SECTION 1. Any person who holds an elected town-wide office in the town of Belmont, except a member of the housing authority, may be recalled and removed from that office by the qualified voters of the town as provided in this act.

SECTION 2. Any 200 registered voters of the town of Belmont, at least 25 of whom shall be from each precinct, may initiate a recall petition by filing with the town clerk an affidavit containing the name of the officer sought to be recalled and a statement of the grounds for recall. The town clerk shall, within 5 business days after receiving such an affidavit, deliver to the voter first named on the affidavit a sufficient number of copies of petition blanks requesting such recall. The blanks shall be dated and addressed to the board of selectmen, shall contain the names of the first 10 signers of the affidavit, the name and office of the person sought to be recalled and the grounds for recall as stated in the affidavit and shall request the election of a successor to such office. A copy of the form of the petition shall be filed in the office of the town clerk.

SECTION 3. If within 30 days after the delivery by the town clerk of the petition forms, the petition, signed by not less than 20 per cent of the registered voters of the town, including at least 5 per cent of the registered voters from each precinct, is filed with the town clerk, the town clerk shall certify the number of signatures which are names of voters in the town and precincts, as appropriate, and if the clerk determines that it contains a sufficient number of valid signatures, the clerk shall, within 5 business days, submit the petition to the board of selectmen. The board of selectmen shall immediately deliver to the elected officer whose recall is sought written notice of the board's receipt of the petition and shall, if the officer sought to be recalled does not resign within 5 days thereafter, forthwith order a special election to be held not less than 64 nor more than 80 days after the date of the board's receipt of the petition; provided, however, that if any other town election is to occur within 100 days after the date of the submission, the board may, in its discretion postpone the holding of the recall election to the date of such other election. If a vacancy occurs in the office after a recall election has been ordered, the election shall proceed as provided in this section.

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SECTION 4. Any officer sought to be recalled may be a candidate to succeed to the office and, unless the officer requests otherwise in writing, the town clerk shall place the name of such officer on the official ballot without nomination. The nomination of other candidates, the publication of the warrant for the recall election and the conduct of the recall election shall all be in accordance with the laws relating to elections unless otherwise provided by this act.

SECTION 5. The officer sought to be recalled shall continue to perform the duties of the office until the recall election. If the recall fails or if the incumbent is reelected and has not resigned, the incumbent shall continue in the office for the remainder of the unexpired term. If not reelected in the recall election, the officer shall be deemed removed upon the qualification of the elected successor, who shall hold office for the remainder of the unexpired term.

SECTION 6. Ballots used in a recall election in the town shall submit the following propositions in the order indicated:

For the recall of (name and title of officer whose recall is sought),

Against the recall of (name and title of officer whose recall is sought),

The names of the candidates who have been nominated to succeed to the office of the person subject to recall shall be set forth below the propositions along with such instructions as may be necessary for the voter.

If a majority of the votes cast on the recall question is in the affirmative, then the candidate who received the highest number of votes in the special election to fill the vacancy shall be elected. If a majority of the votes cast on the recall question is in the negative, the ballots for candidates to fill the potential vacancy need not be counted.

SECTION 7. No recall petition shall be filed against an officer within 6 months after the officer takes office nor, in the case of an officer subjected to a recall election and not recalled thereby, until at least 6 months after the election at which the recall was submitted to the voters.

SECTION 8. This act shall take effect upon its passage.

Approved, December 1, 2010.

Chapter 382. AN ACT RELATIVE TO THE OTHER POST EMPLOYMENT BENEFITS TRUST FUND OF THE TOWN OF BELMONT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 97 of the acts of 2007 is hereby amended by striking out sections 2 and 3, and inserting in place thereof the following 2 sections:-

Section 2. (a) There shall be, in the town of Belmont a special trust fund to be known as the Belmont Other Post Employment Benefits Trust Fund. The Belmont treasurer shall