

HOUSE No. 1836

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, March 12, 1947.

The committee on Civil Service, to whom was referred the petition (accompanied by bill, House, No. 325) of John P. Tracy and others that the office of chief engineer of the fire department of the Great Barrington Fire District be placed under the civil service laws, report the accompanying bill (House, No. 1836).

For the committee,

LESLIE B. CUTLER.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Seven.

AN ACT PROVIDING FOR THE ACCEPTANCE OF THE CIVIL SERVICE LAWS RELATING TO THE OFFICE OF CHIEF ENGINEER OF THE FIRE DEPARTMENT OF DISTRICTS AND FOR PLACING SUCH OFFICE WITHIN THE CLASSIFIED CIVIL SERVICE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 31 of the General Laws, as amended,
2 is hereby further amended by inserting after sec-
3 tion 49A, as amended, the following section:—
4 *Section 49B.* If there is filed with the clerk of a
5 district having a fire department a petition request-
6 ing that the office of chief engineer of such fire depart-
7 ment be placed within the classified civil service the
8 question whether such office shall be placed within
9 said service shall be submitted to the registered
10 voters of such district at a meeting called by the
11 prudential committee thereof occurring after the
12 expiration of thirty days following the filing of such
13 petition. No petition under this section shall be
14 received for filing unless it is signed by not less than
15 five per cent of the total number of all persons
16 qualified to vote in such district and the names of
17 such voters are on the list prepared as provided by

18 section sixty-seven of chapter forty-eight, nor unless
19 it bears the approval in writing of the incumbent
20 at the time of filing the petition of the office specified
21 therein.

22 Signatures to petitions under this section need
23 not all be on one paper. All such papers shall be
24 fastened together and shall be filed in the office of
25 the clerk as one instrument, with the endorsement
26 thereon of the names of three persons designated
27 as filing the same. Each person signing such petition
28 shall state thereon his name and his place of residence
29 on January first preceding, giving the street and
30 number, if any, or, if he became a resident of such
31 district after said January first, the place where he
32 first resided thereafter. Such a petition for the
33 placing of any such question on the ballot at an
34 election shall be submitted to the registrars of voters
35 of the town in which such district is located, for the
36 purpose of certifying on such petition the names of
37 persons signing the same who are registered voters
38 of such district, not later than five o'clock in the
39 afternoon of the seventh day preceding the last day
40 prior to said election when such petition may be
41 filed under this section. The registrars of voters
42 shall, within five days after such submission, ascer-
43 tain by what number of registered voters such petition
44 has been signed, and shall make and certify a state-
45 ment of their determination in detail, setting forth
46 such number and whether or not the same has been
47 signed by the number of registered voters herein
48 required, and shall attach such statement to said
49 petition.

50 Written objections to the validity or sufficiency
51 of any such petition for the placing of any such

52 question on the ballot at an election or of the signa-
 53 tures on such petition may be filed with the city or
 54 town clerk not later than forty-eight hours after
 55 the last day prior to said election when such petition
 56 may be filed under this section, and such objections
 57 shall be considered by the appropriate board referred
 58 to in section twelve of chapter fifty-three. In the
 59 consideration of objections under this section such
 60 board shall have and exercise all the powers given
 61 to it by any provision of law relative to objections to
 62 nominations. The notice provided by said section
 63 twelve shall be sent to the persons filing the petition
 64 and to each officer affected thereby. Said board
 65 shall make its decision within four days after the
 66 expiration of the time for filing such objections, and
 67 forthwith give notice thereof to said clerk.

68 If such petition, bearing the endorsement of
 69 signatures of registered voters to the number herein
 70 required, as shown by the statement of the registrars
 71 of voters, is filed with said clerk seasonably for sub-
 72 mission to the voters at a regular municipal election,
 73 and the said clerk finds the same to be in order, he
 74 shall cause the question or questions contained
 75 therein to be printed on the official ballot for such
 76 election.

77 A question under this section shall be printed
 78 on the ballot to be used at the election, in sub-
 79 stantially the following form:—

QUESTION 1. (Part 1) Shall the district vote that the office
 of (title of office) be placed within the classified civil service?
 Yes..... No.....

(Part 2) If it is voted to place the office of (title of office) within
 the classified civil service, shall the district vote to provide for the
 continuance in said office of (name of incumbent), the present
 incumbent thereof, after passing a qualifying examination?
 Yes..... No.....

80 The office specified in Part 1 of said question sub-
81 mitted under this section, in answer to which a
82 majority of the voters voting thereon vote in the
83 affirmative, shall be placed within the classified
84 civil service, and the tenure of office of any incum-
85 bent thereof shall be unlimited subject, however,
86 to the provisions of this chapter, provided, that if
87 Part 2 of the question in which such office is specified
88 is so answered in the affirmative the incumbent
89 thereof at the time of filing such petition shall, if
90 still the incumbent thereof, be subjected by the
91 division to a qualifying examination for such office,
92 and if he passes said examination, he shall be certified
93 for said office and shall be deemed to be permanently
94 appointed thereto without being required to serve
95 any probationary period. If such incumbent does
96 not pass such qualifying examination, or if a majority
97 of the voters voting on said Part 2 of the question
98 does not vote thereon in the affirmative, such incum-
99 bent may continue to serve in said office for the
100 remainder of the term, if any, for which he was ap-
101 pointed, but shall not be subject to this chapter.
102 The status of such incumbents shall not be subject
103 to section forty-seven A.

104 The words "registrars of voters" as used in this
105 section shall include election commissioners or other
106 officers performing similar duties.

107 The provisions of section sixteen of chapter fifty-
108 three relative to the preservation of nomination
109 papers shall apply to petitions filed with said clerk
110 under this section.

The first part of the report is devoted to a general description of the country, its climate, soil, and natural resources. It is followed by a detailed account of the various industries and occupations of the people, and a list of the principal towns and villages. The report concludes with a summary of the progress of the colony during the year, and a list of the names of the principal officers and members of the government.

The second part of the report contains a list of the names of the principal officers and members of the government, and a list of the names of the principal towns and villages. It also contains a list of the names of the principal officers and members of the government, and a list of the names of the principal towns and villages.

The third part of the report contains a list of the names of the principal officers and members of the government, and a list of the names of the principal towns and villages. It also contains a list of the names of the principal officers and members of the government, and a list of the names of the principal towns and villages.

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