

HOUSE No. 2404

Substituted by the House, on motion of Mr. Aspero of Worcester, for a bill with the same title (House, No. 2281) and passed by the House to be engrossed. May 1.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Two.

AN ACT RELATING TO COUNTY COMMISSIONERS OF THE SEVERAL COUNTIES.

1 *Whereas*, The deferred operation of this act would
2 tend to defeat its purpose, which is to make avail-
3 able the provisions contained therein at the next
4 biennial state election, therefore it is hereby declared
5 to be an emergency law, necessary for the immediate
6 preservation of the public convenience.

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

1 SECTION 1. The third paragraph of section 144 of
2 chapter 54 of the General Laws, as appearing in
3 section 8 of chapter 257 of the acts of 1935, is hereby
4 amended by striking out, in line 3, the word "may"
5 and inserting in place thereof the word:— shall, —
6 so as to read as follows:—

7 Also upon such vacancy, the two remaining county
8 commissioners and the clerk of the courts for the
9 county, or a majority of them, shall appoint a person,

10 not a resident of the same town as either of the re-
11 maining commissioners, to fill the office of county
12 commissioner until a person is elected thereto and
13 qualified.

1 SECTION 2. The first paragraph of section 34 of
2 chapter 53 of the General Laws, as appearing in
3 section 9 of chapter 473 of the acts of 1938, is hereby
4 amended by inserting before the last sentence the
5 following sentence: — Names of candidates for the
6 office of county commissioner whether for a two or a
7 four year term shall be listed under the single desig-
8 nation "County Commissioner" or "County Com-
9 missioners" as the case may be.

1 SECTION 3. Section 158 of said chapter 54, as
2 most recently amended by section 5 of chapter 31
3 of the acts of 1939, is hereby further amended by
4 adding at the end the following paragraph: —

5 Subject to the foregoing provisions, if, as the result
6 of a vacancy in the office of county commissioner,
7 three county commissioners are to be chosen, the
8 two candidates receiving the highest number of votes
9 at the biennial state election shall be declared elected
10 for terms of four years and the candidate receiving
11 the third highest number of votes shall be declared
12 elected for the term of two years, if as a result of two
13 vacancies in said office, three commissioners are to be
14 chosen, the candidate receiving the highest number
15 of votes at said election shall be declared elected for
16 the term of four years and the two candidates re-
17 ceiving the next highest number of votes shall be
18 declared elected for the term of two years, and if as a
19 result of one vacancy in said office two commissioners

20 are to be chosen, the candidate receiving the highest
21 number of votes at said election shall be declared
22 elected for the term of four years and the candidate
23 receiving the next highest number of votes shall be
24 declared elected for the term of two years.

