
Chapter 209. AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO USE CERTAIN PARK LAND TO CONSTRUCT AN EASTERN CAMBRIDGE YOUTH CENTER.

Be it enacted, etc., as follows:

SECTION 1. The city of Cambridge is hereby authorized to use for the erection of an Eastern Cambridge youth center, and for other related youth center activities and all purposes incidental thereto, the parcel of land located in said city, described in section two, now owned and held by said city for park, playground or recreational purposes.

SECTION 2. The parcel referred to in section one, containing an area of twenty-two thousand one hundred and fifty-five square feet, is shown on a plan entitled "Plan of Land for Eastern Cambridge Youth Center in Cambridge, Mass." drawn by Wendell H. Mason, professional land surveyor, dated August twenty-ninth, nineteen hundred and ninety-four.

SECTION 3. This act shall take effect upon its acceptance by vote of the city council of said city, but not otherwise.

Approved December 19, 1994.

Chapter 210. AN ACT PROVIDING FOR RECALL ELECTIONS IN THE TOWN OF CHARLTON.

Be it enacted, etc., as follows:

SECTION 1. Any holder of an elected office in the town of Charlton may be recalled therefrom by the qualified voters of said town as herein provided.

SECTION 2. Any twenty-five registered voters of the town may file an affidavit with the town clerk containing the name of the officer sought to be recalled and a statement of the grounds for such recall. Upon certification by the board of registrars of the required signatures, the town clerk shall deliver to the first named voter on the affidavit a sufficient number of copies of petition blanks addressed to the board of selectmen demanding such recall. The blanks shall be issued containing the signature of the town clerk and the official town seal. They shall be dated and shall contain the name of the person whose recall is sought, the office from which recall is sought, and the grounds for such recall as stated in the affidavit and shall demand the election of a successor to said office. The affidavit and a copy of the petition shall be entered in a record book to be kept in the office of the town clerk. The recall petition shall be returned and filed with the town clerk not later than five o'clock post meridian on the twentieth business day after the filing of the affidavit with signatures, names and place of residence of the signer, giving street and number, of at least twenty percent of the registered voters of the town. Within two business days of receipt, the town clerk shall submit the petition to the registrars of voters in the town and the registrars shall forthwith certify thereon the number of signatures which are those of registered voters of said town. The board of registrars shall complete its certification within five business days and shall return the petition to the town clerk.

SECTION 3. If the petition shall be found and certified by the town clerk to be sufficient, it shall be submitted with the clerk's certificate to the selectmen without delay. The selectmen shall forthwith give written notice of receipt of the certificate to the officer sought to be recalled. If the officer does not resign within five days thereafter, the board of selectmen shall order an election to be held on a date fixed by them not less than sixty nor more than ninety days after the date of the town clerk's certificate that a sufficient petition has been filed; provided, however, that if any other town election is scheduled to occur within one hundred days after the date of the certificate, the board of selectmen shall postpone the holding of the recall election to the date of such other election. If a vacancy occurs in said office after a recall election has been ordered, the election shall nevertheless proceed as provided in this section.

SECTION 4. Any officer sought to be removed may be a candidate to succeed himself in an election to be held to fill such vacancy and, unless the officer requests otherwise in writing, the town clerk shall place said name on the ballot without nomination. The nomination of other candidates, the publication of the warrant for the recall election and the conduct of the same shall be in accordance with the provisions of law relating to elections, unless otherwise provided herein.

SECTION 5. The incumbent shall continue to perform the duties of his office until the recall election. If such incumbent is not removed he shall continue in office for the remainder of his unexpired term, subject to recall as before except as provided in section seven. If not re-elected in the recall election, he shall be deemed removed upon the qualification of a 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.

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

For the recall of (name of officer) (office held).

Against the recall of (name of officer) (office held).

Immediately at the right of each proposition there shall be a square in which the voter, by making a cross mark (X), may vote for either of said propositions. Just above said squares there shall appear the direction "vote for one". Under the proposition shall appear the word "Candidates" and the directions to voters required by section forty-two of chapter fifty-four of the General Laws, and beneath this the names of candidates nominated as hereinbefore provided. In case of machine voting or punch card balloting or other forms of balloting, appropriate provision shall be made to allow for the same intent of the voter. If a majority of the votes cast on the question of recall 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 question of recall is in the negative, then 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 six months after he takes office nor, in the case of an officer subjected to a recall election and not recalled thereby, until at least six months have elapsed after the election at which the recall

Chap. 210

was submitted to the voters of the town.

SECTION 8. No person who has been recalled from an office in said town or who has resigned from office while recall proceedings were pending against him in such town, shall be appointed to any town office within two years after such recall or resignation.

SECTION 9. This act shall take effect upon its passage.

Approved December 19, 1994.

Chapter 211. AN ACT PROVIDING FOR RECALL ELECTIONS IN THE TOWN OF ORANGE.

Be it enacted, etc., as follows:

SECTION 1. Any holder of an elected office in the town of Orange may be recalled therefrom by the registered voters of the town as herein provided, except the maximum numbers of members of a board that may be recalled is a majority.

SECTION 2. Any twenty-five registered voters of the town 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 such recall. The town clerk shall thereupon deliver to said voters making the affidavit copies of petition blanks demanding such recall, copies of which printed forms the town clerk shall keep available. Such blanks shall be issued by the town clerk, with the town clerk's signature and official seal attached thereto. They shall be dated, shall be addressed to the selectmen and shall contain the names of all persons to whom they are issued, the name of the person whose recall is sought, the grounds for such recall as stated in the affidavit, and shall demand the election of a successor to said office. A copy of the petition shall be entered in a record book to be kept in the office of the town clerk. Said recall petition shall be returned and filed with the town clerk within thirty days after the filing of the affidavit, and shall have been signed by at least ten percent of the registered voters of the town, who shall add to their signatures, the street and number, if any, of their residences. The town clerk, shall within forty-eight hours of receipt, submit the petition to the registrars of voters in the town, and said registrars shall, within five working days, certify thereon the number of signatures which are names of registered voters of the town.

SECTION 3. If the petition shall be found and certified by the town clerk to be sufficient, he shall submit the same with his certificate to the selectmen without delay and the selectmen shall, within five working days, give written notice of the receipt of the certificate to the officer sought to be recalled and shall, if the officer does not resign within five days thereafter, order an election to be held on a date fixed by them not less than sixty and not more than ninety days after the date of the town clerk's certificate that a sufficient petition was filed; provided, however, that if any other town election is to occur within ninety days after the date of the certificate, the selectmen shall postpone the holding of the recall election to the date of such other election.