

By Mr. Davis of Marblehead (by request), petition of Daniel Tyler, Jr., for legislation relative to the appointment of members of housing authorities of towns. Mercantile Affairs.

The Commonwealth of Massachusetts

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

AN ACT RELATING TO THE APPOINTMENT OF MEMBERS OF A HOUSING AUTHORITY IN A TOWN.

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. Section 26K of chapter 121 of the General
2 Laws, as amended, is hereby amended by striking out the
3 last two sentences of the second paragraph and inserting the
4 following sentence in place thereof:— Every such authority
5 shall be managed, controlled and governed by five members,
6 appointed as provided in section twenty-six L, of whom three
7 shall constitute a quorum.

1 SECTION 2. Section 26L of the General Laws, as amended,
2 is hereby amended by striking out the title and entire section
3 as now appearing and inserting in place thereof the following
4 new section 26L:—

5 *Section 26L. Appointment of Members.*— In a city,
6 four members of a housing authority shall be appointed by
7 the mayor subject to confirmation by the city council and
8 one by the housing board; provided, that, of the members
9 originally appointed, the member appointed by the board
10 shall serve for the term of three years; and the other mem-
11 bers shall be appointed to serve for the terms of one, two,
12 four and five years, respectively. In a town, four members
13 shall be appointed by the board of selectmen, and one by the
14 housing board; provided, that of the members originally

15 appointed, a member appointed by the board shall serve
16 for the term of three years, and the other members shall be
17 appointed to serve for the terms of one, two, four and five
18 years, respectively. Membership in a housing authority
19 shall be restricted to residents of the city or town. No
20 tenant in a project operated by a housing authority shall
21 be a member of such authority. Thereafter, as the term
22 of a member of any such housing authority expires, his suc-
23 cessor shall be appointed in the same manner and by the
24 same body, for the term of five years. Vacancies, other than
25 by reason of expiration of terms, shall be filled for the balance
26 of the unexpired term, in the same manner and by the same
27 body. Every member, unless sooner removed, shall serve
28 until the qualification of his successor.

29 As soon as possible after the qualification of the members
30 of a housing authority the city or town clerk, as the case
31 may be, shall file a certificate of such appointment with the
32 board and a duplicate thereof in the office of the state secre-
33 tary. If the state secretary finds that the housing authority
34 has been organized and the members thereof appointed
35 according to law, he shall issue to it a certificate of organiza-
36 tion, and such certificate shall be conclusive evidence of the
37 lawful organization of the authority and of the appointment
38 of the members thereof. Whenever the membership of a
39 housing authority is changed by appointment, resignation
40 or removal, a certificate and duplicate certificate to that
41 effect shall promptly be so filed. A certificate so filed shall
42 be conclusive evidence of the change in membership of the
43 housing authority referred to therein.

1 SECTION 3. Section 26M of chapter 121 of the General
2 Laws, as amended, is hereby amended by striking out the
3 words "elected by the town" as now appearing in the first
4 sentence of the first paragraph.