

AN ACT RELATIVE TO THE FILLING OF VACANCIES IN THE CITY COUNCIL IN CITIES HAVING A PLAN B FORM OF CHARTER. Chap. 224

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. Section twenty-six of chapter forty-three of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the first paragraph and inserting in place thereof the following:— Except as otherwise provided in sections fifty A and fifty-nine A, if a vacancy occurs in the office of the mayor or city council before the last six months of the term of office, the city council shall order an election for a mayor or a member of the council to serve for the unexpired term; and if such vacancy occurs in the office of mayor in the last six months of the term, the president of the city council shall succeed to said office for the unexpired term. If the mayor is absent or unable from any cause temporarily to perform his duties they shall be performed by the president of the city council. The person upon whom such duties shall devolve shall be called “acting mayor”, and he shall possess the powers of mayor only in matters not admitting of delay, but shall have no power to make permanent appointments. G. L. (Ter. Ed.), 43, § 26, amended.
Certain vacancies, how filled.

SECTION 2. Section fifty-six of said chapter forty-three, as so appearing, is hereby amended by striking out, in the second line, the word “seven” and inserting in place thereof the word: — eight, — so as to read as follows: — *Section 56.* The method of city government provided for in the eight following sections shall be known as Plan B. G. L. (Ter. Ed.), 43, § 56, amended.
Plan B.

SECTION 3. Said chapter forty-three is hereby further amended by inserting after section fifty-nine, as so appearing, the following new section: — *Section 59A.* If a vacancy occurs at any time in the office of a councillor elected by and from the qualified voters of the city, such vacancy shall be filled forthwith by a majority vote of all the remaining members of the city council for the remainder of the unexpired term. G. L. (Ter. Ed.), 43, new section 59A, added.
Filling of vacancies in city council.

If a vacancy occurs, before the last six months of the term, in the office of a councillor elected by and from the voters of a ward, the city council shall forthwith order an election to fill such vacancy for the remainder of the unexpired term.

Approved April 26, 1937.