

ACTS, 1984. - Chap. 99.

SECTION 3. This act shall take effect on July first, nineteen hundred and eighty-four.

Approved June 21, 1984.

---

Chap. 99. AN ACT RELATIVE TO RECALL ELECTIONS FOR THE TOWN OF BROOKFIELD.

Be it enacted, etc., as follows:

SECTION 1. Any holder of an elective office in the town of Brookfield, including a holder of an elective office at the time this act is accepted, may be recalled therefrom by the qualified voters of the town as herein provided.

SECTION 2. Any qualified voter of the town may make and file with the town clerk an affidavit containing the name of the officer sought to be recalled and a statement of the grounds of recall. The town clerk shall thereupon deliver to the voter making such affidavit a sufficient number of copies of petition blanks for such recall. Said blanks shall be issued by the town clerk with his signature and official seal attached thereto; and shall be dated and addressed to the board of selectmen. Said blanks shall contain the name of the person to whom issued, the name of the person sought to be recalled, the office from which recall is sought, the grounds of recall as stated in said affidavit, and shall demand the election of a successor to such 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 twenty days after the filing of the affidavit. Said petition before being returned and filed, shall be signed by qualified voters of the town equal in number to at least twenty per cent of the qualified voters of the town as of the date such affidavit was filed with the town clerk, and to every such signature shall be added the place of residence of the signer, giving the street and number. The recall petition shall be submitted, at or before five o'clock in the afternoon of the Friday preceding the day of which it must be filed, to the registrars of voters in the town and the registrars shall forthwith certify thereon the number of signatures which are names of 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 board of selectmen without delay and the board of selectmen shall forthwith give written notice to said officer of the receipt of said certificate and shall, if the officer sought to be recalled does not resign within five days there-

ACTS, 1984. - Chap. 99.

after, thereupon order a recall election to be held on Tuesday fixed by them not less than sixty nor more than seventy days after the date of the town clerk's certificate that a sufficient petition is filed; provided, however, that if any other town election is to occur within sixty days after the date of said certificate, the board of selectmen may, in their discretion, 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 so ordered, the election shall nevertheless proceed as provided in this section.

SECTION 4. Any officer who has been recalled by a vote at the recall election may be a candidate to succeed himself in an election to be held to fill such vacancy, and, unless he requests otherwise in writing, the town clerk shall place his name on the official ballot without nomination. The nomination of other candidates, the publication of the warrant for the recall election and any election to fill a vacancy caused by a recall election, and the conduct of the same, shall all be in accordance with the provisions of law relating to elections, unless otherwise provided in this act.

SECTION 5. The incumbent shall continue to perform the duties of his office until the recall election. If said incumbent is not recalled, he shall continue in office for the remainder of his unexpired term, subject to removal as before, except as provided in section seven. If said incumbent is recalled in the recall election, he shall be deemed recalled and an election shall be held to elect a qualified successor, who shall hold office during the unexpired term.

SECTION 6. Ballots used in recall election shall submit the following propositions in the order indicated:

For the recall of (name of officer)

Against the removal of (name of officer)

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 such propositions.

SECTION 7. No recall petition shall be filed against an officer within three months after he takes office, nor in the case of an officer subjected to a recall election and not removed thereby, until at least three months after that election.

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

ACTS, 1984. - Chap. 100.

SECTION 9. This act shall be submitted for acceptance to the voters of the town of Brookfield at the next annual town election or a special town election, whichever occurs first, in the form of the following question which shall be placed on the official ballot at such election:-

"Shall an act passed by the General Court in the year nineteen hundred and eighty-four, entitled 'An Act relative to recall elections in the town of Brookfield' be accepted?" If a majority of the votes cast in answer to said question is in the affirmative this act shall take effect, but not otherwise.

Approved June 21, 1984.

---

Chap. 100. AN ACT MAKING AN APPROPRIATION TO FUND A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE BOARD OF REGENTS OF HIGHER EDUCATION AND THE UNIVERSITY STAFF ASSOCIATION/MTA/NEA AT THE UNIVERSITY OF MASSACHUSETTS AT AMHERST.

Be it enacted, etc., as follows:

SECTION 1. To provide for the cost of salary adjustments and other employee benefits authorized by the collective bargaining agreement between the board of regents of higher education and the University Staff Association/MTA/NEA at the University of Massachusetts at Amherst, the sum set forth in section two is hereby appropriated, subject to the provisions of law regulating the disbursements of public funds and the conditions pertaining to appropriations in chapter two hundred and eighty-nine of the acts of nineteen hundred and eighty-three.

SECTION 2.

EXECUTIVE OFFICE OF ADMINISTRATION AND FINANCE.  
Collective Bargaining.

1599-3234 For a reserve to meet the cost of salary adjustments and other employee economic benefits authorized by the collective bargaining agreement between the board of regents of higher education and the University Staff Association/MTA/NEA at the University of Massachusetts at Amherst; provided, however, that the commissioner of administration is hereby authorized to transfer from the sum appropriated to other items of appro-