

By Mr. Rushing of Boston, petition of Byron Rushing, Mary Jeanette Murray, Janet W. O'Brien and Thomas J. O'Brien that cities and towns be authorized to make certain elected officers appointed officials. Local Affairs.

The Commonwealth of Massachusetts

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

AN ACT AUTHORIZING TOWNS TO MAKE CERTAIN ELECTED OFFICERS APPOINTED OFFICIALS.

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 1B. Any office or board elected, except the board of  
2 selectmen, under the provisions of section one of this chapter may  
3 become an appointed position or board, by a majority vote of the  
4 annual or special town meeting and acceptance by the voters of  
5 the town at the annual town elections; provided, however, that any  
6 vote by a special town meeting taken under the provisions of this  
7 section shall take place at least sixty days prior to the acceptance  
8 of the voters at the annual town election. Such acceptance by the  
9 voters shall be in the form of the following question, to be placed  
10 on the official ballot: —

11 Shall the town vote to have its elected (Title of office or board)  
12 an appointed (Title of office or board) of the town? Yes \_\_\_ No \_\_\_.

13 If a majority of votes cast in answer to said question is in the  
14 affirmative, said office or board shall become appointed in accor-  
15 dance with the provisions of this section.

16 Any incumbent of such office or board serving at the time of  
17 acceptance by the voters shall continue to hold said office and to  
18 perform the duties thereof until the expiration of the term for  
19 which said individual was elected or until said individual other-  
20 wise vacates such office; provided, however, that any individual  
21 elected to an office or board which becomes an appointed office  
22 or board at the same election, under the provisions of this section,

23 shall hold said office and perform the duties thereof until the  
24 appointment to said office is otherwise made under the provisions  
25 of this section.

26 Such appointment shall be made by the board of selectmen for  
27 a term not to exceed three years, unless such mode of appointment  
28 or term is otherwise provided by law.