

# HOUSE . . . . . No. 4362

By Mr. Fitzgerald of Boston, petition of Christopher A. Iannella and Kevin W. Fitzgerald relative to the filling of vacancies in certain cases where the mayor of a city fails to make a timely appointment. Local Affairs.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty.

AN ACT PROVIDING FOR THE FILING OF VACANCIES IN CERTAIN CASES WHERE THE MAYOR OF A CITY FAILS TO MAKE A TIMELY APPOINTMENT.

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same, as follows:*

1 In any city which accepts the provisions hereof by vote of its city  
2 council, in the event that a vacancy in any office or position filled  
3 by appointment of the mayor should exist for a period of more  
4 than sixty days, or should the mayor fail to appoint a successor to a  
5 person serving in such office or position within ninety days of the  
6 expiration of the term of such office or position holder, the city  
7 council of such city shall proceed to elect a successor officer or  
8 position holder, forthwith, which election shall not be subject to  
9 veto by the mayor, except that in the case of a mayoral appoint-  
10 ment subject to confirmation by the city council, the city council  
11 shall make no such election while the question of confirmation of  
12 such an appointment is before it, nor for seven days after rejecting  
13 a nomination made by a mayor.

