

By Mr. Ranieri of Bellingham, petition of Daniel J. Ranieri and Louis P. Bertonazzi (by vote of the town) that provision be made for recall elections in the town of Bellingham. Election Laws. [Local Approval Received.]

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Eighty-Nine.

AN ACT PROVIDING FOR RECALL ELECTIONS IN THE TOWN OF BELLINGHAM.

*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. Any holder of an elective office in the town of  
2 Bellingham with more than six months remaining in the term of  
3 office may be recalled therefrom by the qualified voters of said  
4 town in the manner provided for herein.

1 SECTION 2. Two hundred or more voters may file with the  
2 Town Clerk, an affidavit containing the name of the officer whose  
3 recall is sought and a statement of the grounds upon which the  
4 petition is based. At least forty names of voters shall be from each  
5 of the five districts into which the town is divided. The Town Clerk  
6 shall thereupon deliver to said voters petition blanks demanding  
7 such recall, printed forms of which the town clerk shall keep  
8 available. The blanks shall be issued by the town clerk with the  
9 town clerk's signature and official seal attached thereto. They shall  
10 be dated; shall be addressed to the board of selectmen; shall  
11 contain the names of all persons to whom they are issued; the name  
12 of the person whose recall is sought; the grounds for recall as  
13 stated in the affidavit; and shall demand the election of a successor  
14 to said office. A copy of the affidavit shall be entered in a record  
15 book to be kept in the office of the town clerk. The recall petitions  
16 shall be returned and filed with the town clerk within twenty days  
17 following the date of the filing of the affidavit, signed by at least  
18 fifteen percent of the voters and containing their names and

19 addresses; providing, however, that not more than twenty-five  
20 percent of the total number shall be from any one district. The  
21 town clerk shall, within twenty-four hours of receipt, submit the  
22 petitions to the registrars of voters who shall forthwith certify  
23 thereon, the number of signatures that are names of voters.

1 SECTION 3. If the petition shall be certified by the registrars  
2 of voters to be sufficient, the town clerk shall forthwith submit  
3 the name with the town clerk's certificate to the board of  
4 selectmen. Upon its receipt of the certificate the board of  
5 selectmen shall forthwith give written notice of such petition and  
6 certificate to the office, whose recall is sought. If said officer does  
7 not resign his office within five days after delivery of such notice  
8 the board of selectmen shall order an election to be held not less  
9 than sixty nor more than ninety days after the date of the town  
10 clerk's certificate of sufficient petition. If however any other town  
11 election is to occur within one hundred days after the date of the  
12 certificate, the board of selectmen shall hold the recall election  
13 on the date of such other election. If a vacancy occurs in said office  
14 after a recall election has been ordered, the election shall  
15 nevertheless proceed as provided in this section, and the ballots  
16 for candidates shall, notwithstanding a recall provision to the  
17 contrary, be counted.

1 SECTION 4. Any officer whose recall is sought may not be a  
2 candidate to succeed himself in the recall election. The nomination  
3 of candidates, the publication of the warrant for the recall election,  
4 and the conduct of same shall all be in accordance with the  
5 provisions of law relating to elections, unless otherwise provided  
6 in this act.

1 SECTION 5. Ballots used in a recall election shall state the  
2 following propositions in the order indicated:

3 FOR THE RECALL OF (Name of Officer)

4 AGAINST THE RECALL OF (Name of Officer)

5 Adjacent to each proposition, there shall be a place to vote for  
6 either of the said propositions. After the proposition shall appear  
7 the word "candidate" and the names of candidates nominated as  
8 required in Section 42 of Chapter 54 of the General Laws. If a

9 majority of the votes cast upon the question of recall is in the  
10 affirmative, the candidate receiving the highest number of votes  
11 shall be declared elected. If a majority of votes on the question  
12 is in the negative, the ballots for candidates need not be counted,  
13 except as provided in section three.

1 SECTION 6. The incumbent shall continue to perform the  
2 duties of his office until the recall election. If he is not recalled  
3 in the election, he shall continue in office for the remainder of  
4 his unexpired term, subject to recall as before, except as provided  
5 herein. If he is recalled in the election, he shall be deemed removed  
6 upon the qualification of his successor who shall hold office during  
7 the unexpired term. If the successor fails to qualify within five  
8 days after receiving notification of his election, the incumbent  
9 shall thereupon be deemed removed and the office vacant.

1 SECTION 7. No recall petition shall be filed against an officer  
2 within three months after he takes office, or in the case of an officer  
3 subjected to a recall election and not recalled thereby, until at least  
4 six months after the election at which his recall was submitted  
5 to the voters.

