

HOUSE No. 4459

By Mr. Driscoll of Braintree, petition (accompanied by bill, House, No. 4459) of Joseph R. Driscoll and others (by vote of the town) relative to the filling of vacancies in certain offices of the town of Braintree. Election Laws. [Local Approval Received.]

The Commonwealth of Massachusetts

PETITION OF:

Joseph R. Driscoll
Brian A. Joyce
Michael W. Morrissey

In the Year Two Thousand and Seven.

AN ACT PROVIDING FOR THE FILLING OF CERTAIN VACANCIES IN THE TOWN OF
BRAintree

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

SECTION 1. Chapter 189 of the acts of 2005 is hereby amended by inserting after section 7-12 the following section:-

Section 7-13 filling of vacancies in certain elected offices

- (A) Runner-up to succeed to office – if a vacancy shall occur in the office of library trustee, electric light board or housing authority, the vacancy shall be filled in descending order of votes received by the candidate for such office at the preceding regular town election who received the largest number of votes without being elected, if that person remains eligible and willing to serve and if that person received votes equal to at least 60 per cent of the vote total received by the person receiving the largest number of votes for said office at that election. The Town Clerk shall certify this candidate to such office to serve for the balance of the then unexpired term, but, if the vacancy occurs during the first 18 months of the term for which members are elected, the person so chosen shall serve only until the next regular town election at

which election the remainder of the term shall be filled by the voters. Persons serving as members of the library trustees, electric light board or housing authority, who were not elected by the voters, shall not be entitled to have the words “candidate for reelection” printed against their names on the ensuing election ballot. If a vacancy shall occur in the office of library trustee, electric light board, or housing authority during the last 6 months of the term, the vacancy shall be filled by the person at the regular town election who receives the highest number of votes for such office and who is not then serving as a member of the library trustees, electric light board, or housing authority. That person shall immediately be certified and shall serve for the last 2 months of the concluding term in addition to the term for which that person was elected.

(B) Filling of vacancies by board-whenver a vacancy shall occur in the office of library trustee, electric light board, or housing authority and there is no available candidate to fill the vacancy in the manner provided in section 7-13 (A), the vacancy shall be filled by the remaining members of the board on which the vacancy exists. Persons appointed to fill a vacancy by the remaining members of the board shall serve only until the next regular town election at which time the vacancy shall be filled by the voters and the person elected to fill the vacancy shall immediately be sworn and shall serve for the remainder of the unexpired term in addition to the term for which elected. Persons serving as members of the library trustees, electric light board, or housing authority who were not elected by the voters, shall not be entitled to have the words “candidate for reelection” printed against their names on the ensuing election ballot.”