

HOUSE No. 4547

[LOCAL APPROVAL RECEIVED.]

The Commonwealth of Massachusetts

PRESENTED BY:

John W. Scibak and Stanley C. Rosenberg

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:
An Act Relative to the Positions of Collector and Clerk-Treasurer in the Town of South Hadley .

PETITION OF:

NAME:

DISTRICT/ADDRESS:

John W. Scibak

2nd Hampshire

Stanley C. Rosenberg

Hampshire and Franklin

HOUSE No. 4547

By Mr. Scibak of South Hadley and Senator Rosenberg, a joint petition (accompanied by bill, House, No. 4547) of John W. Scibak and Stanley C. Rosenberg (by vote of the town) relative to the positions of collector and clerk-treasurer in the town of South Hadley. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

An Act Relative to the Positions of Collector and Clerk-Treasurer in the Town of South Hadley .

Whereas, the deferred operation of this act would tend to defeat its purpose, which is to alter the positions of Collector and Clerk-Treasurer in the Town of South Hadley , therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

□

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. Chapter 191 of the acts of 1990 is hereby repealed.

- 2 SECTION 2. The office of town clerk for the town of South Hadley is hereby separated from the
3 office of treasurer, and made an appointive office. The town clerk shall perform all functions of
4 the clerk's office and shall continue to be an ex officio member of the board of registrars in
5 accordance with the General Laws; provided, however, that the incumbent elected clerk-treasurer
6 in office upon the effective date of this act shall be the lawful successor of said position, absent
7 felonious actions, through the end of the term for which she was elected; and provided, further,
8 that afterward said incumbent may continue to serve in 1 or both positions in an appointed
9 capacity at her discretion, and may continue to hold 1 or both offices until retirement,

10 resignation, removal, or if the position should otherwise become vacant. The position of clerk
11 shall be appointed and may be removed by the town administrator, subject to approval of the
12 selectboard.

13 SECTION 3. The office of treasurer for the town of South Hadley is hereby separated from the
14 office of the clerk-treasurer, and made an appointive office; provided, however, that the
15 incumbent elected clerk-treasurer in office upon the effective date of this act shall be the lawful
16 successor of said position, absent felonious actions, through the end of the term for which she
17 was elected; and provided, further, that afterward said incumbent may continue to serve in 1 or
18 both positions in an appointed capacity at her discretion, and may continue to hold 1 or both
19 offices until retirement, resignation, removal, or if the position should otherwise become vacant.
20 The position of treasurer shall be appointed and may be removed by the town administrator,
21 subject to approval of the selectboard. Nothing in this act shall prevent the town administrator
22 from appointing 1 person to serve as both clerk and treasurer, or 1 person to serve as both
23 collector and treasurer; provided, however, that combining the collector position with the
24 treasurer position can only be proposed upon the vacancy in the office of the present incumbent
25 collector.

26 SECTION 4. Upon the effective date of this act, the term of the incumbent elected collector is
27 terminated and the position of collector as an elected office shall be abolished; provided,
28 however, that the incumbent elected collector shall be deemed to be the first appointed collector
29 under this act and shall be the lawful successor of said position, absent felonious actions, through
30 the end of the term for which she was elected; and provided, further, that afterward said
31 incumbent shall hold said office until retirement, resignation, removal, or if the position should
32 otherwise become vacant. The position of collector shall be appointed and may be removed by

33 the town administrator, subject to approval of the selectboard. Nothing in this act shall prevent
34 the town administrator from appointing 1 person to serve as both clerk and treasurer, or 1 person
35 to serve as both collector and treasurer, subject to the approval of the selectboard; provided,
36 however, that combining the collector position with the treasurer position can only be proposed
37 upon a vacancy in the office of the present incumbent collector.

38 SECTION 5. The provisions of this act shall take effect upon its acceptance by the voters of the
39 town of South Hadley at an annual town election or special election, but not otherwise. The town
40 counsel shall prepare a concise summary of the contents of the act to appear on the town
41 election ballot.

42 SECTION 6. This act shall take effect upon passage.