

HOUSE No. 4673

Substituted by the House, on motion of Mr. Speliotis of Danvers, for a bill with the same title (House, No. 4095). April 27, 2020.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act changing the position of treasurer in the county of Dukes County to an appointed position.

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. Notwithstanding section 1 of chapter 35 of the General Laws, section 160
2 of chapter 54 of the General Laws or any other general or special law, rule or regulation to the
3 contrary, the treasurer for the county of Dukes County shall be appointed and may be removed,
4 for cause, after the opportunity for a hearing, by the commissioners for the county. The treasurer
5 shall have all the powers, perform the duties and be subject to the liabilities and penalties now or
6 hereafter conferred and imposed by law on county treasurers. The commissioners may establish
7 an employment contract with the treasurer for salary, fringe benefits and other conditions of
8 employment, including, but not limited to, severance pay, reimbursement for expenses incurred
9 in the performance of the duties of office, liability insurance and conditions of discipline,
10 termination, dismissal, reappointment, performance standards and leave.

11 SECTION 2. Upon the effective date of this act, the elected office of county treasurer of
12 the county of Dukes County shall be abolished. The current appointed treasurer shall continue in

13 that position, and perform the duties thereof, until the expiration of the term for which she was
14 appointed or if she sooner vacates, after which the commissioners shall appoint a county
15 treasurer pursuant to section 1.

16 SECTION 3. No contracts or liabilities in force on the effective date of this act shall be
17 affected by the abolition of the elected office of county treasurer and the appointed treasurer
18 shall, in all respects, be the lawful successor of the office so abolished. All records, property and
19 equipment of the offices of the elected county treasurer shall be assigned to the office of the
20 appointed county treasurer.

21 SECTION 4. (a) This act shall not take effect until upon its passage and approval by the
22 Dukes County voters at the 2020 state election. At said election the votes shall be taken in
23 answer to the following question, which shall be placed on the official ballot in the following
24 form:-

25 “Shall the county vote to have its elected county treasurer of the county of Dukes County
26 become an appointed county treasurer of Dukes County?” Yes ____ No ____.

27 A fair, concise summary of the question, as provided for in section 4 shall appear below
28 the question.

29 (b) If a majority of votes cast in answer to said question is in the affirmative, said office
30 shall become appointed in accordance with the provisions of this act.

31 SECTION 5. The county commissioners of Dukes county shall prepare a fair, concise
32 summary of this act to appear with the question in section 4 no later than 90 days before the
33 election.

34 SECTION 6. If there is a duly elected county treasurer at the 2020 state election, this act
35 shall not take effect until such treasurer is done serving his or her term or if he or she sooner
36 vacates.