HOUSE DOCKET, NO. 4233 FILED ON: 4/28/2014

HOUSE . . . . . No. 4102

The Commonwealth of Massachusetts

PRESENTED BY:

Timothy R. Madden and Daniel A. Wolf

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 adoption of the accompanying bill:

AN ACT RELATIVE TO THE MEMBERSHIP OF THE HISTORIC DISTRICT COMMISSION FOR THE TOWN OF NANTUCKET..

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Timothy R. Madden	*Barnstable, Dukes and Nantucket*	*4/28/2014*
Daniel A. Wolf	*Cape and Islands*	*5/1/2014*

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HOUSE . . . . . No. 4102

By Representative Madden of Nantucket and Senator Wolf, a joint petition (accompanied by bill, House, No. 4102) of Timothy R. Madden and Daniel A. Wolf (by vote of the town) relative to the composition of the Nantucket Historic District Commission. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

AN ACT RELATIVE TO THE MEMBERSHIP OF THE HISTORIC DISTRICT COMMISSION FOR THE TOWN OF NANTUCKET..

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. Section 3 of Chapter 395 of the Acts of 1970, An Act Establishing An Historic District Commission for the Town of Nantucket and Establishing Nantucket Island as the Historic District, as amended by Chapter 291 of the Acts of 1985, An Act Relative to the Membership of the Historic District Commission for the Town of Nantucket, Chapter 314 of the Acts of 1990, An Act Relative to the Membership of the Nantucket Historic District Commission, and Section 2 of Chapter 193 of the Acts of 1998, An Act Relative to the Nantucket Historic District Commission, is hereby further amended by striking out the third sentence in its entirety and inserting in place thereof the following:- Two members shall be appointed for rotating three-year terms by the Nantucket board of selectmen in accordance with section 3.4(a)(3) of the charter of the town of Nantucket, and three members shall be elected for rotating three-year terms at the annual town election each year.

Section 2. Said section 3 of chapter 395 is hereby further amended by deleting the second, third and fourth sentences of the second paragraph and inserting in place thereof the following:- Three such associate members shall be appointed by the Nantucket board of selectmen in accordance with section 3.4(a)(3) of the charter of the town of Nantucket for rotating three-year terms. Vacancies in said office shall be filled by the board of selectmen for the remainder of the unexpired term.

Section 3. At the 2016 annual town election in the town of Nantucket, the offices of Historic District Commissioner shall not appear on the ballot. Instead, each incumbent elected

member whose term would otherwise expire at said election shall terminate upon appointment by the board of selectmen in accordance with section 3 of chapter 395 as amended under section 1 of this act of a successor, and the Historic District Commission shall be reconstituted as an elected and appointed board as provided in said section 3 of chapter 395 as amended under sections 1 and 2 of this act. Notwithstanding any other provision of this act, the members whose terms expire at the 2016 annual town election shall be eligible for appointment hereunder. The terms of any other elected or appointed member or associate member of the Nantucket historic district commission holding office on the effective date of this act shall continue to serve in such position until the expiration of such elected or appointed term, or their sooner retirement, resignation or recall in accordance with section 5.4 of the charter of the town of Nantucket. Any vacancy arising in the regular or associate membership of the commission after the effective date of this act shall be filled in accordance with section 3 of the acts of 1970 as herein amended under sections 1 and 2 of this act. No contracts or liabilities in force on the effective date of this act shall be affected by the change in composition of the membership of the historic district commission and such reconstituted commissions shall, in all respects, be the lawful successor of the elected commission. All records, property and equipment whatsoever of the elected commission shall be assigned to the reconstituted commission.

Section 4. This act shall take effect upon passage.