

HOUSE No. 1760

The Commonwealth of Massachusetts

PRESENTED BY:

John Barrett, III and Adam G. Hinds

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 fire district in the town of Williamstown.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>John Barrett, III</i>	<i>1st Berkshire</i>	<i>1/14/2019</i>
<i>Adam G. Hinds</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>	<i>1/14/2019</i>

HOUSE No. 1760

By Representative Barrett of North Adams and Senator Hinds, a joint petition (accompanied by bill, House, No. 1760) of John Barrett, III and Adam G. Hinds relative to the fire district in the town of Williamstown. Municipalities and Regional Government.

The Commonwealth of Massachusetts

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

An Act relative to the fire district in the town of Williamstown.

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 69 of the acts of 1912, as amended by chapter 598 of the acts of
2 1912, chapter 349 of the acts of 1948 and chapter 44 of the acts of 1988, is hereby amended by
3 striking out section 3 and inserting in place thereof the following section:--Section 3. The legal
4 voters of the fire district shall elect a board of five commissioners, also known as a prudential
5 committee. The commissioners, also known as committee members (hereinafter
6 “commissioners”) shall be legal inhabitants of and voters in the district, elected for
7 alternating three year terms so that as nearly as possible an equivalent number of commissioners
8 are elected each year. The commissioners shall annually within fourteen days after the annual
9 election of the fire district choose one of their number to act as president of the district for the
10 ensuing year. Said commissioners shall also be a board of commissioners of hydrants, water
11 tanks for fire purposes, and street lamps.

12 The commissioners shall serve until the expiration of their respective terms of office and
13 until others are chosen and qualified in their stead, but the district shall have authority to fill any
14 vacancy in said board at any district meeting regularly called for that purpose. The
15 commissioners shall be sworn to the faithful performance of their duty and shall receive such
16 compensation as may be determined by the voters of the district.

17 The commissioners shall appoint and may remove a suitably qualified person or persons
18 to the offices of district clerk and district treasurer. The clerk and treasurer shall be sworn and
19 shall have and exercise all the powers and rights and be subject to the duties and liabilities of fire
20 district clerks and treasurers as provided by law.

21 The legal voters of the fire district shall elect by ballot at the annual district election, a
22 moderator for a three year term. The moderator shall have all powers and rights and be subject
23 to the duties and liabilities now or hereafter conferred or imposed on moderators by this act and
24 under the general laws.

25 SECTION 2. The provisions of this act shall not affect the existing term of any
26 commissioner elected prior to the passage of this act. At the first annual district election
27 occurring more than 64 days following passage of this act, two additional offices for
28 commissioner shall appear on the ballot, one for a one year term and one for a two year term;
29 provided that nothing herein shall preclude the board of

30 commissioners from calling a special election for such purposes.

31 Thereafter, all commissioners shall be elected for three year terms.

32 SECTION 3. Notwithstanding section 1 of this act, any elected incumbent in the office
33 of clerk or treasurer as of the effective date of this act, shall continue to hold such office and
34 perform the duties thereof until the expiration of the term for which elected or sooner vacating of
35 office. Upon such expiration of term of office or sooner vacating of office, the elected positions
36 of district clerk and treasurer shall be abolished and a district clerk and a treasurer shall be
37 appointed as provided in this act; provided, however, that if the act is passed within 35 days of
38 the annual district election, the elected positions of treasurer and clerk will become appointed
39 positions on the date of the next following annual district election.

40 At the first annual district election following passage of this act, the office of moderator
41 shall appear on the ballot for a three year term.

42 SECTION 4. This act shall take effect upon its passage.