

**HOUSE . . . . . No. 4095**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Dylan A. Fernandes***

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

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Dylan A. Fernandes</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>9/11/2019</i>

**HOUSE . . . . . No. 4095**

By Mr. Fernandes of Falmouth, a petition (subject to Joint Rule 12) of Dylan A. Fernandes that the county of Dukes County be authorized to change the position of treasurer from an elected to an appointed position. Municipalities and Regional Government.

**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 of Dukes  
5 County. The treasurer shall have all the powers, perform the duties, and be subject to the  
6 liabilities and penalties now or hereafter conferred and imposed by law on county treasurers. The  
7 commissioners may establish an employment contract with the treasurer for salary, fringe  
8 benefits and other conditions of employment, including, but not limited to, severance pay,  
9 reimbursement for expenses incurred in the performance of the duties of office, liability  
10 insurance and conditions of discipline, termination, dismissal, reappointment, performance  
11 standards and leave.

12 SECTION 2. Upon the effective date of this act, the elected office of county treasurer of  
13 the county of Dukes County shall be abolished. The current appointed treasurer shall continue in  
14 that position, and perform the duties thereof, until the expiration of the term for which she was  
15 appointed, after which the commissioners shall appoint a county treasurer under 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. This act shall not take effect until upon its passage and approval by the  
22 Dukes County voters at the 2020 state election. If there is a duly elected County Treasurer at the  
23 2020 state election, this act shall not take effect until such treasurer is done serving his or her  
24 term.