

# HOUSE . . . . . No. 3984

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## The Commonwealth of Massachusetts

PRESENTED BY:

*Linda Dean Campbell*

*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 amendment of section 3-4 of the Home Rule Charter of the city of Methuen.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Linda Dean Campbell</i>	<i>15th Essex</i>	<i>7/1/2021</i>
<i>Frank A. Moran</i>	<i>17th Essex</i>	<i>7/13/2021</i>

# HOUSE . . . . . No. 3984

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By Mrs. Campbell of Methuen, a petition (accompanied by bill, House, No. 3984) of Linda Dean Campbell and Frank A. Moran (with the approval of they mayor and city council) relative to the charter of the city of Methuen. Municipalities and Regional Government. [Local Approval Received.]

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## The Commonwealth of Massachusetts

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In the One Hundred and Ninety-Second General Court  
(2021-2022)  
\_\_\_\_\_

An Act relative to the amendment of section 3-4 of the Home Rule Charter of the city of Methuen.

*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. Section 3-4 of the Home Rule Charter of the City of Methuen states,  
2    “Whenever a vacancy, either temporary or permanent, occurs in a City office and the needs of  
3    the City require that such office be filled, the Mayor may designate the head of another City  
4    agency or a City officer or employee, or some other person, especially fitted by merit and fitness,  
5    to perform the duties of the office on a temporary basis until such time as the position can be  
6    filled as otherwise provided by law, Charter or ordinance. The Mayor shall file a certificate, in  
7    substantially the following form, with the City Clerk whenever he makes a designation under this  
8    section: I designate (name of person) to perform the duties of the office of (designate office in  
9    which vacancy exists) on a temporary basis until the office can be filled by (here set out the  
10   regular procedure for filling the vacancy, or when the regular officer shall return). I certify that

said person is qualified to perform the duties which will be required and that I make this designation solely in the interests of the City of Methuen.”

SECTION 2. No law, charter, or ordinance language pertaining to a specific definition of the term “temporary basis” appears to currently exist regarding temporary appointments to City offices in the City of Methuen. Therefore, Section 3-4 of the Home Rule Charter of the City of Methuen shall be amended to limit the duration of temporary appointments to City offices to a period not exceeding ninety (90) calendar days. Section 3-4 of the Home Rule Charter of the City of Methuen shall be amended further to provide for one (1) subsequent extension of a temporary appointment to a City office for a period not exceeding sixty (60) calendar days, which shall require the affirmative vote of two-thirds of the full City Council.

SECTION 3. This Act shall take effect upon its passage and Section 3-4 of the Home Rule Charter of the City of Methuen shall read, as amended:

“Whenever a vacancy, either temporary or permanent, occurs in a City office and the needs of the City require that such office be filled, the Mayor may designate the head of another City agency or a City officer or employee, or some other person, especially fitted by merit and fitness, to perform the duties of the office for a period not exceeding ninety (90) calendar days. One (1) subsequent extension of a temporary appointment to a City office for a period not exceeding sixty (60) calendar days shall be permitted, and such an extension shall require the affirmative vote of two-thirds of the full City Council. The Mayor shall file a certificate, in substantially the following form, with the City Clerk whenever he or she makes a designation under this section:

**CORRECTED**

32           I designate (name of person) to temporarily perform the duties of the office (designate  
33 office in which vacancy exists) for a period not exceeding ninety (90) calendar days until the  
34 office can be filled by (here set out the regular procedure for filling the vacancy, or when the  
35 regular officer shall return). I certify that said person is qualified to perform the duties which will  
36 be required and that I make this designation solely in the interests of the City of Methuen.”