

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

VOTE

Authorizing the filing of Special Legislation relative to filling vacancies in Elective Bodies in the City of Lowell.

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Chapter 230 of the Acts of 1954 (an act relative to filling vacancies in Elective Bodies in certain cities having a Plan E Charter) provides that if a vacancy occurs in the membership of any local elected body, “the vacancy shall be filled forthwith for the unexpired term by the remaining members of the body concerned, who shall choose whichever of the defeated candidates who are eligible and willing to serve, and who received the highest number of votes for membership in the body in which the vacancy occurs at the last regular municipal election at which members of said body were elected”; and

Municipal elections now include both At-large and District candidates.

It is the desire of the City of Lowell that, in the event of a vacancy of a member of either the city council or the school committee, it should be filled by the candidate who is eligible to serve and who received the next highest number of votes as set forth above. However, in the event that no such candidate exists, a vacancy shall be filled by a joint session of the city council and the school committee selecting a candidate through a public application process; and

It is necessary for the City of Lowell to authorize the filing of Special Legislation in order to accomplish this purpose; and

A majority vote of the Lowell City Council is required for the filing of such petition.

BE IT VOTED BY THE CITY COUNCIL OF THE CITY OF LOWELL, as follows:

That the City Council of the City of Lowell, by a majority vote, hereby authorizes and approves the filing of special legislation to read as follows:

AN ACT AMENDING CHAPTER 230 OF THE ACTS OF 1954

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. Following the last sentence of Chapter 230 of the Acts of 1954, that the following sentence be added: “In the event that no such candidate exists, the vacancy shall be filled by a joint session of the city council and the school committee through a public application process.”

SECTION 2. This act shall take effect upon its passage.