

HOUSE No. 4272

The Commonwealth of Massachusetts

PRESENTED BY:

Donald R. Berthiaume, Jr.

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 providing for recall elections in the town of North Brookfield.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Donald R. Berthiaume, Jr.</i>	<i>5th Worcester</i>	<i>12/28/2023</i>

HOUSE No. 4272

By Representative Berthiaume of Spencer, a petition (accompanied by bill, House, No. 4272) of Donald R. Berthiaume, Jr., (by vote of the town) relative to providing for recall elections in the town of North Brookfield. Election Laws. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to providing for recall elections in the town of North Brookfield.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 1. Chapter 352 of the acts of 2002, providing for recall elections in the town of North
2 Brookfield, is hereby amended by inserting the following section:

3 SECTION 2A. The reasons for which a recall may be initiated pursuant to this act shall
4 include, but not be limited to:

5 i. Lack of fitness, which shall mean insobriety while performing official functions,
6 involuntary commitment to a mental health facility or being placed under guardianship or
7 conservatorship by a probate court;

8 ii. Corruption, which shall mean a conviction of a felony involving moral turpitude,
9 conviction of bribery or extortion;

10 iii. Neglect of duties, which shall mean repeated absences from meetings without just
11 cause; provided, however, that just cause shall include, but not be limited to, illness or regular
12 vacation periods; and

13 iv. Misfeasance, which shall mean the performance of an official act in an unlawful
14 manner or a willful violation of the conflict-of-interest law, open meeting law or other ethical
15 violations.

16 2. This act shall take effect upon its passage. Or take any action relative thereto.

17 Motion made, seconded and, after a question and motion for a ballot vote that didn't pass,
18 a hand vote was done but was deemed too close to call. The Moderator then called for a ballot
19 vote and the motion passed by a margin of 62 to 22 for the Board of Selectmen to petition the
20 General Court for this amendment.