

HOUSE No. 4227

The Commonwealth of Massachusetts

PRESENTED BY:

Paul J. Donato and Patricia D. Jehlen

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 authorizing the election of a charter commission in the city of Medford at the state election (presidential election) to take place on November 8, 2016.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Paul J. Donato</i>	<i>35th Middlesex</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>

HOUSE No. 4227

By Representative Donato of Medford and Senator Jehlen, a joint petition (accompanied by bill, House, No. 4227) of Paul J. Donato and Patricia D. Jehlen (with the approval of the mayor and city council) relative to authorizing the election of a charter commission in the city of Medford. Election Laws. [Local Approval Received.]

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act authorizing the election of a charter commission in the city of Medford at the state election (presidential election) to take place on November 8, 2016.

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

1 Be it hereby Resolved, that the Legislature of the Commonwealth of Massachusetts
2 enact a Home Rule Petition allowing for the election of a Charter Commission in the City of
3 Medford at the State Election (Presidential Election) to be held on November 8, 2016. Provided
4 further, that the Legislature may reasonably vary the form and substance of the requested
5 legislation within the scope of the general public objectives of this petition.

6 Whereas, The deferred operation of this act would tend to defeat its purpose, which is
7 to provide a method of allowing the present Charter of the City of Medford be reviewed without
8 the necessity of first securing the signatures of 15% of the voters in the City who were eligible to
9 vote in the last state election as is required by G.L. c 43B § 3 and, further, forgoing necessity of
10 submitting the question of adopting or revising the charter to the voters of the City of Medford as
11 is required by G.L. c 43B § 4.

12 Therefore, it is hereby declared to be an emergency law, necessary for the common
13 good and public convenience of the residents of he City of Medford.

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

16 Section 1.

17 Notwithstanding section 3 and section 4 of Chapter 43B of the General Laws or the
18 provisions of any general law, special law or regulation to the contrary, in the City of Medford a
19 nine (9) person municipal Charter Commission shall be elected at the state (presidential) election
20 that will take place on November 8, 2016.

21

22 Notwithstanding the provisions of G.L. c 43B § 3, the election of the Charter
23 Commission in the City of Medford shall not require the securing of signatures in an amount
24 equal to fifteen percent (15%) of the voters in the City who were eligible to vote in the last state
25 election; and,

26 Notwithstanding the provisions of G.L. c 43B § 4, there shall not be a requirement that
27 a question be submitted to the voters in the City of Medford asking them whether the present
28 City Charter should be revised or another charter adopted.

29 The Charter Commission, once elected shall be charged with the duty of deciding
30 whether to recommend any revisions and amendments to the Plan A Charter, as modified by
31 Chapter 605 of the Acts of 1986 and any applicable special laws and statutes, as the same is
32 presently in effect in the City of Medford; and

33 Notwithstanding the provisions of G.L. c 43B § 9, the Charter Commission shall be
34 required to submit its final report containing any proposed revisions or amendments to the
35 present City of Medford Charter on or before June 30, 2017 and that the any recommended
36 revisions or amendments will be placed on the ballot for the next municipal election which will
37 take place in November 7, 2017.

38 With the exception of the provisions and limitations set forth herein, the Charter
39 Commission, shall be nominated and elected in accordance with the provisions of G.L. c 43B
40 and shall have the powers of a Charter Commission as they same is set forth in G.L. c 43B to
41 recommend revisions and amendments to the Plan A Charter, as modified by Chapter 605 of the
42 Acts of 1986 and any applicable special laws and statutes, as the same is presently in effect in the
43 City of Medford.

44 Section 2

45 This act shall take effect upon its passage.