

**SENATE . . . . . No. 795**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Steven A. Tolman**

*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 passage of the accompanying bill:

An Act relative to municipal officials.

PETITION OF:

NAME:

Steven A. Tolman

DISTRICT/ADDRESS:

Second Suffolk and Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. S01207 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine

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### AN ACT RELATIVE TO MUNICIPAL OFFICIALS.

*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 6A of Chapter 39 of the General laws, as amended by section 1 of  
2 Chapter 7 of the acts of 1999, is hereby further amended by striking out the first sentence and  
3 inserting in place thereof the following sentence:- Notwithstanding the provisions of any city  
4 charter to the contrary, the mayor and the members of the city council, or other legislative body  
5 of a city, shall receive for their services such salary as the city council or other legislative body  
6 of a city shall by ordinance determine, and shall receive no other compensation from such city,  
7 except that a member of a city council of said city may receive a salary for serving as an  
8 instructor in a municipal college of such city, except that a member of a town council in a  
9 municipality with a town council form of government may receive a salary for serving as a  
10 municipal employee of said municipality; provided, however, that said city or town council  
11 member may not vote on or act in any matter which is within the purview of the agency by  
12 which he is employed or over which he has official responsibility; provided further, that no such  
13 council member shall be eligible for appointment to any such additional position while he is still

14 a member of the city or town council or for six months thereafter and except that, in accordance  
15 with the provision of the seventh paragraph of section 20 of Chapter 268A, any elected  
16 municipal official, other than a mayor; may chose to receive either compensation for service as  
17 an employee of a housing authority in such municipality, but may not receive both.

18 SECTION 2. Section 17A of Chapter 43 of the General Laws, as amended by section 2  
19 of said chapter 7 of the acts of 1999, is hereby further amended by striking out the first sentence  
20 and inserting in place thereof the following sentence:- The mayor or city manager and the  
21 members of the city council shall receive for their services such salary as the city council shall  
22 by ordinance determine, and they shall receive no other compensation from the city, except that a  
23 member of the city or town council in a municipality with a city or town council form of  
24 government may receive a salary for serving as a municipal employee of said municipality;  
25 provided, however, that said city or town council member may not vote or act on any matter  
26 which is within the purview of the agency by which he is employed or over which he has official  
27 responsibility; provided further, that no such council member shall be eligible for appointment to  
28 any such additional position while he is still a member of the city or town council or for six  
29 months thereafter.

30 SECTION 3. Section 20 of Chapter 268A of the General Laws, as appearing in the 1998  
31 Official Edition, is hereby amended by striking out, in lines 64 to 68, inclusive, the words,  
32 “provided, however, that such selectman shall not, except as hereinafter provided, receive  
33 compensation for more than one office or position held in a town, but shall have the right to  
34 choose which compensation he shall receive; provided further that no such selectman” and

35 inserting in place thereof the following words:-- provided, however, that if such selectman  
36 receives a salary for both positions, he.

37 SECTION 4. The sixth paragraph of said section 20 of said chapter 268A, as so  
38 appearing, is hereby further amended by striking out the last sentence.