

# HOUSE . . . . No. 1184

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Bill accompanying the petition of Philip R. Ammidon relative to the submission of measures to the voters of cities. Cities. January 19.

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## The Commonwealth of Massachusetts.

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In the Year One Thousand Nine Hundred and Sixteen.

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### AN ACT

Relative to the Submission of Measures to the Voters of Cities.

*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 forty-two of chapter two hundred  
2 and sixty-seven, Part I of the general acts of the year  
3 nineteen hundred and fifteen, is hereby amended by  
4 adding at the end of the first paragraph of said section  
5 the words: — subject, however, to the provisions of  
6 section forty-seven of this act, — and said section forty-  
7 two is further amended by adding at the end thereof a  
8 new paragraph, as follows: — No vote of the city council  
9 confirming or rejecting an appointment or removal by  
10 the mayor shall be interpreted as a “measure” so as to  
11 be subject to a referendum petition as provided in this  
12 section, — so that said section shall read as follows: —

13 *Section 42.* If within twenty days after the final passage  
14 of any measure by the city council or by the school  
15 committee, a petition signed by registered voters of the  
16 city, equal in number to at least twelve per cent of the  
17 total number of registered voters, be presented to the  
18 city council or to the school committee, as the case may  
19 be, protesting against such measure or any part thereof  
20 taking effect, the same shall thereupon and thereby be  
21 suspended from taking effect; and the city council or  
22 the school committee, as the case may be, shall im-  
23 mediately reconsider such measure or part thereof; and  
24 if such measure or part thereof be not entirely annulled,  
25 repealed or rescinded, the city council shall submit the  
26 same, by the method herein provided, to a vote of the  
27 qualified voters of the city, either at the next regular  
28 city election, or at a special election which may, in its  
29 discretion, be called for the purpose, and such measure  
30 or part thereof shall forthwith become null and void  
31 unless a majority of the qualified voters voting on the  
32 same at such election shall vote in favor thereof, subject,  
33 however, to the provisions of section forty-seven of this  
34 act.

35 The petition provided for by this section shall be  
36 termed a referendum petition.

37 The procedure in respect to such referendum petition  
38 shall be the same as that provided by section forty of  
39 this act, except that the words "measure or part thereof  
40 protested against" shall for this purpose be understood  
41 to replace the word "measure" in that section wherever  
42 it may occur and that the word "referendum" shall be  
43 understood to replace the word "initiative" in that sec-  
44 tion.

45 No vote of the city council confirming or rejecting an  
46 appointment or removal by the Mayor shall be in-

47 terpreted as a "measure" so as to be subject to a refer-  
48 endum petition as provided in this section.

1 SECTION 2. Section forty-six of said chapter two hun-  
2 dred and sixty-seven is hereby amended by striking out  
3 the last sentence of said section and inserting in place  
4 thereof the following: — No measure proposed under the  
5 provisions of sections thirty-eight, thirty-nine, forty and  
6 forty-one of this act shall go into effect unless it receives  
7 the affirmative votes of at least a third of the whole  
8 number of registered voters. No measure submitted to  
9 the voters under the provisions of section forty-two of  
10 this act shall be rejected unless at least a third of the  
11 whole number of registered voters shall vote in the  
12 negative, — so that said section shall read as follows: —  
13 *Section 46.* The ballots used when voting upon such  
14 proposed measure shall state the nature of the measure  
15 in terms sufficient to show the substance thereof. No  
16 measure proposed under the provisions of sections thirty-  
17 eight, thirty-nine, forty and forty-one of this act shall  
18 go into effect unless it receives the affirmative votes of at  
19 least a third of the whole number of registered voters.  
20 No measure submitted to the voters under the provi-  
21 sions of section forty-two of this act shall be rejected  
22 unless at least a third of the whole number of registered  
23 voters shall vote in the negative.

1 SECTION 3. This act shall take effect upon its passage.

