
By Mr. McCarthy, a petition (accompanied by bill, Senate, No. 805) of Robert E. McCarthy for legislation to establish a procedure for the reversion of statutes previously accepted by cities and towns. Local Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-seven.

AN ACT ESTABLISHING A PROCEDURE FOR THE RECISSION OF STATUTES PREVIOUSLY ACCEPTED BY CITIES AND TOWNS.

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

- 1 Chapter 4 of the General Laws is hereby amended by in-
- 2 serting after section 4A the following section: —
- 3 *Section 4B.* At any time after the expiration of three years
- 4 from the date on which any optional provision of the General
- 5 Laws has been accepted in any city or town, whether by of-
- 6 ficial ballot, by by-law, by ordinance or by vote of the legis-
- 7 lative body of the city or town, or by vote of the board of
- 8 selectmen or school committee of a town, the revocation of
- 9 such acceptance of any optional provision of the General Laws
- 10 shall be effected in the same manner as was the original vote
- 11 to accept the said provisions, but such revocation shall be
- 12 subject in the following restrictions: —
- 13 (a) This section shall not apply if the optional provision
- 14 contains, within itself, another manner of revocation.
- 15 (b) This section shall not apply to any optional provision
- 16 which authorizes, but does not require, the city or town to
- 17 act.
- 18 (c) This section shall not apply to any action taken under
- 19 chapter thirty-one, thirty-two, thirty-two B of the General
- 20 Laws.
- 21 (d) This section shall not apply to any action taken to
- 22 establish a regional district, authority or other entity which
- 23 involves another city, town, district or other governmental
- 24 entity.
- 25 (e) This section shall not affect any contractual rights

26 which have come into existence between the city or the town
27 and any officer or employee thereof as a result of the original
28 acceptance of any optional provision of the General Laws,
29 provided, however, such revocation shall apply to the successor
30 to the incumbent officer or employee, which application shall
31 prevent the same contractual right from automatically con-
32 tinuing with respect to such successor officer or employee.

33 (f) If, within sixty days following the date the vote to re-
34 voke the acceptance of any optional provision of the General
35 Laws is taken, other than a vote which has been submitted to
36 the voters on official ballots, a petition signed by five percent
37 or more of the registered voters of said city or town request-
38 ing that the question of revoking the acceptance by submitting
39 to the voters of such city or town, is filed in the office of the
40 city or town clerk, such vote shall be suspended from taking
41 effect until the question is determined by vote of the registered
42 voters voting thereon at the next regular city or town election,
43 or if the city council or board of selectmen or other authority
44 charged with calling elections shall so direct, at a special
45 election called for that purpose. In response to the following
46 question: — "Shall the acceptance by the (City,
47 Town) of section(s) of chapter of
48 the General Laws be revoked?" A brief summary of the rele-
49 vant section or sections of the General Laws shall also ap-
50 pear on the official ballot. If such revocation is favored by a
51 majority of the voters voting thereon, the acceptance of said
52 optional law shall be revoked and it shall become null and
53 void beginning with the first day of the month next follow-
54 ing said revocation.

55 (g) Petitions filed requesting the placement of the question
56 of revocation on the ballot for determination by the voters
57 shall be substantially in conformity with the provisions of law
58 governing the signing of nomination papers for city and town
59 offices, to the identification and certification of names thereon,
60 and submission to the registrars therefor.

61 (h) If, on the sixty-first day following the date a vote has
62 been taken to revoke the acceptance of an optional provision
63 of the General Laws, and no petition as aforesaid has been
64 filed, the vote to revoke shall become effective forthwith.