
To accompany the petition of Edmund J. Casey for legislation relative to the offices of mayor and vice-chairman of cities having the Plan D or Plan E method of city government. Cities.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Six.

AN ACT RELATIVE TO THE OFFICES OF MAYOR AND VICE-CHAIRMAN OF CITIES HAVING THE PLAN D OR PLAN E METHOD OF CITY GOVERNMENT.

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. Chapter 43 of the General Laws is hereby
2 amended by striking out section 83, as appearing in sec-
3 tion 8 of chapter 459 of the acts of 1948, and inserting in
4 place thereof the following section:—

5 *Section 83.* The city council shall have and exercise
6 all the legislative powers of the city, except as such
7 powers are reserved by this chapter to the school com-
8 mittee and to the qualified voters of the city.

9 The city council, elected as aforesaid, shall meet at
10 ten o'clock in the forenoon of the first Monday of Janu-
11 ary following the regular municipal election, and the
12 members of the city council shall severally make oath
13 before the city clerk or a justice of the peace, to perform
14 faithfully the duties of their respective offices, except
15 that any member-elect not present shall so make oath
16 at the first regular meeting of the city council thereafter
17 which he attends. For the purposes of organization, the
18 city clerk shall be temporary chairman until the mayor
19 or vice-chairman has qualified. That member of the
20 council who received the largest number of votes shall

21 serve as mayor of the city, and that member of the
22 council who received the next largest number of votes
23 shall serve as vice-chairman. They shall likewise make
24 oath to perform faithfully the duties of their respective
25 offices. The organization of the city council shall take
26 place as aforesaid, notwithstanding the absence, death,
27 refusal to serve or non-election of one or more of the
28 members; provided, that a majority of all the members
29 elected to the city council are present and have qualified.
30 If the office of mayor becomes vacant, the vice-chairman
31 shall succeed to that office, and if the office of vice-
32 chairman becomes vacant, it shall be filled by that mem-
33 ber of the council who received the next largest number
34 of votes.

1 SECTION 2. Said chapter 43 is hereby further amended
2 by striking out the heading preceding section 93 of said
3 chapter, and inserting in place thereof the following
4 heading:—

5 PLAN E. — GOVERNMENT BY A CITY COUNCIL INCLUDING
A MAYOR AND CITY MANAGER.

1 SECTION 3. Said chapter 43 is hereby further amended
2 by striking out section 97, as appearing in section 15 of
3 chapter 378 of the acts of 1938, and inserting in place
4 thereof the following section:—

5 *Section 97.* The city council shall have and exercise
6 all the legislative powers of the city, except as such
7 powers are reserved by this chapter to the school com-
8 mittee and to the qualified voters of the city.

9 The city council, elected as aforesaid, shall meet at
10 ten o'clock in the forenoon of the first Monday of Janu-
11 ary following the regular municipal election, and the
12 members of the city council shall severally make oath,
13 before the city clerk or a justice of the peace, to perform
14 faithfully the duties of their respective offices, except
15 that any member-elect not present shall so make oath
16 at the first regular meeting of the city council thereafter

17 which he attends. For the purposes of organization, the
18 city clerk shall be temporary chairman until the mayor
19 or vice-chairman has qualified. That member of the
20 council who received the largest number of votes, if the
21 election was by ordinary plurality voting, or the largest
22 number of first choices, if the election was proportional
23 representation, shall serve as mayor of the city, and that
24 member of the council who received the next largest
25 number of votes or first choices, as the case may be,
26 shall serve as vice-chairman. They shall likewise make
27 oath to perform faithfully the duties of their respective
28 offices. The organization of the city council shall take
29 place as aforesaid, notwithstanding the absence, death,
30 refusal to serve or non-election of one or more of the
31 members; provided, that a majority of all the members
32 elected to the city council are present and have qualified.
33 If the office of mayor becomes vacant, the vice-chairman
34 shall succeed to that office, and if the office of vice-
35 chairman becomes vacant, it shall be filled by that
36 member of the council who received the next largest
37 number of votes or first choices, as the case may be.

