

SENATE No. 733

The Commonwealth of Massachusetts

SENATE, May 29, 1958.

The committee on Municipal Finance on the part of the Senate, to whom was referred the House Bill relative to the compensation of the officers and members of the fire fighting force and the fire alarm division of the fire department of the city of Boston (House, No. 2858, amended), — report recommending that the same ought to pass, with an amendment substituting a new draft entitled "An Act relative to the compensation of fire fighters and uniformed fire alarm personnel employed by the city of Boston" (Senate, No. 733).

For the committee,

JAMES W. HENNIGAN, JR.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO THE COMPENSATION OF FIRE FIGHTERS AND UNIFORMED FIRE ALARM PERSONNEL EMPLOYED BY THE CITY OF BOSTON.

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. The officers and members of the fire-fighting
2 force of the fire department of the city of Boston shall receive
3 such annual salary as shall from time to time be fixed by the
4 fire commissioner with the approval of the mayor; provided,
5 however, that the chief of department shall not receive as an
6 annual salary less than eleven thousand nine hundred and forty
7 dollars, nor an assistant chief less than ninety-eight hundred
8 and forty dollars, nor a deputy chief less than eighty-eight hun-
9 dred and forty dollars, nor a district chief less than eight
10 thousand dollars, nor a captain less than sixty-nine hundred and
11 sixty dollars, nor a lieutenant less than sixty-two hundred and
12 eighty dollars, nor a firefighter, after the second year of service,
13 less than fifty-five hundred dollars, nor a firefighter in the
14 second year of service, less than five thousand and thirty dol-
15 lars, nor a firefighter in the first year of service less than forty-
16 eight hundred and eighty dollars.

1 SECTION 2. The officers and members of the fire alarm divi-
2 sion of the fire department of said city shall receive such annual
3 salary as shall from time to time be fixed by the fire commis-
4 sioner with the approval of the mayor; provided, however,
5 that the superintendent of fire alarm shall not receive as an
6 annual salary less than eighty-eight hundred and forty dollars;
7 nor an assistant superintendent less than eight thousand dol-
8 lars; nor a general foreman of fire alarm construction nor a
9 radio supervisor less than seventy-three hundred and sixty

10 dollars; nor a principal fire alarm operator nor a foreman of
 11 inside wiremen nor a foreman of linemen and cable splicers less
 12 than sixty-nine hundred and sixty dollars; nor a senior fire
 13 alarm operator nor a radio operator nor a working foreman
 14 machinist nor a working foreman lineman and cable splicer
 15 nor an inside wireman less than sixty-two hundred and eighty
 16 dollars; nor an electrical equipment repairman, after the
 17 second year of service, less than fifty-seven hundred dollars,
 18 nor in the second year of service less than five thousand and
 19 thirty dollars, nor in the first year of service less than forty-
 20 eight hundred and eighty dollars, nor a fire alarm operator nor
 21 a radio repairman nor a machinist nor a cable splicer nor a
 22 lineman nor a motor equipment operator after the second year
 23 of service less than fifty-five hundred dollars, nor in the second
 24 year of service less than five thousand and thirty dollars, nor
 25 in the first year of service less than forty-eight hundred and
 26 eighty dollars.

1 SECTION 3. (a) If a petition is obtained, signed and filed,
 2 and signatures of petitioners thereon certified, and a certificate
 3 transmitted to the state secretary, all as provided in this section,
 4 there shall be printed on the official ballot to be used in the city
 5 of Boston at the biennial state election in the current year the
 6 following question:— Shall fire fighters and uniformed fire
 7 alarm personnel employed by the city of Boston, who now
 8 receive a yearly salary of \$4,090 to start, and of \$4,450 after
 9 two years' service, and of \$4,710 after eleven years' service,
 10 receive an increase of at least \$790 to a minimum
 11 yearly salary of \$4,880 to start, and of \$5,500 after
 12 two years' service, with salary increases of at least
 13 \$790 for their uniformed superiors?

YES	
NO	

14 (b) A petition for the printing of such question as aforesaid
 15 shall be issued only if after the effective date of this section,
 16 ten or more registered voters of the city appear together at the
 17 office of the board of election commissioners of the city, else-
 18 where in this act called the election commission, and in the
 19 presence of a justice of the peace subscribe, in a book kept for
 20 the purpose by the election commission, a request for the
 21 issuance of such petition in substantially the following form:—

THE COMMONWEALTH OF MASSACHUSETTS

CITY OF BOSTON

REQUEST FOR ISSUANCE OF PETITION FOR PRINTING OF QUESTION ON BALLOT.

Each of the undersigned hereby declares under the pains and penalties of perjury on this day of 1958:

1. That he is a registered voter of the City of Boston residing at the street and number, and in the ward, set against his name.

2. That he desires to have printed on the official ballot to be used in the City of Boston at the biennial state election to be held in the current year the following question:

(here insert the question set forth in paragraph (a) of this section).

3. And that he hereby requests the issuance of a petition for such printing of such question.

The undersigned do hereby appoint each of the following persons: — *(here insert name and address of one or more persons)* as their duly authorized agents to receive the petition hereby requested.

Signature of
Petitioner

Residence on
January 1, 1958

Ward

Precinct

Present
Residence

Signed by the subscribers appearing together at the office of the Board of Election Commissioners of the City of Boston on this day of 1958 in the presence of

.....
Justice of the Peace.

22 (c) If a request is subscribed as provided for by paragraph (b)
23 of this section, the election commission shall check each name
24 on such request and shall certify thereon the number of sig-
25 natures so checked which are the names of registered voters of
26 the city and, if such request contains at least ten names certified
27 pursuant to this paragraph, shall, not later than five o'clock in
28 the afternoon of the tenth day after the subscription of such
29 request issue to any one of the persons specified in such request
30 as the duly authorized agents of the persons subscribing such
31 request petition sheets containing spaces for signature equal in
32 number to one half of the number of persons registered to vote in
33 the city at the biennial state election next preceding the filing
34 of such request. Each petition sheet shall be in substantially
35 the following form:

THE COMMONWEALTH OF MASSACHUSETTS.

CITY OF BOSTON

PETITION FOR PRINTING OF CERTAIN QUESTION ON BALLOT IN THE CITY OF BOSTON.

To the Board of Election Commissioners of the City of Boston:

We, the undersigned, registered voters of the City of Boston, hereby petition that there be printed on the official ballot to be used in the City of Boston at the biennial state election to be held on Tuesday, November 4, 1958, the following question: —

(here insert the question set forth in paragraph (a) of this section)

Signatures of Petitioners (To be signed in Person with Name as registered)	Residence January 1, 1958 (If registered after above date, residence when registered)	Ward	Precinct	Present Residence
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THE COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BOSTON,

19 .

The undersigned, being the circulator or circulators of this sheet, severally certify, under the pains and penalties of perjury, that the persons whose names are written upon the lines the numbers of which appear opposite our signatures below, signed the same in person.

Names and Addresses of Persons
circulating this Sheet

Number of Lines upon which
appear Signatures as to which
Certification is made hereby

NAME

ADDRESS

(Add here or at some other convenient place on petition sheet the following) —

This petition sheet filed by

.....
Signature of Filer

.....
Number, Street, City

36 Each petition sheet shall, before issuance, be prepared by the
37 election commission by making the insertion required by the
38 foregoing form. No petition sheet shall be valid unless prepared
39 and issued by the election commission.

40 (d) A petition for the printing of said question as aforesaid
41 shall be signed by registered voters of the city to a number equal
42 at least to five per cent of the persons registered to vote in the
43 city at the biennial state election next preceding the filing
44 of the petition. Every voter signing such a petition shall sign

45 in person, with his name as registered, and shall state his
46 residence on January first preceding, or his residence when
47 registered if subsequent thereto, and the place where he is then
48 living, with the street and number, if any; but any voter who
49 is prevented by physical disability from writing may authorize
50 some person to write his name and residence in his presence.
51 The signature of any petitioner which is not certified by the
52 circulator of the sheet as provided in the form set forth in
53 paragraph (c) of this section shall not be counted in determining
54 the number of petitioners. If the name of any voter appears
55 as petitioner on the same petition more than once, it shall be
56 deemed to appear but once.

57 (e) The separate sheets of a petition for the printing of said
58 question as aforesaid shall be filed all together with the election
59 commission at or before five o'clock in the afternoon of July
60 twenty-second in the current year. Every sheet of such petition
61 shall be signed by the person filing such petition who, if he is
62 other than the person appointed to receive the petition upon
63 the issuance thereof, shall add to his signature his place of
64 residence, giving street and number, if any; and the election
65 commission shall require satisfactory identification of such
66 person. Such petition shall, when filed, be a matter of public
67 record; but such petition shall not be open to public inspection
68 until the signatures thereon have been certified.

69 (f) Upon the filing of a petition for the printing of said ques-
70 tion as aforesaid the election commission shall check each name
71 to be certified by it on such petition and shall certify thereon
72 the number of signatures so checked which are the names of
73 registered voters of the city; provided, however, that said
74 commission shall not certify a greater number of names than
75 required by paragraph (d) of this section with one fifth of such
76 number added thereto. Names not certified in the first instance
77 shall not thereafter be certified on the same petition. A peti-
78 tion not containing names certified pursuant to this paragraph,
79 to the number required by said paragraph (d), shall be invalid.
80 The election commission shall complete the certification re-
81 quired by this paragraph at or before five o'clock in the after-
82 noon of August nineteenth in the current year.

83 (g) A petition for the printing of said question as aforesaid
84 which has been filed and is in apparent conformity with law

85 shall be deemed to be valid unless written objection thereto is
86 made by a registered voter of the city. Such objection shall be
87 filed with the election commission at or before five o'clock in
88 the afternoon of August twenty-sixth in the current year. Any
89 general or special law to the contrary notwithstanding, objec-
90 tions filed with the election commission shall forthwith be
91 transmitted by it to the Boston ballot law commission, which
92 shall forthwith consider such objections and not later than
93 September ninth in the current year render its decision on such
94 objections stating its finding as to the validity of the petition.
95 In all matters relating to such objections, said commission shall
96 have the powers and perform the duties prescribed by law for
97 the state ballot law commission in matters under its jurisdic-
98 tion; and the decision of said commission shall in like manner
99 be final except that it shall be subject to judicial review under
100 section fourteen of chapter thirty A of the General Laws. Cer-
101 tification pursuant to paragraph (f) of this section shall not
102 preclude a voter from filing objections to the validity of such
103 petition.

104 (h) If such petition is either deemed or found to be valid
105 under paragraph (g) of this section, the election commission
106 shall transmit to the state secretary not later than five o'clock
107 in the afternoon of September sixteenth in the current year
108 a certificate of the filing of a petition in conformity with this
109 section, of the certification of signatures of petitioners thereon
110 to the number required by paragraph (d) of this section, and of
111 the deeming or finding of such petition to be valid under para-
112 graph (g) of this section.

1 SECTION 4. Section three of this act shall take effect upon
2 its passage. Sections one and two of this act shall take effect
3 on the first Wednesday of January, nineteen hundred and
4 fifty-nine, if the aforesaid question is printed on the official
5 ballot to be used in the city of Boston at the biennial state
6 election in the current year and a majority of votes cast in
7 answer to such question at such election are in the affirmative.
8 If said question is not printed on such ballot at such election
9 or if a majority of votes cast in answer to such question at such
10 election are in the negative, said sections one and two shall
11 be null and void.

