HOUSE . . . . . No. 1638

By Mr. Farrell of Worcester, petition of Charles H. McGlue and Thomas F. Farrell that provision be made for ward councillors in Plan A cities. Local Affairs.

The Commonwealth of Massachusetts

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

AN ACT TO PROVIDE FOR WARD COUNCILLORS IN PLAN A CITIES.

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

SECTION 1. So much of section fifty of chapter forty-three of the General Laws as provides for the election of seven or nine persons elected at large by and from the qualified voters in cities having a Plan A form of city charter is hereby repealed.

Section 1A. Notwithstanding the provisions of section one, in any city which has adopted the Plan A form of city charter, the provisions of law repealed by said section shall continue to apply until a referendum has been held in said city as provided in section three and a majority of the voters voting in answer to the question set forth in said section three vote in the affirmative.

SECTION 2. The legislative powers of the city shall be vested in a city council. One of its members shall be elected by the council annually as its president. In cities having five wards, the council shall be composed of seven members, one from each ward and two at large; in cities having six wards, the city council shall be composed of nine members, one from each ward and three at large; in cities having seven wards, the city council shall be composed of eleven members, one from each ward and four at large; in cities having eight wards, the city council shall be composed of eleven members, one from each ward and three at large; in cities having nine wards, the city council shall be composed of thirteen members, one from each ward and four at large; in cities having ten wards, the city council shall be composed of fifteen members, one from each ward and five

at large; in cities having eleven wards, the city council shall be composed of fifteen members, one from each ward and four at large; in cities having twelve wards, the city council shall be composed of fifteen members, one from each ward and three at large. Each ward councillor shall be a registered voter in the ward from which he seeks election, and shall be elected by and from the qualified voters of that ward. The councillors-at-large shall be elected by and from the qualified voters of the city.

All members of the city council whether elected at large or by wards shall be elected to serve for two years from the first Monday in January following their elections and until their successors are qualified.

SECTION 3. Upon petition of five per cent of the registered voters of any city, which has adopted the Plan A form of city charter, filed with the city clerk or election commissioners not later than sixty days before the regular city election, this act shall be submitted for acceptance to the registered voters of said city election in the form of the following question, which shall be placed on the official ballot to be used in said city at such city election :—"Shall an act passed by the General Court entitled, 'An act providing for the nomination and election of a councillor from each ward and some at large' be accepted?"

The petition shall be submitted to the registrars of voters for the certification of the names, thereon not later than five o'clock post meridian of the seventh day preceding the day on which it must be filed with the city clerk.

SECTION 4. If any question arises as to the validity or sufficiency of the petition or of the signatures thereon, any registered voter of the city may appear to the state ballot law commission for a determination of said question, by filing a notice of such appeal with the city council and with the clerk of the election commission or the board of registrars of voters within eight days after the date the petition was filed with the city clerk by the petitioners, and the state ballot law commission shall give such petitioner a hearing on said question and shall within thirty days render a decision thereon. Said commission shall submit notice of its decision forthwith to the city council.

1 SECTION 5. Section fifty of chapter forty-three of the Gen-
2 eral Laws relating to Plan A in so far as it is inconsistent with
3 the provisions of this act shall not apply to this city.

1 SECTION 6. Notwithstanding the provisions of section thir-
2 teen of chapter forty-three of the General Laws, this act shall
3 take effect upon its acceptance by a majority of the voters vot-
4 ing thereon.