

SENATE No. 901

By Mr. Aylmer, a petition (accompanied by bill, Senate, No. 901) of John F. Aylmer, Jeremiah F. Cahir and Haden G. Greenhalgh for legislation to eliminate the requirement that town by-laws shall be approved by the Attorney General. Local Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-one.

AN ACT ELIMINATING THE REQUIREMENT THAT TOWN BY-LAWS SHALL BE APPROVED BY THE ATTORNEY GENERAL.

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 32 of chapter 40 of the General Laws is
2 hereby amended by striking out the first five sentences.

1 SECTION 2. Section 15 of chapter 39 of the General Laws is
2 hereby amended by striking out the second paragraph and in-
3 serting therein the following paragraph: —

4 A town may pass by-laws, subject to this section, for the
5 regulation of the proceedings at town meetings. Such by-laws
6 shall be published in the manner prescribed by section thirty-
7 two of chapter 40.

1 SECTION 3. Section 5 of chapter 40A of the General Laws is
2 hereby amended by striking out the sixth and seventh para-
3 graphs and inserting in place thereof the following para-
4 graph: —

5 The effective date of the adoption or amendment of any
6 zoning ordinance or by-laws shall be the date in which such
7 adoption or amendment was voted upon by a city council or
8 town meeting; if in towns, publication in a town bulletin or
9 pamphlet and posting has been made or publication in a news-
10 paper pursuant to section thirty-two of chapter forty.

1 SECTION 4. Section 21 of chapter 40 of the General Laws is
2 hereby amended by adding the following paragraph: —

3 By-laws not repugnant to law are effective upon their pas-
4 sage by the town.

The Commission of Investigation

to be the first step towards the solution of the problem

As a result of the Commission's report, the following steps should be taken:

1. The Commission should be authorized to investigate the problem in all its aspects.

2. The Commission should be authorized to hold public hearings and to receive evidence from all interested parties.

3. The Commission should be authorized to make recommendations to the Government on the basis of its findings.

4. The Commission should be authorized to report to the Government on its findings and recommendations.

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