

HOUSE No. 2014

By Mr. Murphy of Burlington, petition of Robert A. Havern and Charles A. Murphy (by vote of the town) relative to referendum petitions and procedures in town meetings in the town of Burlington. Rules. [Local Approval Received.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO THE PROCEDURES OF TOWN MEETING IN BURLINGTON.

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

1 Subsection (g) of Section 12 of Chapter 686 of the Acts of 1970
2 is hereby amended by striking out the subsection in its entirety
3 and inserting in place thereof the following subsection:

4 (g) No final vote of any representative town meeting session
5 passing or rejecting a measure under any article in the warrant,
6 except a vote to adjourn, or an authorization to borrow money in
7 anticipation of taxes, an authorization to pay debts and obligations
8 of the town, an appropriation of funds necessary to implement a
9 written agreement executed under section one hundred and
10 seventy-eight I of chapter one hundred and forty-nine of the
11 General Laws, or the budget of the town as a whole, or a vote
12 declared by preamble to be an emergency measure necessary for
13 the immediate preservation of peace, health, safety or convenience
14 of the town, and which is passed by a two thirds vote of the mem-
15 bership, shall be operative until fourteen days after the adoption
16 of such vote.

17 If, within said fourteen days, a petition signed by not less than
18 five per cent of the registered voters of the town, containing their
19 names and addresses as they appear on the list of registered voters
20 at the most recent election, is filed in the office of the selectmen
21 requesting that the question or questions involved in any such
22 vote be submitted to the registered voters of the town at large,

23 then the operation of such vote shall be further suspended pending
24 its determination as hereinafter provided. The board of registrars
25 shall certify the signatures within seven days of the filing date.
26 The selectmen shall forthwith after the board of registrars certifies
27 the petition has the requisite number of signatures call a special
28 election which shall be held within 100 days but no sooner than
29 the earliest date on which the question may appear on the ballot
30 pursuant to section 42C of chapter 54 of the general laws, as it
31 may be amended from time to time; provided, however, that if a
32 regular or special town election is to be held within the 100 day
33 period, they may provide that the question or questions involved
34 be presented to the voters at the same election.

35 All votes shall be taken by official ballots, and the check list
36 shall be used in the same manner as in the election of town offi-
37 cers. The questions so submitted shall be determined by a
38 majority vote of the registered voters of the town voting thereon,
39 but no action of the representative town meeting shall be reversed
40 unless twenty five per cent of the registered voters of the town
41 shall so vote to reverse the vote of the representative town
42 meeting.

43 The questions so submitted shall be stated on the ballot in sub-
44 stantially the same language and form in which they were stated
45 when presented by the moderator to the representative town
46 meeting as appears from the records of said meeting, provided,
47 however, that if the question as stated by the moderator was
48 lengthy as determined by the board of selectmen in its sole discre-
49 tion the question may instead be stated in summary form by refer-
50 ring to the action taken by the representative town meeting.

51 This election shall be held on a Saturday, unless it is to be held
52 in conjunction with another election and the polls shall open no
53 later than two o'clock in the afternoon and shall be closed not ear-
54 lier than eight o'clock in the evening.

55 If a petition is not filed within fourteen days of a final vote of
56 the representative town meeting, it shall then become effective.

57 or to act in any other manner in relation thereto.