

SENATE No. 1990

The Commonwealth of Massachusetts

PRESENTED BY:

Katherine M. Clark

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the administrative organization of financial officers in the city of Malden.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|------------------------------|------------------------|
| <i>Katherine M. Clark</i> | <i>Fifth Middlesex</i> |
| <i>Paul J. Donato</i> | <i>35th Middlesex</i> |
| <i>Christopher G. Fallon</i> | <i>33rd Middlesex</i> |
| <i>Stephen Stat Smith</i> | <i>28th Middlesex</i> |

SENATE No. 1990

By Ms. Clark, a petition (accompanied by bill, Senate, No. 1990) of Katherine M. Clark, Paul J. Donato, Christopher G. Fallon and Stephen Stat Smith (with approval of the Mayor and city council) for legislation relative to the administrative organization of financial officers in the city of Malden. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to the administrative organization of financial officers in the city of Malden.

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 10 of Chapter 169 of the Acts of 1881 is hereby amended by
2 striking out the first five sentences and inserting in place thereof the following:

3 ?The Mayor shall be the chief executive officer of the city. He shall be active and vigilant
4 in causing

5 the laws and regulations of the city to be enforced and keep a general supervision over
6 the conduct and

7 performance of duties of all officers. He may, whenever in his opinion the public good
8 requires,

9 remove, with the consent of the appointing power, any officer over whose appointment
10 he has, in

accordance with the provisions of this charter, exercised the power of nomination. He may call special meetings of the City Council to be convened when in his opinion the interests of the city require it, by causing notices to be left at the usual place of residence of each member of the City Council. He shall from time to time communicate to the City Council such information and recommend such measures as the business and interests of the city may in his opinion require, including recommending, in compliance with applicable general laws and regulations, discipline or dismissal for cause of any officer appointed by the City Council.?

Section 2. Section 2 of Chapter 188 of the Acts of 1953, as it amends Chapter 180 of the Acts of 1917, is hereby further amended by striking out said section 2 and inserting in place thereof the following:

?Commencing in January of 2015 and every three years thereafter, the City Council shall choose by majority vote a Controller of Accounts, who shall hold office for the three years next ensuing and until a

31 successor is appointed and qualified; provided that he may be removed at any time by the
32 City Council

33 for sufficient cause. Any vacancy occurring in such office may be filled at any time by
34 majority vote of

35 the City Council. The compensation of the Controller of Accounts shall be fixed by
36 ordinance.?

37 Section 3. Chapter 446 of the Acts of 1950 is hereby amended by striking out
38 Section 1 of said act and inserting in place thereof the following: ?Upon passage of this act, the
39 City Council may, as soon as practicable, choose by majority vote a Treasurer, who shall serve
40 until December 31, 2011, unless sooner removed for cause. Commencing in January of 2012 and
41 every three years thereafter, the City Council shall choose by majority vote a

42 Treasurer who shall serve for the three years next ensuing and until a successor is
43 appointed and

44 qualified; provided that he may be removed by the City Council at any time for sufficient
45 cause. Any

46 vacancy occurring in such office may be filled at any time by majority vote of the City
47 Council. The

48 compensation of the Treasurer shall be fixed by ordinance.

49 The Treasurer shall have all the powers and duties imposed by law and ordinance on
50 municipal

51 treasurers and collectors of taxes and shall serve as Chief Financial Officer for the city.

52 As Chief Financial Officer, his duties shall include administering, coordinating and
53 supervising all

54 financial services, activities and officers, and assisting in all matters relating to municipal
55 financial

56 affairs. He shall, under the direction of the Mayor, prepare the annual appropriation order
57 for

58 consideration by the City Council and, under the direction of the Mayor and City
59 Council, develop and

60 implement a long range capital plan. He shall make recommendations to the Mayor and
61 City Council

62 for enhancing revenue and revenue collections and shall perform such other duties as
63 prescribed by the

64 Mayor and City Council.

65 Section 4. Section 11 of Chapter 169 of the Acts of 1881, as most recently
66 amended by Chapter 425 of the Acts of 2000, is hereby further amended by striking out the
67 phrase: "...provided that, when reconsidering the

68 election of an assessor, city clerk, controller, solicitor or treasurer, the election shall stand
69 if agreed to

70 by a majority of the members present and voting? and inserting in place thereof:

71 ?.....provided that,

72 when reconsidering the election of an assessor, city clerk, controller, solicitor or

73 treasurer, the election

74 shall stand if agreed to by a two thirds of the members present and voting.?

75 Section 5. The present Controller of Accounts shall hold office until December 31,

76 2014, unless sooner removed for cause.

77 Section 6. This act shall take effect upon passage.