

HOUSE No. 3919

The Commonwealth of Massachusetts

PRESENTED BY:

Denise Provost and Patricia D. Jehlen

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 charter of the city of Somerville.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>2/12/2014</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>2/12/2014</i>
<i>Carl M. Sciortino, Jr.</i>	<i>34th Middlesex</i>	<i>2/12/2014</i>
<i>Timothy J. Toomey, Jr.</i>	<i>26th Middlesex</i>	<i>2/13/2014</i>
<i>Dennis Sullivan</i>	<i>93 Highland Avenue Somerville, MA 02143</i>	<i>2/12/2014</i>
<i>Courteney O'Keefe</i>	<i>93 Highland Avenue Somerville, MA 02143</i>	<i>2/12/2014</i>
<i>Rebekah Gewirtz</i>	<i>93 Highland Avenue Somerville, MA 02143</i>	<i>2/12/2014</i>
<i>Tony LaFuente</i>	<i>93 Highland Avenue Somerville, MA 02143</i>	<i>2/12/2014</i>
<i>John Connolly</i>	<i>93 Highland Avenue Somerville, MA 02143</i>	<i>2/12/2014</i>
<i>Maureen Bastardi</i>	<i>93 Highland Avenue Somerville, MA 02143</i>	<i>2/12/2014</i>
<i>Bruce Desmond</i>	<i>93 Highland Avenue Somerville, MA 02143</i>	<i>2/12/2014</i>

<i>Joe Curtatone</i>	<i>93 Highland Avenue Somerville, MA 02143</i>	<i>2/12/2014</i>
<i>William White</i>	<i>93 Highland Avenue Somerville, MA 02143</i>	<i>2/12/2014</i>

HOUSE No. 3919

By Representative Provost of Somerville and Senator Jehlen, a joint petition (accompanied by bill, House, No. 3919) of Denise Provost, Patricia D. Jehlen and others (with the approval of the mayor and board of aldermen) relative to the charter of the city of Somerville. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

An Act relative to the charter of the city of Somerville.

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. Chapter 240 of the acts of 1899 is hereby amended by striking out section 7,
2 as most recently amended by chapter 400 of the acts of 2012, and inserting in place thereof the
3 following section:

4 Section 7. If there is no choice of mayor or if the person elected mayor shall refuse to
5 accept the office or shall die before qualifying, or if a vacancy in said office shall occur 5 months
6 or more prior to any regular municipal election, the board of aldermen shall immediately order a
7 special election, and the same proceedings shall be had in all respects as are provided for the
8 election of a mayor under this charter and shall be repeated until the election of a mayor is
9 completed. If the vacancy in the office of mayor shall occur less than 5 months prior to any
10 regular municipal election, it shall be filled by the board of aldermen from amongst its members
11 by a majority vote of all its members. If the full number of members in the office of alderman-
12 at-large has not been elected, or if a vacancy occurs in the office of alderman-at-large for any
13 cause, the city clerk shall within 5 calendar days notify the board of aldermen and the
14 chairperson of the board of election commissioners of such vacancy. Within 5 calendar days
15 after notification, the chairperson of the board of election commissioners, or a designee, shall
16 certify, in writing, to the city clerk that the defeated candidate for the office of alderman-at-large
17 with the next highest number of votes at the regular municipal election at which aldermen-at-
18 large were elected for the term in which the vacancy occurs shall serve as alderman-at-large, and
19 if such individual is eligible and willing to serve, the city clerk shall administer the oath of office
20 to such individual within 15 calendar days after said certification, to serve as alderman-at-large
21 for the unexpired term. If the person who is eligible declines the office, is not eligible and

22 willing to serve or fails to take such oath of office within the time period set forth in this section,
23 then the person with the next highest number of votes at such election who is eligible and willing
24 to serve shall fill the remainder of the unexpired term in the manner set forth in this section. If
25 there is no such defeated candidate eligible and willing to serve who has taken such oath of
26 office, and said vacancy occurs more than 180 days prior to any regular municipal election, the
27 board of aldermen shall immediately order a special election to fill such vacancy for the
28 remainder of the unexpired term.

29 If the full number of members in the office of alderman elected by ward has not been
30 elected, or if a vacancy occurs in the office of alderman elected by ward for any cause more than
31 180 days prior to any regular municipal election, the board of aldermen shall immediately order a
32 special election to fill such vacancy for the remainder of the unexpired term.

33 If a vacancy occurs 180 days or less prior to any regular municipal election in the office
34 of alderman-at-large, for which there is no such defeated candidate eligible and willing to serve
35 and who has taken such oath of office, or in the office of alderman elected by ward, for any
36 cause, then the person elected at the next regular municipal election for such office shall fill the
37 remainder of the unexpired term and the city clerk shall administer the oath of office to such
38 individual at the next meeting of the board of aldermen.

39 SECTION 2. This act shall take effect upon its passage.