

**HOUSE . . . . . No. 3968**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Mathew Muratore*

*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 town of Plymouth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Mathew Muratore</i>	<i>1st Plymouth</i>	<i>1/13/2016</i>
<i>Viriato M. deMacedo</i>	<i>Plymouth and Barnstable</i>	<i>1/13/2016</i>
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>	<i>1/13/2016</i>
<i>Randy Hunt</i>	<i>5th Barnstable</i>	<i>1/13/2016</i>

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By Mr. Muratore of Plymouth, a petition (accompanied by bill, House, No. 3968) of Mathew Muratore and others (by vote of the town of Plymouth) that the town of Plymouth be authorized to make certain changes to the charter of said town. Municipalities and Regional Government. [Local Approval Received.]

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**The Commonwealth of Massachusetts**

**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**

An Act relative to the charter of the town of Plymouth.

*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 1 of chapter 358 of the acts of 2004 is hereby amended by striking  
2 out section 2-4-6 and inserting in place thereof the following section:

3 2-4-6 A roll call vote shall be required for all final main motions on every warrant article  
4 and on any matters with respect to the following subject matters: adoption or amendment of  
5 zoning by-laws; adoption or amendment of general by-laws; and fiscal matters which are defined  
6 as any appropriation, borrowing, fund transfer, or the creation or re-authorization of such  
7 enterprise or revolving funds as may be authorized by state law, provided, however, that in the  
8 event of a vote which the Moderator determines to be near unanimous, the Moderator may elect  
9 to take a roll call of only those voting in the minority.

10 SECTION 2. Section 1 of chapter 358 of the acts of 2004 is hereby amended by striking  
11 out section 3-6-1 and inserting in place thereof the following section:

12           3-6-1: The director of the Department of Public Works shall be appointed by the Town  
13 Manager. The Director of the Department of Public Works shall be qualified by education and  
14 experience including a Master’s Degree in a related field for the duties of the office.

15           SECTION 3. 1 of chapter 358 of the acts of 2004 is hereby amended by striking out  
16 section 3-11-1 and 3-11-2 in their entirety.

17           SECTION 4. Section 1 of chapter 358 of the acts of 2004 is hereby amended by striking  
18 out 4-2-1 and inserting in place thereof the following section:

19           4-2-1 No representative town meeting member or elected town official representing the  
20 entire town shall hold simultaneously any other elected town office other than member of a  
21 charter commission. Any person who holds multiple offices in violation of this section shall  
22 promptly inform the town clerk as to which office that person will vacate. Election to any  
23 county, state or federal office other than county charter commission shall be an event  
24 disqualifying an elected town official, including, but not limited to, representative town meeting  
25 member, from continuing in an elected town office beginning the day s/he is sworn in to the  
26 county, state or federal office.

27           SECTION 5. Section 1 of chapter 358 of the acts of 2004 is hereby amended by striking  
28 out the word “second” in section 5-1-1 and inserting in its place the word “third.”

29           SECTION 6. This act shall take effect upon its passage.