

**Massachusetts House of Representatives
Bill Summary**

Bill #: H.4149

Title: An Act relative to the charter in the city of Lynn

Sponsor: Rep. Daniel Cahill

Committee: Joint Committee on Municipalities and Regional Government

Hearing Date: June 24, 2025

Current Law:

Sections 3-4a and 4-5a of the Lynn Charter state that members of the Lynn city council and school committee may not acquire paid employment within the city until two years after their term has concluded.

The Lynn Charter states that some notices, such as those for special meetings of the city council as detailed in Section 2-6b, must be hand delivered to the residents of said council's participants.

Section 3-13 concerns the filling of vacancies in the city council. It states that, in the case of a vacancy of an at-large seat, it shall be filled by the next highest vote-getter of the previous election. In the case of a ward councilor, however, the vacancy shall be filled by the next highest vote-getter so long as they received thirty percent of the total votes. Section 4-9 applies the at-large councilor vacancy fulfillment process for school committee members.

Section 2-5 allows the mayor to make temporary appointments for city office vacancies but places no time limits nor includes an approval process.

Section 2-9 states that a special election to fill a vacancy in the mayoralty if it occurs in the first fifteen months of the term.

Section 8-15 states that the mayor and other departments of the city government must compile a report on the general financial and administrative health of the municipality annually for public consumption.

Section 5-3 discusses supplementary budgets and other appropriations, including a requirement for a public hearing and city council review.

Section 6-1 states that the city council is empowered to reorganize city agencies.

Article 6 speaks at length about the powers, duties and responsibilities of various city officials, including the Chief Financial Officer and the Board of Assessors.

Article 7 concerns electoral regulations, including referendum and recall efforts. It states how petitions can be filed and the process by which a referendum or recall effort is conducted.

Section 8-6d states that a majority of a multi-member body constitutes a quorum, but a smaller number may adjourn from time to time.

Article 10 details the purpose, structure, and responsibilities of the Department of Inspectional Services.

Exec. Summary: H.4149 significantly amends the Lynn City Charter. Changes encompass a wide range of issues and are both substantive and clerical. The most salient changes include, but are not limited to, reforming the mayoral, city council, school committee, and city office vacancy processes, streamlining the budget process, eliminating the need for state permission to reorganize city government, and lowering the two year prohibition on major elected officials from holding paid city employment to one year.

Summary: Below is a more comprehensive list of changes H.4149 make to the Lynn City Charter:

- Adds a preamble
- Adds a list of definitions
- Lowers the two-year prohibition on the mayor, city councilors, and school committee members from holding paid city employment to one year; also allows the city council to waive prohibitions with a two-thirds majority vote
- Includes electronic mail as the primary form of communication for some notices
- Reforms the city council and school committee vacancy processes to have the vacancy filled by the second runner-up in the most recent election so long as said candidate received at least twenty percent of the vote. If no such candidate exists, then the city council will select a replacement from the voters
 - If the person selected runs in the next election, they must not have "candidate for re-election" printed next to their names on the ballot
- Allows temporary appointments to be any resident but limits said appointments to 120 days, unless otherwise extended by 30 days by the city council
- Extends the window for the mayoral vacancy process from the initial 15 months to 36 months
- Endows the city council to determine whether the mayor is sufficiently incapacitated to perform the duties of the office by

four-fifths vote of the city council; if passed, allows the city council to elect one its members to serve as acting mayor

- Removes the requirement for the mayor to submit an annual report to the city council
- Mandates that at least one member of the school committee, or designee, serve on any entity tasked with planning or construction of school property
- Removes the requirement for the school committee to conduct a budget hearing
- Eliminates the mayor's duty to be the coordinator of all school committee activities
- Requires school committee vacancies to be filled in the same manner as city council vacancies as aforementioned
- Delineates the fiscal year as beginning on July 1st and ending on June 30th
- Tasks the mayor with convening a joint meeting of the city council and school committee to review city finances prior to annual budget process
- Eliminates the pathway for supplementary budgets and other appropriations
- Mandates a five-year capital improvement program as envisioned by the mayor
- Removes language concerning allotments
- Eliminates the city council's power to introduce an administrative order
- Removes language concerning the construction, purpose, and duties of various city offices
- Adds language affirming merit-based hiring practices
- Clarifies and streamlines the direct voter participation, petition, and referendum process, specifically adding a citizens' committee function to initiatives and adding a step for review by the city clerk
- Pushes back the period of time between which a recall election may be held after a successful petition from between 35 and 60 days to between 64 and 90 days.
- Requires twenty percent of the voters as of the most recent municipal election to participate in order for a referendum to be certified
- Defines a quorum as a majority of the full membership of a multi-member entity
- Clarifies computation of time
- Eliminates Article 10 concerning the Department of Inspectional Services
- Revokes the city council's ability to appoint certain department heads and makes the terms of said appointments finite
- Removes gendered language
- Removes unspecific language such as "from time to time"

- Makes grammatical and stylistic corrections, such as changing written numbers to digits, adding or removing capitalizations, and renumbering
- Sets the effective date of this act as January 1st, 2026

Notes:

Approved unanimously by vote of the Lynn City Council in meeting dated April 8, 2025.