



City of Cambridge

56.

IN CITY COUNCIL

May 5, 1997

COUNCILLOR TOOMEY
COUNCILLOR DAVIS
COUNCILLOR GALLUCCIO
MAYOR RUSSELL

WHEREAS: Chapter 43, Section 40 of the Massachusetts General Laws stipulates that a law proposed by a ballot question shall become effective if it shall be approved by registered voters of the City equal in number to one third of the whole number thereof and also by a majority of the voters voting on such measure, but not otherwise; and

WHEREAS: Section 12 of the Cambridge home rule petition on the transfer tax mandates that the act shall be deemed approved by the voters only if a majority of those voting on that question cast ballots in the affirmative, without regard to the number of registered voters; now therefore be it

ORDERED: That the City Manager be and hereby is requested to confer with the City Solicitor and report back to the City Council no later than May 19, 1997 with the reasons why there is a difference in the manner in which a ballot question shall be deemed accepted with reference to the transfer tax home rule petition and Massachusetts General Laws.

In City Council May 5, 1997

Adopted by the affirmative vote of eight members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

A handwritten signature in cursive script that reads "D. Margaret Drury".

ATTEST:-

D. Margaret Drury
City Clerk

JL

Councillor Toomey

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Davis, Cialluccio, Russell
Consent Order #56

CM-255

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Councillor Toomey re: What is the reason for a difference in the manner in which a ballot question shall be deemed accepted with reference to the transfer tax home rule petition and Massachusetts General Laws.

In City Council May 5, 1997

ORDER ADOPTED