



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON
CITY CLERK

JOHN E. FLYNN
DEPUTY CITY CLERK

January 30, 1990

Mr. Edward B. O'Neill
Senate Clerk
Massachusetts Senate
The State House
Boston, MA 02133

Dear Mr. O'Neill:

Pursuant to the request of the City Council, I am forwarding to you for filing with the Massachusetts Senate, the enclosed order adopted by the City Council on Monday, January 29, 1990 approving the filing of the attached legislation entitled **"AN ACT RELATIVE TO ASSAULT AND BATTERY UPON CERTAIN PUBLIC SERVANTS"**.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

A handwritten signature in cursive script, reading "John E. Flynn".

John E. Flynn
Deputy City Clerk

JEF/d1

Encs.



City of Cambridge

Agenda # 5

IN CITY COUNCIL

January 29, 1990

ORDERED:

The City Council of the City of Cambridge goes on record favoring the filing of Home Rule Legislation to amend M.G.L. Chapter 265, Section 13D regarding assault and battery against certain public servants.

In City Council January 29, 1990.

Adopted by the affirmative vote of nine members.

Attest:- John E. Flynn, Deputy City Clerk.

A true copy;

ATTEST:-

A handwritten signature in cursive script, reading "John E. Flynn".

John E. Flynn
Deputy City Clerk

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

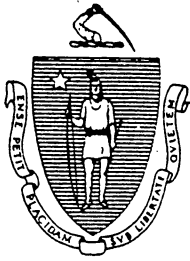
The undersigned, citizens of Cambridge, MA, respectfully
petition for the passage of the accompanying bill or resolve, and/or for legislation

RELATIVE TO ASSAULT AND BATTERY UPON CERTAIN PUBLIC SERVANTS.

Petitioners are requested to sign names and addresses legibly.

Greg St. Aubrey
Matthew J. Sullivan
Kenneth E. Leves
Sheila T. Russell
Gareth S. M.
Edward H. J.
Timothy J. Rooney Jr.
Wm H. Walsh
Alice R. Wolf

26 Lowell St. Cambridge MA 02138
28 Putnam Ave. Cambridge 02139
11 Everett St Cambridge MA
5 Hawthorne Pl Camb. 02138
5 Hollis St Camb MA
106 Dudley St Camb MA
88 Sixth St., Cambridge, Mass. 02141
26 Hurlbut St Camb
48 Huron Ave Camb 02138



The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-

AN ACT RELATIVE TO ASSAULT AND BATTERY UPON CERTAIN PUBLIC SERVANTS

Whereas, the deferred operation of this amendment to Section 13D of Chapter 265 of the General Laws would tend to defeat its purpose, which is to immediately ensure the safety and well being of all parking control officers, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public peace.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

Section 13D of Chapter 265 of the General Laws as appearing in the 1989 Official Edition, is hereby amended by inserting after the word "constable" in line 2, the words: - parking control officer.

City of Cambridge

MASSACHUSETTS

Agenda # 5 - Amending M.G.L. Chapter 265 s. 13D

regarding assault and battery against
certain public servants.

In City Council

January 29

1990

		1			
	YEA	NAY	ABSENT	PRESENT	
Mr. Ed Cyr					
Mr. Francis H. Duehay					
Mr. Jonathan S. Myers					
Mr. Kenneth E. Reeves					
Mrs. Sheila T. Russell					
Mr. Walter J. Sullivan					
Mr. Timothy J. Toomey, Jr.					
Mr. William H. Walsh					
Mayor Alice K. Wolf					

1/29/90

member



City of Cambridge

Agenda # 5

IN CITY COUNCIL

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Deputy City Clerk

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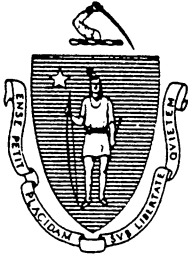
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The Commonwealth of Massachusetts

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6

CITY OF CAMBRIDGE

Russell B. Higley
City Solicitor

Donald A. Drisdell
Deputy City Solicitor

Michael C. Costello
Assistant City Solicitor

Birge Albright
Legal Counsel

Office of the City Solicitor
City Hall

795 Massachusetts Avenue
Cambridge, Massachusetts 02139

(617) 498-9020

Gail S. Gabriel
Legal Counsel

Joseph M. Kaigler
Legal Counsel

Diane Wynshaw-Boris
Legal Counsel

Edward J. O'Connell
Legal Counsel

January 25, 1990

Robert W. Healy
City Manager
795 Massachusetts Avenue
Cambridge, MA 02139

Dear Mr. Healy:

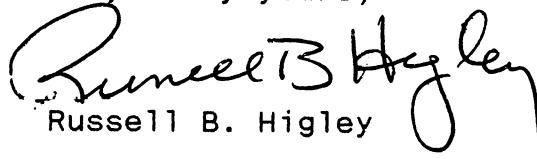
Enclosed please find the proposed amendment to M.G.L. c. 265, s. 13D relative to assault and battery against certain public servants.

Council Order No. 11 dated December 4, 1989 inquires whether a home rule petition would be a more effective way of protecting the City's parking control officers. It is this department's opinion that an amendment to the General Laws is preferable to a home rule petition. This is because the statute already exists which makes it a separate crime to commit an assault and battery on certain specific public servants, and it is applicable on a statewide basis.

The desired objective would appear to be better served by an emergency preamble to ensure that the amendment takes effect immediately upon enactment. We have therefore included such a preamble in the attached petition.

Thank you for your attention to this matter.

Very truly yours,


Russell B. Higley

RBH/jab
Enclosure

Corr.#3



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
TEL. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

January 29, 1990

The Honorable, The City Council:

In response to Council Order No. 11, dated December 4, 1989, I am transmitting a proposed amendment to M.G.L. c.265, s. 13D, relative to assault and battery against certain public servants.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Robert W. Healy", is written over a horizontal line.

Robert W. Healy
City Manager

RWH/mev
enclosure

Agenda # 5

S-63

Home Rule Legislation to amend M.G.L. c. 265,
s. 13D, relative to assault and battery against
certain public servants, City Council
Order # 11 of December 4, 1989.

In City Council,

January 29, 1990

*Order adopted
by 9 members.*