

City of Cambridge

MASSACHUSETTS

In City Council 11/6, 2000

*Mgt's Agenda #18 Adopt Order to file
"An Act Relative to Initiative + Referendum Petition in Cambridge"*

YEA	NAY	ABSENT	PRESENT	
✓				Ms. Kathleen L. Born
✓				Mr. James Braude
✓				Ms. Henrietta Davis
✓				Ms. Marjorie C. Decker
✓				Vice Mayor David P. Maher
		✓		Mr. Kenneth E. Reeves
✓				Mr. Michael A. Sullivan
✓				Mr. Timothy J. Toomey, Jr.
✓				Mayor Anthony D. Galluccio

8 0 1 0

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

The undersigned, citizens of Cambridge, respectfully
petition for the passage of the accompanying bill or resolve, and/or for legislation. **relative to initiative**
and referendum petitions in the city of Cambridge.

Petitioners are requested to sign names and addresses legibly.

Michael J. Vucich
Kathleen Brown 8 Walnut Ave Cambridge
Joseph P. Jecher 120 APPLETON STREET CAMBRIDGE 02138
Maurice Jecher 55 Magazine St. Cambridge 02139
Thomas J. Hall 30 Normandy Ave Cambridge 02135
Paul J. Looney
108 Union St, Cambridge 02139
88 Fifth St., Cambridge 02141
120 Chestnut St Cambridge 02139



The Commonwealth of Massachusetts

IN THE YEAR TWO THOUSAND

AN ACT

RELATIVE TO INITIATIVE AND REFERENDUM PETITIONS IN THE
CITY OF CAMBRIDGE

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.

Notwithstanding the provisions of any general or special law to the contrary, in the city of Cambridge, the whole or the total number of registered voters for the purpose of sections 37 to 44, inclusive, of chapter 43 of the General Laws, relative to municipal initiative and referendum petitions and voter approval of such measures, shall be the total number of then active voters, and shall not include inactive voters under chapter 51 of the General Laws.



City of Cambridge

Consent Agenda # 18

IN CITY COUNCIL

November 6, 2000

- WHEREAS: The City of Cambridge strongly supported passage of the "Motor Voter Law" and vigorously implemented it through voter education and a citywide network of voter registration sites;
- WHEREAS: Passage of the "Motor Voter Law" in 1994 both made it easier to register to vote and created stringent requirements for removing voters from the Voting List, comprised of both Active and Inactive voters;
- WHEREAS: Voters are placed on an Inactive Voter List when their current residence in the City cannot be confirmed through the Annual City Census;
- WHEREAS: Voters can be removed from the Voting List only under the following conditions: after not voting in two state elections following their placement on the Inactive Voter List; on receipt of a death certificate; after conviction of an election offense; by request of the registrant; through a change of address at the RMV; subsequent to registration in another community.
- WHEREAS: Prior to "Motor Voter" approximately six to eight thousand Cambridge voters were dropped from the Voting List each year; these voters now must be maintained for a longer time period on the Inactive Voter List until they are removed pursuant to the statutory requirements noted above. The Inactive Voter List is cumulative from year to year; the Inactive Voter List currently includes Inactive voters from 1997, 1998, 1999, and 2000;
- WHEREAS: In Cambridge as of September 12, 2000, there are 59,499 voters on the Voting List: 42,126 Active voters and 17,373 Inactive voters (71% and 29% of the total respectively);
- WHEREAS: The initiative petition process provides ballot access to voters pursuant to M.G.L. Chapter 43, ss. 37 to 44 inclusive; certification of a percentage of voters' signatures is required to bring a petition before the City Council or to submit it to the voters;

WHEREAS: In addition to certification, passage of an initiative petition measure requires approval by one-third of registered voters in the City and also a majority of the voters voting on such a measure (M.G.L. Ch.43, s.40). In accordance with an opinion by the Secretary of the Commonwealth, these calculations, under existing statute, have to be made on the total number of Active and Inactive voters

WHEREAS: In Cambridge an unintended consequence of the passage of the "Motor Voter Law" is a substantial inflation in the total number of voters on which certification and passage must be based and effectively creates an impediment to the initiative petition process; now therefore be it

RESOLVED: The Cambridge City Council go on record favoring the filing of the attached Home Rule Petition entitled "An Act Relative to Initiative and Referendum Petitions in the City of Cambridge," which would base certification and passage on the total number of Active voters only and thereby restore initiative petition requirements to those which were in effect prior to "Motor Voter."

In City Council November 6, 2000.

Adopted by a yea and nay vote:

Yeas 8; Nays 0; Absent 1.

Attest"- D. Margaret Drury, City Clerk.

A true copy;

D. Margaret Drury

Attest:-

D. Margaret Drury
City Clerk

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in General Court assembled.

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Kathleen

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- WHEREAS: In Cambridge an unintended consequence of the passage of the "Motor Voter Law" is a substantial inflation in the total number of voters on which certification and passage must be based and effectively creates an impediment to the initiative petition process; now therefore be it
- RESOLVED: The Cambridge City Council go on record favoring the filing of the attached Home Rule Petition entitled "An Act Relative to Initiative and Referendum Petitions in the City of Cambridge," which would base certification and passage on the total number of Active voters only and thereby restore initiative petition requirements to those which were in effect prior to "Motor Voter."

In City Council November 6, 2000.

Adopted by a ye and nay vote:-

Yeas 8; Nays 0; Absent 1.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury

RESOLUTION RE: PROPOSED HOME RULE PETITION

Whereas: The City of Cambridge strongly supported passage of the "Motor Voter Law" and vigorously implemented it through voter education and a citywide network of voter registration sites;

Whereas: Passage of the "Motor Voter Law" in 1994 both made it easier to register to vote and created stringent requirements for removing voters from the Voting List, comprised of both Active and Inactive voters;

Whereas: Voters are placed on an Inactive Voter List when their current residence in the City cannot be confirmed through the Annual City Census;

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Whereas: In addition to certification, passage of an initiative petition measure requires approval by one-third of registered voters in the City and also a majority of the voters voting on such a measure (M.G.L. Ch.43, s.40). In accordance with an opinion by the Secretary of the Commonwealth, these calculations, under existing statute, have to be made on the total number of Active and Inactive voters

Whereas: In Cambridge an unintended consequence of the passage of the "Motor Voter Law" is a substantial inflation in the total number of voters on which certification and passage must be based and effectively creates an impediment to the initiative petition process;

Therefore be it resolved that: The Cambridge City Council go on record favoring the filing of the attached Home Rule Petition entitled "An Act Relative to Initiative and Referendum Petitions in the City of Cambridge," which would base certification and passage on the total number of Active voters only and thereby restore initiative petition requirements to those which were in effect prior to "Motor Voter."



CITY OF CAMBRIDGE

362 GREEN STREET, CAMBRIDGE, MASSACHUSETTS 02139-3395 • TEL. (617) 349-4361
FAX (617) 349-4366
TTY (617) 349-4242

BOARD OF ELECTION COMMISSIONERS

ARTIS B. SPEARS
DARLEEN G. BONISLAWSKI
LYNNE ALEXIS MOLNAR
WAYNE A. DRUGAN, JR.
Commissioners

TERESA S. NEIGHBOR
Executive Director

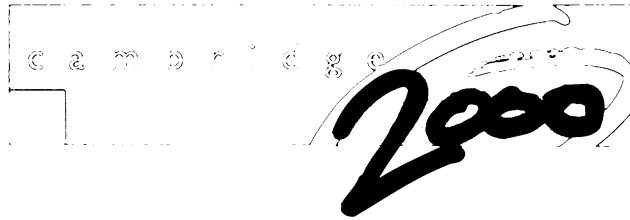
To: Robert W. Healy, City Manager
From: Board of Election Commissioners *TBN*
Date: November 1, 2000
Subject: Home Rule Petition entitled "An Act Relative to Initiative and Referendum
Petitions in the City of Cambridge"

The Board of Election Commissioners respectfully requests that the attached Resolution and Home Rule Petition entitled "An Act Relative to Initiative and Referendum Petitions in the City of Cambridge," which has been reviewed by the City Solicitor's Office, be placed on the City Council agenda for its regularly scheduled meeting on Monday, November 6, 2000.

The intent of the Home Rule Petition is to base certification and passage of initiative and referendum petitions on the total number of active voters only and thereby restore initiative petition requirements to those which were in effect prior to "Motor Voter."

Attachments (2)

18,



CITY OF CAMBRIDGE • EXECUTIVE DEPARTMENT

Robert W. Healy, City Manager

Richard C. Rossi, Deputy City Manager

November 6, 2000

To The Honorable, The City Council:

Please find attached for your consideration a Home Rule Petition entitled "An Act Relative to Initiative and Referendum Petitions in the City of Cambridge", received from the Board of Election Commissioners.

Very truly yours,

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

Robert W. Healy
City Manager

RWH/mec
Attachment



2000 Things 2 Do in 2000

Communication from Robert W. Healy, City Manager, relative to a Home Rule Petition entitled "An Act Relative to Initiative and Referendum Petition in the City of Cambridge."

In City Council November 6, 2000

Order Adopted

8-0-1