



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

OCT 17 10 00 AM '83

CAMBRIDGE, MASS.

To Paul Healy, City Clerk

Date October 17, 1983

From Susan Arthur, Executive Secretary

Reference

Subject Memorandum of October 11, 1983

My memorandum of October 11, 1983, a copy of which is attached for your reference, was forwarded to you for informational purposes and not for further Council action.

The Anti-Displacement Question is a non-binding advisory question. As you know, the procedure for placing a non-binding advisory question on a ballot is set forth in G.L. c. 53, s 18A. A copy of this statute is enclosed for your information. The procedure set forth in Section 18A is completely separate from the procedure used for a question proposed by initiative petition such as the Nuclear Free Cambridge question.

Since the Election Commission has certified that the Anti-Displacement Question was signed by more than 10 percent of the registered voters of Cambridge, the question will appear on the November 8th ballot as Question Number 3.

If I can be of further assistance please feel free to call.

cc: Robert Healy, City Manager
Russell Higley, City Solicitor



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Russell Higley, City Solicitor



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INTEROFFICE CORRESPONDENCE

To Paul Healy, City Clerk

Date October 11, 1983

From Susan A. Arthur, Executive Secretary
Election Commission

Reference

Subject "ANTI-DISPLACEMENT HOUSING PROGRAM" PETITIONS

On September 30, 1983, a group identifying themselves as the "Committee for an Anti-Displacement Housing Program" filed 468 Petitions with the Election Commission. (The non-binding question is attached for your convenience).

At that time, there were 42,769 registered voters in the city. Under the provisions of Chapter 53, Section 18A of the Massachusetts General Laws, The Commission was required to validate 10% (or 4277) in order that the question may appear on the ballot.

The Election Commission completed the certification process on October 7th, and respectfully submits to you the 468 petitions containing 4888 valid signatures. At your request, the Commission will store the original petitions in its vault until such time as they may be needed.

If I may be of assistance to you in this matter, please do not hesitate to call me at Extension 9769.

CC: Mr. Robert Healy, City Manager
Mr. Russell Higley, City Solicitor

ENDORSEMENT FOR NOMINATION OF MEMBERS OF STATE POLITICAL COMMITTEES BY CONVENTIONS

§ 17A. Procedure

United States Supreme Court

Political parties, composition of state commit-

tees, see *Marchioro v. Chaney*, 1979, 99 S.Ct. 2243, 442 U.S. 191, 60 L.Ed.2d 816.

QUESTIONS TO BE SUBMITTED TO THE VOTERS

Law Review Commentaries

Government speech and the constitution: Lim-

its of official partisanship. Edward H. Ziegler, Jr. (1980) 21 Boston College L.Rev. 578.

§ 18. Amendments to federal constitution; opinion of voters ascertained

Notes of Decisions

1. In general

Function of state legislature in amending Constitution of United States constitutes federal function derived entirely from Constitution of the

United States. Opinion of the Justices to the Senate (1977) 366 N.E.2d 1226, 373 Mass. 877.

Resolution petitioning Congress to call national constitutional convention "for the purpose of proposing the following article as amendment to the Constitution of the United States," was adequate application within meaning of U.S.C.A.Const. Art. 5. Id.

§ 18A. Nonbinding public opinion advisory questions on local ballots

As used in this section "governing body" shall mean, in a city, the city council acting with the approval of the mayor subject to the provisions of the charter of said city, in a town having a town council, the town council, and in every other town the board of selectmen.

A nonbinding public opinion advisory question may be placed on the ballot for a regular municipal election in any city or town: by vote of the city council of such city, with approval of its mayor where so required by the city charter; by vote of the board of selectmen of a town or by vote of the town council of a town having a town council or by vote of the annual town meeting; or in conformity with the following provision of this section:

A proposal to place a nonbinding public opinion advisory question on the ballot for a regular municipal election in any city or town may be presented to the governing body thereof on a petition signed by at least ten registered voters of the city or town. If such governing body shall not approve said petition at least ninety days before said election, then the question may be so placed on said ballot when a petition signed by at least ten per cent of the registered voters of the city or town, but in no case less than twenty such voters, requesting such action is filed with the registrars, who shall have seven days after receipt of such a petition to certify the signatures. Upon certification of the signatures, the city or town clerk shall cause the question to be placed on the ballot at the next regular municipal election held more than thirty days after such certification.

The procedures established by this section shall be available to any city or town; provided, however, that if an alternative procedure is prescribed by a home rule charter, optional plan of government, or special act applying to such city or town, relative to the placing of public opinion questions upon the local ballot, then such alternative procedure shall apply.

Added by St.1976, c. 309.

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Comm. from Susan Arthur, Executive Sec., Election Commission stating that the Anti-Displacement question is a non-binding advisory question, signed by more than 10% of the City's registered voters & will appear on the November 8th municipal ballot as Question 3.

RECEIVED BY
OFFICE OF CITY CLERK

OCT 17 10 00 AM '83

CAMBRIDGE, MASS.

In City Council,

October 17, 1983

10/17/83

-Placed on File-