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CAMBRIDGE MA.

BOARD OF
ELECTION COMMISSIONERS

EDWARD J. SAMP, JR.
SONDRA SCHEIR
ARTIS B. SPEARS
DARLEEN GONDOLA BONISLAWSKI
Commissioners

TERESA S. NEIGHBOR
Executive Director

December 9, 1988

Jossephe Connarton
City Clerk
Cambridge City Hall
795 Mass. Ave.
Cambridge, MA 02139

In regard to the initiative petition (Proposition 1-2-3) submitted on Monday, December 5, 1988, and in accordance with Chapter 43, Section 38 of the General Laws of the Commonwealth of Massachusetts, the Board of Election Commissioners has certified 5,661 signatures, representing 11% of the total number of registered voters (49,662) in the City of Cambridge.

We hereby forward the petition with this certification to the office of the City Clerk for submission to the City Council.

Edward J. Samp, Jr.
Sondra Scheir
Artis B. Spears
Darleen Gondola Bonislowski



The Commonwealth of Massachusetts

Office of the Secretary of State
Michael J. Connolly, Secretary May, 1987

Petition Series F
Elections Division
727-2828

INITIATIVE PETITION FOR A MEASURE TO A CITY LEGISLATIVE BODY OR SCHOOL COMMITTEE

CAUTION: This process for placing questions on city ballots by initiative petition applies only to cities with "plan" charters (A-F) and to certain other cities where local charters or special acts of the state legislature provide for the use of these procedures. Check with your city clerk or election commission.

If you want to submit a measure (proposed ordinance, resolution or order) to the voters of the city for their approval or rejection, file an initiative petition requesting the city legislative body (city council or board of aldermen) or the school committee to pass the measure.

HOW TO ORIGINATE AN INITIATIVE PETITION TO A CITY LEGISLATIVE BODY OR SCHOOL COMMITTEE

Print on the initiative petition forms (which the petitioners prepare) the measure the petitioners want passed, before collecting signatures of registered voters of the city. After collecting all signatures (see below for number required), file them with the city clerk or election commission. The signatures do not need to be on one sheet but all papers must be fastened together as one document. The entire group of papers are endorsed when filed with the names and addresses of three persons as the actual filers. All signatures on the petition must be certified by the registrars within five days after the petition is filed. They determine the number of valid signatures and the percent that is of the total number of registered voters in the city. They send a certificate with that information attached to the petition to the city clerk who must transmit them immediately to the legislative body or school committee.

EXCLUDED SUBJECTS

Initiative petitions are not allowed on certain matters relating to construction of gas and electricity lines or the transmission of power. In addition, courts have ruled that matters which are "executive" rather than "legislative" in nature are not "measures," and therefore not eligible for an initiative petition.

(cont'd)

Initiative Petition for a Measure to a City
Legislative Body or School Committee

Page 2

Petition Series F

HOW MANY SIGNATURES ARE REQUIRED?

If the initiative petition is signed by at least 15% of the total number of registered voters, the legislative body or school committee must pass the proposed measure without alteration, or the city clerk or election commission must call a special election on the measure unless a regular city election occurs within 90 days after certification. If the initiative petition is signed by at least 8% but less than 15% of the voters, the legislative body or school committee must pass the proposed measure without alteration, or the city clerk or election commission must place the measure on the ballot at the next regular city election.

OBJECTIONS TO INITIATIVES

Any registered voter of the city may file written objections to the petition with the legislative body or school committee and a copy with the board of registrars or election commission within 48 hours after the certification of the petition. A copy of the objections is sent to the State Ballot Law Commission which must hold a public hearing, render a decision within 14 days after the objections were filed, and transmit a copy of its decision to the legislative body or the school committee.

LEGISLATIVE BODY OR SCHOOL COMMITTEE ACTS UPON THE INITIATIVE

If the petition is signed by at least 8% of the voters, the body to which the petition is addressed shall pass the measure without alteration within 20 days of certification by the registrars, or the city clerk or election commission must place the measure on the ballot. If more than 8% but less than 15% of the voters sign the petition, it is put on the ballot at the next regular city election. If 15% or more voters signed the petition, the city clerk or election commission must call a special election to be held on a Tuesday not less than 30 nor more than 45 days after the date of certification. But, if a regular city election is to occur within 90 days of the certification date, the measure may be placed upon that ballot.

HOW PASSED

To be passed by the voters, at least 1/3 of the registered voters in the city must vote in the affirmative on the measure, and a majority of the ballots cast on that measure must be affirmative. If two or more proposed measures with conflicting provisions are passed, only the one receiving the greater number of affirmative votes shall take effect.

(cont'd)

CALENDAR

Calendar of Events

Petition filed with city clerk

Certification by registrars

Clerk transmits certified petition and certificate to legislative body or school committee

Objections filed

Legislative body or school committee passes petition (if signed by at least 8% of voters)

OR

City Clerk or election commission calls special election (if signed by at least 15% of voters and not passed within 20 days after certification)

City clerk or election commission places petition on regular election ballot (if signed by at least 15% of voters and not passed within 20 days after certification)

City clerk or election commission places petition on regular election ballot (if signed by 8% of voters but less than 15% and not passed within 20 days after certification)

Petition becomes effective

Statutory Deadlines

Any time

Within 5 days after filing

Immediately after receipt from the registrars

Within 48 hours after certification

Within 20 days after certification

Not less than 30 nor more than 45 days after certification, but on a Tuesday

A regular election within 90 days after certification

Next regular city election

Date of certification of election results or on later day if provided in the petition

Legal References: Massachusetts General Laws, chapter 43, sections 37, 38, 39, 40, 43, 44.

Ask for accompanying instructions -

A Guide for Circulating
Petitions to Place a
Question on a Local Election
Ballot.

Comm. from Joseph E. Connarton, City Clerk,
transmitting notification from the Board of
Election Commissioners pursuant to Chapter
43, Sections 38-39 of the certifications of
signatures Re: Initiative Petition (Proposition
1-2-3), for action by the Council.

In City Council,

December 12, 1988

12/12/88 Charter Righted
by Councillor David
Sullivan
12/19/88 motion to table failed
4-5-0
motion to ordain failed
4-5-0
motion to place on municipal
1989 ballot carried on
unanimous vote of 9 members