

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

VOTE

Authorizing the filing of Special Legislation to clarify and enumerate the office-holding requirements for Lowell City Councilors.

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Currently the City of Lowell, which exists under a Plan E form of government pursuant to M.G.L. c. 43, §§95-100, elects nine (9) City Council members biennially by city-wide at-large plurality elections held in odd numbered years, pursuant to 1957 Mass. Act. 725, §2 and M.G.L. c. 43, §109; and

The Lowell City Council has the power to implement changes to the City's Plan E form of government and to adopt changes to its system through Special Act pursuant to its Home Rule powers under M.G.L. c. 43B.

Currently there are no restrictions on City Councilors from holding multiple elective city, state, or federal offices simultaneously within their terms on the City Council; and

The Lowell City Council is desirous of limiting City Councilors from holding any other elective office within their terms on the City Council; and

In accordance with the provisions of Massachusetts General Laws, a special act of the legislature must be obtained to authorize the City of Lowell to implement this change in its municipal governmental system; and

A majority vote of approval by the Lowell City Council is required for the filing of such petition.

NOW THEREFORE, BE IT VOTED BY THE CITY COUNCIL OF THE CITY OF LOWELL, as follows:

That the City Council of the City of Lowell, by a majority vote, hereby authorizes and approves the filing of special legislation to read as follows:

AN ACT PROVIDING FOR THE CITY OF LOWELL TO ENUMERATE CITY COUNCILOR RESIDENCY REQUIREMENTS AND TO PRECLUDE CITY COUNCILORS FROM HOLDING MULTIPLE ELECTIVE OFFICES

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 Massachusetts General Laws Chapter 43, §§93 through 116, 1957 Mass. Act. 725, §2, the Charter of the City of Lowell, or any other general

or special law or to the contrary, no Lowell City Councilor shall simultaneously hold more than one elective city, state, or federal office at any given time during their term. Nothing in this section shall abrogate the appointment of the City's Mayor as chairman of the City of Lowell School Committee under M.G.L. c. 43, §31.

SECTION 2. This act shall take effect upon its passage.