

House No.

Message from His Excellency the Governor recommending legislation relative to validating the actions taken at an annual town meeting held in the town of Essex.

The Commonwealth of Massachusetts



EXECUTIVE DEPARTMENT
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DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

July 28, 2010

To the Honorable Senate and House of Representatives:

Pursuant to the provisions of Article II, Section 8, Paragraph 1, Clause (2) of the Amendments to the Constitution, as amended by Article LXXXIX, I am filing for your consideration the attached legislation entitled, "An Act Validating the Actions Taken at an Annual Town Meeting Held in the Town of Essex."

Senator Tarr, Representative Ferrante and the Essex Board of Selectmen have requested that I file this special legislation on behalf of the Town. The purpose of the legislation is to validate votes and actions taken at the Town's May 3, 2010 Annual Town Meeting, and all actions taken pursuant thereto. The warrant for this meeting was not posted the full 7 days prior to the meeting as required by the General Laws. The bill sponsors are confident that the townspeople did receive adequate notice of the meeting and its substance through a variety of channels including the Town's website, the availability of paper copies of the warrant at the Town Hall and Library, and through discussions at a number of prior Town committee and board meetings.

I urge your early and favorable consideration of this bill.

Respectfully submitted,

DEVAL L. PATRICK,
Governor.

The Commonwealth of Massachusetts

In the Year Two Thousand and Ten

AN ACT VALIDATING THE ACTIONS TAKEN AT AN ANNUAL TOWN MEETING HELD IN THE TOWN OF ESSEX.

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

1 SECTION 1. Notwithstanding section 10 of chapter 39 of the General Laws or any other general or
2 special law or town by-law to the contrary, all acts and proceedings taken by the town of Essex at its May
3 3, 2010 annual town meeting, and all actions taken pursuant thereto, are hereby ratified, validated and
4 confirmed to the same extent as if the warrant for that town meeting had been posted in full compliance
5 with the law.

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