

HOUSE No. 3696

The Commonwealth of Massachusetts

PRESENTED BY:

Benjamin Swan

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

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act Filling vacancies in ward seats of the city council and school committee by special election in the city of Springfield.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Benjamin Swan</i>	<i>11th Hampden</i>	<i>10/9/2013</i>
<i>Mayor Domenic J. Sarno</i>	<i>City of Springfield 36 Court Street Springfield, MA 01103</i>	<i>10/9/2013</i>

HOUSE No. 3696

By Mr. Swan of Springfield, a petition (accompanied by bill, House, No. 3696) of Benjamin Swan and Mayor Domenic J. Sarno (with the approval of the mayor and city council) relative to filling vacancies in ward seats of the city council by special election in the city of Springfield. Election Laws. [Local Approval Received.]

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act Filling vacancies in ward seats of the city council and school committee by special election in the city of Springfield.

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: Section two of chapter three hundred and eight of the Acts of nineteen
2 hundred and ninety-two will have no force and effect upon ward seats of the Springfield City
3 Council or School Committee.

4 Section 2: Notwithstanding the provisions of section fifty A of chapter forty-three of
5 the general laws or any other general or special law to the contrary, if a vacancy occurs, for any
6 reason, in a ward seat of the city council or school committee more than two hundred and ten
7 (210) days prior to the expiration of that term, the city clerk shall notify the city council or
8 school committee prior to their next respective meetings.

9 At the first meeting, following notice from the clerk, the city council shall adopt an order
10 calling for a special preliminary election, on a Tuesday, not less than sixty-two and not more
11 than seventy-six days after the adoption of such order and a special election, on a Tuesday, not
12 more that forty-five days after the preliminary election. The special election shall be conducted
13 consistent with the Charter of the City of Springfield.

14 If the number of candidates, certified by the elections office, is less than double the
15 number plus one of the vacant seats then the Board of Election Commissioners shall cancel the
16 preliminary election.

17 The ward seat shall remain vacant until such time as it has been filled by election. If the
18 vacancy shall occur less than 210 days prior to the expiration of the term of that seat, but at least

19 ten days before the regularly scheduled general election to fill that seat, the candidates in that
20 general election shall be notified by the Election Commission of the vacancy.

21 Section 3: Notwithstanding the provisions of any general or special law to the contrary,
22 to ascertain the will of the people of the city of Springfield, the board of election commissioners
23 shall cause the following binding public opinion question to be placed on the official ballot to be
24 used in the city at the next regular municipal election to be held in the November in the year two
25 thousand and fourteen:

26 THIS QUESTION IS BINDING.

27 Shall the vacancies in ward seats of the city council of the city of Springfield be filled by
28 special election?

29 SECTION 3. If a majority of the voters casting a ballot on this binding question shall
30 vote in the affirmative, the provisions of said act shall take effect January 1, 2015.

31

32 To the Honorable Senate and House of Representatives of the Commonwealth of
33 Massachusetts In the General Court Assembled.

34 The undersigned, Domenic J. Sarno, Mayor of the City of Springfield, respectfully in the
35 name and on behalf of said City, and in the pursuance of an order, a duly attested copy of which
36 is hereto annexed, petition the General Court for legislation entitled “AN ACT FILLING
37 VACANCIES IN WARD SEATS OF THE CITY COUNCIL BY SPECIAL ELECTION IN
38 THE CITY OF SPRINGFIELD”, in substantially the same form as a draft Act attached hereto.

39 Respectfully submitted,

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41 Domenic J. Sarno, Mayor

42 City of Springfield

43 36 Court Street

44 Springfield, MA 01103

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