

**HOUSE . . . . . No. 54**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Robert A. DeLeo and Bradley H. Jones, Jr.***

*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 resolution:

Resolutions expressing the sense of the House of Representatives that a temporarily appointed United States Senator should not be a candidate in the ensuing special election.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Robert A. DeLeo</i>	<i>19th Suffolk</i>	<i>1/31/2013</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>1/31/2013</i>

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[Pin Slip]

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Thirteen**

Resolutions expressing the sense of the House of Representatives that a temporarily appointed United States Senator should not be a candidate in the ensuing special election.

1 WHEREAS, THERE IS A VACANCY IN THE OFFICE OF UNITED STATES  
2 SENATOR FOLLOWING THE CONFIRMATION OF SENATOR KERRY TO THE OFFICE  
3 OF UNITED STATES SECRETARY OF STATE; AND

4 WHEREAS, THE CURRENT STATUTE AUTHORIZES THE GOVERNOR TO  
5 APPOINT AN INTERIM UNITED STATES SENATOR PENDING A SPECIAL ELECTION;  
6 AND

7 WHEREAS, AN APPOINTED SENATOR WILL NOT HAVE BEEN ELECTED BY  
8 THE PEOPLE, BUT WILL HAVE BEEN CHOSEN TO TEMPORARILY REPRESENT THE  
9 PEOPLE; AND

10 WHEREAS, SITTING SENATORS ELECTED BY THE PEOPLE OF THE  
11 COMMONWEALTH HAVE HISTORICALLY ENJOYED A SUBSTANTIAL ADVANTAGE  
12 OF INCUMBENCY; AND

13 WHEREAS, A TEMPORARY APPOINTMENT MIGHT PROVIDE AN APPOINTEE  
14 WITH A SIMILAR ADVANTAGE WITHOUT THE PEOPLE HAVING EXPRESSED THEIR  
15 WILL; AND

16 WHEREAS, THE INTENT OF THE GENERAL COURT IN AMENDING THE  
17 STATUTE IN 2009 TO AUTHORIZE THE GOVERNOR TO APPOINT AN INTERIM  
18 SENATOR WAS THAT THE INTERIM APPOINTEE SHALL NOT BE A CANDIDATE IN  
19 THE SPECIAL ELECTION AND SHALL NOT ACTIVELY CAMPAIGN ON BEHALF OF  
20 ANY CANDIDATE; AND

21 WHEREAS, IN 2009 THE GENERAL COURT ADOPTED A SIMILAR  
22 RESOLUTION EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES

23 THAT A TEMPORARILY APPOINTED UNITED STATES SENATOR SHOULD NOT BE A  
24 CANDIDATE IN THE ENSUING SPECIAL ELECTION; AND THEREFORE BE IT

25 RESOLVED, THAT THE MASSACHUSETTS HOUSE OF REPRESENTATIVES  
26 STRONGLY DISCOURAGES A SENATOR WHO TAKES OFFICE AS A RESULT OF A  
27 GUBERNATORIAL APPOINTMENT FROM BECOMING A CANDIDATE OR  
28 ENDORSING ANY CANDIDATE IN THE SPECIAL ELECTION THAT IMMEDIATELY  
29 FOLLOWS SUCH AN APPOINTMENT; AND BE IT FURTHER

30 RESOLVED, THAT A COPY OF THESE RESOLUTIONS SHALL BE MADE  
31 PUBLIC.