

HOUSE No. 54

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> |

HOUSE No. 54

[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.