

HOUSE No. 3744

The Commonwealth of Massachusetts

PRESENTED BY:

Patricia A. Duffy

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 relative to the office of mayor in the city of Holyoke.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Patricia A. Duffy</i>	<i>5th Hampden</i>	<i>3/17/2021</i>

HOUSE No. 3744

By Ms. Duffy of Holyoke, a petition (accompanied by bill, House, No. 3744) of Patricia A. Duffy (with the approval of the mayor and city council) relative to the office of mayor in the city of Holyoke. Election Laws. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to the office of mayor in the city of Holyoke.

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

1 WHEREAS, On February 25, 2021, Mayor Alex B. Morse was appointed and
2 subsequently approved by the Selectboard of the Town of Provincetown to serve as Town
3 Manager, thereby having an anticipated resignation date from position as Mayor of the City of
4 Holyoke before the end of his term; and

5 WHEREAS, The City of Holyoke Charter states that in the event there is a vacancy in the
6 office of mayor more than six months previous to the expiration of the municipal year, the city
7 council shall forthwith call meetings for a new election; and

8 WHEREAS, As currently written, if the Mayor resigns on or before June 30, 2021, the
9 City of Holyoke Charter would require a special election process to be held in addition to the
10 already regularly scheduled municipal elections in September and November; and

11 WHEREAS, Organizing and executing multiple municipal elections in a single year
12 would place a large financial burden on the City of Holyoke, on top of the financial constraints
13 of the ongoing public health emergency of COVID-19; and

14 WHEREAS, Requiring the City of Holyoke residents to repeatedly leave their homes in
15 order to vote in multiple elections in the same year during the pandemic puts their lives, as well
16 as the lives of City staff, at risk; and

17 WHEREAS, Holding multiple elections within the short time period of one year will
18 create barriers to accessibility, lower voter turnout, potential voter confusion, and place
19 disproportionate burdens on traditionally disenfranchised communities, such as immigrant, low-
20 income, disabled, Black and Latinx communities such as ours;

21 WHEREAS, City Council President is unable to perform duties of Acting Mayor for an
22 extended period of time, as it may be required; NOW THEREFORE BE IT

23 ORDERED, That a petition to the General Court, accompanied by a bill for a special law
24 relating to the City of Holyoke, be filed with an attested copy of this order be, and hereby is,
25 approved under Clause 1 of Section 8 of Article II, as amended, of the Articles of Amendment to
26 the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted
27 precisely as follows, except for clerical or editorial changes of form only.

28 And that said act read as follows:

29 SECTION 1. Notwithstanding any general or special law to the contrary, if a vacancy in
30 the office of mayor of Holyoke occurs at any time in the year two thousand and twenty-one, the
31 vacancy shall not be filled by a special municipal election, nor by the City Council President as

32 required by City Charter Section 28, but shall instead be filled by appointment of the City
33 Council of a fellow City Council member. A majority vote of the body shall be required for
34 confirmation.

35 The acting Mayor, as appointed by the City Council, shall be entitled to simultaneously
36 continue his or her City Council duties as Councilor until such time a new Mayor is elected.

37 The mayoral candidate elected in the regularly scheduled 2021 municipal election shall
38 be immediately seated, administered the oath of office, and assume all the powers of mayor
39 immediately upon the proper certification by the board of registrars, and serve for the balance of
40 the then unexpired term of mayor.

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