

HOUSE No. 99

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 concerning the Acting Mayor of Holyoke.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Patricia A. Duffy</i>	<i>5th Hampden</i>	<i>3/30/2021</i>

HOUSE No. 99

By Ms. Duffy of Holyoke, a petition (accompanied by bill, House, No. 99) of Patricia A. Duffy (with the approval of the mayor and city council) relative to a vacancy in 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 concerning the Acting Mayor 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 provided, however, that the General Court may make clerical, editorial, or substantive changes to
28 the language so long as it is within the general scope of the public objectives.:

29

30 PETITION FOR A SPECIAL LAW RE:

31 AN ACT RELATIVE TO THE OFFICE OF MAYOR IN THE CITY OF HOLYOKE

32 And that said act read as follows:

33 SECTION 1. (a) Notwithstanding any general or special law to the contrary, if a vacancy
34 in the office of mayor of Holyoke occurs at any time in the year two thousand and twenty-one,
35 the vacancy shall not be filled by a special municipal election. Upon such vacancy in the office
36 of mayor, the city council president shall act as mayor until the city council shall, by a majority
37 vote, elect one of its members as mayor.

38 (b) Notwithstanding any general or special law to the contrary, the city council president
39 while acting as mayor and the city councilor elected by the city council to serve as mayor
40 pursuant to this act shall be entitled to simultaneously continue their duties as a member of the
41 city council until such time as a mayor is elected and qualified at the regularly scheduled 2021
42 municipal election pursuant to subsection (c).

43 (c) Notwithstanding any general or special law to the contrary, the candidate elected and
44 qualified as a mayor at the regularly scheduled 2021 municipal election shall be sworn in as
45 mayor to complete the balance of the mayoral term expiring on January 3, 2022 and shall be
46 sworn-in for the term for which said candidate was elected and qualified at the regularly
47 scheduled 2021 municipal election on January 3, 2022.

48 (d) Notwithstanding any general or special law to the contrary, upon a vacancy in the
49 office of mayor of Holyoke the city council shall elect one of its members as mayor pursuant to
50 subsection (a) within 10 days of said vacancy occurring or within 10 days of the effective date of
51 this act.

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