

HOUSE No. 4636

The Commonwealth of Massachusetts

PRESENTED BY:

Andres X. Vargas and Diana DiZoglio

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 providing for the election of at large and ward councilors and school committee members in the city of Haverhill.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Andres X. Vargas</i>	<i>3rd Essex</i>	<i>3/17/2022</i>
<i>Diana DiZoglio</i>	<i>First Essex</i>	<i>3/21/2022</i>
<i>Christina A. Minicucci</i>	<i>14th Essex</i>	<i>3/24/2022</i>
<i>Linda Dean Campbell</i>	<i>15th Essex</i>	<i>3/24/2022</i>

HOUSE No. 4636

By Representative Vargas of Haverhill and Senator DiZoglio, a joint petition (accompanied by bill, House, No. 4636) of Andres X. Vargas, Diana DiZoglio and others (with the approval of the mayor and city council) relative to the election of at large and ward councilors and school committee members in the city of Haverhill. Election Laws. [Local Approval Received.]

The Commonwealth of Massachusetts

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

An Act providing for the election of at large and ward councilors and school committee members in the city of Haverhill.

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. The charter of the city of Haverhill, which is on file with the archivist of
2 the commonwealth as provided in section 12 of chapter 43B of the General Laws, is hereby
3 amended by striking out section C-31 and inserting in place thereof the following section:

4 C-31. School Committee, Number, Term, etc.

5 There shall be in the city of Haverhill a school committee, which committee shall have all
6 the rights, powers and duties of a school committee as provided by the general laws, the city
7 charter, or any amendments thereto. The school committee shall consist of the mayor, who shall
8 be the chairman, and three members elected at large and one member shall be elected from each
9 district of the city, which district shall be one ward, or otherwise, as defined in the ordinances of
10 the city. Each member shall be elected for a term of 2 years. At the first regular municipal
11 election held after the adoption of these provisions, the three current members who were elected

12 to a four year term commencing in the previous municipal election shall be eligible to continue
13 to serve and complete their full term as the committee's three members elected at large.
14 Thereafter, as these terms expire, all at large members shall be elected for 2 year terms.

15 SECTION 2. Said charter is hereby further amended by striking out section C-44C and
16 inserting in place thereof the following section:

17 C-44C. Candidates for Nomination, Persons Eligible; Statement and Petition

18 Any person who is qualified to vote for a candidate for any elective municipal office and
19 who is a candidate for nomination thereto, shall be entitled to have their name as such candidate
20 printed on the official ballot to be used at a preliminary election; provided, that within the time
21 prescribed by section ten of chapter fifty-three in the case of preliminary elections in cities they
22 shall file with the city clerk a statement in writing of their candidacy, and with it the petition of at
23 least fifty voters for candidates for mayor, city councilor at large or school committee at large,
24 or, twenty-five voters for candidates for district councilor or district school committee member,
25 qualified to vote for a candidate for the said office. Said statement and petition shall be in
26 substantially the following form:—

27 STATEMENT OF CANDIDATE

28 Form of statement.—I (_____), on oath declare that I reside at
29 (number if any) on (name of street) in the city of _____; that I am a voter
30 therein, qualified to vote for a candidate for the hereinafter mentioned office; that I am a
31 candidate for the office of (name of office) for (state the term) to be voted for at the preliminary
32 election to be held on Tuesday, the _____ day of _____, twenty hundred and

33 _____, and I request that my name be printed as such candidate on the official ballot for use
34 at said preliminary election.

35 _____

36 (Signed)

37 Commonwealth of Massachusetts,

38 Subscribed and sworn to on this day of _____, twenty hundred and _____ before me,

39 _____

40 (Signed)

41 (Justice of the Peace, or, Notary Public.)

42 PETITION ACCOMPANYING STATEMENT OF CANDIDATE

43 Form of petition.—Whereas (name of candidate) is a candidate for nomination for the
44 office of (state the office) for (state the term), we, the undersigned, voters of the city of _____,
45 duly qualified to vote for a candidate for said office, do hereby request that the name of said
46 (name of candidate) as a candidate for nomination for said office be printed on the official ballot
47 to be used at the preliminary election to be held on the _____ Tuesday of _____, twenty
48 hundred and _____.

49 We further state that we believe them to be of good moral character and qualified to
50 perform the duties of the office.

51 No acceptance by the candidate for nomination named in the said petition shall be
52 necessary to its validity or its filing, and the petition, which may be on one or more papers, need
53 not be sworn to.

54 Nomination papers shall differentiate between councilor at large and district councilor,
55 and, school committee member at large and district school committee member, and shall be
56 furnished by the city clerk to individuals requesting the same. All incumbent elected councilors
57 or school committee members who submit nomination papers for election to the city council or
58 school committee on which they currently serve at any municipal election hereafter, shall be
59 entitled to have the words “candidate for re-nomination” or “candidate for re-election” appear
60 next to their name on the ballot.

61 SECTION 3. Said charter is hereby further amended by striking out section C-50 and
62 inserting in place thereof the following section:

63 C-50. City Council, Number, Election, etc.

64 The legislative powers of the city shall be vested in a city council consisting of eleven
65 persons. One of its members shall be elected by the council annually as its president. Each
66 councilor shall be elected for a term of 2 years: four councilors shall be elected at large by the
67 qualified voters of the entire city and one councilor shall be elected from each district of the city
68 by the qualified voters therein, which district shall be one ward, or otherwise, as defined in the
69 ordinances of the city.

70 SECTION 4. Said charter is hereby further amended by inserting after section C-50A the
71 following section:

72 C-50B. Removal from City or District.

73 A city councilor at large, district city councilor, school committee member at large or
74 district school committee member that removes from the city during their elected term shall be
75 deemed by the city clerk to have vacated their office. A district city councilor or district school
76 committee member that moves from one district to another during the first 18 months of the
77 elected term shall be deemed to have vacated their seat, however, a district city councilor or
78 district school committee member who removes from the district from which they were elected
79 during the last six months of the elected term may complete their term as district city councilor
80 or district school committee member.

81 SECTION 5. This act shall take effect upon its passage, and the offices of 4 councilors at
82 large and 7 ward councilors, and 3 at large school committee members, if any vacancies, and 7
83 ward school committee members, shall appear on the ballot at the 2023 biennial city election and
84 each biennial city election thereafter.