

FILED ON: 9/16/2009

HOUSE No. 4246

The Commonwealth of Massachusetts

By Mr. Moran of Boston, for the committee on Election Laws, on House, No. 656, a Bill relative to filling a temporary vacancy in the United States Senate (House, No. 4246) [Senators Hart and Brown; and Representatives Kujawski of Webster, Ashe of Longmeadow, Frost of Auburn and Jones of North Reading, dissenting].

An Act relative to filling a temporary vacancy in the United States Senate.

FOR THE COMMITTEE:

NAME:

Michael J. Moran

DISTRICT/ADDRESS:

18th Suffolk

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

An Act relative to filling a temporary vacancy in the United State Senate.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to provide for the full representation of the commonwealth in the United States Senate pending a special election, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

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. Section 140 of chapter 54 of the General Laws, as appearing in 2008 Official Edition, is
- 2 hereby amended by inserting after subsection (e) the following new subsection:–
- 3 (f) Upon failure to choose a senator in congress or upon a vacancy in said office the governor shall make
- 4 a temporary appointment to fill the vacancy; provided, however, that the person so appointed shall serve
- 5 until the election and qualification of the person duly elected to fill such vacancy pursuant to paragraph
- 6 (a) or paragraph (c); and provided further, any person so appointed shall be of the same political party as
- 7 the person vacating the office and thereby creating the vacancy.