



BOSTON CITY COUNCIL

Committee on Government Operations

Gabriela Coletta, Chair

One City Hall Square ♦ 5th Floor ♦ Boston, MA 02201 ♦ Phone: (617) 635-3040 ♦ Fax: (617) 635-4203

REPORT OF COMMITTEE CHAIR

March 19, 2024

Dear Councilors,

The Committee on Government Operations was referred *Docket #0171, Home Rule Petition to Ensure Future Inauguration Dates Do Not Fall on a Federal Holiday*, on January 24, 2024. This matter was sponsored by Councilor Brian Worrell.

Summary of Legislation:

The purpose of this Docket is to ensure that City of Boston employees will not be required to work on the Federally observed holiday for January 1st *New Year's Day* solely to participate in and facilitate:

**City Council and/or Mayoral Inaugurations*

**The commencement of the Municipal Year*

Currently, the Federally observed holiday for *New Year's Day* can fall anywhere from December 31st-January 2nd. At the same time, every few years select City employees are required to work on the federally observed holiday for *New Year's Day* due to Sections 8 & 9 of the City Charter, which require elected terms and the City's Municipal year, commence the first Monday in January.

The Docket seeks to accomplish its purpose by petitioning the legislature to approve the proposed amendment to Sections 8 & 9 of the City Charter, which would change requirements under both sections, instead declaring that the terms of office for all elected officers in office, terminate at 10AM on the first weekday after the second day in January following the municipal election, and further, that the Municipal Year shall begin on the first weekday after the second day in January.

Information Gathered:

The Committee held a working session on March 15, 2024. The Chair was joined by the sponsor, Councilors Brian Worrell and John FitzGerald and received two absence letters, one from Council President Louijeune and the other from Councilor Tania Fernandes Anderson.

The Committee reviewed the language of the Ordinance section by section, line by line. With regard to SECTION 1. and SECTION 2., it was decided that both sections will be amended to strike the first sentence citing the City Charter and replace it with the citation for the Special Acts passed by the General Court that created that section of the City Charter. It was decided that

SECTION 2., would be further amended to ensure that "the first Monday of January" is struck and replaced in each place it appears to ensure the municipal year runs from the "first weekday after the second day in January" through the "first weekday after the second day in January."

Summary of Amendments

Based upon discussions amongst the Committee at the working session the Home Rule Petition is amended as follows:

PETITION FOR A SPECIAL LAW RE: AN ACT RELATIVE TO ELECTED TERMS AND MUNICIPAL YEARS

SECTION 1. ~~Section 8 of Chapter 452 of the Acts of 1948~~ ~~Section 8 of the General Provisions~~ is hereby amended by striking "the first Monday of January" and replacing it with "the first weekday after the second day in January."

SECTION 2. ~~Section 9 of Chapter 452 of the Acts of 1948 as amended by Chapter 849 of the Acts of 1969, Section 8 of the General Provisions~~ is hereby amended by striking "the first Monday of January" **in each place it appears** and replacing it with "the first weekday after the second day in January."

SECTION 3.

The provisions of this act are severable and if any provision, or portion thereof, should be held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect the remaining provisions, which remain in full force and effect.

SECTION 4.

This act shall take effect starting with the elected terms and the municipal year that begins on Jan. 5, 2026.

Recommended Action:

The Chair of the Committee on Government Operations, to which the following was referred:

Docket #0171, Home Rule Petition to Ensure Future Inauguration Dates Do Not Fall on a Federal Holiday,

submits a report recommending that this docket **ought to pass in a new draft.**

For the Chair:



Gabriela Coletta, Chair
Committee on Government Operations