

SENATE No. 317

To accompany the petition of Carroll L. Meins for legislation relative to the appointment of election officers in certain cities. Election Laws.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-Eight.

AN ACT RELATIVE TO THE APPOINTMENT OF ELECTION OFFICERS IN CERTAIN CITIES.

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 eleven of chapter fifty-four of the General
2 Laws, as most recently amended by chapter twenty-
3 seven of the acts of nineteen hundred and thirty-
4 seven, is hereby further amended by adding at the
5 end thereof the three following new paragraphs:—
6 Each political party entitled to representation in
7 any board of election officers may, not later than the
8 first day in June in each year, file with such board or
9 mayor an original list of persons, members of such
10 party duly qualified to serve as election officers. A
11 supplemental list of persons may also be filed con-
12 taining not more than five names for each office.
13 Additional supplemental lists for any election district
14 may be filed at any time before the appointments for
15 such districts are made and certified by such board
16 or mayor or when a vacancy shall exist in the original

17 list by reason of the disqualification, resignation,
18 declination, or withdrawal of the name by the person
19 or persons submitting the same, or of any person on
20 such list. All appointments shall be made from the
21 original list if those names therein are found qualified;
22 if not so qualified, then from a supplemental list so
23 filed. If, within ten days after notice in writing by
24 the board or mayor to the chairman of the committee
25 or other person by whom the list is filed or authenti-
26 cated, such chairman or other person shall neglect to
27 file an additional list, the board or mayor may appoint
28 qualified persons, members of the party in default, to
29 act as election officers. Such lists shall be authenti-
30 cated and filed by the chairman or under his direction,
31 by the secretary, of the ward committee of each
32 party (in the respective wards within such city) with
33 the chairman or secretary of the city committee of
34 such respective political parties to be transmitted by
35 said chairman or secretary of the city committee to
36 the mayor or board of election commissioners.

37 All persons so proposed on behalf of any party for
38 appointment shall be examined as to their possessing
39 the qualifications required by this chapter. If the
40 appointing power be the board of election commis-
41 sioners, such examination shall be made by such
42 board. If the appointing power be the mayor, such
43 examination shall be made by the board of registrars
44 of voters in said city. Appointments by the mayor
45 shall be subject to the determination of such boards of
46 registrars as to the qualifications of the persons ap-
47 pointed. The boards conducting any examination
48 under this section shall give five days notice in writing
49 of such examination to the person to be examined,
50 and also to the chairman of the city and ward com-
51 mittee by whom the list is filed and authenticated,

52 and such chairman may appear and be heard at such
53 examination, either in person or by counsel.

54 When the appointing authority is the board of
55 election commissioners, if a person so proposed is
56 found to be qualified, after examination, he shall
57 be appointed, but if he is found disqualified, after
58 examination, notice in writing to that effect shall be
59 given by said board, within three days after such
60 disqualification is determined, to the chairman of the
61 city and ward committee by whom the list embracing
62 the name of the person so disqualified was authenti-
63 cated, and the vacancy shall be filled by the appoint-
64 ment of a qualified person named in a supplemental
65 list filed on behalf of the same party, except that if a
66 party entitled to representation files no list the ap-
67 pointment may be made without such list, after exam-
68 ination. Where appointments shall have been made
69 by the mayor and certified to the board of registrars
70 of voters, such appointments shall be absolute as to
71 persons found qualified by the board of registrars.
72 If a person so appointed shall be found by such board
73 of registrars to be disqualified, the board forthwith
74 shall give notice thereof to the mayor who shall,
75 within three days thereafter, give notice in writing
76 to that effect to the chairman of the political committee
77 by whom the list embracing the name of the person
78 so disqualified was authenticated, and a vacancy
79 shall be deemed to exist therein to be filled by the
80 mayor by the appointment subject to the examination
81 by the board of registrars, of a person named in the
82 supplemental list filed on behalf of the same party,
83 or of a person who is a member of such party, if no
84 list be filed. If a person recommended shall have
85 served as an election official at any previous election,
86 it shall not be necessary for him to be examined.

