

HOUSE No. 137

By Mr. Baker of Quincy, petition of Clifton H. Baker relative to permitting voters to establish, change or cancel party enrolment and providing a penalty for making a false writing in connection therewith. Election Laws.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Five.

AN ACT RELATIVE TO PERMITTING A VOTER TO ESTABLISH, CHANGE OR CANCEL HIS PARTY ENROLMENT AND PROVIDING A PENALTY FOR ANYONE WHO MAKES A FALSE WRITING IN CONNECTION THEREWITH.

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 38 of chapter 53 of the General
2 Laws, as most recently amended by section 3 of chapter
3 237 of the acts of 1945, is hereby further amended by
4 striking out, in lines 7 and 8, the words "appearing in
5 person before a member of the board of registrars of
6 voters and", — so as to read as follows:— *Section 38.*
7 No voter enrolled under this or the preceding section
8 shall be allowed to receive the ballot of any political
9 party except that with which he is so enrolled; but a
10 voter may, except within a period beginning with the
11 thirty-first day prior to a primary and ending with the
12 day prior thereto, establish, change or cancel his enrol-
13 ment by requesting in writing to have his enrolment
14 established with a party, changed to another party, or
15 cancelled, and such enrolment, change or cancellation
16 shall take effect at the expiration of thirty days there-
17 after. No voter enrolled as a member of one political
18 party shall be allowed to receive the ballot of any other

19 political party, upon a claim by him of erroneous en-
20 rolment, except upon a certificate of such error from the
21 registrars, which shall be presented to the presiding
22 officer of the primary and shall be attached to, and con-
23 sidered a part of the voting list and returned and pre-
24 served therewith; but the political party enrolment of
25 a voter shall not preclude him from receiving at a city
26 or town primary the ballot of any municipal party,
27 though in no one primary shall he receive more than one
28 party ballot.

1 SECTION 2. Section 1 of chapter 267 of the General
2 Laws, as appearing in the Tercentenary Edition, is
3 hereby amended by inserting after the word "recorder"
4 in line 16 the words:— ; or a writing for establishing,
5 changing or cancelling the party enrolment of a voter
6 provided for by section thirty-eight of chapter fifty-
7 three, — so as to read as follows:— *Section 1.* Whoever,
8 with intent to injure or defraud, falsely makes, alters,
9 forges or counterfeits a public record, or a certificate,
10 return or attestation of a clerk or register of a court,
11 public register, notary public, justice of the peace, town
12 clerk or any other public officer, in relation to a matter
13 wherein such certificate, return or attestation may be
14 received as legal proof; or a charter, deed, will, testa-
15 ment, bond or writing obligatory, power of attorney,
16 policy of insurance, bill of lading, bill of exchange or
17 promissory note; or an order, acquittance or discharge
18 for money or other property; or an acceptance of a bill
19 of exchange, or an endorsement or assignment of a bill
20 of exchange or promissory note for the payment of
21 money; or an accountable receipt for money, goods or
22 other property; or a stock certificate, or any evidence
23 or muniment of title to property; or a certificate of title,
24 duplicate certificate of title, certificate issued in place
25 of a duplicate certificate, the registration book, entry
26 book, or any indexes provided for by chapter one hun-
27 dred and eighty-five, or the docket of the recorder; or
28 a writing for establishing, changing or cancelling the

29 party enrolment of a voter provided for by section
30 thirty-eight of chapter fifty-three; shall be punished by
31 imprisonment in the state prison for not more than ten
32 years or in jail for not more than two years.

