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To accompany the petition of Norman L. Stepno and others for legislation to establish non-partisan municipal elections in the city of Holyoke. Cities.

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**The Commonwealth of Massachusetts**

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

AN ACT ESTABLISHING NON-PARTISAN MUNICIPAL ELECTIONS  
IN THE CITY OF HOLYOKE.

*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. On the third Tuesday preceding every  
2 regular or special municipal election in the city of Hol-  
3 yoke at which any elective municipal office is to be filled,  
4 there shall be held, except as otherwise provided in sec-  
5 tion nine, a preliminary election for the purpose of  
6 nominating candidates therefor. At every such election  
7 the polls shall be opened during such hours, in accord-  
8 ance with general law, as the board of aldermen may  
9 prescribe and the general laws relative to municipal  
10 elections shall apply thereto, except as is otherwise  
11 specifically provided for in this act.

1 SECTION 2. Except as is otherwise provided in said  
2 section nine, there shall not be printed on the official  
3 ballot to be used at any regular or special municipal  
4 election in said city the name of any person as a candi-  
5 date for any office unless such person has been nomi-  
6 nated as such at a preliminary election for nomination,  
7 held as provided in this act. There shall not be printed  
8 on the official ballot for use at such preliminary election.

9 the name of any candidate for nomination at such elec-  
 10 tion unless he shall have submitted, within the time  
 11 limited and as provided by section three, the nomination  
 12 paper therein described.

1 SECTION 3. Any person who is qualified to vote at  
 2 any regular or special municipal election in said city for  
 3 a candidate for any elective municipal office in said city,  
 4 and who is a candidate for nomination thereto, shall be  
 5 entitled to have his name as such candidate printed on  
 6 the official ballot to be used at a preliminary election  
 7 for nomination therefor; provided, that if he is a candi-  
 8 date to be voted for in a single ward he shall be a regis-  
 9 tered voter in the ward wherein he is a candidate; and  
 10 provided, further, that on or before five o'clock in the  
 11 afternoon of the sixth Tuesday preceding such regular  
 12 or special municipal election there shall be submitted to  
 13 the board of registrars of voters a nomination paper pre-  
 14 pared and issued by the city clerk, wherein the candidate  
 15 sets forth in writing his candidacy, and wherein the  
 16 petition is signed in person by at least fifty, or, in case  
 17 of a candidate for the office of mayor, by at least two  
 18 hundred and fifty, voters of the city qualified to vote for  
 19 a candidate for the said office, whose signatures are cer-  
 20 tified as hereinafter provided.

21 Said nomination papers shall be in substantially the  
 22 following form:—

COMMONWEALTH OF MASSACHUSETTS.

CITY OF HOLYOKE

NOMINATION PAPER.

STATEMENT OF CANDIDATE.

I ( ), on oath declare that I am a citizen of the United  
 States of America, that I reside at (number, if any) on (name of  
 street) and ward in the city of Holyoke; that I am a voter  
 therein, qualified to vote for a candidate for the office hereinafter  
 mentioned; that I am a candidate for the office of (name of office)  
 for (state the term) to be voted for at the preliminary election to be  
 held on Tuesday, the day of , nineteen  
 hundred and , and I request that my name be printed



5 voters in said city qualified to sign the same. All such  
6 papers found not to contain a number of names so certi-  
7 fied equivalent to the number required to make a nomi-  
8 nation shall be invalid, and such papers shall be pre-  
9 served by the board for one year. The board shall  
10 complete their certification on or before five o'clock in  
11 the afternoon of the fifth Tuesday preceding such regular  
12 or special municipal election, and the board, or some  
13 member thereof, shall file with the city clerk on or before  
14 five o'clock in the afternoon of the next day all papers  
15 not found to be invalid as aforesaid.

1 SECTION 5. On the first day, other than a legal holi-  
2 day, following the expiration of the time for filing the  
3 above described nomination papers with the city clerk,  
4 he shall post in a conspicuous place in his office the  
5 names and residences of the candidates for nomination  
6 who have duly qualified as such, as they are to appear  
7 on the official ballots to be used at the preliminary elec-  
8 tion, except as to the order of the names, which shall be  
9 drawn by lot by the city clerk within seventy-two hours  
10 succeeding five o'clock in the afternoon of the last day  
11 fixed for filing the nomination papers with him, and he  
12 shall cause the ballots, which shall contain said names in  
13 their order as drawn by him, and no others, with a desig-  
14 nation of residence, and of the office and term of office,  
15 to be printed, and the ballots so printed shall be official  
16 and no others shall be used at the preliminary election.  
17 At any drawing for position on the ballot, each candi-  
18 date shall have an opportunity to be present in person  
19 or by one representative. There shall be left at the end  
20 of the list of candidates for nomination for each office  
21 blank spaces equal in number to the number of persons  
22 to be nominated therefor, in which spaces the voter may  
23 insert the name of any person not printed on the ballot  
24 for whom he desires to vote for nomination for such  
25 office, but the name of such person shall not be printed  
26 on the official ballot to be voted for at any regular or  
27 special municipal election in said city unless such person

28 is qualified to be nominated under section three. There  
29 shall be printed on such ballots such directions as will  
30 aid the voter, as, for example: "vote for one", "vote  
31 for two", and the like, and the ballots shall be headed  
32 substantially as follows: —

OFFICIAL PRELIMINARY BALLOT.

Candidates for nomination for the offices of (name of offices) in the  
city of Holyoke at a preliminary election to be held on the  
day of \_\_\_\_\_, in the year nineteen hundred and \_\_\_\_\_.

33 On the back and outside of each ballot when folded  
34 shall be printed the words "Official Ballot for Preliminary  
35 Election", followed by the designation of the ward for  
36 which the ballot is prepared, the date of the preliminary  
37 election and a facsimile of the signature of the city clerk.

1 SECTION 6. No ballot used at any preliminary elec-  
2 tion in said city shall have printed thereon any party or  
3 political designation or mark, and there shall not be  
4 appended to the name of any candidate any such party  
5 or political designation or mark, or anything showing  
6 how he was nominated or indicating his views or opinions.

1 SECTION 7. The election officers of said city shall,  
2 immediately upon the closing of the polls at preliminary  
3 elections, count the ballots and ascertain the number of  
4 votes cast in the several voting places for each candidate,  
5 and forthwith make return thereof upon blanks to be  
6 furnished, as in regular elections, to the city clerk, who  
7 shall canvass said returns and shall forthwith deter-  
8 mine the result thereof, insert the same in a newspaper  
9 published in said city and post the same in a conspicuous  
10 place in his office.

1 SECTION 8. If any person receives at a preliminary  
2 election a majority of all the votes cast for the office for  
3 nomination to which he was a candidate, he shall be  
4 deemed and declared elected thereto; provided, that at  
5 said election at least eighty per cent of the total regis-

6 tered vote of the city, or, in the case of a ward alderman,  
7 of the ward, shall be cast; otherwise the two persons  
8 receiving at a preliminary election the highest number of  
9 votes for nomination for any office, except one to which  
10 two or more persons are to be elected at the regular or  
11 special municipal election following, and, as to each of  
12 such offices, the several persons in number equal to  
13 twice the number so to be elected receiving at such pre-  
14 liminary election the highest number of votes for nomi-  
15 nation for that office, shall, except as provided in this  
16 section and in section nine, be the sole candidates for  
17 that office whose names may be printed on the official  
18 ballot to be used at the regular or special municipal elec-  
19 tion at which such office is to be filled.

20 If the preliminary election results in a tie vote among  
21 candidates for nomination to any office receiving the  
22 lowest number of votes, which, but for said tie vote,  
23 would entitle a person receiving the same to have his  
24 name printed upon the official ballot for the regular or  
25 special municipal election, all candidates participating in  
26 said tie vote shall have their names printed upon the  
27 official ballot, although in consequence there be printed  
28 thereon the names of candidates to a number exceeding  
29 twice the number to be elected.

1 SECTION 9. If at the expiration of the time for filing  
2 with the city clerk nomination papers for candidates to be  
3 voted for at any preliminary election there have not  
4 been filed with him more than twice as many such nomi-  
5 nation papers for an office as there are persons to be  
6 elected to such office, the candidates whose nomination  
7 papers have thus been filed shall be deemed to have  
8 been nominated to said office, and their names shall be  
9 printed on the official ballot to be used at the regular or  
10 special municipal election following, and the city clerk  
11 shall not print said names upon the ballot to be used at  
12 said preliminary election, and no other nomination to  
13 said office shall be made. If in consequence it shall  
14 appear that no names are to be printed upon the official

15 ballot to be used at any preliminary election in any ward  
16 or wards of said city, no preliminary election shall be  
17 held in any such ward or wards.

1 SECTION 10. So much of chapter four hundred and  
2 thirty-eight of the acts of eighteen hundred and ninety-  
3 six, and acts in amendment thereof, and in addition  
4 thereto, as is inconsistent with this act, is hereby repealed.

1 SECTION 11. This act shall be submitted for accept-  
2 ance to the registered voters of the city of Holyoke at  
3 the biennial state election to be held in the year nineteen  
4 hundred and fifty-six, in the form of the following ques-  
5 tion, which shall be printed on the official ballot to be  
6 used in said city at said election: — “Shall an act passed  
7 by the general court in the year nineteen hundred and  
8 fifty-six, entitled ‘An Act establishing Non-Partisan  
9 Municipal Elections in the City of Holyoke’, be ac-  
10 cepted?” If the majority of the votes in answer to said  
11 question is in the affirmative, then this act shall there-  
12 upon take full effect for the regular municipal election  
13 to be held in said city in the year nineteen hundred and  
14 fifty-seven, and for all municipal elections in said city  
15 thereafter, but not otherwise.

