

SENATE No. 531

[Senate, No. 531. — Substituted by amendment (Sybil H. Holmes) for the House Report of the committee on Election Laws, "reference to the next annual session", on the residue of the report of the special commission established to investigate the matter of registration of voters with a view to advisability of re-registration of same and to identity of voters at the polls, House, No. 1600.]

The Commonwealth of Massachusetts

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

AN ACT FURTHER REGULATING THE USE AT ELECTIONS
OF ELECTION REGISTRATION CARDS, AND RELATIVE TO
CERTIFICATES OF REGISTERED VOTERS.

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. Chapter fifty-one of the General Laws
2 is hereby amended by inserting after section forty-
3 one, as appearing in the Tercentenary Edition, the
4 following new section: —
5 *Section 41A.* After January first, nineteen hundred
6 and forty, the registrars shall seasonably transmit
7 to the officers in charge of elections, who shall give a
8 receipt therefor, prior to any biennial state or city or
9 town election the cards referred to in section two of
10 chapter _____ of the acts of nineteen hundred
11 and thirty-eight for use in each voting place and said
12 officers shall transmit the same for use at respective

13 polling places where they shall be receipted therefor by
14 the election officers and upon the closing of the polls
15 shall return said files to the registrars.

1 SECTION 2. Chapter fifty-four of the General
2 Laws is hereby amended by striking out section
3 seventy-six, as so appearing, and inserting in place
4 thereof the following:—

5 *Section 76.* Upon application to vote at a primary,
6 or election subsequent to January first, nineteen hun-
7 dred and forty, each registered voter shall sign his
8 name, or, in case of physical disability, make his
9 mark, on a certificate substantially as follows:—

10 INSTRUCTION TO VOTERS.

11 Sign this certificate and hand it to the election
12 official in charge. After the registration record has
13 been checked, the official will hand this certificate
14 back to you. Whereupon you shall present it to the
15 official in charge of the ballots.

16 CERTIFICATE OF REGISTERED VOTER.

17 City of Ward Precinct
18 Election

19 Date Month Year

20 I hereby certify that I am registered from the
21 address below and am qualified to vote.

22 Signature of voter.

23 Residence address as of January first last past.

24 The officer or person in charge of the registration
25 files at the polling place shall compare the signature
26 upon such certificate with the signature on the regis-
27 tration record card as a means of identifying the

28 voter. Unless satisfied by such comparison that the
29 applicant to vote is the identical person who is regis-
30 tered under the same name, such applicant shall be
31 asked the questions for identification which appear
32 on the registration card, and if the applicant does
33 not prove to the satisfaction of the election officer
34 that he is the identical person registered under the
35 name in question then the vote of such applicant
36 shall be challenged by him, and the same procedure
37 followed as provided for challenged voters. The per-
38 son designated by each political party to challenge
39 voters as provided in chapter _____, section
40 shall be permitted to observe the comparison of signa-
41 tures and the identification of applicants under this
42 section.

43 In case the voter is unable because of physical dis-
44 ability to sign his name, an election official shall check
45 the data on the election card and shall check the ad-
46 dress given, with the registered address, in order to
47 determine whether he is entitled to vote.

48 One of the election officials shall check the certifi-
49 cate of each applicant for a ballot after the registra-
50 tion record has been examined, and shall sign his
51 initials on said certificate in the space provided there-
52 for, and make an entry in the voting record space
53 on the registration record, to indicate whether or not
54 the applicant voted. Such official shall then hand
55 such certificate back to the applicant in case he is
56 permitted to vote, and such applicant shall hand it
57 to the person or officer in charge of the ballots, who
58 shall thereupon distinctly announce the name and
59 residence; and the ballot clerk shall repeat the name
60 and give one ballot to each such voter, who shall
61 then be admitted within the guard rail. If not en-

62 titled to vote for all the offices upon the ballot, he
63 shall receive a partial ballot. The certificates of the
64 voters shall be filed in the order in which they are
65 received and shall be returned to the office of the
66 registrars as provided in section sixty-four of chapter
67 fifty-one.