

To accompany the petition of Charles H. Pearson that provision be made for the nomination by conventions of candidates of political parties to be voted for at State elections, and the election of State committees of each political party. Election Laws.

The Commonwealth of Massachusetts.

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

An Act to provide for the Nomination by Conventions of Candidates of Political Parties to be voted for at State Elections, and the Election of State Committees of Each Political Party.

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-three of the Gen-
2 eral Laws is hereby amended by striking out
3 section two and inserting in place thereof the
4 following:—

5 *Section 2.* Except for nominating candi-
6 dates for municipal offices where city or town
7 charters or by-laws otherwise provide, and ex-
8 cept presidential electors, the nomination of
9 candidates of political parties for all elective
10 offices, and the election of members of the state
11 committee of political parties, from each sena-
12 torial district, shall be made by a convention
13 of delegates, or their alternates, duly elected
14 as such, at a primary or caucus duly called and
15 held for that purpose. All nominations and

16 elections in primaries and caucuses shall be by
17 direct plurality vote. No candidate shall be
18 nominated, or political committee or conven-
19 tion delegate, or alternate delegate, elected, in
20 any other manner than is herein provided.
21 The secretary of the commonwealth is hereby
22 empowered and shall prescribe the rules and
23 regulations for calling, holding and conduct-
24 ing of all such conventions, not otherwise
25 herein provided for.

1 SECTION 2. Said chapter fifty-three is
2 hereby further amended by striking out sec-
3 tions forty-one to fifty-four, inclusive, provid-
4 ing for state primaries, and inserting in place
5 thereof the following: —

6 *Section 41.* A political party shall, upon
7 the call of its state committee, but not later
8 than two weeks prior to the biennial state
9 election, hold a state convention for the pur-
10 pose of nominating candidates for all offices to
11 be filled by all the voters of the commonwealth,
12 adopting a platform, electing such number of
13 members at large of the state committee as
14 may be fixed by it, and for such other purposes
15 consistent with law as the state committee or
16 the convention may determine. Such conven-
17 tion shall consist of the delegates duly elected
18 thereto, or their alternates, the members of the
19 state committee, and the United States sena-
20 tors and congressmen from Massachusetts who
21 are members of the party. The presiding of-

22 fier and the secretary of the convention shall,
23 as to all candidates nominated, sign a certifi-
24 cate of nomination, and shall make oath to the
25 truth thereof. Such certificate shall, in addi-
26 tion to the names of the candidates, specify as
27 to each (1) his place of residence; (2) the
28 office for which he is nominated; (3) the party
29 which he represents. It shall also state what
30 provision, if any, was made by the convention
31 for filling vacancies caused by the death, with-
32 drawal or ineligibility of candidates. The
33 certificate shall be filed with the secretary of
34 the commonwealth on or before the seventh
35 Monday preceding the day of election, and the
36 names of the nominees, together with their
37 places of residence, the offices for which they
38 have been respectively nominated and the
39 party which they represent, shall be placed
40 upon the ballot to be used at the state election.

41 *Section 42.* A convention of delegates of a
42 political party held in accordance with the
43 provisions of this chapter for a district or
44 county may make one nomination for each
45 office to be filled at an election therein, and
46 shall be entitled to have the names of its can-
47 didates placed upon the official ballot upon
48 filing a certificate of nomination as provided
49 in this chapter. The convention of a sena-
50 torial district shall, from the voters of its
51 party in such district, elect the number of
52 members of its state committee to which such
53 district is entitled.

54 *Section 43.* No convention to nominate
55 candidates for any state office shall be called
56 for or held on a date earlier than four days
57 after the holding of the caucuses for the choice
58 of delegates thereto, and all such conventions
59 shall be called for and held on a date not later
60 than forty-eight hours prior to the hour for
61 filing certificates of nomination. No represen-
62 tative convention shall be called for or held on
63 a date earlier than seven days after the date
64 designated for holding caucuses by the state
65 committee of the political party whose repre-
66 sentative convention is to be held.

67 *Section 44.* At a political convention not
68 held for the nomination of candidates for any
69 offices to be filled by all the voters of the com-
70 monwealth, by vote of one fourth of the dele-
71 gates present the nomination of any candidate
72 shall be made by roll call in the following man-
73 ner: The secretary of the convention shall
74 call the roll of the towns and cities in alpha-
75 betical order or of wards in a city in numeri-
76 cal order, and each delegate shall, as his name
77 is called, state in the hearing of the convention
78 the name of the candidate for whom he desires
79 to vote, and the person receiving a majority
80 of votes on such roll call shall be the candidate
81 of the convention.

82 *Section 45.* Every certificate of nomination
83 shall state such facts as are required by section
84 forty-one, and shall be signed by the presiding
85 officer and by the secretary of the convention

86 or caucus, who shall add to their signatures
87 their residences, and shall make oath to the
88 truth thereof. The secretary of the conven-
89 tion or caucus shall within the seventy-two
90 hours succeeding five o'clock in the afternoon
91 of the day upon which the convention or cau-
92 cus was held and within the time specified, file
93 such certificate as hereinafter provided.

94 *Section 46.* Each town, ward of a city and
95 district, entitled to delegates to any convention
96 of political parties, in electing delegates to any
97 such convention shall, at the same time and in
98 the same manner, elect a like number of al-
99 ternate delegates, and no person shall partici-
100 pate in any such convention by voting therein
101 unless he has been duly elected as a delegate,
102 or in case of his absence, or his failure to vote,
103 his duly elected alternate delegate, thereto and
104 has his credentials to that effect.

105 *Section 47.* No person except a duly elected
106 delegate, or, in case of his absence, or failure
107 to vote therein, his duly elected alternate, shall
108 be entitled to vote in any convention. Any
109 person violating the provisions of this section
110 shall be punished by a fine of not more than
111 five hundred dollars or by imprisonment for
112 not more than ninety days or by both such fine
113 and imprisonment.

1 SECTION 3. In the event of any delegate, for
2 any reason, being absent from any convention,
3 or his failure to vote therein, the vacancy so

4 caused may be filled by an alternate delegate
5 from the same district, ward or town, if pres-
6 ent with his credentials.

1 SECTION 4. All acts and parts of acts
2 and amendments thereto, heretofore enacted,
3 which are inconsistent with this act, are hereby
4 repealed.

1 SECTION 5. This act shall take effect upon
2 its passage.