

# HOUSE . . . . No. 1077

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, March 13, 1928.

The committee on Election Laws, to whom was referred so much of the report of the joint special recess committee appointed to investigate relative to the administration and operation of the existing laws in respect to elections (House, No. 28) as relates to the number, manner of election and term of office of members of political committees (accompanied by bill, House, No. 40), report the accompanying bill (House, No. 1077).

For the committee,

LYMAN A. HODGDON.

## The Commonwealth of Massachusetts

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

An Act relative to the Number, Manner of Election and Term of Office of Members of Political Committees.

*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-two of the General Laws,  
2 as amended in section one by section one of chapter  
3 twenty-five and by chapter two hundred and ninety-five,  
4 both of the acts of nineteen hundred and twenty-seven,  
5 is hereby further amended by striking out said section  
6 one, as amended, and inserting in place thereof the  
7 following:

8 *Section 1.* Each political party shall, in the manner  
9 herein provided, elect from among its enrolled members  
10 a state committee, the members of which shall hold  
11 office for four years from May fifteenth next following  
12 their election and until their successors shall have or-  
13 ganized, except as herein otherwise provided. Said com-  
14 mittee shall consist of one member from each senatorial  
15 district, to be elected at the presidential primary, or bien-  
16 nial state primary as hereinafter provided, by a plurality  
17 vote of the members of their party in the district, and  
18 such number of members at large as may be determined  
19 by the district members, to be elected by them.

20 District members of state committees shall be elected  
21 at every presidential primary except those held in the  
22 year nineteen hundred and thirty-six and every twentieth  
23 year thereafter. The members of such committees, both

24 district and at large, in office at the time of the presiden-  
25 tial primary in the year nineteen hundred and thirty-six  
26 and in every twentieth year thereafter, shall continue in  
27 office until the twentieth day after the biennial state  
28 primary held in that year or until their successors shall  
29 have organized. The terms of office of all district mem-  
30 bers of state committees elected at the presidential pri-  
31 mary in the year nineteen hundred and forty-four and  
32 in every twentieth year thereafter, and of all members  
33 thereof at large elected in that year, shall terminate on  
34 the twentieth day after the second following biennial  
35 state primary. At the biennial state primary in nineteen  
36 hundred and thirty-six, and in every tenth year there-  
37 after, district members of state committees based on the  
38 new senatorial district lines shall be elected as hereinbe-  
39 fore provided, and their terms of office shall commence  
40 on the twentieth day after said primary, or as soon  
41 thereafter as the several new state committees shall or-  
42 ganize, which shall be within ten days after said twen-  
43 tieth day, and shall continue until May fifteenth following  
44 the next following presidential primary and until their  
45 successors shall have organized.

46 The district members of the state committee shall, as  
47 soon as may be after May fifteenth next following their  
48 election at a presidential primary or within thirty days  
49 after their election at a biennial state primary, as the  
50 case may be, meet and elect such number of members at  
51 large as they may determine. They shall then organize  
52 by the choice of a chairman, a secretary, a treasurer and  
53 such other officers as they may decide to elect.

54 The secretary of the state committee shall, within ten  
55 days after such organization, file with the state secretary,  
56 and send to each city and town committee, a list of the  
57 members of the committee and of its officers.



58 A vacancy in the office of chairman, secretary or  
59 treasurer of the committee or in the membership thereof  
60 shall be filled by the committee, and a statement of  
61 any such change shall be filed as in the case of the officers  
62 first chosen.

1 SECTION 2. Said chapter fifty-two, as amended in  
2 section two by section one of chapter one hundred and  
3 fourteen of the acts of nineteen hundred and twenty-five  
4 and by section two of said chapter twenty-five, is hereby  
5 further amended by striking out said section two, as  
6 amended, and inserting in place thereof the following:

7 *Section 2.* Each political party shall, in every ward  
8 and town, elect at the presidential primary from among  
9 the enrolled members of the party a committee to be  
10 called a ward or town committee, whose members shall  
11 hold office for four years from May fifteenth following  
12 their election and until their successors shall have  
13 organized, except as provided in section seven.

1 SECTION 3. Section four of said chapter fifty-two is  
2 hereby amended by striking out, in the first and second  
3 lines, the words "January first and March first" and  
4 inserting in place thereof the words: — May fifteenth and  
5 July fifteenth, — so as to read as follows: — *Section 4.*  
6 Each town committee shall, between May fifteenth and  
7 July fifteenth following its election, and each ward and  
8 city committee shall, within thirty days after the be-  
9 ginning of its term of office, meet and organize by the  
10 choice of a chairman, a secretary, a treasurer and such  
11 other officers as it may decide to elect. At such meeting  
12 the committee may add to its numbers.

1 SECTION 4. Said chapter fifty-two, as amended in  
2 section seven by section two of chapter one hundred and

3 fourteen of the acts of nineteen hundred and twenty-five,  
4 is hereby further amended by striking out said section  
5 seven and inserting in place thereof the following:

6 *Section 7.* If a city is redivided into wards in the  
7 year nineteen hundred and forty-four or in any twentieth  
8 year thereafter, the terms of office of all members of its  
9 ward committees elected at the presidential primary in  
10 that year, shall terminate on the twentieth day after the  
11 holding of the biennial state primary next following such  
12 redivision at which the same number of new members of  
13 its ward committees based on the new ward lines shall  
14 be elected, and their terms of office shall commence on  
15 said twentieth day, or as soon thereafter as the several  
16 ward committees shall organize which shall be within ten  
17 days after said twentieth day, and shall continue until  
18 May fifteenth following the next presidential primary and  
19 until their successors shall have organized.

1 SECTION 5. Said chapter fifty-two, as amended in  
2 section nine by chapter one hundred of the acts of nine-  
3 teen hundred and twenty-six, is hereby further amended  
4 by striking out the third sentence and inserting in place  
5 thereof the following:— Notice of the number of dele-  
6 gates to be elected shall be given by the state committee  
7 to the state secretary on or before August first next pre-  
8 ceding the primaries at which they are to be elected.  
9 Notice of the number of members of each ward and  
10 town committee to be elected shall be given by the city  
11 or town committee, as the case may be, to the state  
12 secretary on or before the third Wednesday in March  
13 preceding the presidential primary at which they are to  
14 be elected, — so as to read as follows:— *Section 9.* The  
15 state committee shall fix the number of delegates to the  
16 state convention, not less than one for each ward or

17 town. City and town committees shall fix the number  
18 of members of ward and town committees, not less than  
19 three for each ward or town. Notice of the number of  
20 delegates to be elected shall be given by the state com-  
21 mittee to the state secretary on or before August first  
22 next preceding the primaries at which they are to be  
23 elected. Notice of the number of members of each ward  
24 and town committee to be elected shall be given by the  
25 city or town committee, as the case may be, to the state  
26 secretary on or before the third Wednesday in March  
27 preceding the presidential primary at which they are to  
28 be elected. In case a city or town committee fails to  
29 fix the number of the members of a ward or town com-  
30 mittee and to give notice thereof as aforesaid to the  
31 state secretary, the number of members of such a ward  
32 or town committee to be elected shall not exceed ten.

1 SECTION 6. Chapter fifty-three of the General Laws  
2 is hereby amended by striking out section forty-one and  
3 inserting in place thereof the following:— *Section 41.*  
4 Primaries shall be held for the nomination of candidates  
5 of political parties for all offices to be filled at a state  
6 election, except presidential elector, and for the election  
7 of delegates to state conventions of political parties, for  
8 the election in the year nineteen hundred and thirty-six  
9 and in every tenth year thereafter of district members of  
10 state committees, and for the election in the year nine-  
11 teen hundred and forty-six and in every twentieth year  
12 thereafter of ward committees in every city in which  
13 there shall have been a redivision into wards in the  
14 month of December next but one preceding. Sections  
15 forty-two to fifty-four, inclusive, shall apply to such  
16 primaries.



1 SECTION 7. Section fifty-four of said chapter fifty-  
2 three is hereby amended by inserting after the word  
3 "primaries" in the third line the following:— in any  
4 year when district members of such committee are not  
5 elected or have been elected at the presidential primaries,  
6 and as soon as may be after their organization in any  
7 year when they are elected at the state primary, — and  
8 by striking out, in the fourth and fifth lines, the words  
9 "electing such number of members at large of the state  
10 committee as may be fixed by it," — so as to read as  
11 follows:— *Section 54.* A political party may, upon the  
12 call of its state committee, but not earlier than one week  
13 nor later than two weeks after the holding of the pri-  
14 maries in any year when district members of such com-  
15 mittee are not elected or have been elected at the presi-  
16 dential primaries, and as soon as may be after their  
17 organization in any year when they are elected at the  
18 state primary, hold a state convention for the purpose  
19 of adopting a platform, nominating presidential electors  
20 and for such other purposes consistent with law as the  
21 state committee or the convention may determine.  
22 Such convention shall consist of the delegates elected  
23 at the state primary, the members of the state com-  
24 mittee, the United States senators from Massachusetts  
25 who are members of the party, the nominees of the party  
26 for all offices to be filled at the state election, and in  
27 years in which no elections are held for such offices, the  
28 incumbents of those offices who are members of the  
29 party.

1 SECTION 8. Section sixty-six of said chapter fifty-  
2 three is hereby amended by adding at the end thereof  
3 the following new sentence:— District members of state  
4 committees and members of ward and town committees

5 shall also be elected at each presidential primary, except  
6 that in the year nineteen hundred and thirty-six and  
7 in each twentieth year thereafter no such district mem-  
8 bers shall be elected thereat.

1 SECTION 9. Section sixty-eight of said chapter fifty-  
2 three is hereby amended by inserting after the word  
3 "telegraph" in the twentieth line the following new  
4 sentence:—The state secretary shall also cause to be  
5 placed on such official ballot in the manner provided  
6 in said section thirty-four the names of candidates for  
7 state, ward and town committees, — and by adding at  
8 the end thereof the following:—provided, that city  
9 and town clerks shall determine the results of the vote  
10 for members of ward and town committees, issue proper  
11 certificates thereof to the successful candidates and  
12 notify the chairmen of the city and town committees  
13 of the respective parties, — so as to read as follows:—  
14 *Section 68.* The state secretary shall cause to be placed  
15 on the official ballot for use in primaries at which dele-  
16 gates to national conventions of political parties are  
17 elected, under separate headings, and in the following  
18 order, the names of candidates for delegates at large,  
19 alternate delegates at large, district delegates, and  
20 alternate district delegates. The names of candidates  
21 appearing in nomination papers containing nominations  
22 for all the places to be filled shall be placed first on said  
23 ballot, arranged in groups and in the same order as in  
24 the nomination papers. The order in which the groups  
25 shall appear shall be determined by lot in the manner  
26 provided in section thirty-four. The names of candidates  
27 appearing in nomination papers containing nominations  
28 for less than all the places to be filled shall follow,  
29 alphabetically arranged. The ballot shall also contain



30 a statement of the preference if any, of each candidate  
31 for delegate as to a candidate for nomination for presi-  
32 dent, provided that such statement appears in his  
33 nomination papers; but no such statement of preference  
34 by any candidate for delegate shall appear upon the  
35 ballot unless such candidate for nomination for president  
36 files his written assent thereto with the state secretary  
37 on or before five o'clock in the afternoon of the last day  
38 for filing nomination papers. Such assent may be com-  
39 municated by telegraph. The state secretary shall also  
40 cause to be placed on such official ballot in the manner  
41 provided in said section thirty-four the names of candi-  
42 dates for state, ward and town committees. Upon the  
43 receipt of the records of votes cast at presidential  
44 primaries, the city or town clerk shall forthwith canvass  
45 the same and make return thereof to the state secretary,  
46 who shall forthwith canvass such returns, determine the  
47 results thereof, and notify the successful candidates;  
48 provided, that city and town clerks shall determine the  
49 results of the vote for members of ward and town  
50 committees, issue proper certificates thereof to the suc-  
51 cessful candidates and notify the chairmen of the city  
52 and town committees of the respective parties.

1 SECTION 10. The terms of office of all members of  
2 state, city, ward and town committees elected at the  
3 state primaries held in the year nineteen hundred and  
4 thirty, shall terminate on May fifteenth, nineteen hun-  
5 dred and thirty-two.







