

HOUSE No. 556

By Mr. Squires of Worcester, petition of Arthur T. Squires relative to methods of nomination and election in primaries and conventions of political parties and to the holding of pre-primary conventions. Election Laws.

The Commonwealth of Massachusetts

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

An Act relative to Methods of Nominations and Elections in Primaries and Conventions, and providing for a Pre-Primary Convention.

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. A political party shall, upon the call
2 of its state committee, at any time during the month
3 of May in a year in which a biennial state election
4 takes place, hold a state convention for the purpose
5 of adopting a platform, electing such number of
6 members at large of the state committee as may be
7 fixed by it, nominating presidential electors and
8 nominating candidates for offices to be voted on by
9 all the voters of the commonwealth at the ensuing
10 primary, and for such other purposes consistent with
11 law as the state committee or the convention may
12 determine. Such convention shall consist of the
13 delegates elected at caucuses as hereinafter provided,

14 the members of the state committee, the United
15 States senators from Massachusetts who are members
16 of the party, and incumbents of state offices who are
17 members of the party. Every certificate of nomina-
18 tion by a state convention shall state that the nominee
19 has been so nominated and shall include such facts
20 as are required by section eight and the eight word
21 statement mentioned in section forty-five. Such
22 certificate shall be signed and sworn to by the pre-
23 siding officer and by the secretary of the convention,
24 who shall add to their signatures their residences.
25 The secretary shall, within seventy-two hours suc-
26 ceeding five o'clock in the afternoon of the day upon
27 which the session of the convention terminated, file
28 such certificate with the state secretary.

1 SECTION 2. Said chapter fifty-three is hereby
2 further amended by inserting after section fifty-four
3 the following new section:—

4 *Section 54A.* Delegates to state conventions shall
5 be elected at joint caucuses to be held on the last
6 Tuesday in April of each even numbered year. The
7 nomination of candidates for election at such joint
8 caucuses shall be by nomination papers, signed by at
9 least five voters of the ward or town. All nomination
10 papers of such candidates shall be filed with the state
11 secretary on or before the fifth Tuesday preceding the
12 day of the joint caucuses. If there is a tie vote for
13 delegates to a convention, or a place unfilled in the
14 delegation, such vacancy shall be filled only by vote
15 of the remaining members of the delegation at a
16 meeting called therefor. Such meeting shall choose a
17 chairman and a secretary, and the secretary shall
18 notify the secretary of the convention of the action

19 taken relative to the vacancy, except that, if only
20 one delegate or two delegates were to be elected, the
21 delegate or remaining delegate, as the case may be,
22 shall fill the vacancy and notify the secretary of the
23 convention of that action. If a majority of a delega-
24 tion is not elected, the vacancy shall be filled by
25 the ward or town committee. Certificates of nomi-
26 nation of candidates at the joint caucuses shall be
27 filed on or before the second Tuesday after the day of
28 holding the same. All provisions of law applicable
29 to state primaries and nominations of candidates
30 therefor shall, except as herein provided, apply to
31 joint caucuses held under this section and to nomina-
32 tions of candidates therefor.

1 SECTION 3. The secretary of the convention shall,
2 within seventy-two week day hours succeeding five
3 o'clock in the afternoon of the day upon which the
4 session of such convention terminates, file with the
5 state secretary certificates of nomination of the candi-
6 dates nominated by it. Every such certificate of
7 nomination shall state that the nominee has been
8 nominated at such convention and shall include such
9 facts as are required by section eight of chapter
10 fifty-three of the General Laws and also the eight
11 word statement mentioned in section forty-five of
12 said chapter. Such certificates shall be signed and
13 sworn to by the secretary of the convention, who shall
14 add to their signatures their residences.

1 SECTION 4. The names of any candidates nomi-
2 nated by a convention held under section one shall
3 be placed on the official ballot of the party holding
4 such convention as candidates to be voted for at the

5 biennial state primaries in the same manner and with
6 like effect as candidates duly nominated by nomina-
7 tion papers, except that there shall be printed on such
8 ballot against the name of a candidate nominated
9 by such a convention the words "Nominated in
10 Convention," as well as the eight word statement
11 mentioned in section forty-five of said chapter fifty-
12 three.

1 SECTION 5. Section twenty-eight of chapter fifty-
2 three of the General Laws is hereby amended by
3 striking out in the first and second lines of said section
4 the words "eighth Tuesday preceding state elections"
5 and inserting in place thereof the words:— second
6 Tuesday of July preceding state elections, — so that
7 said section twenty-eight as amended shall read:—
8 *Section 28.* State primaries shall be held on the
9 second Tuesday of July preceding state elections, city
10 primaries on the third Tuesday preceding city elec-
11 tions, town primaries on the second Tuesday preceding
12 town elections, and presidential primaries on the last
13 Tuesday in April; except that primaries before a
14 special election shall be held on the second Tuesday
15 preceding the special election.

16 Except in Boston, they shall be held wholly or
17 partly by wards, precincts or towns, as the aldermen
18 or selectmen may designate.

1 SECTION 6. All provisions of law inconsistent
2 herewith are hereby repealed. Except as herein-
3 before provided, the existing laws relative to the
4 nomination of candidates for offices to be voted on
5 by all the voters of the Commonwealth at the ensuing
6 primary shall continue to apply.