

HOUSE No. 674

By Mr. Sisson of Pittsfield, petition of Harry D. Sisson relative to the nomination by conventions of candidates of political parties and to the election of state committees of such parties. Election Laws.

The Commonwealth of Massachusetts

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

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 General
2 Laws is hereby amended by striking out section two
3 and inserting in place thereof the following:—

4 *Section 2.* Except for nominating candidates for
5 municipal offices where city or town charters or
6 by-laws otherwise provide, and except presidential
7 electors, the nomination of candidates of political
8 parties for all elective offices, and the election of
9 members of the state committee of political parties,
10 from each senatorial district, shall be made by a
11 convention of delegates, or their alternates, duly
12 elected as such, at a primary or caucus duly called

13 and held for that purpose. All nominations and
14 elections in primaries and caucuses shall be by direct
15 plurality vote. No candidate shall be nominated,
16 or political committee or convention delegate, or
17 alternate delegate, elected, in any other manner
18 than is herein provided. The secretary of the com-
19 monwealth is hereby empowered and shall prescribe
20 the rules and regulations for calling, holding and
21 conducting of all such conventions, not otherwise
22 herein provided for.

1 SECTION 2. Said chapter fifty-three is hereby
2 further amended by striking out sections forty-one
3 to fifty-four, inclusive, providing for state primaries,
4 and inserting in place thereof the following: —
5 *Section 41.* A political party shall, upon the call
6 of its state committee, but not later than two weeks
7 prior to the biennial state election, hold a state
8 convention for the purpose of nominating candi-
9 dates for all offices to be filled by all the voters of
10 the commonwealth, adopting a platform, electing
11 such number of members at large of the state com-
12 mittee as may be fixed by it, and for such other
13 purposes consistent with law as the state committee
14 or the convention may determine. Such conven-
15 tion shall consist of the delegates duly elected
16 thereto, or their alternates, the members of the
17 state committee, and the United States senators
18 and congressmen from Massachusetts who are mem-
19 bers of the party. The presiding officer and the
20 secretary of the convention shall, as to all candi-
21 dates nominated, sign a certificate of nomination,
22 and shall make oath to the truth thereof. Such
23 certificate shall, in addition to the names of the

24 candidates, specify as to each (1) his place of resi-
25 dence; (2) the office for which he is nominated;
26 (3) the party which he represents. It shall also
27 state what provision, if any, was made by the conven-
28 tion for filling vacancies caused by the death, with-
29 drawal or ineligibility of candidates. The certificate
30 shall be filed with the secretary of the common-
31 wealth on or before the seventh Monday preceding
32 the day of election, and the names of the nominees,
33 together with their places of residence, the offices
34 for which they have been respectively nominated
35 and the party which they represent, shall be placed
36 upon the ballot to be used at the state election.

37 *Section 42.* A convention of delegates of a politi-
38 cal party held in accordance with the provisions of
39 this chapter for a district or county may make one
40 nomination for each office to be filled at an election
41 therein, and shall be entitled to have the names of
42 its candidates placed upon the official ballot upon
43 filing a certificate of nomination as provided in this
44 chapter. The convention of a senatorial district
45 shall, from the voters of its party in such district,
46 elect the number of members of its state committee
47 to which such district is entitled.

48 *Section 43.* No convention to nominate candi-
49 dates for any state office shall be called for or held
50 on a date earlier than four days after the holding of
51 the caucuses for the choice of delegates thereto, and
52 all such conventions shall be called for and held on
53 a date not later than forty-eight hours prior to the
54 hour for filing certificates of nomination. No repre-
55 sentative convention shall be called for or held on a
56 date earlier than seven days after the date desig-
57 nated for holding caucuses by the state committee

58 of the political party whose representative conven-
59 tion is to be held.

60 *Section 44.* At a political convention not held
61 for the nomination of candidates for any offices to
62 be filled by all the voters of the commonwealth, by
63 vote of one fourth of the delegates present the
64 nomination of any candidate shall be made by roll
65 call in the following manner: The secretary of
66 the convention shall call the roll of the towns and
67 cities in alphabetical order or of wards in a city
68 in numerical order, and each delegate shall, as his
69 name is called, state in the hearing of the conven-
70 tion the name of the candidate for whom he desires
71 to vote, and the person receiving a majority of votes
72 on such roll call shall be the candidate of the con-
73 vention.

74 *Section 45.* Every certificate of nomination shall
75 state such facts as are required by section forty-one,
76 and shall be signed by the presiding officer and by
77 the secretary of the convention or caucus, who shall
78 add to their signatures their residences, and shall
79 make oath to the truth thereof. The secretary of
80 the convention or caucus shall within the seventy-
81 two hours succeeding five o'clock in the afternoon
82 of the day upon which the convention or caucus
83 was held and within the time specified, file such
84 certificate as hereinafter provided.

85 *Section 46.* Each town, ward of a city and dis-
86 trict, entitled to delegates to any convention of
87 political parties, in electing delegates to any such
88 convention shall, at the same time and in the same
89 manner, elect a like number of alternate delegates,
90 and no person shall participate in any such con-
91 vention by voting therein unless he has been duly

92 elected as a delegate, or in case of his absence, or
93 his failure to vote, his duly elected alternate dele-
94 gate, thereto and has his credentials to that effect.
95 *Section 47.* No person except a duly elected del-
96 gate, or, in case of his absence, or failure to vote
97 therein, his duly elected alternate, shall be entitled
98 to vote in any convention. Any person violating
99 the provisions of this section shall be punished by
100 a fine of not more than five hundred dollars or
101 by imprisonment for not more than ninety days
102 or by both such fine and imprisonment.





