

# HOUSE . . . . No. 1283

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, March 24, 1932.

The committee on Bills in the Third Reading, to whom was referred the Bill regulating the nomination of candidates to town office by caucuses other than those of political parties (House, No. 314), report recommending that the same be amended by the substitution of the accompanying bill (House, No. 1283).

For the committee,

PHILIP BARNET.

## The Commonwealth of Massachusetts

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

An Act relative to the Nomination of Candidates for Town Office by Caucuses Other than Those of Political or Municipal Parties.

*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. Section two of chapter fifty of the  
2 General Laws is hereby amended by striking out, in  
3 the eighth line, the word "This" and inserting in  
4 place thereof the words: — Except as otherwise pro-  
5 vided, this, — so as to read as follows: — *Section 2.*  
6 In elections, the person receiving the highest number  
7 of votes for an office shall be deemed and declared to  
8 be elected to such office; and if two or more are to  
9 be elected to the same office, the several persons, to  
10 the number to be chosen to such office, receiving the  
11 highest number of votes, shall be deemed and declared  
12 to be elected; but persons receiving the same number  
13 of votes shall not be deemed to be elected if thereby  
14 a greater number would be elected than are to be  
15 chosen. Except as otherwise provided, this section  
16 shall apply to all nominations and elections by ballot  
17 at primaries or caucuses.

1 SECTION 2. Section one hundred and seventeen of  
2 chapter fifty-three of the General Laws, as amended

3 by chapter one hundred and eighty-six of the acts of  
4 nineteen hundred and twenty-three, is hereby further  
5 amended by inserting after the word "section" in the  
6 ninth line the words:— and in section one hundred  
7 and twenty-one, — so as to read as follows:— *Sec-*  
8 *tion 117.* A caucus of the voters, or of a specified  
9 portion thereof in a ward of a city, or in a town, may  
10 be called and held for the nomination of candidates to  
11 be voted for at any city election, or at any election of  
12 town officers for which official ballots are used, or for  
13 the selection of delegates to a convention, or for the  
14 appointment of a committee. The proceedings of  
15 such caucuses shall be invalid unless at least twenty-  
16 five voters participate and vote therein. Except as  
17 provided in this section and in section one hundred  
18 and twenty-one, no caucus or meeting other than  
19 those of political parties shall be entitled to nominate  
20 a candidate whose name shall be placed on the official  
21 ballot, or to select delegates to a political convention  
22 for the nomination of a candidate whose name shall  
23 be placed on such ballot.

1 SECTION 3. Said chapter fifty-three is hereby  
2 further amended by adding at the end thereof the  
3 following new section:—

4 *Section 121.* A town in which official ballots are  
5 used may, at any annual meeting, vote to hold a  
6 town caucus for the nomination of candidates for town  
7 officers required to be voted for by official ballot at  
8 its annual meeting and may after such vote has been  
9 in effect therein for a period of not less than three  
10 years, by a vote at a meeting held at least sixty days  
11 before an annual town meeting, rescind such action.  
12 Such caucus shall be called by the selectmen in the

13 same manner as provided in section one hundred and  
14 eighteen for the calling of other caucuses and shall be  
15 called to order by the town clerk who shall preside  
16 until the election of a chairman. At a town caucus  
17 held under the provisions of this section the two  
18 persons receiving the highest number of votes cast  
19 for the nomination of candidates for an office shall be  
20 declared nominated for such office. If the caucus  
21 results in a tie vote among candidates for nomination  
22 receiving the smallest number of votes, which, but for  
23 the tie vote, would entitle a person receiving such  
24 number to have his name printed upon the official  
25 ballot for the election, all candidates participating in  
26 such tie vote shall have their names printed upon the  
27 official ballots, although there be printed upon them  
28 the names of candidates to a number exceeding twice  
29 the number to be elected. During such time as town  
30 caucuses are held under this section in any town, no  
31 political or municipal party caucus shall be held  
32 therein for the nomination of candidates for town  
33 offices. The provisions of sections one hundred and  
34 seventeen to one hundred and twenty, inclusive, so  
35 far as applicable, shall apply to caucuses held under  
36 this section.

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HOUSE OF REPRESENTATIVES, Mar. 24, 1932.

Passed to be engrossed.

Sent up for concurrence.

FRANK E. BRIDGMAN, *Clerk.*