

HOUSE No. 1691

By Mr. Lapointe of Chicopee, petition of Francis C. Lapointe for legislation to regulate the procedures for the election of state, city and town officers. Election Laws.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Three.

AN ACT REGULATING THE PROCEDURES FOR THE ELECTION OF STATE, CITY AND TOWN OFFICERS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 54 of the General Laws is hereby amended by striking
2 out section 65, as most recently amended by chapter 62 of the
3 acts of 1970, and inserting in place thereof the following
4 section: —

5 *Section 65.* At an election of state or city officers, and of
6 town officers in towns where official ballots are used, the
7 presiding election officer at each polling place shall, before the
8 opening of the polls, post at least three cards of instruction, three
9 cards containing abstracts of the laws imposing penalties upon
10 voters, three copies of measures to be submitted to the people, if
11 any, and at least five specimen ballots within the polling place
12 outside the ground rail, and a copy of each measure to be
13 submitted to the people in each marking compartment; and no
14 other poster, card, handbill, placard, picture or circular
15 intended to influence the action of the voter shall be posted,
16 exhibited, circulated or distributed in the polling place, in the
17 building where the polling place is located, on the walls thereof,
18 on the premises on which the building stands, or within five
19 hundred feet of the entrance to such polling place. No candidate
20 for state, city, or town office, or any other person, shall position
21 himself, in any manner, within said five hundred feet of the
22 entrance to a polling place for the purpose of influencing the
23 action of the voter. Said restrictions shall not apply to any

24 automobile or vehicle used exclusively to transport voters to the
25 polls and which is temporarily parked within five hundred feet of
26 the entrance to a polling place.

27 Posters, commonly called stickers, shall not be posted,
28 circulated or distributed in the polling place, in the building
29 where the polling place is located, on the walls thereof, on the
30 premises on which the building stands, or within five hundred
31 feet of the entrance to such polling place. Such posters shall be
32 subject to all the restrictions imposed by section forty-one and
33 forty-four as to names and residences of candidates and the size
34 of type in which names shall be printed; but no political or other
35 designation shall appear on such posters, and no vote by poster
36 shall be counted if such designation appears. The presiding
37 election officer shall, at the opening of the polls, publicly open
38 the package containing the ballots and deliver them to the ballot
39 clerks. All specimen ballots not posted shall be kept in the
40 custody of the presiding officer until after the closing of the
41 polls.

42 No rule, regulation or provision of law shall prohibit a person
43 who is a member of a police or fire department of the
44 Commonwealth, or any political subdivision thereof, who is not
45 on active duty, from distributing such material five hundred feet
46 distant from a polling place in an election where there appears on
47 the ballot a referendum pertaining to, or affecting, the conditions
48 of employment, including hours of labor and compensation, in
49 the department of which said person is a member subject to the
50 provisions of this section.

51 Whoever posts, exhibits, circulates or distributes any posters,
52 card, handbill, placecard, picture or circular intended to
53 influence the action of a voter, or any poster to be placed upon
54 the official ballot, in violation of any provision of this section,
55 shall be punished by a fine of not more than twenty dollars.