

HOUSE No. 1360

Bill accompanying the petition of Frederick T. Fuller for legislation to provide for further restrictions upon the expenditure of money in elections, and for the distribution of certain information to voters at the expense of the Commonwealth. Election Laws. January 18.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Twelve.

AN ACT

Relative to Election Expenses.

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 five hundred and sixty of the
2 acts of nineteen hundred and seven as amended by chap-
3 ter six hundred and seventy-nine of the acts of nineteen
4 hundred and eleven is hereby amended by striking out
5 section three hundred and sixteen and inserting instead
6 thereof the following: — *Section 316.* No person shall,
7 in order to aid or promote his own or another's nomina-
8 tion or election to a public office, directly or indirectly,
9 himself or through another person, give, pay, expend
10 or contribute, or promise to give, pay, expend or con-
11 tribute, any money or valuable thing, except for expenses

12 directly incurred and paid by a person for travelling and
13 for purposes properly incidental to travelling, and for
14 preparing, circulating and filing nomination papers; but
15 nothing in this section shall be construed to prohibit a
16 person from making a voluntary payment of money or a
17 voluntary and unconditional promise of payment of
18 money to a political committee for the promotion of the
19 principles of the party which it represents and for ex-
20 penses properly incidental thereto.

1 SECTION 2. Said chapter five hundred and sixty is
2 hereby further amended by striking out section three
3 hundred and seventeen and inserting instead thereof the
4 following:— *Section 317.* The mayor of each city and
5 the selectmen of each town of two thousand or more in-
6 habitants in the commonwealth shall, at each primary
7 and election, provide one conveyance for each voting
8 precinct within their jurisdiction, to be used under the
9 direction of the presiding officer at each polling place in
10 transporting to and from the polls such persons only as
11 by reason of age or physical infirmity are unable to reach
12 the same without assistance. A record of all persons so
13 transported shall be kept by the presiding officer, and
14 he shall require from each before voting a statement
15 under oath of such physical disability. No voter shall
16 be conveyed to the polls otherwise than entirely at his
17 own expense except as herein provided.

1 SECTION 3. Said chapter five hundred and sixty is
2 hereby further amended by striking out section three
3 hundred and eighteen and inserting instead thereof the
4 following:— *Section 318.* The mayor of each city and
5 the selectmen of each town of two thousand or more in-
6 habitants in the commonwealth shall, before each primary

7 and election, provide for each political party a suitable
8 hall for the holding of one meeting in each ward of the
9 city and in each voting precinct of the town, and shall
10 provide for the proper lighting, heating and policing of
11 the same. The cost of providing such meeting places
12 and of advertising the meetings to be held therein, and
13 the hire of the conveyances authorized by the preceding
14 section, shall be paid by the treasurer of the common-
15 wealth upon the presentation of bills duly approved by
16 the mayor or selectmen and by the secretary of the com-
17 monwealth; but the sums expended in advertising the
18 meetings of the several political parties in any ward or
19 town before any one primary or election shall be equal,
20 and shall not exceed dollars for any one
21 meeting.

1 SECTION 4. Section two hundred and forty-one of
2 said chapter five hundred and sixty is hereby amended
3 by adding at the end thereof the following:—The sec-
4 retary of the commonwealth shall also cause to be pub-
5 lished and mailed to every registered voter in the
6 commonwealth at least fifteen days before each pri-
7 mary and election, a pamphlet of information upon the
8 qualifications of the candidates to be voted for in his dis-
9 trict. In the compilation of such pamphlets the state
10 committee of each political party shall be allotted a space
11 sufficient for fifteen thousand words, to be divided by
12 such committees at their discretion between the several
13 candidates of their respective parties.

1 SECTION 5. Section five of chapter six hundred and
2 seventy-nine of the acts of the year nineteen hundred
3 and eleven is hereby amended by inserting after the
4 word "elections" in the second line thereof the words:—
5 shall be fined not less than fifty dollars nor more than

6 five thousand dollars and imprisonment for not less than
7 thirty nor more than ninety days, and — so that the
8 section shall read as follows : — *Section 5.* Whoever is
9 convicted of wilfully violating any provision of law re-
10 lating to corrupt practices in elections shall be fined not
11 less than fifty dollars nor more than five thousand dollars
12 and imprisonment for not less than thirty nor more than
13 ninety days, and shall be deemed ineligible to hold pub-
14 lie office for three years following the date of his convic-
15 tion.

1 SECTION 6. Section six of said chapter six hundred
2 and seventy-nine is hereby amended by inserting after
3 the word “ office,” in the first line thereof, the words :
4 — or any member or agent of his campaign committee, or
5 any other person acting in his or their interest or be-
6 half. Said section six is also hereby amended by strik-
7 ing out the word “ wilful” in the first and second lines
8 thereof — so that the said section as hereby amended shall
9 read as follows : — *Section 6.* If a person elected to
10 public office, or any member or agent of his campaign
11 committee, or any other person acting in his or their in-
12 terest or behalf, is convicted of any violation of the law
13 relating to corrupt practices in connection with the pri-
14 mary or election at which he was nominated or elected,
15 his office shall thereby be vacated, and a new election
16 shall be held for the purpose of filling the same.

1 SECTION 7. This act shall take effect upon its passage.