

# HOUSE . . . . . No. 6111

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## The Commonwealth of Massachusetts

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House of Representatives, August 12, 1970.

The committee on Bills in the Third Reading, to whom was referred the Bill providing for the election of candidates for the office of Governor and Lieutenant Governor as a team (House, No. 5979), report recommending that the same be amended by the substitution of the accompanying bill (House, No. 6111).

For the committee,

RAYMOND M. LaFONTAINE.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Seventy.

**AN ACT PROVIDING FOR THE ELECTION OF CANDIDATES FOR THE OFFICE OF GOVERNOR AND LIEUTENANT GOVERNOR AS A TEAM.**

1     *Whereas*, The deferred operation of this act would tend to  
2 defeat its purpose which is to provide statutory authorization for  
3 the secretary of state to comply with the provisions of Article  
4 LXXXVI of the Amendments to the Constitution, therefore it is  
5 hereby declared to be an emergency law, necessary for the  
6 immediate preservation of the public convenience.

*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. The second paragraph of section 8 of chapter 53  
2 of the General Laws is hereby amended by striking out the third  
3 sentence, as amended by chapter 307 of the acts of 1963, and  
4 inserting in place thereof the following sentence:—

5     In the case of nomination papers of candidates for city offices,  
6 no nomination paper shall contain the name of more than one  
7 candidate.

1     SECTION 2. The second paragraph of section 41 of chapter  
2 54 is hereby amended by striking out the first sentence, as  
3 amended by section 3 of chapter 584 of the acts of 1965, and  
4 inserting in place thereof the following sentence:—

5     To the name of each candidate for a state office shall be added  
6 the name of the city or town where he resides, with the name of  
7 the street and number, if any, of his residence, except as  
8 provided in section forty-one A.

1     SECTION 3. The third paragraph of said section 41 of said  
2 chapter 54, as most recently amended by chapter 256 of the acts  
3 of 1955, is hereby further amended by striking out the second

4 sentence and inserting in place thereof the following sentence:—

5 To the name of a candidate for a state or city office who is an  
6 elected incumbent thereof there shall be added in the same space  
7 the words "Candidate for Re-election", except in the case of  
8 political party candidates for the offices of governor and  
9 lieutenant governor.

1 SECTION 4. Said chapter 54 is hereby further amended by  
2 inserting after section 41 the following section:— *Section*  
3 *41A.* The surnames of candidates for the offices of governor and  
4 lieutenant governor nominated by political parties shall be  
5 grouped on the official ballot for use at state elections, according  
6 to the political parties which they represent. Christian names,  
7 residential addresses, and the statement "Candidate for  
8 Re-election", shall not be added. On the right of each such group  
9 shall appear a square in which each voter may designate by a  
10 cross (X) his choice for governor and lieutenant governor of a  
11 party. The order of the various groups upon the ballot shall be  
12 determined in accordance with the surname of the candidate for  
13 governor. If said candidate for governor is a candidate for  
14 re-election, the group in which his surname appears shall be  
15 placed first, except in places where voting machines are used.  
16 Next in order shall appear the groups of candidates of political  
17 parties, arranged alphabetically in accordance with the names of  
18 the gubernatorial candidates.

19 Below the groups of candidates for said offices shall appear,  
20 separately, the office of governor, with the names and addresses  
21 of candidates for the office who were nominated otherwise than  
22 by a political party, alphabetically arranged. Next below shall  
23 appear the office of lieutenant governor, with the names and  
24 addresses of candidates for said office who were nominated  
25 otherwise than by a political party, similarly arranged.

26 The ballot shall be arranged in substantially the following  
27 manner:

28

## GOVERNOR and LIEUTENANT GOVERNOR

29

To vote for Governor and Lieutenant Governor of a political party, mark a Cross X in the square at the right of Party Designation.

30

31

32

VOTE ONLY ONCE, either for a political party team or for the individual candidates below.

33

## GOVERNOR and LIEUTENANT GOVERNOR

Vote for ONE

34

BROWN and JONES  Democratic

35

GREEN and DOE  Republican

36


Do not vote below if you have voted above for these offices.

37


## GOVERNOR

Vote for ONE


38

JAMES A. SMITH - A Street, Boston  Independent

39

JOHN A. STONE - 2 Fourth Street, Boston  Socialist Labor

40


JOSEPH B. THOMAS - 3 East Street, Boston  Prohibition

41


## LIEUTENANT GOVERNOR

Vote for ONE


42

JOHN A. BROWN - B Street, Boston  Independent

43

JAMES T. JOHNSON - Essex Street, Salem  Socialist Labor

44

ARTHUR H. KILEY - Cabot Street, Brookline  Prohibition

1 SECTION 5. Section 42 of said chapter 54, is hereby  
2 amended by striking out the first paragraph, as amended by  
3 chapter 272 of the acts of 1948, and inserting in place thereof  
4 the following paragraph:—

5 Except as provided in section forty-one A under the  
6 designation of the office, the names of the candidates for  
7 re-election to any office to be filled at a state election of which  
8 they are the elected incumbents shall, except in places where



9 voting machines are used, be placed first on the ballot in  
10 alphabetical order according to their surnames; next and in like  
11 order the names of candidates of political parties, as defined in  
12 chapter fifty and the names of all other candidates shall follow in  
13 like order.

1 SECTION 6. The last paragraph of said section 42 of said  
2 chapter 54 is hereby amended by striking out the first sentence,  
3 as appearing in section 12 of chapter 411 of the acts of 1943,  
4 and inserting in place thereof the following sentence:—

5 Ballots shall be so printed as to give to each voter an  
6 opportunity to designate by a cross (X), in a square at the right  
7 of the name and designation of each candidate, or of each group  
8 of candidates for governor and lieutenant governor and at the  
9 right of each question, his choice of candidates and his answer to  
10 such question; and upon the ballots may be printed such  
11 directions as will aid the voter; for example, “vote for one,”  
12 “vote for two,” “yes,” “no,” and the like.

1 SECTION 7. Section 43A of said chapter 54 is hereby  
2 amended by striking out the first paragraph, as most recently  
3 amended by chapter 358 of the acts of 1962, and inserting in  
4 place thereof the following paragraph:—

5 At state elections and primaries at which any of the following  
6 offices are to be voted for, such offices shall appear on ballots  
7 and on ballot labels on voting machines in the following order  
8 consecutively:— Presidential elector, senator in congress, gov-  
9 ernor and lieutenant governor as a group, governor, lieutenant  
10 governor, attorney general, secretary of state, treasurer and  
11 receiver general, auditor, congressman, councillor, senator, and  
12 representative in the general court; all other offices to be voted  
13 for shall immediately follow said offices consecutively, in such  
14 order as the secretary of state may determine; and on ballots, and  
15 on ballot labels on voting machines on which the names of the  
16 candidates of each political party are arranged in a vertical row,  
17 questions to the voters shall follow all of said offices, in such  
18 order as the secretary of state may determine.

1 SECTION 8. Said section 43A of said chapter 54 is hereby  
2 further amended by striking out the last paragraph, as appearing

3 in section 1 of chapter 126 of the acts of 1957, and inserting in  
4 place thereof the following paragraph:—

5 On ballots at state elections at which the office of presidential  
6 elector is to be voted for, the said office shall appear on the  
7 ballot in the first column at the left side thereof and the office of  
8 senator in congress, if any is to be voted for, shall appear in the  
9 same column beneath the said office of presidential elector; on  
10 ballots at state election and primaries at which the office of  
11 presidential elector is not to be voted for, the office of senator in  
12 congress, if any is to be voted for, shall appear in the first column  
13 at the left side thereof, the groups of candidates for the offices of  
14 governor and lieutenant governor shall follow, and next shall  
15 follow candidates for governor who were not nominated by a  
16 party, then candidates for lieutenant governor who were not  
17 nominated by a party. If neither of the offices of presidential  
18 elector or senator in congress is to be voted for, the groups of  
19 candidates for the offices of governor and lieutenant governor  
20 shall appear on the ballot at the top of the first column at the  
21 left of the ballot, followed by candidates for governor who were  
22 not nominated by a party, and then by candidates for lieutenant  
23 governor who were not nominated by a party. In any case, the  
24 office of attorney general shall appear on the ballot at the top of  
25 the second column from the left of the ballot.

1 SECTION 9. Said chapter 54 is hereby amended by inserting  
2 after section 77 the following section:—

3 *Section 77A.* In order to vote for governor and lieutenant  
4 governor, the voter shall place a cross (X) in the square at the  
5 right of the party or political designation appearing on the ballot  
6 after the groups of candidates for said offices, or by voting for  
7 individual candidates for the said offices whose names appear  
8 individually on the ballot, below the groups, in accordance with  
9 section forty-one A. The placing of such a cross shall constitute a  
10 vote for each individual in the chosen group, or a vote for the  
11 individual candidates for said offices whose names appear below  
12 the groups. No voter may cast a vote for a candidate for either  
13 governor or lieutenant governor in one group and a separate vote  
14 for either governor or lieutenant governor of another group, nor  
15 shall any voter vote for the candidates for said offices of a group  
16 and also for a non-grouped candidate for either of said offices.

1 SECTION 10. Said chapter 54 is hereby amended by striking  
2 out section 77, as amended by section 11 of chapter 564 of the  
3 acts of 1967, and inserting in place thereof the following  
4 section:—

5 *Section 77.* The voter on receiving his ballot shall, without  
6 leaving the enclosed space, retire alone to one of the marking  
7 compartments and shall, except in the case of voting for  
8 presidential electors or groups of candidates for governor and  
9 lieutenant governor, and except as provided in section  
10 thirty-three E, prepare his ballot by marking a cross (X) in the  
11 square at the right of the name of each candidate for whom he  
12 intends to vote or by inserting the name and residence of such  
13 candidate in the space provided therefor and making a cross in  
14 the square at the right; and, upon a question submitted to the  
15 vote of the people, by making a cross in the square at the right of  
16 the answer which he intends to give.

