

By Mr. Businger of Brookline, petition of John A. Businger relative to the placement of names of candidates on the ballot and information to be printed after each candidate's name. Election Laws.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Five.

AN ACT RELATIVE TO THE PLACEMENT OF NAMES OF CANDIDATES ON THE BALLOT AND INFORMATION TO BE PRINTED AFTER EACH CANDIDATE'S NAME.

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 53 of the General Laws is hereby amend-
2 ed by striking out Section 34, as most recently amended by Chapter
3 41 of the Acts of 1970, and inserting in place thereof the following
4 section.

5 ! *Section 34.* At the top of each ballot shall be printed the words
6 "Official ballot of the (here shall follow the party name)". On the
7 back of each ballot when folded shall be printed the same words,
8 followed by the number of the precinct and ward or the name of the
9 town for which the ballot is prepared, the date of the primary and
10 for state primaries a facsimile of the signature of the state secretary
11 and for city or town primaries a facsimile of the signature of the city
12 or town clerk.

13 Ballots for state primaries shall be printed in as many lots as may
14 be required so that the name of each candidate for each elective
15 office shall appear first and in each other position the same number
16 of times. In the first lot the names of the candidates for each office
17 shall appear in the order in which their names are publicly drawn
18 by the state secretary, or his designee, at a time and place of which
19 at least forty-eight hours notice has been given to each candidate.
20 In the second lot the names shall appear in the same order, except
21 that the first name in the first lot shall be placed last. In each
22 succeeding lot the order shall be the same as that of the lot preced-

23 ing, except that the first name in that preceding lot shall be placed
24 last. Sets of ballots to be used at the several polling places shall be
25 made up by combining ballots from the different lots in regular
26 rotation, so that no two successive voters shall receive ballots from
27 the same lot and so that the name of each candidate for each office
28 shall appear first and in each other position substantially the same
29 number of times on the ballots used.

30 The names of candidates for state committee shall be arranged
31 on ballots at presidential primaries in the same manner as for each
32 elective office at state primaries. Names of candidates for ward or
33 town committees and for delegates to national conventions shall be
34 arranged in groups in such order as may be determined by lot,
35 under direction of the state secretary, who shall notify each state
36 committee and give a representative of each such committee an
37 opportunity to be present. When necessary, groups may be printed
38 on the ballot in two or more columns; provided, however, that only
39 one heading designating the number of members to be elected to
40 such committee or as delegates to such convention shall be printed.

41 Against the name of a candidate for an elective office, for
42 delegate or alternate delegate to a national convention, for a ward
43 or town committee, or for state committee, shall be printed the
44 street and number, if any, of his residence. Against the name of a
45 candidate for elective office endorsed by a state convention shall be
46 printed the statement "Endorsed by (name of political party) con-
47 vention. "Nothing else shall be printed against the name of a
48 candidate; provided, however, that, if two or more candidates for
49 elective office have the same name, or names so similar as in the
50 opinion of the state secretary to confuse a substantial number of
51 voters, there may be printed against the names of such candidates
52 the occupation of each candidate, including within the definition of
53 occupation any public office then held by the candidate.

54 Except where vacancies caused by death, withdrawal or physical
55 disability are filled, no names shall be printed on a ballot other than
56 those endorsed for nomination by state Conventions and those
57 presented on nomination papers.

58 Ballots for city and town primaries, and preliminary elections
59 except where city charters provide otherwise, shall be printed and
60 prepared in the same manner as for state primaries, except that the
61 city or town clerk shall act in place of the state secretary.

62 The number of persons to be voted for the different offices shall
63 be stated on the ballot.

64 The form of ballots and the arrangement of printed matter
65 therein shall be in general the same as that of the official state
66 ballots, except as otherwise provided in this chapter.

1 SECTION 2. Section 33 of Chapter 54 of the General Laws is
2 hereby amended by adding at the end the following paragraph: —

3 At state elections and primaries, at presidential primaries, and at
4 city and town elections, primaries, and preliminary elections ex-
5 cept where city charters provide otherwise, the same information
6 shall be printed against the names of candidates as is printed
7 against their names on paper ballots, the order of names of candi-
8 dates shall be the same as on ballots and shall be rotated from
9 voting machine to voting machine and from electronic voting
10 system to electronic voting system (or from data processing card to
11 card) in such manner that each candidate's name shall appear in
12 each position substantially the same number of times.

1 SECTION 3. Section 41 of chapter 54 of the General Laws is
2 hereby amended by striking out the third paragraph and inserting
3 in place thereof the following paragraph: —

4 To the name of each candidate for a state or city office, except
5 city offices in cities where political designations are forbidden,
6 shall be added in the same space his party or political designation
7 or designations. To the name of each candidate for a town office
8 upon an official ballot shall be added the name of the street on
9 which he resides, with his street number, if any, and the designation
10 of the party or principle which he represents, contained in the
11 certificate of nomination or nomination papers. The town clerk
12 shall add the words "Caucus Nominee" to the name of any candi-
13 date nominated for a town office by a caucus held under the
14 provisions of sections one hundred and seventeen to one hundred
15 and twenty, inclusive, of chapter fifty-three.

1 SECTION 4. Section 42 of Chapter 54 of the General Laws is
2 hereby amended by striking out the first two paragraphs and
3 inserting in place thereof the following two paragraphs: —

4 Except as provided in section forty-one A ballots for state

5 elections and, except where city charters provide otherwise, ballots
6 for city and town elections shall be printed in as many lots as may be
7 required so that the name of each candidate for each elective office
8 shall appear first and in each other position the same number of
9 times. In the first lot the names of the candidates for each office at
10 state elections shall appear in the order in which their names are
11 publicly drawn by the state secretary, or his designee, and at city or
12 town elections by the city or town clerk, or his designee, at a time
13 and place of which at least forty-eight hours notice has been given
14 to each candidate. In the second lot the names shall appear in the
15 same order, except that the first name in the first lot shall be placed
16 last. In each succeeding lot the order shall be the same as that of the
17 lot preceding, except that the first name in that preceding lot shall
18 be placed last. Sets of ballots to be used at the several polling places
19 shall be made up by combining ballots from the different lots in
20 regular rotation, so that no two successive voters shall receive
21 ballots from the same lot and so that the name of each candidate
22 for each office shall appear first and in each other position substan-
23 tially the same number of times on the ballots used.

24 In the case of representatives in congress, the designation may be
25 "congressmen". Blank spaces shall be left at the end of the list of
26 candidates for each different office equal to the number to be
27 elected thereto, in which the voter may insert the name and address
28 of any person not printed on the ballot for whom he desires to vote
29 for such office; provided, however, that a mistake in stating the
30 address of such person shall not invalidate a vote if the address
31 stated is sufficient to indicate the person for whom the vote was
32 intended. If the approval of any question is submitted to the voters,
33 it shall be printed on the ballot after the names of the candidates.