

# HOUSE . . . . No. 754

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By Mr. Nathanson of Boston, petition of Louis K. Nathanson relative to the nomination of certain state officers and the establishment of a nominating convention. Election Laws.

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## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Fifty-One.

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AN ACT RELATIVE TO THE NOMINATION OF CERTAIN STATE OFFICERS AND THE ESTABLISHMENT OF A NOMINATING CONVENTION.

*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 2 of chapter 53 of the General  
2 Laws, as most recently amended by section 2 of  
3 chapter 337 of the acts of 1941, is hereby further  
4 amended by striking out the first sentence and in-  
5 serting in place thereof the following new sentence:—  
6 Except in the case of municipal nominations where a  
7 city charter or a law applying specially to a particular  
8 town otherwise provides, and except as provided in  
9 sections fifty-three B and fifty-four, candidates of  
10 political parties for all elective offices, except presi-  
11 dential elector, state secretary, state treasurer, state  
12 auditor and attorney general, shall be nominated, and  
13 delegates and alternate delegates to national con-  
14 ventions, delegates to state conventions and members

15 of political committees, except as provided in sections  
16 one and four of chapter fifty-two, shall be elected, in  
17 primaries or caucuses, and the nomination of any  
18 party other than a political party, in any district con-  
19 taining more than one ward or town, shall be made  
20 by a convention of delegates chosen by caucuses held  
21 under section one hundred and seventeen in the wards  
22 and towns of the district for which the nomination is  
23 to be made.

1 SECTION 2. Section 10 of said chapter 53, as most  
2 recently amended by chapter 63 of the acts of 1948,  
3 is hereby further amended by striking out the first  
4 paragraph and inserting in place thereof the following  
5 new paragraph: —

6 All certificates of nomination and nomination papers  
7 of candidates for offices to be filled at a state election,  
8 except candidates of political parties for the offices of  
9 state secretary, state treasurer, state auditor and  
10 attorney general, shall be filed on or before the twenty-  
11 fourth Tuesday preceding the day of the election;  
12 but if there is a special election to fill any state office,  
13 all certificates of nomination and nomination papers  
14 shall be filed on or before the sixth Tuesday preceding  
15 the day of such election.

1 SECTION 3. Section 28 of said chapter 53, as most  
2 recently amended by section 3 of chapter 20 of the  
3 acts of 1946, is hereby further amended by striking  
4 out the first paragraph and inserting in place thereof  
5 the following new paragraph: —

6 State primaries shall be held on the seventeenth  
7 Tuesday preceding biennial state elections, city pri-  
8 maries on the third Tuesday preceding regular city

9 elections, town primaries on the second Tuesday pre-  
10 ceding town elections, primaries before all special  
11 elections on the third Tuesday preceding such elec-  
12 tions, and presidential primaries on the last Tuesday  
13 in April in any year in which presidential electors are  
14 to be elected; except that city primaries or prelim-  
15 inary elections held under general or special law be-  
16 fore regular city elections in cities which accept sec-  
17 tion one hundred and three A of chapter fifty-four  
18 shall be held on the fourth Tuesday preceding such  
19 city elections, and except that town primaries before  
20 regular town elections in towns which have accepted  
21 said section shall be held on the fourth Tuesday pre-  
22 ceding such town elections.

1 SECTION 4. Chapter 53 of the General Laws is  
2 hereby amended by adding after section 53A the  
3 following new title and two new sections: —

4 NOMINATING CONVENTIONS.

5 *Section 53B.* The state committee of each political  
6 party shall, not later than August fifteenth of each  
7 year in which state officers are to be elected, call a  
8 meeting to be known as a "Nominating Convention"  
9 for the purpose of nominating candidates for the fol-  
10 lowing offices: — state secretary, state treasurer, state  
11 auditor and attorney general. Such convention shall  
12 consist of the nominees to the general court of the  
13 party nominated at the immediate precedent primary.  
14 Each representative district shall be entitled to at  
15 least one vote and one additional vote for each fifteen  
16 hundred votes or major fraction thereof above the  
17 first fifteen hundred votes cast at the preceding bien-  
18 nial state election in such district for the political party

19 candidate for governor, such votes to be cast by the  
20 members of the convention from the representative  
21 district either individually or pro rata basis, or as a  
22 unit. The convention shall be called to order by the  
23 oldest member in point of service in the general court  
24 who shall preside and appoint a temporary secretary  
25 until a permanent chairman and secretary are chosen.

26 *Section 53C.* Every certificate of nomination for  
27 candidates nominated by the nominating convention  
28 shall include such facts as are required by section  
29 eight. Such certificates shall be signed, sworn to and  
30 filed as required by section five. Each such candidate  
31 shall, within ten days of the day when the convention  
32 terminates, file with the state secretary his written  
33 acceptance of the nomination, otherwise his name will  
34 not be printed on the biennial state election ballot as  
35 a candidate for the office for which he was nominated.  
36 Such candidate may not withdraw such acceptance.

37 The convention shall make suitable rules for the  
38 conduct of its business the order of which shall follow  
39 the purposes of the convention as stated in section  
40 fifty-three B. The permanent secretary shall keep  
41 the records of the convention and transmit the same  
42 to the state secretary, who shall retain them for a  
43 period of one year.

44 A permanent chairman and permanent secretary  
45 shall be chosen upon a call of the official roll. Com-  
46 mittees of the convention shall be appointed by the  
47 convention or by the permanent chairman, as the con-  
48 vention may order. When the vote of the convention  
49 is taken upon the nomination of any candidate the  
50 roll of the delegates shall be called and each delegate,  
51 when his name is called, shall rise in his place and  
52 announce his choice, except that when there is only

53 one candidate to be voted for the roll need not be  
54 called and except also that the monitor of a group in  
55 a district, unless a member of the group objects, may  
56 announce the vote of such group.





