

HOUSE No. 5882

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 3, 1977.

The committee on Election Laws, to whom were referred the petition (accompanied by bill, Senate, No. 282) of Robert E. McCarthy, Robert Gillette and the Board of Selectmen of the town of Hanson, by Patricia Stearns, chairperson, and others for legislation relative to the transmission of voting ballots to tabulation centers; and the petition (accompanied by bill, House, No. 1387) of Henry A. Walker relative to further regulating the counting and transportation of ballots or cards in towns having electronic voting machines, report recommending that the accompanying bill (House, No. 5882) ought to pass.

For the committee,

TIMOTHY A. BASSETT.

The Commonwealth of Massachusetts

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

AN ACT REGULATING THE TRANSMISSION OF PUNCH CARD BALLOTS TO
TABULATION CENTERS.

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 thirty three F of Chapter fifty-four as
2 most recently amended by Chapter 551 of the Acts of 1969 is
3 hereby further amended by inserting the following after the second
4 sentence: Said tabulation center may be located outside the
5 municipality at the discretion of clerk of said city or town. Any
6 tabulation center located outside the city or town must be within
7 the Commonwealth and shall not exceed a distance of fifty miles
8 from the municipality.

1 SECTION 2. Section 105A of Chapter 54 as most recently
2 amended by Chapter 564 of the Acts of 1967 is hereby further
3 amended by striking out in paragraph six the remaining sentence
4 after sentence number two and inserting the following: — If the
5 tabulations center designated under Section thirty-three F, is
6 located within the city or town where the election took place, said
7 container shall forthwith be transmitted to the designated
8 tabulating center, accompanied by the presiding officer, the
9 precinct clerk, and a police officer, where all uncounted ballots
10 shall be tabulated. Sealed and locked ballot or card carrying cases
11 shall be under the constant control and supervision of the precinct
12 warden and clerk accompanied by police guard during the
13 transportation of said cases.

14 If the tabulation center is located outside the city or town where
15 the election was held the container from each precinct shall be
16 brought to the city or town clerk's office before they are
17 transported out of the city or town. Said containers shall be
18 accompanied during the delivery to the office of the city or town
19 clerk by the presiding officer, the precinct clerk, and a police
20 officer.

21 Said containers shall not be transported outside the city or town
22 until all of the containers have arrived at the city clerk's office.

23 Transportation of the containers to a tabulation center outside
24 shall be in vehicles owned by the city or town designated by the city
25 or town clerk.

26 Containers shall be loaded for transportation to the tabulation
27 center in full view of the public.

28 The unloading of the containers at the tabulation center shall be
29 done in the presence of the election officers appointed under
30 Section 33H.

31 The vehicle transporting said containers outside the city or town
32 must be accompanied by the city or town clerk or his designee and
33 a police escort at all times during transmission to the tabulation
34 center.

35 Containers shall not be opened at any time during their
36 transportation from the precincts to the collection center and
37 transportation to the tabulation center.

1 SECTION 3. Said section of Chapter fifty-four is hereby
2 further amended by striking out the last paragraph.

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