

SENATE No. 187.

Commonwealth of Massachusetts.

SENATE, March 9, 1898.

The committee on Election Laws, to whom was referred the petition of George A. Hibbard for legislation relative to the use of voting machines (with accompanying bill, House, No. 402), report the accompanying bill.

For the Committee,

WM. W. DAVIS.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Ninety-eight.

AN ACT

To provide for the Appointment of a Board of Examiners of Voting and Counting Machines, and for the Use of the same.

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 governor shall, as soon as
2 may be after the passage of this act, appoint three
3 skilful and competent persons, none of whom
4 shall be an elective officer of the Commonwealth,
5 as a board of examiners of voting and counting
6 machines. The persons so appointed shall hold
7 office for three years from the date of their ap-
8 pointment.

1 SECTION 2. An examination of voting and
2 counting machines shall be made by said board at
3 such times, under such conditions and after such
4 public notice as the board shall determine, and the
5 examiners shall certify their approval of such
6 machines as shall, in their judgment, furnish con-
7 venient, simple and satisfactory means of voting

8 and of ascertaining the true result thereof with
9 facility and accuracy, special regard being had to
10 the prevention and detecting of double voting;
11 but no machine shall be approved which does not
12 secure to the voter a degree of secrecy in voting
13 equal to that afforded by the use of the official
14 ballot as provided by law. No machine except
15 such as shall be approved in accordance with the
16 provisions of this section shall be used at any
17 election or caucus in this Commonwealth; nor
18 shall any such machine be used except in accord-
19 ance with the provisions of this act.

1 SECTION 3. Any city or town may, by a ma-
2 jority vote of the legal voters thereof present
3 and voting thereon at a meeting held not less than
4 ten days before its annual city election, in a city,
5 and its annual town meeting in a town, determine
6 upon, purchase and order the use of one or more
7 voting and counting machines, approved as pro-
8 vided in the preceding section, at elections of
9 city or town officers in said city or town, and
10 thereafter at all elections of city or town officers
11 in said city or town, until otherwise ordered by the
12 board of aldermen in a city and the board of
13 selectmen in a town; said machines shall be used
14 for the purpose of voting for the officers to be
15 elected at such elections and for taking the vote
16 upon the question of granting licenses for the
17 sale of intoxicating liquors, and shall also be used
18 at caucuses whenever in a town or the ward of a
19 city fifty voters, members of the political party

20 whose caucus is to be held, shall sign and file
21 such request with the city or town clerk (in
22 Boston, the board of election commissioners):
23 *provided, however*, that in the city of Boston the
24 power to determine shall be vested in the board
25 of election commissioners and the power to pur-
26 chase and order voting and counting machines as
27 above provided shall be vested in the board of
28 aldermen of said city.

1 SECTION 4. Whenever voting and counting
2 machines are purchased and approved, the per-
3 sons of whom such machines are purchased shall
4 give to the secretary of the Commonwealth a
5 bond, with good sufficient sureties, to keep such
6 machines in good working order for two years,
7 at their own expense.

1 SECTION 5. It shall be the duty of the board
2 of examiners of voting and counting machines to
3 make regulations for the use of the machines ap-
4 proved by them, and to prepare and furnish suit-
5 able instructions for the guidance of voters in
6 cities or in towns where such machines shall be
7 used.

1 SECTION 6. Chapters four hundred and sixty-
2 five of the acts of the year eighteen hundred and
3 ninety-three and four hundred and ninety-eight
4 of the acts of the year eighteen hundred and
5 ninety-six are hereby repealed.

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