

# HOUSE . . . . No. 207

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By Mr. Rawson of Newton, petition of George E. Rawson relative to fixing the day of the week on which special elections to fill vacancies in the office of Representative to the General Court shall be held and relative to the date of holding primaries before special elections and the filing of nomination papers. Election Laws.

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## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Forty-Six.

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AN ACT FIXING THE DAY OF THE WEEK ON WHICH SPECIAL ELECTIONS TO FILL VACANCIES IN THE OFFICE OF REPRESENTATIVE TO THE GENERAL COURT SHALL BE HELD AND RELATIVE TO THE DATE OF HOLDING PRIMARIES BEFORE SPECIAL ELECTIONS AND THE FILING OF NOMINATION PAPERS.

*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 one hundred and forty-one of  
2 chapter fifty-four of the General Laws, as amended  
3 by chapter thirty-eight of the acts of nineteen hun-  
4 dred and forty-five, is hereby further amended by  
5 inserting before the last sentence in the second para-  
6 graph the following sentence:— All such elections  
7 shall be held on a Tuesday, — so that the paragraph  
8 will read as follows:—  
9 Upon a vacancy in the office of representative in  
10 the general court or upon failure to elect, the speaker

11 of the house of representatives shall issue precepts to  
12 the aldermen of each city and the selectmen of each  
13 town comprising the district or any part thereof, ap-  
14 pointing such time as the house of representatives  
15 may order for an election to fill such vacancy; pro-  
16 vided, that if such vacancy occurs during a recess  
17 between the first and second annual sessions of the  
18 same general court, the speaker may fix the time for  
19 an election to fill such vacancy. All such elections  
20 shall be held on a Tuesday. Upon receipt of such  
21 precepts, the aldermen or the selectmen shall call an  
22 election, which shall be held in accordance with the  
23 precepts.

1 SECTION 2. General Laws, chapter fifty-three, sec-  
2 tion ten, as most recently amended by section five of  
3 chapter three hundred and thirty-four of the acts of  
4 nineteen hundred and forty-three, is hereby further  
5 amended by striking out in the seventh line of the  
6 first paragraph the word "fourth" and inserting in  
7 place thereof the word:— sixth, — so that the first  
8 paragraph will read as follows:—

9 *Section 10.* All certificates of nomination and nom-  
10 ination papers of candidates for offices to be filled at  
11 a state election shall be filed on or before the four-  
12 teenth Tuesday preceding the day of the election;  
13 but if there is a special election to fill any state office,  
14 all certificates of nomination and nomination papers  
15 shall be filed on or before the sixth Tuesday preceding  
16 the day of such election.

1 SECTION 3. General Laws, chapter fifty-three, sec-  
2 tion twenty-eight, as amended by section seven of

3 chapter four hundred and seventy-three of the acts  
4 of nineteen hundred and thirty-eight, is hereby further  
5 amended by striking out in the sixth line of the first  
6 paragraph the word "second" and inserting in place  
7 thereof the word:— third, — so that the first para-  
8 graph of said section will read as follows:—

9 *Section 28.* State primaries shall be held on the  
10 seventh Tuesday preceding biennial state elections,  
11 city primaries on the third Tuesday preceding regular  
12 city elections, town primaries on the second Tuesday  
13 preceding town elections, primaries before all special  
14 elections on the third Tuesday preceding such elec-  
15 tions, and presidential primaries on the last Tuesday  
16 in April in any year in which presidential electors are  
17 to be elected; except that city primaries or prelim-  
18 inary elections held under general or special law before  
19 regular city elections in cities which accept section  
20 one hundred and three A of chapter fifty-four shall  
21 be held on the fourth Tuesday preceding such city  
22 elections, and except that town primaries before  
23 regular town elections in towns which have accepted  
24 said section shall be held on the fourth Tuesday  
25 preceding such town elections.

1 SECTION 4. General Laws, chapter fifty-three, sec-  
2 tion forty-eight, as amended by chapter fifty-three  
3 of the acts of nineteen hundred and forty-three, is  
4 hereby further amended by striking out in the sixth  
5 line the word "second" and inserting in place thereof  
6 the word:— third, — so that the first paragraph will  
7 read as follows:—

8 *Section 48.* All nomination papers of candidates  
9 to be voted for at state primaries shall be filed with

10 the state secretary on or before the seventh Tuesday  
11 preceding the day of the primaries; except in the case  
12 of primaries before special elections, when nomina-  
13 tion papers shall be filed on or before the third Tues-  
14 day preceding the day of the primaries.