

# HOUSE . . . . No. 1800

---

---

## The Commonwealth of Massachusetts

---

HOUSE OF REPRESENTATIVES, February 2, 1948.

The committee on Election Laws, to whom were referred the petition (accompanied by bill, House, No. 255) of Frank S. Giles, Jr., that candidates for nomination by political parties at state primaries for the offices of Senator or Representative to the General Court be required to be certified as enrolled members of such party, and the petition (accompanied by bill, House, No. 951) of Hugh Morton relative to prohibiting citizens from entering their names in state primaries other than that of their own political party, report the accompanying bill (House, No. 1800).

For the committee,

FRANK S. GILES, JR.

## The Commonwealth of Massachusetts

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

AN ACT REQUIRING CANDIDATES FOR, OR PERSONS ACCEPTING, NOMINATION BY A POLITICAL PARTY AT A STATE PRIMARY TO BE CERTIFIED AS ENROLLED MEMBERS OF SUCH PARTY.

*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  
2 hereby amended by striking out section 48, as most  
3 recently amended by section 4 of chapter 20 of the  
4 acts of 1946, and inserting in place thereof the follow-  
5 ing section: —

6 *Section 48.* All nomination papers of candidates  
7 to be voted for at state primaries shall be filed with  
8 the state secretary on or before the seventh Tuesday  
9 preceding the day of the primaries; except in the  
10 case of primaries before special elections, when nomi-  
11 nation papers shall be filed on or before the third  
12 Tuesday preceding the day of the primaries.

13 There shall not be printed on the ballot at a state  
14 primary the name of any person as a candidate for  
15 nomination for any office to be filled by all the voters  
16 of the commonwealth, or for councillor, senator,  
17 representative to the general court, representative in  
18 congress, district attorney, clerk of court, register of

19 probate and insolvency, register of deeds, county  
20 commissioner, sheriff, county treasurer, or commis-  
21 sioner to apportion Suffolk county into representative  
22 districts, unless a certificate from the registrars of  
23 voters of the city or town wherein such person is a  
24 registered voter that he is enrolled as a member of  
25 the political party whose nomination he seeks is filed  
26 with the state secretary on or before the last day  
27 herein provided for filing nomination papers. Said  
28 registrars shall issue such a certificate forthwith upon  
29 request of any such candidate so enrolled or of his  
30 authorized representative.

1 SECTION 2. Said chapter 53 is hereby further  
2 amended by striking out section 3, as most recently  
3 amended by chapter 55 of the acts of 1945, and in-  
4 serting in place thereof the following section:—

5 *Section 3.* A person whose name is not printed on  
6 a state, city or town primary ballot as the candidate  
7 for an office, but who receives sufficient votes to nomi-  
8 nate him therefor, shall file written acceptance of the  
9 nomination in the office of the state secretary within  
10 six days, or the city or town clerk within three days,  
11 as the case may be, succeeding five o'clock in the  
12 afternoon of the day of holding the primary and, in  
13 case he is a candidate for an office mentioned in sec-  
14 tion forty-eight, shall also so file in the office of the  
15 state secretary a certificate of enrollment referred to  
16 in said section, otherwise his name shall not be printed  
17 on the ballot at the ensuing election. This section  
18 shall be construed to provide that written acceptance  
19 of such a nomination at a primary, and a certificate  
20 of enrollment, where required, shall be filed as afore-  
21 said within the time herein limited, by any such per-

22 son whose nomination is finally determined after the  
23 expiration of the time so limited, otherwise his name  
24 shall not be printed on the ballot at the ensuing elec-  
25 tion.