

HOUSE No. 4183

The Commonwealth of Massachusetts



DEVAL L. PATRICK
GOVERNOR

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TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

June 12, 2014

To the Honorable Senate and House of Representatives,

Pursuant to the provisions of Article II, Section 8, Paragraph 1, Clause (2) of the Amendments to the Constitution as amended by the Article LXXXIX, I am filing for your consideration the attached legislation entitled “An Act Validating the Actions taken at the May 6, 2014 Annual Town Election held by the Town of Warren”

Representative Smola, Senator Brewer and the Town of Warren Board of Selectmen have requested that I file this legislation on behalf of the Town. The purpose of this legislation is to ratify the results of the Town’s May 6, 2014 Annual Town Election. G.L. C. 39 § 9A allows for the inclusion of the annual town election on the warrant for the annual town meeting, if the election is called within thirty five days of the meeting. The Town By-Laws, Article II, section 1 provides that the annual town meeting will be held on the first Tuesday in May. In some years, the town meeting has been held on the same day as the town election, while other years, the town has voted to postpone the annual town meeting pursuant to G.L. 39 § 9. In 2014, the first Tuesday in May was May 6; the town meeting was held May 13. Though a warrant for the 2014 town meeting was posted, the warrant for the town election was inadvertently left out. Because of the failure to post the warrant for the town election, the election law requirements were not completely met.

Despite a lack of a warrant in 2014, there was ample notice to voters of the Town, such that more voters turned out to vote in the 2014 election than 2013 election where there was a

warrant posted. Furthermore, the Town and bill sponsors are confident that the Town residents received adequate notice of the meeting through a variety of channels including the Town's General By-laws, candidates' night that was attended by approximately 45 citizens, extensive local print media coverage leading up to the election, and campaign signs posted throughout the town. Moreover, no one has complained to the Board of Selectmen of the Town.

I urge your early and favorable consideration of this bill.

Respectfully submitted,

Deval L. Patrick,
Governor

HOUSE No. 4183

Message from His Excellency the Governor recommending legislation relative to Validating the Actions taken at the May 6, 2014 Annual Town Election held by the Town Of Warren.

The Commonwealth of Massachusetts

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In the Year Two Thousand Fourteen
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An Act validating the actions taken at the annual town election held by the town of Warren.

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. Notwithstanding any general or special law or by-law to the contrary, all
2 acts and proceedings taken by the town of Warren at the annual town election held on May 6,
3 2014 and all actions taken pursuant thereto are hereby ratified, validated and confirmed, to the
4 same extent as if the notice for that town election had been given by a warrant in full compliance
5 with law.

6 SECTION 2. This act shall take effect upon its passage.