

HOUSE No. 5158

The Commonwealth of Massachusetts



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GOVERNOR

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KARYN POLITO
LIEUTENANT GOVERNOR

November 25, 2020

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 appearing in Article LXXXIX of said Amendments, I am filing for your consideration the attached legislation entitled “An Act Relative to the Municipal Caucus in the Town of Bedford.”

I am filing this special legislation at the request of the Bedford Select Board.

The legislation will permit the Town to cancel its 2021 municipal caucus, which pursuant to town charter must be held the first week of January, if the Select Board concludes holding the caucus would constitute a threat to public health and safety due to the 2019 novel coronavirus known as COVID-19. The legislation will permit the Town as an alternative to allow voters to use nomination papers to nominate candidates, as generally provided pursuant to sections 7 and 10 of chapter 53 of the General Laws. This legislation is consistent with the procedures enacted pursuant to section 3 of chapter 92 of the Acts of 2020, by which municipalities were permitted to cancel municipal caucuses scheduled to occur between March 23, 2020 and July 31, 2020 because of COVID-19 and to use nominating papers instead to nominate candidates. Timing considerations do not permit the Town to pursue this change through normal procedures.

I urge your prompt consideration of this bill.

Respectfully submitted

Charles D. Baker,
Governor

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to the municipal caucus in the town of Bedford.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to grant authority to the town of Bedford to cancel its municipal caucus, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety, health and convenience., therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety, health and convenience.

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. (a) Notwithstanding the provisions of any other general or special law to the
2 contrary, the town of Bedford may act by vote of its select board to cancel the municipal caucus
3 scheduled to occur between January 1, 2021 and January 31, 2021 if such board concludes that
4 holding the municipal caucus would constitute a threat to the public health and safety due to the
5 2019 novel coronavirus, also known as COVID-19. If said caucus is cancelled, nomination
6 papers shall be used to nominate candidates pursuant to sections 7 and 10 of chapter 53 of the
7 General Laws; provided, however, that such nomination papers shall be signed by not fewer than
8 10 registered voters of the town; provided, however, that to the extent that the forty-ninth day
9 prior to the date of the election has passed, nomination papers shall be made available
10 immediately, and shall be returned to the office of the board of registrars for certification no later
11 than the date designated by the town clerk, which shall be no earlier than 36 days and no later

12 than 32 days prior to the date of the election; provided further, that candidates shall be notified if
13 their names will be placed on the ballot on the next business day after the deadline for filing, and
14 the time for filing withdrawals and objections shall expire at 5:00 p.m. on the following business
15 day.

16 SECTION 2. If this act does not take effect until after the date of a scheduled municipal
17 caucus during the governor's March 10, 2020 declaration of a state of emergency, the actions of
18 the select board and local election officials to postpone a municipal caucus shall be ratified,
19 validated and confirmed as if this act had been in place prior thereto.