

SENATE No. 2698



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MAURA T. HEALEY
GOVERNOR

KIMBERLEY DRISCOLL
LIEUTENANT GOVERNOR

March 7, 2024

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 validating the results of the annual election held in the town of Whitman on May 20, 2023.

I am filing this special legislation at the request of the Town of Whitman’s Board of Selectmen, who unanimously voted to request this legislation at a meeting held on October 30, 2023.

The legislation ratifies all acts and proceedings taken by the Town at its annual town election held on May 20, 2023. The ratification serves to resolve any question that might arise from the fact that the warrant for the election inadvertently omitted the text of a Proposition 2 ½ ballot question which passed by a vote of 772-366. Through that ballot question, the voters of Whitman approved a measure to issue bonds to pay for a new building for the Town’s Department of Public Works. Since the vote was invalidated, the bonding cannot occur, and the Town of Whitman reports that it will lose financing for the project if bonding is not approved promptly.

Although the warrant for the election inadvertently omitted the text of the ballot question, the full text of the question was properly printed on the ballot and posted at least 7 days prior to the election. Timely ratification of the results of the election is necessary to permit the Town to

proceed with issuing the bond and begin the construction project. I therefore urge your prompt consideration of this bill.

Respectfully submitted,

Maura T. Healey,
Governor

SENATE No. 2698

Senate, March 11, 2024 -- Message from Her Excellency the Governor (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) recommending legislation to validate the results of the annual election held in the town of Whitman on May 20, 2023

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act validating the results of the annual election held in the town of Whitman on May 20, 2023.

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 to the contrary, all acts and
2 proceedings taken by the town of Whitman at the annual town election held on May 20, 2023
3 and all actions taken pursuant thereto are hereby ratified, validated and confirmed,
4 notwithstanding any failure to include the form of the proposition two and one-half, so-called,
5 debt exclusion question in the posted warrants for said election.

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