

HOUSE No. 03439

(House – [Enter text], 05/10/2011)



The Commonwealth of Massachusetts

IN THE YEAR TWO THOUSAND ELEVEN

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HOUSE No. 03439

The Commonwealth of Massachusetts

PRESENTED BY:

Deval Patrick

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

AN ACT RELATIVE TO THE ESTABLISHMENT OF VOTING PRECINCTS IN THE TOWN OF HARVARD.

PETITION OF:

NAME: _____ | DISTRICT/ADDRESS: _____

HOUSE No. 03439

A message from His Excellency the Governor recommending legislation relative to the establishment of voting precincts in the town of Harvard

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

AN ACT RELATIVE TO THE ESTABLISHMENT OF VOTING PRECINCTS IN THE TOWN OF HARVARD.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

May 9, 2011

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 Article LXXXIX, I am filing for your consideration the attached legislation entitled, “An Act Relative to the Establishment of Voting Precincts in the Town of Harvard.”

Senator Eldridge, Representative Benson, and the Harvard Board of Selectmen have requested that I file this special legislation on behalf of the Town. The purpose of the legislation is to permit the Town to exclude its prison population for the purposes of statutorily required reprecincting.

11 General Laws c. 54, § 6 requires that a Town establish precinct lines every 10 years,
12 following the federal census, if the total population exceeds 6,200 voters. While the Town
13 currently has one precinct, the new census numbers show a population of 6,520 inhabitants, thus
14 requiring creation of a second precinct. The most recent census count, however, includes
15 approximately 1200 prisoners living in the federal medical prison at Devens. The non-prison
16 population thus remains well below statutory limits.

17 Given that the population of eligible voters in Harvard is well below the statutory
18 threshold for creation of a second precinct, the intent of ensuring an orderly voting process will
19 not be furthered by creation of a second precinct. The creation of an additional precinct thus
20 would create unnecessary fiscal and logistical burdens for the Town.

21 I urge your early and favorable consideration of this bill.

22 Respectfully submitted,

23 DEVAL L. PATRICK

24

25 SECTION 1. Notwithstanding section 6 of chapter 54 of the General Laws or any other general
26 or special law to the contrary, the town of Harvard shall not be required to establish separate
27 voting precincts, provided that the nonprisoner population of the town remains below the
28 standard established by said section 6 of said chapter 54 requiring reprecincting.

29 SECTION 2. The nonprisoner population of the town of Harvard shall be determined by
30 subtracting the prisoner population as reported by the Federal Medical Prison Center in Devens
31 to the town from the total population as reported by the United States Census Bureau as

32 calculated in the most recent decennial census. The prisoner population information shall be in
33 the same form as the population information given to the town by the United States Census
34 Bureau.

35 SECTION 3. This act shall take effect upon its passage.