HOUSE . . . . . No. 3439

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.

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

Given that the population of eligible voters in Harvard is well below the statutory threshold for creation of a second precinct, the intent of ensuring an orderly voting process will not be furthered by creation of a second precinct. The creation of an additional precinct thus 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

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25 SECTION1. Notwithstanding section 6 of chapter 54 of the General Laws or any other
26 general or special law to the contrary, the town of Harvard shall not be required to establish
27 separate voting precincts, provided that the nonprisoner population of the town remains below
28 the 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.