

# HOUSE . . . . No. 1487

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## The Commonwealth of Massachusetts

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EXECUTIVE DEPARTMENT,  
STATE HOUSE, BOSTON, February 6, 1946.

*To the Honorable Senate and House of Representatives:*

I am returning herewith without my approval House Bill 204 amended, entitled "AN ACT MAKING CERTAIN CHANGES IN THE LAWS REGULATING STATEWIDE RECOUNTS OF VOTES CAST IN STATE ELECTIONS."

Under the present law, when petitions are filed for statewide recounts of votes cast at elections, they are held until official tabulation of votes by the Governor and Council. If it then appears that the difference is one per cent or less of the total vote cast for the office in question or on a Referendum Question, the Secretary of the Commonwealth orders a recount. This legislation would reduce the percentage from one per cent to one-half of one per cent.

This measure is practically identical to House Bill No. 633 of 1945, which I returned to your honorable bodies without my approval on May 4, 1945. I stated then that, "in my opinion, the present law which allows for a difference of one per cent or less, represents a reasonable allowance of margin for error, and is a check against possible irregularities in the counting of ballots. While the reduction to one-half of one per cent may be considered safe in ordinary circumstances, I feel, nevertheless, that in unusual circumstances, where there are candidates with similar or identical names for the same or different offices, the chance for error would be greatly increased. In such

cases, the margin of one-half of one per cent would not, in my opinion, be safe. Other unusual circumstances may arise which we cannot foretell at this time."

I am still of the opinion that the reduction to one-half per cent is not in the public interest.

Respectfully yours,

MAURICE J. TOBIN,  
*Governor of the Commonwealth.*