

HOUSE No. 1867

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 29, 1936.

The committee on Bills in the Third Reading, to whom was referred the Bill providing that questions on ballots be more briefly and intelligently expressed (House, No. 1842), report (in part) the accompanying order.

For the committee,

PHILIP SHERMAN.

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, June 2, 1936.

The committee on Rules, to whom was referred the order relative to requiring the opinion of the Justices of the Supreme Judicial Court relative to questions on ballots at state elections, report that the same ought to be adopted.

For the committee,

HORACE T. CAHILL.

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, June 2, 1936.

Whereas, The forty-eighth amendment to the Constitution of the Commonwealth provides that a description, to be determined by the attorney general, of each proposed amendment to the Constitution and each law to be submitted to the people under said forty-eighth amendment shall be inserted, in a parenthetical manner, in the body of the question relating thereto, as appearing on the ballot, whereby the question is made difficult to understand and confusion is created in the minds of the voters; and

Whereas, Two bills are now pending in the House of Representatives, each of which is designed to make such a question more intelligible to the voters by providing for the insertion therein of the description of the measure to which the question relates, by reference as provided therein, said bills being numbered House seven hundred and seventy-nine and House eighteen hundred and forty-two, a copy of each of which is submitted herewith; and

Whereas, There is doubt as to whether or not either of said bills would be constitutional, if enacted into law, and

Whereas, It is the sense of the House of Representatives that the confusion created in the minds of the voters when confronted in the voting booth with such questions as heretofore expressed on the ballot is such that a public emergency exists requiring that a determination of the following questions as to the constitutionality of said bills be rendered to this House of Representatives in season for action on the subject-matter thereof by this General Court or, if that is not possible,

to the House of Representatives of the next General Court; therefore, be it

Ordered, That the opinions of the Honorable Justices of the Supreme Judicial Court be required by the House of Representatives on the following important questions of law:

1. Would the insertion in such a question, as appearing on the ballot, of a description of the measure to which it relates, by means of a reference to an official pamphlet conveniently accessible to the voters in each voting booth, all substantially as provided in said bill, House 1842, be in compliance with the requirements of said forty-eighth amendment?

2. Would the insertion in such a question, as appearing on the ballot, of a description of the measure to which it relates, by means of a reference to a detailed description appearing elsewhere on the ballot, all substantially as provided in said House 779, be in compliance with the requirements of said forty-eighth amendment?

FRANK E. BRIDGMAN,

Clerk.