

SENATE No. 322

Taken from the files of the preceding General Court by an order (presented by Senator Bowers) jointly adopted on January 18. Constitutional Law.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Three.

PROPOSAL FOR A LEGISLATIVE AMENDMENT OF THE CONSTITUTION TO PROVIDE FOR A FAIR, CONCISE SUMMARY, INSTEAD OF A DESCRIPTION, OF EACH PROPOSED AMENDMENT TO THE CONSTITUTION AND EACH LAW SUBMITTED TO THE PEOPLE, UNDER THE INITIATIVE AND THE REFERENDUM, AND CERTAIN CHANGES RELATIVE TO THE FILING OF INITIATIVE PETITIONS.

1 A joint session of the Senate and House of Repre-
2 sentatives hereby declares it to be expedient to alter
3 the Constitution by the adoption of the following
4 Article of Amendment, to the end that it may become
5 a part of the Constitution, if similarly agreed to in a
6 joint session of the next General Court, and approved
7 by the people at the state election next following:

ARTICLE OF AMENDMENT.

1 SECTION 1. Article XLVIII of the amendments
2 to the constitution is hereby amended by striking
3 out section three, under the heading "THE INITIA-
4 TIVE. II. *Initiative Petitions.*", and inserting in place

5 thereof the following: — *Section 3. Mode of Originat-*
6 *ing.* — Such petition shall first be signed by ten
7 qualified voters of the commonwealth and shall be
8 submitted to the attorney-general not later than the
9 first Wednesday of the August before the assembling
10 of the general court into which it is to be introduced,
11 and if he shall certify that the measure and the title
12 thereof are in proper form for submission to the
13 people, and that the measure is not, either affirma-
14 tively or negatively, substantially the same as any
15 measure which has been qualified for submission or
16 submitted to the people at either of the two preced-
17 ing biennial state elections, and that it contains
18 only subjects not excluded from the popular initiative
19 and which are related or which are mutually de-
20 pendent, it may then be filed with the secretary of
21 the commonwealth. The secretary of the common-
22 wealth shall provide blanks for the use of subsequent
23 signers, and shall print at the top of each blank a
24 fair, concise summary, as determined by the attorney-
25 general, of the proposed measure as such summary
26 will appear on the ballot together with the names and
27 residences of the first ten signers. All initiative
28 petitions, with the first ten signatures attached, shall
29 be filed with the secretary of the commonwealth
30 not earlier than the first Wednesday of the September
31 before the assembling of the general court into which
32 they are to be introduced, and the remainder of the
33 required signatures shall be filed not later than the
34 first Wednesday of the following December.

1 SECTION 2. Section three of that part of said
2 Article XLVIII, under the heading "THE REFEREN-
3 DUM. III. *Referendum Petitions.*", is hereby amended

4 by striking out the words "The secretary of the com-
5 monwealth shall provide blanks for the use of subse-
6 quent signers, and shall print at the top of each blank
7 a description of the proposed law as such description
8 will appear on the ballot together with the names
9 and residences of the first ten signers.", and in-
10 serting in place thereof the words "The secretary
11 of the commonwealth shall provide blanks for the use
12 of subsequent signers, and shall print at the top of
13 each blank a fair, concise summary of the proposed
14 law as such summary will appear on the ballot to-
15 gether with the names and residences of the first ten
16 signers."

1 SECTION 3. Section four of that part of said Article
2 XLVIII, under the heading "THE REFERENDUM.
3 *III. Referendum Petitions.*", is hereby amended by
4 striking out the words "The secretary of the common-
5 wealth shall provide blanks for the use of subsequent
6 signers, and shall print at the top of each blank a
7 description of the proposed law as such description
8 will appear on the ballot together with the names
9 and residences of the first ten signers.", and inserting
10 in place thereof the words "The secretary of the
11 commonwealth shall provide blanks for the use of
12 subsequent signers, and shall print at the top of each
13 blank a fair, concise summary of the proposed law as
14 such summary will appear on the ballot together
15 with the names and residences of the first ten signers."

1 SECTION 4. Said Article XLVIII is hereby further
2 amended by striking out, under the heading "GEN-
3 ERAL PROVISIONS", all of subheading "*III. Form*
4 *of Ballot.*" and all of subheading "*IV. Information for*

5 *Voters.*”, and inserting in place thereof the follow-
6 ing:—

7

III. Form of Ballot.

8 A fair, concise summary, as determined by the
9 attorney general, subject to such provision as may
10 be made by law, of each proposed amendment to the
11 constitution, and each law submitted to the people,
12 shall be printed on the ballot, and the secretary of
13 the commonwealth shall give each question a num-
14 ber and cause such question, except as otherwise
15 authorized herein, to be printed on the ballot in the
16 following form:—

17 In the case of an amendment to the constitution:
18 Do you approve of the adoption of an amendment to
19 the constitution summarized below, (here state, in dis-
20 tinctive type, whether approved or disap-
21 proved by the general court, and by what
22 vote thereon)?

YES.	
NO.	

23

(Set forth summary here)

24 In the case of a law: Do you approve of a law sum-
25 marized below, (here state, in distinctive
26 type, whether approved or disapproved
27 by the general court, and by what vote
28 thereon)?

YES.	
NO.	

29

(Set forth summary here)

30

IV. Information for Voters.

31 The secretary of the commonwealth shall cause to
32 be printed and sent to each registered voter in the
33 commonwealth the full text of every measure to be
34 submitted to the people, together with a copy of the
35 legislative committee's majority and minority reports,

36 if there be such, with the names of the majority and
37 minority members thereon, a statement of the votes
38 of the general court on the measure, and a fair, con-
39 cise summary of the measure as such summary will
40 appear on the ballot; and shall, in such manner as
41 may be provided by law, cause to be prepared and
42 sent to the voters other information and arguments
43 for and against the measure.

