

SENATE No. 374

The Commonwealth of Massachusetts

EXECUTIVE DEPARTMENT,
STATE HOUSE, BOSTON, FEBRUARY 8, 1943.

To the Honorable Senate and House of Representatives:

I am returning herewith without my approval an Act authorizing the Town of Bedford to vote at its current annual town meeting on the question of granting licenses for the sale in said town of alcoholic beverages, being Senate Bill #370.

A tie vote in any parliamentary proceeding is construed against affirmative action. In this instance, the vote last November was a tie, and consequently there could be no affirmative action under which package store licenses could be granted. The law clearly requires a majority of the votes cast.

This is a special bill to vote again on the same referendum at the town meeting. In the 1941 session of the Legislature, three bills of this type were rejected by the Honorable Senate and in the session of 1939, two received adverse action and one was enacted. On the petition of the bill enacted, a majority of the registered voters of the town affirmatively signed the petition.

If your honorable bodies pass special bills of this character where a tie vote occurs, the minority group will always feel that they can bring such a petition, and the referendum will come to have little final significance. The present law requires liquor referenda to be voted on at every State election. As such referenda have been submitted to the people many times, there can be no

question of misunderstanding involved, and there is no question of irregularity in the election itself raised. If as a question of policy the Legislature wishes to consider a tie vote reason for a resubmission of the question, it should be done by a general act.

Respectfully yours,

LEVERETT SALTONSTALL,
Governor of the Commonwealth.