

The Commonwealth of Massachusetts

INITIATIVE PETITION OF ELLSWORTH W.
CURTIS AND OTHERS.

[Labor and Industries.]

OFFICE OF THE SECRETARY,
BOSTON, January 7, 1948.

Mr. LAWRENCE R. GROVE, *Clerk of the House of Representatives, State House, Boston, Massachusetts.*

DEAR SIR:— Under the provisions of Article XLVIII of the Amendments to the Constitution, "THE INITIATIVE. II. *Initiative Petitions.* Section 4", I transmit herewith an initiative petition, accompanied by a bill entitled "An Act making it Unlawful to exclude any Person from Employment because of Membership or Non-membership in a Labor Organization, and providing a Penalty for Such Exclusion." This petition, signed by ten qualified voters, and with the requisite certificate of the Attorney General attached, was filed with the Secretary of the Commonwealth September 3, 1947; and on December 2, 1947, 21,039 subsequent signatures of qualified voters had been filed.

Respectfully,

FREDERIC W. COOK,
Secretary.

By PAUL D. HOWARD,
Deputy Secretary.

The Commonwealth of Massachusetts

AN INITIATIVE PETITION.

The undersigned qualified voters of the Commonwealth hereby petition, under the provisions of the 48th Amendment of the Constitution of the Commonwealth of Massachusetts for the enactment into law of the following measure: —

AN ACT MAKING IT UNLAWFUL TO EXCLUDE ANY PERSON FROM EMPLOYMENT BECAUSE OF MEMBERSHIP OR NON-MEMBERSHIP IN A LABOR ORGANIZATION, AND PROVIDING A PENALTY FOR SUCH EXCLUSION.

Be it enacted by the People, and by their Authority.

SECTION 1. Chapter 149 of the General Laws, as amended, is hereby further amended by inserting after section 19, as appearing in the Tercentenary Edition, the following new section: —

Section 19A. No person shall be denied the opportunity to obtain or retain employment because of his membership or non-membership in a labor organization, nor shall the commonwealth or any political subdivision thereof, or any corporation, individual, partnership or association of any kind enter into any agreement, written or oral, which excludes any person from employment because of his membership or non-membership in a labor organization. Whoever violates or aids or abets in the violation of any provision of this section shall be punished by a fine of not less than twenty-five nor more than two hundred dollars, or, if an individual, by imprisonment for not more than thirty days, or both.

SECTION 2. Notwithstanding the provisions of paragraph (a) of section ten of chapter one hundred and fifty A of the General Laws, as amended, in case of any conflict between any provision of this act and any provision of law existing when this act takes effect, the provisions of this act shall prevail.

(First ten signers.)

ELLSWORTH W. CURTIS,
431 Pine Street, Weymouth.

FRED W. WEBB,
60 Center Street, Weymouth.

DORIS L. COTTELL,
588 Broad Street, Weymouth.

FREDERICK V. NOLAN,
54 Center Street, Weymouth.

THOMAS M. WELCH,
1419 Pleasant Street, Weymouth.

BENJAMIN F. THOMPSON,
297 Pond Street, Weymouth.

HAROLD J. TRASK,
93 Phillips Street, Weymouth.

ANDREW A. CIGNARELLI,
227 Lake Street, Weymouth.

GEORGE F. GILLMAN,
19 Lambert Avenue, Weymouth.

OSCAR D. LECAIN,
26 Morningside Path, Weymouth.

SUMMARY.

This measure prohibits the denial of the opportunity to obtain or retain employment because of membership or non-membership in a labor organization and prohibits agreements which exclude any person from employment because of membership or non-membership in a labor organization. Violation of the provisions of the measure is made an offense punishable by fine or imprisonment or both.

CERTIFICATE OF THE ATTORNEY GENERAL TO ACCOMPANY INITIATIVE PETITION FOR AN ACT MAKING IT UNLAWFUL TO EXCLUDE ANY PERSON FROM EMPLOYMENT BECAUSE OF MEMBERSHIP OR NON-MEMBERSHIP IN A LABOR ORGANIZATION, AND PROVIDING A PENALTY FOR SUCH EXCLUSION.

I hereby certify that the foregoing measure and its title are in proper form for submission to the people and that it is not either affirmatively or negatively substantially the same as any measure which has been qualified for submission or submitted to the people within three years of the succeeding first Wednesday in December, and that it contains only subjects not excluded from the popular initiative and which are related or which are mutually dependent.

CLARENCE A. BARNES,
Attorney General.