

HOUSE No. 2590

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, March 23, 1955.

The committee on Education, to whom were referred the petition (accompanied by bill, House, No. 132) of Charles Iannello for inclusion in the oath or affirmation required of certain professors, instructors and teachers a statement relative to membership in the Communist Party; the petition (accompanied by bill, House, No. 133) of Charles Iannello that presidents of colleges and schools be instructed to expel communists or communist sympathizers from their teaching staffs; the petition (accompanied by bill, House, No. 813) of Leo J. Normandin that colleges and schools be required to expel communists and other persons associated with communistic or other subversive organizations from teaching staffs and relative to the penalties for failure to do so; the petition (accompanied by bill, House, No. 1313) of Leo J. Normandin and Michael A. Porrazzo that presidents and trustees of governing boards of colleges and schools be required to expel communists or other persons associated with subversive organizations; and the petition (accompanied by bill, House, No. 1814) of John J. Lawless for disqualification of teachers in public and private schools who refuse to answer questions relating to the security of the Commonwealth or of the United States, report the accompanying bill (House, No. 2590).

For the committee,

JOHN P. McMORROW.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Five.

AN ACT PROVIDING FOR THE DISCHARGE OF ANY PROFESSOR, INSTRUCTOR OR TEACHER IN ANY UNIVERSITY, COLLEGE OR SCHOOL, PUBLIC OR PRIVATE, LOCATED IN THE COMMONWEALTH, WHO REFUSES, AT A DULY CONSTITUTED TRIAL, OR AT CERTAIN HEARINGS OR INQUIRIES, TO ANSWER CERTAIN QUESTIONS PERTINENT TO HIS MEMBERSHIP IN THE COMMUNIST PARTY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 71 of the General Laws is hereby amended
2 by inserting after section 30A the following section:—
3 *Section 30B.* Any professor, instructor or teacher at
4 any college, university, teachers' college, or public or
5 private school in the commonwealth, who for any rea-
6 son whatsoever, refuses, at a trial or at a duly con-
7 stituted hearing or inquiry conducted for the purpose
8 of investigating communism, at which testimony is
9 taken under oath, to answer questions pertinent to his
10 past or present membership in the communist party
11 shall forthwith be discharged.

12 The provisions of this section shall be enforced by the
13 attorney general in appropriate proceedings.

14 If any provision, phrase or clause of this section, or
15 the application thereof to any person or circumstance,
16 is held invalid, such invalidity shall not affect other pro-
17 visions, phrases or clauses or application of this section
18 which can be given effect without the invalid provi-
19 sion, phrase or clause or application, and to this end
20 the provisions, phrases and clauses of this section are
21 declared to be severable.