

SENATE No. 714

The Commonwealth of Massachusetts

EXECUTIVE DEPARTMENT,
STATE HOUSE, BOSTON, May 11, 1955.

To the Honorable Senate and House of Representatives:

During the past two days it has become evident that the two branches of our Legislature have been unable to agree on the proposed constitutional amendments which they might consider at a joint session called for the purpose. The Constitution of Massachusetts specifically provides in Article XLVIII, as amended by Article LXXXI of the amendments thereto, that in the event of a failure of the two houses to agree upon a time for holding such a joint session the Governor shall, and I emphasize the word "shall", issue a call for such a joint session to be convened prior to the end of the second Wednesday in May. It is also provided that the joint session should give consideration to such proposed amendments as have received the approval of either the House of Representatives or the Senate. Unfortunately, however, neither the same provision of the Constitution nor any other provision thereof is clearly indicative of the time when the Governor's action is required and whether or not his action is invalid in the event that agreement between the houses has not been reached as of midnight on the second Wednesday in May, should the Governor wait until that time to ascertain whether or not there has been an arrival at agreement.

In view of the above uncertainty, and following the precedent set by a former Governor in May of 1952, and in accordance with the provisions of the Article of amendments to the Constitution above cited, I hereby call a joint session of the General Court to be held on Wednesday, May 11, 1955 at 4:00 P.M. for the purpose of considering the follow-

ing three proposals for legislative amendments to the Constitution of the Commonwealth:

1. To provide four-year terms for the Governor, Lieutenant Governor, Secretary, Treasurer and Receiver-General, Attorney General and Auditor of the Commonwealth, (see Senate No. 763 of 1954), which proposal was agreed to in the joint session of the two houses to consider a specific legislative amendment to the Constitution held on May 12, 1954, and with reference to which the Senate under date of May 10, 1955 called for consideration in joint session;

2. To permit the levying of excise taxes on incomes, (see House No. 1297), with reference to which the Committee on Constitutional Law has reported that the proposed amendment Ought to Pass, with an amendment, and with reference to which the House of Representatives, under date of May 9, 1955, called for consideration in joint session;

3. To provide for voting by citizens of eighteen years of age and upwards, (see Senate No. 19), with reference to which the Committee on Constitutional Law has reported that the amendment Ought to Pass, and with reference to which the House of Representatives, under date of May 9, 1955, called for consideration in joint session.

CHRISTIAN A. HERTER,

Governor of the Commonwealth.