

# HOUSE . . . . No. 106

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## The Commonwealth of Massachusetts

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OFFICE OF THE SECRETARY, BOSTON, December 3, 1930.

*To the Honorable Senate and House of Representatives.*

In compliance with General Laws, chapter 30, section 33, as amended by section 43, chapter 362, Acts of 1923, I have the honor to submit herewith such portions of my annual reports (Pub. Doc. Nos. 43 and 46) as embody recommendations for legislation, accompanied by drafts of proposals and bills to cover said recommendations.

F. W. COOK,  
*Secretary.*

RECOMMENDATIONS.

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1. Article XV of the Amendments to the Constitution provides in substance that in case of failure to elect representatives at the biennial State election a second election shall be held on the fourth Monday of the same month of November. Because of the short period of time following an election, with the probability of recount and perhaps other contest, it is almost impossible to hold a second election as provided. I respectfully recommend that said article be amended by striking out all after the word "annually." In the event that the General Court decides it is inadvisable to make this suggested amendment, some statute should be adopted to provide just which candidates would be eligible to be voted upon at such second election.

2. Article XLV of the Amendments to the Constitution provides that "The general court shall have power to provide by law for voting by qualified voters of the commonwealth who, at the time of an election, are absent from the city or town of which they are inhabitants in the choice of any officer to be elected or upon any question submitted at such election." Because of the large number of applications preceding the last election, and with the conviction that this privilege should be extended to unfortunates deprived of the right to vote because of physical disability, I respectfully renew the recommendation which I have several times made to the General Court, that the provisions of said article be extended to include qualified voters who, by reason of physical disability, are unable to cast their votes at the polling place in person.

3. Article XLVIII of the Amendments to the Con-

stitution, General Provisions, III, Form of Ballot, provides for the form in which questions relating to amendment to the constitution or laws submitted to the people shall be printed on the ballot. Under the present law and in pursuance of an opinion to the General Court the past year, the Attorney General has not authority to condense these questions. It is my belief that such authority should be given in order that questions on the ballot may be more briefly expressed. The large number of blanks on such questions at the elections, varying from 25 to 50 per cent of the ballots cast, indicates a lack of understanding which might be helped if the Attorney General could use shorter forms. I therefore recommend an amendment to that part of the Constitution above mentioned by inserting after the words "attorney general" in the third line the words: — or by the title of such amendment or law if in his opinion such title is sufficient.

4. Many women who are elected or appointed to public office are married during their term of office. The Secretary of the Commonwealth is called upon many times for certificates of authority for public officers, and in the cases above mentioned has no authority to certify under the married name. I therefore respectfully recommend legislation to permit such a woman official to register with the Secretary of the Commonwealth under her new name, and to authorize the Secretary to certify concerning said official under such name.

5. I hereby recommend amendments to the laws relative to registry and return of births, marriages and deaths, as follows:

Amend chapter 46, section 12, General Laws, by adding after the word "same" in the last line the words: — and transmit a certified copy to the state secretary.

The purpose of this proposed amendment is to require copies of records of births, marriages and deaths of residents of this Commonwealth who have been born,

married, or have died outside the Commonwealth to be transmitted by the local registrars to the State Secretary for the files of the Division of Vital Statistics.

Amend section 17 by inserting after the word "the" in the seventh line the words:—returns of births in such town and of the,—and by striking out after the word "of" in the same line the words "births and".

At the present time copies of births are returned from the place of birth and also from the place of residence when the birth occurred in a town other than the residence of the parents. Under this amendment the clerks will be required to return only copies of those births that have occurred in their town. There is no necessity of having two copies, as the copy returned from the place of residence is of no value whatever to the Division of Vital Statistics. It is not coded nor tabled and only means duplication. The returns of copies of deaths from the place of residence of the deceased are not required, and there is no necessity for the return of the copies of births.