

SENATE No. 1206

The Commonwealth of Massachusetts

SENATE, July 15, 1968.

The committee on Bills in the Third Reading of the Two Houses, acting jointly, to whom was referred the Proposal for a legislative amendment to the constitution providing for a special census and the apportionment of the commonwealth into two hundred and forty equal representative districts and forty equal senatorial districts based on population (House, No. 3681), reports recommending the substitution of a new draft entitled "Proposal for a legislative amendment to the constitution providing for a census of the population in the year nineteen hundred and seventy-one and the apportionment, on the basis of said census of the commonwealth into two hundred and forty equal representative districts and forty equal senatorial districts" (Senate, No. 1206) and that when so amended the proposal will be correctly drawn.

For the committee,

JOHN E. HARRINGTON, JR.

MARY B. NEWMAN

[PRINTED AS AMENDED.]

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Eight.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION PROVIDING FOR A CENSUS OF THE POPULATION IN THE YEAR NINETEEN HUNDRED AND SEVENTY-ONE AND THE APPORTIONMENT, ON THE BASIS OF SAID CENSUS, OF THE COMMONWEALTH INTO TWO HUNDRED AND FORTY EQUAL REPRESENTATIVE DISTRICTS AND FORTY EQUAL SENATORIAL DISTRICTS.

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution [if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following]:

ARTICLE OF AMENDMENT.

ARTICLE . SECTION 1. In the year nineteen hundred and seventy-one and every tenth year thereafter a census of the inhabitants of each city and town shall be taken. Said census shall specify the number of inhabitants residing in each precinct of each town and in each precinct and ward of each city. Said census shall be the basis for determining the representative districts for the ten year year period beginning with the first Wednesday in the fourth January following the taking of said census; provided that such districts as established in the year nineteen hundred and sixty-eight shall continue until the first Wednesday in January in the year nineteen hundred and seventy-five.

The house of representatives shall consist of two hundred and forty members. The general court shall, at its first regular session after the year in which said census was taken, divide the commonwealth into two hundred and forty representative districts of

contiguous territory so that each representative will represent an equal number of inhabitants, as nearly as may be; and such districts shall be formed, as nearly as may be, without uniting two counties or parts of two or more counties, two towns or parts of two or more towns, two cities or parts of two or more cities, or a city and a town, or parts of cities and towns, into one district; provided, however, that the county of Dukes county and Nantucket county shall each be a representative district. Such districts shall also be so formed that no town containing less than six thousand inhabitants according to said census shall be divided. The general court may by law limit the time within which judicial proceedings may be instituted calling in question any such division. Every representative, for one year at least immediately preceding his election, shall have been an inhabitant of the district for which he is chosen, and shall cease to represent such district when he shall cease to be an inhabitant of the commonwealth. The manner of calling and conducting the elections for the choice of representatives, and of ascertaining their election, shall be prescribed by law.

SECTION 2. Each census of inhabitants required in section one shall likewise be the basis for determining the senatorial districts and also the councillor districts for the ten year period beginning with the first Wednesday in the fourth January following the taking of such census; provided that such districts as established prior to the year nineteen hundred and seventy-one shall continue until the first Wednesday in January in the year nineteen hundred and seventy-five. The senate shall consist of forty members. The general court shall, at its first regular session after the year in which said census is taken, divide the commonwealth into forty districts of contiguous territory, each district to contain, as nearly as may be, an equal number of inhabitants according to said census; and such districts shall be formed, as nearly as may be, without uniting two counties, or parts of two or more counties, into one district. The general court may by law limit the time within which judicial proceedings may be instituted calling in question such division. Each district shall elect one senator, who shall have been an inhabitant of this commonwealth five years at least immediately preceding his election, and at the time of his

election shall be an inhabitant of the district for which he is chosen; and he shall cease to represent such senatorial district when he shall cease to be an inhabitant of the commonwealth.

SECTION 3. Article XXI and XXII of the Amendments to the Constitution, as appearing in Article LXXI of said Amendments, are hereby annulled.