

# HOUSE . . . . . No. 5663

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## *The Commonwealth of Massachusetts*

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HOUSE OF REPRESENTATIVES, May 2, 1978.

The committee on Rules to whom was referred the Order (filed by Mr. Natsios of Holliston) relative to requesting the opinions of the Honorable the Justices of the Supreme Judicial Court on a certain question of law in relation to an untitled initiative petition relative to imposing a limitation on both the annual tax revenue raised by the Commonwealth and the annual state expenditures (House, No. 5663), report that the same ought to be adopted.

For the committee,

GEORGE KEVERIAN.

**The Commonwealth of Massachusetts**

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

*Whereas*, There is pending before the General Court a bill printed as House, No. 5269, an untitled initiative petition, a copy of which is submitted herewith; and

*Whereas*, Section 10 of said petition, in defining particular terms necessary to carry out the purposes of said initiative petition refers to the average gross state budget, a term which is unclear and without specific meaning; and

*Whereas*, Grave doubt exists as to the constitutionality of section 10 of this petition, if enacted into law; therefore be it

*Ordered*, That the opinions of the Honorable Justices of the Supreme Judicial Court be required by the House of Representatives upon the following question of law: —

Does the phrase, average gross state budget, as used in section 10 of House Document No. 5269, strip away the clarity of said petition, rendering said document unconstitutional because of vagueness?

Wallace C. Mills,  
Clerk.