

By Mr. Natsios of Holliston, petition of Andrew S. Natsios for a legislative amendment to the Constitution relative to safeguarding the rights of the people in respect to the legislative procedure on initiative amendments. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Two.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION SAFEGUARDING THE RIGHTS OF THE PEOPLE IN RESPECT TO THE LEGISLATION PROCEDURE ON INITIATIVE AMENDMENTS.

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

8 **ARTICLE OF AMENDMENT.**

9 SECTION 1. Article XLVIII of the Amendments to the Consti-
10 tution, as amended by Article LXXXI, is hereby amended by
11 striking out section 2, under the heading "THE INITIATIVE. IV.
12 *Legislative Action on Proposed Constitutional Amendments.*",
13 and inserting in place thereof the following section: —

14 *Section 2. Joint Session.* — If a proposal for a specific amend-
15 ment of the constitution is introduced into the general court by
16 initiative petition signed in the aggregate by not less than such
17 number of voters as will equal three per cent of the entire vote cast
18 for governor at the preceding biennial state election, or if in the
19 case of a proposal for amendment introduced into the general
20 court by a member of either house, consideration thereof in joint
21 session is called for by vote of either house, such proposal shall, not

22 later than the second Wednesday in May, be laid before a joint
23 session of the two houses, at which the president of the senate shall
24 preside.

1 SECTION 2. Section 4 of that part of said article XLVIII,
2 under the heading "THE INITIATIVE. *IV. Legislative Action on*
3 *Proposed Constitutional Amendments.*", is hereby amended by
4 striking out said section and inserting in place thereof the follow-
5 ing: —

6 *Section 4. Legislative Action.* — Final legislative action in the
7 joint session upon any amendment shall be taken only by call of the
8 yeas and nays, which shall be entered upon the journals of the two
9 houses; and an unfavorable vote at any state preceding final action
10 shall be verified by call of the yeas and nays, to be entered in like
11 manner.

12 At such joint session a legislative amendment receiving the
13 affirmative votes of a majority of all the members elected, or an
14 initiative amendment receiving the affirmative votes of not less
15 than one-fourth of all the members elected, shall be referred to the
16 next general court; and if the two houses have failed to meet in a
17 joint session, or have failed to act on an initiative amendment, such
18 initiative amendment shall be deemed to have been approved and
19 shall be referred to the next general court.

1 SECTION 3. Section 5 of that part of said Article XLVIII,
2 under the heading "THE INITIATIVE. *IV. Legislative Action on*
3 *Proposed Constitutional Amendments.*", is hereby amended by
4 striking out said section and inserting in place thereof the follow-
5 ing: —

6 *Section 5. Submission to the People.* If in the next general court
7 a legislative amendment shall again be agreed to in joint session by
8 a majority of all the members elected, or if an initiative amendment
9 or a legislative substitute shall again receive the affirmative votes of
10 at least one-fourth of all the members elected, such fact shall be
11 certified by the clerk of such joint session to the secretary of the
12 commonwealth, who shall submit the amendment to the people at
13 the next state election.

14 If the general court fails to act on an initiative amendment or a
15 legislative substitute before the last Wednesday of May in the year

16 of a state election in the second year of its term, and if such petition
17 is completed by filing with the secretary of the commonwealth, not
18 earlier than the last Wednesday of the following June nor later than
19 the last Wednesday of the following July, a number of qualified
20 signatures equal in number to not less than one half of one percent
21 of the entire vote cast for governor at the preceding quadrennial
22 state election, in addition to those signing such initiative petition,
23 which signatures must have been obtained after the last Wednes-
24 day of May aforesaid, then the secretary of the commonwealth
25 shall submit such amendment to the people at the next state
26 election. Such amendment shall become part of the constitution if
27 approved, in the case of a legislative amendment, by a majority of
28 the voters voting thereon, or if approved, in the case of an initiative
29 amendment or a legislative substitute, by voters equal in number to
30 at least thirty per cent of the total number of ballots cast at such
31 state election and also by a majority of the voters voting on such
32 amendment.

