

HOUSE No. 1334

By Mr. Morrill of Haverhill, petition of Charles H. Morrill for a legislative amendment of the Constitution to provide for a more equitable and proportional representation in the House of Representatives and to abolish the Senate. Constitutional Law.

The Commonwealth of Massachusetts

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

PROPOSAL FOR A LEGISLATIVE AMENDMENT OF THE CONSTITUTION TO PROVIDE FOR A MORE EQUITABLE AND PROPORTIONAL REPRESENTATION IN THE HOUSE OF REPRESENTATIVES AND TO ABOLISH THE SENATE.

1 A joint session of the Senate and House of Repre-
2 sentatives hereby declares it to be expedient to alter
3 the Constitution by the adoption of the following
4 Article of Amendment, to the end that it may become
5 a part of the Constitution, if similarly agreed to in a
6 joint session of the next General Court and approved
7 by the people at the state election next following:

8 ARTICLE OF AMENDMENT.

9 The house of representatives shall have full power
10 and authority to provide that any or all of its mem-
11 bers may be nominated and/or elected, either by
12 districts or from the commonwealth at large, or in
13 some other manner, so that the members thereof shall
14 reflect as fully as possible the political, governmental
15 and industrial opinions of all electors or voters, and,

16 except as hereinafter provided, the membership shall
17 consist of two hundred and forty. Each political
18 party, or other organization within the body politic
19 or a requisite number of independent voters as herein
20 specified, shall at each session of the house of repre-
21 sentatives be represented therein, as equally as may
22 be, in the exact proportion that the combined number
23 of votes cast for governor, lieutenant-governor, secre-
24 tary of the commonwealth, treasurer and receiver
25 general, auditor and attorney general, bearing its
26 designation at the last general state election next
27 preceding the assembling of any session of the house,
28 bears to the combined total number of votes cast for
29 all the candidates for the said offices at the aforesaid
30 election.

31 For the purpose of securing equitable and propor-
32 tional representation as herein provided, the com-
33 monwealth may be redistricted, in whole or in part,
34 or the basis of representation for nomination and/or
35 election may be established, changed or cancelled at
36 any time; but when so established, changed or can-
37 celled at any period, other than that specified in
38 article twenty-one of the articles of amendment to the
39 constitution of the commonwealth, the number of
40 legal voters in the commonwealth, or in any subdivi-
41 sion thereof, shall be considered to be that shown at
42 the last preceding decennial census taken as provided
43 for in said article twenty-one, together with a per
44 centum added thereto for each year or major fraction
45 of a year which may have elapsed since the said
46 enumeration, which annual per centum shall be one
47 tenth of the decennial increase shown by such enu-
48 meration, and a like tenth additional shall be added
49 thereto in lieu of the real growth of the remaining

50 portion of the calendar year then current. And in
51 allotting the representation, — where election is deter-
52 mined otherwise than by districts, — a residue of a
53 major fraction of the basis of representation, cast for
54 each party, or group, or candidate whose name is not
55 contained in a group, shall be given representation;
56 after which the minor fractions cast for each party,
57 group or candidate whose name is not contained in a
58 group shall be combined into one total, and if such
59 total equals or exceeds fifty per centum of the basis of
60 representation an additional member shall be given
61 to the party or group or candidate whose name is not
62 contained in a group receiving the larger of the said
63 minor fractions; and the house membership may, if
64 necessary, be increased in number for such purposes.

65 The senate is hereby abolished, such abolition to
66 take effect at the end of the biennial term following
67 the election at which this amendment is adopted.
68 And all uncompleted matters then before the senate
69 shall be referred to the house of representatives and
70 all powers and duties of the senate shall be transferred
71 to and be vested in the house of representatives.

72 All the provisions of the existing constitution in-
73 consistent with the provisions herein contained are
74 hereby annulled.

