

# HOUSE . . . . No. 653

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Bill accompanying the petition of Louis E. Flye and another that information be sent to voters concerning question to be submitted at state elections. Election Laws. January 12.

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## The Commonwealth of Massachusetts.

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In the Year One Thousand Nine Hundred and Seventeen.

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### AN ACT

To provide for sending to Voters Information concerning Referenda or Questions submitted to the Voters at a State Election.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. The secretary of the commonwealth shall  
2 issue before each state election an official bulletin for the  
3 purpose of informing voters regarding referenda to be  
4 voted upon either throughout the state or in any political  
5 division thereof. The term referenda wherever used in  
6 this act shall include acts, resolves, amendments to the  
7 constitution and all other measures or questions sub-  
8 mitted to the voters at a state election in accordance with  
9 the law.

1 SECTION 2. The bulletin issued to the voters of any

2 political division of the commonwealth shall contain in-  
3 formation relating to all referenda to be voted upon in  
4 that division and to no others. There shall be as many  
5 forms of the bulletin as the foregoing requirements may  
6 make necessary.

1 SECTION 3. A copy of the bulletin in its proper form  
2 shall be delivered at the residence, as given on the lists of  
3 registered voters, of each registered voter in the common-  
4 wealth by mail or by such other means as the secretary  
5 of the commonwealth may designate, after the fourth and  
6 before the third Friday preceding the state election.

1 SECTION 4. The bulletin shall contain information  
2 regarding referenda as follows:—

3 1. The exact form of each question as it will appear  
4 on the ballot.

5 2. The full text of every measure referred to the  
6 voters.

7 3. Arguments for and against referenda as hereinafter  
8 provided.

9 The full text of measures and arguments relating to  
10 the question shall follow immediately the statement of  
11 each question in the bulletin.

1 SECTION 5. In the case of constitutional amendments  
2 or acts or resolves submitted to the voters by the legis-  
3 lature an affirmative argument may be printed in the  
4 bulletin, prepared by a committee of one or more chosen  
5 from among their number by a meeting called by the  
6 secretary of the commonwealth for the purpose, of those  
7 members of the legislature who voted in favor of the  
8 act or resolve subsequent to its third reading or for agree-  
9 ment to a resolve for a constitutional amendment. A

10 negative argument may be printed in the bulletin prepared  
11 by a committee similarly chosen by those members of the  
12 legislature who opposed the act or resolve or constitu-  
13 tional amendment.

1 SECTION 6. Whether or not arguments relating to any  
2 question are to be printed in the bulletin in accordance  
3 with section five of this act, the secretary of the common-  
4 wealth shall appoint a suitable time, not less than fifty  
5 days prior to the state election, and a suitable place for a  
6 meeting of those favoring the affirmative and those favor-  
7 ing the negative of said question, excluding members of  
8 the legislature, and shall advertise said meeting in the  
9 manner provided for the advertisement of legislative  
10 hearings, and shall also notify by mail all those who re-  
11 quest such notification and who deposit a stamped and  
12 addressed envelope therefor; and the secretary or his  
13 duly designated deputy shall preside at said meeting.

14 Such of those present at said meeting as favor the  
15 affirmative of the question shall thereupon by majority  
16 vote, choose an avowed advocate to prepare an affirma-  
17 tive argument relating to said question, and those favor-  
18 ing the negative shall choose an avowed opponent to  
19 prepare a negative argument relating thereto. If through  
20 failure of agreement by a majority, or for any other  
21 reason, no person is thus designated to prepare the  
22 affirmative or negative arguments relating to said ques-  
23 tion as the case may be, or if the person so selected  
24 declines to serve, the secretary shall himself select an  
25 avowed advocate or an avowed opponent, as the case  
26 may be, to prepare the said arguments.

27 Only residents of the political division or divisions to  
28 the voters of which the question is to be submitted shall  
29 be allowed to vote for avowed advocate or opponent.



1 SECTION 7. Each argument shall contain not exceed-  
2 ing one thousand words and shall be filed in triplicate with  
3 the secretary of the commonwealth not later than forty-  
4 three days before the state election. If any argument,  
5 as filed with the secretary of the commonwealth, contains  
6 more than one thousand words, only the first thousand  
7 words thereof shall be printed in the bulletin. Within  
8 twenty-four hours after the time for filing arguments  
9 expires, the secretary of the commonwealth shall transmit  
10 by registered mail one copy of each affirmative argument  
11 relative to each question to the avowed opponent for that  
12 question and to the committee, if any, of the members of  
13 the legislature supporting the negative of that question;  
14 and one copy of each negative argument relative to each  
15 question to the avowed advocate for that question and  
16 to the committee, if any, of members of the legislature  
17 supporting the affirmative of the question. Not later  
18 than thirty-six days before the state election each person  
19 or committee entitled under this act to prepare arguments  
20 for the bulletin may file with the secretary of the com-  
21 monwealth an argument in rebuttal containing not to  
22 exceed five hundred words. In case any rebuttal contains  
23 more than five hundred words, only the first five hundred  
24 words thereof shall be printed. On receipt of arguments  
25 and rebuttals the secretary of the commonwealth shall  
26 cause them to be printed in the bulletin as provided in  
27 this act. Arguments and rebuttals relating to any ques-  
28 tion shall be headed "Argument for the Affirmative,"  
29 "Argument for the Negative," "Rebuttal for the Nega-  
30 tive," and "Rebuttal for the Affirmative," as the case may  
31 be; shall be printed in the order here given for the head-  
32 ings; and shall be signed by the avowed advocate, avowed  
33 opponent or by members of the committees responsible  
34 for said arguments or rebuttals, as the case may be.

1 SECTION 8. The secretary of the commonwealth is  
2 hereby empowered to contract with any properly qualified  
3 parties for the issuing of the bulletin, and to employ a  
4 clerical force during the period of issue thereof sufficient  
5 to cause the same to be promptly distributed to voters  
6 in the manner specified; provided, however, that the  
7 provisions of chapter nineteen of the Revised Laws and  
8 the civil service rules made thereunder shall not apply to  
9 such employment.

1 SECTION 9. Each year at the time of printing the  
2 annual voting lists, or at such other time as the secretary  
3 of the commonwealth may specify, each city and town  
4 clerk throughout the commonwealth shall cause to be  
5 printed and promptly sent to the secretary, mailing lists of  
6 the voters whose names appear on the latest revised voting  
7 list or lists of his city or town, the same to be printed  
8 according to specifications issued by the secretary, and  
9 said city and town clerks shall furnish the secretary with  
10 subsequent corrections in said mailing lists, according to  
11 directions issued by him for that purpose.

1 SECTION 10. The commonwealth, its secretary, or  
2 those employed thereby in the publication of the bulletin  
3 shall not be liable in actions for libel for the publication of  
4 any statements or arguments therein.

1 SECTION 11. Sections two hundred seventy to two  
2 hundred seventy-three, inclusive, of chapter eight hundred  
3 and thirty-five of the acts of the year nineteen hundred  
4 and thirteen are hereby repealed.

1 SECTION 12. This act shall take effect upon its  
2 passage.





