

*The Commonwealth of Massachusetts*

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MESSAGE FROM HIS EXCELLENCY THE GOVERNOR  
RETURNING, UNDER THE PROVISIONS OF  
ARTICLE II OF SECTION I OF CHAPTER I OF  
PART THE SECOND OF THE CONSTITUTION,  
WITH HIS OBJECTIONS THERETO IN WRITING,  
THE ENGROSSED BILL PROVIDING A COST OF  
LIVING SALARY ADJUSTMENT FOR THE CLERKS  
AND ASSISTANT CLERKS OF THE MUNICIPAL  
COURT OF THE CITY OF BOSTON AND THE  
BOSTON JUVENILE COURT.

(See Senate, No. 1856)

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October 1973

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## The Commonwealth of Massachusetts

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### EXECUTIVE DEPARTMENT

STATE HOUSE

BOSTON 02133

October 3, 1973.

*To the Honorable Senate and House of Representatives:*

I am returning, without my approval, Senate Bill No. 1856, amended, entitled "AN ACT PROVIDING A COST OF LIVING SALARY ADJUSTMENT FOR THE CLERKS AND ASSISTANT CLERKS OF THE MUNICIPAL COURT OF THE CITY OF BOSTON AND THE BOSTON JUVENILE COURT."

This legislation, if approved by me, would increase from \$20,000 to \$21,520, of as January 1, 1973, the salaries of the Clerk of the Boston Juvenile Court, of the Clerk for Criminal business of the Municipal Court of Boston, and of the Clerk for Civil business of that court. It would also serve to increase the salaries of certain assistant clerks in those courts.

I am returning this bill without my approval for three principal reasons — because it does not contain a provision making the increases contingent upon acceptance by the city; because significant salary increases for these positions were authorized in 1971; and, because these increases would continue the disparity in salaries between these positions and similar ones in the district court system.

On August 27th, I returned this legislation to you with the recommendation that it be amended to provide that it take effect upon acceptance by the City. I expressed my opinion that because the salaries are funded by the taxpayers of Boston, the Appropriateness of any increases should be determined by the city government. You have chosen to impose the increased financial burden upon the City without its consent. I do not accept your judgment that local acceptance is irrelevant.

Furthermore, the salary of the Clerk of the Boston Juvenile Court was increased from \$15,585 to \$18,480 two years ago (Statutes 1971, c. 142). Later that same year the salaries of that Clerk and of the Clerks for Civil and for Criminal business of the Muni-

cial Court of Boston were increased from \$18,480 to \$20,000 (Statutes 1971, c. 884). Of course, salaries of assistants were also increased as a result of those two bills which, I note, did provide for local acceptance. I am not persuaded that further increases of \$1,520 are warranted at this time.

In addition, I believe that it is time that we started to eliminate, not exacerbate the differences in salaries between the clerks and assistants in these courts and those salaries paid to clerks and assistants in the district courts of the Commonwealth. In recent years we have witnessed what might be described as a "leap-frog effect" in these salaries as one group has sought an increase in order to match or exceed another's. To adopt this bill is to give further impetus to this process which is so evident in our current fragmented court structure. It is time for more, not less, uniformity in the judicial system.

For these reasons I will not sign Senate Bill No. 1856 and am returning it without my approval.

Respectfully submitted,

FRANCIS W. SARGENT  
Governor of the Commonwealth