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UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE IN JOINT SESSION.

Wednesday, April 6, 2016.

Joint Session of the Two Houses to Consider Specific Amendments to the Constitution.

At twenty-nine minutes past one o'clock P.M., the two Houses met in

JOINT SESSION

and were called to order by the Honorable Stanley C. Rosenberg, President of the Senate

The President, members, guests and employees then recited the pledge of allegiance to the flag.

The Proposal for a Legislative Amendment to the Constitution relative to the term of judicial officers (see House, No. 1343),-- was read twice in accordance with the provisions of the special rules.

The Proposal was as follows:--

ARTICLE OF AMENDMENT

Article I of Chapter III of Part the Second of the Constitution of Massachusetts is hereby annulled and the following Article is adopted in place thereof:-

Article I. The tenure, that all commissioned officers shall by law have in their offices, shall be expressed in their respective commissions. All judicial officers, duly appointed, commissioned and sworn, shall hold their offices during good behavior, for a period of seven years, excepting such concerning whom there is different provision made in this Constitution. After the expiration of the initial seven-year term, the judicial officer shall be eligible for reappointment; provided, however, that such reappointment shall be by majority vote of the council, after due notice and a public hearing. If the judicial officer fails to receive a majority vote of the council, they shall not be eligible for reappointment to any judicial position. Should the judicial officer receive a vote of affirmation by the council, they shall be eligible for reappointment in like manner every seven years thereafter; provided, however, that the governor, with the consent of the council, may remove them upon the address of both houses of the legislature; and provided, further, that the governor, with the consent of council may, after due notice and hearing, retire them because of advanced age or mental or physical disability. Upon attaining seventy years of age said judges shall be retired. Such retirement shall be subject to any provisions made by law as to pensions or allowances payable to such officers upon their voluntary retirement.

On motion of Mr. Golden of Lowell, the further consideration of the proposal was postponed, until after disposition of the remaining matters in the Orders of the Day.

The Proposal for a Legislative Amendment to the Constitution prohibiting eminent domain takings (see House, No. 1400),-- was read twice in accordance with the provisions of the special rules.

The Proposal was as follows:--

ARTICLE OF AMENDMENT

The taking of land or interests therein by eminent domain for private commercial or economic development is hereby declared not to be a public use of the commonwealth under the first paragraph of Article X of Part the First of the Constitution.

The proposal was then ordered to a third reading.

The Proposal for a Legislative Amendment to the Constitution relative to the subject matter of initiative petitions (see House, No. 1570),-- was read twice in accordance with the provisions of the special rules.

The Proposal was as follows:--

ARTICLE OF AMENDMENT

Section 2 of Part II, "Initiative Petitions", of Article XLVIII of the Amendments to the Constitution of the Commonwealth is hereby amended by inserting after the third paragraph a new paragraph, as follows:-

No initiative petition shall propose a constitutional amendment that would restrict the rights set forth in this constitution to freedom and equality, or the right of each individual to be protected by society in the enjoyment of life, liberty and property, according to standing laws.

On motion of Mr. Rushing of Boston, the further consideration of the proposal was postponed, until after disposition of the remaining matters in the Orders of the Day.

The Proposal for a Legislative Amendment to the Constitution relative to the retirement of judges (see House, No. 1609),-- was read twice in accordance with the provisions of the special rules.

The Proposal was as follows:--

ARTICLE OF AMENDMENT

Section 2 of Part II, "Initiative Petitions", of Article XLVIII of the Amendments to the Constitution of the Commonwealth is hereby amended by inserting after the third paragraph a new paragraph, as follows:-

No initiative petition shall propose a constitutional amendment that would restrict the rights set forth in this constitution to freedom and equality, or the right of each individual to be protected by society in the enjoyment of life, liberty and property, according to standing laws.

On motion of Ms. Story of Amherst, the further consideration of the proposal was postponed, until after disposition of the remaining matters in the Orders of the Day.

The Proposal for a Legislative Amendment to the Constitution relative to qualifications of voters (see House, No. 3350),-- was read twice in accordance with the provisions of the special rules.

The Proposal was as follows:--

ARTICLE OF AMENDMENT

Article III of the Amendments to the Constitution, as most recently amended by Article CXX of the Amendments to the Constitution, is hereby further amended by inserting after the word "conviction" the following words:- of indecent assault and battery on a child, attempt to commit murder by poison, drowning or strangulation, murder, manslaughter or assault with intent to commit rape, or for which the person may be punished by imprisonment in a state prison for life.

On motion of Mr. Rogers of Cambridge, the further consideration of the proposal was postponed, until after disposition of the remaining matters in the Orders of the Day.

Without further action on the matters duly and constitutionally assigned for consideration, at twenty-two minutes before two o'clock P.M., on motion of Ms. Chandler, the Joint Session was recessed until Wednesday, May 18, 2016 at one o'clock P.M.