

HOUSE No. 4908

The Commonwealth of Massachusetts

PRESENTED BY:

Carmine Lawrence Gentile

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to continue the Citizens Commission concerning a Constitutional Amendment to secure government of the people.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>7/9/2020</i>

HOUSE No. 4908

By Mr. Gentile of Sudbury, a petition (subject to Joint Rule 12) of Carmine Lawrence Gentile for legislation to continue the Citizens Commission concerning a constitutional amendment to secure government of the people. Veterans and Federal Affairs.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act to continue the Citizens Commission concerning a Constitutional Amendment to secure government of the people.

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

1 Whereas, the 2018 general election in the Commonwealth of Massachusetts included
2 Ballot Question 2, and of the 2,623,436 citizens who voted on the question, 1,871,989 (71.4%)
3 voted in favor and 751,447 (28.6%) opposed, and

4 Whereas, Chapter 322 of the Acts of 2018 establishes the policy of Massachusetts and the
5 statutory basis for the Commission to advance that policy, and

6 Whereas, Commissioners were duly appointed, and the first meeting was conducted on
7 May 3, 2019, and

8 Whereas, the Citizens Commission has conducted numerous public meetings, received
9 testimony, and conducted research, and

10 Whereas, the Citizens Commission completed the Report required by Section 4 of
11 Chapter 322, and

12 Whereas, pursuant to Chapter 322, Section 2, the Citizens Commission is charged with
13 advancing the policy of Massachusetts in favor of amending the Constitution of the United
14 States in the manner described in this Chapter and recommended by the Citizens Commission,
15 and

16 Whereas, the Citizens Commission is charged with ensuring "prudent consideration of
17 such a constitutional amendment by the Massachusetts Congressional delegation and by the
18 citizens and the General Court of Massachusetts during the ratification process to follow
19 Congressional approval;"

20 Now therefor, Chapter 322 is amended for the purpose of ensuring the Citizens
21 Commission efficiently and effectively serves to advance the policy of Massachusetts in favor of
22 said constitutional amendment or amendments until such time as that constitutional amendment
23 or amendments are ratified.

24 SECTION 1. Section 1(c) of chapter 322 of the Acts of 2018, is amended by inserting at
25 the end the following: "and provided further, the Citizens Commission shall continue to exist and
26 perform the responsibilities defined in this section until such time as the aforesaid constitutional
27 amendment or amendments are ratified."

28 SECTION 2. Section 2(c) of said chapter 322, is amended by inserting at the end the
29 following: "provided further, the governor's office of boards and commissions shall provide
30 administrative support to the Citizens Commission, including but not limited to maintaining a
31 website, facilitating meetings, and similar administrative tasks."

32 SECTION 3. Section 3(f) of said chapter 322 is amended inserting at the end the
33 following: "and provided further, in the event a vacancy occurs on the Citizens Commission, the

34 chair, co-chairs, or secretary of the Commission shall give notice of such vacancy to the
35 appointing authority for that Commissioner, and the appointing authority shall appoint a
36 replacement Commissioner in the following manner:

37 i). Within 30 days of receiving notice of the vacancy, the appointing authority may
38 appoint any person who has previously duly applied to serve on the Citizens Commission in the
39 process described in this Chapter; or

40 ii). Within 30 days of receiving notice of the vacancy, the appointing authority may
41 appoint any person who files an application in compliance with this Chapter, sections b) and c),
42 provided such application is publicly posted within 14 days of the notice of vacancy, and no
43 appointment is made until 21 days after notice of the vacancy.

44 SECTION 4. Section 3(h) of said chapter 322 is amended by inserting after "co-chairs"
45 the following: "and secretary".

46 SECTION 5. Section 4(a) of said chapter 322 is amended by striking Section 4(a)(i)--
47 4(a)(iii) and inserting the following: "Section 4(a)(i): The Citizens Commission shall issue
48 reports periodically, and in no event less than annually, concerning its activities, findings, and
49 recommendations to advance and ratify the constitutional amendment or amendments that are
50 the subject of this Chapter, and"

51 SECTION 6. Section 4(b) of said chapter 322 is deleted and in its stead section 4(a)(ii) is
52 inserted as follows: "The Citizens Commission shall deliver each of its reports to the President of
53 the Senate, the Speaker of the House of Representatives, the Governor, the Secretary of the
54 Commonwealth, the Attorney General, each member of the Massachusetts Congressional

55 delegation, the President of the United States, and by public notice, the citizens of Massachusetts
56 within 14 days of such report."

57 SECTION 7. Section 4(c) of said chapter 322 is amended by striking the section and
58 inserting in place thereof : "Within 5 days of receipt, the Secretary of the Commonwealth is
59 instructed to deliver any such report to each of the Secretary's counterparts in each of the several
60 States, requesting that the said Secretary of each State deliver the report to such State's President
61 of the Senate, Speaker of the House of Representatives, Governor, State Secretary, and Attorney
62 General."

63 SECTION 8. Section 4(e) of said chapter 322 is amended by adding after "amendments"
64 the following, "and provided further, the Citizens Commission shall advance the amendment or
65 amendments by continuing to a) engage elected officials and political leadership to ensure
66 support and prompt ratification for the amendments, b) engage with other states to gain support
67 for the amendments, and c) engage with the public, organizations, and the media to increase
68 awareness and support for the amendments."