

**HOUSE . . . . . No. 4908**

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**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."