HOUSE DOCKET, NO. 457 FILED ON: 1/22/2021

HOUSE . . . . . No. 3657

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:
Carmine Lawrence Gentile	*13th Middlesex*	*1/22/2021*
Lindsay N. Sabadosa	*1st Hampshire*	*1/22/2021*
James K. Hawkins	*2nd Bristol*	*1/22/2021*
Adam J. Scanlon	*14th Bristol*	*1/22/2021*
Tommy Vitolo	*15th Norfolk*	*1/25/2021*
Danillo A. Sena	*37th Middlesex*	*1/28/2021*
Patrick Joseph Kearney	*4th Plymouth*	*1/28/2021*
Patricia A. Duffy	*5th Hampden*	*1/29/2021*
Steven C. Owens	*29th Middlesex*	*2/1/2021*
David Henry Argosky LeBoeuf	*17th Worcester*	*2/8/2021*
Kay Khan	*11th Middlesex*	*2/11/2021*
Brian W. Murray	*10th Worcester*	*2/16/2021*
Tami L. Gouveia	*14th Middlesex*	*2/22/2021*
Antonio F. D. Cabral	*13th Bristol*	*2/25/2021*
Kate Lipper-Garabedian	*32nd Middlesex*	*2/26/2021*
Natalie M. Higgins	*4th Worcester*	*2/26/2021*
Sean Garballey	*23rd Middlesex*	*2/26/2021*

James B. Eldridge	*Middlesex and Worcester*	*2/26/2021*
Thomas M. Stanley	*9th Middlesex*	*3/7/2021*

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By Mr. Gentile of Sudbury, a petition (accompanied by bill, House, No. 3657) of Carmine Lawrence Gentile and others for legislation to continue the Citizens Commission concerning a constitutional amendment to secure government of the people. Veterans and Federal Affairs.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *4908* OF 2019-2020.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

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:

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

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

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

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

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

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

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

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

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

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

SECTION 3. Section 3(f) of said chapter 322 is amended inserting at the end the following: "and provided further, in the event a vacancy occurs on the Citizens Commission, the chair, co-chairs, or secretary of the Commission shall give notice of such vacancy to the appointing authority for that Commissioner, and the appointing authority shall appoint a replacement Commissioner in the following manner:

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

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

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

SECTION 5. Section 4(a) of said chapter 322 is amended by striking Section 4(a)(i)--4(a)(iii) and inserting the following: “Section 4(a)(i): The Citizens Commission shall issue reports periodically, and in no event less than annually, concerning its activities, findings, and

recommendations to advance and ratify the constitutional amendment or amendments that are the subject of this Chapter, and’”

SECTION 6. Section 4(b) of said chapter 322 is deleted and in its stead section 4(a)(ii) is inserted as follows: "The Citizens Commission shall deliver each of its reports to the President of the Senate, the Speaker of the House of Representatives, the Governor, the Secretary of the Commonwealth, the Attorney General, each member of the Massachusetts Congressional delegation, the President of the United States, and by public notice, the citizens of Massachusetts within 14 days of such report."

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

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