

HOUSE No. 3819

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 in furtherance of 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>1/19/2023</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>1/31/2023</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>2/7/2023</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>2/17/2023</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/18/2023</i>
<i>Edward R. Philips</i>	<i>8th Norfolk</i>	<i>6/29/2023</i>

HOUSE No. 3819

By Representative Gentile of Sudbury, a petition (accompanied by bill, House, No. 3819) of Carmine Lawrence Gentile and others relative to reviving, continuing and further regulating the citizens commission established (under Chapter 322 of the Acts of 2018) concerning a Constitutional amendment to secure government of the people. Veterans and Federal Affairs.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act in furtherance of 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 SECTION 1. The general court hereby finds and declares that:
- 2 (i) the 2018 general election included Ballot Question 2, and of the 2,623,436 citizens
- 3 who voted on the question, 1,871,989 (71.4 per cent) voted in favor and 751,447 (28.6 per cent)
- 4 opposed;
- 5 (ii) chapter 322 of the acts of 2018 establishes the policy of Massachusetts and the
- 6 statutory basis for the commission to advance that policy, and commissioners were duly
- 7 appointed, and the first meeting was conducted on May 3, 2019;
- 8 (iii) the citizens commission has conducted numerous public meetings, received
- 9 testimony, and conducted research;
- 10 (iv) the citizens commission completed the report required by section 4 of chapter 322;

11 (v) pursuant to chapter 322, Section 2, the citizens commission is charged with advancing
12 the policy of Massachusetts in favor of amending the Constitution of the United States in the
13 manner described in said chapter and recommended by the citizens commission;

14 (vi) the citizens commission is charged with ensuring "prudent consideration of such a
15 constitutional amendment by the Massachusetts Congressional delegation and by the citizens and
16 the general court during the ratification process to follow Congressional approval"; and

17 (vii) chapter 322 is amended for the purpose of ensuring the Citizens Commission
18 efficiently and effectively serves to advance the policy of Massachusetts in favor of said
19 constitutional amendment or amendments until such time as that constitutional amendment or
20 amendments are ratified.

21 SECTION 2. Subsection (c) of section 1 of chapter 322 of the acts of 2018 is hereby
22 amended by adding the following sentence:- The Citizens Commission is hereby revived and
23 shall continue to exist and perform the responsibilities defined in this section until such time as
24 the aforesaid constitutional amendment or amendments are ratified.

25 SECTION 3. Subsection (c) of section 2 of said chapter 322 is hereby amended by adding
26 the following sentence:- The governor's office of boards and commissions shall provide
27 administrative support to the Citizens Commission, including but not limited to maintaining a
28 website, facilitating meetings and similar administrative tasks.

29 SECTION 4. Subsection (f) of section 3 of said chapter 322 is hereby amended by adding
30 the following sentence:- When making appointments pursuant to subsection (a), the Speaker of
31 the House and the President of the Senate shall consult with their respective minority leaders.

32 SECTION 5. Said section 3 of said chapter 322 is hereby amended by adding the
33 following subsection:-

34 (j) (1) In the event a vacancy occurs on the Citizens Commission, the chair, co-chairs or
35 secretary of the Commission shall give notice of such vacancy to the appointing authority for
36 that Commissioner. Within 30 days of receiving notice of the vacancy, the appointing authority
37 shall appoint as a replacement Commissioner: (i) any person who has previously duly applied to
38 serve on the Citizens Commission in the process described in this chapter; or (ii) any person who
39 files an application in compliance with subsections (b) and (c); provided, that such application is
40 publicly posted within 14 days of the notice of vacancy, and no appointment is made until 21
41 days after notice of the vacancy.

42 (2) If the appointing authority fails to fill a vacant position in accordance with this
43 subsection, the chair or co-chairs may appoint a replacement Commissioner.

44 SECTION 6. Subsection (h) of said section 3 of said chapter 322 is hereby amended by
45 inserting after the word "co-chairs" the following words:- and a secretary.

46 SECTION 7. Section 4 of said chapter 322 is hereby amended by striking out subsection
47 (a) and inserting in place thereof the following subsection:-

48 (a) At least once per year, the Citizens Commission shall issue a report on its activities,
49 findings and recommendations to advance and ratify the constitutional amendment or
50 amendments that are the subject of this Chapter. The report shall include:

51 (i) an analysis of the constitutional amendments that have been introduced in Congress to
52 date in response to the Supreme Court's decision in Citizens United v. FEC, and an assessment
53 of their alignment with the policies and objectives set forth in this Act; and

54 (ii) recommendations for actions to be taken by Congress, the General Court of
55 Massachusetts, the Governor, Secretary of the Commonwealth, the Attorney General and other
56 public officials and bodies, and citizens of the Commonwealth of Massachusetts to further
57 promotion, proposal and ratification of the recommended constitutional amendment or
58 amendments.

59 SECTION 8. Said section 4 of said chapter 322 is hereby further amended by striking out
60 subsection (b) and inserting in place thereof the following subsection:-

61 (b) The Citizens Commission shall deliver each of its reports to the President of the
62 Senate, the Speaker of the House of Representatives, the Governor, the Secretary of the
63 Commonwealth, the Attorney General, each member of the Massachusetts Congressional
64 delegation, the President of the United States, and by public notice, the citizens of Massachusetts
65 within 14 days of such report.

66 SECTION 9. Said section 4 of said chapter 322 is hereby further amended by striking out
67 subsection (c) and inserting in place thereof the following subsection:-

68 (c) Within 5 days of receipt, the Secretary of the Commonwealth is instructed to deliver
69 any such report to each of the Secretary's counterparts in each of the several States, requesting
70 that the said Secretary of each State deliver the report to such State's President of the Senate,
71 Speaker of the House of Representatives, Governor, State Secretary, and Attorney General.

72 SECTION 10. Subsection (e) of said section 4 of said chapter 322 is hereby amended by
73 adding the following sentence:- Provided, that the Citizens Commission shall advance the
74 amendment or amendments by continuing to: (i) engage elected officials and political leadership
75 to ensure support and prompt ratification for the amendments; (ii) engage with other states to
76 gain support for the amendments; and (iii) engage with the public, organizations and the media to
77 increase awareness and support for the amendments.