

**HOUSE . . . . . No. 3819**

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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 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>

**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.