

SENATE No. 2077

The Commonwealth of Massachusetts

PRESENTED BY:

Jason M. Lewis

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 ensure gender parity and racial and ethnic diversity on public boards and commissions.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	
<i>Eric P. Lesser</i>	<i>First Hampden and Hampshire</i>	
<i>Harriette L. Chandler</i>	<i>First Worcester</i>	<i>2/25/2021</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>3/1/2021</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>3/8/2021</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>3/8/2021</i>
<i>John J. Cronin</i>	<i>Worcester and Middlesex</i>	<i>3/9/2021</i>
<i>Liz Miranda</i>	<i>5th Suffolk</i>	<i>3/9/2021</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>3/11/2021</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>3/12/2021</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Bristol and Plymouth</i>	<i>3/31/2021</i>
<i>Adam Gomez</i>	<i>Hampden</i>	<i>3/31/2021</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>4/2/2021</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>4/2/2021</i>
<i>Adam G. Hinds</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>	<i>4/22/2021</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>5/10/2021</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>	<i>10/29/2021</i>

SENATE No. 2077

By Mr. Lewis, a petition (accompanied by bill, Senate, No. 2077) of Jason M. Lewis, Eric P. Lesser, Harriette L. Chandler, James B. Eldridge and other members of the Senate for legislation to ensure gender parity and racial and ethnic diversity on public boards and commissions. State Administration and Regulatory Oversight.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1878 OF 2019-2020.]

The Commonwealth of Massachusetts

—————
**In the One Hundred and Ninety-Second General Court
(2021-2022)**
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An Act to ensure gender parity and racial and ethnic diversity on public boards and commissions.

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. All appointive boards and commissions of the state established by the Code,
2 if not otherwise provided by law, shall be gender, racially and ethnically balanced. No person
3 shall be appointed or reappointed to any board or commission established by the Code if that
4 appointment or reappointment would cause the number of members of the board or commission
5 of one gender to be greater than one-half the membership of the board or commission plus one if
6 the board or commission is composed of an odd number of members. If the board or commission
7 is composed of an even number of members not more than one-half of the membership shall be
8 of one gender. Appointing authorities shall make a focused effort to appoint women of color to
9 all boards and commissions, including, but not limited to, developing and implementing a plan to
10 attract and recruit women of color; and working with community based and professional

11 organizations with large networks of people and women of color. The racial and ethnic
12 composition of each board and commission must, at minimum, reflect the percentage of racial
13 and ethnic minorities in the general population. If there are multiple appointing authorities for a
14 board or commission they shall consult each other to avoid a violation of this section.

15 SECTION 2. All appointive boards, commissions, committees, and councils of a political
16 subdivision of the state that are established by the Code, if not otherwise provided by law, shall
17 be gender balanced as provided by subsection 1 unless the political subdivision has made a good
18 faith effort to appoint a qualified person to fill a vacancy on a board, commission, committee, or
19 council in compliance with subsection 1 for a period of three months but has been unable to
20 make a compliant appointment. In complying with the requirements of this subsection, political
21 subdivisions shall utilize a fair and unbiased method of selecting the best qualified applicants.
22 This subsection shall not prohibit an individual whose term expires prior to January 1, 2022,
23 from being reappointed even though the reappointment continues an inequity in gender balance.

24 SECTION 3. To track and measure progress, an annual report must be published by the
25 governor's office, annually, with support from The Commission on the Status of Women that
26 provides: (1) Demographic data provided by all public board and commission applicants relative
27 to ethnicity, race, gender identity and sexual orientation; (2) Demographic data provided by all
28 public board and commission nominees or appointees relative to ethnicity, race, gender identity
29 and sexual orientation; (3) Any demographic data disclosed or released pursuant to this sectional
30 shall disclose only aggregated statistical data and shall not identify an individual applicant,
31 nominee or appointed board member or commissioner.

32 SECTION 4. The proposed legislation shall exclude all public boards, commissions,
33 committees, and councils who serve as municipal housing authorities under the “Housing and
34 Economic Development” policy area.

35 SECTION 5. The legislation proposed shall not apply to those public boards,
36 commissions, committees, or councils whose core mission is to enhance opportunities for
37 specified gender, race, or ethnicity, and whose membership can be comprised of more than 50%
38 of that gender, race, or ethnicity.