

SENATE No. 2006

The Commonwealth of Massachusetts

SENATE, July 31, 1975.

The committee on Ways and Means, to whom was committed the Senate Bill to make certain changes in the Massachusetts Commission Against Discrimination (Senate, No. 1908), reports recommending that the same ought to pass with an amendment, substituting a new draft with the same title (Senate, No. 2006).

For the Committee,

JAMES A. KELLY, JR.

32 The governor shall appoint an advisory board to the com-
33 mission, consisting of not less than twenty-one persons, who
34 shall serve at his pleasure. The members of said board shall
35 include representatives of owners and brokers of residential
36 property; major lending and credit institutions; major private
37 employers; a designee of the Civil Service Commission; post-
38 secondary educational institutions; major labor organizations;
39 minority racial, ethnic and linguistic groups; women; elderly
40 persons; and recipients of public assistance. The board shall
41 advise the commission and the governor on matters of policy
42 affecting the commission, and shall monitor the implementa-
43 tion of the commission's programs and policies and regularly
44 report on the same to the commission and the governor. The
45 governor shall from time to time designate one of the mem-
46 bers as chairman. The members of the board shall not be
47 compensated for their services, but they shall be reimbursed
48 for travel and other expenses necessary for the performance
49 of their duties. The commission shall provide technical and
50 clerical assistance to the advisory board.

1 SECTION 2. Section 3 of chapter one hundred fifty-one B of
2 the General Laws is hereby amended by striking out subsec-
3 tion 8 and inserting in place thereof the following subsection:
4 8. To create such local or regional advisory bodies and con-
5 ciliation councils, in addition to the advisory board appointed
6 pursuant to section 56 of chapter 6, as in its judgment will aid
7 in effectuating the purposes of this chapter. Such advisory
8 bodies and conciliation councils shall be composed of repre-
9 sentative citizens, serving without pay, who shall be reim-
10 bursed for actual and necessary expense. The commission may
11 provide technical and clerical assistance to such agencies and
12 councils.

1 SECTION 3. The second paragraph of section 5 of said chap-
2 ter 151B is hereby amended by striking out the tenth sentence
3 and inserting in place thereof the following sentence: The
4 case in support of the complaint shall be presented before the
5 commission by one of its attorneys or agents, and the com-
6 missioner who shall have previously made the investigation
7 and caused the notice to be issued shall not participate in the
8 hearing except as a witness, nor shall he participate in the
9 deliberations of the commission in such case except when

10 necessary to decide an appeal to the full commission; and the
11 aforesaid endeavors at conciliation shall not be received in
12 evidence.

1 SECTION 4. The terms of the members of the Massachusetts
2 Commission Against Discrimination holding office on the ef-
3 fective date of this act are hereby terminated, except that
4 said members shall continue to serve and hold office until the
5 appointment and qualification of the three members of said
6 Commission appointed pursuant to section 56 of chapter 6 of
7 the General Laws, as amended by section 1 of this act. The
8 appointment of members of said Commission pursuant to said
9 section 56, as amended by section 1 of this act shall not affect
10 any petition, complaint, investigation, hearing or other judicial
11 or administrative proceeding pending before any court or ad-
12 ministrative body, including the Commission or any member
13 thereof, and such petitions, complaints, investigations, hear-
14 ings, and proceedings shall continue unabated. The authority
15 of the Commission or any member thereof shall in all respects
16 be the same as that of said Commission or member before the
17 passage of this act. Any public hearing being held by one or
18 more commissioners in office on the effective date of this act
19 may be completed and decided by one or more commissioners
20 appointed pursuant to said section 56. All orders, rules, reg-
21 ulations, findings or other actions duly promulgated or taken
22 before the effective date of this act shall remain in full force
23 and effect until superseded, amended or rescinded in accordance
24 with law.

1 SECTION 5. Section 2 of Chapter 719 of the Acts of 1963 is
2 hereby repealed.

1 SECTION 6. The three commissioners appointed pursuant to
2 section 56 of chapter 6, as amended by section 1 of this act
3 shall prepare comprehensive reports detailing the effect of this
4 act upon the case disposition process of the commission, with
5 particular emphasis upon the disposition of the present back-
6 log of pending cases.

7 Such reports shall be submitted to the Governor and the
8 Clerks of the Senate and the House of Representatives every
9 ninety days for a period of one year after the effective date
10 of this act.