

By Mr. Jordan of Springfield, petition of Raymond A. Jordan, Jr., for legislation to increase participation in professional services for minorities and women. Commerce and Labor.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Three.

### AN ACT TO INCREASE PARTICIPATION IN PROFESSIONAL SERVICES FOR MINORITIES AND WOMEN.

*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. Legal Requirements  
2 Each state Executive Office, agency, department, board, com-  
3 mission and division, and each public authority of the Common-  
4 wealth and the Board of Regents of Higher Education, are  
5 required to utilize every reasonable effort to assure that at least  
6 ten per cent of all contracts, grants, leases, concessions and awards  
7 of a monetary nature in each fiscal year, including but not limited  
8 to contracts, grants and awards for professional services such as  
9 legal, banking, brokerage and underwriting, insurance and  
10 bonding brokerage, architectural and engineering, real estate and  
11 appraisal, and training, consulting and public relations services,  
12 are awarded to minority business enterprises certified as provided  
13 under G.L. Chapter 23A, Sections 39-44, and that at least five  
14 per cent of all such contracts, grants, leases, concessions and  
15 awards in each fiscal year are awarded to women business  
16 enterprises certified as provided under G.L. Chapter 23A,  
17 Sections 39-44.

1 SECTION 2. Regulations and Administrative Enforcement  
2 The Secretary of Administration and Finance shall promulgate  
3 regulations, within ninety days of the enactment of this statute,  
4 to assure compliance with the provisions of this statute, and shall  
5 enforce both this statute and said regulations.

1 SECTION 3. Reporting

2 Each agency, department, division and independent agency  
3 shall submit to the legislature, not later than sixty days after the  
4 end of the fiscal year, a report documenting its compliance with  
5 the provisions of this statute.

1 SECTION 4. Private Enforcement

2 Any minority business enterprise or women-owned business  
3 enterprise that is directly aggrieved by non-compliance with either  
4 this statute or the regulations promulgated pursuant to this statute  
5 may bring a civil action in Superior Court. If the plaintiff is  
6 successful in its action, the Court shall award costs of the action  
7 and reasonable attorney's fees to the plaintiff.