

HOUSE No. 1841

By Mr. Lynch of Springfield, petition of Philip K. Kimball, John Pierce Lynch, Wendell P. Chamberlain and another for the change of name of the Massachusetts Fair Employment Practice Commission to Massachusetts commission against discrimination and for enlarging the competency of said commission. State Administration.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty.

AN ACT RELATIVE TO PROVIDING FOR THE CHANGE OF NAME OF THE MASSACHUSETTS FAIR EMPLOYMENT PRACTICE COMMISSION TO MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION, AND FOR THE ENLARGEMENT OF ITS COMPETENCY AND FOR OTHER PURPOSES.

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. Section 17 of chapter 6 of the General
2 Laws, as last amended by section 2 of chapter 368
3 of the acts of 1946, is hereby further amended by
4 striking out the words "Massachusetts fair employ-
5 ment practice commission" and inserting in place
6 thereof the words:—Massachusetts commission
7 against discrimination.

1 SECTION 2. Section 56 of chapter 6 of the General
2 Laws, as enacted by section 3 of chapter 368 of the
3 acts of 1946, is hereby amended by striking out the

4 words "Massachusetts fair employment practice com-
5 mission" in the caption and in the text, and inserting
6 in place thereof the words:— Massachusetts com-
7 mission against discrimination.

1 SECTION 3. Section 98 of chapter 272 of the General
2 Laws, as amended by chapter 138 of the acts of 1934,
3 is hereby further amended by inserting the word
4 "religion" after the words "on account of" and after
5 the words "persons of every", and by adding at the
6 end of said section the following two sentences:—
7 All persons shall have the right to the full and equal
8 accommodations, advantages, facilities and privileges
9 of any place of public accommodation, resort or
10 amusement, subject only to the conditions and
11 limitations established by law and applicable alike
12 to all persons. This right is recognized and declared
13 to be a civil right, and by striking out the caption of
14 said section and substituting for it the following
15 caption:— Discrimination on account of religion,
16 color or race.

1 SECTION 4. Any person claiming to be aggrieved
2 by an alleged violation of section ninety-two A (as
3 enacted by chapter one hundred and seventeen of the
4 acts of nineteen hundred and thirty-three) or section
5 ninety-eight (as amended by section three of this
6 act) of chapter two hundred and seventy-two of the
7 General Laws, may, by himself or his attorney, make,
8 sign and file with the commission a verified complaint
9 in writing which shall state the name and address of
10 the person or persons alleged to have committed the
11 violation of the said section ninety-two A or section
12 ninety-eight complained of, and which shall set forth

13 the particulars thereof and contain such other in-
14 formation as may be required by the commission.
15 The attorney general may in like manner make, sign
16 and file such complaint. The commission, whenever
17 it has reason to believe that any person has committed
18 or is committing a violation of said sections, may issue
19 such a complaint.

20 After the filing of any complaint, the commission
21 and the commission's staff shall proceed in the same
22 manner as is provided in chapter one hundred and
23 fifty-one B of the General Laws, and the provisions
24 of the said chapter, except sections four, seven and
25 nine, shall apply to any proceedings, hearings, orders
26 and appeals in the matter of such complaint.

27 The institution of proceedings under this section,
28 or an order thereunder, shall not be a bar to pro-
29 ceedings under the said sections ninety-two A and
30 ninety-eight, nor shall the institution of proceedings
31 under said sections ninety-two A and ninety-eight, or
32 a judgment thereunder, be a bar to proceedings under
33 this section.

1 SECTION 5. Clause (e) of section twenty-six FF of
2 chapter one hundred and twenty-one of the General
3 Laws, as last amended by chapter fifty-one of the
4 acts of nineteen hundred and forty-eight, is hereby
5 further amended by inserting the words "or segre-
6 gation" after the words "to any discrimination"
7 wherever the same shall appear, and after the words
8 "shall be no discrimination", and after the words
9 "without discrimination", and by adding at the end
10 of said section the following: — Any person claiming
11 to be aggrieved by an alleged violation of this section
12 as hereby amended may, by himself or his attorney,

13 make, sign and file with the commission a verified
14 complaint in writing which shall state the name and
15 address of the person or persons alleged to have com-
16 mitted the violation complained of and which shall
17 set forth the particulars thereof and contain such
18 other information as may be required by the commis-
19 sion. The attorney general may, in like manner,
20 make, sign and file such complaint. The commission,
21 whenever it has reason to believe that any person has
22 committed or is committing a violation of said section,
23 may issue such a complaint.

24 After the filing of any complaint, the commission
25 and the commission's staff shall proceed in the same
26 manner as is provided in chapter one hundred and
27 fifty-one B of the General Laws, and the provisions
28 of said chapter, except sections four, seven and nine,
29 shall apply to any proceedings, hearings, orders and
30 appeals in the matter of such complaint.

1 SECTION 6. The provisions of this chapter shall
2 be construed liberally for the accomplishment of the
3 purposes thereof.

1 SECTION 7. The provisions of this act are sever-
2 able, and if any provision, sentence, clause, section
3 or part thereof shall be held illegal, invalid, uncon-
4 stitutional or inapplicable to any person or circum-
5 stance, such illegality, invalidity, unconstitutionality
6 or inapplicability shall not affect or impair any of the
7 remaining provisions, sentences, clauses, sections or
8 parts of the act or their application to other persons
9 and circumstances. It is hereby declared to be the
10 legislative intent that this act would have been adopted
11 if such illegal, invalid or unconstitutional provision,

12 sentence, clause, section or part had not been included
13 therein, and if the person or circumstances to which
14 this act or any part thereof is inapplicable had been
15 specifically exempted therefrom.

