

**HOUSE . . . . . No. 03551**

---

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 passage of the accompanying bill:

An Act to require divestment from nations engaged in genocide and egregious human rights abuses

.

\_\_\_\_\_  
PETITION OF:

NAME:

*Ruth B. Balsler*

DISTRICT/ADDRESS:

*12th Middlesex*

# HOUSE . . . . . No. 03551

By Mr. Lewis of Winchester, a petition (accompanied by bill, House, No. [BILL NUMBER]) of Ruth B. Balser relative to the divestment of public pension funds from nations engaged in genocide and egregious human rights abuses. Public Service.

## The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to require divestment from nations engaged in genocide and egregious human rights abuses

□.

*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. There shall be a special commission on human rights to consist of three members  
2 which includes the State Treasurer or his designee and two persons to be appointed by the  
3 Governor, both of whom shall be experts in international human rights. This commission is  
4 hereby established for the purpose of making an investigation and study relative to countries  
5 which are engaged in genocide or egregious human rights abuses.

6 SECTION 2. Every 2 years, the commission shall update a list of countries where there is  
7 demonstrable evidence of genocide or other egregious human rights abuses. The commission  
8 may consult information gathered by the United Nations Commission on Human Rights, the  
9 United States Department of State, Amnesty International, and other experts on the evaluation of  
10 human rights and abuses worldwide. The final list of countries determined to meet these criteria

11 shall be made publicly available through the Internet and other distributable materials by the  
12 commission.

13 SECTION 3. Following each biannual production of the list of countries determined by the  
14 commission to be engaged in genocide or egregious human rights abuses established herein, the  
15 state treasurer shall develop or update a list of companies engaged in active business operations  
16 in these countries.

17 SECTION 4. Notwithstanding any general or special law to the contrary, the state treasurer shall  
18 determine the companies on the list, created under section 3, in which the state pension fund is  
19 invested. The state treasurer shall, at his discretion, determine the feasibility and reasonableness  
20 of divesting pension fund assets from any or all of these companies.

21 The divestment policy shall be as follows:

22 (a) Schedule. - The state treasurer shall sell, redeem, divest or withdraw all publicly-traded  
23 securities of each company according to the following schedule: (i) at least 50 per cent of such  
24 assets shall be removed from the public fund's assets under management within 6 months; and  
25 (ii) 100 per cent of such assets shall be removed from the public fund's assets under management  
26 within 12 months;

27 (b) The state treasurer shall promulgate guidelines by which a determination of feasibility and  
28 reasonableness of divestment from a particular company and/or country shall be determined.

29 SECTION 5. The Treasurer may choose to reinvest Commonwealth pension funds in companies  
30 engaged in active business operations in any country which, upon a later biannual review, has

31 been determined to no longer fit the criteria of the Commission and is removed from the list of  
32 countries engaged in genocide or egregious human rights abuses.