

State of Vermont
Vermont Commission on Women
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TO: Senate Committee on Education
FROM: Cary Brown, Executive Director, Vermont Commission on Women
DATE: January 22, 2020
RE: S248, an act relating to requiring gender balance on the University of Vermont's Board of Trustees

In testimony yesterday regarding S248, I provided some information about a law in Iowa that requires gender balance on all boards and commissions at the state, county, and municipal level. Below is the full text of that law.

I've also included portions of Iowa law that require boards and commissions to be bipartisan in their composition, as well as those that encourage (although do not require) minority and young adult representation.

Iowa Code - 2020
Title II - ELECTIONS AND OFFICIAL DUTIES
Chapter 69 - VACANCIES — REMOVAL — TERMS

Full listing of sections:

<https://www.legis.iowa.gov/law/iowaCode/sections?codeChapter=69&year=2020>

69.16A Gender balance.

1. All appointive boards, commissions, committees, and councils of the state established by the Code, if not otherwise provided by law, shall be gender balanced. No person shall be appointed or reappointed to any board, commission, committee, or council established by the Code if that appointment or reappointment would cause the number of members of the board, commission, committee, or council of one gender to be greater than one-half the membership of the board, commission, committee, or council plus one if the board, commission, committee, or council is composed of an odd number of members. If the board, commission, committee, or council is composed of an even number of members, not more than one-half of the membership shall be of one gender. If there are multiple appointing authorities for a board, commission, committee, or council, they shall consult each other to avoid a violation of [this section](#).
2. All appointive boards, commissions, committees, and councils of a political subdivision of the state that are established by the Code, if not otherwise provided by law, shall be gender balanced as provided by [subsection 1](#) unless the political subdivision has made a good faith effort to appoint a qualified person to fill a vacancy on a board, commission, committee, or council in compliance with [subsection 1](#) for a period of three months but has been unable to make a compliant appointment. In complying with the requirements of [this subsection](#), political subdivisions shall utilize a fair and unbiased method of selecting the best qualified applicants. [This subsection](#) shall not prohibit an individual whose term expires prior to January 1, 2012, from being reappointed even though the reappointment continues an inequity in gender balance.

[86 Acts, ch 1245, §2041](#); [87 Acts, ch 218, §8](#); [88 Acts, ch 1150, §1](#); [2009 Acts, ch 162, §1, 2](#)

Referred to in [§8D.3](#), [15F.102](#), [15H.3](#), [23.3](#), [28A.7](#), [35A.2](#), [80.28](#), [84A.1A](#), [84A.4](#), [135.43](#), [135.109](#), [142A.3](#), [148.2A](#), [155A.2A](#), [159A.13](#), [216A.12](#), [216A.92A](#), [216A.132](#), [216A.162](#), [217.43](#), [235B.1](#), [252B.22](#), [256.5A](#), [256.35A](#), [272.3](#), [273.15](#), [284.15](#), [303A.5](#), [314.22](#), [418.5](#), [455A.20](#), [455B.150](#), [514E.2](#), [542.4](#), [904A.2A](#)

69.16 Appointive boards — political affiliation.

1. All appointive boards, commissions, and councils of the state established by the Code if not otherwise provided by law shall be bipartisan in their composition. No person shall be appointed or reappointed to any board, commission, or council established by the Code if the effect of that appointment or reappointment would cause the number of members of the board, commission, or council belonging to one political party to be greater than one-half the membership of the board, commission, or council plus one.
2. In the case where the appointment of members of the general assembly is allowed, and the law does not otherwise provide, if an even number of legislators are appointed they shall be equally divided by political party affiliation; if an odd number of members of the general assembly are appointed, the number representing a certain political party shall not exceed the number of legislative members of the other political party who may be appointed by more than one.
3. If there are multiple appointing authorities for a board, commission or council, the appointing authorities shall consult to avoid a violation of [this section](#).
4. [This section](#) shall not apply to any board, commission, or council established by the Code for which other restrictions regarding the political affiliations of members are provided by law.

[C77, 79, 81, §69.16]

[86 Acts, ch 1245, §2040](#); [87 Acts, ch 218, §7](#); [2018 Acts, ch 1041, §19](#); [2019 Acts, ch 59, §32](#)

Referred to in [§8D.3](#), [15F.102](#), [15H.3](#), [23.3](#), [35A.2](#), [47.8](#), [68B.32](#), [80.28](#), [84A.1A](#), [84A.4](#), [135.43](#), [135.109](#), [142A.3](#), [148.2A](#), [155A.2A](#), [159A.13](#), [216A.12](#), [216A.92A](#), [216A.132](#), [216A.162](#), [217.43](#), [235B.1](#), [252B.22](#), [256.5A](#), [256.35A](#), [258.9](#), [272.3](#), [273.15](#), [284.15](#), [303A.5](#), [331.322](#), [418.5](#), [455A.5](#), [455A.6](#), [455A.20](#), [455A.21](#), [455B.150](#), [475A.7](#), [514E.2](#), [542.4](#), [904A.2A](#)

Subsection 2 amended

69.16C Minority representation.

All appointive boards, commissions, committees, and councils of the state established by the Code if not otherwise provided by law should provide, to the extent practicable, for minority representation. All appointing authorities of boards, commissions, committees, and councils subject to [this section](#) should consider qualified minority persons for appointment to boards, commissions, committees, and councils. For purposes of [this section](#), “minority” means a minority person as defined in [section 15.102](#).

[2008 Acts, ch 1156, §23, 58](#)

Referred to in [§15F.102](#), [273.15](#), [284.15](#)

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69.16E Young adult representation.

1. For purposes of this section, unless the context otherwise requires, “*young adult*” means a person who, at the time of appointment or reappointment, is at least eighteen years of age but less than thirty-five years of age.
2. All appointive boards, commissions, committees, and councils of the state established by the Code should provide, to the extent practicable and if not otherwise provided by law, for at least one member who is a young adult. All appointing authorities of boards, commissions, committees, and councils should consider qualified young adults for appointment to boards, commissions, committees, and councils.

[2010 Acts, ch 1076, §1](#)