

**HOUSE . . . . . No. 03784**  
**[LOCAL APPROVAL RECEIVED.]**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Byron Rushing*

*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:

AMENDMENT TO THE CITY OF BOSTON ART COMMISSION ENABLING  
LEGISLATION, CHAPTER 410 OF THE ACTS OF 1898.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Byron Rushing</i>	<i>9th Suffolk</i>
<i>Martha M. Walz</i>	<i>8th Suffolk</i>
<i>Aaron Michlewitz</i>	<i>3rd Suffolk</i>
<i>Angelo M. Scaccia</i>	<i>14th Suffolk</i>

# HOUSE . . . . . No. 03784

By Mr. Rushing of Boston, a petition (accompanied by bill, House, No. 3784) of Byron Rushing and others (with the approval of the mayor and city council) relative to the nominating process for candidates to the Boston Art Commission. Municipalities and Regional Government. [Local Approval Received.]

## The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

### AMENDMENT TO THE CITY OF BOSTON ART COMMISSION ENABLING LEGISLATION, CHAPTER 410 OF THE ACTS OF 1898.

*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. Notwithstanding any general or special law to the contrary, chapter 410 of the  
2 Acts of 1898 is hereby amended by striking out section 1 and inserting in place thereof the  
3 following section:

4 SECTION 1. There shall be within the Mayor's Office of Arts, Tourism and  
5 Special Events, or a successor of that office, a Board, known as the Boston Art Commission,  
6 consisting of 9 commissioners, all of whom shall be residents of the City of Boston, appointed by  
7 the Mayor as follows: 1 from 3 candidates nominated by the Boston Society of Architects, 1  
8 from 3 candidates nominated by the Museum of Fine Arts, 1 from 3 candidates nominated by the  
9 Trustees of the Public Library of the City of Boston, 1 from 3 candidates nominated by the  
10 Isabella Stewart Gardner Museum, 1 from 3 candidates nominated by the Massachusetts College

11 of Art and Design, and 2 candidates, who have demonstrated distinguished service to the arts,  
12 appointed at the discretion of the Mayor's Office of Arts, Tourism and Special Events, or a  
13 successor of that office, in order to ensure that the Boston Art Commission represents diverse  
14 perspectives on the arts. In addition, the Director of the Mayor's Office of Arts, Tourism and  
15 Special Events, or a successor of that office, and the Head of Urban Design at the Boston  
16 Redevelopment Authority, shall both serve on the Board, ex officio without additional  
17 compensation, and shall both have an official vote.

18 Members of the commission shall serve for a term of 5 years. If invited by the Mayor,  
19 commissioners may choose to serve for an additional 5 years. Any vacancy in the office of any  
20 member of the commission shall be filled in like manner for the unexpired term. A successor  
21 shall be appointed as such commissioner for a term of 5 years. Every member of the commission  
22 shall continue in office after expiration of the term until a successor shall have been duly  
23 appointed. The members of the commission shall serve without compensation. The daily  
24 operations of the commission shall be run by a Director, which is a paid position through the  
25 City of Boston.

26 The commission shall not be subject to the supervision or control of the Mayor's Office of Arts,  
27 Tourism and Special Events, or a successor of that office, or any member thereof; but unless  
28 otherwise ordered by the Mayor, the commission shall not communicate with the Mayor except  
29 through the Mayor's Office of Arts, Tourism and Special Events, or a successor of that office,  
30 and shall not make any annual or other report except through the Mayor's Office of Arts,  
31 Tourism and Special Events, or a successor of that office.

32 The commission shall adopt, and may from time to time amend by-laws concerning its internal  
33 management and, after public hearing, may adopt and from time to time amend regulations for  
34 the purpose of interpreting this act and of implementing its administration and enforcement,  
35 which regulations shall be in addition to those required by sections two and three, as amended by  
36 chapter 87 of the Acts of 1919.

37           Annually on the first day of May or as soon thereafter as may be convenient, the  
38 commission shall elect one of its members as chair and another as vice-chair. The role, powers,  
39 and term length of the chair and vice-chair shall be determined by the commission as outlined in  
40 the by-laws. City employees shall not be eligible for the offices of chair or vice-chair.

41 The commission shall have the powers and perform the duties conferred or imposed by law on  
42 the Board of Art Commissioners in existence immediately prior to the taking effect of Chapter 8  
43 of the Ordinances of 1953.

44 SECTION 2. This act shall take effect upon its passage.