

HOUSE No. 4086

The Commonwealth of Massachusetts

PRESENTED BY:

Daniel Cullinane

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 adoption of the accompanying bill:

An Act relative to boards and commissions of the city of Boston.

PETITION OF:

NAME:

Daniel Cullinane

DISTRICT/ADDRESS:

12th Suffolk

HOUSE No. 4086

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to boards and commissions of the city of Boston.

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.

2 (a) Section 1 of chapter 410 of the acts of 1898 is hereby amended by inserting at the end
3 of the second paragraph the following paragraph:-

4 Upon a vacancy on the commission resulting from either the resignation or removal of a
5 commissioner prior to his or her term, or the expiration of a term, the mayor shall provide written
6 notice to the nominating entities herein described by certified or registered mail. If a nominating
7 entity fails to recommend nominees to the mayor as herein described within ninety days of being
8 notified of a vacancy, any individual may be appointed to the commission by the mayor at his or
9 her discretion notwithstanding any contrary provisions herein.

10 (b) Section 1 of chapter 410 of the acts of 1898 is hereby further amended by striking the
11 phrase - "without confirmation" from the first sentence, and inserting "subject to confirmation by
12 the City Council".

13 SECTION 2.

14 (a) The first paragraph of section 4 of chapter 625 of the acts of 1966 is hereby amended
15 by inserting after the last sentence the following paragraph:-

16 Upon a vacancy on the commission resulting from either the resignation or removal of a
17 commissioner or an alternate prior to his or her term, or the expiration of a term, the mayor shall
18 provide written notice to the nominating entities herein described by certified or registered mail.
19 If a nominating entity fails to recommend nominees to the mayor as previously described within
20 ninety days of being notified of a vacancy, any individual may be appointed to the commission
21 by the mayor at his or her discretion notwithstanding any contrary provisions herein. The
22 members of the commission shall at all times during their terms of office be Boston residents.

23 (b) The first paragraph of section 4 of chapter 625 of the acts of 1966 is hereby further
24 amended by inserting in the first sentence, after the phrase- "appointed by the mayor", the
25 phrase- "subject to confirmation by the City Council,".

26 SECTION 3.

27 (a) The first paragraph of section 4 of chapter 616 of the acts of 1955, as amended by
28 chapter 429 of the acts of 1965, is hereby amended by inserting after the last sentence the
29 following paragraph:-

30 Upon vacancy on the commission resulting from either the resignation or removal of a
31 commissioner or an alternate prior to his or her term, or the expiration of a term, the mayor shall
32 provide written notice to the nominating entities herein described by certified or registered mail.
33 If a nominating entity fails to recommend nominees to the mayor within ninety days of being

34 notified of a vacancy, any individual may be appointed to the commission by the mayor at his or
35 her discretion notwithstanding any contrary provisions herein. The members of the commission
36 shall at all times during their terms of office be Boston residents.

37 (b) The first paragraph of section 4 of chapter 616 of the acts of 1955, as amended by
38 chapter 429 of acts of 1965, is hereby further amended by inserting in the first sentence, after the
39 phrase- "appointed by the mayor of the city", the phrase- "subject to confirmation by the City
40 Council,".

41 SECTION 4.

42 The second paragraph of section 3 of chapter 772 of the acts of 1975 is hereby amended
43 by inserting after the first sentence the following paragraph:-

44 Upon a vacancy on the commission resulting from either the resignation or removal of a
45 commissioner or an alternate prior to this or her term, or the expiration of a term, the mayor shall
46 provide written notice to the nominating entities herein described by certified or registered mail.
47 If a nominating entity fails to recommend nominees to the mayor within ninety days of being
48 notified of a vacancy, any individual may be appointed to the commission by the mayor at his or
49 her discretion notwithstanding any contrary provisions herein.

50 SECTION 5.

51 (a) Section 2 of chapter 88 of the acts of 1989 is hereby amended by inserting after the
52 fourth sentence the following paragraph:-

53 Upon a vacancy on the Monitoring Committee in a seat reserved for a public housing
54 tenant or rental assistance tenant resulting from the resignation or removal of a member prior to

55 his or her term, or the expiration of a term, the mayor shall provide written notice by certified or
56 registered mail, in the case of a public housing tenant vacancy, to the city-wide public housing
57 tenant organizations and public housing development-based tenant organizations of the Boston
58 Housing Authority responsible for nominating mayoral appointees, or, in the case of a rental
59 assistance tenant vacancy, to the rental assistance tenants who have served in a resident advisory
60 capacity. If a nominating entity fails to recommend nominees to the mayor within ninety days of
61 being notified of a vacancy, any individual may be appointed to the Monitoring Committee by
62 the mayor at his or her discretion notwithstanding any contrary provisions herein.

63 (b) The first sentence of section 2 of chapter 88 of the acts of 1989 is hereby amended by
64 inserting in the first sentence, after the phrase- "appointed by the mayor", the phrase- "and
65 confirmed by the City Council".

66 SECTION 6.

67 (a) Section 1 of chapter 625 of the acts of 1965 is hereby amended by inserting after the
68 first sentence the following paragraph:-

69 Upon a vacancy on the commission in a seat previously occupied by an appointee from
70 the Freedom Trail Foundation, Inc., resulting from either the resignation or removal of a member
71 prior to his or her term or the expiration of a term, the mayor shall provide written notice to the
72 Freedom Trail Foundation, Inc. by certified or registered mail. If the Freedom Trail Foundation,
73 Inc. fails to recommend nominees to the mayor within ninety days of being notified of a vacancy,
74 any individual may be appointed to the commission by the mayor at his or her discretion
75 notwithstanding any contrary provisions herein. The members of the commission shall at all
76 times during their terms of office be Boston residents.

77 (b) Section 1 of chapter 625 of the acts of 1965 is hereby further amended by inserting in
78 the first sentence, after the phrase- "appointed by the mayor," , the phrase- "subject to
79 confirmation by the City Council,".

80 SECTION 7.

81 Section 1 of chapter 665 of the acts of 1956 is hereby amended by inserting after the
82 second paragraph the following paragraph:-

83 Upon a vacancy on the zoning commission resulting from either the resignation or
84 removal of a commissioner prior to his or her term, or the expiration of a term, the mayor shall
85 provide written notice to the nominating entities herein described by certified or registered mail.
86 If a nominating entity fails to recommend nominees to the mayor within ninety days of being
87 notified of a vacancy, any individual may be appointed to the commission by the mayor at his or
88 her discretion notwithstanding any contrary provisions herein.

89 SECTION 8.

90 Section 8 of chapter 665 of the acts of 1956 is hereby amended by inserting after the
91 second paragraph:-

92 Upon a vacancy on the board resulting from either the resignation or removal of a
93 commissioner or an alternate prior to his or her term, or the expiration of a term, the mayor shall
94 provide written notice to the nominating entities herein described by certified or registered mail.
95 If a nominating entity fails to recommend nominees to the mayor within ninety days of being
96 notified of a vacancy, any individual may be appointed to the board by the mayor at his or her
97 discretion notwithstanding any contrary provisions herein.

98 SECTION 9.

99 This act shall go into effect upon passage.