

**HOUSE . . . . . No. 4086**

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**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:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Daniel Cullinane</i>	<i>12th Suffolk</i>	<i>12/8/2017</i>

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**The Commonwealth of Massachusetts**

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**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.