HOUSE DOCKET, NO. 4096 FILED ON: 10/21/2011

HOUSE . . . . . No. 3784

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

An Act further regulating the Boston Art Commission.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

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

SECTION 1. There shall be within the Mayor's Office of Arts, Tourism and Special Events, or a successor of that office, a Board, known as the Boston Art Commission, consisting of 9 commissioners, all of whom shall be residents of the City of Boston, appointed by the Mayor as follows: 1 from 3 candidates nominated by the Boston Society of Architects, 1 from 3 candidates nominated by the Museum of Fine Arts, 1 from 3 candidates nominated by the Trustees of the Public Library of the City of Boston, 1 from 3 candidates nominated by the Isabella Stewart Gardner Museum, 1 from 3 candidates nominated by the Massachusetts College of Art and Design, and 2 candidates, who have demonstrated distinguished service to the arts, 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
27 of Arts, Tourism and Special Events, or a successor of that office, or any member thereof; but
28 unless otherwise ordered by the Mayor, the commission shall not communicate with the Mayor
29 except through the Mayor's Office of Arts, Tourism and Special Events, or a successor of that
30 office, 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
33 internal management and, after public hearing, may adopt and from time to time amend
34 regulations for the purpose of interpreting this act and of implementing its administration and

35 enforcement, which regulations shall be in addition to those required by sections two and three,
36 as amended by 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
42 law on the Board of Art Commissioners in existence immediately prior to the taking effect of
43 Chapter 8 of the Ordinances of 1953.

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