

# HOUSE . . . . . No. 4927

---

## The Commonwealth of Massachusetts

---

HOUSE OF REPRESENTATIVES, October 11, 2018.

The committee on Bills in the Third Reading, to whom was referred the Bill relative to boards and commissions of the city of Boston (House, No. 4086), reports recommending that the same be amended by substitution of the accompanying bill (House, No. 4927), and that when so amended the same will be correctly drawn.

For the committee,

THEODORE C. SPELIOTIS.

**HOUSE . . . . . No. 4927**

---

**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. Section 1 of chapter 410 of the acts of 1898 is hereby amended by inserting after  
2 the word “mayor”, in line 4, as appearing in section 1 of chapter 362 of the acts of 2012, the  
3 words:- , subject to confirmation by the city council.

4 SECTION 2. Said section 1 of said chapter 410, as amended by said section 1 of said  
5 chapter 362, is hereby further amended by adding the following paragraph:-

6 Upon a vacancy on the commission resulting from either the resignation or removal of a  
7 commissioner prior to his or her term, or the expiration of a term, the mayor shall provide written  
8 notice to the nominating entities described in this section by certified or registered mail. If a  
9 nominating entity fails to recommend nominees to the mayor as described in this section within  
10 90 days of being notified of a vacancy, any individual may be appointed to the commission by  
11 the mayor at his or her discretion, notwithstanding any provision of this section to the contrary.

12 SECTION 3. The first paragraph of section 4 of chapter 616 of the acts of 1955 is hereby  
13 amended by striking out, in line 4, as appearing in section 1 of chapter 429 of acts of 1965, the

14 words “city as” and inserting in place thereof the following words:- city, subject to confirmation  
15 by the city council, as.

16 SECTION 4. Said section 4 of said chapter 616, as most recently amended by chapter  
17 450 of the acts of 2008, is hereby further amended by inserting after the first paragraph the  
18 following paragraph:-

19 Upon a vacancy on the commission resulting from either the resignation or removal of a  
20 commissioner or an alternate prior to his or her term, or the expiration of a term, the mayor shall  
21 provide written notice to the nominating entities described in this section by certified or  
22 registered mail. If a nominating entity fails to recommend nominees to the mayor within 90 days  
23 of being notified of a vacancy, any individual may be appointed to the commission by the mayor  
24 at his or her discretion, notwithstanding any provision of this section to the contrary. The  
25 members of the commission shall at all times during their terms of office be residents of the city  
26 of Boston.

27 SECTION 5. Section 1 of chapter 665 of the acts of 1956, as most recently amended by  
28 section 1 of chapter 461 of the acts of 1993, is hereby further amended by inserting after the  
29 second paragraph the following paragraph:-

30 Upon a vacancy on the zoning commission resulting from either the resignation or  
31 removal of a commissioner prior to his or her term, or the expiration of a term, the mayor shall  
32 provide written notice to the nominating entities described in this section by certified or  
33 registered mail. If a nominating entity fails to recommend nominees to the mayor within 90 days  
34 of being notified of a vacancy, any individual may be appointed to the commission by the mayor  
35 at his or her discretion, notwithstanding any provision of this section to the contrary.

36 SECTION 6. Section 8 of said chapter 665, as most recently amended by section 3 of  
37 said chapter 461 of the acts of 1993, is hereby further amended by inserting after the second  
38 paragraph the following paragraph:-

39 Upon a vacancy on the board resulting from either the resignation or removal of a  
40 member or an alternate member prior to his or her term, or the expiration of a term, the mayor  
41 shall provide written notice to the nominating entities described in this section by certified or  
42 registered mail. If a nominating entity fails to recommend nominees to the mayor within 90 days  
43 of being notified of a vacancy, any individual may be appointed to the board by the mayor at his  
44 or her discretion, notwithstanding any provision of this section to the contrary.

45 SECTION 7. Section 1 of chapter 625 of the acts of 1965 is hereby amended by inserting  
46 after the word “mayor”, in line 3, the following words:- , subject to confirmation by the city  
47 council.

48 SECTION 8. Said section 1 of said chapter 625 is hereby further amended by inserting  
49 after the first paragraph the following paragraph:-

50 Upon a vacancy on the commission in a seat previously occupied by a member who was  
51 appointed after nomination by the Freedom Trail Foundation, Inc. pursuant to this section,  
52 resulting from either the resignation or removal of a member prior to his or her term or the  
53 expiration of a term, the mayor shall provide written notice to the Freedom Trail Foundation, Inc.  
54 by certified or registered mail. If the Freedom Trail Foundation, Inc. fails to recommend  
55 nominees to the mayor within 90 days of being notified of a vacancy, any individual may be  
56 appointed to the commission by the mayor at his or her discretion, notwithstanding any provision

57 of this section to the contrary. The members of the commission shall at all times during their  
58 terms of office be residents of the city of Boston.

59 SECTION 9. The first sentence of the first paragraph of section 4 of chapter 625 of the  
60 acts of 1966 is hereby amended by striking out, in line 4, as appearing in section 3 of chapter 463  
61 of the acts of 1974, the words “mayor as” and inserting in place thereof the following words:-  
62 mayor, subject to confirmation by the city council, as.

63 SECTION 10. Said section 4 of said chapter 625, as most recently amended by section 3  
64 of chapter 137 of the acts of 1989, is hereby further amended by inserting after the first  
65 paragraph the following paragraph:-

66 Upon a vacancy on the commission resulting from either the resignation or removal of a  
67 commissioner or an alternate prior to his or her term, or the expiration of a term, the mayor shall  
68 provide written notice to the nominating entities described in this section by certified or  
69 registered mail. If a nominating entity fails to recommend nominees to the mayor as described in  
70 this section within 90 days of being notified of a vacancy, any individual may be appointed to the  
71 commission by the mayor at his or her discretion notwithstanding any provision of this section to  
72 the contrary. The members of the commission shall at all times during their terms of office be  
73 residents of the city of Boston.

74 SECTION 11. Section 3 of chapter 772 of the acts of 1975, as most recently amended by  
75 section 4 of chapter 137 of the acts of 1989, is hereby further amended by inserting after the  
76 second paragraph the following paragraph:-

77 Upon a vacancy on the commission resulting from either the resignation or removal of a  
78 commissioner or an alternate prior to his or her term, or the expiration of a term, the mayor shall

79 provide written notice to the nominating entities described in this section by certified or  
80 registered mail. If a nominating entity fails to recommend nominees to the mayor within 90 days  
81 of being notified of a vacancy, any individual may be appointed to the commission by the mayor  
82 at his or her discretion, notwithstanding any provision of this section to the contrary.

83 SECTION 12. Section 2 of chapter 88 of the acts of 1989, as most recently amended by  
84 section 6 of chapter 139 of the acts of 2013, is hereby further amended by inserting after the  
85 word “mayor”, in line 3, the following words:- and confirmed by the city council.

86 SECTION 13. Said section 2 of said chapter 88, as most recently amended by said  
87 section 6 of said chapter 139, is hereby further amended by inserting after the first paragraph the  
88 following paragraph:-

89 Upon a vacancy on the Monitoring Committee in a seat reserved for a public housing  
90 tenant or rental assistance tenant resulting from the resignation or removal of a member prior to  
91 his or her term, or the expiration of a term, the mayor shall provide written notice by certified or  
92 registered mail, in the case of a public housing tenant vacancy, to the city-wide public housing  
93 tenant organizations and public housing development-based tenant organizations of the Boston  
94 Housing Authority responsible for nominating mayoral appointees, or, in the case of a rental  
95 assistance tenant vacancy, to the rental assistance tenants who have served in a resident advisory  
96 capacity. If a nominating entity fails to recommend nominees to the mayor within 90 days of  
97 being notified of a vacancy, any individual may be appointed to the Monitoring Committee by  
98 the mayor at his or her discretion, notwithstanding any provision of this section to the contrary.

99 SECTION 14. This act shall take effect upon its passage.