



CITY OF BOSTON • MASSACHUSETTS

OFFICE OF THE MAYOR  
MARTIN J. WALSH

January 23, 2017

TO THE CITY COUNCIL

Dear Councilors:

I transmit herewith for your approval a home rule petition to the General Court entitled "Petition for a Special Law Re: An Act Regarding the Composition of the Boston Art Commission."

This Home Rule Petition will allow the Institute of Contemporary Art in Boston ("ICA") to nominate three (3) candidates for a seat on the Boston Art Commission. The petition will ensure that the ICA, an institution that is central to the mission of promoting contemporary art in Boston and around the world, has a seat on the Boston Art Commission, along with the existing seats nominated by its sister institutions the Museum of Fine Arts, Isabella Stewart Gardner Museum, Boston Public Library, Boston Society of Architects and Massachusetts College of Art and Design.

I urge your Honorable Body to join me in this continued effort to support the arts in Boston.

Sincerely,

Martin J. Walsh  
Mayor of Boston

# CITY OF BOSTON

## IN CITY COUNCIL

---

**ORDERED:** That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this Order be, and hereby is, approved under Clause One (1) of Section Eight (8) of Article Two (2), as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

### **PETITION FOR A SPECIAL LAW RE: AN ACT REGARDING THE COMPOSITION OF THE BOSTON ART COMMISSION**

SECTION 1. Chapter 410 of the acts of 1898, as amended by chapter 362 of the acts of 2012, is hereby further amended by striking out section 1 and inserting in place thereof the following section:-

Section 1. Notwithstanding any general or special law to the contrary, there shall be within the mayor's office of arts, tourism and special events, or its successor, a Boston art commission which shall consist of 9 commissioners, all of whom shall be residents of the city of Boston, to be appointed by the mayor, 1 of whom shall be selected from 3 candidates nominated by the Boston Society of Architects, 1 of whom shall be selected from 3 candidates nominated by the Museum of Fine Arts, 1 of whom shall be selected from 3 candidates nominated by the trustees of the Public Library of the city of Boston, 1 of whom shall be selected from 3 candidates nominated by the Isabella Stewart Gardner Museum, 1 of whom shall be selected from 3 candidates nominated by the Massachusetts College of Art and Design, 1 of whom shall be selected from 3 candidates nominated by the Institute of Contemporary Art, and 1 person who has demonstrated distinguished service to the arts, appointed at the discretion of the mayor's office of arts, tourism and special events, or its successor, to ensure that the Boston art commission represents diverse perspectives on the arts. The director of the mayor's office of arts,

tourism and special events, or its successor, and the head of urban design at the Boston Planning and Development Agency shall serve on the commission, ex officio and without additional compensation, and each shall have an official vote.

Commission members shall serve for terms of 5 years but, if invited by the mayor, a commissioner may serve for an additional 5 years. A vacancy on the commission shall be filled in like manner for the unexpired term and, after that term has expired, a successor commissioner shall be appointed for a term of 5 years. A commission member whose term has expired shall continue in office until a successor is appointed. Commissioners shall serve without compensation. The daily operations of the commission shall be run by a director, which shall be a paid position through the city of Boston.

The commission shall not be subject to the supervision or control of the mayor's office of arts, tourism and special events, or its successor, or any member thereof, and, unless otherwise ordered by the mayor, commission members shall not communicate with the mayor except through the mayor's office of arts, tourism and special events, or its successor, and shall not make an annual or other report except through the mayor's office of arts, tourism and special events, or its successor.

The commission shall adopt, and may from time to time amend, by-laws concerning its internal management and, after public hearing, may adopt and from time to time amend regulations for the interpretation, implementation, administration and enforcement of this act and such regulations shall be in addition to those required by sections 2 and 3.

Annually on May 1 or as soon thereafter as may be convenient, the commission shall elect from among its members a chair and a vice-chair. The roles, powers and term limits of the chair and vice-chair shall be determined by the commission as provided in the by-laws. City employees

shall not be eligible for the offices of chair or vice-chair. The commission shall have all of the powers and perform all of the duties conferred or imposed by law on the board of art commissioners in existence immediately prior to the effective date of chapter 8 of the ordinances of 1953.

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

I HEREBY CERTIFY THAT  
THE FOREGOING, IF PASSED IN  
THE ABOVE FORM, WILL BE IN  
ACCORDANCE WITH LAW.

BY Eugene L. O'Flaherty *ELO*  
EUGENE L. O'FLAHERTY  
CORPORATION COUNSEL