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SECTION 1. Notwithstanding section 10 of chapter 39 of the General Laws or any other general or special law or by-law to the contrary, all votes cast by the voters of the town of Medway at the annual town election held on May 5, 2008 are hereby ratified, validated and confirmed in all respects, notwithstanding any defects or omissions in the calling of said town election.

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

Approved October 8, 2008.

Chapter 354. AN ACT ESTABLISHING THE MASSACHUSETTS CREATIVE ECONOMY COUNCIL.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith the Massachusetts creative economy council, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. (a) Notwithstanding any general or special law to the contrary, there shall be established within the executive office of housing and economic development a Massachusetts creative economy council, hereinafter in this section referred to as the council. The council shall develop a statewide strategy for the enhancement, encouragement, and growth of the creative economy in the commonwealth and to promote through public and private means responsive public policies and innovative private sector practices.

(b) The council shall consist of 25 members: 3 of whom shall be members of the senate, 1 of whom shall be appointed by the senate minority leader; 3 of whom shall be members of the house of representatives, 1 of whom shall be appointed by the house minority leader; the secretary of the executive office of housing and economic development or his designee, who shall serve as chair of the council; the executive director of the Massachusetts office of travel and tourism or his designee; the executive director of the Massachusetts cultural council or his designee; the director of the Massachusetts office of business development or his designee; the executive director of the Massachusetts advocates for the arts, sciences, and humanities or his designee; the director of the John Adams Innovation Institute or his designee; and 11 persons to be appointed by the governor, 1 of whom shall be the president of the Massachusetts Technology Leadership Council, Inc., or his designee; 1 of whom shall be the chairman of the Massachusetts Lodging Association or his designee; 1 of whom shall be the president of the Massachusetts Restaurant Association or his designee; 1 of whom shall be the president of the Massachusetts College of Art and Design or her designee; 1 of whom shall be the chancellor of the University of Massachusetts Lowell or his designee; 3 of whom shall be directors of regional tourism councils; 1 of whom shall

be a representative of the Salem Partnership, Inc., 1 of whom shall be a representative of the Salem state college assistance corporation; 1 of whom shall be a representative of the Berkshire Creative Economy Initiative; 1 of whom shall be the executive director of the Worcester Cultural Coalition; and 1 of whom shall be an owner of a sole proprietorship in the creative economy.

Members of the council shall serve for a term of 2 years, and may be reappointed. The council may adopt rules for the appointment of members, and may increase or decrease the number of members. Members of the council shall serve without pay. The council shall meet at least 4 times annually.

(c) The duties of the council shall include, but shall not be limited to: researching and evaluating studies conducted within the commonwealth and in other states to locate and identify best practices that easily transfer to the commonwealth; reviewing the recommendations of the "Innovation Agenda: Growing the Creative Economy in Massachusetts" statewide conference of May 3, 2006, and the Berkshire Creative Economy Report, and other statewide and regional research-based recommendations, to develop a statewide strategy for enhancement of the creative economy; providing recommendations on restructuring economic programs within state government to enhance creative economy efforts; providing strategies and proposing legislation, if necessary, to provide linkage between programs to enhance the creative economy; establishing metrics to measure the effect of the creative economy on other sectors of the economy by developing and conducting extensive statewide research and creating a database from the results; fostering education and workforce development in the creative economy sector by stimulating efforts to develop career pathways for creative industries; researching the potential for an online resource directory, including but not limited to, the development and promotion of a web based resource highlighting the creative economy and its member companies and organizations; researching the potential for a comprehensive communications program targeting member communities, organizations, stakeholders, and interested parties including, but not limited to, the promotion of networking across the creative economy sector; and researching methods to brand Massachusetts as a creative economy leader.

The council shall report to the general court the results of its investigation and study, and its recommendations together with drafts of legislation, if any, by filing the same with the clerks of the house of representatives and the senate who shall forward the same to the chairs of the house and senate committees on ways and means, the chairs of the joint committee on economic development and emerging technologies, the chairs of the joint committee on tourism, arts, and cultural development, and the chairs of the joint committee on community development and small business, on or before July 1, 2009.

The council may define the creative economy to include without limitation the many interlocking industry sectors that center on providing creative services such as advertising, architecture or creating and promoting intellectual property products such as arts, film, computer games, multimedia, or design.

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(d) The council shall annually submit on or before December 1, a written report of its activities during the previous year to the clerks of the house of representatives and the senate who shall forward the same to the chairs of the house and senate committees on ways and means, the chairs of the joint committee on economic development and emerging technologies, the chairs of the joint committee on tourism, arts, and cultural development, and the chairs of the joint committee on community development and small business. The report shall include recommendations to the general court regarding proposed changes to this section, or any other section or chapter of the General Laws, or any regulations promulgated pursuant thereto, necessary to promote the creative economy in the commonwealth.

SECTION 2. This act shall expire on December 31, 2012.

Approved October 8, 2008.

Chapter 355. AN ACT RELATIVE TO CERTAIN AFFORDABLE HOUSING IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Construction and development activity related to redevelopment by the Boston Housing Authority of the federally funded Washington Beech public housing project, or any part thereof, shall not be subject to any general or special law related to the procurement and award of contracts for the construction, reconstruction, installation, demolition, maintenance or repair of buildings by a public agency but shall be subject to sections 26 to 27H, inclusive, of chapter 149 of the General Laws. Contracts for the construction, reconstruction, alteration, remodeling or repair of any publicly owned public works that service this project and would otherwise be subject to section 39M of chapter 30 of the General Laws shall be subject to said section 39M if the redevelopment of the project is funded in part by a state or federal low income housing credit grant or loan or pursuant to the issuance of tax exempt bonds authorized by the General Laws. A conveyance of the project, whether by leasehold or fee estate to an urban redevelopment corporation organized under chapter 121A of the General Laws or to a nonprofit state and federally tax exempt corporation organized for the purpose of revitalizing the project shall be subject to chapter 30B of the General Laws to the extent that the project is conveyed to an entity that is not owned, controlled or managed by the Boston Housing Authority on the date of the conveyance.

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

Approved October 8, 2008.