
By Messrs. Chadwick of Winchester and DeNormandie of Lincoln, petition of Harrison Chadwick and James DeNormandie for appointment by the Governor of a commuter services commission to preserve and improve the transportation facilities in Greater Boston. Transportation.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Eight.

AN ACT ESTABLISHING A COMMUTER SERVICES COMMISSION.

PREAMBLE.

1 Recognizing that the composite of the various services trans-
2 porting commuters in and out of Boston is reaching the state of
3 an impending crisis; recognizing that these services have been
4 carrying a constantly diminishing number of passengers with a
5 corresponding decline in revenues; recognizing that the rail-
6 roads seek to discontinue much of their passenger commuter
7 business; recognizing that the Metropolitan Transit Authority
8 is faced with the largest deficit in its history; recognizing that
9 the automobile is not the solution to the commuter problem;
10 recognizing that the commuter services need more passengers;
11 recognizing that the central city and the suburbs mutually need
12 better commuter services; recognizing that many thousands of
13 people daily would be attracted to the use of the various com-
14 muter services if they were provided with more efficient and more
15 appealing mass transportation at reasonable cost; and finally
16 recognizing that the multitude of studies on this subject in the
17 last dozen years has not furnished a solution to the over-all
18 problem, it is the purpose of this act to take a forward step by
19 creating a co-ordinating commission for all of the various com-
20 muter services which shall have as its definite purpose the
21 preservation and improvement of an adequate system of com-
22 muter transportation for the Greater Boston area in a manner
23 that shall be pleasing to the riders and fair in cost both to the

24 riders and to the general public who may be called upon to
25 underwrite any deficits in operation. Therefore

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. *Organization.* — There is hereby established a
2 commuter services commission, hereinafter called the “com-
3 mission,” which shall consist of five members appointed by the
4 governor with membership divided as equally as possible between
5 the two major parties. Initially, one member shall be appointed
6 for a term of one year, one member for a term of two years, one
7 member for a term of three years, one member for a term of
8 four years and one member for a term of five years. There-
9 after each new appointee shall be appointed for a term of five
10 years. The governor shall designate the chairman from time
11 to time. The commission shall be composed of outstanding
12 citizens of the commonwealth who have distinguished records
13 in the fields of finance, engineering, law, accounting, property
14 or transportation.

1 SECTION 2. *Bond.* — One member of the commission shall
2 serve as treasurer of the commission and shall give the com-
3 mission a bond, with a surety company authorized to transact
4 business in the commonwealth as surety, for the faithful per-
5 formance of his duties, in such sum and upon such conditions as
6 the commission may require.

1 SECTION 3. *By-Laws; Records.* — All meetings of the com-
2 mission shall be held at the call of the chairman and at such
3 other times as the commission may determine. The commission
4 shall establish its own rules of procedure, and shall keep a record
5 of its meetings, resolutions, transactions, findings and deter-
6 minations, all of which shall be a public record.

1 SECTION 4. *Duties.* — The duty of the commission shall
2 consist of the constant, intensive review of all of the problems of
3 the various commuter services serving the greater Boston area.
4 It shall be the duty of the commission to make recommendations
5 for the co-ordination, improvement and economical management
6 of the various commuting services so that the commuting public

7 and general taxpayer shall be served to the best advantage. It
8 shall be the duty of the commission to recommend the extension
9 or abandonment of services as they deem in the best interests
10 of the public. It shall be the duty of the commission to attempt
11 to determine the growth trends of the area and to recommend
12 preparations for serving the changing needs of the commuting
13 public in advance of the necessity of the new services arising.

1 SECTION 5. *Powers of the Commission.* — The recommenda-
2 tions of the commission shall be advisory only, and said recom-
3 mendations shall not have the force of law.

1 SECTION 6. *Availability of Records.* — All officers, boards,
2 commissions, departments, divisions and agencies of the com-
3 monwealth, and all officers, boards, commissions and depart-
4 ments of the county governments within the greater Boston
5 area as determined by the commission, and all officers, boards,
6 commissions and departments of the municipal governments
7 within the said area, and any project operated as a public enter-
8 prise within the said area, shall make available to the com-
9 mission, on request, all data, records and information within
10 their knowledge and control pertaining to the said area, or to
11 the parts thereof.

1 SECTION 7. *Definition.* — For the purposes of this act, any
2 self-sustaining authority, created by the floatation of revenue
3 bonds under the statutes of the commonwealth, shall be con-
4 sidered as a public enterprise and shall be so regarded in its
5 relationship with the commission.

1 SECTION 8. *Mandatory Provisions.* — The department of
2 public utilities of the commonwealth shall not authorize the dis-
3 continuance of any commuter service or any change in rates of
4 any commuter service until after it has received the recom-
5 mendation of the commission in writing.

1 SECTION 9. *Compensation of Commission Members.* — The
2 work of the commission members shall be considered as part-
3 time occupation. The commission members shall each receive
4 two thousand dollars annually, and the member designated by
5 the governor as chairman shall receive an additional one thousand

6 dollars annually during the period of his chairmanship. No per
7 diem, travel or other allowances shall be made for any service
8 performed within the commonwealth, but travel and hotel
9 expenses shall be paid to any commission member who is obliged
10 to travel outside the commonwealth in the performance of his
11 duties.

1 SECTION 10. *Staff.* — The commission shall employ, full
2 time or part time, or retain on any equitable basis such tech-
3 nical, professional or clerical assistance as it deems necessary
4 to the proper performance of its duties.

1 SECTION 11. *Finances.* — The fiscal year of the commission
2 shall run from July first through June thirtieth of the following
3 year. The commission shall be granted an annual appropriation
4 of three hundred and fifty thousand dollars from the General
5 Fund of the commonwealth; provided, however, that the com-
6 mission shall take advantage of any and all federal grants avail-
7 able to it, and that such sums shall be deducted from the annual
8 appropriation from the General Fund.

1 SECTION 12. *Special Grants.* — The commission is authorized
2 to accept and receive for its own uses and consistent with its own
3 purposes any funds or monies from any source, including grants,
4 bequests, gifts or contributions made by the state or federal
5 government, by any individual, corporation or association.

1 SECTION 13. *Audit.* — The books of the commission shall
2 be audited annually by the auditor of the commonwealth.

1 SECTION 14. *Report to the General Court.* — The commission
2 shall make an annual report to the general court to be filed by
3 November first of each year, stating its accomplishments of the
4 past twelve months, and its current and contemplated projects.

1 SECTION 15. *Supervision.* — The commission shall operate
2 under the supervision of the governor and governor's council as
3 defined in chapter six of the General Laws.

1 SECTION 16. *Effective Date.* — In view of the stringent con-
2 ditions under which the commission is organized, this act shall
3 take effect upon its passage.