

# HOUSE . . . . No. 1044

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By Mr. Dullea of Boston, petition of John J. Cahill for legislation to establish a pension fund for the benefit of employees of the Metropolitan Transit Authority. Pensions and Old Age Assistance.

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## The Commonwealth of Massachusetts

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

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AN ACT ESTABLISHING A STATUTORY PROVISION FOR A PENSION FUND FOR ALL EMPLOYEES OF THE FORMER BOSTON ELEVATED RAILWAY, SO CALLED, WHO WERE AND ARE RECIPIENTS OF THE NON-CONTRIBUTORY PENSION AT THE EFFECTIVE DATE OF TRANSFER OF THE CONTROL OF THE TRANSPORTATION SYSTEM TO THE METROPOLITAN TRANSIT AUTHORITY.

*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. The trustees of the Metropolitan  
2 Transit Authority, as established by chapter five  
3 hundred and forty-four of the acts of nineteen hundred  
4 and forty-seven, shall at the effective date of this act  
5 and notwithstanding provisions of section eighteen of  
6 the aforementioned chapter five hundred and forty-  
7 four, to the contrary, conform to the same provisions  
8 made for contributory pensions with, however, no

9 personal contribution required from the Boston  
10 Elevated Railway pensioners, as outlined in chapter  
11 thirty-two of the General Laws so far as the establish-  
12 ment of a pension system is concerned for these pen-  
13 sioners on the rolls on the date of the inception of the  
14 Metropolitan Transit Authority replacing the Boston  
15 Elevated Railway and the trustees of the Metropoli-  
16 tan Transit Authority shall not in any year there-  
17 after fail to provide any less amount as a pension than  
18 was similarly provided in the year nineteen hundred  
19 and forty-seven for these pensioners from general  
20 revenue sources and by this act included as an item in  
21 the "cost of service."

1 SECTION 2. The pensioners herein designated as  
2 Boston Elevated Railway pensioners shall be per-  
3 mitted to vote under direction of the labor organiza-  
4 tion of the operating force of the Metropolitan Transit  
5 Authority on a choice of (a) district retirement board  
6 pension membership, or (b) private association retire-  
7 ment board pension membership.

1 SECTION 3. Such of the revenue as shall equal the  
2 herein detailed additional contributions of effective  
3 pension requirements plus pension activity operating  
4 expense for this Boston Elevated Railway pension  
5 group shall be paid from funds received from rentals  
6 of rapid station privileges now in effect and that  
7 later may be added to the transportation system.  
8 This activity shall be administered by a three-man pen-  
9 sion board, one of whom shall be the chairman of the  
10 trustees of the Metropolitan Transit Authority, one  
11 of who shall be appointed by the governor with the  
12 advice and consent of the council from a panel of ten

13 men elected by the Boston Elevated Railway pen-  
14 sioners and a third member similarly appointed by  
15 the governor with like consent from a panel of ten  
16 men elected by the members of the labor organiza-  
17 tion of the operating force of the Metropolitan Transit  
18 Authority.

1 SECTION 4. This payment from revenues received  
2 from the sale of rapid station privileges shall for all  
3 requirements of effective law serve in place of the  
4 personal contribution of pensioners of the Boston  
5 Elevated Railway to the fund and shall be so regarded  
6 and cited in equity and law.

1 SECTION 5. This board shall be designated as  
2 the Boston Elevated Railway pension fund board.  
3 It shall undertake to arrange with the state surgeon to  
4 provide medical care and hospital service for Boston  
5 Elevated Railway pensioners. The costs of this  
6 service shall be defrayed from revenues received from  
7 rapid station rentals of privileges both now in the  
8 transportation system and that shall later be added.

1 SECTION 6. This board shall annually undertake,  
2 with the co-operation of the Massachusetts commis-  
3 sioner of labor and industries, to make adjustments  
4 in the pension payments to offset increases in the cost  
5 of living as indicated in the cost of living indexes  
6 prepared by the department of labor and industries.  
7 Decreases in the cost of living as indicated by the  
8 index shall not effect a decrease in the pension pay-  
9 ments. The cost of operating this adjustment ac-  
10 tivity and the revenue for meeting increased pay-

11 ments shall be paid out of revenue from rentals of  
12 rapid station privileges as above cited.

1 SECTION 7. All payments under the provisions of  
2 this act are exempt from taxation under the common-  
3 wealth under effective General Laws as most recently  
4 amended.