

HOUSE No. 2152

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, March 3, 1952.

The committee on Metropolitan Affairs, to whom was referred so much of the recommendations of the Department of Public Utilities (House, No. 85) as relates to amending an act providing for the creation of the Metropolitan Transit Authority and the acquisition and operation by it of the entire assets, property and franchises of the Boston Elevated Railway (accompanied by bill, House, No. 89), report the accompanying bill (House, No. 2152).

For the committee,

CHARLES IANNELLO.

The Commonwealth of Massachusetts

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

AN ACT AMENDING AN ACT PROVIDING FOR THE CREATION OF THE METROPOLITAN TRANSIT AUTHORITY AND THE ACQUISITION AND OPERATION BY IT OF THE ENTIRE ASSETS, PROPERTY AND FRANCHISES OF THE BOSTON ELEVATED RAILWAY.

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. Chapter 544 of the acts of 1947, as
2 amended, is hereby further amended by striking out
3 the first paragraph of section 11 thereof and sub-
4 stituting in place thereof the following: —

5 The trustees shall from time to time, after public
6 hearing, fix such rates of fare and charges for service
7 furnished or operated as, in their judgment, are best
8 adapted to insure sufficient income to meet the cost
9 of service, as hereinafter defined.

1 SECTION 2. Chapter 544 of the acts of 1947, as
2 amended, is hereby further amended by striking out
3 section 12 and inserting in place thereof, the follow-
4 ing: —

5 *Section 12.* The trustees shall determine the char-
6 acter and extent of the services and facilities to be
7 furnished, and shall fix rates of fare and charges or
8 service furnished or operated as hereinbefore provided,
9 and in these respects their authority shall be exclusive

*Added
new words*

10 and shall not be subject to the approval, control or
11 direction of any state, municipal or other department,
12 board or commission. Except as herein otherwise
13 provided, the department shall have the same general
14 supervision and regulation of, and jurisdiction and
15 control over, the services and facilities of the authority
16 as it has over street railway companies. The depart-
17 ment of the state auditor shall annually make an
18 audit of the accounts of the authority and make a re-
19 port thereon to the trustees, the governor and council
20 and the general court. In making said audits, said
21 department of the state auditor may call upon the
22 department of public utilities and other departments,
23 commissions, officers and agencies of the common-
24 wealth for such information as may be needed in the
25 course of making such audits. The state auditor may
26 employ such auditors, accountants and other assist-
27 ants as he deems necessary for carrying out his duties
28 under this section, and chapter thirty-one of the Gen-
29 eral Laws and the rules made thereunder shall not
30 apply to such employees.

