

HOUSE No. 2963

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, June 20, 1955.

The committee on Ways and Means, to whom was referred the Bill authorizing the Department of Public Safety to provide police service for the Massachusetts Turnpike Authority (Senate, No. 460, changed and amended), report that the same ought to pass in the form of a new draft herewith submitted (House, No. 2963).

For the committee,

JOHN C. BRESNAHAN.

The Commonwealth of Massachusetts

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

AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC SAFETY TO PROVIDE POLICE SERVICE FOR THE MASSACHUSETTS TURNPIKE AUTHORITY.

1 *Whereas*, The deferred operation of this act would tend
2 to defeat its purpose, which is to provide forthwith for
3 the effective policing of the Massachusetts turnpike, or
4 portion thereof, by the state police, therefore this act is
5 hereby declared to be an emergency law, necessary for
6 the immediate preservation of the public safety and
7 convenience.

*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 22 of the General Laws is hereby
2 amended by inserting after section 9F, inserted by sec-
3 tion 1 of chapter 474 of the acts of 1953, the following
4 two sections:—

5 *Section 9G.* The commissioner is hereby authorized
6 and directed to enter into an agreement or contract with
7 the Massachusetts Turnpike Authority for police service
8 to be furnished to the Authority by the department.
9 Said agreement or contract shall fix the legal responsi-
10 bility pertaining to the operation and maintenance of
11 such service and shall include, among other provisions,
12 a provision for payments to the commonwealth for the
13 cost of retirement, compensation of injured officers, sick
14 leave, or other employee benefits, and a minimum allow-
15 ance for departmental supervision. Said agreement or
16 contract shall also include a provision that all expenses
17 of every name and nature incurred by the department
18 in supplying such police service shall, upon proper

19 requisition, be paid by the authority as such expenses
20 are incurred.

21 *Section 9H.* The commissioner may appoint and or-
22 ganize a state police force of such size as he and the
23 Authority may agree upon, in addition to any other force
24 authorized by law, to be assigned to the Massachusetts
25 Turnpike Authority to meet the requirements of section
26 fifteen of chapter three hundred and fifty-four of the acts
27 of nineteen hundred and fifty-two. The officers of the
28 state police force, so appointed and so assigned, shall
29 have the same powers and be subject to the same qualifi-
30 cations, orders or restrictions as officers appointed under
31 the provisions of section nine A of chapter twenty-two;
32 provided, however, that, during such assignment and
33 except as the commissioner shall determine that an
34 emergency exists or is threatened, such officers, in the per-
35 formance of their duties, shall be subject to the opera-
36 tional control of the Authority and a superintendent or
37 assistant superintendent of police of the Authority who
38 shall be appointed by the Authority, but shall at all
39 times be under the administrative and disciplinary con-
40 trol of the commissioner. Any officer, so appointed and
41 so assigned, may be reassigned to general duties the same
42 as those officers appointed under the provisions of said
43 section nine A, and any officer appointed as provided in
44 section nine A may be substituted by assignment for any
45 officer appointed under this section. Any officer so
46 appointed, assigned or reassigned shall for the purposes
47 of salary, seniority, retirement or other rights be con-
48 sidered as appointed under the provisions of said section
49 nine A, and the assignment or reassignment shall in no
50 way impair any rights to which an officer may be en-
51 titled, and such officer shall at all times be considered to
52 be an employee of the commonwealth.

53 Any officer assigned to duty on the turnpike shall
54 receive his entire compensation during the period of his
55 assignment from the Massachusetts Turnpike Authority,
56 and the appointment and assignment of such officers
57 by the commissioner shall in no way be considered a vio-

58 lation of any provisions of chapter twenty-nine. All
59 assignments and reassignments to the Massachusetts
60 Turnpike Authority hereunder and under section nine A,
61 except as the commissioner shall determine that an
62 emergency exists or is threatened, shall be subject to the
63 approval of the Authority acting through its superintend-
64 ent or assistant superintendent of police appointed as
65 provided above.

1 SECTION 2. Members of the uniformed branch of the
2 division of state police in the department of public
3 safety, during such period or periods as they may be
4 assigned or reassigned to the Massachusetts Turnpike
5 Authority, under the provisions of this act, shall be con-
6 sidered as employees of the commonwealth and entitled
7 to all rights and benefits accorded employees of the
8 commonwealth under the provisions of chapter thirty-
9 two of the General Laws. The Authority is hereby
10 authorized and directed to make such deductions as are
11 required to be made by chapter thirty-two and to trans-
12 mit such deductions monthly, together with a report
13 showing the amount of regular compensation paid to and
14 the amount deducted from the salary of each such mem-
15 ber for retirement purposes, to the state board of re-
16 tirement.