

COMMONWEALTH OF MASSACHUSETTS

By His Excellency

EDWARD J. KING

Governor

EXECUTIVE ORDER NO. 189

STATE OF EMERGENCY EXECUTIVE ORDER NOVEMBER 18, 1980

WHEREAS, essential current expenses of the Massachusetts Bay Transportation Authority for the calendar year 1980 have as of this date reached the total of amounts authorized in the budget by the Advisory Board of the Massachusetts Bay Transportation Authority; and

WHEREAS, the Massachusetts Bay Transportation Authority has submitted Supplementary Budgets #2 and #3 to the Advisory Board seeking authorization to increase expenditures for the balance of 1980; and

WHEREAS, the Advisory Board to the Massachusetts Bay Transportation Authority (MBTA) has not approved any increase in the MBTA budget; and

WHEREAS, the failure of the Advisory Board to vote to approve the proposed increased expenditures, or any significant portion thereof, has caused the MBTA Board of Directors to vote to commence steps to close down service for the balance of the year 1980 because of insufficient approved funding; and

WHEREAS, there now exists a slowdown, interruption and stoppage of service; and

WHEREAS, the continued interruption, stoppage or slowdown of service on the MBTA will cause the highways of the Commonwealth in the areas of Metropolitan Boston to become so dogged with traffic during a substantial portion of the day that the passage of fire, police, ambulances, vehicles used for the transportation of food and other essential vehicles will be impeded thus endangering the health, safety and property of the citizens of the Commonwealth by increasing the likelihood of damage to property and loss of life because of fire and by creating serious shortages of food; and

WHEREAS, the aforesaid events threaten the availability of essential service of transportation to such an extent as to endanger the health, safety and welfare of the community;

NOW THEREFORE, I, Edward J. King, Governor of the Commonwealth, acting under the authority vested in me as Supreme Executive Magistrate under the Massachusetts Constitution, General Laws Chapter 161A, Section 20, Chapter 639 of the Acts of 1950 as amended and any other powers vested in me under the Constitution of the Commonwealth, or otherwise;

I HEREBY DECLARE AND PROCLAIM that there now exists an emergency which threatens the availability of essential services of transportation to such an extent as to endanger the health, safety and welfare of the community.

I HEREBY take possession of the lines and facilities of the Authority in order to safeguard the public health, safety and welfare.

I HEREBY designate Barry M. Locke and members of the Board of Directors of the MBTA, acting in their capacity as the Board of Directors of the MBTA, to exercise on my behalf the power and authority granted to me as aforesaid. Said Board shall operate the lines and facilities of the MBTA for the account of the Authority.

The powers hereby granted shall expire forty-five days after this proclamation that a state of emergency exists unless this authorization is previously revoked.

In exercising the foregoing, the Board shall not expend more than \$41,000,000. over the currently approved budget.

GIVEN at the Executive Chamber in Boston
this 18th day of November
in the year of our Lord one thousand
nine hundred and eighty and of the
Independence of the United States of
America, two-hundred and five.

EDWARD J. KING
GOVERNOR
Commonwealth of Massachusetts

MICHAEL JOSEPH CONNOLLY
Secretary of the Commonwealth

GOD SAVE THE COMMONWEALTH OF MASSACHUSETTS