

HOUSE No. 4380

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 15, 1967.

The committee on Transportation, to whom were referred the petition (accompanied by bill, House, No. 1023) of Hugh J. Morgan, Jr., relative to assessment upon certain cities and towns within the territory served by the Massachusetts Bay Transportation Authority; the petition (accompanied by bill, House, No. 1024) of the Board of Directors of the Massachusetts Bay Transportation Authority for increasing the amount of bonds which may be issued by said authority and the amount of contract assistance which may be provided by the Commonwealth to finance agreements with railroads to provide for passenger service to and from Boston; and the petition (accompanied by bill, House, No. 2505) of John F. Collins (mayor of Boston) and Robert H. Quinn relative to the assessment of the net cost of commuter railroad passenger service provided by the Massachusetts Bay Transportation Authority during the current year and thereafter, report the accompanying bill (House, No. 4380).

For the committee,

GERALD F. O'LEARY.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Seven.

AN ACT INCREASING THE AMOUNT OF CONTRACT ASSISTANCE WHICH MAY BE PROVIDED BY THE COMMONWEALTH TO FINANCE AGREEMENTS WITH RAILROADS TO PROVIDE FOR PASSENGER SERVICE TO AND FROM BOSTON FOR AN EXTENDED PERIOD.

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 161A of the General Laws is hereby
2 amended by inserting the following section after section 8
3 thereof:

4 *Section 8A.* Notwithstanding any other provisions of this
5 chapter, that part of the net cost of service of the current and
6 of the next fiscal period of the authority which is attributable
7 to service provided no later than June thirtieth, nineteen
8 hundred and sixty-eight, under agreements with railroads to
9 provide passenger service to and from Boston shall be appor-
10 tioned as follows:

11 Fifty per cent thereof shall be assessed upon all cities and
12 towns comprising the authority's territory in the proportion
13 which the number of commuters in each said city or town
14 bears to the total number of commuters in all of said cities or
15 towns. The number of commuters shall be determined in
16 accordance with the latest decennial census made by the
17 United States Department of Commerce.

18 If said census shall not provide the necessary data for
19 determining the number of commuters, the authority shall
20 determine the number of commuters by some accurate and
21 otherwise appropriate method. The remaining fifty per cent
22 shall be assessed upon those cities and towns of the authority
23 which had one or more railroad stations operated under such
24 agreements as of the first day of the seventh month of the
25 fiscal period in which such cost was incurred. Such assess-
26 ments shall be in the proportion which the number of riders

27 boarding at all such stations in such city or town bears to the
28 number of riders boarding at all such stations in the area
29 constituting the authority; provided that the number of
30 riders boarding at the North Station, the South Station, and
31 the Back Bay Station in the city of Boston shall not be
32 included for the purpose of determining such assessments.
33 The number of riders shall be determined by a rider count
34 taken during the year nineteen hundred and sixty-seven.

35 For the purposes of the foregoing, the net cost of service of
36 each fiscal period shall be attributed to such railroad service
37 to the extent of the net cost of such railroad service to the
38 authority during such period and the net cost of express
39 service to be assessed under section eight shall be reduced
40 accordingly. To the extent paid or reimbursed under section
41 twenty-eight or financed by the issue of bonds, the cost to the
42 authority of agreements with railroads to provide passenger
43 service shall be excluded from the net cost of such railroad
44 service to the authority and from the net cost of service of
45 the authority for the purpose of computing assessments, but
46 the debt service on such bonds shall be included in the net
47 cost of express service to be assessed under section eight.

48 The cost to the authority of agreements with railroads to
49 provide passenger service shall be deemed a current expense
50 for the purposes of paragraph (i) of section five to the extent
51 that such cost is not to be financed by the issue of bonds and
52 not to be met by assistance under section twenty-eight.

1 SECTION 2. Section 28 of said chapter 161A is hereby
2 amended by adding the following paragraph at the end
3 thereof:—

4 In addition to the assistance provided by the foregoing
5 provisions of this section, the executive office for administra-
6 tion and finance is authorized to grant to the authority not
7 more than four million five hundred thousand dollars to be
8 paid to the authority for not more than ninety per cent of the
9 cost to the authority of service provided no later than June
10 thirtieth, nineteen hundred and sixty-eight, under agreements
11 with railroads to provide passenger service to and from
12 Boston. Such grants shall be applicable only to costs incurred
13 by the authority after the incurring of the costs to be

14 financed on a fifty per cent basis under clause (b) above. Any
15 grant under this paragraph shall include such provisions as
16 the executive office for administration and finance deems
17 necessary and desirable to assure the efficient operation of the
18 authority and the minimum burden on the commonwealth
19 and on the cities and towns within the authority. The state
20 treasurer is directed to pay the amounts granted under this
21 paragraph in accordance with the terms of the grant. Such
22 grants shall not be deemed contracts of the commonwealth,
23 but shall be deemed to constitute contract assistance for the
24 purposes of subparagraph (a) of section twenty-five B of
25 chapter fifty-eight and for the purposes of section twelve of
26 this chapter.