

HOUSE No. 6322

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 1, 1980.

The committee on Urban Affairs, to whom were referred the petition (accompanied by bill, House, No. 1969) of the State Police Association of Massachusetts and William F. Galvin relative to establishing the position of harbor master for the Port of Boston, the petition (accompanied by bill, House, No. 2163) of the Bay State Boat Owners Assn., Elizabeth N. Metayer, Michael W. Morrissey and Mary Jeanette Murray relative to the appointment of a harbor master and assistant harbor masters for the Port of Boston, the petition (accompanied by bill, House, No. 4451) of Vincent J. Piro that the Metropolitan District Commission be authorized to appoint a harbor master and assistant harbor masters, and the petition (accompanied by bill, House, No. 5775) of Michael F. Flaherty that the Metropolitan District Commission be directed to provide a twenty-four hour patrol of the harbor and coastal waters of certain cities and towns on a year round basis, reports recommending that the accompanying bill (House, No. 6322) ought to pass.

For the committee,

JOHN F. CUSACK

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty.

AN ACT RELATIVE TO THE APPOINTMENT OF HARBOR MASTER AND ASSISTANT HARBOR MASTERS FOR THE PORT OF BOSTON.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Notwithstanding any other general or special laws to the con-
2 trary the Massachusetts General Law is hereby amended by insert-
3 ing after chapter 102 the following new chapter: —

4 **CHAPTER 102A**

5 *Section 1.* The Governor shall appoint a harbor master who
6 shall have and exercise within the Port of Boston, all the powers and
7 authority to enforce the laws relative to the office of harbor master
8 as defined in chapter 102 of the General Laws. Prior to appoint-
9 ment of the harbor master, the advisory committee on the Port of
10 Boston, established by section 2 of this chapter, shall prepare and
11 submit to the Governor a list of three persons who are deemed
12 qualified for the position of harbor master. Should the Governor
13 not appoint one of the aforementioned, he shall request and the
14 advisory committee shall so submit a new list of candidates. Pro-
15 vided, however, that the Advisory Committee shall not recommend
16 nor the Governor appoint as harbor master any employee of the
17 police force of the Metropolitan District Commission or any
18 employee within the Secretariat for Public Safety.

19 The harbor master shall be experienced in commercial and
20 recreational maritime activities and shall have administrative and
21 management experience, provided, that neither the Governor nor
22 the advisory committee shall be limited solely to these criteria in
23 appointing or selecting candidates for the position of harbor mas-
24 ter.

25 *Section 2.* There shall be an advisory committee on the Port of
26 Boston consisting of one representatives from each of the following
27 organizations: Boston Pilots Association, the United States Coast
28 Guard, the Boston Shipping Association, the Metropolitan Dis-
29 trict Commission, the Mass. Bay Yacht Clubs Association, the Bay
30 State Boat Owners Association of Massachusetts, the Harbormas-
31 ter Association, the Executive Office of Environmental Affairs, the
32 United States Customs Office, the Mass. Port Authority, the Mari-
33 time Association of Greater Boston, the Boston Harbor Asso-
34 ciates, the Department of Public Safety and the Boston Police
35 Department.

36 The advisory committee shall recommend candidates for the
37 position of harbor master in accordance with Section 1 of this
38 Chapter. The advisory committee shall also advise the Governor
39 and Secretary of Environmental Affairs in the duties and responsi-
40 bilities of the harbor master and the proper performance thereof.
41 At least annually, the committee shall report to the Governor on
42 the status of the office of harbor master of the Port of Boston, and
43 may make such recommendations as may, in the opinion of the
44 committee, serve to improve the office of harbor master and the
45 Port of Boston. Said advisory committee shall serve without com-
46 pensation.

47 *Section 3.* The police officers of the Metropolitan Police force
48 assigned to the harbor patrol unit shall hold the position of assist-
49 ant harbor master, and shall have and exercise within the Port of
50 Boston all the authorities, powers and duties of the harbor master
51 as defined in Chapter 102. The harbor master of the Port of
52 Boston, as defined in section 1 of this chapter shall appoint other
53 assistant harbor masters for the Port of Boston whose primary
54 function shall be law enforcement and public safety provided they
55 possess the specialized training, experience, and equipment to
56 perform said functions. Any assistant harbor masters so appointed
57 shall be paid a sum equivalent to the grade or rank previously held
58 as a law enforcement officer.

59 *Section 4.* For the purposes of this act, the Port of Boston is
60 defined to be all of the tidewater lying westerly of the following
61 described line: Point Allerton to the northeasterly side of Green
62 Island, thence to the southerly point of Deer Island, thence to the
63 northeasterly corner of President Roads anchorage basin, thence

64 along the northerly side of said anchorage basin, thence along the
65 westerly end of said anchorage basin and a line in extension thereof
66 to the northerly line of the thirty-five-foot main ship channel,
67 thence along the northerly line of the main ship channel to the Bird
68 Island anchorage basin, thence along the easterly end and norther-
69 ly side of said Bird Island anchorage basin to an intersection of the
70 southeasterly side line of Jeffries street extended southwesterly,
71 thence northeasterly along said line extended and the southeasterly
72 side line of Jeffries street to Maverick street, excepting therefrom
73 all of the tidewater now or formerly in the cities of Somerville,
74 Cambridge and Boston bounded on the seaward side by a line
75 beginning at a point in the Charlestown section of the city of
76 Boston having co-ordinates $X = 718,435.88$ and $Y = 499,894.43$ on
77 the Massachusetts Co-ordinate System (Mainland Zone) as estab-
78 lished by chapter forty-seven of the acts of nineteen hundred and
79 forty-one, and extending thence, crossing the Charles river by a
80 line bearing south $27^{\circ} 5'07''$ east, parallel to and approximately
81 sixty feet easterly from the center line of the Charlestown bridge to
82 the northerly street line of Commercial street; thence following
83 said street line northeasterly, easterly and southeasterly to the
84 easterly street line of Atlantic avenue; thence following said line of
85 Atlantic avenue and an extension thereof southerly to a point on
86 the extension of a line parallel to the center line of the Northern
87 avenue bridge and approximately fifty feet distant southwesterly
88 therefrom; thence following said line parallel to the center line of
89 Northern avenue bridge south $61^{\circ} 23'02''$ east to the intersection of
90 said line and the harbor line of the westerly side of Fort Point
91 channel as established by section two of chapter one hundred and
92 seventy of the acts of eighteen hundred and eighty; thence south-
93 westerly by said harbor line to point I of the harbor line established
94 by section two of said chapter one hundred and seventy; thence
95 southwesterly by the harbor line by the arc of a circle having a
96 radius of three hundred and thirty-eight feet about one hundred
97 and fifty-seven to point H' as established by section one of chapter
98 two hundred and seventy-eight of the acts of nineteen hundred and
99 twenty-nine; thence by the harbor line to the left by the arc of a
100 circle having a radius of seven hundred and fifty feet to a point G',
101 and G' being the intersection of said arc and the harbor line as
102 established by section one of chapter two hundred and thirty-two
103 of the acts of eighteen hundred and seventy-three.