ATTACHMENT K

July 28, 2022

To the Honorable Senate and House of Representatives:

Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution of the Commonwealth of Massachusetts, I am returning to you for amendment Section 73 of House Bill No. 5050, “An Act Making Appropriations for the Fiscal Year 2023 for the Maintenance of the Departments, Boards, Commissions, Institutions and Certain Activities of the Commonwealth, for Interest, Sinking Fund and Serial Bond Requirements and for Certain Permanent Improvements.”

Section 73 proposes to add two new members to the Massachusetts Bay Transportation Authority (MBTA) board of directors that was established approximately one year ago. One member would be appointed by the Mayor of Boston and the other new member would be a municipal official from an MBTA community other than Boston.

I appreciate the desire of municipalities that rely on the MBTA to be involved in its management and, under the current structure, municipalities do have a seat on the board via the appointee from the MBTA’s Advisory Board. Nevertheless, Boston is the center of the MBTA as well as the largest city and economic hub in the Commonwealth, and I think there is great value in including Boston in the ongoing management of the MBTA.

As a result, I am proposing an amendment that would give the City of Boston a seat on the board consistent with both the existing parameters for board appointments, which require members to have specific qualifications, and the existing nomination process used for the AFL-CIO member. In addition, I propose that the second new member be qualified in the field of human resources and talent acquisition to ensure the board has that valuable expertise as the MBTA continues to work on its staffing needs.

Additionally, in adding new members, Section 73 as enacted by the Legislature fails to adjust the minimum quorum required. Thus, I am also proposing to increase the quorum requirement of the board to account for the two additional members.

For these reasons, I recommend that the bill be amended by striking out Section 73 and inserting in place thereof the following 2 sections:-

SECTION 73. Section 7 of chapter 161A of the General Laws, inserted by section 19 of chapter 29 of the acts of 2021, is hereby amended by striking out the first paragraph of subsection (a) and inserting in place thereof the following paragraph:-

(a) The authority shall be governed and its corporate powers exercised by a board of directors. The board shall consist of: the secretary, who shall serve ex officio; 1 person to be appointed by the advisory board who shall have municipal government experience in the service area constituting the authority and experience in transportation operations, transportation planning, housing policy, urban planning or public or private finance; and 7 persons to be appointed by the governor, 1 of whom shall have experience in safety, 1 of whom shall have experience in transportation operations, 1 of whom shall have experience in human resources management and talent acquisition, 1 of whom shall have experience in public or private finance, 1 of whom shall be a rider as defined in section 1 and a resident of an environmental justice population as defined in section 62 of chapter 30, 1 of whom shall be selected from a list of 3 persons with experience in transportation operations and who are employees of the city of Boston recommended by the mayor of the city of Boston and 1 of whom shall be selected from a list of 3 persons recommended by the president of the Massachusetts State Labor Council, AFL-CIO.

SECTION 73A. Subsection (d) of said section 7 of said chapter 161A, as so inserted, is hereby amended by striking out the word “Four” and inserting in place thereof the following word:- Five.

Respectfully submitted,

Charles D. Baker

Governor