

MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 1487

S. P. 562

In Senate, March 9, 1967

Referred to Committee on State Government. Sent down for concurrence and ordered printed.

JERROLD B. SPEERS, Secretary

Presented by Senator Snow of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

AN ACT Creating a Department of Transportation.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. Department of Transportation. There is established a Maine Department of Transportation to be headed by a commissioner, appointed by the Governor, who shall serve at the pleasure of the Governor. The commissioner shall receive a salary set by the Governor and Council. The commissioner shall be the executive head of the department and be responsible for coordinating the activities, plans and policies of the various bureaus; preparation and presentation of the department's budget; advising the Governor and Legislature on present and future transportation needs, and drafting legislation to implement in detail the provisions of this Act to be submitted to the regular session of the 104th Legislature, such legislation to provide for inclusion of appropriate nonregulatory functions now administered by the Public Utilities Commission.

Sec. 2. Deputy Commissioner. The commissioner shall appoint his deputy who shall serve at his pleasure and whose salary shall be set by the Governor and Council. The deputy shall be responsible for departmental administration.

Sec. 3. Bureaus. There is established within the department a Bureau of Marine Transportation, a Bureau of Air Transportation and a Bureau of Ground Transportation. Each bureau shall be headed by a bureau director who shall be appointed by the commissioner subject to the Personnel Law, Revised Statutes, Title 5, section 711, subsection 3.

Sec. 4. Bureau of Air Transportation. The Bureau of Air Transportation shall assume the duties and responsibilities of the Aeronautics Commission, as set forth in the Revised Statutes, Title 6, and in said Title 6 the word "commis-

sion" shall mean "Bureau of Air Transportation" and the word "director" shall mean "Director, Bureau of Air Transportation; Department of Transportation."

Sec. 5. Bureau of Marine Transportation. The Bureau of Marine Transportation shall assume the duties and responsibilities of the Maine Port Authority and administration of the Boating Facilities Fund. Henceforth, "Maine Port Authority" shall mean "Bureau of Marine Transportation; Department of Transportation."

Sec. 6. Bureau of Ground Transportation. The Bureau of Ground Transportation shall assume the duties and responsibilities of the Maine State Highway Commission as set forth in the Revised Statutes, Title 23. Wherever in said Title 23 the word "commission" or "department" appears it shall mean "Bureau of Ground Transportation; Department of Transportation."

Sec. 7. Advisory Council. There is established a Department of Transportation Advisory Council, to consist of 21 members, plus the Governor, the Commissioner of Transportation and the Commissioner of Economic Development all of whom shall serve ex officio, to be appointed by the Governor for terms of 3 years. The committee shall provide for its own internal organization, including 3 subcommittees: Air, Ground and Marine. Each subcommittee shall consist of no less than 3 and no more than 5 members. The Governor shall designate one member of the Advisory Council as chairman, and the chairman shall designate the chairmen of the subcommittees. Of the members first appointed, 7 shall be for a term of one year, 7 for a term of 2 years and 7 for a term of 3 years. No member shall be eligible to serve more than 2 consecutive terms. Three members of each modal subcommittee should represent different segments of the particular transportation field with the remaining members representing the general public. The council and each subcommittee shall meet as frequently as necessary but shall meet no less than twice a year or at the call of the chairman; or, in the case of the entire council, at the request of eight members; or, in the case of a subcommittee, at the call of at least 2 members.

The advisory council, with the commissioner, shall assume the advisory responsibilities now assigned to the Maine Transportation Commission, the Maine Port Authority, the Maine Aeronautics Commission and the Maine State Highway Commission; shall develop and refine plans for future coordination and building of Maine's transportation system with special attention to developing new modes or innovatory applications of transportation and integrating and promoting the present and future private modes of transportation within the State.

Secretarial assistance shall be provided by the department and the minutes of the meetings of the advisory council shall be recorded, reproduced and a copy made available to the members of the council.

Sec. 8. Existing law not modified. Nothing in this Act shall abrogate the power or ability of any present agency to make application for, to receive or administer federal or other money and all appropriations and allocations applicable to existing agencies whose duties are transferred by this Act shall be made available to the Department of Transportation to allocate to appropriate bureaus and offices consistent with existing law.

Sec. 9. Statement of legislative intent. On July 1, 1968, the membership of the present Maine Transportation Commission, the Maine Port Authority, the Maine Aeronautics Commission and the Maine State Highway Commission is ended.

Sec. 10. Transfer of funds. All funds appropriated or allocated by the 103rd Legislature for the fiscal year ending June 30, 1969 to the Maine Port Authority, the Maine Aeronautics Commission, the Maine State Highway Commission, and the Maine State Park and Recreation Commission, as it is responsible for the Boating Facilities Fund, shall be transferred to the Department of Transportation. Nothing in this Act shall be construed as allocating from the General Highway Fund money for any purposes other than are currently the responsibility of the Maine State Highway Commission and to be assumed by the Bureau of Ground Transportation.

Sec. 11. Appropriation. There is appropriated from the General Fund to the Department of Transportation the sum of \$52,040. Any balance shall not lapse until June 30, 1969.

Sec. 12. Effective date. Sections 1, 7, 8 and 11 shall take effect January 1, 1968. Sections 2, 3, 4, 5 and 6 shall take effect July 1, 1968.