MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1178

H.P. 847

House of Representatives, April 4, 1995

An Act Regarding Designation by the Commissioner of Transportation of a Deputy or Another Staff Member to Represent the Commissioner of Transportation at Maine Turnpike Authority Meetings.

Submitted by the Maine Turnpike Authority pursuant to Joint Rule 24. Reference to the Committee on Transportation suggested and ordered printed.

JOSEPH W. MAYO, Clerk

Presented by Representative CHARTRAND of Rockland. Cosponsored by Representatives: BOUFFARD of Lewiston, DAVIDSON of Brunswick, HEINO of Boothbay, LaFOUNTAIN of Biddeford, LEMKE of Westbrook, LIBBY of Buxton.

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

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Sec. 1. 23 MRSA $\S1965$, sub- $\S2$, \PA , as amended by PL 1987, c. 433, $\S1$, is further amended to read:

The authority shall--eensist consists of 4 members appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over transportation and subject to confirmation by the Legislature. The Commissioner of Transportation shall-be is a member ex officio. The Commissioner of Transportation may designate a deputy, director, assistant or other officer or employee of the department to represent the Commissioner of Transportation at meetings of the authority with full power to act and vote on behalf of the Commissioner of Transportation. Upon the expiration of the term of office of any member, the Governor shall appoint a new member who shall-serve serves in office for a term of 7 years and until his a successor is duly appointed and qualified, and any member of the authority shall---be <u>is</u> eliqible reappointment. In the event of a vacancy in the membership incapacity, the authority caused by the death, resignation or removal of a member, the Governor shall appoint a member to fill that vacancy only for the unexpired term of office of the member whose death, incapacity, resignation or removal created the vacancy, but the newly appointed member may be reappointed at the end of the unexpired term in accordance with this subsection. events, no a member may not be appointed to the authority who is not a resident of the State at the time of his the appointment and qualification, or who has not been a qualified voter in the State for a period of at least one year next preceding his the appointment.

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STATEMENT OF FACT

This bill makes clear that the authority of the Commissioner of Transportation, under the Maine Revised Statutes, Title 23, section 4206, subsection 7, to delegate powers and duties to deputies, directors, assistants and other officers or employees of the Department of Transportation and includes the powers and duties of the Commissioner of Transportation as a member of the Maine Turnpike Authority.