

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1429

H.P. 1018

House of Representatives, February 23, 1999

An Act to Add Members to the Maine Turnpike Authority.

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative LEMOINE of Old Orchard Beach.
Cosponsored by Senator PENDLETON of Cumberland and
Representatives: COLWELL of Gardiner, KANE of Saco, MAILHOT of Lewiston,
McALEVEY of Waterboro, O'NEIL of Saco, SULLIVAN of Biddeford, Senators:
LaFOUNTAIN of York, RAND of Cumberland.

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

2
4 **Sec. 1. 23 MRSA §1965, sub-§2, ¶A**, as amended by PL 1995, c. 108, §1, is further amended to read:

6 A. The authority consists of ~~4~~ 8 members. Four members
8 are appointed by the Governor; 2 members are appointed by
10 the President of the Senate, one of whom must represent
12 Maine residents who regularly use the Maine Turnpike; and 2
14 members are appointed by the Speaker of the House, one of
16 whom must represent Maine residents who regularly use the
18 Maine Turnpike. The members are subject to review by the
20 joint standing committee of the Legislature having
22 jurisdiction over transportation and subject to confirmation
24 by the Legislature. The Commissioner of Transportation is a
26 member and the Public Advocate are ex officio members of the
28 authority. The Commissioner of Transportation and the
30 Public Advocate may designate a deputy, director, assistant
32 or other officer or employee of the department each appoint
34 a designee to represent the Commissioner of Transportation
36 and the Public Advocate at meetings of the authority with
38 full power to act and vote on behalf of the Commissioner of
40 Transportation and the Public Advocate. Upon the expiration
42 of the term of office of any member, the Governor appointing
44 authority responsible for making the appointment shall
46 appoint a new member who serves in office for a term of 7 3
48 years and until a successor is duly appointed and qualified,
50 and any member of the authority is. Members are eligible for
reappointment. In the event of a vacancy in the membership
of the authority caused by the death, incapacity,
resignation or removal of a member, the Governor appointing
authority 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. In
all events, a member may not be appointed to the authority
who is not a resident of the State at the time of 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 the appointment.

44 **Sec. 2. 23 MRSA §1965, sub-§2, ¶B**, as enacted to by PL 1981, c. 595, §3, is amended to read:

46 B. Immediately after their appointments, the members of the
48 authority shall enter upon their duties. The Governor shall
50 name one of the appointed members as ~~chairman~~ chair of the
authority. The authority shall elect a secretary and
treasurer who need not be a member of the authority, and

2 shall elect an executive director or general manager who is
3 not a member of the authority. ~~Three~~ Five members of the
4 authority shall constitute a quorum and ~~3~~ 5 votes shall-be
5 are required for the authority to act on any matter,
6 although a lesser number may adjourn. No vacancy in the
7 authority impairs the right of a quorum of the members to
8 exercise all the rights and perform all the duties of the
9 authority.

10 **Sec. 3. Initial appointments.** Of the 4 initial appointments to
11 the Maine Turnpike Authority made by the Speaker of the House and
12 the President of the Senate under the Maine Revised Statutes,
13 Title 23, section 1965, subsection 2, paragraph A, one member
14 appointed by the President of the Senate and one member appointed
15 by the Speaker of the House serve initial terms of 2 years. The
16 2 other new members serve initial terms of 3 years.

18

SUMMARY

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21 This bill increases the membership of the Maine Turnpike
22 Authority to include 2 members appointed by the President of the
23 Senate and 2 members appointed by the Speaker of the House. It
24 also makes the Public Advocate an ex officio member and increases
25 the number of members that constitutes a quorum from 3 members to
26 5 members.