

MAINE STATE LEGISLATURE

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Date: 04-27-07

(Filing No. S- 68)

AMS

TRANSPORTATION

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STATE OF MAINE

SENATE

123RD LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 435, L.D. 1249, Bill, "An Act To Amend the Composition of the Maine Port Authority"

Amend the bill by inserting after section 1 the following:

'Sec. 2. 5 MRSA §12004-F, sub-§8, as enacted by PL 1987, c. 786, §5, is amended to read:

8.

Maine Port Authority \$25/Day 23 MRSA §4420
\$100/Meeting Plus
Expenses

Sec. 3. 5 MRSA §17001, sub-§40, as amended by PL 2005, c. 279, §3, is further amended to read:

40. State employee. "State employee" means any regular classified or unclassified officer or employee in a department, any employee of the Maine Community College System except those who make the election provided under Title 20-A, section 12722, any employee of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf except as provided in Title 20-A, section 7407, subsection 3-A, any employee of the Maine Military Authority, any employee of the Northern New England Passenger Rail Authority, any employee of the Maine Port Authority and any employee transferred from the Division of Higher Education Services to the Finance Authority of Maine who elects to be treated as a state employee, but does not include:

A. A judge, as defined in Title 4, section 1201 or 1301, who is now or later may be entitled to retirement benefits under Title 4, chapter 27 or 29;

B. A member of the State Police who is now entitled to retirement benefits under Title 25, chapter 195; or

COMMITTEE AMENDMENT

R. of S.

COMMITTEE AMENDMENT "A" to S.P. 435, L.D. 1249

1 C. A Legislator who is now or later may be entitled to retirement benefits under Title
2 3, chapter 29.'

3 Amend the bill in section 2 in §4421 by striking out all of the first paragraph and
4 inserting in its place the following:

5 'The Maine Port Authority consists of a board of directors, referred to in this section
6 as "the board." The board consists of 7 directors who must be broadly representative of
7 the State and must have a background in international trade, marine transportation,
8 finance or economic development. Five directors are appointed by the Governor, each to
9 serve for 4 years. The Commissioner of Transportation serves as an ex officio member of
10 the board and as chair of the board and president. The president of the Maine
11 International Trade Center serves as an ex officio member of the board. The directors
12 shall elect a vice-chair, treasurer and other officers as the board determines necessary. A
13 vacancy must be filled for an unexpired term by the Governor.'

14 Amend the bill in section 2 in §4421 in subsection 1 in the 4th line (page 1, line 19 in
15 L.D.) by inserting after the following: "Each director" the following: 'other than those
16 who serve ex officio.'

17 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
18 section number to read consecutively.

19 **SUMMARY**

20 This amendment makes the following changes to the bill.

21 1. The bill provides for the appointment of 6 directors to the Maine Port Authority by
22 the Governor. The amendment reduces this to 5 appointments so that the total number of
23 directors, including the Commissioner of Transportation and the president of the Maine
24 International Trade Center, is 7 members.

25 2. The amendment changes a reference in the Maine Revised Statutes, Title 5,
26 section 12004-F, subsection 8 to the compensation of the directors of the Maine Port
27 Authority to make it consistent with the change to compensation made by the bill. The
28 amendment also clarifies that the Commissioner of Transportation and the president of
29 the Maine International Trade Center are not entitled to this compensation.

30 3. The bill provides that employees of the Maine Port Authority are subject to the
31 state retirement system. The amendment adds these employees to the definition of "state
32 employee" in the retirement system laws to clarify that they are included under the
33 retirement system.

34 **FISCAL NOTE REQUIRED**

35 (See attached)

COMMITTEE AMENDMENT



123rd MAINE LEGISLATURE

LD 1249

LR 612(02)

An Act To Amend the Composition of the Maine Port Authority

Fiscal Note for Bill as Amended by Committee Amendment "A " *5-68*

Committee: Transportation

Fiscal Note Required: Yes

Fiscal Note

Current biennium cost increase - Maine Port Authority

Minor cost increase - General Fund

Fiscal Detail and Notes

Including employees of the Maine Port Authority in the state employee health insurance program will result in increased costs to the authority to cover the employer costs of participating in the program; the amounts will depend on the number of persons employed by the authority at any one time and can not be determined at this time. In addition, increasing the number of members of the authority's board of directors will increase authority expenses by relatively minor amounts.

Because this legislation requires the Maine Port Authority, as an independent agency, to make the employer contributions for their employees to the Maine State Retirement System, there is no fiscal impact to the System.

Additional costs to the Maine International Trade Center associated with serving on the Maine Port Authority's board of directors can be absorbed within existing budgeted resources.