

# MAINE STATE LEGISLATURE

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SMG  
R. 005

Date: 6-7-11

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STATE OF MAINE  
SENATE  
125TH LEGISLATURE  
FIRST REGULAR SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1130, L.D. 1538, Bill, "An Act To Amend the Laws Governing the Maine Turnpike Authority and To Implement Certain Recommendations of the Government Oversight Committee in the Office of Program Evaluation and Government Accountability Report Concerning the Maine Turnpike Authority"

Amend the amendment by inserting after the title the following:

'Amend the bill by inserting after the title and before the enacting clause the following:

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** this legislation makes adjustments to the management and operations of the Maine Turnpike Authority; and

**Whereas,** it is necessary that these changes be implemented as soon as possible to allow the Maine Turnpike Authority to correct prior deficiencies; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

Amend the amendment on page 5 by striking out all of the 2nd and 3rd indented paragraphs from the end (page 5, lines 17 to 20 in amendment) and inserting the following:

'Amend the bill by striking out all of section 17 and inserting the following:

**Sec. 17. Transition; staggered terms; board of directors of the Maine Turnpike Authority.** A member of the Maine Turnpike Authority appointed pursuant to the former Maine Revised Statutes, Title 23, section 1965, subsection 2:

1. Is subject to the 6-year term imposed pursuant to Title 23, section 1964-A, subsection 2;

**SENATE AMENDMENT**

R. of S.

1 2. Notwithstanding the requirement in Title 23, section 1964-A, subsection 2 that  
2 terms expire on March 31st, serves until one year prior to the end of that member's  
3 current term; and

4 3. Continues as a member of the board of directors of the Maine Turnpike Authority  
5 until the end of the 6-year term specified in subsections 1 and 2 or until the position  
6 becomes vacant due to resignation, death, incapacity or removal of that member,  
7 whichever comes first.


8 As each position becomes vacant, the Governor shall appoint or reappoint a member  
9 to a new term of 6 years or less in such fashion as to complete a rotation that will, as soon  
10 as possible, yield terms that are staggered to comply with Title 23, section 1964-A,  
11 subsections 1 and 2.'

12 Amend the bill by adding after section 18 the following:

13 **'Emergency clause.** In view of the emergency cited in the preamble, this  
14 legislation takes effect when approved.'

15 **SUMMARY**

16 This amendment adds an emergency preamble and emergency clause to the bill and  
17 amends the transition section for members of the board of directors of the Maine  
18 Turnpike Authority to specify that the 6-year term limit, as changed by Committee  
19 Amendment "A," applies to the current members of the board.

20 **SPONSORED BY:**   
21 (Senator COLLINS)

22 **COUNTY: York**