

# MAINE STATE LEGISLATURE

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HOUSE AMENDMENT A TO HOUSE DOCUMENT 827.

HOUSE PAPER 1738

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**EIGHTY-FOURTH LEGISLATURE**

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**House Document**

**No. 829**

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H. P. 1738      House of Representatives, April 11, 1929.

Read and on motion of Mr. Quint tabled pending adoption.

3 P. M. today assigned.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Quint of Limerick.

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**STATE OF MAINE**

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**IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND TWENTY-NINE**

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House paper number seventeen hundred and twenty-eight  
2 is hereby amended by striking out all after the enacting  
3 clause and substituting therefor the following:

“Section 1. Section three of chapter twenty-five of the  
2 revised statutes is hereby amended by striking out the whole  
3 of said section and inserting in lieu thereof to read as fol-  
4 lows:

‘Sect. 3. The state highway commission as heretofore  
2 established shall consist of seven members, one from each  
3 councilor district, to be elected by the legislature at the  
4 same time and in the same manner as councilors are elected,

5 two to serve for two years, two to serve for four years  
6 and three to serve for six years; and thereafter, as the  
7 terms expire each member shall be elected to serve for a  
8 term of six years. The first term of office for the mem-  
9 ber from each councilor district shall be determined by the  
10 secretary of state, by drawing by lot, in the presence of  
11 the governor and council. In case of vacancies occurring  
12 between legislative sessions, the governor with the advice  
13 and consent of the council, shall appoint a member from  
14 the same councilor district to serve until his successor is  
15 chosen by the next incoming legislature, to fill the unex-  
16 pired term in which the vacancy occurred. Said commis-  
17 sion when elected and qualified under this act shall succeed  
18 to all the rights and powers, and perform all the duties, of  
19 the present state highway commission, which is hereby abol-  
20 ished. The commission shall have sole charge of the prop-  
21 erty, interests, business, and transactions of the highway  
22 department, with sole power and authority to manage and  
23 conduct the same. The commission shall annually choose  
24 a chairman from its members, and in case of a failure to  
25 make such choice, the governor shall appoint the chairman.  
26 The attorney-general shall be attorney for the commission  
27 and shall without additional compensation give such advice  
28 and service as it may from time to time require. The com-  
29 mission shall adopt and have a seal, and keep a record of  
30 all its proceedings, which shall be open to public inspection  
31 during business hours.

The commission shall be furnished with suitable offices  
2 at the seat of government, and shall perform all the duties  
3 and may exercise all the powers expressly or impliedly  
4 given by this chapter, and by the act entitled "An Act rela-  
5 tive to motor vehicles and the law of the road, and to re-  
6 vise and amend chapter twenty-six of the revised statutes  
7 and amendments thereof and additional thereto." The mem-  
8 bers of this commission shall meet in executive session at  
9 the seat of government on the second Tuesday and Wednes-  
10 day of each month, and shall meet at other times and places,  
11 as shall be designated from time to time, by the chairman  
12 and by the executive manager. No member of this com-  
13 mission shall have any official or professional connection  
14 with, or hold any stock or securities in any road-building  
15 or bridge-building firm or corporation engaged in work in  
16 the state of Maine, nor shall he supply to the state any  
17 labor or material for construction, maintenance or repair  
18 work upon ways and bridges in which the state is engaged,  
19 nor shall he render any professional service for or against  
20 any firm, person or corporation engaged in such work, nor  
21 shall he be a member of any firm which shall render any  
22 such service. No member of said commission shall serve  
23 on or under any committee of any political party.

The commission shall make an annual report to the gov-  
2 ernor and council of its doings and expenditures, and also  
3 make a report to each regular session of the legislature for  
4 the preceding two years, with such statement relative to

5 the construction and maintenance of public highways and  
6 bridges and such recommendations as to the general policy  
7 of the state relative thereto as it considers appropriate. The  
8 report shall be transmitted to the secretary of the state on  
9 or before the thirty-first day of December of each year.  
10 The commission shall have full power to enforce all con-  
11 tracts made by the present highway commission, both at  
12 law and in equity.'

"Sect. 2. Section four of chapter twenty-five of the re-  
2 vised statutes is hereby amended by striking out the whole  
3 of said section and inserting in lieu thereof, the following:

'Sect. 4. The commission shall select and appoint as ex-  
2 ecutive manager a person who has had at least fifteen years'  
3 experience as a business executive and who has a thorough  
4 knowledge of highway construction and maintenance. Said  
5 executive manager shall hold office during the pleasure of  
6 the commission, and may be removed from office by a two-  
7 thirds vote of all members of the commission.

The executive manager shall, under the supervision of the  
2 state highway commission, have charge of and manage the  
3 active business operations of the state highway department.  
4 He shall perform such further duties and make such re-  
5 ports as may be required of him by the commission, and  
6 shall receive such salary, not exceeding twelve thousand  
7 dollars per annum, as may be fixed by the commission.

He may, with the approval of the commission, employ such  
2 engineers, supervisors, assistants and help as he may deem

3 necessary in the administration and execution of this chap-  
4 ter. All salaries and expenses contemplated by this section  
5 shall be paid from the fund for maintenance and adminis-  
6 tration.'

"Sect. 3. The compensation for each member of the high-  
2 way commission for the performance of his duties as out-  
3 lined in this act shall be the sum of two thousand dollars  
4 per year and expenses."