

MAINE STATE LEGISLATURE

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N I N E T Y - F O U R T H L E G I S L A T U R E

Legislative Document

No. 318

H. P. 833

House of Representatives, February 3, 1949

Referred to the Committee on Judiciary, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Palmer of Nobleboro.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

AN ACT Creating a State Highway Commissioner and Advisory Council.

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

Sec. 1. R. S., c. 20, § 1, amended. Section 1 of chapter 20 of the revised statutes is hereby amended to read as follows:

Sec. 1. Objectives of chapter. The objectives of this chapter are to establish a state highway ~~commission~~ **department**; to provide for an interlocking system of state highways; to furnish state aid for important county and town highways and bridges; to provide for the continuous maintenance of all highways and bridges to the improvement of which the state has contributed or shall hereafter contribute unless otherwise provided by law; to provide for the equitable distribution of the proceeds of state bonds issued for the construction of highways and bridges; and to cooperate with the federal government in the construction of highways and bridges.

Sec. 2. R. S., c. 20, § 2-A, additional. Chapter 20 of the revised statutes is hereby amended by adding thereto a new section to be numbered 2-A, to read as follows:

Sec. 2-A. State highway commissioner; appointment; tenure; attorney-general to be attorney for commissioner; annual reports. The head of the state highway department shall be the state highway commissioner, herein-

after in this chapter called the "commissioner", who shall be appointed by the governor with the advice and consent of the council to serve for 6 years. Any vacancy shall be filled by appointment as above for a like term. He shall receive an annual salary of \$12,000.

The commissioner shall be an engineer trained in the administration and supervision of highway programs. The attorney-general shall be attorney for the commissioner and shall, without additional compensation, give the commissioner such advice and service as he may from time to time require. The commissioner shall be furnished with suitable offices at the seat of government. He shall make an annual report for the fiscal year ending June 30, to the governor and council, of his doings and the expenditures of his office, with such statement relative to the construction and maintenance of public highways and such recommendations as to the general policy of the state relative thereto as he considers appropriate.

Sec. 3. R. S., c. 20, § 3, amended. Section 3 of chapter 20 of the revised statutes is hereby amended to read as follows:

Sec. 3. Appointment of advisory council; tenure; choice of chairman; compensation. ~~The state highway commission, as heretofore established.~~ There is hereby established a state highway advisory council which shall consist of 3 members, one of whom shall be a member of the political party which cast the second highest number of votes in the last gubernatorial election, appointed by the governor with the advice and consent of the council from time to time upon the expiration of the terms of office of the members, for terms of 3 years. Each member of the state highway ~~commission~~ advisory council shall ~~receive an annual salary of \$3,500; be compensated at the rate of \$10 per day while in the performance of their duties; and they shall also receive their actual expenses incurred in the performance of their official duties while away from their homes.~~ Vacancies occurring during a term shall be filled for the unexpired term. The commission shall choose a chairman from its members every year, and in case of failure to make such choice, the governor shall appoint the chairman. ~~The attorney-general shall be attorney for the commission and shall, without additional compensation, give the commission such advice and service as it may from time to time require. The commission shall be furnished with suitable offices at the seat of government. It shall make an annual report for the fiscal year ending June 30, to the governor and council, of its doings and the expenditures of its office, with such statement relative to the construction and maintenance of public highways and such recommendations as to the general policy of the state relative thereto as it considers appropriate.~~

It shall be the duty of the council to advise and assist the commissioner in the performance of his duties under the provisions of this chapter.

The first advisory council under the provisions of this chapter shall be composed of the present members of the state highway commission.'

Sec. 4. Amendatory clause. Wherever in chapter 20 of the revised statutes and amendments thereto the word "commission" appears, it shall mean 'commissioner'.