

# HOUSE . . . . . No. 4075

By Mr. Nickinello of Natick, petition of Louis R. Nickinello relative to the structure of the Massachusetts Port Authority. State Administration.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Nine.

AN ACT RELATIVE TO THE STRUCTURE OF THE MASSACHUSETTS PORT AUTHORITY.

*Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same, as follows:*

1 SECTION 1. Section 2 of chapter 465 of the acts of 1956 is  
2 hereby amended by striking out the second and third paragraphs  
3 and inserting in place thereof the following:—

4 “The authority shall consist of five members, all of whom shall  
5 be appointed by the governor and shall be residents of the com-  
6 monwealth. Not more than three of such members shall be of the  
7 same political party. Such members shall always include persons  
8 with experience in the fields of engineering, finance and commerce,  
9 and shall also include a bona fide representative of a national or  
10 international labor organization which shall have the nature of its  
11 interests and employment directly and continually related to the  
12 scope of the activity of the authority. The terms of the two  
13 members of the authority appointed on June thirtieth, nineteen  
14 hundred and seventy-two and June thirtieth, nineteen hundred and  
15 seventy-three, respectively, shall expire as of the effective date of  
16 this act and no successors shall be appointed. The terms of the two  
17 members most recently appointed to succeed members whose  
18 terms expired on June thirtieth, nineteen hundred and seventy-  
19 seven and June thirtieth, nineteen hundred and seventy-eight,  
20 respectively, shall expire as of the effective date of this act, and the  
21 governor shall reappoint such members or shall appoint their

22 successors for a term to expire on December 31, 1982. Thereafter,  
23 the successors of such two members shall be appointed by the  
24 governor for a term to be coterminous with that of the governor.  
25 The terms of the remaining three members in office as of the  
26 effective date of this act shall be reduced from seven to five years  
27 and shall expire on June thirtieth, nineteen hundred and seventy-  
28 nine, June thirtieth, nineteen hundred and eighty, and June thir-  
29 tieth, nineteen hundred and eighty-one, respectively. The successor  
30 of each such remaining member shall be appointed for a term of  
31 five years and until his successor shall be duly appointed and  
32 qualified, except that any person appointed to fill a vacancy shall  
33 serve only for the unexpired term. Any member of the authority  
34 shall be eligible for reappointment. Each member of the authority  
35 may be removed by the governor for misfeasance, malfeasance or  
36 willful neglect of duty but only after reasonable notice and a public  
37 hearing unless the same are in writing expressly waived. Each  
38 member of the authority before entering upon his duties shall take  
39 an oath before the governor to administer the duties of his office  
40 faithfully and impartially, and a record of such oaths shall be filed  
41 in the office of the secretary of the commonwealth.

42 The governor shall designate one of the members as chairman of  
43 the authority who shall serve as such chairman for such period as  
44 the governor may determine. The governor shall also appoint, with  
45 the approval of the majority of the members of the authority, an  
46 executive director to serve until removed by the governor, with the  
47 approval of a majority of members of the authority, who shall be  
48 the chief executive and administrative officer of the authority and  
49 responsible for administering and enforcing the affairs and respon-  
50 sibilities of the authority and each administrative unit thereof,  
51 subject at all times to the direction, control and supervision of the  
52 members of the authority. Such executive director shall be  
53 appointed with due regard to his fitness by reason of business,  
54 management and administrative experience, shall receive a salary  
55 of \$45,000 per annum, shall devote his full time to the duties of his  
56 office, and shall attend all meetings of the authority. He shall give  
57 the state treasurer a bond for the faithful performance of his  
58 official duties in such penal sum and with such sureties as may be

59 approved by the governor. The authority shall annually elect one  
60 of its members as vice-chairman and shall also elect a secretary-  
61 treasurer who need not be a member of the authority.”

1 SECTION 2. Section 2 of said chapter 465 is hereby further  
2 amended by eliminating the word “four” in the first and second  
3 sentences of the fifth paragraph and substituting in place thereof  
4 the word “three”.

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