

By Mr. Brett of Boston, petition of James T. Brett relative to the membership of the Port Authority. Transportation.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Ninety-Five.

AN ACT RELATIVE TO 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. Chapter 465 of the Acts of 1956 is hereby  
2 amended by striking out section 2 and inserting in place thereof  
3 the following section: —

4 Section 2. There is hereby created and placed in the department  
5 of public works, a body politic and corporate to be known as the  
6 Massachusetts Port Authority, which shall not be subject to the  
7 supervision or regulation of the department of public works or of  
8 any department, commission, board, bureau or agency of the com-  
9 monwealth except to the extent and in the manner provided in this  
10 act. The Authority is hereby constituted a public instrumentality  
11 and the exercise by the Authority of the powers conferred by this  
12 act shall be deemed and held to be the performance of an essential  
13 governmental function.

14 The Authority shall consist of nine members, seven of whom  
15 shall be appointed by the governor and two of whom shall be  
16 appointed by the mayor of the city of Boston, and all shall be resi-  
17 dents of the commonwealth. Not more than five of such members  
18 shall be of the same political party, and shall include persons with  
19 extensive experience in the fields of engineering, finance and  
20 commerce and shall include a bona fide representative of a  
21 national or international labor organization, free of communist  
22 influence or domination which organization shall have the nature  
23 of its interests and employment directly and continually related to  
24 the scope of the activity of the Authority. The members of the  
25 Authority first appointed shall continue in office for terms

26 expiring on June thirtieth, nineteen hundred and sixty, June thir-  
27 tieth, nineteen hundred and sixty-one, June thirtieth, nineteen hun-  
28 dred and sixty-two, June thirtieth, nineteen hundred and  
29 sixty-three, June thirtieth, nineteen hundred and sixty-four, June  
30 thirtieth, nineteen hundred and sixty-five, June thirtieth, nineteen  
31 hundred and sixty-six, June thirtieth, two thousand and June thir-  
32 tieth, two thousand and one, respectively, the term of each such  
33 member to be designated by his appointing authority and to con-  
34 tinue until his successor shall be duly appointed and qualified.  
35 The successor of each such member shall be appointed for a term  
36 of seven years and until his successor shall be duly appointed and  
37 qualified, except that any person appointed to fill a vacancy shall  
38 serve only for the unexpired term. Any member of the Authority  
39 shall be eligible for reappointment. Each member of the Authority  
40 may be removed by his appointing authority, for misfeasance,  
41 malfeasance or willful neglect of duty but only after reasonable  
42 notice and a public hearing unless the same are in writing  
43 expressly waived. Each member of the Authority before entering  
44 upon his duties shall take an oath before the governor to admin-  
45 ister the duties of his office faithfully and impartially, and a record  
46 of such oaths shall be filed in the office of the secretary of the  
47 commonwealth.

48 The governor shall designate one of the members as chairman  
49 of the Authority who shall serve as such chairman during his term  
50 of office as a member. Upon the expiration of the term of office of  
51 any such chairman, the governor shall designate one of the mem-  
52 bers as chairman, who shall serve as such chairman during his  
53 term or the remainder of his term of office as a member. The  
54 Authority shall annually elect one of its members as vice  
55 chairman and shall also elect a secretary-treasurer who need not  
56 be a member of the Authority.

57 The secretary-treasurer shall keep a record of the proceedings  
58 of the Authority and shall be custodian of all books, documents  
59 and papers. filed with the Authority and of the minute book or  
60 journal of the Authority and of its official seal. He shall have  
61 authority to cause copies to be made of all minutes and other  
62 records and documents of the Authority and to give certificates  
63 under the official seal of the Authority to the effect that such

64 copies are true copies, and all persons dealing with the Authority  
65 may rely upon such certificates.

66 Five members of the Authority shall constitute a quorum and  
67 the affirmative vote of five members shall be necessary for any  
68 action taken by the Authority. No vacancy in the membership of  
69 the Authority shall impair the right of a quorum to exercise all the  
70 rights and perform all the duties of the Authority.

71 Before the issuance of any revenue bonds under the provisions  
72 of this act the secretary-treasurer of the Authority shall execute a  
73 surety bond in the penal sum of one hundred thousand dollars,  
74 such surety bond to be conditioned upon the faithful performance  
75 of the duties of his office, to be executed by a surety company  
76 authorized to transact business in the commonwealth as surety and  
77 to be approved by the attorney general and filed in the office of  
78 the secretary of the commonwealth.

79 The members of the Authority shall serve without compensa-  
80 tion, but each member shall be reimbursed for all necessary travel  
81 and other expenses incurred by him in the discharge of his official  
82 duties.

1 SECTION 2. This act shall take effect upon its passage.

