

# HOUSE . . . . . No. 5432

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

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## The Commonwealth of Massachusetts

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

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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  
5 department of public works, a body politic and corporate to be  
6 known as the Massachusetts Port Authority, which shall not be  
7 subject to the supervision or regulation of the department of  
8 public works or of any department, commission, board, bureau  
9 or agency of the commonwealth except to the extent and in the  
10 manner provided in this act. The Authority is hereby constituted  
11 a public instrumentality and the exercise by the Authority of the  
12 powers conferred by this act shall be deemed and held to be the  
13 performance of an essential 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  
17 residents of the commonwealth. Not more than five of such  
18 members shall be of the same political party, and shall include  
19 persons with extensive experience in the fields of engineering,  
20 finance and commerce and shall include a bona fide representative  
21 of a national or international labor organization, free of  
22 communist influence or domination which organization shall have  
23 the nature of its interests and employment directly and continually  
24 related to the scope of the activity of the Authority. The members  
25 of the Authority first appointed shall continue in office for terms  
26 expiring on June thirtieth, nineteen hundred and sixty, June

27 thirtieth, nineteen hundred and sixty-one, June thirtieth, nineteen  
28 hundred 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  
32 thirtieth, two thousand and one, respectively, the term of each  
33 such member to be designated by his appointing authority and  
34 to continue until his successor shall be duly appointed and  
35 qualified. The successor of each such member shall be appointed  
36 for a term of seven years and until his successor shall be duly  
37 appointed and qualified, except that any person appointed to fill  
38 a vacancy shall serve only for the unexpired term. Any member  
39 of the Authority shall be eligible for reappointment. Each member  
40 of the Authority may be removed by his appointing authority, for  
41 misfeasance, malfeasance or willful neglect of duty but only after  
42 reasonable notice and a public hearing unless the same are in  
43 writing expressly waived. Each member of the Authority before  
44 entering upon his duties shall take an oath before the governor  
45 to administer the duties of his office faithfully and impartially,  
46 and a record of such oaths shall be filed in the office of the  
47 secretary of the 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  
51 of any such chairman, the governor shall designate one of the  
52 members as chairman, who shall serve as such chairman during  
53 his term or the remainder of his term of office as a member. The  
54 Authority shall annually elect one of its members as vice chairman  
55 and shall also elect a secretary-treasurer who need not be a  
56 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  
70 the 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  
73 a 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  
77 and to be approved by the attorney general and filed in the office  
78 of 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.

