

MAINE STATE FERRY SERVICE (MSFS) ADVISORY BOARD
BY-LAWS
(adopted June 27, 2019)

ARTICLE I. GENERAL PROVISIONS

Section 1. Establishment

As provided in 23 M.R.S.A. § 4301, the Maine State Ferry Advisory Board (FSAB) is established within the Maine Department of Transportation (DOT).

Section 2. Mission

The Advisory Board is committed to ensuring the Ferry Service provides safe, dependable efficient and equitable transportation to all customers. The Board shall advise the DOT on matters relating to the MSFS, shall submit relative comments and recommendations to its Commissioner, and shall ensure effective communication between the MSFS and the island communities it serves.

Section 3. Reporting

The Board shall, in June of each year, make an annual report to the Commissioner of its activities, of the present and future needs of the service and of recommendations for change. A draft of that report shall be made available, for review and input, to Board members at the last regular meeting preceding June.

As provided in 5 M.R.S.A. § 12005-A, and as agreed to at the regular May 2, 2019 meeting of the Board, the MSFS Manager is appointed Clerk and is responsible for submitting an annual report to the Secretary of State in a manner provided by this statute no later than December 31 of each year.

Section 4. Authority

The Board, in consultation with the Commissioner, shall name ferry terminals and ferries constructed for and maintained by the DOT to operate as part of the MSFS.

ARTICLE II. MEMBERSHIP

Section 1. Inclusion

The voting membership of the Board shall consist of one person from each of the island municipalities served by the MSFS (6 as of 2019) and three members representing the three mainland communities from which the Service operates. Every effort shall be made to ensure a full contingent of Board Members at all times. The three mainland members shall be appointed by the Commissioner. The members representing the islands shall be appointed by the officers or Selectmen of the member's municipality or by the Assessors of the member's plantations and all members shall serve a term of office of two years. The term shall commence per the municipality's appointment letter date. A majority vote of five members is required for removal from office. Removal will be for a stated cause, that cause reflected in the minutes.

An alternate member, who shall serve in a regular member's absence, shall be appointed for each municipality in the same manner as the original member appointment.

Vacancies shall be filled in the same manner as original appointments

Section 2. Compensation/Transportation

Members of the Board will serve without compensation but may be reimbursed, upon approval of the Commissioner, for actual expenses incurred in the performance of their duties.

The DOT shall provide free MSFS transportation for Board Members and alternates on the days which the Board holds its duly called meetings. Such transportation shall be on a regularly scheduled trip, shall include both the automobile and driver (for meetings held at the Rockland Terminal, the Vinalhaven and North Haven members & alternates shall be provided with walk on tickets only), and shall be round-trip between the mainland and the island of residence of the Board Member or alternate and shall include the reservation fee.

ARTICLE III. OFFICERS AND DUTIES

The officers of the Board shall be the Chair and Vice Chair, each chosen during the first regularly scheduled meeting of each calendar year. Officer vacancies shall be filled as necessary, by a majority of members present at a regularly scheduled meeting.

Section 1. Chair

The Chair shall perform all duties required by these by-laws, preside at all meetings of the Board, ensure adherence to the agenda, rule on issues of procedure and take such other actions as are necessary for the efficient and orderly conduct of the meeting.

Section 2. Vice Chair

The Vice Chair shall serve as Chair in the Chair's absence.

Section 3. Secretary

The Secretary shall be a volunteer from within the membership or an individual retained by the DOT, as provided by 23 M.R.S.A., Chapt. 411, § 4305 to serve in this capacity. The Secretary shall keep minutes of all Board proceedings, showing those in attendance; motions, votes and abstentions; and clearly summarizing relative discussion and debate, and shall make those minutes available to members of the Board within one week of said meeting.

ARTICLE IV. MEETINGS

Section 1. Regular Meetings

Regular meetings of the Board shall be held at least bi-monthly and at a public place previously designated by the board. The MSFS Manager will ensure that the proposed agenda is provided to each member and conspicuously posted in all ferry terminals one week before the scheduled meeting.

Section 2. Special Meetings

Special Meetings of the Board may be called by the Chair, or at the call of at least three Board members, provided actual notice and notice of the business to be transacted is provided to every member.

Section 3. Order of Business

At regular meetings of the Board, the following shall generally be the order of business.

Roll Call
Introduction of Visitors
Approval of the minutes of the previous meeting
Communications
Reports of the Board
Reports of the Ferry Service
Vessel Status Report
Island specific issues.
Old Business
New Business
Adjournment

Section 4. Quorum

A majority of the members of the Board (5) shall constitute a quorum.

Section 5. Board Decisions

The vote of a majority of the members present at a meeting shall be the vote of the Board, unless the decision is a final vote on a) funding issues/finances/rate structure, or b) a final vote on individual route and schedule issues. A full quorum must be present at a meeting to act for the Board in these two matters.

Section 6. Public Input

Any member of the public wishing to comment on any agenda item will be given the opportunity to do so. The Chair, at its discretion, may move a given agenda item up in the order of business to accommodate speakers and may impose a time limit.

ARTICLE V. AMENDMENTS

These by-laws may only be amended at a regular meeting of the Board, which has been properly called and due notice given. The vote shall be by a majority of the members.

ARTICLE VI. RULES OF ORDERS

The rules contained in the current edition of Roberts Rules of Order Newly Revised shall govern all meetings and all committees thereof to the extent that they are not inconsistent with these by-laws or with any special rule of order that the Board may from time to time adopt. These by-laws shall not prevent the suspension of such rules of order as may from time to time be determined necessary.