
STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS

EXECUTIVE ORDER: 06-10

FOR: INDIANA TOLL ROAD OVERSIGHT BOARD

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETINGS.

WHEREAS, House Enrolled Act 1008 authorized the Indiana Finance Authority (IFA) to enter into a lease agreement with a private entity to operate the Indiana Toll Road;

WHEREAS, the preliminary lease agreement was executed on April 12, 2006 and is scheduled to close by June 30, 2006;

WHEREAS, the lease agreement is an extensive legal document, with specific provisions regarding all aspects of operations, including road maintenance, improvements, safety, installation of electronic tolling facilities, and snow and debris removal; and

WHEREAS, this lease will provides [*sic.*] funding for nearly 200 statewide transportation and economic growth projects throughout the state.

NOW, THEREFORE, I, Mitchell E. Daniels, Jr., by virtue of the authority vested in me as Governor of the State of Indiana, do hereby order that:

1. The Indiana Toll Road Oversight Board ("Board") is established.
2. The Board shall consist of the following seven members who shall be appointed by the Governor:
 - a. Governor's designee to serve as Board chairman;
 - b. Commissioner of INDOT or designee;
 - c. IFA Chairman or designee;
 - d. four Indiana residents with knowledge, experience or education in economic and business development, or highway engineering, construction, planning or operation.
3. All members shall serve a two-year term and shall serve at the pleasure of the Governor.
4. All members of the Board shall serve without salary or per diem, except that members of the Board shall be reimbursed in accordance with state law and the policies of the Department of Administration and the State Budget Agency for actual expenses incurred in carrying out their responsibilities as members of the Board.
5. The Board shall meet within thirty days of the closing of the lease transaction for the purpose of preparing its first report to the Governor, due no later than October 1, 2006.
6. The Board shall thereafter meet at least quarterly.
7. The Board will provide advice, counsel and reports to the Governor and the IFA as it manages the lease of the Indiana Toll Road, and to the people of Indiana in all matters relating to the lease, maintenance, finance, planning, tolling, construction, and operation of the Indiana Toll Road, so long as a lease is in existence for the Toll Road.
8. The Board shall develop metrics to monitor and judge the Concessionaire's compliance with the lease agreement.
9. The Board shall produce semi-annual reports, over the signature of the Chair, for the Governor on all matters it deems relevant to the Toll Road in furtherance of the Board's mission, but must specifically include performance measures for the Concessionaire's management of the Toll Road.
10. The IFA shall provide administrative or other staff support for the Board in implementing this Executive Order.
11. All state agencies and instrumentalities shall cooperate with and provide assistance to the Board in implementing this Executive Order to the fullest extent permitted by law.

IN TESTIMONY WHEREOF, I, Mitchell E. Daniels, Jr., have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana on this 6th day of June, 2006.

Mitchell E. Daniels, Jr.
Governor of Indiana

SEAL

Posted: 07/26/2006 by Legislative Services Agency
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