

HB 668, HCA 1, 2, 3, 4, 5, 6, 7, 8 -- TRANSPORTATION
ACCOUNTABILITY

CO-SPONSORS: Crawford, Dusenberg, Black, Brown, Hobbs,
Schlottach, Sander, Ervin, Quinn

COMMITTEE ACTION: Voted "do pass" by the Committee on
Transportation and Motor Vehicles by a vote of 16 to 1.

This bill establishes various accountability measures for the
Department of Transportation.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

The bill expands the duties of the Joint Committee on
Transportation Oversight. The committee will be required to meet
four times a year, in addition to its annual meeting. The bill
spells out the agenda items in addition to those which may be
established by the co-chairs. In addition to its current duties,
the committee may:

- (1) Require the Inspector General to review, examine, or verify
the contents of the annual report submitted to the committee;
- (2) Direct the Inspector General to conduct a management
evaluation or program evaluation; and
- (3) Approve projects funded by new state revenue and submit the
projects to the General Assembly for its approval.

INSPECTOR GENERAL

The Office of Transportation Inspector General is created and
assigned to the General Assembly. The Inspector General will
serve as Executive Director of the Joint Committee on
Transportation Oversight and will be appointed to a five-year
term by majority vote of the Speaker and the Minority Leader of
the Missouri House of Representatives, the President Pro Tem and
the Minority Leader of the Senate, and the Director of the
Department of Transportation. The Inspector General must:

- (1) Be an attorney or certified public accountant;
- (2) Be licensed or certified to practice in Missouri;
- (3) Have at least five years of experience in similar auditing
or investigatory work;
- (4) Have no pecuniary interest or act as an agent for, directly
or indirectly, the sale of road or bridge building material,

equipment, tools, machinery, or supplies; the design, construction, or maintenance contract of any highway or bridge; or insurance or financing connected with the Highways and Transportation Commission; and

(5) Be bonded with a federally certified surety company.

The Inspector General is required to:

(1) Promote efficiency and integrity in the administration of the programs and operations of the department;

(2) Detect and prevent fraud, waste, and abuse in department programs and operations;

(3) Help assure the department is operating in compliance with the constitution and laws of the United States and the State of Missouri;

(4) Keep the commission, Governor, and joint committee fully informed about any problems or deficiencies relating to the department;

(5) Conduct management and program evaluations;

(6) Review citizen and state personnel complaints; and

(7) Exercise limited subpoena power.

HIGHWAYS AND TRANSPORTATION COMMISSION

The bill requires that members of the Highways and Transportation Commission be appointed by the Governor from among candidates supplied by the House of Representatives and Senate leadership of each political party. Every two years the Governor will appoint one candidate from each party. Candidates must be appointed by July 1 in even-numbered years. When a vacancy on the commission occurs, the House and Senate leadership of the political party of the vacating member must submit three candidates for selection within 30 days. The Governor has 15 days to appoint the new member. The new member will serve only the remainder of the unexpired six-year term of the vacating member. Commission members are prohibited from:

(1) Soliciting political contributions;

(2) Allowing their title to be used in connection with fundraising activities;

(3) Accepting any political contributions;

(4) Organizing, promoting, or actively participating in any fundraising activity of a candidate for political office or for a political party group;

(5) Managing any political campaign; and

(6) Publicly endorsing or opposing any candidate or political party.

STATE OF THE STATE ON TRANSPORTATION

The bill also requires the Director of Transportation to present a state of transportation address to a joint session of the General Assembly by February 15 each year.

HCA 1 -- Removes the provisions relating to fundraising and other political activities of commission members;

HCA 2 -- Replaces the Transportation Department Director with the Chairman of the Highways and Transportation Commission as one of the persons involved in the appointment of the Inspector General;

HCA 3 -- Establishes a sunset of August 28, 2008, on the Office of Inspector General;

HCA 4 -- Removes reference to ex officio members on the commission;

HCA 5 -- Removes the requirement that the Inspector General inform the Governor about problems and deficiencies relating to department programs and operations and the requirement giving the Governor authority to request the Inspector General to conduct management or program evaluations;

HCA 6 -- Requires presentation of the accountability report annually instead of semiannually;

HCA 7 -- Makes the procedure for the approval of projects funded by new state revenue similar to the bonding procedure; and

HCA 8 -- Removes the provision prohibiting commissioners from making political contributions, holding any office in a political party, or taking part in any political campaign.

FISCAL NOTE: Not available at time of printing.

PROPOSERS: Supporters say the bill helps the credibility of the Department of Transportation and allows Missouri's transportation program to move forward.

Testifying for the bill were Representative Crawford; Associated General Contractors of Missouri; Missouri Transportation Development Council; and Farm Bureau.

OPPONENTS: There was no opposition voiced to the committee.

Robert Triplett, Legislative Analyst