

SECOND REGULAR SESSION

SENATE BILL NO. 883

89TH GENERAL ASSEMBLY

INTRODUCED BY SENATORS STAPLES, QUICK, EHLMANN, McKENNA AND WIGGINS.

Read 1st time February 5, 1998, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

S3728.011

AN ACT

To repeal section 226.040, RSMo Supp. 1997, relating to transportation, and to enact in lieu thereof two new sections relating to the same subject.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 226.040, RSMo Supp. 1997, is repealed and two new sections enacted in lieu thereof, to be known as sections 226.008 and 226.040, to read as follows:

226.008. 1. There is established a permanent joint committee of the general assembly to be known as the "Joint Committee on Transportation Oversight" to be comprised of five members of the transportation committees of both the senate and the house of representatives and three nonvoting ex officio members. The senate members of the joint committee shall be appointed by the president pro tem of the senate and the house members shall be appointed by the speaker of the house of representatives. The appointment of each member shall continue during his term of office as a member of his respective transportation committee. No major party shall be represented by more than three members from the house of representatives nor more than three from the senate on the joint committee. The ex officio members shall be the state auditor, the director of the oversight division of the committee on legislative research, and the commissioner of the officer of administration, or the designee of such auditor, director or commissioner. The joint committee shall be chaired jointly by both chairs of the senate and house transportation committees.

2. The department of transportation shall submit a written report prior to October fifteenth of each year to the governor and every member of the senate and house of representatives which shall contain the following:

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

(1) A comprehensive financial report of all funds for the preceding year which shall include a report by independent public accountants, selected by the joint committee on transportation oversight, attesting that the financial statements present fairly the financial position of the department in conformity with generally accepted accounting principles. This report shall include amounts of state revenues by source; amounts of federal revenues by source; amounts of any other revenues available to the department by source; amounts of these funds expended for contracts; amounts of these funds expended for right-of-way purchases; amounts of these funds expended for preliminary and construction engineering; amounts of these funds expended for maintenance operations; and amounts of these funds expended for department administration. All funds expended by the department including labor with fringe benefits, equipment, real estate, supplies, and other shall be assigned to the above-listed categories in conformity with generally accepted accounting principles;

(2) A detailed explanation of the methods or criteria employed to select construction projects, including a listing of any new or reprioritized projects not mentioned in a previous report and an explanation as to whether the new or reprioritized projects meet the selection criteria;

(3) The proposed allocation and expenditure of moneys and the proposed work plan for the current fiscal year and at least the next five years. This proposed allocation and expenditure of moneys shall include the amounts of proposed allocation and expenditure of moneys in each of the categories as listed in subdivision (1);

(4) The amounts which were planned, estimated, and expended by project for construction work in the preceding state fiscal year and amounts which have been planned, estimated or expended by project for construction work in progress;

(5) Specific recommendations for any statutory or regulatory changes necessary for the efficient and effective operation of the department; and

(6) An explanation of any material changes from the previous report.

3. Prior to December first of each year, the committee shall meet and call before it members, officials or employees of the state highways and transportation commission or department of transportation, as determined by the committee, for the sole purpose of receiving and examining the report required pursuant to this section. The committee shall not have the power to modify projects or priorities of the state highways and transportation commission or department of transportation. The committee may make recommendations to the state highways and transportation commission or department of transportation. Disposition of those recommendations shall be reported by the commission or the department to the joint committee on transportation oversight.

226.040. [The state highways and transportation commission shall appoint a chief engineer

who is a resident of this state, and he shall have had executive or administrative experience for at least five years next prior to his appointment and he shall have had experience in highway work. Under the direction of the commission, the chief engineer shall have general charge and supervision of the state highways and transportation department, and shall perform such duties and have such authority as the commission may designate. The chief engineer, with the consent and approval of the commission, shall appoint and prescribe the duties and authority of an assistant chief engineer and such other engineers, department heads, and other employees as the commission may designate and deem necessary.]

1. The state highways and transportation commission shall, with the advice and consent of the senate, appoint a chief executive officer with the title of director of the Missouri department of transportation. The director shall be a citizen and resident of this state.

2. The director's duties shall include appointment of a chief engineer, a chief financial officer, and other department heads, engineers and other employees as the commission may designate and deem necessary. Under the direction of the commission, the director shall have general charge of and be responsible for the overall operations and performance of the department.

3. The director shall provide quarterly to the commission at its regularly scheduled meetings a current unaudited written version of the report required in section 226.008. Such report shall be made available to the general public.

4. The chief engineer shall be responsible for preparation and approval of all engineering documents, plans, specifications and shall have general oversight of construction and maintenance work for the department as determined by the director. Engineers responsible for design, construction, materials, maintenance and bridges shall be registered civil engineers registered in the state for five years.

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