

SECOND REGULAR SESSION

HOUSE BILL NO. 2268

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE REIBOLDT.

6130H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 21.795, RSMo, and to enact in lieu thereof one new section relating to department of transportation reporting requirements.

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

Section A. Section 21.795, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 21.795, to read as follows:

21.795. 1. There is established a permanent joint committee of the general assembly to be known as the "Joint Committee on Transportation Oversight" to be composed of seven members of the standing transportation committees of both the senate and the house of representatives and three nonvoting ex officio members. Of the fourteen members to be appointed to the joint committee, the seven senate members of the joint committee shall be appointed by the president pro tem of the senate and minority leader of the senate and the seven house members shall be appointed by the speaker of the house of representatives and the minority floor leader of the house of representatives. The seven senate members shall be composed, as nearly as may be, of majority and minority party members in the same proportion as the number of majority and minority party members in the senate bears to the total membership of the senate. No major party shall be represented by more than four members from the house of representatives. 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 office 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. A majority of the committee shall constitute a quorum, but the concurrence of a

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 majority of the members, other than the ex officio members, shall be required for the
18 determination of any matter within the committee's duties.

19 2. The department of transportation shall submit a written report prior to December
20 thirty-first of each year to the governor and the lieutenant governor. The report shall be posted
21 to the department's internet website so that general assembly members may elect to access a copy
22 of the report electronically. The written report shall contain the following:

23 (1) A comprehensive financial report of all funds for the preceding state fiscal year
24 which shall include a report by independent certified public accountants, selected by the
25 commissioner of the office of administration, attesting that the financial statements present fairly
26 the financial position of the department in conformity with generally accepted government
27 accounting principles]. ~~This report shall include amounts of:~~

28 ~~—— (a) State revenues by sources, including all new state revenue derived from highway~~
29 ~~users which results from action of the general assembly or voter-approved measures taken after~~
30 ~~August 28, 2003, and projects funded in whole or in part from such new state revenue, and~~
31 ~~amounts of federal revenues by source;~~

32 ~~—— (b) Any other revenues available to the department by source;~~

33 ~~—— (c) Funds appropriated, the amount the department has budgeted and expended for the~~
34 ~~following: contracts, right-of-way purchases, preliminary and construction engineering,~~
35 ~~maintenance operations and administration;~~

36 ~~—— (d) Total state and federal revenue compared to the revenue estimate in the fifteen-year~~
37 ~~highway plan as adopted in 1992. All expenditures made by, or on behalf of, the department for~~
38 ~~personal services including fringe benefits, all categories of expense and equipment, real estate~~
39 ~~and capital improvements shall be assigned to the categories listed in this subdivision in~~
40 ~~conformity with generally accepted government accounting principles;~~

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

45 ~~—— (3) The proposed allocation and expenditure of moneys and the proposed work plan for~~
46 ~~the current fiscal year, at least the next four years, and for any period of time expressed in any~~
47 ~~public transportation plan approved by either the general assembly or by the voters of Missouri.~~
48 ~~This proposed allocation and expenditure of moneys shall include the amounts of proposed~~
49 ~~allocation and expenditure of moneys in each of the categories listed in subdivision (1) of this~~
50 ~~subsection;~~

51 ~~—— (4) The amounts which were planned, estimated and expended for projects in the state~~
52 ~~highway and bridge construction program or any other projects relating to other modes of~~

53 transportation in the preceding state fiscal year and amounts which have been planned, estimated
54 or expended by project for construction work in progress;

55 ~~——(5) The current status as to completion, by project, of the fifteen-year road and bridge
56 program adopted in 1992. The first written report submitted pursuant to this section shall include
57 the original cost estimate, updated estimate and final completed cost by project. Each written
58 report submitted thereafter shall include the cost estimate at the time the project was placed on
59 the most recent five-year highway and bridge construction plan and the final completed cost by
60 project;~~

61 ~~——(6) The reasons for cost increases or decreases exceeding five million dollars or ten
62 percent relative to cost estimates and final completed costs for projects in the state highway and
63 bridge construction program or any other projects relating to other modes of transportation
64 completed in the preceding state fiscal year. Cost increases or decreases shall be determined by
65 comparing the cost estimate at the time the project was placed on the most recent five-year
66 highway and bridge construction plan and the final completed cost by project. The reasons shall
67 include the amounts resulting from inflation, department-wide design changes, changes in project
68 scope, federal mandates, or other factors;~~

69 ~~——(7) Specific recommendations for any statutory or regulatory changes necessary for the
70 efficient and effective operation of the department;~~

71 ~~——(8) An accounting of the total amount of state, federal and earmarked federal highway
72 funds expended in each district of the department of transportation; and~~

73 ~~——(9) Any further information specifically requested by the joint committee on
74 transportation oversight] ;~~

75 **(2) A copy of the department's most current and annual publication titled**
76 **"Citizen's Guide to Transportation Funding in Missouri";**

77 **(3) A copy of the department's most current and annual publication titled**
78 **"Financial Snapshot - An appendix to the Citizen's Guide to Transportation Funding in**
79 **Missouri";**

80 **(4) A copy of the department's most current and annual publication titled**
81 **"MoDOT Results: Accountability. Innovation. Efficiency."**

82 3. Prior to February fifteenth of each year, the committee shall hold an annual meeting
83 and call before its members, officials or employees of the state highways and transportation
84 commission or department of transportation, as determined by the committee, for the sole
85 purpose of receiving and examining the report required pursuant to subsection 2 of this section.
86 The committee shall not have the power to modify projects or priorities of the state highways and
87 transportation commission or department of transportation. The committee may make
88 recommendations to the state highways and transportation commission or the department of

89 transportation. Disposition of those recommendations shall be reported by the commission or
90 the department to the joint committee on transportation oversight.

91 4. In addition to the annual meeting required by subsection 3 of this section, the
92 committee shall meet two times each year. The co-chairs of the committee shall establish an
93 agenda for each meeting that may include, but not be limited to, the following items to be
94 discussed with the committee members throughout the year during the scheduled meeting:

95 (1) Presentation of a prioritized plan for all modes of transportation;

96 (2) Discussion of department efficiencies and expenditure of cost-savings within the
97 department;

98 (3) Presentation of a status report on department of transportation revenues and
99 expenditures, including a detailed summary of projects funded by new state revenue as provided
100 in paragraph (a) of subdivision (1) of subsection 2 of this section; and

101 (4) Implementation of any actions as may be deemed necessary by the committee as
102 authorized by law. The co-chairs of the committee may call special meetings of the committee
103 with ten days' notice to the members of the committee, the director of the department of
104 transportation, and the department of transportation.

105 5. The committee shall also review all applications for the development of specialty
106 plates submitted to it by the department of revenue. The committee shall approve such
107 application by a majority vote. The committee shall approve any application unless the
108 committee receives:

109 (1) A signed petition from five house members or two senators that they are opposed to
110 the approval of the proposed license plate and the reason for such opposition;

111 (2) Notification that the organization seeking authorization to establish a new specialty
112 license plate has not met all the requirements of section 301.3150;

113 (3) A proposed new specialty license plate containing objectionable language or design;

114 (4) A proposed license plate not meeting the requirements of any reason promulgated
115 by rule.

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117 The committee shall notify the director of the department of revenue upon approval or denial of
118 an application for the development of a specialty plate.

119 6. The committee shall submit records of its meetings to the secretary of the senate and
120 the chief clerk of the house of representatives in accordance with sections 610.020 and 610.023.

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