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HOUSE BILL NO. 1365

Offered January 11, 2006

Prefiled January 11, 2006

A BILL to amend the Code of Virginia by adding in Title 30 a chapter numbered 40, consisting of sections numbered 30-266 through 30-271, relating to the Joint Commission on Transportation Accountability.

Patrons—Wardrup, Albo, Athey, Byron, Cole, Cosgrove, Crockett-Stark, Dudley, Fralin, Frederick, Hugo, Hurt, Iaquinto, Kilgore, Landes, Lingamfelter, Marshall, D.W., Marshall, R.G., McQuigg, Nixon, O'Bannon, Purkey, Rapp, Rust, Saxman, Scott, E.T., Sherwood, Suit, Tata, Welch, Wittman and Wright

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 30 a chapter numbered 40, consisting of sections numbered 30-266 through 30-271, as follows:

CHAPTER 40.**JOINT COMMISSION ON TRANSPORTATION ACCOUNTABILITY.**

§ 30-266. *Joint Commission on Transportation Accountability established; composition; terms; compensation and expenses; office space; quorum; voting on recommendations.*

There is hereby established in the legislative branch of state government the Joint Commission on Transportation Accountability. The Commission shall consist of six members of the House of Delegates appointed by the Speaker of the House of Delegates, of whom at least three shall be members of the House Committee on Transportation; four members of the Senate appointed by the Senate Committee on Rules, of whom at least two shall be members of the Senate Committee on Transportation; and the Auditor of Public Accounts, who shall serve as a nonvoting ex officio member. Members shall serve terms coincident with their terms of office as members of the House of Delegates and the Senate. Members may be reappointed for successive terms.

Members of the Commission shall receive such compensation as provided in § 30-19.12 and shall be reimbursed for all their reasonable and necessary expenses incurred in the performance of their duties as members of the Commission. Funding for the costs of compensation and expenses of the members shall be provided from existing appropriations to the Commission. Adequate office space shall be provided by the Commonwealth.

The Commission shall annually elect a chairman and a vice chairman from among its membership. Meetings of the Commission shall be held upon the call of the chairman or whenever the majority of the members so request. A majority of the members appointed to the Commission shall constitute a quorum.

§ 30-267. *Director, executive staff, and personnel.*

The Commission shall appoint, subject to confirmation by a majority of the members of the General Assembly, a Director and fix his duties and compensation. The Director may, with prior approval of the Commission, employ and fix the duties and compensation of an adequate staff as may be requisite to make the studies and conduct the research and budget analyses required by this chapter. The Director and the executive staff shall be appointed for a term of six years and shall consist of professional persons having experience and training in legislative budgetary procedures, management analyses, and cost accounting. The Director and any executive staff member may be removed from office for cause by a majority vote of the Commission. Such other professional personnel, consultants, advisors, and secretarial and clerical employees may be engaged upon such terms and conditions as set forth by the Commission.

§ 30-268. *Powers and duties of Commission.*

The Commission shall have the following powers and duties:

1. To make performance reviews of operations of state agencies with transportation responsibilities to ascertain that sums appropriated have been or are being expended for the purposes for which they were made and to evaluate the effectiveness of programs in accomplishing legislative intent;

2. To study, on a continuing basis, the operations, practices, and duties of state agencies with transportation responsibilities as they relate to efficiency in the use of space, personnel, equipment, and facilities;

3. To retain such consultants and advisors as the Commission deems necessary to evaluate financial and project management of state agencies with transportation responsibilities, including the review, prior to approval by the responsible public entity, of any comprehensive agreement executed pursuant to

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56 *the Public-Private Transportation Act of 1995 (§ 56-556 et seq.) to ensure that the interests of the*
57 *Commonwealth are protected; and*

58 *4. To make such special studies of and reports on the operations and functions of state agencies with*
59 *transportation responsibilities as it deems appropriate and as may be requested by the General*
60 *Assembly.*

61 *§ 30-269. State agencies to furnish information and assistance.*

62 *All agencies of the Commonwealth, their staff, and employees shall provide the Commission with*
63 *necessary information for the performance of its duties and afford the Commission's staff ample*
64 *opportunity to observe agency operations.*

65 *§ 30-270. Payment of expenses of Commission.*

66 *The salaries, per diems, and other expenses necessary to the function of the Commission shall be*
67 *payable from funds appropriated to the Commission.*

68 *§ 30-271. Access to information.*

69 *For the purpose of carrying out its duties under this chapter and notwithstanding any contrary*
70 *provision of law, the Joint Commission on Transportation Accountability shall have access to the*
71 *records and facilities of every agency whose operations are financed in whole or in part by state funds*
72 *to the extent that such records and facilities are related to the expenditure of such funds. All such*
73 *agencies shall cooperate with the Commission and, when requested, shall provide specific information in*
74 *the form requested.*