

## Session 118 - (2009-2010)

### H 4565 General Bill, By Lucas

#### Summary: Department of Transportation

A BILL TO AMEND SECTION 1-30-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENTS OF STATE GOVERNMENT AND THEIR GOVERNING BODIES, SO AS TO DELETE THE PROVISION THAT PROVIDES THAT THE PART OF THE GOVERNING BODY OF THE DEPARTMENT OF TRANSPORTATION IS A SEVEN-MEMBER COMMISSION; TO AMEND SECTION 1-30-105, AS AMENDED, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE THAT THE GOVERNING AUTHORITY OF THE DEPARTMENT OF TRANSPORTATION IS THE SECRETARY OF TRANSPORTATION; TO AMEND SECTION 1-3-240, AS AMENDED, RELATING TO THE REMOVAL OF CERTAIN OFFICERS BY THE GOVERNOR, SO AS TO DELETE THE PROVISION THAT PROVIDES THE DEPARTMENT OF TRANSPORTATION COMMISSIONERS MAY BE REMOVED FROM OFFICE BY THE GOVERNOR UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 8-13-1110, AS AMENDED, RELATING TO PUBLIC OFFICIALS WHO MUST FILE A STATEMENT OF ECONOMIC INTEREST, SO AS TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION DISTRICT ENGINEERS MUST FILE STATEMENTS OF ECONOMIC INTEREST; TO AMEND SECTIONS 57-1-10, 57-1-20, 57-1-40, 57-1-350, 57-1-410, 57-1-430, 57-1-490, ALL AS AMENDED, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF TRANSPORTATION, ITS DUTIES AND RESPONSIBILITIES, SO AS TO ELIMINATE THE DEPARTMENT OF TRANSPORTATION COMMISSION AND ITS RESPONSIBILITIES, DEFINE THE TERM "HIGHWAY ENGINEERING DISTRICT", TO CREATE DIVISIONS OF HUMAN RESOURCE AND INTERNAL AUDIT, TO ALLOW THE GOVERNOR TO APPOINT THE SECRETARY OF TRANSPORTATION WITHOUT THE ADVICE AND CONSENT OF THE SENATE, TO ELIMINATE THE AUDIT PERFORMED BY THE MATERIALS MANAGEMENT OFFICE OF THE STATE BUDGET AND CONTROL BOARD, AND REVISE AUDITS THAT ARE CONDUCTED BY THE LEGISLATIVE AUDIT COUNCIL; TO AMEND SECTION 11-11-150, AS AMENDED, RELATING TO CALCULATING ESTIMATED STATE AND CORPORATE INCOME TAX REVENUES, AND THE TRUST FUND FOR TAX RELIEF, SO AS TO PROVIDE THAT CERTAIN AMOUNTS OF GENERAL FUND REVENUE COLLECTED DURING CERTAIN FISCAL YEARS MUST BE CREDITED TO THE DEPARTMENT OF TRANSPORTATION AND DISTRIBUTED PURSUANT TO SECTION 57-11-410; TO AMEND SECTION 11-35-710, AS AMENDED, RELATING TO GOVERNMENTAL ENTITIES EXEMPTED FROM PURCHASING ITEMS THROUGH THE CHIEF PROCUREMENT OFFICER, SO AS TO REVISE THE LIST OF DEPARTMENT OF TRANSPORTATION PROJECTS THAT ARE SUBJECT TO THIS PROVISION, AND TO GRANT EXEMPTIONS TO COUNTY TRANSPORTATION COMMITTEES, COUNCILS ON GOVERNMENTS, AND THE SOUTH CAROLINA TRANSPORT INFRASTRUCTURE BANK; TO AMEND SECTION 11-35-1230, AS AMENDED, RELATING TO THE AUDITING OF STATE PROCUREMENTS, SO AS TO PROVIDE THAT PROCUREMENT AUDITS SHALL VERIFY THAT PROCUREMENT CODE EXEMPTIONS GRANTED TO THE DEPARTMENT OF TRANSPORTATION ARE VALID; TO AMEND SECTION 57-3-20, RELATING TO THE RESPONSIBILITIES AND DUTIES OF THE DEPARTMENT OF TRANSPORTATION'S DIVISION DEPUTY DIRECTORS, SO AS TO ESTABLISH THE RESPONSIBILITIES FOR THE DIVISION DEPUTY DIRECTORS FOR HUMAN RESOURCES AND INTERNAL AUDITS; BY ADDING ARTICLE 5 TO CHAPTER 11, TITLE 57 SO AS TO PROVIDE FOR THE DISTRIBUTION OF FUNDS THAT THE DEPARTMENT OF TRANSPORTATION RECEIVES PURSUANT TO SECTION 11-11-150; BY ADDING SECTION 1-30-12 SO AS TO PROVIDE THAT THE DIVISION OF OMBUDSMAN AND CITIZENS' SERVICES SHALL EMPLOY TWO PERSONS TO HANDLE CITIZENS' COMPLAINTS THAT PERTAIN TO THE DEPARTMENT OF TRANSPORTATION; TO AMEND SECTION 11-43-140, RELATING TO THE TRANSPORTATION INFRASTRUCTURE BANK, SO AS TO SUBSTITUTE THE TERM "SECRETARY OF TRANSPORTATION" FOR THE TERM "CHAIRMAN OF THE DEPARTMENT OF TRANSPORTATION COMMISSION"; TO AMEND SECTIONS 57-3-10 AND 57-3-50, RELATING TO THE DIVISIONS OF THE DEPARTMENT OF TRANSPORTATION, AND THE ESTABLISHMENT OF HIGHWAY DISTRICTS, SO AS TO SUBSTITUTE THE TERM "DEPARTMENT" FOR THE TERM "COMMISSION"; TO AMEND SECTION 57-11-20, AS AMENDED, RELATING TO STATE AND FEDERAL AID HIGHWAY FUNDS, SO AS TO PROVIDE THAT AFTER JUNE 30, 2010, THE GENERAL ASSEMBLY SHALL APPROPRIATE REVENUES TO BOTH FUNDS; AND TO REPEAL SECTIONS 57-1-310, 57-1-320, 57-1-325, 57-1-330, 57-1-340, 57-1-360, 57-1-370, 57-1-460, 57-1-500, ARTICLE 7, CHAPTER 1, TITLE 56, AND SECTIONS 6, 7, AND 8 OF ACT 114 OF 2007 ALL RELATING TO THE CREATION AND FUNCTIONS OF THE DEPARTMENT OF TRANSPORTATION.

02/17/10 House Introduced and read first time HJ-9

02/17/10 House Referred to Committee on Education and Public Works HJ-11