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HOUSE BILL 1120

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State of Washington

58th Legislature

2003 Regular Session

**By** Representatives Romero, Wallace, Murray, Hatfield, Kessler, Miloscia, Cooper, Simpson, Darneille, Lovick, O'Brien, Veloria, Moeller, Eickmeyer, Hunt, Kenney, Schual-Berke, Fromhold, Conway, Wood, Linville, Berkey, Sullivan, McDermott, Haigh, Rockefeller, McCoy, Upthegrove and Ruderman

Read first time 01/17/2003. Referred to Committee on Transportation.

1 AN ACT Relating to the creation of a citizen oversight panel to  
2 measure performance of the state's transportation system; and adding  
3 new sections to chapter 47.01 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature recognizes the need to  
6 strengthen accountability for the performance of the state's  
7 transportation system. A critical component is the participation of  
8 the citizens in measuring transportation system performance against  
9 benchmarks established in chapter 5, Laws of 2002. In creating a  
10 citizen oversight panel, the legislature intends to involve and  
11 strengthen citizen oversight of the state's transportation system.

12 NEW SECTION. **Sec. 2.** (1) The citizen oversight panel is created.  
13 (2) The panel will consist of seven members appointed by the  
14 governor, for terms of four years, except that at least half the  
15 members initially appointed will be appointed for terms of two years.  
16 The members of the panel must be chosen so the panel will have  
17 experience and expertise related to, but not limited to, the following  
18 areas: (a) Performance measurement and attainment, and best management

1 practices; (b) budgeting and accounting, cost controls, and reporting;  
2 (c) transportation planning and congestion management; (d) public  
3 transportation and transit agency operations; (e) civil engineering;  
4 (f) transportation construction management and administration; (g)  
5 construction work force training and safety; and (h) crafting and  
6 implementing environmental mitigation plans.

7 (3) Members of the panel may not be removed before the expiration  
8 of their terms unless for cause based upon a determination of  
9 incapacity, incompetence, neglect of duty, or malfeasance in office by  
10 the Thurston county superior court, upon petition and show cause  
11 proceedings brought for that purpose in that court and directed to the  
12 panel member in question.

13 (4) No member may be appointed for more than three consecutive  
14 terms.

15 NEW SECTION. **Sec. 3.** (1) The citizen oversight panel must oversee  
16 and review the establishment and attainment of transportation  
17 performance measures directed in RCW 47.01.012 to ensure an efficient  
18 and effective state transportation system. To this end, the panel:

19 (a) Will analyze, investigate, and evaluate data and information on  
20 existing performance measures and benchmarks to:

21 (i) Determine the effectiveness and adequacy of current performance  
22 measures and benchmarks; and

23 (ii) Determine the need for modification or creation of additional  
24 performance measures and benchmarks;

25 (b) Will work in cooperation with the department of transportation  
26 in establishing, reviewing, and revising state performance measures and  
27 benchmarks as needed;

28 (c) May request additional information or data from the department  
29 of transportation as needed;

30 (d) May make recommendations to the governor and the legislature on  
31 the need to revise or add policy goals to those currently in statute  
32 that will result in increased efficiencies, create savings, and improve  
33 the delivery of transportation services to the public;

34 (e) Will issue an annual report to the governor and the legislature  
35 detailing the panel's research activities, findings, and any  
36 recommendations resulting from their efforts as well as a status report

1 on the performance measures currently in use by the department and the  
2 results of those measures.

3 (2) The panel may hire secretarial staff and professional staff as  
4 necessary to support the duties, functions, responsibilities, and  
5 activities of the panel. The panel may acquire office space and  
6 equipment for the staff. The legislative evaluation and accountability  
7 program will provide data and information technology support consistent  
8 with the support currently supplied to existing legislative committees.

9 (3) In addition to its regular staff, the panel may contract out  
10 for technical personnel to assist and advise the panel in the  
11 performance of its duties if needed.

12 NEW SECTION. **Sec. 4.** (1) The panel shall meet periodically. It  
13 may adopt its own rules and may establish its own procedures. It shall  
14 act collectively in harmony with recorded resolutions or motions  
15 adopted by a majority vote of the members. The panel will be  
16 compensated from the general appropriation for the joint legislative  
17 audit and review committee and in accordance with RCW 43.03.250.

18 (2) Each member of the panel will be compensated in accordance with  
19 RCW 43.03.250 and reimbursed for actual necessary traveling and other  
20 expenses in going to, attending, and returning from meetings of the  
21 panel or that are incurred in the discharge of duties requested by the  
22 chair. However, in no event may a panel member be compensated in any  
23 year for more than one hundred twenty days, except the chair may be  
24 compensated for not more than one hundred fifty days. Service on the  
25 panel does not qualify as a service credit for the purposes of a public  
26 retirement system.

27 (3) The panel shall keep proper records and is subject to audit by  
28 the state auditor or other auditing entities.

29 NEW SECTION. **Sec. 5.** Sections 1 through 4 of this act are each  
30 added to chapter 47.01 RCW.

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