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House set to debate TxDOT sunset; bill would give new legislative committee big powers



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The House of Representatives may debate the sunset advisory commission's proposals to radically realign TxDOT Thursday. The House calendars committee reports **that HB 300** is on tap for the floor today, though sometimes schedules are changed.

House transportation chairman Joe Pickett told me two Fridays ago that the bill is going to take a lot of time, and that he was trying to give Speaker Joe Straus enough time to schedule an adequate debate on the floor. Apparently, Straus has had the time he needed to schedule the bill. Some insiders have predicted the bill will change significantly as the final weeks of the session wind down.

Already, what is proposed in HB 300 is much different than the recommendations by the sunset advisory commission, which among other things wanted to abolish the Texas Transportation Commission, with some North Texas leaders, including Rep. Linda Harper-Brown insisting that the commission should be replaced by a single elected commissioner.

Instead, the bill calls for keeping all five commissioners, but allow the governor to appoint only three, subject to confirmation of the Senate. A fourth would also be appointed by the governor, also subject to senate confirmation, but would have to be chosen by a list of candidates presented by the House speaker. The fifth would be named by the lieutenant governor -- apparently with no advice and consent role by the Senate.

Other provisions in the bill:

- The department would create a "rail transportation" division.
- The bill would create a legislative oversight committee (full language on the jump). Among other things, the six-member committee, comprised of legislators, would monitor the agency, study its problems and make recommendations for the legislature. In addition, the bill makes certain that "the committee may not recommend specific projects or recommend funding for specific projects." It would also commandeer all staff members currently working in TxDOT's government and public affairs division -- each of those workers would become employees of the legislative committee, which would have the authority to hire staff and consultants as needed. It would also acquire direct control over the department research agenda, including its extensive contracting with the Texas Transportation Institute at Texas A&M University.
- The chief financial officer of the department would answer to the commission, not to the executive director.
- The executive director of TxDOT will no longer have to be an engineer.
- Employees would be evaluated in part based on their "responsiveness to directives and requests from the commission and the legislature."
- All responsibility for environmental reviews necessary for federal approval of toll projects would be delegated to the local toll authorities, upon the latter's request.

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