

HOUSE No. 3611

The Commonwealth of Massachusetts

PRESENTED BY:

William M. Straus

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act regarding audit performance and functions at the Department of Transportation.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>William M. Straus</i>	<i>10th Bristol</i>	<i>2/19/2021</i>

HOUSE No. 3611

By Mr. Straus of Mattapoisett, a petition (accompanied by bill, House, No. 3611) of William M. Straus relative to the audit performance and functions at the Massachusetts Department of Transportation. Transportation.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act regarding audit performance and functions at the Department of Transportation.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1: Section 9 of chapter 6C of the General Laws as appearing in the 2018
2 Official Edition, is hereby amended by inserting at the end of subsection (c) the following:-

3 The director shall immediately notify the inspector general in writing of the existence of a
4 documented critical disagreement between the director and the secretary of transportation, the
5 board or an individual member thereof concerning an investigation, audit, or review. For the
6 purposes of this subsection, a documented critical disagreement includes a disagreement
7 involving the scope, manner, necessity, and/or thoroughness of an investigation, audit, or review.
8 Failure of a party to comply with the good faith requests of the director shall constitute a
9 documented critical disagreement. The writing shall contain: i) a summary of the investigation,
10 audit, or review; ii) the nature of the disagreement between the director and the secretary, the
11 board or an individual member thereof; iii) whether the matter under review presents a public
12 safety risk; and iv) the director’s proposed recommendations, if any. Notification provided to the

13 inspector general shall not be cause for dismissal or other retaliatory action taken against the
14 director or other person employed within the unit.

15 SECTION 2: Said section 9 of chapter 6C, as so appearing, is hereby further amended by
16 striking out subsection (e) and inserting in its place the following:-

17 (e) On a quarterly basis, the director shall submit a written report of the unit's activities
18 for the preceding quarter including, but not limited to, findings referred to the inspector general
19 for investigation, to the joint committee on transportation and the house and senate committees
20 on ways and means. The secretary shall make the quarterly reports and all such reports from
21 previous years available on the department's website.

22 The director shall submit an annual report of the unit's activities for the preceding
23 calendar year, including, but not limited to, findings referred to the inspector general for
24 investigation, to the joint committee on transportation and the house and senate committees on
25 ways and means on or before March 15 of each year. The secretary shall make the annual report
26 and all such reports from previous years available on the department's website.

27 SECTION 3: Said section 9 of chapter 6C, as so appearing, is hereby further amended by
28 inserting at the end of subsection (b) the following:-

29 There shall be within the unit, a position of senior information technology auditor. The
30 senior information technology auditor should, at a minimum, possess expertise and familiarity
31 with electronic information systems, databases, and forensic analysis.

32 SECTION 4: Section 2 of chapter 6C of the General Laws as appearing in the 2018
33 Official Edition, is hereby amended by inserting the following subsection:-

34 (1) The chair of the board's finance and audit subcommittee shall rotate among the
35 membership on a bi-annual basis.