

HOUSE No. 15

So much of the recommendations of the Inspector General (House, No. 8) as relates to the MassDOT internal special audit unit. Transportation.

The Commonwealth of Massachusetts

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In the One Hundred and Eighty-Ninth General Court

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An Act relative to the MassDOT internal special audit unit.

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 9 of chapter 6A of the General Laws, as most recently amended by section 5 of
2 chapter 46 of the acts of 2013, is hereby amended by striking out paragraphs (a) through (c) and
3 inserting in place thereof the following:

4 Section 9. (a) There shall be within the department, but not subject to the control of the
5 department, an internal special audit unit. The inspector general council established in section 3
6 of chapter 12A shall appoint a director of the internal special audit unit, who shall serve as an
7 assistant inspector general under the supervision of the inspector general, and who shall serve for
8 a term of 6 years. The inspector general council may remove the director only for cause, and
9 shall fill any vacancy for the unexpired term. The director shall devote his full time and attention
10 to the duties of this office.

11 (b) Pursuant to chapter 12A, the internal special audit unit shall monitor the quality,
12 efficiency and integrity of the department's operating and capital programs and seek to prevent,
13 detect and correct fraud, waste and abuse in the expenditure of public or private transportation

14 funds. In accordance with chapter 12A, the department shall cooperate with the unit in carrying
15 out the unit's duties including granting unrestricted and immediate access to persons, documents,
16 databases, electronic data or other materials deemed necessary by the director to conduct an
17 investigation, audit or review.

18 (c) The director may appoint and remove, subject to the approval of the inspector
19 general, such persons as he shall deem necessary to perform the functions of the internal special
20 audit unit; provided, however, that section 9A of chapter 30 and chapter 31 shall not apply to any
21 such employee holding any such appointment. Employees of the internal special audit unit shall
22 have experience with accounting, auditing, financial analysis, applicable law, business
23 management and public administration and shall devote their full-time efforts to the unit and
24 shall not be assigned direct operating responsibilities. Employees shall be subject to the rules
25 and regulations established for employees of the office of the inspector general pursuant to
26 chapter 12A. Every person so appointed to any position in the internal special audit unit shall
27 have experience and skill in the field of such position.