

SENATE REMONSTRANCE NO. 1

WHEREAS, the Missouri General Assembly, in 1987, took up and passed Senate Bill 74, the Domestic Product Procurement Act (Buy American), which was designed to ensure that most purchases and leases of manufactured goods or commodities obtained by public agencies be manufactured or produced in the United States; and

WHEREAS, Missouri is the number two auto-producing state in the nation, with plants representing the three major American auto manufacturers located here; and

WHEREAS, The Missouri auto industry employs more than 33,400 people, some 18,200 of which are employed in the assembly of motor vehicles in one of the big three auto plants located in the St. Louis and Kansas City areas, and who earn more than \$410 million annually; and

WHEREAS, the Missouri Department of Transportation (MODOT) chose to purchase a total of 18 Toyota Priuses in apparent violation of state law; and

WHEREAS, the State Attorney General advised MODOT in February of this year that it should walk away from the deal with Toyota because it appeared to violate the Domestic Product Procurement Act; and

WHEREAS, the appointed MODOT Commission was not formally apprised of this decision to purchase these foreign cars by departmental staff because, according to staff, the only approval the Commission needed to give was when it approved the department's budget; and

WHEREAS, this attitude by MODOT staff toward the Commission, which is constitutionally assigned the responsibility of overseeing the operations of MODOT, appears to be condescending and bordering on insubordination; and

WHEREAS, in the wake of the tragic events of September 11, 2001, CNN Headline News announced the contributions of various automobile companies to the relief effort, including: Ford - \$1 million to American Red Cross matching employee contributions of the same number, plus 10 Excursions to the New York Fire Department, as well as ER response team services and office space to displaced government employees; General Motors - \$1 million to Red Cross matching employee contributions of the same number, plus a fleet of vans, suvs and trucks; and Daimler-Chrysler - \$10 million to support of the children and victims of the attack; and

WHEREAS, in the same CNN Headline News report, Toyota's contribution in response to the attacks was listed as "zero" despite claims of high sales in July and August 2001; however, condolences were posted on the website:

NOW, THEREFORE, BE IT RESOLVED by the Missouri Senate that the Senate herewith remonstrates against the staff at MODOT which authorized these expenditures, particularly Director Henry Hungerbeeler, who has shown no remorse for his decision made without direct authorization from the MODOT Commission, for its cumulative failure to obey the laws of this state and to exercise proper and logical judgment while spending valuable tax dollars; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to send a copy of this remonstrance to Director Hungerbeeler to be placed on display at a prominent location so that the department employees and the public may review its content and may modify future actions accordingly.