

No. 1981-144

AN ACT

HB 305

Creating the High Speed Intercity Rail Passenger Commission, providing for its powers and duties and making an appropriation.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Short title.

This act shall be known and may be cited as the "High Speed Intercity Rail Passenger Commission Act."

Section 2. Definitions.

The following words and phrases as used in this act shall have the meanings given them in this section unless the context clearly indicates otherwise:

"Commission." The High Speed Intercity Rail Passenger Commission created by this act.

"Compact." The Interstate High Speed Intercity Rail Passenger Network Compact entered into by the Commonwealth pursuant to the act of June 22, 1980 (P.L.259, No.75), entitled "An act adopting the interstate high speed intercity rail passenger network compact and for related purposes."

"System." A high speed intercity rail passenger system for the Commonwealth.

Section 3. Commission created.

(a) There is hereby created the High Speed Intercity Rail Passenger Commission which shall have those powers and duties imposed by section 4.

(b) The commission shall be composed of the following nine members:

(1) The chairmen and minority chairmen of the House and Senate Transportation Committees, or their successor committees, or their designees.

(2) One person representing the Executive Branch to be appointed by the Governor.

(3) One person representing organized rail labor to be appointed by the Governor.

(4) One person representing the rail industry to be appointed by the Governor.

(5) Two general interest members to be appointed by the Governor.

(c) Vacancies occurring on the commission shall be filled in the same manner in which the original appointments were made. Members of the commission shall serve at the pleasure of their appointing authority.

(d) The commission shall select a chairman and such other officers it deems necessary from among its membership. Members of the commission shall not be compensated for serving on the commission but shall be entitled to receive reimbursement for their actual expenses incurred while on commission business.

Section 4. Powers and duties.

The commission shall have the overall responsibility, power and duty to investigate, study and make recommendations concerning the need for and establishment and operation of a high speed intercity rail passenger system in the Commonwealth. The commission shall, without limiting its authority to study related subjects, address the following specific areas and issues:

- (1) The need and demand for high speed intercity rail service in the Commonwealth.
- (2) The level of high speed rail service required to meet the need for such service.
- (3) System, equipment, roadbed, right-of-way and other technical and technological options such as electrification.
- (4) Location and extent of the specific routes in the system.
- (5) Cost of implementing the system.
- (6) Economic impact of the system.
- (7) Financing, ownership and operating options for the system.
- (8) Impact and interaction of the system on existing freight rail operations and on existing or proposed rail passenger systems.
- (9) Present or proposed operation of similar systems in the United States and in other countries.
- (10) Issues and problems relating to local and commuter rail service including funding.

Section 5. Cooperation with other agencies and organizations.

The commission shall cooperate and exchange information with other Federal and State agencies and with the private sector and related non-profit organizations involved in rail transportation. The commission shall provide appropriate assistance and support to the Interstate Rail Passenger Advisory Council established by the compact.

Section 6. Staff.

The commission may employ such professional, technical and clerical staff and engage the services of consultants, as it deems necessary to carry out its responsibilities under this act. Further, the Department of Transportation shall provide necessary office space and administrative support for the commission. Whenever possible, the commission shall utilize the services and expertise of existing personnel and staff of State Government and to this end the Governor is hereby directed to make such personnel and staff available to the commission to the fullest extent commensurate with the performance of their other duties. The commission shall reimburse State agencies, including the Department of Transportation, for any expenses incurred in providing to the commission the services as required by this act.

Section 7. Meetings and hearings.

The commission shall hold an organizational meeting as soon as possible after the appointment of all its members. Thereafter, the commission shall hold meetings at the call of the chairman or of a majority of the members serving thereon. The commission shall also hold public hearings on the matters to be considered by it at locations throughout the Commonwealth including specifically those areas most likely to be served by the system. All meetings and public hearings of the commission shall be deemed public meetings for the purposes of the act of July 19, 1974 (P.L.486, No.175), referred to as the Public Agency Open Meeting Law.

Section 8. Reports.

The commission shall make at least annual reports of its activities and recommendations to the General Assembly and the Governor.

Section 9. Finances and contributions.

In addition to the moneys appropriated by section 10 and such other moneys as may be appropriated from time to time by the General Assembly for its work, the commission is authorized to make application for and expend such Federal grants as may be available and may also receive and expend contributions from other public, quasi-public or private sources as may become available.

Section 10. Appropriation.

The sum of \$850,000 is hereby appropriated to the commission for the purposes provided in this act. Such appropriation shall not lapse.

Section 11. Expiration.

The commission shall expire five years from the effective date.

Section 12. Effective date.

This act shall take effect immediately.

APPROVED—The 22nd day of December, A. D. 1981.

DICK THORNBURGH