
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1690 Session of
1995

INTRODUCED BY GEIST, GAMBLE, ZUG, PETRARCA, LEDERER, STERN,
VANCE, HENNESSEY, GORDNER, CAPPABIANCA, LYNCH, STURLA,
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PRESTON, MIHALICH, SANTONI, LUCYK, CALTAGIRONE, VEON, TRICH,
STEELMAN, CURRY, BUXTON, CORNELL, BAKER, HASAY, KENNEY,
MAITLAND, DENT, HABAY, CONTI, FICHTER, EGOLF, DIGIROLAMO AND
NICKOL, JUNE 5, 1995

REFERRED TO COMMITTEE ON TRANSPORTATION, JUNE 5, 1995

AN ACT

1 Reestablishing the High Speed Intercity Rail Passenger
2 Commission and providing for its powers and duties; providing
3 for duties of the Department of Commerce; and making a
4 repeal.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the High Speed
9 Intercity Rail Passenger Commission Act of 1995.

1 Section 2. Definitions.

2 The following words and phrases when used in this act shall
3 have the meanings given to them in this section unless the
4 context clearly indicates otherwise:

5 "Commission." The High Speed Intercity Rail Passenger
6 Commission established by this act.

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

12 "System." A high speed intercity rail passenger system for
13 this Commonwealth.

14 Section 3. High Speed Intercity Rail Passenger Commission
15 established.

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

19 (b) Commission membership.--The commission shall be composed
20 of the following nine members:

21 (1) The chairman and minority chairman of the
22 Transportation Committee of the Senate and the chairman and
23 minority chairman of the Transportation Committee of the
24 House of Representatives, or their successor committees, or
25 their designees.

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

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

30 (4) One person representing the rail industry to be

1 appointed by the Governor.

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

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

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

14 Section 4. Powers and duties.

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

22 (1) The need and demand for high speed intercity rail
23 service in this Commonwealth.

24 (2) The level of high speed rail service required to
25 meet the need for such service.

26 (3) System, equipment, roadbed, right-of-way and other
27 technical and technological options such as electrification.

28 (4) Location and extent of the specific routes in the
29 system.

30 (5) Cost of implementing the system.

- 1 (6) Economic impact of the system.
- 2 (7) Financing, ownership and operating options for the
- 3 system.
- 4 (8) Impact and interaction of the system on existing
- 5 freight rail operations and on existing or proposed rail
- 6 passenger systems.
- 7 (9) Present or proposed operation of similar systems in
- 8 the United States and in other countries.
- 9 (10) Issues and problems relating to local and commuter
- 10 rail service, including funding.

11 Section 5. Cooperation with other agencies and organizations.

12 The commission shall cooperate and exchange information with
13 other Federal and State agencies and with the private sector and
14 related nonprofit organizations involved in rail transportation.
15 The commission shall provide appropriate assistance and support
16 to the Interstate Rail Passenger Advisory Council established by
17 the compact.

18 Section 6. Staff.

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

1 to the commission the services as required by this act.

2 Section 7. Meetings and hearings.

3 The commission shall hold an organizational meeting as soon
4 as possible after the appointment of all its members.

5 Thereafter, the commission shall hold meetings at the call of
6 the chairman or of a majority of the members serving thereon.

7 The commission shall also hold public hearings on the matters to
8 be considered by it at locations throughout this Commonwealth,
9 including specifically those areas most likely to be served by
10 the system. All meetings and public hearings of the commission
11 shall be deemed public meetings for the purposes of the act of
12 July 3, 1986 (P.L.388, No.84), known as the Sunshine Act.

13 Section 8. Reports.

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

17 Section 9. Finances and contributions.

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

24 Section 10. Committee on Oversight.

25 (a) Composition.--There shall be a Committee on Oversight
26 which shall be composed of the chairman and minority chairman of
27 the Transportation Committee of the Senate and the chairman and
28 minority chairman of the Transportation Committee of the House
29 of Representatives. Meetings shall be called by either the
30 chairman of the Transportation Committee of the Senate or the

1 chairman of the Transportation Committee of the House of
2 Representatives. A quorum shall consist of three members and any
3 actions by the committee shall require a majority vote.

4 (b) Oversight consultants.--The Committee on Oversight shall
5 select oversight consultants and shall direct oversight
6 functions relating to data, methods, studies and reports used by
7 or prepared for the commission. The oversight consultants shall
8 be the contractor or contractors selected by and responsible to
9 the committee for the review and evaluation of all data,
10 methods, studies and reports prepared for the commission.

11 (c) Fees and expenses.--All fees and expenses for oversight
12 functions shall be paid by the commission at the direction of
13 the Committee on Oversight from funds appropriated to it by the
14 General Assembly.

15 (d) Publication of findings.--Oversight function findings
16 shall be submitted to the Committee on Oversight and shall be
17 published by the commission when and as presented by the
18 committee in all related public documents.

19 Section 11. Transfer of records.

20 Any Commonwealth agency in possession of any records,
21 contracts, agreements, files or other materials used by the High
22 Speed Intercity Rail Passenger Commission under the act of
23 December 22, 1981 (P.L.518, No.144), known as the High Speed
24 Intercity Rail Passenger Commission Act, on the effective date
25 of this act shall transfer and deliver the same to the High
26 Speed Intercity Rail Passenger Commission established under this
27 act. To the extent possible, the High Speed Intercity Rail
28 Passenger Commission under this act may use and update the
29 results of any investigation or study conducted under the High
30 Speed Intercity Rail Passenger Commission Act.

1 Section 12. Repeal.

2 The act of December 22, 1981 (P.L.518, No.144), known as the
3 High Speed Intercity Rail Passenger Commission Act, is repealed.

4 Section 13. Effective date.

5 This act shall take effect immediately.