

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 960 Session of 2015

INTRODUCED BY LONGIETTI, HARKINS, V. BROWN, DRISCOLL, KOTIK,
PASHINSKI, McNEILL, COHEN, DeLUCA, MURT AND GIBBONS,
APRIL 14, 2015

REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 14, 2015

AN ACT

1 Amending the act of July 5, 1984 (P.L.587, No.119), entitled "An
2 act empowering the Department of Transportation to preserve
3 and improve rail freight service in the Commonwealth by
4 making grants, loans or other assistance available to
5 qualified applicants; authorizing a comprehensive rail study;
6 making an appropriation; and making repeals," further
7 providing for the Rail Freight Advisory Committee.

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

10 Section 1. Section 4 of the act of July 5, 1984 (P.L.587,
11 No.119), known as the Rail Freight Preservation and Improvement
12 Act, amended December 21, 1988 (P.L.1898, No.188), is amended to
13 read:

14 Section 4. Rail Freight Advisory Committee.

15 (a) Creation.--There is hereby created a Rail Freight
16 Advisory Committee, which shall consist of [24] 29 members. The
17 members shall be as follows:

- 18 (1) The Secretary of Transportation, ex officio.
- 19 (2) The Secretary of Commerce, ex officio.
- 20 (3) The Chairman of the Pennsylvania Public Utility

Commission, ex officio.

(4) The Chairman and Minority Chairman of the Senate Transportation Committee.

(5) The Chairman and Minority Chairman of the Transportation Committee of the House of Representatives.

(6) [Seventeen] Twenty-two members of the public representing the areas of concern specified who shall have extensive experience and knowledge of rail freight transportation activities throughout the Commonwealth to be appointed by the Governor as follows:

(i) Two representatives of Class I railroad companies.

(ii) Three representatives of regional railroad/short line operation.

(iii) Six representative rail shippers, each to represent one of the following areas:

(A) Coal.

(B) Steel.

(C) Lumber.

(D) Intermodal.

(E) Chemical.

(F) Food products/agriculture.

(iv) Four representatives of organized labor, each to represent one of the following areas:

(A) Coal labor.

(B) Steel labor.

(C) Intermodal labor.

(D) Railway labor.

[(iv)] (v) One representative from the Pennsylvania Chamber of Commerce.

1 (vi) One representative from the Pennsylvania AFL-
2 CIO.

3 [(v)] (vii) Two representatives of regional/local
4 economic development groups.

5 [(vi)] (viii) Two representatives of regional/local
6 planning commissions.

7 [(vii)] (ix) One representative of rail
8 contractors/suppliers.

9 Each member may designate a representative to serve in his or
10 her stead. A member who designates a representative shall notify
11 the chairman, in writing, of the designation.

12 (a.1) Appointment of public labor representatives.--The
13 members appointed under subsection (a)(6)(iv) and (vi) shall be
14 selected from a list containing three nominees submitted to the
15 Governor by the highest ranking official within the Pennsylvania
16 AFL-CIO.

17 (b) Terms of appointees.--The term of all members of the
18 committee appointed by the Governor shall be for three years,
19 however, the initial terms of these members shall be as follows:

20 (1) One year for the representative of a Class I
21 railroad.

22 (2) Two years for the representative of a Class III
23 railroad.

24 (3) Three years for the representative of a railroad
25 shipper.

26 Any member of the committee may be reappointed for an additional
27 term or terms. Any person appointed to fill a vacancy shall
28 serve only for the unexpired term.

29 (c) Meetings and expenses.--The committee shall meet at
30 least four times every 12 months, but may hold such additional

1 meetings as are called by the chairman or by petition of at
2 least seven committee members. The public members of the
3 committee shall be allowed per diem expenses, to be set by the
4 committee, but not to exceed \$75. The department shall provide
5 appropriate staff support to enable the committee to properly
6 carry out its functions.

7 (d) Powers and duties.--The power and duty of the committee
8 shall be to advise and comment on the comprehensive rail freight
9 study, to advise and comment on all phases of the rail freight
10 transportation program activities being undertaken or
11 financially assisted by the department, and to propose methods,
12 strategies or technologies for improving rail freight
13 transportation services systems or facilities within the
14 Commonwealth. The committee shall periodically submit reports of
15 its deliberations and conclusions to the Governor, members of
16 the General Assembly and the State Transportation Commission.
17 The committee and its statutory functions and duties shall
18 terminate and go out of existence on December 31, 1993, unless
19 reestablished or continued by the General Assembly. Evaluation
20 and review, termination, reestablishment and continuation of the
21 agency shall be conducted pursuant to the provisions of the act
22 of December 22, 1981 (P.L.508, No.142), known as the Sunset Act.

23 (e) Chairperson.--The members of the committee shall
24 annually elect a chairperson, a vice chairperson and a secretary
25 from among the public members appointed to the committee.

26 Section 2. This act shall take effect in 60 days.