

## 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

1 Commission, ex officio.

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

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

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

11 (i) Two representatives of Class I railroad  
12 companies.

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

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

17 (A) Coal.

18 (B) Steel.

19 (C) Lumber.

20 (D) Intermodal.

21 (E) Chemical.

22 (F) Food products/agriculture.

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

25 (A) Coal labor.

26 (B) Steel labor.

27 (C) Intermodal labor.

28 (D) Railway labor.

29 [(iv)] (v) One representative from the Pennsylvania  
30 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        (b) 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)]~~ (c) Terms of appointees.--The term of all members of  
18 the committee appointed by the Governor shall be for three  
19 years, however, the initial terms of these members shall be as  
20 follows:

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

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

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

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

30        ~~[(c)]~~ (d) Meetings and expenses.--The committee shall meet

1 at least four times every 12 months, but may hold such  
2 additional meetings as are called by the chairman or by petition  
3 of at least seven committee members. The public members of the  
4 committee shall be allowed per diem expenses, to be set by the  
5 committee, but not to exceed \$75. The department shall provide  
6 appropriate staff support to enable the committee to properly  
7 carry out its functions.

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

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

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