

## 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, is amended to read:

13 Section 4. Rail Freight Advisory Committee.

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

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

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

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

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

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

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

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

16 (A) Coal.

17 (B) Steel.

18 (C) Lumber.

19 (D) Intermodal.

20 (E) Chemical.

21 (F) Food products/agriculture.

22 (iv) One representative from the Pennsylvania  
23 Chamber of Commerce.

24 (v) Two representatives of regional/local economic  
25 development groups.

26 (vi) Two representatives of regional/local planning  
27 commissions.

28 (vii) One representative of rail  
29 contractors/suppliers.

30 (viii) Four representatives of organized labor, each

1 to represent one of the following areas:

2 (A) Coal labor.

3 (B) Steel labor.

4 (C) Intermodal labor.

5 (D) Railway labor.

6 (ix) One representative from the Pennsylvania AFL-  
7 CIO.

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

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

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

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

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

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

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

28 (c) Meetings and expenses.--The committee shall meet at  
29 least four times every 12 months, but may hold such additional  
30 meetings as are called by the chairman or by petition of at

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

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