

1 HB349
2 119600-3
3 By Representatives Scott, Robinson (O) and Rogers
4 RFD: Boards and Commissions
5 First Read: 19-JAN-10

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

ENROLLED, An Act,

To amend Section 37-11-1, Code of Alabama 1975, relating to the Mississippi-Louisiana-Alabama Rapid Rail Transit Commission; to change the name of the commission to the Southern High-Speed Rail Commission.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 37-11-1, Code of Alabama 1975, is amended to read as follows:

"§37-11-1.

"The Governor, on behalf of this state, is hereby authorized to execute a compact in substantially the following form with the states of Louisiana and Mississippi, and the legislature hereby signifies in advance its approval and ratification of such compact, which compact is as follows:

~~"Mississippi-Louisiana-Alabama Rapid Rail Transit Compact.~~ Southern High-Speed Rail Commission.

"Article I.

"The purpose of this compact is to study the feasibility of rapid rail transit service between the states of Mississippi, Louisiana and Alabama and to establish a joint interstate commission to assist in this effort.

"Article II.

"This compact shall become effective immediately as to the states ratifying it whenever the states of Mississippi,

1 Louisiana and Alabama have ratified it and Congress has given
2 consent thereto. Any state not mentioned in this article which
3 is contiguous with any member state may become a party to this
4 compact, subject to approval by the legislature of each of the
5 member states.

6 "Article III.

7 "The states which are parties to this compact
8 (hereinafter referred to as "party states") do hereby
9 establish and create a joint agency which shall be known as
10 the ~~Mississippi-Louisiana-Alabama Rapid~~ Southern High-Speed
11 ~~Rail Transit~~ Commission (hereinafter referred to as the
12 "commission"), or any successor name adopted by all members of
13 the commission. The membership of such commission shall
14 consist of the governor of each party state, one
15 representative each from the Mississippi Energy and
16 Transportation Board, or its successor, the Office of Aviation
17 and Public Transportation of the Louisiana Department of
18 Transportation and Development, or its successor, and the
19 Alabama Department of Energy, or its successor, five other
20 citizens of each party state, to be appointed by the Governor
21 thereof. The appointive members of the commission shall serve
22 for terms of four years each. Vacancies on the commission
23 shall be filled by appointment by the Governor for the
24 unexpired portion of the term. The members of the commission
25 shall not be compensated for service on the commission, but

1 each of the appointed members shall be entitled to actual and
2 reasonable expenses incurred in attending meetings, or
3 incurred otherwise in the performance of his duties as a
4 member of the commission. The members of the commission shall
5 hold regular quarterly meetings and such special meetings as
6 its business may require. They shall choose annually a
7 chairman and vice chairman from among their members, and the
8 chairmanship shall rotate each year among the party states in
9 order of their acceptance of this compact. The commission
10 shall adopt rules and regulations for the transaction of its
11 business and a record shall be kept of all its business. It
12 shall be the duty of the commission to study the feasibility
13 of providing interstate rapid rail transit service between the
14 party states. Toward this end, the commission shall have power
15 to hold hearings; to conduct studies and surveys of all
16 problems, benefits and other matters associated with such
17 service, and to make reports thereon; to acquire, by gift,
18 grant or otherwise, from local, state, federal or private
19 sources such money or property as may be provided for the
20 proper performance of their function, and to hold and dispose
21 of same; to cooperate with other public or private groups,
22 whether local, state, regional or national, having an interest
23 in such service; to formulate and execute plans and policies
24 for emphasizing the purpose of this compact before the
25 Congress of the United States and other appropriate officers

1 and agencies of the United States; and to exercise such other
2 powers as may be appropriate to enable it to accomplish its
3 functions and duties and to carry out the purposes of this
4 compact.

5 "Article IV.

6 "Each party state agrees that its legislature may,
7 in its discretion, from time to time make available and pay
8 over to the commission funds for the establishment and
9 operation of the commission. The contribution of each party
10 state shall be in equal amounts, if possible, but nothing in
11 this article shall be construed as binding the legislature of
12 either state to make an appropriation of a set amount of funds
13 at any particular time.

14 "Article V.

15 "Nothing in this compact shall be construed so as to
16 conflict with any existing statute, or to limit the powers of
17 any party state, or to repeal or prevent legislation, or to
18 affect any existing or future cooperative arrangement or
19 relationship between any federal agency and a party state.

20 "Article VI.

21 "(1) This compact shall continue in force and remain
22 binding upon each party state until the legislature or
23 Governor of each or any state takes action to withdraw
24 therefrom. However, any such withdrawal shall not become
25 effective until six months after the date of the action taken

1 by the legislature or Governor. Notice of such action shall be
2 given to the other party state or states by the Secretary of
3 State of the party state which takes such action.

4 "(2) There is hereby granted to the Governor, to the
5 members of the commission for Mississippi, Louisiana, and
6 Alabama, and to the compact administrator all the powers
7 provided for in the compact and in this section. All officers
8 of the State of Alabama are hereby authorized and directed to
9 do all things falling within their respective jurisdictions
10 which are necessary or incidental to carrying out the purpose
11 of the compact."

12 Section 2. This act shall become effective on the
13 first day of the third month following its passage and
14 approval by the Governor, or its otherwise becoming law.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17

Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 25-MAR-10, as amended.

Greg Pappas
Clerk

Senate

22-APR-10

Passed