

1 AN ACT

2 relating to the participation of this state in the Southern
3 High-Speed Rail Compact.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subtitle K, Title 6, Transportation Code, is
6 amended by adding Chapter 462 to read as follows:

7 CHAPTER 462. SOUTHERN HIGH-SPEED RAIL COMPACT

8 Sec. 462.001. DEFINITIONS. In this chapter:

9 (1) "Commission" means the Southern High-Speed Rail
10 Commission.

11 (2) "Party state" means a state that is a party to the
12 compact under this chapter.

13 Sec. 462.002. EXECUTION AND TEXT OF COMPACT. The governor,
14 on behalf of this state, is hereby authorized to execute a compact
15 in substantially the following form with the states of Mississippi,
16 Louisiana, and Alabama, and the legislature hereby signifies in
17 advance its approval and ratification of such compact, as follows:

18 SOUTHERN HIGH-SPEED RAIL COMPACT

19 ARTICLE I. PURPOSE

20 The purpose of this compact is to implement Pub. L. No.
21 97-213, including the conduct of a study of the feasibility of rapid
22 rail transit service between the states of Mississippi, Louisiana,
23 Alabama, and Texas and to establish a joint interstate commission
24 to assist in this effort.

1 ARTICLE II. EFFECTIVE DATE; DURATION

2 (a) This compact shall become effective immediately as to
3 the states ratifying it whenever the states of Mississippi,
4 Louisiana, Alabama, and Texas have ratified it and Congress has
5 given consent to it. Any state not mentioned in this article that
6 is contiguous with any party state may become a party to this
7 compact, subject to the approval of the legislature of each party
8 state.

9 (b) This compact shall continue in force and remain binding
10 on each party state until the legislature or governor of a party
11 state takes action to withdraw from the compact. However, any
12 withdrawal from the compact is not effective until six months after
13 the date of the action taken by the legislature or governor to
14 withdraw. Notice of withdrawal shall be given to the other party
15 states by the secretary of state of the withdrawing party state.

16 ARTICLE III. SOUTHERN HIGH-SPEED RAIL COMMISSION; APPOINTMENT;

17 MEMBERSHIP

18 (a) The party states through this compact establish and
19 create a joint agency known as the Southern High-Speed Rail
20 Commission.

21 (b) The membership of the commission consists of:

22 (1) the governor of each party state or that governor's
23 designee;

24 (2) one representative each from:

25 (A) the Mississippi Energy and Transportation
26 Board, or its successor;

27 (B) the Office of Aviation and Public

1 Transportation of the Louisiana Department of Transportation and
2 Development, or its successor;

3 (C) the Alabama Department of Energy, or its
4 successor; and

5 (D) the Texas Department of Transportation; and

6 (3) five citizens from each party state, appointed by
7 the governor of the party state.

8 (c) The citizens appointed from the State of Texas must
9 reside in a federally designated high-speed rail corridor.

10 (d) An appointed member of the commission serves a four-year
11 term.

12 (e) A vacancy on the commission shall be filled for the
13 unexpired portion of the term by the governor of the party state
14 that appointed the member whose position becomes vacant.

15 (f) A member is not entitled to compensation for service on
16 the commission but is entitled to reimbursement for reasonable
17 expenses the member incurs in performing commission duties.

18 ARTICLE IV. SOUTHERN HIGH-SPEED RAIL COMMISSION; POWERS AND DUTIES

19 (a) The commission shall hold regular quarterly meetings
20 and such special meetings as its business may require.

21 (b) The members of the commission shall choose a chairman
22 and vice chairman. The chairmanship shall rotate annually among
23 the party states in the order of ratification of the compact.

24 (c) The commission shall adopt rules and regulations for the
25 transaction of its business and keep a record of all business.

26 (d) The commission shall study the feasibility of providing
27 interstate rapid rail transit service between the party states. To

1 facilitate this duty, the commission may:

2 (1) hold hearings;

3 (2) conduct studies and surveys of the problems,
4 benefits, and other matters associated with the provision of
5 interstate rapid rail transit service;

6 (3) make reports on an activity conducted under
7 Subdivision (2);

8 (4) acquire by gift, grant, or otherwise from local,
9 state, federal, or private sources money or property to be used for
10 the business of the commission;

11 (5) hold and dispose of money or property acquired
12 under Subdivision (4);

13 (6) cooperate with public or private groups having an
14 interest in interstate rapid rail transit service;

15 (7) adopt and implement plans and policies for
16 emphasizing the purpose of this compact before the Congress of the
17 United States and other appropriate officers and agencies of the
18 United States; and

19 (8) exercise any other powers as may be appropriate to
20 accomplish the purposes of this compact.

21 ARTICLE V. FUNDING

22 Each party state agrees that its legislature may in its
23 discretion make available and pay to the commission funds for the
24 establishment and operation of the commission. The contribution of
25 each party state shall be in equal amounts, if possible. Nothing in
26 this article shall be construed as binding the legislature of any
27 party state to make an appropriation of a particular amount at any

1 time.

2 ARTICLE VI. CONFLICT OF LAWS

3 Nothing in this compact shall be construed to conflict with
4 any existing statute, repeal or prevent legislation, or affect any
5 existing or future cooperative agreement or relationship between
6 any federal agency and a party state.

7 ARTICLE VII. GRANT OF AUTHORITY

8 There is hereby granted to the governor, to the members of the
9 commission for Mississippi, Louisiana, Alabama, and Texas, and to
10 the compact administrator all the powers provided for in the
11 compact. All officers of the State of Texas are authorized and
12 directed to perform any actions in their respective jurisdictions
13 that are necessary to carrying out the purpose of the compact.

14 SECTION 2. This Act takes effect September 1, 2009.

President of the Senate

Speaker of the House

I certify that H.B. No. 646 was passed by the House on May 1, 2009, by the following vote: Yeas 143, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 646 was passed by the Senate on May 26, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor