

# SENATE BILL No. 9

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 8-3-23.

**Synopsis:** Indiana passenger rail commission. Establishes the Indiana passenger rail commission to do the following: (1) Facilitate development and implementation of improvements to intercity passenger rail service in Indiana and the Midwest. (2) Coordinate interaction among federal, state, and local elected officials relating to passenger rail issues. (3) Facilitate development and implementation of long range plans for modern passenger rail service in Indiana and the Midwest. (4) Coordinate public and private sectors at the federal, state, and local levels to ensure cooperation among the various entities having an interest in passenger rail service and promote Indiana interests regarding passenger rail service. (5) Facilitate the efforts of the Indiana department of transportation and other transportation agencies involved in developing and implementing passenger rail service in Indiana and the Midwest.

**Effective:** July 1, 2021.

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## Kruse

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January 7, 2021, read first time and referred to Committee on Homeland Security and Transportation.

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First Regular Session of the 122nd General Assembly (2021)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2020 Regular Session of the General Assembly.

## SENATE BILL No. 9

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 8-3-23 IS ADDED TO THE INDIANA CODE AS  
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2021]:

4 **Chapter 23. Indiana Passenger Rail Commission**

5 **Sec. 1. The following are the purposes of this chapter:**

- 6 (1) **The facilitation of development and implementation of**  
7 **improvements to intercity passenger rail service in Indiana**  
8 **and the Midwest.**  
9 (2) **The coordination of interaction among federal, state, and**  
10 **local elected officials relating to passenger rail issues.**  
11 (3) **The facilitation of development and implementation of**  
12 **long range plans for modern passenger rail service in Indiana**  
13 **and the Midwest.**  
14 (4) **The coordination of the public and private sectors at the**  
15 **federal, state, and local levels to ensure cooperation among**  
16 **the various entities having an interest in passenger rail service**  
17 **and to promote Indiana interests regarding passenger rail**



1 service.

2 (5) The facilitation of the efforts of the department and other  
3 transportation agencies involved in developing and  
4 implementing passenger rail service in Indiana and the  
5 Midwest.

6 Sec. 2. As used in this chapter, "commission" refers to the  
7 Indiana passenger rail commission established by section 4 of this  
8 chapter.

9 Sec. 3. As used in this chapter, "department" refers to the  
10 Indiana department of transportation established by IC 8-23-2-1.

11 Sec. 4. The Indiana passenger rail commission is established.

12 Sec. 5. The commission is a separate body, corporate and politic,  
13 which though separate from the state, performs essential  
14 governmental functions.

15 Sec. 6. (a) The commission consists of the following members:

16 (1) The commissioner of the department, or the  
17 commissioner's designee. The commissioner or the  
18 commissioner's designee may not serve as the representative  
19 of any of the organizations described in subdivisions (2)  
20 through (5).

21 (2) Two (2) representatives of the Indiana Passenger Rail  
22 Alliance.

23 (3) Two (2) representatives of the Northern Indiana  
24 Commuter Transportation District.

25 (4) Two (2) representatives of the Northern Indiana Passenger  
26 Rail Association.

27 (5) Two (2) representatives of any other entity determined by  
28 the commission to be appropriate for representation on the  
29 commission.

30 (b) The commissioner of the department serves by virtue of the  
31 commissioner's office. The commissioner may designate an  
32 individual to represent the commissioner as a member of the  
33 commission. An individual designated by the commissioner to  
34 represent the commissioner serves until the earlier of the  
35 following:

36 (1) The commissioner designates another individual to  
37 represent the commissioner.

38 (2) The individual who designated the individual no longer  
39 holds the office of commissioner.

40 (c) Each entity named in subsection (a)(2) through (a)(4) and  
41 any entity granted representation on the commission under  
42 subsection (a)(5) shall appoint its representatives as provided in the



- 1 bylaws of the entity.
- 2 (d) A commission member must be a resident of Indiana.
- 3 (e) A commission member serves without compensation.
- 4 (f) The commission may grant an entity representation on the
- 5 commission by a resolution adopted by a majority of the existing
- 6 commission members.
- 7 Sec. 7. (a) The commission shall elect the following officers from
- 8 among its members as provided in the commission's bylaws:
- 9 (1) A chair.
- 10 (2) A vice chair.
- 11 (3) A treasurer.
- 12 (4) A secretary.
- 13 (b) The officers elected under subsection (a) shall perform the
- 14 functions and exercise the powers stated in the commission's
- 15 bylaws for each officer.
- 16 Sec. 8. (a) The commission shall meet at least quarterly in each
- 17 calendar year and at other times as determined by the commission.
- 18 (b) The commission shall conduct its business in accordance
- 19 with the procedures and voting rights specified in the commission's
- 20 bylaws.
- 21 Sec. 9. The commission shall do the following:
- 22 (1) Coordinate with Indiana's long term plan for modern
- 23 passenger rail service implementation.
- 24 (2) Advocate for the funding and authorization necessary to
- 25 make the long term plan for passenger rail service a reality
- 26 for Indiana.
- 27 (3) Identify and develop ways for the commission to form
- 28 partnerships, including with the rail industry and labor, to
- 29 implement improved passenger rail service in Indiana and the
- 30 Midwest.
- 31 (4) Cooperate with other agencies, regions, and entities to
- 32 ensure that Indiana is adequately represented and integrated
- 33 into national and regional plans for passenger rail
- 34 development.
- 35 (5) Adopt bylaws governing the following:
- 36 (A) The commission's activities and procedures.
- 37 (B) The powers and duties of the commission's officers.
- 38 (C) The terms and appointment of commission members.
- 39 (D) The voting rights of commission members.
- 40 (E) The voting procedures of the commission.
- 41 (F) The conducting of commission business.
- 42 (G) Other matters necessary to fulfill the commission's



- 1                   duties.
- 2                   **(6) Receive and expend money to carry out the commission's**
- 3                   **powers and duties.**
- 4                   **(7) Publish an annual report about the commission's activities.**
- 5                   **Sec. 10. The commission may do any of the following:**
- 6                   **(1) Provide Indiana and multistate advocacy necessary to**
- 7                   **implement passenger rail systems or plans as approved by the**
- 8                   **commission.**
- 9                   **(2) Raise the visibility of modern passenger rail service**
- 10                  **benefits and needs by working with elected officials, economic**
- 11                  **development and planning agencies, the private sector, and**
- 12                  **other such entities.**
- 13                  **(3) Educate federal, state, and local elected officials and the**
- 14                  **public on the advantages of passenger rail service to:**
- 15                   **(A) enhance the environment;**
- 16                   **(B) provide an economic development driver; and**
- 17                   **(C) serve as an integral part of an intermodal**
- 18                   **transportation system in Indiana and the Midwest.**
- 19                  **(4) Make recommendations to the general assembly, the**
- 20                  **governor, and the department.**
- 21                  **(5) Investigate and encourage the securing of grants and other**
- 22                  **funding to underwrite modern passenger rail service**
- 23                  **throughout Indiana and the Midwest.**
- 24                  **(6) Establish an office and hire staff as necessary.**
- 25                  **(7) Contract for or provide services.**
- 26                  **(8) Conduct research.**
- 27                  **(9) Establish committees.**
- 28                  **Sec. 11. (a) The commission may accept, for any of its purposes**
- 29                  **and functions, donations, gifts, grants, and appropriations of**
- 30                  **money, equipment, supplies, materials, and services from any**
- 31                  **federal, state, or local government entity or from any private legal**
- 32                  **person.**
- 33                   **(b) All expenses incurred by the commission in performing the**
- 34                   **duties given to the commission under this chapter shall be paid by**
- 35                   **the commission from money available to it.**
- 36                   **(c) The commission may not borrow money or issue any debt**
- 37                   **instrument.**

