

**SUBJECT:** Allowing Texas to participate in the Southern High-Speed Rail Compact

**COMMITTEE:** Transportation — committee substitute recommended

**VOTE:** 8 ayes — Pickett, Callegari, Y. Davis, Harper-Brown, McClendon, Merritt, T. Smith, W. Smith

0 nays

3 absent — Phillips, Dunnam, Guillen

**WITNESSES:** For — Richard Anderson, East Texas Corridor Council and Harris County; Griff Hubbard, East Texas Corridor Council (*Registered, but did not testify*; Terry Briggs, Brotherhood of Locomotive Engineers and Trainmen; Melissa Cubria, Texas Public Interest Research Group; Tim Geeslin, National Association of Railroad Passengers; Dick Kallerman, Sierra Club; Vic Suhm, North Texas Commission and Tarrant Regional Transportation Coalition; Dennis Kearns)

Against — None

On — (*Registered, but did not testify*: Amadeo Saenz, Texas Department of Transportation)

**BACKGROUND:** United States Public Law No. 97-213, adopted in 1982, grants congressional consent to an interstate compact between certain states to establish a commission to study the feasibility of rapid rail transit service between the states. The law includes articles authorizing the Mississippi-Louisiana Rapid Rail Transit Compact and establishing the participants in and authorities of the commission with respect to member states.

**DIGEST:** CSHB 646 would authorize the governor to execute the Southern High-Speed Rail Compact to implement Public Law No. 97-213, which would establish a joint interstate commission to assist in conducting a feasibility study of providing rapid rail service between Texas, Mississippi, Louisiana, and Alabama. The compact would take effect upon being ratified by other participating states and gaining the consent of the U. S. Congress. States contiguous to a party state could join the compact with the approval of the respective legislatures in those states. The compact

would be in effect until six months after each party state took action to withdraw.

The bill would establish a joint agency, the Southern High-Speed Rail Commission, consisting of one representative from various agencies in each state, including a representative from the Texas Department of Transportation (TxDOT), and five citizens appointed by the governor of each state. Commission members would serve four-year terms and would not receive compensation outside of reimbursements for reasonable expenses incurred while performing official duties.

The commission would elect its leadership, hold quarterly meetings, and study the feasibility of providing rapid rail transit service between member states. As part of the feasibility study, the commission could:

- hold hearings;
- conduct studies and surveys of the obstacles and advantages of providing rapid transit service and issue reports accordingly;
- acquire funds from various sources to fund the commission's business;
- cooperate with public and private groups with an interest in interstate rail service;
- adopt and implement plans and policies for presenting to the U. S. Congress; and
- exercise other powers as appropriate.

Member states could provide funds for the operation of the commission, preferably in equal amounts.

The bill would state that the compact did not conflict with any existing statutes or any agreement with a member state or federal agency.

The bill would take effect September 1, 2009.

**SUPPORTERS  
SAY:**

CSHB 646 would take a small but important step toward pursuing regional passenger rail by allowing Texas to participate in a feasibility study on establishing high-speed commuter rail between Texas and contiguous states to the east. The bill would allow Texas to participate in the Southern High-Speed Rail Commission, authorized by federal law in 1982, to study possibilities for connecting Texas cities with other regional destinations, such as creating a high-speed rail link between Houston and New Orleans.

Taking a decisive action toward pursuing high-speed rail would be timely because congestion in and around cities has been worsening. In addition, the United States has affirmed a commitment to energy independence and more energy-efficient forms of transportation — for instance, by appropriating \$8 billion in competitive grants for high-speed rail in recently enacted federal stimulus legislation.

CSHB 646 would have a minimal impact on the state's finances — a very reasonable sum of \$140,000 for fiscal 2010-11 — but could result in significant long-term benefits to the state. It could provide increased mobility and the opportunity to leverage both federal funds and funds from other states that were committed to regional passenger rail. The funds would be necessary only to reimburse commissioners for expenses, such as travel, that were necessary as part of their official duties. A small investment of state funds for passenger rail up front could result in significant benefits to the state and its citizens in the near and distant future.

OPPONENTS  
SAY:

While CSHB 646 would not in itself have a large impact on the state's budget, it still would deplete general revenue funds that, in combination with other legislation making small obligations upon the state, can add up. A feasibility study of interstate passenger rail may not be a high priority when compared with the multitude of other funding requests the 81st Legislature has under consideration.

NOTES:

The Legislative Budget Board estimates the bill could cost \$140,000 in general revenue during fiscal 2010-11. The fiscal impact is based on an estimate of the annual operating budget of Southern High-Speed Rail Commissions currently established in other states.