



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**

Introduced 02/09/04, by Ricca Slone

**SYNOPSIS AS INTRODUCED:**

New Act

Creates the Midwest Interstate Passenger Rail Compact Act. Provides for a Commission composed of 4 members from each participating state and meeting at least once a year. Provides that the Commission is empowered to perform certain duties concerned with interstate passenger rail improvements. Provides that the Commission shall receive moneys necessary to carry out its functions as appropriated by the participating states. Provides that Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin are eligible to join the compact as well as for a method for other states to join. Provides for a method of withdrawal and default from the compact.

LRB093 21048 RAS 47069 b

1 AN ACT concerning rail service.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Midwest Interstate Passenger Rail Compact Act.

6 Section 5. Agreement. Pursuant to terms and conditions of  
7 this Act, the State of Illinois seeks to join with other states  
8 and thus become a member of the Commission established to carry  
9 out the duties specified in this Act.

10 Section 10. Ratification. The State of Illinois ratifies,  
11 approves and adopts the following compact:

12 ARTICLE I. STATEMENT OF PURPOSE

13 The purposes of this compact are, through joint or  
14 cooperative action:

15 (1) to promote the development and implementation of  
16 improvements to intercity passenger rail service in the  
17 Midwest;

18 (2) to coordinate interaction among Midwestern state  
19 elected officials and their designees on passenger rail  
20 issues;

21 (3) to promote development and implementation of  
22 long-range plans for high speed rail passenger service in  
23 the Midwest and among other regions of the United States;

24 (4) to work with the public and private sectors at the  
25 federal, State, and local levels to ensure coordination  
26 among the various entities having an interest in passenger  
27 rail service and to promote Midwestern interests regarding  
28 passenger rail; and

29 (5) to support efforts of transportation agencies

1 involved in developing and implementing passenger rail  
2 service in the Midwest.

3 ARTICLE II. ESTABLISHMENT OF COMMISSION

4 To further the purposes of the compact, a Commission is  
5 created to carry out the duties specified in this compact.

6 ARTICLE III. COMMISSION MEMBERSHIP

7 The manner of appointment of Commission members, terms of  
8 office consistent with the terms of this compact, provisions  
9 for removal and suspension, and manner of appointment to fill  
10 vacancies shall be determined by each party state pursuant to  
11 its laws, but each Commissioner shall be a resident of the  
12 state of appointment. Commission members shall serve without  
13 compensation from the Commission.

14 The Commission shall consist of 4 resident members of each  
15 state as follows: the Governor or the Governor's designee who  
16 shall serve during the tenure of office of the Governor, or  
17 until a successor is named; one member of the private sector  
18 who shall be appointed by the Governor and shall serve during  
19 the tenure of office of the Governor, or until a successor is  
20 named; and 2 legislators, one from each legislative chamber (or  
21 2 legislators from any unicameral legislature), who shall serve  
22 2-year terms, or until successors are appointed, and who shall  
23 be appointed by the appropriate appointing authority in each  
24 legislative chamber. All vacancies shall be filled in  
25 accordance with the laws of the appointing states. Any  
26 Commissioner appointed to fill a vacancy shall serve until the  
27 end of the incomplete term. Each member state shall have equal  
28 voting privileges, as determined by the Commission bylaws.

29 ARTICLE IV. POWERS AND DUTIES OF THE COMMISSION

30 The duties of the Commission are to:

1           (1) advocate for the funding and authorization  
2 necessary to make passenger rail improvements a reality for  
3 the region;

4           (2) identify and seek to develop ways that states can  
5 form partnerships, including with rail industry and labor,  
6 to implement improved passenger rail in the region;

7           (3) seek development of a long-term, interstate plan  
8 for high speed rail passenger service implementation;

9           (4) cooperate with other agencies, regions, and  
10 entities to ensure that the Midwest is adequately  
11 represented and integrated into national plans for  
12 passenger rail development;

13           (5) adopt bylaws governing the activities and  
14 procedures of the Commission and addressing, among other  
15 subjects: the powers and duties of officers; the voting  
16 rights of Commission members, voting procedures,  
17 Commission business, and any other purposes necessary to  
18 fulfill the duties of the Commission;

19           (6) expend such funds as required to carry out the  
20 duties of the Commission; and

21           (7) report on the activities of the Commission to the  
22 legislatures and governors of the member states on an  
23 annual basis.

24           In addition to its exercise of these duties, the  
25 Commission is empowered to:

26           (1) provide multistate advocacy necessary to implement  
27 passenger rail systems or plans, as approved by the  
28 Commission;

29           (2) work with local elected officials, economic  
30 development planning organizations, and similar entities  
31 to raise the visibility of passenger rail service benefits  
32 and needs;

33           (3) educate other state officials, federal agencies,  
34 other elected officials, and the public on the advantages  
35 of passenger rail as an integral part of an intermodal  
36 transportation system in the region;

1 (4) work with federal agency officials and members of  
2 Congress to ensure the funding and authorization necessary  
3 to develop a long-term, interstate plan for high speed rail  
4 passenger service implementation;

5 (5) make recommendations to member states;

6 (6) if requested by each state participating in a  
7 particular project and under the terms of a formal  
8 agreement approved by the participating states and the  
9 Commission, implement or provide oversight for specific  
10 rail projects;

11 (7) establish an office and hire staff as necessary;

12 (8) contract for or provide services;

13 (9) assess dues, in accordance with the terms of this  
14 compact;

15 (10) conduct research; and

16 (11) establish committees.

17 ARTICLE V. OFFICERS

18 The Commission shall annually elect from among its members  
19 a chair, a vice-chair who shall not be a resident of the state  
20 represented by the chair, and others as approved in the  
21 Commission bylaws. The officers shall perform such functions  
22 and exercise such powers as are specified in the Commission  
23 bylaws.

24 ARTICLE VI. MEETINGS AND COMMISSION ADMINISTRATION

25 The Commission shall meet at least once in each calendar  
26 year, and at such other times as may be determined by the  
27 Commission. Commission business shall be conducted in  
28 accordance with the procedures and voting rights specified in  
29 the bylaws.

30 ARTICLE VII. FINANCE

1           Except as otherwise provided for, the moneys necessary to  
2 finance the general operations of the Commission in carrying  
3 forth its duties, responsibilities, and powers as stated herein  
4 shall be appropriated to the Commission by the compacting  
5 states, when authorized by the respective legislatures, by  
6 equal apportionment among the compacting states. Nothing in  
7 this compact shall be construed to commit a member state to  
8 participate in financing a rail project except as provided by  
9 law of a member state.

10           The Commission may accept, for any of its purposes and  
11 functions, donations, gifts, grants, and appropriations of  
12 money, equipment, supplies, materials, and services from the  
13 federal government, from any party state or from any  
14 department, agency, or municipality thereof, or from any  
15 institution, person, firm, or corporation. All expenses  
16 incurred by the Commission in executing the duties imposed upon  
17 it by this compact shall be paid by the Commission out of the  
18 funds available to it. The Commission shall not issue any debt  
19 instrument. The Commission shall submit to the officer  
20 designated by the laws of each party state, periodically as  
21 required by the laws of each party state, a budget of its  
22 actual past and estimated future expenditures.

23           ARTICLE VIII. ENACTMENT, EFFECTIVE DATE, AND AMENDMENTS

24           The States of Illinois, Indiana, Iowa, Kansas, Michigan,  
25 Minnesota, Missouri, Nebraska, North Dakota, Ohio, South  
26 Dakota, and Wisconsin are eligible to join this compact. Upon  
27 approval of the Commission according to its bylaws, other  
28 states may also be declared eligible to join the compact. As to  
29 any eligible party state, this compact shall become effective  
30 when its legislature shall have enacted the same into law;  
31 provided that it shall not become initially effective until  
32 enacted into law by any 3 party states incorporating the  
33 provisions of this compact into the laws of such states.  
34 Amendments to the compact shall become effective upon their

1 enactment by the legislatures of all compacting states.

2 ARTICLE IX. WITHDRAWAL, DEFAULT, AND TERMINATION

3 Withdrawal from this compact shall be by enactment of a  
4 statute repealing the same and shall take effect one year after  
5 the effective date of such statute. A withdrawing state shall be  
6 liable for any obligations which it may have incurred prior to  
7 the effective date of withdrawal.

8 If any compacting state shall at any time default in the  
9 performance of any of its obligations, assumed or imposed, in  
10 accordance with the provisions of this compact, all rights,  
11 privileges, and benefits conferred by this compact or  
12 agreements hereunder shall be suspended from the effective date  
13 of such default as fixed by the Commission, and the Commission  
14 shall stipulate the conditions and maximum time for compliance  
15 under which the defaulting state may resume its regular status.  
16 Unless such default shall be remedied under the stipulations  
17 and within the time period set forth by the Commission, this  
18 compact may be terminated with respect to such defaulting state  
19 by affirmative vote of a majority of the other Commission  
20 members. Any such defaulting state may be reinstated, upon vote  
21 of the Commission, by performing all acts and obligations as  
22 stipulated by the Commission.

23 ARTICLE X. CONSTRUCTION AND SEVERABILITY

24 The provisions of this compact entered into hereunder shall  
25 be severable and if any phrase, clause, sentence, or provision  
26 of this compact is declared to be contrary to the constitution  
27 of any compacting state or of the United States or the  
28 applicability thereof to any government, agency, person, or  
29 circumstance is held invalid, the validity of the remainder of  
30 this compact and the applicability thereof to any government,  
31 agency, person, or circumstance shall not be affected hereby.  
32 If this compact entered into hereunder shall be held contrary

1 to the constitution of any compacting state, the compact shall  
2 remain in full force and effect as to the remaining states and  
3 in full force and effect as to the state affected as to all  
4 severable matters. The provisions of this compact entered into  
5 pursuant hereto shall be liberally construed to effectuate the  
6 purposes thereof.