

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1065

2005 HOUSE TRANSPORTATION

HB 1065

2005 HOUSE STANDING COMMITTEE MINUTES

BILL NO. HB 1065

House Transportation Committee

Conference Committee

Hearing Date January 6, 2005

Tape Number	Side A	Side B	Meter #
1	X		34.6 -36.9

Committee Clerk Signature

Minutes:

Chairman Weisz There will be no one testifying on this bill this morning due to the fact that it was prescheduled and there was no ability to contact people. The Counsel of State Government wants to testify on this bill. Since it was scheduled we had to open the hearing, we are going to leave it open. I will reschedule a hearing on this bill the following week. We will get everyone notified so that they can testify since it is a big issue for them.

2005 HOUSE STANDING COMMITTEE MINUTES

BILL NO. 1065

House Transportation Committee

Conference Committee

Hearing Date January 21, 2005

Tape Number	Side A	Side B	Meter #
1	X		1.1-16.9

Committee Clerk Signature



Minutes:

Chairman Weisz reopen hearing on HB 1065.

Rep. Koppelman: HB 1065 looks familiar to you. That is because we have already passed it, but it had a sunset clause on it and we need to re-authorize it. It is known as the Midwest Interstate Passenger Rail Compact in which North Dakota is a member. It came out of a vision several years ago to have the midwestern states cooperate on passenger rail in the midwest. Several years ago several DOT thought that would be good to get that kind of thing in the midwest. In short term this commission is using its strength in numbers concept to make sure that the midwest interest is heard when it comes to passenger rail through out the country. As you know, passenger rail is very important to North Dakota. We are a large rural state where modes of public transportation are few and far between. I will allow Senator Robinson to go into detail on the bill. Are there any questions?

Rep. Hawken (3.3) Should we put a sunset clause on it again?

Rep. Koppelman said they did not. If we do want out of the commission, their is procedure to do that.

Senator Jackson: MIPRC The MIPRC came into being in 2000 after three states, Indiana, Minnesota and Missouri passed the compact that was signed into law. I think the compact has been very effective in forming a unified midwestern voice for further development of better, more efficient western rail system in the region. It has also been a strong presence in insuring our current national passenger rail will be preserved and improved. I think we have been very effective in informing members of congress from the member states. We go there every year and tell them about the importance of passenger rail development in the region. (See attached testimony and handouts)

Laura Kliewer: I do want to tell you there is an over view of the compact in the handout. Also enclosed is an annual report we do every year listing last years activities. I would like to stress with you that North Dakota, with its empire builder line, that the commission is a helpful voice for the state to preserve and improve national passenger rail. We want to be sure the passenger rail system that exists now is preserved. I hope that you will pass this law quickly.

Chairman Weisz The compact has been pushing to add rail title in the new federal authorization. Would you explain what that rail title would do?

Laura Kliewer: Passenger rail is the only mode of transportation that does not have a dedicated federal funding. It is needed for rail and track improvement so we are working with allot of groups to bring forth a title that would provide for that source of funding. Probably through tax credit bonding so annually states could get the funding to improve their rail systems. There is already a plan for the midwest that would serve as the foot print for the rest of the midwest that

would improve service. We hope to increase the frequency of the rail routes. Passenger rail has so many efficiencies that are needed to off set the cost of freight rail. Provides an alternative that people need in many communities. In the last legislation that did not pass Senator K Baley Hutchenson sponsored the bill. It did not have any specific funding, but it was there. It was at least preserved as a trail place holder then in the next coming six years we can work to actually fund it. It is possible, but not sure about the upcoming cuts with the administration.

Rep. Owens(11.8) Right now the re authorization safety does not have an authorization for this.

Laura Kliewer: The house version if not the senate version, had a place holder for real title.

This is completely new, this is something we are working from the ground up. Passenger rail has never had it. We feel we have made allot of head way in educating members of congress on this issue and we feel within the next couple of years it will happen.

Rep. Price(12.4) We have a fiscal note that says they can not determine fiscal impact. What is the potential liability to our state?

Laura Kliewer: The annual dues are for the compact membership are \$15,000 a year. This year the dues are \$50,000. North Dakota though, since its been in the compact every year has a lower dues level of \$5,000/year. We call it an associate membership. As we get more members the dues will go down.

David Sprynczynatky, Direct of DOT: (14.0) In support of HB 1065. (See attached testimony) The fiscal note did not reach the DOT. OMB sent it back and I am not sure why? I will tell you we have programs this into our budget assuming that the legislature would see fit to continue our membership.

Chairman Weisz No further support. No opposition

Page 4

House Transportation Committee

Bill Number 1065

Hearing Date January 21, 2005

Hearing closed (16.0)

Motion Made by Rep. Hawkens Seconded by Rep. Delmore

DO PASS 15 Yes 0 No 0 Absent Carrier: Rep. Iverson

Closed (16.9)

FISCAL NOTE
 Requested by Legislative Council
 12/28/2004

Bill/Resolution No.: HB 1065

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2003-2005 Biennium			2005-2007 Biennium			2007-2009 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. **Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

Unable to determine fiscal impact.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

Name: Celeste Kubasta
 Phone Number: 328-4947

Agency: OMB
 Date Prepared: 12/30/2004

Date: 1-21-05
Roll Call Vote #:

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1065

House Transportation Committee

Check here for Conference Committee

Legislative Council Amendment Number

Action Taken *Do Pass*

Motion Made By *Rep Hawken* Seconded By *Rep. Delmore*

Representatives	Yes	No	Representatives	Yes	No
Rep. Weisz - Chairman	✓		Rep. Delmore	✓	
Rep. Hawken - Vice Chair.	✓		Rep. Meyer	✓	
Rep. Bernstein	✓		Rep. Schmidt	✓	
Rep. Dosch	✓		Rep. Thorpe	✓	
Rep. Iverson	✓				
Rep. Kelsch	✓				
Rep. Owens	✓				
Rep. Price	✓				
Rep. Ruby	✓				
Rep. Vigesaa	✓				
Rep. Weiler	✓				

Total (Yes) 15 No 0

Absent 0

Floor Assignment *Rep. Iverson*

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
January 21, 2005 11:44 a.m.

Module No: HR-14-0841
Carrier: Iverson
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1065: Transportation Committee (Rep. Weisz, Chairman) recommends DO PASS
(15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1065 was placed on the
Eleventh order on the calendar.

2005 SENATE POLITICAL SUBDIVISIONS

HB 1065

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1065

Senate Political Subdivisions Committee

Conference Committee

Hearing Date March 3, 2005

Tape Number

1

Side A

X

Side B

Meter #

1055 - 2084

Committee Clerk Signature



Minutes:

Chairman Cook opened the hearing on HB 1065 which is a Bill for an Act to provide for adoption of the Midwest Interstate passenger rail compact. Five members present and one absent.

Representative Koppelman, District 13, West Fargo, ND introduced HB 1065. This is a bill that contains a statute that is already on our books in ND. The only reason it is before you today, is because we had a sunset provision on it. This was pointed out to me in the interim, and we need to reintroduce this to authorize it after the sunset. The midwest interstate passenger rail compact came from a task force through the council of state government and it was very interesting as I serve as the House of Representatives appointee to the Midwest Legislative Conference to the Council of State Governments and Senator Wardner serves as the Senate representative and we were sitting in a meeting several years ago and they were talking about the vision of some day having high speed rail in the midwest connecting several cities with Chicago as a hub. As they passed the map out all the eleven midwestern states were part of that group

represented except for two, the Dakotas. I got involved with that group and with a lot of work we were able to get them to include the Dakotas and North Dakota is in a much greater position for rail now and in the future. We have a lot more passenger rail than South Dakota does. This group is basically to promote rail in the midwest. Since 9/11 and the delays that resulted in air traffic, rails could become a bigger player again in regard to passenger transportation. I think that not only has rail play a great role in our history of ND, I think it could also play a greater role in our future

Senator Triplett: If I understand correctly, this bill is exactly as state law is, it is just the removal of the sunset clause.

Rep. Koppelman: Yes that is right.

Senator Wardner, District 37, Dickinson, ND, testified in support of HB 1065. It does come from the Midwestern Legislative Conference. We are a player in this now, in the beginning we were not even thought of as being a part of this high speed rail. The other thing, as we look into the future we want to be a part of that. There is no question if we want people to come to ND for tourism, the high speed rail will be a positive to serve us.

Darcy Rosendahl, Planning and Programming Director, ND Department of Transportation, testified in support of HB 1065 (See attachment #1)

No Further testimony for or against the bill.

Chairman Cook closed the hearing on HB 1065.

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1065

Senate Political Subdivisions Committee

Conference Committee

Hearing Date March 10, 2005

Tape Number

1

Side A

Side B

X

Meter #

1313 - 1383

Committee Clerk Signature



Minutes

Chairman Cook opened the discussion and asked action on HB 1065 which deals with the Midwest Interstate passenger rail compact. All members (6) were present.

Senator Triplett moved a Do Pass.

Senator Hacker seconded the motion.

Discussion: None

Roll call vote: Yes 6 No 0 Absent 0

Carrier: **Senator Cook**

Date: 3-10-05
Roll Call Vote #: 1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1065

Senate Political Subdivisions

Committee

Check here for Conference Committee

Legislative Council Amendment Number

Action Taken Do Pass

Motion Made By Senator Triplett Seconded By Senator Hacker

Senators	Yes	No	Senators	Yes	No
Senator Dwight Cook, Chairman	X				
Senator Nicholas P. Hacker, VC	X				
Senator Dick Dever	X				
Senator Gary A. Lee	X				
Senator April Fairfield	X				
Senator Constance Triplett	X				

Total Yes 6 No 0

Absent

Floor Assignment Senator Cook

If the vote is on an amendment, briefly indicate intent:

Std. Com. Report.
Done
3-10-05

REPORT OF STANDING COMMITTEE (410)
March 10, 2005 1:44 p.m.

Module No: SR-44-4662
Carrier: Cook
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1065: Political Subdivisions Committee (Sen. Cook, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1065 was placed on the Fourteenth order on the calendar.

2005 TESTIMONY

HB 1065

HOUSE TRANSPORTATION COMMITTEE
January 21, 2005

North Dakota Department of Transportation
David A. Sprynczynatyk, Director

HB 1065

Good morning Mr. Chairman and members of the committee. My name is David Sprynczynatyk. I'm the Director of the North Dakota Department of Transportation. I'm here to speak in favor of House Bill 1065.

In the 2001 legislative session, a similar bill, HB 1408, was passed to provide for North Dakota to become a member of the MIPRC (Midwestern Interstate Passenger Rail Compact). That bill had a provision for expiration of the membership effective 2003. Since 2001, I have served as the Governor's designee. Other representatives from North Dakota include Representative Koppelman, Senator Randy Schobinger, and Dennis Ming, Dakota Missouri Valley Western Railroad.

Full membership dues to belong to the compact are \$15,000 per year. Representative Koppelman has been able to negotiate North Dakota's membership down to \$5,000 per year by including North Dakota as an associate member. HB 1065 will allow North Dakota to continue as a member of the MIPRC since the compact requires legislative action for membership.

While it may appear that high speed rail could be several years off for North Dakota, the number one purpose of the cooperative is to promote development and implementation of improvements to Interstate passenger rail service in the Midwest. This compact gives North Dakota another opportunity for promoting the continuation of the Amtrak service in eastern and northern North Dakota, as well as the development of other potential passenger rail service in North Dakota. Because of this, we support North Dakota continuing its membership in the compact and, therefore, support HB 1065.

Mr. Chairman, that concludes my testimony and I would be happy to answer any questions the committee may have.

###

1065 1-21-05



Midwest Interstate
Passenger Rail
Commission

641 East Butterfield Road
Suite 401
Lombard, Illinois 60148
tel: 630.810.0210
fax: 630.810.0145
web: www.miprc.org
email: miprc@miprc.org

Co-Chair

Sen. Robert Jackman, Indiana

Co-Chair

Ms. Elizabeth Solberg, Indiana

Vice-Chair

Rep. Charlie Schlottach, Missouri

Financial Officer

Sen. DiAnna Schimek, Nebraska

Director

Laura Kliewer

*Bringing Together
State Leaders from
Across the Region
to Advocate
for Passenger Rail
Improvements*

Annual Report: Fiscal Year 2004 (July, 2003 – June, 2004)

The Midwest Interstate Passenger Rail Compact language requires the commission created to carry out the compact's duties to "report on the activities of the Commission to the legislatures and governor of the member states on an annual basis." This is the fourth annual report of the Midwest Interstate Passenger Rail Commission, regarding its activities during FY 2004.

The Midwest Interstate Passenger Rail Commission (MIPRC) was formed via compact agreement to promote, coordinate and support regional improvements to passenger rail service. All Midwestern states are eligible to join the MIPRC. Members during FY 2004 included the states of Indiana, Minnesota, Missouri, Nebraska, North Dakota and Ohio. Two state legislators, the governor (or his/her designee) and a member of the private sector (also appointed by the governor) are appointed to the Commission from each state.

During its fourth year, the MIPRC continued to be a leader in developing public policy statements on the importance of passenger rail development as a vital component of a healthy intermodal transportation system, and in working with regional and national allies to promote this message. The commission was active in educating Members of Congress on the need for passenger rail improvements for our region, and especially on the need for a dedicated source of federal funding for rail. Commission members received frequent updates on passenger rail reports and news, and often communicated either individually or collectively on important legislative developments.

The Midwest Regional Rail Initiative, a nine-state project developed by Midwestern state departments of transportation to bring better and more frequent passenger rail service to the region, was the MIPRC's main advocacy focus. The MIPRC helped to secure an earmark for the MWRI within the federal FY 2004 transportation appropriations. In addition to other outreach, several MIPRC commission members traveled to Washington, D.C. in October to talk with Members of Congress about passenger rail funding, and the MWRI earmark in particular.

The MIPRC held its winter meeting via teleconference on December 3, 2003. Commissioners exchanged information on passenger rail development in their states and developed the commission's strategy for upcoming reauthorization of both TEA-21 and Amtrak.

In the Spring of 2004, the MIPRC began working with a national coalition of freight and passenger rail organizations to develop and promote a rail title in the reauthorization of the six-year surface transportation program. During its Spring meeting, June 22 and 23, 2004 in Washington D.C., the MIPRC finalized, and then advocated for, the following objectives (in meetings with over 30 Midwestern Members of Congress, other Congressional leaders and their staff): a dedicated federal tax-credit bonding program for intercity passenger rail development; full funding for Amtrak, and sufficient funding for other rail programs, within the FY 2005 appropriations; rail-focused provisions in TEA-21 reauthorization; and rail tax credit provisions within the "JOBS" bill.

(over)

In addition, commissioners were updated on the MWRRRI and received an overview of CREATE, a project to relieve rail congestion in the Chicago area (which is the main rail hub for the region). The commission also elected new officers: Indiana Sen. Robert Jackman and Liz Solberg as MIPRC's co-chairs; Rep. Charlie Schlottach of Missouri as vice chair; and Nebraska Sen. DiAnna Schimek as the commission's financial officer.

During FY 2004, the MIPRC also worked to encourage more Midwestern states to join the compact and to educate state legislators in general on the importance of passenger rail development for the region. Toward that end, the MIPRC held a breakfast briefing for legislators during the Midwestern Legislative Conference Annual Meeting in August 2003. The compact legislation was introduced in Illinois and Iowa during FY 2004, but no new states joined the compact during this fiscal year.

The Midwest is the ideal candidate for more frequent intercity passenger rail service at higher speeds. All major metropolitan cities in the region are within the 100-500 mile range of the Chicago Hub, the range in which high speed passenger rail is better suited for transporting passengers than either cars or airplanes. Because more frequent, faster passenger rail service could be realized in the region primarily with improvements to existing track, and new safer and more comfortable trains, this new transportation relief would be very cost effective. Also, even current passenger rail service brings transportation options to many communities that would not be served by intercity public transportation otherwise.

Midwestern state legislators, governors and their designees are the most effective voices for educating their constituents, as well as their representatives at the federal level, on the benefits that improved passenger rail service would bring to the region. Intercity passenger rail is also inherently an interstate endeavor, so when the region's leaders speak as one on this issue, their united voice becomes even more valuable. Representing the states, and with state officials as its appointed members, the Midwest Interstate Passenger Rail Commission is working to both preserve and improve our national and regional passenger rail system.

In FY 2005, the MIPRC plans to renew its efforts to bring more Midwestern states into the compact so it can be an even more effective regional voice for improving passenger rail service. The commission will also develop new avenues for communicating passenger rail's merits, including through materials the MIPRC will publish to promote the MWRRRI and through the development of a new commission website.

The Midwest Interstate Passenger Rail Compact

Bringing Together State Leaders from Across the Region to Advocate for Passenger Rail Improvements

What are the purposes of the Midwest Interstate Passenger Rail Compact?

The main purposes of the Compact are to promote, coordinate and support regional improvements to passenger rail service:

- Promote development and implementation of improvements and long-range plans for intercity passenger rail service in the Midwest;
- Coordinate interaction among Midwestern state officials, and among the public and private sector at all levels (federal, state and local); and
- Support current state efforts being conducted through state DOTs.

Why does the Midwest need a compact to achieve these purposes?

The Midwest needs a unified voice to advocate at the federal, state and local levels for frequent, convenient, cost-effective passenger rail service. The development of a modern passenger rail service is an integral component of the intermodal transportation infrastructure needed to move people and goods quickly, safely and economically in the 21st century. But this essential transportation component has not received the attention currently afforded to other transportation modes.

With all major metropolitan cities within the 100-500 mile range of the Chicago Hub, our region is the ideal candidate for more frequent intercity passenger rail service at higher speeds. Midwestern state officials and other advocates need to come together and declare with one voice that improvements in passenger rail are critical and necessary. The Midwest Interstate Passenger Rail Compact provides structure and legitimacy to such a voice.

Reauthorization of both the Transportation Equity Act for the 21st Century (TEA-21) and Amtrak is still pending. It is more important than ever for state leaders in the Midwest to advocate for the federal funding necessary to build a strong passenger rail system in our region.

Which states are eligible to join the Compact?

The states of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota and Wisconsin are eligible to join the Compact. Other states may also be declared eligible to join, upon approval of the commission that was created when the Compact became effective.

Who makes up the commission's membership?

Four resident members from each state that has enacted the Compact are appointed to the commission. The governor of each state appoints two members and legislative leaders appoint two members.

The governor shall appoint:

- The governor or a designee;
- A member of the private sector

The legislature shall appoint:

- One member from each legislative chamber (or two legislators from any unicameral legislature)

When did the Compact become operational and what is its progress to date?

According to the Compact language, three states needed to enact the compact before it became operational. That happened in 2000, when the legislatures of Indiana, Minnesota and Missouri passed the Compact, and the bills were signed into law. North Dakota and Nebraska became the fourth and fifth states to enact the Compact, during their respective legislative sessions in 2001. In 2002, Ohio became the sixth state to join. As other eligible states continue to pass enabling legislation, they will become members of the commission created to carry out the objectives of the compact – the Midwest Interstate Passenger Rail Commission.

The Midwest Interstate Passenger Rail Commission (MIPRC) has been effective in educating Members of Congress from its member states on the importance of passenger rail development to the region, and in facilitating dialogue among various parties with an interest in rail. In addition to other advocacy efforts in FY '03, MIPRC led an effort that formulated and promoted the American Passenger Rail Agreement – a common set of principles for passenger rail development that over 100 groups of state officials, advocacy organizations, unions and corporations are advocating at the federal level. During FY '04, commissioners and their allies continued that effort. The group seeks a dedicated source of funding for passenger rail – preferably within TEA reauthorization – and a preserved and improved nationwide passenger rail system. In addition, the MIPRC will continue to advocate for federal funding to advance the Midwest Regional Rail Initiative (MWRRI), a nine-state effort to improve the efficiency and frequency of passenger rail service in the region. MIPRC helped to secure an earmark for the MWRRI within the federal FY '04 transportation appropriations, and will continue its strong advocacy for this project.

During its 2004 spring meeting, held June 22-23 in Washington, D.C., MIPRC commissioners met with many Midwestern Members of Congress and stressed the importance of a dedicated tax-credit bonding program for intercity passenger rail development; full funding for the Amtrak budget that had been approved by its new board of directors; strengthening of rail provisions within TEA-21 reauthorization negotiations; and rail tax credit provisions contained with the Senate-passed version of the FSC/ETI "Jobs" bill. In the fall of 2004, the MIPRC began working with a group representing both freight and passenger rail interests, to develop rail-specific legislation for Congressional consideration in 2005.

How can I find out more about the Compact and its progress?

Detailed information about the MIPRC is available on its website: www.miprc.org. Or, contact Laura Kliewer, the Commission's director (630/810-0210, lkiewer@miprc.org).

SENATE POLITICAL SUBDIVISIONS
March 3, 2005

North Dakota Department of Transportation
Darcy Rosendahl, Planning and Programming Director

HB 1065

Good morning Mr. Chairman and members of the committee. My name is Darcy Rosendahl. I'm the Planning and Programming Director of the North Dakota Department of Transportation. I'm here to speak in favor of House Bill 1065.

In the 2001 legislative session, a similar bill, HB 1408, was passed to provide for North Dakota to become a member of the MIPRC (Midwestern Interstate Passenger Rail Compact). That bill had a provision for expiration of the membership effective 2003. Since 2001, Director Dave Sprynczynatyk has served as the Governor's designee. Other representatives from North Dakota include Representative Koppelman, Senator Randy Schobinger, and Dennis Ming, Dakota Missouri Valley Western Railroad.

Full membership dues to belong to the compact are \$15,000 per year. Representative Koppelman has been able to negotiate North Dakota's membership down to \$5,000 per year by including North Dakota as an associate member. HB 1065 will allow North Dakota to continue as a member of the MIPRC since the compact requires legislative action for membership.

While it may appear that high speed rail could be several years off for North Dakota, the number one purpose of the cooperative is to promote development and implementation of improvements to Interstate passenger rail service in the Midwest. This compact gives North Dakota another opportunity for promoting the continuation of the Amtrak service in eastern and northern North Dakota, as well as the development of other potential passenger rail service in North Dakota. Because of this, we support North Dakota continuing its membership in the compact and, therefore, support HB 1065.

Mr. Chairman, that concludes my testimony and I would be happy to answer any questions the committee may have.

###