

By: Senator(s) Smith

To: Highways and
Transportation;
Appropriations

SENATE BILL NO. 2323

1 AN ACT TO CREATE A STUDY COMMITTEE TO STUDY THE IMPROVEMENT
2 OF FREIGHT RAIL SERVICE IN THIS STATE AND THE FEASIBILITY OF HIGH
3 SPEED RAIL SERVICE IN THIS STATE; TO REQUIRE SUCH COMMITTEE TO
4 MAKE RECOMMENDATIONS TO THE LEGISLATURE THAT RESULT FROM SUCH
5 COMMITTEE'S STUDY; AND FOR RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** (1) There is established a study committee to
8 study the improvement freight rail service in Mississippi and the
9 feasibility of high speed rail service in Mississippi. The study
10 committee shall examine all aspects of freight rail service and
11 high speed rail service and make recommendations regarding such
12 examination to the Legislature on or before December 1, 2002.

13 (2) The study committee shall be composed of three (3)
14 members appointed by the Governor, three (3) members appointed by
15 the Lieutenant Governor and three (3) members appointed by the
16 Speaker of the House of Representatives. In making their
17 appointments the Governor, Lieutenant Governor and the Speaker of
18 the House of Representatives shall endeavor to achieve a diverse
19 representation, with all geographical areas of the state being
20 represented on the committee.

21 (3) Appointments shall be made within thirty (30) days after
22 passage of this act. Within fifteen (15) days thereafter, on a
23 day to be designated by the Governor, the study committee shall
24 meet and organize by selecting from its membership a chairman and
25 vice chairman. The vice chairman shall serve as secretary and
26 shall be responsible for keeping all records of the study
27 committee. A majority of the members of the study committee shall
28 constitute a quorum. In the selection of its officers and the



29 adoption of rules, resolution and reports, and affirmative vote of
30 a majority of the study committee is required. All members shall
31 be notified in writing of all meetings, and such notices must be
32 mailed at least five (5) days before the date on which a meeting
33 is to be held.

34 (4) Subject to the availability of funds, for attending
35 meetings of the study committee, members who are not legislators
36 shall be compensated at the per diem rate authorized by Section
37 25-3-69, Mississippi Code of 1972, and shall be reimbursed in
38 accordance with Section 25-3-41, Mississippi Code of 1972, for
39 mileage and actual expenses incurred in attending meetings of the
40 committee. If members of the Legislature are appointed to serve
41 as members of the study committee, such legislative members shall
42 be paid from the contingent expense fund of their respective house
43 per diem in the same manner as provided for committee meetings
44 when the Legislature is not in session. However, no per diem,
45 mileage allowance or expense allowance may be paid for attending
46 meetings of the committee while the Legislature is in session, and
47 no per diem, mileage allowance or expense allowance may be paid
48 without prior approval of the proper committee in the member's
49 respective house. If a state employee is appointed as a member of
50 the committee, such state employee shall not be eligible to
51 receive per diem compensation. No study committee member may
52 incur per diem, travel or other expenses unless previously
53 authorized by vote at a meeting of the study committee, which
54 action must be recorded in the official minutes of the meeting.
55 Nonlegislative members may be paid from any funds made available
56 to the study committee for that purpose.

57 (5) The study committee may utilize clerical and legal staff
58 employed by the Mississippi Department of Transportation, the
59 Office of the Governor, the Legislature and any other staff
60 assistance made available to the committee. To effectuate the
61 purpose of this act, any department, division, board, bureau,



62 commission or agency of the state or of any political subdivision
63 thereof shall at the request of the chairman of the study
64 committee, provide to the study committee such facilities,
65 assistance and data as will enable the special committee to carry
66 out its duties.

67 (6) Funding for the study committee may be provided from any
68 funds that may be appropriated by the Legislature for the expenses
69 of the study committee. The study committee may accept money from
70 any source, public or private, to be expended in implementing its
71 duties under this act.

72 (7) Upon presentation of its report to the Legislature
73 before the 2003 Regular Session, the study committee shall be
74 dissolved.

75 **SECTION 2.** This act shall take effect and be in force from
76 and after July 1, 2002.

