

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE BILL 1812

By: Shannon

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5
6 AS INTRODUCED

7 An Act relating to railroad projects; amending
8 Section 32 of Article IX of the Constitution of the
9 State of Oklahoma, which relates to the state
10 involvement in railroads; allowing the state to enter
11 into certain agreements regarding railroads; limiting
12 agreements to certain purposes; authorizing
13 Legislature to appropriate funds; requiring
14 Department of Transportation to maintain jurisdiction
15 over projects; and providing an effective date.

16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 1. Section 32 of Article IX of the Constitution of
18 the State of Oklahoma, is amended to read as follows:

19 Section 32. A. The said Commission shall have power, and it is
20 hereby made its duty, to investigate all through freight or
21 passenger rates on railroads in this State, and when the same are,
22 in the opinion of the Commission, excessive or levied or laid in
23 violation of the Interstate Commerce law, or the rules and
24 regulations of the Interstate Commerce Commission, the proper
officials of the railroads are to be notified of the facts and
requested to reduce them or make the proper corrections, as the case

1 may be. When the rates are not changed, or the proper corrections
2 are not made according to the request of the Commission, it shall be
3 the duty of the latter to notify the Interstate Commerce Commission
4 and to make proper application to it for relief, and the Attorney
5 General or such other persons as may be designated by law shall
6 represent the Commission in all such matters.

7 B. The State of Oklahoma may enter into public-private
8 partnership agreements with a private freight railroad for the
9 purpose of enhancing the infrastructure capacity of private freight
10 railroads and other freight railroad projects deemed suitable for
11 the economic development of the state. The State Legislature may
12 appropriate funds for the public-private partnership agreements or
13 contracts provided the administration of all the projects entered
14 into pursuant to this subsection shall be under the jurisdiction of
15 the Department of Transportation.

16 C. The State of Oklahoma may enter into public-private
17 partnership agreements with quasi-governmental entities and private
18 railroads for the purpose of planning, constructing of rail
19 infrastructure or operating intrastate or interstate passenger rail
20 service or commuter rail service. The State Legislature may
21 appropriate funds for quasi governmental, private railroad
22 agreements or contracts provided all the agreements and contracts
23 entered into pursuant to this subsection shall be under the
24 jurisdiction of the Department of Transportation.

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SECTION 2. This act shall become effective November 1, 2009.

52-1-6504 CJB 01/12/09