

1 **SENATE FLOOR VERSION**

2 April 2, 2013

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 HOUSE BILL NO. 2187

By: Joyner, Shannon, Condit and
Pittman of the House

6 and

7 Schulz and Boggs of the
8 Senate

9
10 [railroads - providing procedures for sale of
11 certain railroads - requiring certain report be
12 delivered to the Legislature - codification -
13 effective date -

emergency]

14
15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 304.2 of Title 66, unless there
18 is created a duplication in numbering, reads as follows:

19 Prior to the Oklahoma Department of Transportation issuing an
20 RFP for the sale or transfer of any short-line railroad currently
21 owned by the State of Oklahoma or the Oklahoma Department of
22 Transportation, the Office of Management and Enterprise Services
23 shall conduct a review and evaluation of the economic impact of such
24 sale on the businesses that utilize the short-line railroad. In

1 conducting the review and evaluation, the Office of Management and
2 Enterprise Services shall consult with the Oklahoma Department of
3 Commerce to determine the economic impact of such sale on the
4 businesses that utilize the short-line railroad, including but not
5 limited to an analysis of loss of direct or indirect neutral and
6 competitive access to the North American Freight Rail Network. The
7 Oklahoma Department of Commerce shall seek input from businesses
8 that utilize the short-line railroad when advising the Office of
9 Management and Enterprise Services. The findings and analysis of
10 the Office of Management and Enterprise Services and the Oklahoma
11 Department of Commerce shall be presented to the Governor and the
12 Legislature while the Legislature is in session. In no event,
13 shall the Oklahoma Department of Transportation issue an RFP until
14 the report has been submitted to the Governor and Legislature.

15 SECTION 2. This act shall become effective July 1, 2013.

16 SECTION 3. It being immediately necessary for the preservation
17 of the public peace, health and safety, an emergency is hereby
18 declared to exist, by reason whereof this act shall take effect and
19 be in full force from and after its passage and approval.

20 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION
21 April 2, 2013 - DO PASS AS AMENDED
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