

S.04883 – Establishes New York State Rail Authority

Recommendations from the High Speed Rail New York Coalition

--General Recommendations:

- Include explicit language for the formation of Public Private Partnerships (State Asset Maximization Commission could provide language)
- Include explicit language to give design / build authority on all projects larger than \$5 MM
- Identify an immediate funding mechanism for the authority
- Change the name of the authority to the New York State High Speed Rail Authority so that its scope is not confused with freight rail

--Specific Language Recommendations:

- S.400 – Alter legislative intent to incorporate language from the NYS Rail Plan or Regional Impact Statement, including mention of the ability of HSR to impact economic development, our environment, quality of life, transportation, tourism, urban revitalization and research and development. As well as the language from section 405.2 (J). The authority should also review recommendations put forth by the New York State Rail Plan and the Federal Railroad Administration's High Speed Rail Plan for America.
- S.402 – Include a definition of "Rail System" and explicitly mention the Empire and Adirondack Corridors
- S.402.6 – Change "Business Plan" to "Ten Year Capital and Service Plan." There is concern that opponents could argue that a valid business plan for this project is not feasible.
- S.403.1 – To control the size of the authority board, allow the Governor to appoint an eleven member, or larger, Citizens Advisory Committee to review environmental issues, energy issues, service levels, authority goals, etc. Give the Governor 1 or 3 appointments to the authority board.
- S.403.1 – Add a board seat for a representative from the North Country.
- S.403.1 – Give ex officio board positions to NYSDOT and the MTA.
- S.404 – Rearrange the listing of benefits to the people of New York State in the third sentence to this order (1) transportation benefits (2) economic revitalization benefits (3) environmental benefits (4) health benefits (5) common defense benefits (6) pleasure, convenience and welfare benefits. Eliminate the final two sentences from this section as this may put too much of a burden on an action that the authority should be able to handle internally.

- S.405.1 (I) – Remove “if cost effective to do so.”
- S.405.1 (J) – Remove entire section.
- S.405.1 (K) – Consolidate the “telephone” through “mechanical equipment” list into a generalization. The word “utilities” could be the best generalization to use.
- S.405.1 (N) – Add “sovereign nations” as entities that the authority can do business with and add “including Canada, and provinces of Canada including Quebec and Ontario” after “foreign governments.”
- S.405.2 (F) – Change “business plan” to “ten year capital and service plan”.
- S.405.2 (G and H) – Combine these two items into a general statement along the lines of “To prepare a detailed financing plan and develop a proposed high speed rail financial plan.”
- S.405.2 (I) – Remove entire section.
- S.405.2 (J) – Remove section as it has been incorporated into legislative intent.
- S.405.2 (K) – Remove entire section.
- S.415.2 – Question: Aren’t all bonds issued by any authority guaranteed by the state?