

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
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FISCAL IMPACT STATEMENT

LS 7974
BILL NUMBER: SB 539

DATE PREPARED: Feb 17, 1999
BILL AMENDED: Feb 15, 1999

SUBJECT: Transportation corridors.

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FUNDS AFFECTED: **GENERAL**
 X DEDICATED
 FEDERAL

IMPACT: State

Summary of Legislation: (Amended) This bill removes all references to right-of-way in the transportation corridor planning article and replaces the references with the term corridor. It changes obsolete references from the Interstate Commerce Commission to the Surface Transportation Board. The bill changes the composition of the transportation corridor planning board to include the director of the Department of Commerce or the director's designee. It makes the general acceptability of the proposed recreational use to the community at large a factor for the Indiana Department of Transportation to consider in determining whether to acquire part of a railway's interest in a corridor and for the board to use in reviewing applications. The bill indicates that a rail transportation operator and owner must consent before a rail corridor is used for both trail and rail transportation use. It provides that a responsible party may elect to establish an escrow account or post a bond as security that the responsibly party will erect fences requested by adjacent property owners. The bill requires the Indiana Department of Transportation to review whether it has fully complied with provisions related to paying per diem, travel expenses, and other expenses of members of the Transportation Corridor Planning Board. It makes other related changes.

Effective Date: (Amended) Upon Passage; July 1, 1999.

Explanation of State Expenditures: (Revised) For the Department of Transportation (INDOT), there likely will be an increase in staff time devoted to the implementation of the provisions of this bill. It is assumed that the INDOT will not hire any new people to implement this bill and will use existing staff. There likely will be an increase in per diem for the new board members and this is estimated to be less than \$1,000 annually. The fund affected is the State Highway Fund.

The amendment of 2/15/99 requires the INDOT to determine whether the Department has complied with the requirements of IC 8-4.5-2-8 and IC 8-4.5-2-9 that require the Department to pay minimum salary per diem and reimbursement for travel expenses for members of the Transportation Corridor Planning Board. If the Department discovers that it has failed to fully comply with the above-listed Code cites, the Department shall make the required payments as soon as practicable after discovering the omission. The Department reports

that it will cost them approximately \$1,502 to comply with the provisions of the amendment of 2/15/99. The fund affected is the State Highway Fund.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Department of Transportation; Department of Commerce.

Local Agencies Affected:

Information Sources: Department of Transportation.