

AMENDED IN ASSEMBLY APRIL 28, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 2121

**Introduced by ~~Assembly Member Harkey~~ *Assembly Members Harkey
and Galgiani***

February 18, 2010

~~An act to add Chapter 20.1 (commencing with Section 2704.30) to Division 3 of the Streets and Highways Code, relating to high-speed rail.~~ *An act to add Sections 185033.2 and 185033.4 to the Public Utilities Code, relating to high-speed rail.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2121, as amended, Harkey. High-speed rail.

Existing law, the California High-Speed Rail Act, creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, approved by the voters as Proposition 1A at the November 4, 2008, general election, provides for the issuance of \$9.95 billion in general obligation bonds for high-speed rail and related purposes. ~~Article XVI of the California Constitution authorizes the Legislature, at any time after the approval of a general obligation bond act by the people, to reduce the amount of the indebtedness authorized by the act to an amount not less than the amount contracted at the time of the reduction or to repeal the act if no debt has been contracted.~~

This bill would require the authority to annually adopt a 6-year high-speed train program, as specified, for submission to the Legislature and the Governor. The bill would also require the authority to annually prepare and submit to the Legislature and the Governor a report

including, among other things, a description of the progress made on the program and a detailed financing plan to pay for construction of the high-speed train network.

~~This bill would reduce the amount of general obligation debt authorized pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century to the amount contracted as of January 1, 2011.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 185033.2 is added to the Public Utilities
- 2 Code, to read:
- 3 185033.2. (a) The authority shall adopt and submit to the
- 4 Legislature and the Governor, not later than October 1 of each
- 5 year, a high-speed train program. The program shall cover a
- 6 period of six fiscal years, beginning July 1 of the year following
- 7 the year it is adopted, and shall be a statement of intent by the
- 8 department to request funding in the annual Budget Act for the
- 9 following six years.
- 10 (b) The high-speed train program shall include a listing of all
- 11 capital improvement projects that are expected to require
- 12 appropriation in the annual Budget Act, including state, federal,
- 13 local, and private funds, during the following six fiscal years.
- 14 (c) For each segment, the program shall specify the expenditure
- 15 amount and the expenditure year for each of the following project
- 16 components:
- 17 (1) Completion of all permits and environmental studies.
- 18 (2) Preparation of plans, specifications, and estimates.
- 19 (3) The acquisition of rights-of-way, including, but not limited
- 20 to, support activities.
- 21 (4) Construction and construction management and engineering,
- 22 including surveys and inspection.
- 23 (d) A report to the Legislature pursuant to this section shall be
- 24 submitted in compliance with Section 9795 of the Government
- 25 Code.
- 26 (e) This section shall become inoperative on October 1, 2015,
- 27 pursuant to Section 10231.5 of the Government Code.

1 SEC. 2. Section 185033.4 is added to the Public Utilities Code,
2 to read:

3 185033.4. (a) The authority shall prepare and submit to the
4 Legislature and the Governor an annual report, not later than
5 December 1 of each year. The report shall include all of the
6 following:

7 (1) A description of the progress made on the high-speed train
8 program adopted by the authority.

9 (2) A detailed financing plan, including any necessary taxes,
10 fees, or bonds to pay for the construction of the high-speed train
11 network.

12 (3) A proposed high-speed train financial plan, including
13 necessary taxes, bonds, or both, or other indebtedness.

14 (b) A report to the Legislature pursuant to this section shall be
15 submitted in compliance with Section 9795 of the Government
16 Code.

17 (c) This section shall become inoperative on December 1, 2015,
18 pursuant to Section 10231.5 of the Government Code.

19 SECTION 1. ~~Chapter 20.1 (commencing with Section 2704.30)~~
20 ~~is added to Division 3 of the Streets and Highways Code, to read:~~

21
22 ~~CHAPTER 20.1. IMPLEMENTATION OF THE SAFE, RELIABLE~~
23 ~~HIGH-SPEED PASSENGER TRAIN BOND ACT FOR THE 21ST CENTURY~~
24

25 ~~2704.30. Pursuant to Section 1 of Article XVI of the California~~
26 ~~Constitution, the amount of indebtedness authorized by Chapter~~
27 ~~20 (commencing with Section 2704) is hereby reduced to the~~
28 ~~amount contracted as of January 1, 2011, notwithstanding anything~~
29 ~~in that chapter to the contrary.~~