

AMENDED IN SENATE JUNE 27, 2011

AMENDED IN SENATE JUNE 20, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 492

Introduced by Assembly Members Galgiani and Ammiano

February 15, 2011

An act to amend Section 185036 of, *and to add Section 185036.5 to,* the Public Utilities Code, relating to high-speed rail.

LEGISLATIVE COUNSEL'S DIGEST

AB 492, as amended, Galgiani. High-Speed Rail Authority.

Existing law creates the High-Speed Rail Authority with specified powers and duties relating to the development and implementation of an intercity high-speed rail system. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, authorizes \$9.95 billion in general obligation bonds for high-speed rail development and other related purposes.

This bill would ~~authorize~~ *require* the authority to consider, to the extent permitted by federal and state law, the creation of jobs *and participation by small business enterprises* in California when awarding major contracts or purchasing high-speed trains, ~~as specified, and, if it does so, would require the authority to identify the number of jobs in California likely to be created from awarding those contracts.~~ *The bill would require the authority to appoint a small business enterprise advisory committee.*

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 185036 of the Public Utilities Code is
2 amended to read:

3 185036. ~~(a)~~The authority may do any of the following:

4 ~~(1)~~

5 (a) Enter into contracts with private or public entities for the
6 design, construction, and operation of high-speed trains. The
7 contracts may be separated into individual tasks or segments or
8 may include all tasks and segments, including a design-build or
9 design-build-operate contract.

10 ~~(2)~~

11 (b) Acquire rights-of-way through purchase or eminent domain.

12 ~~(3)~~

13 (c) Issue debt, secured by pledges of state funds, federal grants,
14 or project revenues. The pledge of state funds shall be limited to
15 those funds expressly authorized by statute or voter-approved
16 initiatives.

17 ~~(4)~~

18 (d) Enter into cooperative or joint development agreements with
19 local governments or private entities.

20 ~~(5)~~

21 (e) Set fares and schedules.

22 ~~(6)~~

23 (f) Relocate highways and utilities.

24 ~~(7) Consider, to the extent permitted by federal law and all other~~
25 ~~applicable provisions of state law, the creation of jobs in California~~
26 ~~when awarding major contracts or purchasing high-speed trains~~
27 ~~and related equipment and supplies.~~

28 ~~(b) If the authority considers the creation of California jobs~~
29 ~~pursuant to paragraph (7) of subdivision (a), the authority shall~~
30 ~~identify the number of California jobs likely to be created from~~
31 ~~awarding those contracts.~~

32 SEC. 2. Section 185036.5 is added to the Public Utilities Code,
33 to read:

34 185036.5. *The authority shall do both of the following:*

35 (a) *Consider, to the extent permitted by federal law and all other*
36 *applicable provisions of state law, the creation of jobs and*
37 *participation by small business enterprises in California when*

1 *awarding major contracts or purchasing high-speed trains and*
2 *related equipment and supplies.*
3 *(b) Appoint a small business enterprise advisory committee,*
4 *which shall provide comments and feedback on the implementation*
5 *of, and participation in, the authority's small business enterprise*
6 *policy in order to ensure proper oversight and accountability.*

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