

ASSEMBLY BILL

No. 1087

Introduced by Assembly Member Grove

February 27, 2015

An act to amend Sections 39719 and 39719.1 of the Health and Safety Code, relating to high-speed rail.

LEGISLATIVE COUNSEL'S DIGEST

AB 1087, as introduced, Grove. Greenhouse Gas Reduction Fund: high-speed rail.

Existing law requires all moneys, except for fines and penalties, collected by the State Air Resources Board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation. Existing law continuously appropriates 25% of the annual proceeds of the fund to the High-Speed Rail Authority for specified components of the initial operating segment and Phase I blended system, as described in the authority's 2012 business plan.

This bill would provide that the continuous appropriations from the fund to the High-Speed Rail Authority are for specified components of the initial operating segment and Phase I blended system, as described in the authority's 2012 business plan, of the high-speed train system that shall be constructed as specified.

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

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

SECTION 1. Section 39719 of the Health and Safety Code is amended to read:

39719. (a) The Legislature shall appropriate the annual proceeds of the fund for the purpose of reducing greenhouse gas emissions in this state in accordance with the requirements of Section 39712.

(b) To carry out a portion of the requirements of subdivision (a), annual proceeds are continuously appropriated for the following:

(1) Beginning in the 2015–16 fiscal year, and notwithstanding Section 13340 of the Government Code, 35 percent of annual proceeds are continuously appropriated, without regard to fiscal years, for transit, affordable housing, and sustainable communities programs as following:

(A) Ten percent of the annual proceeds of the fund is hereby continuously appropriated to the Transportation Agency for the Transit and Intercity Rail Capital Program created by Part 2 (commencing with Section 75220) of Division 44 of the Public Resources Code.

(B) Five percent of the annual proceeds of the fund is hereby continuously appropriated to the Low Carbon Transit Operations Program created by Part 3 (commencing with Section 75230) of Division 44 of the Public Resources Code. ~~Funds~~ *Moneys* shall be allocated by the Controller, according to requirements of the program, and pursuant to the distribution formula in subdivision (b) or (c) of Section 99312 of, and Sections 99313 and 99314 of, the Public Utilities Code.

(C) Twenty percent of the annual proceeds of the fund is hereby continuously appropriated to the Strategic Growth Council for the Affordable Housing and Sustainable Communities Program created by Part 1 (commencing with Section 75200) of Division 44 of the Public Resources Code. Of the amount appropriated in this subparagraph, no less than 10 percent of the annual ~~proceeds~~, *proceeds* shall be expended for affordable housing, consistent with the provisions of that program.

(2) Beginning in the 2015–16 fiscal year, notwithstanding Section 13340 of the Government Code, 25 percent of the annual proceeds of the fund is hereby continuously appropriated to the

High-Speed Rail Authority for the following components of the initial operating segment and Phase I Blended-System System, as described in the 2012 business plan adopted pursuant to Section 185033 of the Public Utilities Code: *Code, of the high-speed train system that shall be constructed pursuant to Chapter 20 (commencing with Section 2704) of Division 3 of the Streets and Highways Code:*

- (A) Acquisition and construction costs of the project.
- (B) Environmental review and design costs of the project.
- (C) Other capital costs of the project.
- (D) Repayment of any loans made to the authority to fund the project.

(c) In determining the amount of annual proceeds of the fund for purposes of the calculation in subdivision (b), the funds moneys subject to Section 39719.1 shall not be included.

SEC. 2. Section 39719.1 of the Health and Safety Code is amended to read:

39719.1. (a) Of the amount loaned from the fund to the General Fund pursuant to Item 3900-011-3228 of Section 2.00 of the Budget Act of 2013, four hundred million dollars (\$400,000,000) shall be available to the High-Speed Rail Authority pursuant to subdivision (b).

(b) The portion of the loan from the fund to the General Fund described in subdivision (a) shall be repaid to the fund as necessary based on the financial needs of the high-speed rail project. Beginning in the 2015–16 fiscal year, and in order to carry out the goals of the fund in accordance with the requirements of Section 39712, the amounts of all the loan repayments, notwithstanding Section 13340 of the Government Code, are continuously appropriated from the fund to the High-Speed Rail Authority for the following components of the initial operating segment and Phase I Blended-System System, as described in the 2012 business plan adopted pursuant to Section 185033 of the Public Utilities Code: *Code, of the high-speed train system, that shall be constructed pursuant to Chapter 20 (commencing with Section 2704) of Division 3 of the Streets and Highways Code:*

- (1) Acquisition and construction costs of the project.
- (2) Environmental review and design costs of the project.
- (3) Other capital costs of the project.

- 1 (4) Repayment of any loans made to the authority ~~to fund~~ *for*
- 2 the project.

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