

AMENDED IN ASSEMBLY APRIL 11, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2382

**Introduced by Assembly Members Lopez and Lackey
(Coauthor: Assembly Member Wilk)**

February 18, 2016

An act to amend Section 185020 of the Public Utilities Code, relating to high-speed rail.

LEGISLATIVE COUNSEL’S DIGEST

AB 2382, as amended, Lopez. High-Speed Rail Authority: membership.

Existing law creates the High-Speed Rail Authority with specified powers and duties relative to development and implementation of a high-speed rail system. The authority is comprised of 9 members, with 5 members appointed by the Governor and 4 members appointed by the Legislature.

This bill would require at least one member appointed by the Governor *beginning with an available vacancy on and after January 1, 2017*, to be a person who ~~works directly with communities in the state that are most significantly burdened by, and vulnerable to, high levels of pollution is from a disadvantaged community, as defined.~~

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 185020 of the Public Utilities Code is
2 amended to read:

1 185020. (a) There is in the Transportation Agency a
2 High-Speed Rail Authority.

3 (b) (1) The authority is composed of nine members as follows:

4 (A) Five members appointed by the Governor. At least one
5 member appointed by the Governor *beginning with an available*
6 *vacancy on and after January 1, 2017*, shall be a ~~person~~ person,
7 *other than a current or former elected official, who works directly*
8 ~~with communities in the state that are most significantly burdened~~
9 ~~by, and vulnerable to, high levels of pollution, including, but not~~
10 ~~limited to, communities with diverse racial and ethnic populations~~
11 ~~and communities with low-income populations is from a~~
12 *disadvantaged community. "Disadvantaged community" means*
13 *an area identified as among the most disadvantaged 25 percent*
14 *of areas in the state according to the California Environmental*
15 *Protection Agency, based on the latest version of the California*
16 *Communities Environmental Health Screening Tool*
17 *(CalEnviroScreen) scores.*

18 (B) Two members appointed by the Senate Committee on Rules.

19 (C) Two members appointed by the Speaker of the Assembly.

20 (2) For the purposes of making appointments to the authority,
21 the Governor, the Senate Committee on Rules, and the Speaker of
22 the Assembly shall take into consideration geographical diversity
23 to ensure that all regions of the state are adequately represented.

24 (c) Except as provided in subdivision (d), and until their
25 successors are appointed, members of the authority shall hold
26 office for terms of four years. A vacancy shall be filled by the
27 appointing power making the original appointment, by appointing
28 a member to serve the remainder of the term.

29 (d) (1) On and after January 1, 2001, the terms of all persons
30 who are then members of the authority shall expire, but those
31 members may continue to serve until they are reappointed or until
32 their successors are appointed. In order to provide for evenly
33 staggered terms, persons appointed or reappointed to the authority
34 after January 1, 2001, shall be appointed to initial terms to expire
35 as follows:

36 (A) Of the five persons appointed by the Governor, one shall
37 be appointed to a term which expires on December 31, 2002, one
38 shall be appointed to a term which expires on December 31, 2003,
39 one shall be appointed to a term which expires on December 31,

1 2004, and two shall be appointed to terms which ~~expires~~ *expire*
2 on December 31, 2005.

3 (B) Of the two persons appointed by the Senate Committee on
4 Rules, one shall be appointed to a term which expires on December
5 31, 2002, and one shall be appointed to a term which expires on
6 December 31, 2004.

7 (C) Of the two persons appointed by the Speaker of the
8 Assembly, one shall be appointed to a term which expires on
9 December 31, 2003, and one shall be appointed to a term which
10 expires on December 31, 2005.

11 (2) Following expiration of each of the initial terms provided
12 for in this subdivision, the term shall expire every four years
13 thereafter on December 31.

14 (e) Members of the authority are subject to the Political Reform
15 Act of 1974 (Title 9 (commencing with Section 81000)).

16 (f) From among its members, the authority shall elect a
17 chairperson, who shall preside at all meetings of the authority, and
18 a vice chairperson to preside in the absence of the chairperson.
19 The chairperson shall serve a term of one year.

20 (g) Five members of the authority constitute a quorum for taking
21 any action by the authority.