

AMENDED IN SENATE JUNE 26, 2000
AMENDED IN ASSEMBLY MAY 26, 2000
AMENDED IN ASSEMBLY MARCH 23, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 1703

Introduced by Assembly Member Florez and Senator Costa

January 3, 2000

~~An act to amend Section 185020 of, and to add Section 185035 to, the Public Utilities Code, relating to transportation.~~
An act to amend Sections 185020 and 185032 of the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1703, as amended, Florez. High-speed rail service.

~~Existing~~

(1) Existing law establishes the High-Speed Rail Authority with specified membership appointed by the Governor, the Senate Committee on Rules, and the Speaker of the Assembly. Existing law requires the authority to, among other things, direct the development and implementation of intercity high-speed rail service that is fully integrated with the state's existing intercity rail and bus network. Existing law provides for the termination of the authority on June 30, 2001, unless a specified financial plan is approved by the Legislature or the voters.

~~This bill would delete the provision relating to the termination of the authority and would provide for the~~

~~expiration of the terms of the members of the authority, as specified. The bill would authorize the appointing power to replace any member whose term has expired and would provide that members appointed prior to December 31, 1999, would serve until a replacement is appointed.~~

~~The bill would require the authority to prepare and certify a program environmental impact report, as specified, and to develop and implement, in consultation with the Secretary of Business, Transportation and Housing Agency, a strategy to maximize federal funding for the high-speed train network and the complementary, conventional train improvements. The~~

This bill would extend the termination date of the authority until December 31, 2003, unless the Legislature provides funding for the implementation of a high-speed rail project and would provide for the expiration of the terms of the members of the authority. The bill would require one of the Governor's appointments to include the Secretary of the Business, Transportation and Housing Agency who would also be the chairperson of the authority. The bill would authorize the appointing power to replace any member whose term has expired and would provide that members appointed prior to December 31, 1999, would serve until a replacement is appointed.

(2) Existing law requires the authority to prepare a plan for the construction and operation of a high-speed train network and to submit the plan to either the Legislature and the Governor for approval by the enactment of a statute or to the voters for approval. The authorization and responsibility for planning, construction, and operation of high-speed passenger train service at speeds exceeding 100 miles per hour is exclusively granted to the authority.

This bill would continue the authority to prepare the plan only upon an appropriation in the Budget Act for that purpose, and would limit the submission of the plan to the Legislature and the Governor.

This bill would increase the speed described above from 100 miles per hour to 125 miles per hour. ~~The bill would provide that these requirements would become operative only if the~~



~~annual Budget Act appropriates funding for the purposes of these provisions.~~

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
2 Code is amended to read:

3 185020. (a) There is in state government a
4 High-Speed Rail Authority.

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

7 ~~(1)~~

8 (A) Five members appointed by the Governor. One
9 member's term shall expire on December 31, 1998, and
10 every four years thereafter. Two members' terms shall
11 expire on December 31, 1999, and every four years
12 thereafter. One ~~member's term shall expire on~~
13 ~~December 31, 2000, and every four years thereafter. One~~
14 ~~member's term shall expire on December 31, 2001, and~~
15 ~~every four years thereafter.~~

16 ~~(2) member shall be the Secretary of the Business,~~
17 ~~Transportation and Housing Agency who shall serve as~~
18 ~~chairperson and preside at the meetings of the authority.~~

19 (B) Two members appointed by the Senate
20 Committee on Rules. One member's term shall expire on
21 December 31, 1998, and every four years thereafter. One
22 member's term shall expire on December 31, 2001, and
23 every four years thereafter.

24 ~~(3)~~

25 (C) Two members appointed by the Speaker of the
26 Assembly. One member's term shall expire on December
27 31, 1999, and every four years thereafter. One member's
28 term shall expire on December 31, 2000, and every four
29 years thereafter.

30 (2) *For the purposes of making appointments to the*
31 *authority, the Governor, the Senate Committee on Rules,*
32 *and the Speaker of the Assembly shall take into*



1 *consideration geographical diversity to ensure that all*
2 *regions of the state are adequately represented.*

3 (c) Members of the authority shall hold office for
4 terms of four years. A vacancy shall be filled by the
5 appointing power making the original appointment, by
6 appointing a member to serve the remainder of the term.

7 (d) Any person who was appointed prior to
8 December 31, 1999, and was a member on that date, shall
9 be assigned by the appointing power *to* a term of office
10 pursuant to subdivision (c) with an expiration date
11 described in subdivision (b). The appointing power may
12 replace any member whose term has expired pursuant to
13 subdivision (b). Members appointed prior to December
14 31, 1999, shall continue to serve until a replacement is
15 appointed.

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

19 (f) From among its members, the authority shall elect
20 ~~a chairperson, who shall preside at all meetings of the~~
21 ~~authority, and~~ a vice chairperson to preside in the
22 absence of the chairperson.

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

25 (h) *The authority is terminated on December 31, 2003,*
26 *unless the Legislature, through the enactment of a statute*
27 *on or before that date, provides funding for the*
28 *implementation of a high-speed rail project.*

29 ~~SEC. 2. Section 185035 is added to the Public Utilities~~
30 ~~Code, to read:~~

31 ~~185035. (a) The authority shall prepare and certify a~~
32 ~~program environmental impact report for the high-speed~~
33 ~~train network. For this purpose, the network shall~~
34 ~~include, and is limited to, the corridors that are~~
35 ~~recommended by the authority to be included in the~~
36 ~~network, as described in the program environmental~~
37 ~~impact report in the draft business plan dated January~~
38 ~~2000. After the certification of a program environmental~~
39 ~~impact report, the authority shall proceed with the~~



1 ~~preparation of project environment impact reports, if~~
2 ~~funding is allocated for that purpose.~~

3 ~~(b) The authority, in consultation with the Secretary~~
4 ~~of Business, Transportation and Housing Agency, shall~~
5 ~~develop and implement a strategy to maximize federal~~
6 ~~funding for the high-speed train network and the~~
7 ~~complementary, conventional train improvements.~~
8 ~~Intercity rail improvements within high-speed corridors~~
9 ~~shall be limited to projects that improve train service for~~
10 ~~the near future and that can become a segment of the~~
11 ~~high-speed train network not later than January 1, 2021.~~

12 ~~SEC. 3. Section 2 of this act shall become operative~~
13 ~~only if the annual Budget Act appropriates funding for~~
14 ~~the purposes of that section.~~

15 *SEC. 2. Section 185032 of the Public Utilities Code is*
16 *amended to read:*

17 185032. (a) (1) Upon an appropriation in the
18 Budget Act for that purpose, the authority shall prepare
19 a plan for the construction and operation of a high-speed
20 train network for the state, consistent with and
21 continuing the work of the Intercity High-Speed Rail
22 Commission conducted prior to January 1, 1997. The plan
23 shall include an appropriate network of conventional
24 intercity passenger rail service and shall be coordinated
25 with existing and planned commuter and urban rail
26 systems.

27 (2) The authorization and responsibility for planning,
28 construction, and operation of high-speed passenger train
29 service at speeds exceeding ~~100~~ 125 miles per hour in this
30 state is exclusively granted to the authority.

31 (3) Except as provided in paragraph (2), nothing in
32 this subdivision precludes other local, regional, or state
33 agencies from exercising powers provided by law with
34 regard to planning or operating, or both, passenger rail
35 service.

36 (b) The plan, upon completion, shall be submitted to
37 the Legislature and the Governor for approval by the
38 enactment of a statute.

O

