

AMENDED IN ASSEMBLY JUNE 29, 1999

AMENDED IN SENATE MAY 18, 1999

AMENDED IN SENATE MAY 3, 1999

SENATE BILL

No. 1043

Introduced by Senator Murray

February 26, 1999

An act to amend ~~Section 185034~~ *Sections 185020, 185034, and 185036* of the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 1043, as amended, Murray. Transportation: High-Speed Rail Authority.

~~Existing~~

(1) Existing law terminates the High-Speed Rail Authority on June 30, 2001, unless a financial plan for the implementation of a high-speed rail system has been approved by the Legislature by the enactment of a statute or by the voters prior to June 30, 2001.

This bill would recast this provision to instead provide for the termination of the authority by June 30, 2001, unless the described financial plan is approved by the Legislature as part of a bond act that is approved by the voters prior to June 30, 2001.

(2) Existing law requires the ~~High-Speed Rail Authority~~ authority to prepare a plan for the construction and operation of a high-speed train network for the state and provides that the authority may develop a high-speed rail financial plan for submission to the voters, unless a specified condition occurs.

This bill would require the plan to be submitted to the Legislature for submission to the voters, as specified, and would delete the specified condition.

Vote: majority. Appropriation: no. Fiscal committee: no. 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 consisting of nine members.

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

7 (1) Five members appointed by the Governor.

8 (2) Two members appointed by the Senate
9 Committee on Rules.

10 (3) Two members appointed by the Speaker of the
11 Assembly.

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

16 (d) (1) The authority shall be terminated on June 30,
17 2001, unless a financial plan for the implementation of a
18 high-speed rail system ~~has been~~ *is* approved by the
19 Legislature ~~by the enactment as part of a statute, or bond~~
20 *act that is approved* by the voters; pursuant to Section
21 185036, prior to that date.

22 (2) If the authority exists after June 30, 2001, the
23 appointing powers shall, by lot, select ~~members' terms~~
24 *each member's term in such a way a manner* that new
25 appointments are evenly staggered.

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

29 (f) From among its members, the authority shall elect
30 a chairperson, who shall preside at all meetings of the
31 authority, and a vice chairperson to preside in the
32 absence of the chairperson.



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

3 *SEC. 2. Section 185034 of the Public Utilities Code is*
4 *amended to read:*

5 185034. The authority may do any of the following:

6 (a) Conduct engineering and other studies related to
7 the selection and acquisition of rights-of-way and the
8 selection of a franchisee, including, but not limited to,
9 environmental impact studies, socioeconomic impact
10 studies, and financial feasibility studies.

11 (b) Evaluate alternative high-speed rail technologies,
12 systems and operators, and select an appropriate
13 high-speed rail system.

14 (c) Establish criteria for the award of a franchise.

15 (d) Accept grants, fees, and allocations from the state,
16 from political subdivisions of the state or from the federal
17 government, foreign governments, and private sources.

18 (e) Select a proposed franchisee, a proposed route,
19 and proposed terminal sites.

20 (f) Enter into contracts with public and private
21 entities for the preparation of the plan.

22 (g) Prepare a detailed financing plan, including any
23 necessary taxes, fees, or bonds to pay for the construction
24 of the high-speed train network.

25 (h) Develop a proposed high-speed rail financial plan,
26 including necessary taxes, bonds, or both, or other
27 indebtedness, and submit the plan to the Legislature for
28 placement, as necessary, on the ballot at the general
29 election in November 2000.

30 *SEC. 3. Section 185036 of the Public Utilities Code is*
31 *amended to read:*

32 185036. Upon approval by the Legislature, ~~by the~~
33 ~~enactment of a statute, or approval by the voters~~ of a *bond*
34 *act that is approved by the voters and provides a financial*
35 *plan providing the necessary funding for the construction*
36 *of a high-speed network, the authority may do any of the*
37 *following:*

38 (a) Enter into contracts with private or public entities
39 for the design, construction and operation of high-speed
40 trains. The contracts may be separated into individual



1 tasks or segments or may include all tasks and segments,
2 including a design-build or design-build-operate
3 contract.

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

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

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

12 (e) Set fares and schedules.

13 (f) Relocate highways and utilities.

