

AMENDED IN SENATE MAY 6, 2008
AMENDED IN SENATE APRIL 3, 2008

SENATE BILL

No. 1672

Introduced by Senator Steinberg

February 22, 2008

An act to add Division 16.2 (commencing with Section 26200) to the Public Resources Code, relating to energy, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds.

LEGISLATIVE COUNSEL'S DIGEST

SB 1672, as amended, Steinberg. Energy: Renewable Energy, Climate Change, Career Technical Education, and Clean Technology Job Creation Bond Act of ~~201~~ 2010.

Existing law provides various funding sources for energy efficiency projects and related purposes.

This bill, subject to voter approval at the ~~201~~ 2010, ____ election, would enact the Renewable Energy, Climate Change, Career Technical Education, and Clean Technology Job Creation Bond Act of ~~201~~ 2010 to authorize the issuance and sale of \$3,000,000,000 in state general obligation bonds for specified purposes, including ~~the development of investments in~~ renewable energy and energy efficiency and conservation jobs, businesses, and educational and worker training programs; the development of clean technology businesses and jobs, and educational and worker training programs; and the development of businesses, technologies, infrastructure investment, and jobs, *apprenticeships, and internships* that will help California adapt to climate change with special attention for actions that will benefit disadvantaged communities. The

bill would create the Renewable Energy, Climate Change, Career Technical Education, and Clean Technology Job Creation Council comprised of 14 members. The council would be required to issue guidelines to implement the purposes of this act.

Vote: 2/3. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

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

1 SECTION 1. Division 16.2 (commencing with Section 26200)
2 is added to the Public Resources Code, to read:

3
4 DIVISION 16.2. RENEWABLE ENERGY, CLIMATE
5 CHANGE, CAREER TECHNICAL EDUCATION, AND CLEAN
6 TECHNOLOGY JOB CREATION BOND ACT OF ~~201~~ 2010

7
8 CHAPTER 1. GENERAL PROVISIONS
9

10 26200. This division shall be known and may be cited as the
11 Renewable Energy, Climate Change, Career Technical Education,
12 and Clean Technology Job Creation Bond Act of ~~201~~ 2010.

13 26201. (a) The Legislature finds and declares all of the
14 following:

15 (a)
16 (1) California’s international leadership in renewable energy,
17 energy conservation, *clean technology*, and climate change policies
18 creates significant, but dramatically underfunded, opportunities to
19 provide *strategic capital investments in energy conservation, clean*
20 *technologies, and renewable energy, including projects that*
21 *contribute directly to* workforce development and educational
22 opportunities for high school students, young workers, community
23 college students and graduates, youth who participate in community
24 or state service organizations, college and university students and
25 graduates, apprenticeship programs for building and construction
26 trades and other technical and vocational careers, and training
27 programs for unemployed, underemployed, or displaced workers
28 and high school dropouts.

29 (b)
30 (2) California has an opportunity to combine the education and
31 training of both its future college-educated workforce, the

1 underemployment of recent high school graduates, and its highly
2 skilled technical workforce with its effort to combat high school
3 dropouts and the retraining of workers who have been displaced
4 by the loss of high-wage jobs in California. Clean technology jobs
5 and renewable energy jobs (green collar jobs) can provide
6 underserved communities with a pathway out of poverty, a new
7 and inspiring focus for educational institutions and nonprofit
8 organizations, and significant statewide economic and
9 environmental benefits.

10 ~~(e) Student opportunities for relevant, career-focused education~~
11 ~~at the middle and high school levels have diminished in recent~~
12 ~~years with the decline in investments in career technical education.~~
13 ~~Career technical education programs that create paths to further~~
14 ~~education or productive jobs in high opportunity careers can keep~~
15 ~~students engaged in school and on track toward a diploma.~~

16 (3) *A 2006 poll of at-risk California 9th and 10th graders by*
17 *Peter D. Hart Research Associates found that six in 10 students*
18 *were not motivated to succeed in school. Of those students, more*
19 *than 90 percent said they would be more engaged in their*
20 *education if classes helped them acquire skills and knowledge*
21 *relevant to future careers. Career technical education programs*
22 *that create paths to further education, advanced training, or*
23 *productive jobs in high opportunity careers can keep students*
24 *engaged and on track toward a diploma.*

25 ~~(d)~~

26 (4) Investments in renewable energy, energy conservation, clean
27 technologies, climate change mitigation, and *that develop* the
28 workforce for these industries will provide multiple benefits to
29 California by ~~(1) (A) creating employment opportunities for citizens~~
30 ~~whose talents Californians that~~ would otherwise not be fully
31 realized, ~~(2) (B) creating opportunities for new businesses, and the~~
32 expansion *and retrofitting* of existing businesses, and ~~(3) (C)~~
33 expanding the state's utilization of renewable energy and
34 contributing to the growth of clean technology businesses in
35 California ~~both of, all of~~ which will help achieve the state's climate
36 change goals required by the California Global Warming Solutions
37 Act of 2006, Division 25.5 (commencing with Section 38500) of
38 the Health and Safety Code.

39 (e)

1 (5) A failure to act by California will perpetuate the lack of an
2 integrated education, job training, and business infrastructure that
3 otherwise could take advantage of the projected growth in these
4 industries and the corresponding increase in state and local taxes,
5 *other public revenues*, and ~~other~~ *additional* economic benefits
6 associated with the likely surge in ~~clean-technology~~ *clean*
7 *technology* jobs. The American Solar Energy Association, for
8 example, ~~concludes~~ *concluded* that in 2006 approximately 3.6
9 million Americans were directly employed by renewable energy
10 and energy efficiency firms and that another 5 million Americans
11 held jobs indirectly attributable to these industries. The renewable
12 and energy efficiency industries of America generated
13 approximately nine hundred seventy-five million dollars
14 (\$975,000,000) in revenue in 2006. These industries could employ
15 a workforce of up to 40 million Americans, and could generate
16 four trillion five hundred billion dollars (\$4,500,000,000,000) in
17 annual revenue by 2030 if these industries were expanded
18 aggressively.

19 ~~(f)~~

20 (6) The Renewable and Appropriate Energy Laboratory in
21 Berkeley found that renewable energy creates more jobs per
22 megawatt of power installed, per unit of energy produced, and per
23 dollar of investment, than the fossil fuel energy-based sector.

24 ~~(g)~~

25 (7) The forecast of new job growth of the Million Solar Roof
26 Initiative has slowed because of a lack of trained workers.

27 ~~(h)~~

28 (8) A study by the Apollo Alliance, a coalition of business,
29 labor, and environmental organizations, showed that a major
30 national investment in renewable energy, alternative automobiles
31 and fuels, high-performance buildings, and infrastructure would
32 result in the creation of nearly 3.5 million green collar jobs for
33 Americans over a 10-year period.

34 (b) (1) *It is the intent of the people of the State of California*
35 *and the Legislature in approving this measure to stimulate the*
36 *economy of the State of California, to create tens of thousands of*
37 *good paying jobs in nonpolluting industries and businesses, to*
38 *provide to entrepreneurs and employers the best-trained workforce*
39 *in the United States, and to prepare young people and adults to*
40 *work in clean, green industries and professions. These jobs would*

1 *provide green pathways out of poverty for individuals in*
2 *communities that suffer higher high school dropout rates,*
3 *joblessness, and pollution. These jobs would help achieve*
4 *California’s climate change mitigation obligations and conserve*
5 *our state’s vital resources of water, land, and energy. These*
6 *investments would enable California to offer opportunities for*
7 *business leaders, communities, young people, and adults alike, all*
8 *of which would benefit from California’s emerging new green*
9 *economy.*

10 (2) *It is the intent of the people of the State of California and*
11 *the Legislature that reducing the rate of high school dropouts and*
12 *joblessness among California’s young people who are preparing*
13 *for and entering the job market should become important state*
14 *priorities and, to the maximum extent feasible, investments in*
15 *alleviating these conditions should be considered capital*
16 *investments in Californians that will endure for decades and that*
17 *are entitled to the same treatment as investments in other capital*
18 *improvement projects.*

19 (3) *It is the intent of the people of the State of California and*
20 *the Legislature that the investments authorized by this measure*
21 *would help California achieve its obligations to reduce emissions*
22 *of greenhouse gases in keeping with the California Global*
23 *Warming Solutions Act of 2006 (Division 25.5 (commencing with*
24 *Section 38500) of the Health and Safety Code), and other state*
25 *laws, and that the investments authorized in this measure would*
26 *also provide for significant improvements to California’s efforts*
27 *to conserve water, reduce emissions that cause climate change,*
28 *conserve energy, and improve air quality.*

29 26202. As used in this division, the following terms have the
30 following meanings:

31 (a) “Board” means the Resources Agency.

32 (b) “Capital outlay projects” means any of the following:

33 (1) A capital outlay project as defined in Section 3 of the Budget
34 Act of 2007.

35 (2) A project that retools or retrofits an existing physical plant
36 of an eligible entity or educational facility, including the
37 installation of new or updated information technology and
38 computer systems that shall be operated consistent with this
39 division.

1 (3) A project, including, but not limited to, job training
2 programs, that reduces high school dropout rates or joblessness
3 and the benefits of the project endure for decades and assists in
4 meeting California’s greenhouse gas emissions reduction goals.

5 ~~(b)~~

6 (c) “Clean technology” includes, but is not limited to, those
7 economic activities that result in the development of permanent
8 or long-term jobs in California that are dedicated to improvements
9 in environmental ~~quality~~ and local air quality and the mitigation
10 of climate change, including energy and water conservation, and
11 that comply with California’s environmental laws and policies.
12 These economic activities include, but are not necessarily limited
13 to, ~~both the training for, and the accomplishment of, all of the~~
14 ~~following:~~ the development and training of the required workforce
15 and the implementation of any of the following:

16 (1) Energy audits.

17 (2) Retrofits and weatherization activities that increase energy
18 efficiency and conservation.

19 (3) Construction of energy- and water-efficient public buildings.

20 ~~(3)~~

21 (4) Retrofitting and installing energy-efficient household
22 appliances, windows, doors, insulation, and lighting.

23 (5) Retrofitting and installing water and energy conservation
24 technologies in existing homes, industrial plants, commercial and
25 public buildings, and farms and ranches, to improve their design
26 and efficiency, including the use of energy and water management
27 and control systems.

28 ~~(4)~~

29 (6) The manufacture, sale, installation, construction, and
30 maintenance of energy-efficient technologies and renewable energy
31 facilities or the component parts of renewable energy technologies.

32 ~~(5)~~

33 (7) Jobs at all skill levels in manufacturing, installation, repair,
34 maintenance, assembly, construction, systems integration,
35 servicing, transporting, and recycling related to energy-efficient
36 technologies or practices and renewable energy production or the
37 component parts of renewable energy plants and energy distribution
38 in qualified industries, including energy storage, energy
39 infrastructure (including transmission), transportation (including

1 *logistics), water and wastewater (including water conservation),*
2 *materials, and other sectors that are consistent with this division.*

3 ~~(6) Scientific, engineering, and research positions in qualified~~
4 ~~industries.~~

5 ~~(7) Information technology and computer systems in qualified~~
6 ~~industries.~~

7 ~~(8) Skilled trades and other technical positions in qualified~~
8 ~~industries.~~

9 ~~(9) Assembly and mechanical positions within qualified~~
10 ~~industries.~~

11 ~~(10) Management analysts, construction supervisors, managers~~
12 ~~and workers, and affiliated support personnel within qualified~~
13 ~~industries.~~

14 ~~(11) Forestry, agricultural, and conservation workers to the~~
15 ~~extent they are employed in a clean technology enterprise or~~
16 ~~otherwise contributing to California's climate change goals.~~

17 *(8) Jobs that encourage pollution prevention, chemical*
18 *substitution, or reduction of chemical pollution and usage that*
19 *negatively affects the environment, including surface and*
20 *groundwater.*

21 *(9) Projects undertaken by companies or workers in the forestry,*
22 *agricultural, and land conservation sectors, to the extent those*
23 *project advance a clean technology enterprise or are otherwise*
24 *contributing to California's climate change goals as determined*
25 *by the State Air Resources Board.*

26 ~~(e)~~

27 *(d) "Committee" means the Renewable Energy, Climate Change,*
28 *Career Technical Education, and Clean Technology Job Creation*
29 *Finance Committee created pursuant to Section 26208.*

30 ~~(d)~~

31 *(e) "Council" means the Renewable Energy, Climate Change,*
32 *Career Technical Education, and Clean Technology Job Creation*
33 *Council and shall be comprised of the following 14 individuals,*
34 *or in the case of the state elected officials, and agency or*
35 *commission members, their designees:*

36 *(1) A chairperson with demonstrated excellence in creating*
37 *effective working relationships among clean technology or*
38 *renewable energy businesses, labor organizations, and educational*
39 *institutions, preferably in the context of providing assistance to*

1 disadvantaged communities, who shall be appointed by the
2 Governor.

3 (2) An individual with demonstrated expertise with developing
4 career technical education programs at the high school or
5 community college level, preferably with additional expertise in
6 clean technology, renewable energy, or workforce development,
7 appointed by the Governor.

8 (3) The Secretary of Labor and Workforce Development.

9 (4) The Treasurer.

10 (5) The Secretary of the Resources Agency.

11 (6) The Secretary for Environmental Protection.

12 (7) The Superintendent of Public Instruction.

13 (8) The Chancellor of the California Community Colleges.

14 (9) The Secretary for Education.

15 (10) The President of the Public Utilities Commission.

16 (11) The Chair of the State Energy Resources Conservation and
17 Development Commission.

18 (12) The Director of the California Conservation Corps.

19 (13) One member appointed by the Speaker of the Assembly
20 and one member appointed by the Senate Committee on Rules,
21 both of whom shall represent the clean technology industry, the
22 renewable energy industry, or an educational institution including
23 a community college, ~~a public sector service organization, a~~
24 ~~private~~ nonprofit organization, or a labor organization that develops
25 programs for or trains workers or *provides educational or*
26 *workforce training for students for these industries.*

27 (e)

28 (f) “Disadvantaged community” means a community with a
29 median household income that is less than 89 percent of the
30 statewide average. “Severely disadvantaged community” means
31 a community with a median household income that is less than 60
32 percent of the statewide average.

33 (f)

34 (g) “Eligible entity” means any of the following:

35 ~~(1) A qualified nonprofit organization.~~

36 (1) *A nonprofit organization that is qualified under Section*
37 *501(c)(3) of the Internal Revenue Code and that is registered to*
38 *do business in California, and that enters into agreements,*
39 *including, but not limited to, partnerships, contracts, memoranda*
40 *of understanding, or other mutually agreed upon arrangements*

1 *with middle schools, high schools, or community colleges to*
2 *support middle school career exploration activities; curriculum*
3 *and professional development; high school pathway programs*
4 *that integrate academic and technical learning to prepare students*
5 *for both college and careers, including a sequence or cluster of*
6 *three or more courses that align with the State Board of*
7 *Education-approved career technical education standards and*
8 *frameworks, and may be delivered through comprehensive high*
9 *schools, regional occupation programs, adult education programs,*
10 *partnership academies, or alternative education programs; and*
11 *other programs designed to engage middle and high school*
12 *students and motivate those students to pursue further education,*
13 *training for, and job placement in, a clean technology or renewable*
14 *energy field.*

15 (2) A business entity, including, but not limited to, a public *or*
16 *investor-owned* utility that enters into agreements, including, but
17 not limited to, partnerships, contracts, memoranda of
18 understanding, or other mutually agreed upon arrangements with
19 middle schools, high schools, or community colleges to support
20 middle school career exploration activities; curriculum and
21 professional development; high school pathway programs that
22 integrate academic and technical learning to prepare students for
23 both college and careers, including a sequence or cluster of three
24 or more courses that align with the State Board of
25 Education-approved career technical education standards and
26 frameworks, and may be delivered, ~~in part, through~~ *through*
27 *comprehensive high schools, regional occupation programs—~~or~~*
28 ~~adult education programs, or both types of,~~ *adult education*
29 *programs, partnership academies, or alternative education*
30 *programs; and other programs designed to engage middle and high*
31 *school students and motivate them to pursue further education,*
32 *training for and job placement in a clean technology or renewable*
33 *energy field.*

34 ~~(3) An educational institution accredited by the Western~~
35 ~~Association of Schools and Colleges.~~

36 ~~(4) A public middle or high school.~~

37 ~~(5) A labor organization.~~

38 (3) *A state, local, regional, or county program, or qualified*
39 *nonprofit organization that provides education, job training, or*
40 *career opportunities for minors or adults on probation or parole*

1 *or currently incarcerated, or a similar program or organization*
2 *providing education, job training, or career opportunities to minors*
3 *or adults as part of an alternative to incarceration or adjudication*
4 *that is consistent with the Penal Code.*

5 *(4) A postsecondary educational institution, accredited by the*
6 *Western Association of Schools and Colleges and with its principal*
7 *place of business in California, that enters into agreements,*
8 *including, but not limited to, partnerships, contracts, memoranda*
9 *of understanding, or other mutually agreed upon arrangements*
10 *with middle schools, high schools, or community colleges to*
11 *support middle school career exploration activities; curriculum*
12 *and professional development; high school pathway programs*
13 *that integrate academic and technical learning to prepare students*
14 *for both college and careers, including a sequence or cluster of*
15 *three or more courses that align with the State Board of*
16 *Education-approved career technical education standards and*
17 *frameworks, and may be delivered through comprehensive high*
18 *schools, regional occupation programs, adult education programs,*
19 *partnership academies, or alternative education programs; and*
20 *other programs designed to engage middle and high school*
21 *students and motivate those students to pursue further education,*
22 *training for, and job placement in a clean technology or renewable*
23 *energy field.*

24 *(5) A local educational agency that enters into agreements,*
25 *including, but not limited to, partnerships, contracts, memoranda*
26 *of understanding, or other mutually agreed upon arrangements*
27 *with a local or regional business entity, labor organization, or*
28 *nonprofit organization to support middle school career exploration*
29 *activities; curriculum and professional development; high school*
30 *pathway programs that integrate academic and technical learning*
31 *to prepare students for both college and careers, including a*
32 *sequence or cluster of three or more courses that align with the*
33 *State Board of Education-approved career technical education*
34 *standards and frameworks, and may be delivered through*
35 *comprehensive high schools, regional occupation programs, adult*
36 *education programs, partnership academies, or alternative*
37 *education programs; and other programs designed to engage*
38 *middle and high school students and motivate those students to*
39 *pursue further education, training for, and job placement in a*
40 *clean technology or renewable energy field.*

1 (6) A labor organization, including an affiliated apprenticeship
2 program, that enters into agreements, including, but not limited
3 to, partnerships, contracts, memoranda of understanding, or other
4 mutually agreed upon arrangements with middle schools, high
5 schools, or community colleges to support middle school career
6 exploration activities; curriculum and professional development;
7 high school pathway programs that integrate academic and
8 technical learning to prepare students for both college and careers,
9 including a sequence or cluster of three or more courses that align
10 with the State Board of Education-approved career technical
11 education standards and frameworks, and may be delivered
12 through comprehensive high schools, regional occupation
13 programs, adult education programs, partnership academies, or
14 alternative education programs; and other programs designed to
15 engage middle and high school students and motivate those
16 students to pursue further education, training for, and job
17 placement in a clean technology or renewable energy field.

18 ~~(6)~~

19 (7) A federal, state, or local service organization, including, but
20 not limited to, the California Conservation Corps and, or a certified
21 local conservation corps, or a public or private nonprofit agency
22 that entered into a contract with the California Conservation Corps
23 pursuant to Section 14406.

24 (8) Regional collaboratives consisting of local education
25 agencies, higher education institutions, businesses, or
26 community-based organizations, including workforce investment
27 boards and regional workforce or economic development entities
28 that enter into agreements, including, but not limited to,
29 partnerships, contracts, memoranda of understanding, or other
30 mutually agreed upon arrangements with middle schools, high
31 schools, or community colleges to support middle school career
32 exploration activities; curriculum and professional development;
33 high school pathway programs that integrate academic and
34 technical learning to prepare students for both college and careers,
35 including a sequence or cluster of three or more courses that align
36 with the State Board of Education-approved career technical
37 education standards and frameworks, and may be delivered
38 through comprehensive high schools, regional occupation
39 programs, adult education programs, partnership academies, or
40 alternative education programs; and other programs designed to

1 *engage middle and high school students and motivate those*
2 *students to pursue further education, training for, and job*
3 *placement in a clean technology or renewable energy field.*

4 ~~(7)~~

5 (9) Any other entity approved by the board.

6 ~~(g)~~

7 (h) “Fund” means the Renewable Energy, Climate Change,
8 Career Technical Education, and Clean Technology Job Creation
9 Fund of ~~201~~, 2010, created pursuant to Section 26203.

10 ~~(h) “Renewable energy” includes the research and development,~~
11 ~~manufacturing generation, development and maintenance of power~~
12 ~~line transmission, installation, repair, maintenance, and related~~
13 ~~activities necessary to produce energy from wind, photovoltaics,~~
14 ~~solar thermal, geothermal, biomass including ethanol, biodiesel,~~
15 ~~greenwaste, and biomass power, fuel cells, and hydrogen in a~~
16 ~~manner that complies with California’s environmental laws and~~
17 ~~policies.~~

18 (i) “Pollution” has the same meaning as that set forth in Section
19 44507 of the Health and Safety Code.

20 (j) “Renewable energy” includes the research and development,
21 manufacturing, generation, development, and maintenance of
22 appropriately sited power line transmission, power storage,
23 installation, repair, maintenance, and related activities necessary
24 to produce energy from wind, photovoltaic, solar thermal,
25 geothermal, biomass, including cellulosic ethanol, biodiesel, and
26 biomass power, green waste, fuel cells, and hydrogen in a manner
27 that complies with California’s environmental laws and policies.

28

29 CHAPTER 2. RENEWABLE ENERGY, CLIMATE CHANGE, CAREER
30 TECHNICAL EDUCATION, AND CLEAN TECHNOLOGY JOB CREATION
31 FUND AND PROGRAM

32

33 26203. The proceeds of bonds issued and sold pursuant to this
34 division shall be deposited in the Renewable Energy, Climate
35 Change, Career Technical Education, and Clean Technology Job
36 Creation Fund of ~~201~~, 2010, which is hereby created in the State
37 Treasury. The moneys in the fund shall be administered by the
38 Resources Agency and shall be available for appropriation by the
39 Legislature, *for capital outlay projects* in the manner and for the

1 purposes set forth in this division in accordance with the following
2 schedule:

3 (a) (1) The sum of one billion dollars (\$1,000,000,000) for the
4 ~~development of investments in~~ renewable energy and energy
5 efficiency and conservation, *including funding for the necessary*
6 *capital outlay projects that will help achieve the objectives of this*
7 *division and that may include projects that create jobs, businesses,*
8 ~~and educational and worker training programs, including programs~~
9 ~~to educate students~~, reduce the high school dropout rate, *train*
10 *workers*, and that will benefit disadvantaged communities *and*
11 *severely disadvantaged communities*. At least 30 percent of this
12 amount shall be designated for a revolving loan program developed
13 by the council. ~~Programs~~

14 (2) *Programs* to reduce the high school dropout rate may
15 include, but are not limited to, middle school career exploration
16 activities; curriculum and professional development; high school
17 pathway programs that integrate academic and technical learning
18 to prepare students for both college and careers, including a
19 sequence or cluster of three or more courses that align with the
20 State Board of Education-approved career technical education
21 standards and frameworks, and may be delivered, ~~in part, through~~
22 *through comprehensive high schools*, regional occupation programs
23 ~~or adult education programs or both types of~~, *adult education*
24 *programs, partnership academies, or alternative education*
25 *programs*; and other programs designed to engage middle and high
26 school students and motivate them to pursue further education and
27 training for and job placement in a clean technology or renewable
28 energy field.

29 (b) (1) The sum of one billion dollars (\$1,000,000,000) for the
30 development of clean technology businesses and jobs, and
31 educational and worker training programs, including programs to
32 reduce the high school dropout rate, and that will benefit
33 disadvantaged communities *and severely disadvantaged*
34 *communities that the council determined to be capital outlay*
35 *projects*. At least 30 percent of this amount shall be designated for
36 a revolving loan program developed by the council. ~~Programs~~

37 (2) *Programs* to reduce the high school dropout rate may
38 include, but are not limited to, middle school career exploration
39 activities; curriculum and professional development; high school
40 pathway programs that integrate academic and technical learning

1 to prepare students for both college and careers, including a
2 sequence or cluster of three or more courses that align with the
3 State Board of Education-approved career technical education
4 standards and frameworks, and may be delivered, ~~in part, through~~
5 *through comprehensive high schools*, regional occupation programs
6 ~~or adult education programs or both types of~~, *adult education*
7 *programs, partnership academies, or alternative education*
8 programs; and other programs designed to engage middle and high
9 school students and motivate them to pursue further education and
10 training for and job placement in a clean technology or renewable
11 energy field.

12 (c) The sum of one billion dollars (\$1,000,000,000) for the
13 development of businesses, technologies, infrastructure investment,
14 jobs, apprenticeships, and internships *for middle school, high*
15 *school, and postsecondary education students and adults* that will
16 help California adapt to climate change with special attention for
17 actions that will benefit disadvantaged communities *and severely*
18 *disadvantaged communities that the council determined to be*
19 *capital outlay projects*. At least 30 percent of this amount shall be
20 designated for a revolving loan program developed by the council.

21 (d) *From the funds made available through each of subdivisions*
22 *(a) to (c), inclusive, the council shall allocate up to _____ dollars*
23 *(\$_____) in relatively equal annual increments, or additional sums*
24 *as appropriated from other sources by the Legislature, to capital*
25 *projects selected competitively that involve broad public-private*
26 *partnerships for regional green job workforce development. The*
27 *council shall determine that the projects are appropriate capital*
28 *outlay projects. Applicants shall demonstrate a history of successful*
29 *multisector collaboration or a high likelihood of a successful*
30 *multisector collaboration. These projects shall include, at a*
31 *minimum, representatives of firms in clean technology, renewable*
32 *energy, energy conservation or retrofitting, or related interests*
33 *with high workforce training needs. These projects shall have the*
34 *active involvement of regional experts in career technical education*
35 *or workforce development. Priority for these grants shall be*
36 *awarded to applicants that submit the most carefully integrated*
37 *regional proposals that provide multiple benefits that are consistent*
38 *with this division and that accomplish any of the following:*

39 (1) *Improve high school graduation rate.*

1 (2) *Train incumbent workers for career advancement in*
2 *businesses and industries that are engaged in economic activities*
3 *that advance the objectives of this division, including, but not*
4 *limited to, businesses engaged in clean technology, renewable*
5 *energy, and climate change mitigation.*

6 (3) *Contribute to the creation of jobs or job training in*
7 *disadvantaged or severely disadvantaged communities and as an*
8 *alternative to commitment to the criminal justice system or to those*
9 *who were formerly incarcerated.*

10 26204. (a) The council shall develop guidelines for competitive
11 grants and revolving loans that will be awarded over a period of
12 ____ years in approximately equal annual increments for the
13 purposes set forth in Section 26203. *A minimum of ____ percent*
14 *of the funds granted shall benefit disadvantaged communities.*

15 (b) The guidelines shall specify a minimum and maximum grant
16 award amount and shall require that grants be awarded in a
17 geographically equitable fashion. The guidelines shall define,
18 where appropriate, a required cost share by a grant applicant, and
19 the required percentage of a project's economic or programmatic
20 activity that is generated by the grant that must be performed or
21 realized in California.

22 (c) Cost share shall not be required for owner-occupied
23 structures in disadvantaged or severely disadvantaged communities,
24 but these projects may be eligible for a revolving loan as
25 determined by the council.

26 (d) The council shall develop a public outreach and education
27 effort, and shall provide eligible applicants with technical
28 assistance in submitting grant applications. The public outreach
29 and education effort and the technical assistance provisions shall
30 be posted on one or more state government Internet Web sites
31 selected by the council or it may develop a new Internet Web site.

32 (e) The council may use appropriate state agency personnel in
33 administering the public outreach, education, technical assistance,
34 guideline development, and grant application review provisions
35 provided that such efforts are otherwise consistent with this
36 division.

37 (f) *The council shall award grants and adopt guidelines for*
38 *awarding competitive grants as set forth in this division.*

CHAPTER 3. MISCELLANEOUS PROVISIONS

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3 26205. (a) The Legislature may enact legislation necessary to
4 implement this division.
- 5 (b) Every proposed activity or project to be financed pursuant
6 to this division shall be in compliance with the California
7 Environmental Quality Act, Division 13 (commencing with Section
8 21000).
- 9 (c) Acquisitions of real property pursuant to this division shall
10 be from willing sellers.
- 11 (d) Up to 5 percent of the funds allocated to a program pursuant
12 to this division may be used to pay the costs incurred in the
13 administration of that program.
- 14 (e) Up to 10 percent of funds allocated for a program pursuant
15 to this division may be used to finance planning and monitoring
16 necessary for the successful design, selection, and implementation
17 of the projects authorized under that program. This subdivision
18 does not otherwise restrict funds ordinarily used by an agency or
19 department for preliminary plans, working drawings, and
20 construction as defined in the annual Budget Act for a capital
21 outlay project or grant project.
- 22 (f) The body awarding a contract for a public works project
23 financed in part from funds made available pursuant to this division
24 shall adopt and enforce, or contract with a third party to enforce,
25 a labor compliance program pursuant to subdivision (b) of Section
26 1771.5 of the Labor Code that shall be applicable to that public
27 works project.
- 28 (g) Chapter 3.5 (commencing with Section 11340) of Part 1 of
29 Division 3 of Title 2 of the Government Code does not apply to
30 the development and adoption of program guidelines and selection
31 criteria adopted pursuant to this division.
- 32 (h) The chair of the council or his or her designee shall provide
33 for an annual independent audit of expenditures pursuant to this
34 division to ensure that all moneys are expended in accordance with
35 this division.
- 36 26205.5. The provisions of this division are severable. If any
37 provision of this division or its application is held invalid, that
38 invalidity shall not affect other provisions or applications that can
39 be given effect without the invalid provision or application.

CHAPTER 4. FISCAL PROVISION

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26206. Bonds in the total of three billion dollars (\$3,000,000,000), or so much thereof as is necessary, not including the amount of any refunding bonds, or so much thereof as is necessary, may be issued and sold to provide a fund to be used for carrying out the purposes expressed in this division and to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The bonds, when sold, shall be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both principal of, and interest on, the bonds as the principal and interest become due and payable.

26207. The bonds authorized by this division shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), except subdivision (a) of Section 16727 of the Government Code to the extent that it is inconsistent with this division, and all of the other provisions of that law as amended from time to time apply to the bonds and to this division and are hereby incorporated in this division as though set forth in full in this division.

26208. (a) Solely for the purpose of authorizing the issuance and sale pursuant to the State General Obligation Bond Law of the bonds authorized by this division, the Renewable Energy, Climate Change, Career Technical Education, and Clean Technology Job Creation Finance Committee is hereby created. For the purposes of this division, the Renewable Energy, Climate Change, Career Technical Education, and Clean Technology Job Creation Finance Committee is “the committee” as that term is used in the State General Obligation Bond Law. The committee consists of the Treasurer, the Controller, and the Director of Finance, or a designated representative of each of those officials. The Treasurer shall serve as the chairperson of the committee. A majority of the committee may act for the committee.

(b) For the purposes of the State General Obligation Bond Law, the Resources Agency is designated to be the “board.”

26209. Upon request of the board stating that funds are needed for purposes of this division, the committee shall determine whether

1 or not it is necessary or desirable to issue bonds authorized pursuant
 2 to this division in order to carry out the actions specified in Chapter
 3 2 (commencing with Section 26203), and, if so, the amount of
 4 bonds to be issued and sold. Successive issues of bonds may be
 5 authorized and sold to carry out those actions progressively, and
 6 it is not necessary that all of the bonds authorized to be issued be
 7 sold at any one time.

8 26210. There shall be collected each year in the same manner
 9 and at the same time as other state revenue is collected, in addition
 10 to the ordinary revenues of the state, a sum in an amount required
 11 to pay the principal of, and interest on, the bonds each year. It is
 12 the duty of all officers charged by law with any duty in regard to
 13 the collection of the revenue to do and perform each and every act
 14 that is necessary to collect that additional sum.

15 26211. Notwithstanding Section 13340 of the Government
 16 Code, there is hereby appropriated from the General Fund in the
 17 State Treasury, for the purposes of this division, an amount that
 18 will equal the total of the following:

19 (a) The sum annually necessary to pay the principal of, and
 20 interest on, bonds issued and sold pursuant to this division, as the
 21 principal and interest become due and payable.

22 (b) The sum necessary to carry out Section 26212, appropriated
 23 without regard to fiscal years.

24 26212. For the purpose of carrying out this division, the
 25 Director of Finance may authorize the withdrawal from the General
 26 Fund of an amount not to exceed the amount of the unsold bonds
 27 that have been authorized by the committee to be sold for the
 28 purpose of carrying out this division. Any amounts withdrawn
 29 shall be deposited in the fund. Any money made available under
 30 this section shall be returned to the General Fund, plus the interest
 31 the amounts would have earned in the Pooled Money Investment
 32 Account, from proceeds received from the sale of bonds for the
 33 purpose of carrying out this division.

34 26213. All money deposited in the fund that is derived from
 35 premium and accrued interest on bonds sold shall be reserved in
 36 the fund and shall be available for transfer to the General Fund as
 37 a credit to expenditures for bond interest.

38 26214. Pursuant to Chapter 4 (commencing with Section
 39 16720) of Part 3 of Division 4 of Title 2 of the Government Code,
 40 the cost of bond issuance shall be paid out of the bond proceeds.

1 These costs shall be shared proportionally by each program funded
2 through this bond act.

3 26215. The board may request the Pooled Money Investment
4 Board to make a loan from the Pooled Money Investment Account,
5 including other authorized forms of interim financing that include,
6 but are not limited to, commercial paper, in accordance with
7 Section 16312 of the Government Code, for purposes of carrying
8 out this division. The amount of the request shall not exceed the
9 amount of the unsold bonds that the committee, by resolution, has
10 authorized to be sold for the purpose of carrying out this division.
11 The board shall execute any documents required by the Pooled
12 Money Investment Board to obtain and repay the loan. Any
13 amounts loaned shall be deposited in the fund to be allocated in
14 accordance with this division.

15 26216. The bonds may be refunded in accordance with Article
16 6 (commencing with Section 16780) of Chapter 4 of Part 3 of
17 Division 4 of Title 2 of the Government Code, which is a part of
18 the State General Obligation Bond Law. Approval by the voters
19 of the state for the issuance of the bonds described in this division
20 includes the approval of the issuance of any bonds issued to refund
21 any bonds originally issued under this division or any previously
22 issued refunding bonds.

23 26217. Notwithstanding any other provision of this division,
24 or of the State General Obligation Bond Law, if the Treasurer sells
25 bonds pursuant to this division that include a bond counsel opinion
26 to the effect that the interest on the bonds is excluded from gross
27 income for federal tax purposes, subject to designated conditions,
28 the Treasurer may maintain separate accounts for the investment
29 of bond proceeds and for the investment of earnings on those
30 proceeds. The Treasurer may use or direct the use of those proceeds
31 or earnings to pay any rebate, penalty, or other payment required
32 under federal law or take any other action with respect to the
33 investment and use of those bond proceeds required or desirable
34 under federal law to maintain the tax exempt status of those bonds
35 and to obtain any other advantage under federal law on behalf of
36 the funds of this state.

37 26218. The Legislature hereby finds and declares that,
38 inasmuch as the proceeds from the sale of bonds authorized by
39 this division are not “proceeds of taxes” as that term is used in
40 Article XIII B of the California Constitution, the disbursement of

1 these proceeds is not subject to the limitations imposed by that
2 article.

3 SEC. 2. Section 1 of this act shall take effect only upon the
4 approval by the voters of the Renewable Energy, Climate Change,
5 Career Technical Education, and Clean Technology Job Creation
6 Bond Act of ~~2011~~, 2010, as set forth in Section 1 of this act.

7 SEC. 3. Section 1 of this act shall be submitted to the voters
8 at the ~~2011~~, 2010, ____ election in accordance with provisions of
9 the Government Code and the Elections Code governing the
10 submission of a statewide measure to the voters.

11 SEC. 4. (a) Notwithstanding any other provision of law, all
12 ballots of the election shall have printed thereon and in a square
13 thereof, the words: “Renewable Energy, Climate Change, Career
14 Technical Education, and Clean Technology Job Creation Bond
15 Act of ~~2011~~ 2010 and in the same square under those words, the
16 following in 8-point type: “This act provides for a bond issue of
17 three billion dollars (\$3,000,000,000) to provide funds for a
18 Renewable Energy, Climate Change, Career Technical Education,
19 and Clean Technology Job Creation Program.” Opposite the square,
20 there shall be left spaces in which the voters may place a cross in
21 the manner required by law to indicate whether they vote for or
22 against the act.

23 (b) Notwithstanding Sections 13247 and 13281 of the Elections
24 Code, the language in subdivision (a) shall be the only language
25 included in the ballot label for the condensed statement of the
26 ballot title, and the Attorney General shall not supplement, subtract
27 from, or revise that language, except that the Attorney General
28 may include the financial impact summary prepared pursuant to
29 Section 9087 of the Elections Code and Section 88003 of the
30 Government Code.

31 (c) Where the voting in the election is done by means of voting
32 machines used pursuant to law in a manner that carries out the
33 intent of this section, the use of the voting machines and the
34 expression of the voters’ choice by means thereof are in compliance
35 with this section.

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