

AMENDED IN SENATE JUNE 24, 2013
AMENDED IN ASSEMBLY MAY 24, 2013
AMENDED IN ASSEMBLY MAY 8, 2013
AMENDED IN ASSEMBLY APRIL 24, 2013
AMENDED IN ASSEMBLY APRIL 9, 2013
AMENDED IN ASSEMBLY FEBRUARY 27, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 39

Introduced by Assembly Members ~~Skinner and John A. Pérez~~
Member Skinner
(Principal coauthor: Assembly Member Perea)
(Coauthors: ~~Assembly Members Bloom, Brown, Ian Calderon,~~
~~Dickinson, Frazier, Garcia, Gordon, Quirk-Silva, Rendon, Ting,~~
~~Wieckowski, and Williams)~~

December 3, 2012

~~An act to add Division 16.4 (commencing with Section 26225) to the Public Resources Code, relating to energy efficiency, and making an appropriation therefor. An act to amend Section 25421 of the Public Resources Code, relating to energy, and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 39, as amended, Skinner. ~~Proposition 39: implementation. Energy: conservation: financial assistance.~~

The Energy Conservation Assistance Act of 1979 requires, until January 1, 2018, the State Energy Resources Conservation and

Development Commission to administer the State Energy Conservation Assistance Account, a continuously appropriated account to provide grants and loans to local governments and public institutions to maximize energy use savings.

This bill would extend the operation of the act to January 1, 2020, and would thereby make an appropriation by extending the time during which the funds in a continuously appropriated account are made available.

~~The California Clean Energy Jobs Act, an initiative approved by the voters as Proposition 39 at the November 6, 2012, statewide general election, made changes to corporate income taxes and, except as specified, provides for the transfer of \$550,000,000 annually from the General Fund to the Clean Energy Job Creation Fund for 5 fiscal years beginning with the 2013–14 fiscal year. Moneys in the Clean Energy Job Creation Fund are available, upon appropriation by the Legislature, for purposes of funding eligible projects that create jobs in California improving energy efficiency and expanding clean energy generation. Existing law provides for the allocation of available funds to public school facilities, university and college facilities, other public buildings and facilities, as well as job training and workforce development, and public-private partnerships, for eligible projects, as specified. Existing law establishes prescribed criteria that apply to all expenditures from the Clean Energy Job Creation Fund. Existing law creates the Citizens Oversight Board with specified responsibilities relative to the review of expenditures from the Clean Energy Job Creation Fund, including the submission of an evaluation to the Legislature. Existing law establishes the State Energy Conservation Assistance Account, a continuously appropriated account, for the purposes of funding loans to schools, hospitals, public care institutions, and units of local government to maximize energy savings.~~

~~This bill would require, for each fiscal year that revenues are deposited into the Clean Energy Job Creation Fund, that 75% of those revenues be provided to eligible institutions for grants for eligible projects. The bill would require the State Department of Education to administer 89% of those revenues for local educational agencies for the purposes of eligible projects, as specified. The bill would require the Chancellor of the California Community Colleges to administer 11% of those revenues for the California Community Colleges. The bill would require the department or the Office of the Chancellor of the California Community Colleges, as applicable, in consultation with the~~

~~State Energy Resources Conservation and Development Commission, to evaluate proposals from eligible institutions taking into account specified factors. The bill would require 25% of the revenues deposited into the Clean Energy Job Creation Fund to be transferred to the State Energy Conservation Assistance Account, thereby making an appropriation. For the 2013–14 fiscal year, the bill would allocate the moneys transferred to the account for loans, loan loss reserves, and technical assistance to schools and community college districts.~~

~~The bill would require, to the extent moneys are available, moneys for job training and workforce development to be available from the Clean Energy Job Creation Fund, upon appropriation by the Legislature to the California Workforce Investment Board, for allocation to the California Conservation Corps, Certified Community Conservation Corps, Youth Build, preapprenticeship partnerships with state-certified apprenticeship programs, local educational agencies, community benefit organizations, and other existing workforce development programs, as specified, consistent with the requirements of the California Clean Energy Jobs Act. The bill would require, to the extent moneys are available, moneys for public-private partnerships to be available from the Clean Energy Job Creation Fund, upon appropriation by the Legislature, for assistance to certain local governments to establish and implement Property Assisted Clean Energy programs or similar financial and technical assistance consistent with the requirements of the California Clean Energy Jobs Act.~~

~~The bill would require a person or entity completing an eligible project with financial assistance from the Clean Energy Job Creation Fund to report certain information to the Citizens Oversight Board. The bill would require this information to be included in an annual report by the board to the Legislature.~~

~~Vote: majority^{2/3}. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.~~

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

- 1 SECTION 1. Section 25421 of the Public Resources Code is
- 2 amended to read:
- 3 25421. (a) Except as provided in subdivision (b), this chapter
- 4 shall remain in effect only until January 1, ~~2018~~ 2020, and as of
- 5 that date is repealed, unless a later enacted statute, which is enacted
- 6 before January 1, ~~2018~~ 2020, deletes or extends that date.

1 (b) Except as specified in subdivisions (c) and (d), all loans
 2 outstanding as of January 1, ~~2018~~ 2020, shall continue to be repaid
 3 on a semiannual basis, as specified in Section 25415, until paid in
 4 full. All unexpended funds in the State Energy Conservation
 5 Assistance Account on January 1, ~~2018~~ 2020, and thereafter shall
 6 revert to the General Fund.

7 (c) To the extent required under applicable bond obligations,
 8 unexpended funds from the proceeds of bonds sold pursuant to
 9 Section 25417.5 that remain in the State Energy Conservation
 10 Assistance Account on January 1, ~~2018~~ 2020, shall remain in the
 11 account. These funds shall be expended pursuant to the applicable
 12 requirements for bond proceeds. Once all applicable bond
 13 obligations have been satisfied, unexpended funds shall revert to
 14 the General Fund.

15 (d) Unexpended funds from the federal American Recovery and
 16 Reinvestment Act of 2009 (Public Law 111-5) remaining in the
 17 State Energy Conservation Assistance Account on January 1, ~~2018~~
 18 2020, shall revert to the Federal Trust Fund.

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**All matter omitted in this version of the bill
 appears in the bill as amended in the
 Assembly, May 24, 2013. (JR11)**