

AMENDED IN SENATE APRIL 23, 2013

AMENDED IN SENATE APRIL 9, 2013

AMENDED IN SENATE APRIL 1, 2013

**SENATE BILL**

**No. 64**

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**Introduced by Senator Corbett**

January 10, 2013

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An act to add Chapter 5 (commencing with Section 26230) to Division 16.3 of the Public Resources Code, relating to energy efficiency, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 64, as amended, Corbett. Proposition 39: implementation.

The California Clean Energy Jobs Act, an initiative approved by the voters at the November 6, 2012, statewide general election as Proposition 39, 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 these funds for eligible projects at public school facilities, university and college facilities, and other public buildings and facilities, as well as job training and workforce development, and public-private partnerships, as specified.

This bill would require the State Energy Resources Conservation and Development Commission to develop and administer programs,

consistent with the act, to provide financial assistance to school districts, cities, and counties to install energy efficiency or clean energy technology in public schools and municipal facilities. The bill would appropriate for the 2013–14 fiscal year an unspecified sum from the Clean Energy Job Creation Fund to the commission for the above purpose, thereby making an appropriation.

Vote: majority. Appropriation: yes. Fiscal committee: yes.  
 State-mandated local program: no.

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

1 SECTION 1. Chapter 5 (commencing with Section 26230) is  
 2 added to Division 16.3 of the Public Resources Code, to read:

3  
 4 CHAPTER 5. PROGRAMS FOR PUBLIC BUILDINGS  
 5

6 26230. (a) The State Energy Resources Conservation and  
 7 Development Commission shall, utilizing existing resources,  
 8 programs, and expertise, develop and administer programs,  
 9 consistent with Section 26205, to provide financial assistance to  
 10 school districts, cities, and counties to install low risk, high-return  
 11 energy efficiency or clean energy technology in public schools  
 12 with kindergarten or grades 1 to 12, inclusive, or municipal  
 13 facilities that will do all of the following:

14 (1) Reduce fossil fuel emissions in a manner that is  
 15 environmentally sustainable and, to the greatest extent practicable,  
 16 to maximize benefits for local and regional communities.

17 (2) Reduce the total energy use of the school district, city, or  
 18 county.

19 (3) Improve energy efficiency of the schools or municipal  
 20 facilities.

21 (b) Projects eligible for financial assistance pursuant to programs  
 22 developed pursuant to subdivision (a) include, but are not limited  
 23 to, the following:

24 (1) Lighting retrofits and controls.

25 (2) Street lighting and traffic signal retrofits.

26 (3) Heating, ventilation, and air-conditioning modifications and  
 27 controls.

28 (4) Automated energy management systems, motors, and  
 29 variable speed drives and pumps.

1 (5) Water or wastewater system process and control retrofits.

2 (6) Clean energy technology that is intended to primarily offset  
3 part or all of the facility's electrical requirements.

4 (c) The ~~program~~ *programs* developed pursuant to subdivision  
5 (a) shall ensure the projects receiving financial assistance are ~~cost~~  
6 ~~effective~~ *consistent with the state's loading order, as described in*  
7 *the Energy Action Plan II jointly adopted by the Public Utilities*  
8 *Commission and the State Energy Resources Conservation and*  
9 *Development Commission, and are cost effective, reliable, and*  
10 *feasible, with total energy savings benefits exceeding project costs.*

11 (d) The commission shall require a school district, city, or county  
12 applying for financial assistance pursuant to a program developed  
13 pursuant to subdivision (a) to submit a feasibility study that  
14 provides estimates of costs and energy savings resulting from a  
15 project.

16 (e) The commission shall not provide financial assistance  
17 pursuant to a program developed pursuant to subdivision (a) of  
18 projects related to swimming pools, gambling establishments,  
19 aquariums, zoos, or golf courses.

20 (f) (1) The commission may adopt guidelines governing the  
21 award, eligibility, and administration of the programs developed  
22 pursuant to subdivision (a).

23 (2) The commission shall adopt guidelines at a publicly noticed  
24 meeting and provide an opportunity for the public to comment.  
25 The commission shall provide a written public notice of meeting  
26 at least 30 days prior to the meeting.

27 (3) For substantive revision of the guidelines, the commission  
28 shall provide a written notice of meeting at least 15 days prior to  
29 the meeting at which the revision is to be considered or adopted.

30 (4) The adoption or revision of guidelines pursuant to this  
31 subdivision is exempt from the requirements of Chapter 3.5  
32 (commencing with Section 11340) of Part 1 of Division 3 of Title  
33 2 of the Government Code.

34 26231. The sum of \_\_\_\_ dollars (\$\_\_\_\_) is hereby appropriated  
35 for the 2013–14 fiscal year from the Job Creation Fund to the State  
36 Energy Resources Conservation and Development Commission  
37 for the purposes of this chapter.

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