

AMENDED IN ASSEMBLY MARCH 18, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1973**

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**Introduced by Assembly Member Campos**

February 16, 2016

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An act ~~relating to greenhouse gases~~; to add Section 17654 to the Education Code, relating to school facilities, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1973, as amended, Campos. ~~Greenhouse Gas Reduction Fund: local educational agencies: School facilities: school districts:~~ energy efficiency projects.

(1) Existing law expresses legislative findings and declarations that it is in the interest of the state and of the people thereof for the state to aid school districts in finding cost-effective methods of conserving energy in school buildings maintained by the school districts.

This bill would appropriate an unspecified amount of money to the Santa Clara County Office of Education for allocation to school districts within the county for a pilot program for purposes of energy efficiency projects. The bill would provide that a school district is eligible for those funds only if it has received specified funding and does certain things in connection with those energy efficiency projects, including, partners with an institution of higher education for purposes of providing energy efficiency project-based learning opportunities for pupils enrolled in kindergarten or any of grades 1 to 12, inclusive, leverages private investment, and utilizes state-approved apprenticeship programs and ensures access to those programs for qualified veterans who were discharged after September 11, 2001. To the extent this bill

would impose additional duties on the Santa Clara County Office of Education, the bill would impose a state-mandated local program.

(2) Funds appropriated by this bill would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

(3) This bill would make legislative findings and declarations as to the necessity of a special statute for Santa Clara County.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

~~The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation.~~

~~This bill would state the intent of the Legislature to enact legislation that would appropriate an unspecified amount of money from the Greenhouse Gas Reduction Fund to local educational agencies for energy efficiency projects that utilize best practices and reduce carbon emissions.~~

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

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

- 1 SECTION 1. Section 17654 is added to the Education Code,
- 2 to read:

1 17654. (a) The sum of \_\_\_\_\_ dollars (\$\_\_\_\_\_) is hereby  
2 appropriated from the General Fund to the Santa Clara County  
3 Office of Education for allocation to school districts within the  
4 county for a pilot program for purposes of energy efficiency  
5 projects.

6 (b) A school district shall be eligible for funds appropriated  
7 pursuant to subdivision (a) only if it has received funding pursuant  
8 to Proposition 39, an initiative enacted by voters at the November  
9 6, 2012, statewide general election, and does all of the following  
10 in connection with the energy efficiency project that it seeks  
11 additional funding for:

12 (1) Partners with an institution of higher education for purposes  
13 of providing energy efficiency project-based learning opportunities  
14 for pupils enrolled in kindergarten or any of grades 1 to 12,  
15 inclusive.

16 (2) Leverages private investment in addition to funds  
17 appropriated pursuant to paragraph (1) of subdivision (a) of  
18 Section 26205 of the Public Resources Code.

19 (3) Utilizes state-approved apprenticeship programs and  
20 ensured access to those programs for qualified veterans who were  
21 discharged after September 11, 2001.

22 (c) For purposes of making the computations required by Section  
23 8 of Article XVI of the California Constitution, the funds  
24 appropriated pursuant to this section shall be deemed to be  
25 “General Fund revenues appropriated for school districts,” as  
26 defined in subdivision (c) of Section 41202, and included within  
27 the “total allocations to school districts and community college  
28 districts from General Fund proceeds of taxes appropriated  
29 pursuant to Article XIII B,” as defined in subdivision (e) of Section  
30 41202.

31 SEC. 2. The Legislature finds and declares that a special law  
32 is necessary and that a general law cannot be made applicable  
33 within the meaning of Section 16 of Article IV of the California  
34 Constitution because of the uniquely proven track record of school  
35 districts in Santa Clara County in implementing successful energy  
36 efficiency projects that meet the requirements of this act.

37 SEC. 3. If the Commission on State Mandates determines that  
38 this act contains costs mandated by the state, reimbursement to  
39 local agencies and school districts for those costs shall be made

1 *pursuant to Part 7 (commencing with Section 17500) of Division*  
2 *4 of Title 2 of the Government Code.*

3 ~~SECTION 1. It is the intent of the Legislature to enact~~  
4 ~~legislation that would appropriate \_\_\_\_\_ dollars (\$\_\_\_\_\_) from the~~  
5 ~~Greenhouse Gas Reduction Fund to local educational agencies for~~  
6 ~~energy efficiency projects that utilize best practices and reduce~~  
7 ~~carbon emissions.~~