AMENDED IN ASSEMBLY JUNE 1, 1995

AMENDED IN ASSEMBLY APRIL 25, 1995

AMENDED IN ASSEMBLY APRIL 4, 1995

CALIFORNIA LEGISLATURE—1995–96 REGULAR SESSION

ASSEMBLY BILL No. 1145

Introduced by Assembly Member Morrissey

February 23, 1995

An act *to add Article 5 (commencing with Section 79160) to Chapter 9 of Part 48 of the Education Code,* relating to energy resources, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1145, as amended, Morrissey. Energy conservation: ~~California Conservation Corps:~~ federal overcharge funds.

(1) Under existing law, the community colleges provide academic and vocational instruction at the lower division level.

This bill would create the Advanced Transportation Technologies Initiative Program, a project designed to establish training centers at 20 community college campuses for the purpose of training workers for the technically skilled jobs needed to service, convert, repair, and maintain alternative fuel vehicles. The bill would require the Chancellor's Office of the California Community Colleges to select the participating community colleges from among the

colleges that apply. The bill would designate the areas of the state in which the training centers would be located.

(2) Under existing law, funds in the Petroleum Violation Escrow Account, as defined in federal law, consisting of federal oil overcharge funds, have been disbursed to this state by the federal government and deposited in the Federal Trust Fund in the State Treasury, a continuously appropriated fund.

This bill would, to the extent permitted by federal law, appropriate ~~$609,000~~ *specified amounts* of those funds, for expenditure ~~in the 1994–95 fiscal year, to the California Conservation Corps to establish, and engage in energy conservation and related projects at, an energy center in southern California~~ *for specified projects*, to be disbursed by the Controller subject to approval by the Director of Finance as to which court judgment or federal agency order is the proper source of the funds. The bill would make legislative findings and declarations in that regard.

(3) Existing law establishes the Katz Safe Schoolbus Clean Fuel Efficiency Demonstration Program, and declares the Legislature's intent to appropriate for implementation of that program $^{1}/_{2}$ *of each future disbursement of federal oil overcharge funds received by the state.*

This bill would provide that money in the Federal Trust Fund received by the state from federal oil overcharge funds which is available for appropriation during the 1995–96 fiscal year shall be appropriated in accordance with the Legislature's declared intent.

(4) The bill would declare that it is to take effect immediately as an urgency statute.

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

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

1 SECTION 1. *Article 5 (commencing with Section*
2 *79160) is added to Chapter 9 of Part 48 of the Education*
3 *Code, to read:*
4

Article 5. Advanced Transportation Technologies Initiative Program

79160. The Legislature finds and declares all of the following:

(a) Currently, approximately 95,000 alternative fuel vehicles are in operation in California.

(b) Seven million seven hundred ninety-four thousand alternative fuel vehicles are projected to be in operation in California by the year 2010.

(c) The College of the Desert, having already established an Alternative Energy Technology Training Center and a Compressed Natural Gas Training Manual, is at the forefront of preparing students for the emerging demand for technically skilled workers knowledgeable in alternative fuel vehicle technology.

(d) The development of a technically skilled work force, trained to service, convert, repair, and maintain alternative fuel vehicles, promotes job growth, provides a work force capable of meeting the challenges of emerging technologies, improves the environment by making alternative fuel vehicles a more economically feasible alternative, and is necessary to assure the successful statewide conversion to alternative fuel vehicles.

(e) It is in California's best interest, both economically and environmentally, to be the leader in alternative fuel vehicle technology.

79161. For purposes of this article, the following terms have the following meanings:

(a) "Alternative fuel" means methanol, ethanol, mixtures containing 85 percent or more by volume of methanol or ethanol with gasoline or other fuels, compressed natural gas, liquefied natural gas, liquefied petroleum gas, also known as propane, and electricity.

(b) "Alternative fuel vehicle" means a vehicle either designed and manufactured by an original equipment manufacturer or a converted vehicle designed to operate either dedicated dual-fuel or flexible fuel. This does not

include a conventional vehicle that is limited to operation on blended or reformulated gasoline fuels.

(c) "Converted vehicle" means a new or used vehicle that is reconfigured, after manufacture, to operate on an alternative fuel.

(d) "Dedicated" means a vehicle that is designed to operate only on alternative fuel.

(e) "Dual-fuel" means a vehicle that has the ability to operate on alternative fuels or petroleum-based fuels, but only one at a time.

(f) "Flexible fuel" means a vehicle that has the ability to operate on alternative fuels, petroleum-based fuels, or a mixture of alternative fuels and petroleum-based fuels.

(g) "Original equipment manufacturer" means a vehicle manufacturer that provides the original design and materials for assembly and manufacture, is directly responsible for manufacture and modification, makes the vehicles commercially available, and provides a warranty for the vehicles.

(h) "Training center" means an Advanced Transportation Technologies Initiative Training Center.

79162. There is hereby created the Advanced Transportation Technologies Initiative Program, to be administered by the Chancellor's Office of the California Community Colleges.

(b) The Advanced Transportation Technologies Initiative Program is a project designed to establish training centers at 20 California community college campuses for the purpose of training workers for the technically skilled jobs needed to service, convert, repair, and maintain alternative fuel vehicles.

(c) The chancellor's office shall select the community colleges that are to be the locations for training centers from among the community colleges that apply to the chancellor's office consistent with subdivision (f).

(d) The chancellor's office shall establish application procedures and guidelines for the applicant community colleges to follow in making application.

(e) The chancellor's office shall establish rules and guidelines for the community colleges to follow in

establishing, maintaining, and operating training centers in compliance with this section.

(f) The training centers shall be located at community college campuses in nonattainment areas in accordance with the following distributive pattern:

(1) Three in Los Angeles and Ventura Counties.

(2) Two in Orange County.

(3) One in the South Bay area of Los Angeles County.

(4) Two in the Inland Empire region.

(5) Two in San Diego County.

(6) One in the High/Low Desert region.

(7) One in the Sacramento area.

(8) One in the Bakersfield area.

(9) Three in the San Francisco Bay area, which includes Monterey and San Jose.

(10) Two in the East Bay (San Francisco).

(11) One in the Fresno area.

(12) One in the Northern California area, north of San Francisco.

(g) All funding apportioned to the chancellor's office and distributed to the community colleges for the purpose of establishing training centers shall be used only for the following purposes:

(1) To refurbish existing automotive centers on campuses.

(2) To train instructors in alternative fuel vehicle programs.

(3) To purchase needed training equipment.

(4) To provide technical support.

(5) To provide training curriculum.

SEC. 2. (a) Notwithstanding Sections 13340 and 16361 of the Government Code, and to the extent permitted by federal law, the sum of two million five hundred thousand dollars ($2,500,000) of the money in the Federal Trust Fund, created by Section 16360 of the Government Code, received by the state from federal oil overcharge funds in the Petroleum Violation Escrow Account, as defined by Section 155 of the Further Continuing Appropriations Act of 1983 (P.L. 97-377) or other federal law, and from federal oil overcharge funds

available pursuant to court judgments or federal agency orders, is hereby appropriated to the Chancellor of the California Community Colleges for the purpose of funding the Advanced Transportation Technologies Initiative Program established pursuant to Article 5 (commencing with Section 79160) of Chapter 9 of Part 48 of the Education Code.

(b) The money appropriated by this section shall be disbursed by the Controller, subject to approval by the Director of Finance as to which court judgment or federal agency order is the proper source of those funds.

SEC. 3. (a) The Legislature hereby finds and declares that, for over 15 years, the California Conservation Corps has successfully operated a Northern California Energy Center that provides advanced technical training to corpsmembers, while providing a broad range of energy conservation, and renewable energy projects throughout California. Working in small, well-trained, supervised crews, the corps performs projects that demonstrate a public benefit and usually occur on public facilities, but may include work for low-income households. There is much demand for corps energy crews and services in southern California. Youth unemployment is high and work-training programs are badly needed. The corps cannot adequately provide energy-related projects to southern California communities with its present energy operations located in northern California. Therefore, the corps is expanding its capacity to provide locally trained energy crews, and to avoid the logistical inefficiencies of operating from only a northern base, by opening a new energy center in southern California that will focus on energy-related projects.

~~SEC. 2. (a)~~

SEC. 4. (a) Notwithstanding Sections 13340 and 16361 of the Government Code, and to the extent permitted by federal law, the sum of ~~six hundred nine thousand dollars ($609,000)~~ *two million seven hundred thousand dollars ($2,700,000)* of the money in the Federal Trust Fund, created by Section 16360 of the Government

Code, received by the state from federal oil overcharge funds in the Petroleum Violation Escrow Account, as defined by Section 155 of the Further Continuing Appropriations Act of 1983 (P.L. 97-377) or other federal law, and consisting of federal oil overcharge funds available pursuant to court judgments or federal agency orders, is hereby appropriated, for expenditure in the 1994–95 fiscal year, to the California Conservation Corps to establish, and engage in energy conservation and related projects at, an energy center in southern California.

(b) The money appropriated pursuant to subdivision (a) shall be disbursed by the Controller, subject to approval by the Director of Finance as to which court judgment or federal agency order is the proper source of those funds.

~~SEC. 3.~~

SEC. 5. (a) Notwithstanding Sections 13340 and 16361 of the Government Code, and to the extent permitted by federal law, the sum of five hundred thousand dollars ($500,000) of the money in the Federal Trust Fund, created by Section 16360 of the Government Code, received by the state from federal oil overcharge funds in the Petroleum Violation Escrow Account, as defined by Section 155 of the Further Continuing Appropriations Act of 1983 (P.L. 97-377) or other federal law, and consisting of federal oil overcharge funds available pursuant to court judgments or federal agency orders, is hereby appropriated, without regard to fiscal year, to the San Bernardino Associated Governments for the purpose of upgrading and expanding the Rancho Cucamonga Metrolink rail station.

(b) The money appropriated pursuant to subdivision (a) shall be disbursed by the Controller, subject to approval by the Director of Finance as to which court judgment or federal agency order is the proper source of those funds.

SEC. 6. (a) Notwithstanding Sections 13340 and 16361 of the Government Code, and to the extent permitted by federal law, the sum of three hundred sixty

thousand dollars ($360,000) of the money in the Federal Trust Fund, created by Section 16360 of the Government Code, received by the state from federal oil overcharge funds in the Petroleum Violation Escrow Account, as defined by Section 155 of the Further Continuing Appropriations Act of 1983 (P.L. 97-377) or other federal law, and consisting of federal oil overcharge funds available pursuant to court judgments or federal agency orders, is hereby appropriated, without regard to fiscal year, to the Riverside Transit Agency for the purpose of replacing six diesel transit buses with six CNG-operated buses with wheelchair lifts.

(b) The money appropriated pursuant to subdivision (a) shall be disbursed by the Controller, subject to approval by the Director of Finance as to which court judgment or federal agency order is the proper source of those funds.

SEC. 7. (a) Notwithstanding Sections 13340 and 16361 of the Government Code, and to the extent permitted by federal law, the sum of one hundred thousand dollars ($100,000) of the money in the Federal Trust Fund, created by Section 16360 of the Government Code, received by the state from federal oil overcharge funds in the Petroleum Violation Escrow Account, as defined by Section 155 of the Further Continuing Appropriations Act of 1983 (P.L. 97-377) or other federal law, and consisting of federal oil overcharge funds available pursuant to court judgments or federal agency orders, is hereby appropriated, without regard to fiscal year, to the City of Ontario for the purpose of funding a traffic signal to increase safety to pedestrians and motorists in the 1500 block of East Holt Boulevard.

(b) The money appropriated pursuant to subdivision (a) shall be disbursed by the Controller, subject to approval by the Director of Finance as to which court judgment or federal agency order is the proper source of those funds.

SEC. 8. (a) Notwithstanding Sections 13340 and 16361 of the Government Code, and to the extent permitted by federal law, the sum of one million dollars

($1,000,000) of the money in the Federal Trust Fund, created by Section 16360 of the Government Code, received by the state from federal oil overcharge funds in the Petroleum Violation Escrow Account, as defined by Section 155 of the Further Continuing Appropriations Act of 1983 (P.L. 97-377) or other federal law, and consisting of federal oil overcharge funds available pursuant to court judgments or federal agency orders, is hereby appropriated, without regard to fiscal year, to the State Energy Resources Conservation and Development Commission for the purpose of a grant to CALSTART for an electric and hybrid electric bus development program.

(b) The money appropriated pursuant to subdivision (a) shall be disbursed by the Controller, subject to approval by the Director of Finance as to which court judgment or federal agency order is the proper source of those funds.

(c) Money in the Federal Trust Fund, received by the state from federal oil overcharge funds in the Petroleum Violation Escrow Account, which is available for appropriation during the 1995–96 fiscal year, shall be used, upon appropriation, in accordance with subdivision (b) of Section 4 of Chapter 1426 of the Statutes of 1988, which declared the intent of the Legislature to appropriate one-half of each future disbursement received by the state from the account to complete the implementation of a one hundred million dollar ($100,000,000) Katz Safe Schoolbus Clean Fuel Efficiency Demonstration Program (Part 10.7 (commencing with Section 17910) of the Education Code).

SEC. 9. (a) Notwithstanding Sections 13340 and 16361 of the Government Code, and to the extent permitted by federal law, the sum of four hundred thousand dollars ($400,000) of the money in the Federal Trust Fund, created by Section 16360 of the Government Code, received by the state from federal oil overcharge funds in the Petroleum Violation Escrow Account, as defined by Section 155 of the Further Continuing Appropriations Act of 1983 (P.L. 97-377) or other federal

law, and consisting of federal oil overcharge funds available pursuant to court judgments or federal agency orders, is hereby appropriated to the Department of Transportation for allocation to the City of Palo Alto to fund design development for an intermodal transportation station located at the CalTrain station within the city limits.

(b) The money appropriated by this section shall be disbursed by the Controller, subject to approval by the Director of Finance as to which court judgment or federal agency order is the proper source of those funds.

SEC. 10. The Legislature hereby finds and declares all of the following:

(a) It is the policy of the State of California, as established by the California Clean Air Act of 1988 (Chapter 1568, Statutes of 1988) and the air quality management plan, to reduce air pollution from mobile stationary sources.

(b) Continuing urban congestion and a renewed focus on air pollution have caused government leaders to explore methods to encourage reduced automobile trips and usage.

(c) Telecommuting has proven effective in removing vehicles and commuters from California's highways during peak congestion periods, thus resulting in less pollution.

(d) In-service training and education courses may be conducted at community colleges and transmitted to various businesses and homes, resulting in an environment that duplicates many of the technological and educational features of the office or classroom, yet reducing the amount of commute time and related stress on the environment.

(e) Telecommuting encourages the use of clean technologies, provides competitive advantages, and promotes entrepreneurial, as well as educational, opportunities.

(f) The Contra Costa County Community College District is a public agency that is interested in facilitating expanded educational opportunities, economic

development, and environmental enhancement. As part of the district's overall efforts to reduce congestion and to implement a strong transportation-demand management program, the district proposes to develop a telecommunications hub on the Contra Costa Community College campus that will enable educational services and information to be delivered throughout Contra Costa County and to the region and beyond. This installation is intended to encourage learning and in-service training through telecommunications, thus reducing traffic congestion and improving air quality in Contra Costa County.

SEC. 11. Notwithstanding Sections 13340 and 16361 of the Government Code, and to the extent permitted by federal law, the sum of five hundred thousand dollars ($500,000) of the money in the Federal Trust Fund, created by Section 16360 of the Government Code, received by the state from federal oil overcharge funds in the Petroleum Violation Escrow Account, as defined by Section 155 of the Further Continuing Appropriations Act of 1983 (P.L. 97-377) or other federal law, and from federal oil overcharge funds available pursuant to court judgments or federal agency orders, is hereby appropriated to the Contra Costa Community College District for the purpose of funding the installation of a telecommunications infrastructure as specified in Section 10 of this act.

(b) The money appropriated by subdivision (a) shall be disbursed by the Controller, subject to approval by the Director of Finance as to which court judgment or federal agency order is the proper source of those funds.

SEC. 12. The Legislature hereby finds and declares all of the following:

(a) The world's largest geothermal resource area, The Geysers north of San Francisco, is experiencing productivity declines due to diminishing steam reserves.

(b) The geothermal heat source at The Geysers remains constant, but the injection of additional water is needed to convey the geothermal heat to steam production wells.

(c) Injection has been used successfully at The Geysers and other geothermal areas worldwide as an effective management practice for sustaining resource production.

(d) A unique partnership between the public and private sectors has come together to solve this problem at The Geysers, and proposes to construct an effluent pipeline to supply treated wastewater for injection into the steam reservoir. It is proposed that forty million dollars ($40,000,000) in construction and operating costs be shared by the county, state and federal agencies, and operators of The Geysers, with job retention funds provided by the operators accounting for 41 percent of the necessary money, environmental protection funds accounting for 23 percent, energy resource conservation funds accounting for 22 percent, and economic development funds contributing the remaining 14 percent.

(e) This pipeline project will provide all of the following:

(1) Approximately 70 MW of net gain in the output of existing geothermal powerplants.

(2) Up to 625,000 MWh of clean, low-cost electricity annually for over 1,000,000 California consumers.

(3) Retention of more than 150 local jobs.

(4) Creation of 130 construction jobs with a sixteen million dollar ($16,000,000) payroll.

(5) Increased tax and lease revenues to the local, state, and federal governments.

SEC. 13. (a) Notwithstanding Sections 13340 and 16361 of the Government Code, and to the extent permitted by federal law, the sum of one million dollars ($1,000,000) of the money in the Federal Trust Fund, created by Section 16360 of the Government Code, received by the state from federal oil overcharge funds in the Petroleum Violation Escrow Account, as defined by Section 155 of the Further Continuing Appropriations Act of 1983 (P.L. 97-377) or other federal law, and consisting of federal oil overcharge funds available pursuant to court judgments or federal agency orders, is

hereby appropriated, for expenditure in the 1995–96 fiscal year, to the State Energy Resources Conservation and Development Commission to provide funds for the Lake County Southeast Geysers Effluent Pipeline and Injection Project.

(b) The money appropriated pursuant to subdivision (a) shall be disbursed by the Controller, subject to approval by the Director of Finance as to which court judgment or federal agency order is the proper source of those funds.

SEC. 14. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

~~In order to ensure that badly needed energy conservation assistance is provided as soon as possible to low-income households, it is necessary that this act take~~

In order to ensure that funding for badly needed projects is provided as soon as possible, it is necessary that this act take effect immediately.

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