An act to amend Section 26227.2 of the Public Resources Code, relating to energy.

LEGISLATIVE COUNSEL’S DIGEST

SB 1381, as introduced, Durazo. Clean Energy Job Creation Program.

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, provided 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 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 moneys remaining in the fund after the 2017–18 fiscal year, and, commencing with the 2018–19 fiscal year, establishes the Clean Energy Job Creation Program to fund projects that create jobs in California improving energy efficiency and expanding clean energy generation, if those projects meet specified criteria, including, among others, that the projects are cost effective with the total benefits being greater than the costs of the project over time. Under existing law, the project selection may, in addition to energy benefits, include consideration of nonenergy benefits, such as health and safety.

This bill would explicitly authorize consideration of job quality in project selection as a nonenergy benefit.
The people of the State of California do enact as follows:

SECTION 1. Section 26227.2 of the Public Resources Code is amended to read:

26227.2. (a) Commencing with the 2018–19 fiscal year, the Clean Energy Job Creation Program is hereby established for the purpose of funding projects described in paragraph (1) or (2) of subdivision (a) of Section 26205 that create jobs in California improving energy efficiency and expanding clean energy generation.

(b) All of the following criteria shall apply to the Clean Energy Job Creation Program:

(1) Project selection and oversight shall be managed by, and funds shall be appropriated only to, existing state and local government agencies with established expertise in managing energy projects and programs.

(2) All projects shall be selected based on in-state job creation and energy benefits for each project type.

(3) All projects shall be cost effective with the total benefits being greater than the costs of the project over time. Project selection may, in addition to energy benefits, include consideration of nonenergy benefits, such as health and safety.

(4) All projects shall require contracts that identify the project specifications, costs, and projected energy savings.

(5) All projects shall be subject to audit.

(6) Program overhead costs, including administrative costs incurred by the Energy Commission, shall not exceed 4 percent of the total funding.

(7) Agencies administering the program shall coordinate with the Energy Commission and the Public Utilities Commission to avoid duplication and to maximize leverage of existing energy efficiency and clean energy efforts.

(8) Eligible expenditures include expenditures associated with technical assistance and with reducing project costs and delays, including the development and implementation of processes that
reduce the costs of design, permitting, or financing, or that reduce other barriers to project completion and job creation.

(c) Commencing with the 2018–19 fiscal year, funds appropriated in the annual Budget Act or another statute for the Clean Energy Job Creation Program shall be available as follows:

(1) Eleven percent of the funds shall be available to community college districts, to be allocated by the Chancellor of the California Community Colleges at his or her discretion for program purposes.

(2) (A) The remaining moneys shall be allocated to local educational agencies as follows:

(i) Ten percent shall be for local educational agencies with an average daily attendance of not more than 1,000.

(ii) Ten percent shall be for local educational agencies with an average daily attendance of more than 1,000 and not more than 2,000.

(iii) Eighty percent shall be for local educational agencies with an average daily attendance of more than 2,000.

(B) The Energy Commission may adjust the funding allocations specified in subparagraph (A) and may add additional categories based on average daily attendance to further the purposes of this section.

(C) The Energy Commission in allocating grants to local educational agencies pursuant to this section shall give priority based on the following:

(i) The local educational agency’s percentage of students eligible for free or reduced-price meals in the prior year.

(ii) Geographic diversity that ensures urban, suburban, and rural local educational agencies receive grants and ensures the awarding of grant funding in all regions of the state.

(iii) Workforce needs of the areas in which the local educational agencies are located, as determined by the California Workforce Investment Board and the local workforce investment boards.

(d) A local educational agency that receives moneys pursuant to this section shall encumber those moneys within nine months of allocation.
(e) For purposes of this section, a “local educational agency” means a school district, county office of education, charter school, or state special school.