

AMENDED IN ASSEMBLY MAY 8, 2013

AMENDED IN ASSEMBLY APRIL 23, 2013

AMENDED IN ASSEMBLY APRIL 9, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 114**

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**Introduced by Assembly Members Salas and V. Manuel Pérez  
(Coauthors: Assembly Members Alejo, Brown, Gomez, Holden,  
Perea, and Quirk-Silva)**

January 14, 2013

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An act to add Chapter 6 (commencing with Section 26240) to Division 16.3 of, and to repeal Section 26243 of, the Public Resources Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

AB 114, as amended, Salas. Proposition 39: implementation: workforce development.

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, among other things, provides for allocation of available funds to job training and workforce development.

This bill would require the Labor and Workforce Development Agency, in consultation with specified entities, to develop and implement the Clean Energy Jobs and Workforce Development Program to award grants to eligible entities, as defined, for projects to provide job training on energy efficiency and clean energy projects that serve low-income or unemployed residents of economically disadvantaged communities. The bill would require the agency, after the first year of program implementation, to review and assess the effectiveness of the program, identify problems and barriers to achieving the workforce development goals of the act, and develop solutions to improve program performance. The bill would, for each fiscal year in which revenue is deposited into the fund, make available 9.6% of the revenue, upon appropriation by the Legislature, to the agency for the purposes of providing to eligible entities grants.

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

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

- 1 SECTION 1. (a) The Legislature finds and declares all of the
- 2 following:
- 3 (1) With the passage of the California Clean Energy Jobs Act
- 4 (Division 16.3 (commencing with Section 26200) of the Public
- 5 Resources Code) at the November 6, 2012, statewide general
- 6 election, the people of California declared their intent to transfer
- 7 five hundred fifty million dollars (\$550,000,000) annually, for
- 8 fiscal years 2013–14 to 2017–18, inclusive, for purposes of funding
- 9 energy efficiency projects in public schools, universities, and other
- 10 public facilities, for job training and workforce development, and
- 11 for specified public-private partnerships.
- 12 (2) The California Clean Energy Jobs Act also establishes the
- 13 Citizens Oversight Board to review all expenditures from, to
- 14 commission and review audits of, and to otherwise maintain
- 15 accountability for the expenditure of, those funds.
- 16 (3) California has some of the finest solar, wind, and geothermal
- 17 resources in the world, giving California the opportunity to lead
- 18 the United States in the development of renewable energy
- 19 technologies and the creation of green collar jobs.
- 20 (4) A 2006 analysis performed by the Renewable Energy Policy
- 21 Project looked at the employment gains in the United States and

1 found, of the 50 states, California has the greatest potential to  
2 generate renewable energy manufacturing activity.

3 (5) In addition to renewable energy opportunities, California  
4 has also pioneered energy efficiency through appliances and  
5 utilization standards and continues to find new and innovative  
6 ways to reduce greenhouse gas emissions.

7 (6) The California Workforce Investment Board, within the  
8 Labor and Workforce Development Agency, has established the  
9 Green Collar Jobs Council pursuant to Section 15002 of the  
10 Unemployment Insurance Code. The council is tasked with  
11 understanding the current and future workforce needs of the green  
12 and clean energy economy, developing a comprehensive strategy  
13 to prepare California’s workforce to meet the needs of businesses  
14 supporting the economy, and ensuring that efforts aimed at  
15 improving workers’ skills are coordinated and effective.

16 (b) It is the intent of the Legislature in enacting this act to  
17 establish the Clean Energy and Jobs Workforce Development  
18 Program that would be administered by the Labor and Workforce  
19 Development Agency to oversee the implementation of the goal  
20 of the California Clean Energy Jobs Act related to job training and  
21 workforce development.

22 SEC. 2. Chapter 6 (commencing with Section 26240) is added  
23 to Division 16.3 of the Public Resources Code, to read:

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25 CHAPTER 6. JOB TRAINING AND WORKFORCE DEVELOPMENT

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27 26240. For the purposes of this chapter, the following terms  
28 mean the following:

29 (a) “Agency” means the Labor and Workforce Development  
30 Agency.

31 (b) “Eligible entity” means the California Conservation Corps,  
32 certified community conservation corps, YouthBuild, and other  
33 organizations with existing workforce development programs to  
34 train and employ disadvantaged youth, veterans, and others on  
35 energy efficiency and clean energy projects.

36 (c) “Program” means the Clean Energy Jobs and Workforce  
37 Development Program.

38 26241. (a) The agency shall develop and implement the Clean  
39 Energy Jobs and Workforce Development Program.

1 (b) In developing and implementing the program, the agency  
 2 shall do all of the following:

3 (1) Establish and implement a procedure to set explicit goals,  
 4 identify performance metrics, institute a data tracking system, and  
 5 evaluate outcomes, including, quantity, quality, access, and the  
 6 demographic and geographic distribution of workers trained by  
 7 an eligible entity, particularly those in entry level jobs.

8 (2) *Ensure the program is complementary and not duplicative*  
 9 *of other similar statewide job training programs.*

10 ~~(2)~~

11 (3) (A) Administer grants to eligible entities for the purposes  
 12 of workforce development and job training on energy efficiency  
 13 and clean energy projects.

14 (B) The agency shall, in consultation with the Chancellor of the  
 15 California Community Colleges, the State Department of  
 16 Education, the State Energy Resources Conservation and  
 17 Development Commission, and the Public Utilities Commission,  
 18 develop a competitive process to award grants to eligible entities,  
 19 and evaluate and select applications for grants.

20 ~~(3)~~

21 (4) Require an eligible entity receiving a grant pursuant to this  
 22 chapter to submit to the agency an annual report on the quantity  
 23 and quality of jobs created, including the wages and benefits, and  
 24 the demographic and geographic profile of workers, the number  
 25 of workers trained, the number of training completions, the cost  
 26 of training per worker, the number and type of credentials and  
 27 certificates awarded, number of trainees enrolled in state-certified  
 28 apprenticeship programs, and the number of job placements for  
 29 trainees.

30 (c) (1) A project eligible for a grant pursuant to this chapter  
 31 shall serve low-income or unemployed residents of an economically  
 32 disadvantaged community . The agency shall give priority to  
 33 projects as following:

34 (A) First priority *shall be given* to projects providing job training  
 35 *or preapprenticeship jobs* on energy efficiency and clean energy  
 36 projects to disadvantaged youth, *women*, veterans, or persons  
 37 currently in military service, *or bridge programs like the California*  
 38 *Conservation Corps, certified community Conservation Corps,*  
 39 *YouthBuild, and other community-based training apprenticeships*  
 40 *or jobs in the energy efficiency and clean energy sectors.*

1 (B) Second priority *shall be given* to projects providing upgraded  
2 training on energy efficiency and clean energy projects to  
3 incumbent workers enrolled in, or graduated from, state-certified  
4 apprenticeship programs *or to training projects that provide energy*  
5 *efficient and clean energy specific training to incumbent school*  
6 *employees who are responsible for operation of school facilities.*

7 (2) In awarding the grants, the agency shall give priority to  
8 projects that include one or more of the following elements:

9 (A) Training to perform specific skills related to energy  
10 efficiency and clean energy that is embedded in, or linked to, a  
11 broader occupational training program.

12 (B) Training that leads to industry-recognized credentials and  
13 certificates that, to the extent possible, provide college credits or  
14 are linked to credit-bearing programs.

15 (C) Training that expands the utilization of state-approved  
16 apprenticeship programs and other learn-and-earn models that  
17 promote industry-recognized skills and credentials.

18 (D) Training that demonstrates a high probability of placement  
19 of trainees into career track jobs.

20 *(d) (1) An entity requesting a grant shall disclose if the entity*  
21 *is receiving incentives for energy efficiency or clean energy job*  
22 *training projects from other local, state, and federal programs.*

23 *(2) The requirement for disclosure pursuant to this subdivision*  
24 *does not preclude an entity from receiving a grant pursuant to this*  
25 *chapter or reduce the amount of grant awarded.*

26 *(e) For the purposes of reporting job creation, an entity*  
27 *receiving a grant pursuant to this chapter shall report to the agency*  
28 *the numbers of direct full-time jobs created as a result of the grant*  
29 *and the job-years for each job created.*

30 26242. The agency shall, after the first year of implementation  
31 of the program, review and assess whether the program is achieving  
32 the job training and workforce development goals specified in this  
33 division, identify problems and barriers to achieve those goals,  
34 and provide solutions to improve program performance.

35 26243. (a) By July 1, 2015 and by each July 1 annually  
36 thereafter until July 1, 2018, the agency shall post on its Internet  
37 Web site, and, pursuant to Section 9795 of the Government Code,  
38 submit to the Legislature, a report that compiles the annual reports  
39 submitted by eligible entities receiving grants pursuant to this  
40 chapter.

1 (b) Pursuant to Section 10231.5 of the Government Code, this  
2 section is repealed on January 1, 2023.

3 26244. For each fiscal year in which revenue is deposited into  
4 the Job Creation Fund, 9.6 percent of the revenue shall be available,  
5 upon appropriation by the Legislature, to the agency for the  
6 purposes of providing to eligible entities grants.

7 26245. Subject to subdivision (f) of Section 26206, this chapter  
8 does not affect the eligibility of an eligible entity to receive other  
9 incentives available from federal, state, or local government, or  
10 other public and private sources.