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OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

DRAFT
City Attorney

08 MAY -8 PM 3:33

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember Nancy J. Nadel

RESOLUTION IN SUPPORT OF SB 1672 (STEINBERG) THAT WOULD ENACT THE RENEWABLE ENERGY, CLIMATE CHANGE, CAREER TECHNICAL EDUCATION, AND CLEAN TECHNOLOGY JOB CREATION BOND ACT OF 2010, TO AUTHORIZE THE ISSUANCE AND SALE OF 3 BILLION DOLLARS IN STATE GENERAL OBLIGATION BONDS FOR SPECIFIED PURPOSES, INCLUDING: (A) INVESTMENTS IN RENEWABLE ENERGY AND ENERGY EFFICIENCY AND CONSERVATION; (B) THE DEVELOPMENT OF CLEAN TECHNOLOGY BUSINESSES AND JOBS, AND EDUCATIONAL AND WORKER TRAINING PROGRAMS; AND (C) THE DEVELOPMENT OF BUSINESSES, TECHNOLOGIES, INFRASTRUCTURE INVESTMENT, JOBS, APPRENTICESHIPS, AND INTERNSHIPS THAT WILL HELP CALIFORNIA ADAPT TO CLIMATE CHANGE WITH SPECIAL ATTENTION FOR ACTIONS THAT WILL BENEFIT DISADVANTAGED COMMUNITIES

WHEREAS, the City of Oakland, like many urban communities in the State of California, is faced with many challenges including high high-school dropout rates, unemployment and underemployment, poverty, lack of affordable housing, and many other obstacles to local workforce development; and

WHEREAS, the City sees the emerging Green Technology Industry as an opportunity to help underserved and youth populations out of the cycles of poverty onto a pathway of healthy, sustainable employment and improved quality of life; and

WHEREAS, the Oakland City Council has designated funding for a Green Jobs Corps program to provide job training in green collar jobs and education in Oakland, including projects that contribute directly to workforce development and educational opportunities for high school students, young workers, and community members who are 'low-income', 'underemployed' or 'at-risk'; and

WHEREAS, the City has joined with the cities of Berkeley, Emeryville, and Richmond to form the East Bay Green Corridor Partnership to expand, retain, and attract green technology business; and

WHEREAS, SB 1672 (Steinberg) will enhance and expand Oakland's Green Jobs programs by providing \$3 billion in general obligation bond funds for (1) investments in renewable energy and energy efficiency and conservation that may include projects that create jobs, businesses, educate students, reduce high school dropout rates, and train workers; (2) development of clean technology businesses and jobs, and educational and worker training programs; and (3) development of businesses, technologies, infrastructure investment, jobs, apprenticeships, and internships that will help California adapt to climate change with special attention for actions that will benefit disadvantaged community all of which support Oakland's initiatives and goals; and

WHEREAS, the City of Oakland would directly benefit by approval of this measure, which intends to stimulate the economy of the State of California, to create tens of thousands of well-paying jobs in nonpolluting industries and businesses, to provide entrepreneurs and employers the best-trained workforce in the United States, and to prepare young people and adults to work in clean, green industries and professions; and

WHEREAS, it is also the intent of the Legislature in approving this measure to prioritize the reduction of the rate of high school dropouts and joblessness among California's young people who are preparing for and entering the job market by, to the extent feasible, considering investments (such as SB 1672) in alleviating those conditions as capital investments in Californians what will endure for decades and that are entitled to the same treatment as investments in other capital improvement projects; now, therefore be it

RESOLVED: The City of Oakland declares its support for SB 1672 (Steinberg); and be it

FURTHER RESOLVED: That the City Council hereby directs the City Administrator and the City's legislative lobbyist to advocate for the above position in the California State Legislature.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2008 MAY -8 PM 5:07

Bill Analysis

SB 1672 Steinberg

Renewable Energy, Climate Change, Career Technical
Education, and Clean Technology Creation Bond Act

Prepared by:

Senate Committee on Education

SENATE COMMITTEE ON EDUCATION
 Jack Scott, Chair
 2007-2008 Regular Session

BILL NO: SB 1672
 AUTHOR: Steinberg
 AMENDED: April 3, 2008
 FISCAL COMM: Yes HEARING DATE: April 9, 2008
 URGENCY: No CONSULTANT: Kathleen Chavira

SUBJECT : Renewable Energy, Climate Change, Career
 Technical Education,
 and Clean Technology Creation Bond Act

SUMMARY

This bill enacts the Renewable Energy, Climate Change, Career Technical Education, and Clean Technology Creation Bond Act to be submitted to the voters at an unspecified statewide election. If approved by the voters, the Act would authorize the issuance of \$3 billion in general obligation bonds to develop renewable energy and clean technology businesses, jobs, and educational and worker training programs.

BACKGROUND

Proposition 1D, authorized by AB 127 (Nunez and Perata) and approved by the voters in November 2006, provided \$7.3 billion for K-12 school facilities, and established the Career Technical Education Facilities Program within the SFP, providing \$500 million to construct or modernize facilities and to purchase equipment with an average useful life expectancy of at least 10 years for career technical education programs at existing high schools.

Current law requires the governing board of a school district that participates in a career technical education program to appoint a career technical education advisory committee and requires that, as part of its application for large construction and modernization projects, a school district certify that it had considered the need for vocational and career technical facilities to adequately meet its program needs. New construction and modernization applications under the SFP also require certification that

□

students to pursue further education and training for job placement in a clean technology or renewable energy field:

b) "Disadvantaged community" - a community with a median household income that is less than 89 percent of the statewide average.

- 7) Makes numerous findings relating to the scope and extent of the "clean tech/green jobs" economy forecast by various trade associations and interest groups.

STAFF COMMENTS

1) Infrastructure Bonds . In November 2006, voters approved \$42.7 billion in general obligation bonds to fund infrastructure projects in transportation, education, resources, and housing. The LAO estimates that when combined with existing bond authorizations, the debt-service costs to the General Fund will rise from \$4.7 billion in 2007-08 to a peak of \$7.5 billion in 2014-15. SB 1672 could increase these annual debt-service costs.

Additionally, bonds, long-term debt instruments, have traditionally served as a public funding mechanism to finance infrastructure projects that create long-term capital assets. This bill proposes bond funding to develop renewable energy and clean technology businesses, jobs, and educational and worker training programs, presumably to cover business development costs and operating expenses for these efforts. Is it fiscally prudent to use 30-year obligation bonds for these purposes?

2) Double-referral . This bill was previously heard in the Senate Committee on Natural Resources and Water where it was passed by a vote of 5-3.

□

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SUPPORT

California Manufacturers & Technology Association
Sierra Club

OPPOSITION

None received.

Bill Text

SB 1672 Steinberg

(Amended 5/6/08)

Renewable Energy, Climate Change, Career Technical
Education, and Clean Technology Creation Bond Act

BILL NUMBER: SB 1672 AMENDED
BILL TEXT

AMENDED IN SENATE MAY 6, 2008
AMENDED IN SENATE APRIL 3, 2008

INTRODUCED BY Senator Steinberg

FEBRUARY 22, 2008

An act to add Division 16.2 (commencing with Section 26200) to the Public Resources Code, relating to energy, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds.

LEGISLATIVE COUNSEL'S DIGEST

SB 1672, as amended, Steinberg. Energy: Renewable Energy, Climate Change, Career Technical Education, and Clean Technology Job Creation Bond Act of ~~201~~ 2010.

Existing law provides various funding sources for energy efficiency projects and related purposes.

This bill, subject to voter approval at the ~~201~~,

2010, _____ election, would enact the Renewable Energy, Climate Change, Career Technical Education, and Clean Technology Job Creation Bond Act of ~~201~~ 2010

to authorize the issuance and sale of \$3,000,000,000 in state general obligation bonds for specified purposes, including

~~the development of investments in renewable energy and energy efficiency and conservation jobs, businesses, and educational and worker training programs~~ ;

the development of clean technology businesses and jobs, and educational and worker training programs; and the development of businesses, technologies, infrastructure investment, ~~and~~

jobs , apprenticeships, and internships

that will help California adapt to climate change with special attention for actions that will benefit disadvantaged communities.

The bill would create the Renewable Energy, Climate Change, Career Technical Education, and Clean Technology Job Creation Council comprised of 14 members. The council would be required to issue guidelines to implement the purposes of this act.

Vote: 2/3. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Division 16.2 (commencing with Section 26200) is added to the Public Resources Code, to read:

DIVISION 16.2. Renewable Energy, Climate Change, Career Technical Education, and Clean Technology Job Creation Bond Act of ~~201~~ 2010

CHAPTER 1. GENERAL PROVISIONS

26200. This division shall be known and may be cited as the Renewable Energy, Climate Change, Career Technical Education, and Clean Technology Job Creation Bond Act of ~~201~~
2010.

26201. (a) The Legislature finds and declares all of the following:

~~(a)~~
(1) California's international leadership in renewable energy, energy conservation, clean technology, and climate change policies creates significant, but dramatically underfunded, opportunities to provide strategic capital investments in energy conservation, clean technologies, and renewable energy, including projects that contribute directly to workforce development and educational opportunities for high school students, young workers, community college students and graduates, youth who participate in community or state service organizations, college and university students and graduates, apprenticeship programs for building and construction trades and other technical and vocational careers, and training programs for unemployed, underemployed, or displaced workers and high school dropouts.

~~(b)~~
(2) California has an opportunity to combine the education and training of both its future college-educated workforce, the underemployment of recent high school graduates, and its highly skilled technical workforce with its effort to combat high school dropouts and the retraining of workers who have been displaced by the loss of high-wage jobs in California. Clean technology jobs and renewable energy jobs (green collar jobs) can provide underserved communities with a pathway out of poverty, a new and inspiring focus for educational institutions and nonprofit organizations, and significant statewide economic and environmental benefits.

~~(c) Student opportunities for relevant, career-focused education at the middle and high school levels have diminished in recent years with the decline in investments in career technical education. Career technical education programs that create paths to further education or productive jobs in high opportunity careers can keep students engaged in school and on track toward a diploma.~~

(3) A 2006 poll of at-risk California 9th and 10th graders by Peter D. Hart Research Associates found that six in 10 students were not motivated to succeed in school. Of those students, more than 90 percent said they would be more engaged in their education if classes helped them acquire skills and knowledge relevant to future careers. Career technical education programs that create paths to further education, advanced training, or productive jobs in high opportunity careers can keep students engaged and on track toward a diploma.

~~(d)~~
(4) Investments in renewable energy, energy conservation, clean technologies, climate change mitigation, and that develop the workforce for these industries will provide multiple benefits to California by ~~(1)~~ (A) creating employment opportunities for ~~citizens whose talents~~ Californians that would otherwise not be fully realized, ~~(2)~~ (B) creating opportunities for new businesses, and the expansion and retrofitting of existing businesses, and ~~(3)~~
(C) expanding the state's utilization of renewable energy and contributing to the growth of clean technology businesses in

California ~~both of~~ , all of which will help achieve the state's climate change goals required by the California Global Warming Solutions Act of 2006, Division 25.5 (commencing with Section 38500) of the Health and Safety Code.

~~(e)~~

(5) A failure to act by California will perpetuate the lack of an integrated education, job training, and business infrastructure that otherwise could take advantage of the projected growth in these industries and the corresponding increase in state and local taxes , *other public revenues, and* ~~other~~ additional economic benefits associated with the likely surge in ~~clean technology~~ *clean technology* jobs. The American Solar Energy Association, for example, ~~concludes~~ *concluded* that in 2006 approximately 3.6 million Americans were directly employed by renewable energy and energy efficiency firms and that another 5 million Americans held jobs indirectly attributable to these industries. The renewable and energy efficiency industries of America generated approximately nine hundred seventy-five million dollars (\$975,000,000) in revenue in 2006. These industries could employ a workforce of up to 40 million Americans, and could generate four trillion five hundred billion dollars (\$4,500,000,000,000) in annual revenue by 2030 if these industries were expanded aggressively.

~~(f)~~

(6) The Renewable and Appropriate Energy Laboratory in Berkeley found that renewable energy creates more jobs per megawatt of power installed, per unit of energy produced, and per dollar of investment, than the fossil fuel energy-based sector.

~~(g)~~

(7) The forecast of new job growth of the Million Solar Roof Initiative has slowed because of a lack of trained workers.

~~(h)~~

(8) A study by the Apollo Alliance, a coalition of business, labor, and environmental organizations, showed that a major national investment in renewable energy, alternative automobiles and fuels, high-performance buildings, and infrastructure would result in the creation of nearly 3.5 million green collar jobs for Americans over a 10-year period.

(b) (1) *It is the intent of the people of the State of California and the Legislature in approving this measure to stimulate the economy of the State of California, to create tens of thousands of good paying jobs in nonpolluting industries and businesses, to provide to entrepreneurs and employers the best-trained workforce in the United States, and to prepare young people and adults to work in clean, green industries and professions. These jobs would provide green pathways out of poverty for individuals in communities that suffer higher high school dropout rates, joblessness, and pollution. These jobs would help achieve California's climate change mitigation obligations and conserve our state's vital resources of water, land, and energy. These investments would enable California to offer opportunities for business leaders, communities, young people, and adults alike, all of which would benefit from California's emerging new green economy.*

(2) *It is the intent of the people of the State of California and the Legislature that reducing the rate of high school dropouts and joblessness among California's young people who are preparing for and entering the job market should become important state priorities*

and, to the maximum extent feasible, investments in alleviating these conditions should be considered capital investments in Californians that will endure for decades and that are entitled to the same treatment as investments in other capital improvement projects.

(3) It is the intent of the people of the State of California and the Legislature that the investments authorized by this measure would help California achieve its obligations to reduce emissions of greenhouse gases in keeping with the California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 38500) of the Health and Safety Code), and other state laws, and that the investments authorized in this measure would also provide for significant improvements to California's efforts to conserve water, reduce emissions that cause climate change, conserve energy, and improve air quality.

26202. As used in this division, the following terms have the following meanings:

(a) "Board" means the Resources Agency.

(b) "Capital outlay projects" means any of the following:

(1) A capital outlay project as defined in Section 3 of the Budget Act of 2007.

(2) A project that retools or retrofits an existing physical plant of an eligible entity or educational facility, including the installation of new or updated information technology and computer systems that shall be operated consistent with this division.

(3) A project, including, but not limited to, job training programs, that reduces high school dropout rates or joblessness and the benefits of the project endure for decades and assists in meeting California's greenhouse gas emissions reduction goals.

~~(b)~~

(c) "Clean technology" includes, but is not limited to, those economic activities that result in the development of permanent or long-term jobs in California that are dedicated to improvements in environmental ~~quality~~ and local air quality and the mitigation of climate change, including energy and water conservation, and that comply with California's environmental laws and policies. These economic activities include, but are not necessarily limited to, ~~both the training for, and the accomplishment of, all of the following:~~ the development and training of the required workforce and the implementation of any of the following:

(1) Energy audits.

(2) Retrofits and weatherization activities that increase energy efficiency and conservation.

(3) Construction of energy- and water-efficient public buildings.

~~(3)~~

(4) Retrofitting and installing energy-efficient household appliances, windows, doors, insulation, and lighting.

(5) Retrofitting and installing water and energy conservation technologies in existing homes, industrial plants, commercial and public buildings, and farms and ranches, to improve their design and efficiency, including the use of energy and water management and control systems.

~~(4)~~

(6) The manufacture, sale, installation, construction, and maintenance of energy-efficient

technologies and renewable energy facilities or the component parts of renewable energy technologies.

~~—(5)~~

(7) Jobs at all skill levels in manufacturing, installation, repair, maintenance, assembly, construction, systems integration, servicing, transporting, and recycling related to energy-efficient technologies or practices and renewable energy production or the component parts of renewable energy plants and energy distribution in qualified industries, including energy storage, energy infrastructure (including transmission), transportation (including logistics), water and wastewater (including water conservation), materials, and other sectors that are consistent with this division.

~~—(6) Scientific, engineering, and research positions in qualified industries.~~

~~—(7) Information technology and computer systems in qualified industries.~~

~~—(8) Skilled trades and other technical positions in qualified industries.~~

~~—(9) Assembly and mechanical positions within qualified industries.~~

~~—(10) Management analysts, construction supervisors, managers and workers, and affiliated support personnel within qualified industries.~~

~~—(11) Forestry, agricultural, and conservation workers to the extent they are employed in a clean technology enterprise or otherwise contributing to California's climate change goals.~~

(8) Jobs that encourage pollution prevention, chemical substitution, or reduction of chemical pollution and usage that negatively affects the environment, including surface and groundwater.

(9) Projects undertaken by companies or workers in the forestry, agricultural, and land conservation sectors, to the extent those project advance a clean technology enterprise or are otherwise contributing to California's climate change goals as determined by the State Air Resources Board.

~~—(c)~~

(d) "Committee" means the Renewable Energy, Climate Change, Career Technical Education, and Clean Technology Job Creation Finance Committee created pursuant to Section 26208.

~~—(d)~~

(e) "Council" means the Renewable Energy, Climate Change, Career Technical Education, and Clean Technology Job Creation Council and shall be comprised of the following 14 individuals, or in the case of the state elected officials, and agency or commission members, their designees:

(1) A chairperson with demonstrated excellence in creating effective working relationships among clean technology or renewable energy businesses, labor organizations, and educational institutions, preferably in the context of providing assistance to disadvantaged communities, who shall be appointed by the Governor.

(2) An individual with demonstrated expertise with developing career technical education programs at the high school or community college level, preferably with additional expertise in clean technology, renewable energy, or workforce development, appointed by the Governor.

(3) The Secretary of Labor and Workforce Development.

(4) The Treasurer.

(5) The Secretary of the Resources Agency.

other programs designed to engage middle and high school students and motivate them to pursue further education, training for and job placement in a clean technology or renewable energy field.

~~(3) An educational institution accredited by the Western Association of Schools and Colleges.~~

~~(4) A public middle or high school.~~

~~(5) A labor organization.~~

(3) A state, local, regional, or county program, or qualified nonprofit organization that provides education, job training, or career opportunities for minors or adults on probation or parole or currently incarcerated, or a similar program or organization providing education, job training, or career opportunities to minors or adults as part of an alternative to incarceration or adjudication that is consistent with the Penal Code.

(4) A postsecondary educational institution, accredited by the Western Association of Schools and Colleges and with its principal place of business in California, that enters into agreements, including, but not limited to, partnerships, contracts, memoranda of understanding, or other mutually agreed upon arrangements with middle schools, high schools, or community colleges to support middle school career exploration activities; curriculum and professional development; high school pathway programs that integrate academic and technical learning to prepare students for both college and careers, including a sequence or cluster of three or more courses that align with the State Board of Education-approved career technical education standards and frameworks, and may be delivered through comprehensive high schools, regional occupation programs, adult education programs, partnership academies, or alternative education programs; and other programs designed to engage middle and high school students and motivate those students to pursue further education, training for, and job placement in a clean technology or renewable energy field.

(5) A local educational agency that enters into agreements, including, but not limited to, partnerships, contracts, memoranda of understanding, or other mutually agreed upon arrangements with a local or regional business entity, labor organization, or nonprofit organization to support middle school career exploration activities; curriculum and professional development; high school pathway programs that integrate academic and technical learning to prepare students for both college and careers, including a sequence or cluster of three or more courses that align with the State Board of Education-approved career technical education standards and frameworks, and may be delivered through comprehensive high schools, regional occupation programs, adult education programs, partnership academies, or alternative education programs; and other programs designed to engage middle and high school students and motivate those students to pursue further education, training for, and job placement in a clean technology or renewable energy field.

(6) A labor organization, including an affiliated apprenticeship program, that enters into agreements, including, but not limited to, partnerships, contracts, memoranda of understanding, or other mutually agreed upon arrangements with middle schools, high schools, or community colleges to support middle school career exploration activities; curriculum and professional development; high school pathway programs that integrate academic and technical learning to prepare students for both college and careers, including a sequence or cluster of three or more courses that align with the State Board of Education-approved career technical education standards and frameworks, and may be delivered through comprehensive high schools,

regional occupation programs, adult education programs, partnership academies, or alternative education programs; and other programs designed to engage middle and high school students and motivate those students to pursue further education, training for, and job placement in a clean technology or renewable energy field.

~~(6)~~

(7) A federal, state, or local service organization, including, but not limited to, the California Conservation Corps ~~and~~, or a certified local conservation corps, or a public or private nonprofit agency that entered into a contract with the California Conservation Corps ~~pursuant to Section 14406.~~

(8) Regional collaboratives consisting of local education agencies, higher education institutions, businesses, or community-based organizations, including workforce investment boards and regional workforce or economic development entities that enter into agreements, including, but not limited to, partnerships, contracts, memoranda of understanding, or other mutually agreed upon arrangements with middle schools, high schools, or community colleges to support middle school career exploration activities; curriculum and professional development; high school pathway programs that integrate academic and technical learning to prepare students for both college and careers, including a sequence or cluster of three or more courses that align with the State Board of Education-approved career technical education standards and frameworks, and may be delivered through comprehensive high schools, regional occupation programs, adult education programs, partnership academies, or alternative education programs; and other programs designed to engage middle and high school students and motivate those students to pursue further education, training for, and job placement in a clean technology or renewable energy field.

~~(7)~~

(9) Any other entity approved by the board.

~~(g)~~

(h) "Fund" means the Renewable Energy, Climate Change, Career Technical Education, and Clean Technology Job Creation Fund of ~~201~~ 2010, created pursuant to Section 26203.

~~(h) "Renewable energy" includes the research and development, manufacturing generation, development and maintenance of power line transmission, installation, repair, maintenance, and related activities necessary to produce energy from wind, photovoltaics, solar thermal, geothermal, biomass including ethanol, biodiesel, greenwaste, and biomass power, fuel cells, and hydrogen in a manner that complies with California's environmental laws and policies.~~

(i) "Pollution" has the same meaning as that set forth in Section 44507 of the Health and Safety Code.

(j) "Renewable energy" includes the research and development, manufacturing, generation, development, and maintenance of appropriately sited power line transmission, power storage, installation, repair, maintenance, and related activities necessary to produce energy from wind, photovoltaic, solar thermal, geothermal, biomass, including cellulosic ethanol, biodiesel, and biomass power, green waste, fuel cells, and hydrogen in a manner that complies with California's environmental laws and policies.

CHAPTER 2. RENEWABLE ENERGY, CLIMATE CHANGE, CAREER TECHNICAL EDUCATION, AND CLEAN TECHNOLOGY JOB CREATION FUND AND PROGRAM

26203. The proceeds of bonds issued and sold pursuant to this division shall be deposited in the Renewable Energy, Climate Change, Career Technical Education, and Clean Technology Job Creation Fund of ~~201~~ 2010, which is hereby created in the State Treasury. The moneys in the fund shall be administered by the Resources Agency and shall be available for appropriation by the Legislature, for capital outlay projects in the manner and for the purposes set forth in this division in accordance with the following schedule:

(a) (1) The sum of one billion dollars (\$1,000,000,000) for ~~the development of~~ investments in renewable energy and energy efficiency and conservation, including funding for the necessary capital outlay projects that will help achieve the objectives of this division and that may include projects that create jobs, businesses, and ~~educational and worker training programs, including programs to~~ educate students, reduce the high school dropout rate, train workers, and that will benefit disadvantaged communities and severely disadvantaged communities. At least 30 percent of this amount shall be designated for a revolving loan program developed by the council. ~~Programs~~

(2) Programs to reduce the high school dropout rate may include, but are not limited to, middle school career exploration activities; curriculum and professional development; high school pathway programs that integrate academic and technical learning to prepare students for both college and careers, including a sequence or cluster of three or more courses that align with the State Board of Education-approved career technical education standards and frameworks, and may be delivered ~~in part, through~~ through comprehensive high schools, regional occupation programs ~~or adult education programs or both types of~~, adult education programs, partnership academies, or alternative education programs; and other programs designed to engage middle and high school students and motivate them to pursue further education and training for and job placement in a clean technology or renewable energy field.

(b) (1) The sum of one billion dollars (\$1,000,000,000) for the development of clean technology businesses and jobs, and educational and worker training programs, including programs to reduce the high school dropout rate, and that will benefit disadvantaged communities and severely disadvantaged communities that the council determined to be capital outlay projects. At least 30 percent of this amount shall be designated for a revolving loan program developed by the council. ~~Programs~~

(2) Programs to reduce the high school dropout rate may include, but are not limited to, middle school career exploration activities; curriculum and professional development; high school pathway programs that integrate academic and technical learning to prepare students for both college and careers, including a sequence or cluster of three or more courses that align with the State Board of Education-approved career technical education standards and frameworks, and may be delivered ~~in part, through~~ through comprehensive high schools, regional occupation programs ~~or adult education programs or both types of~~, adult education programs, partnership academies, or alternative education programs; and other

posted on one or more state government Internet Web sites selected by the council or it may develop a new Internet Web site.

(e) The council may use appropriate state agency personnel in administering the public outreach, education, technical assistance, guideline development, and grant application review provisions provided that such efforts are otherwise consistent with this division.

(f) *The council shall award grants and adopt guidelines for awarding competitive grants as set forth in this division.*

CHAPTER 3. MISCELLANEOUS PROVISIONS

26205. (a) The Legislature may enact legislation necessary to implement this division.

(b) Every proposed activity or project to be financed pursuant to this division shall be in compliance with the California Environmental Quality Act, Division 13 (commencing with Section 21000).

(c) Acquisitions of real property pursuant to this division shall be from willing sellers.

(d) Up to 5 percent of the funds allocated to a program pursuant to this division may be used to pay the costs incurred in the administration of that program.

(e) Up to 10 percent of funds allocated for a program pursuant to this division may be used to finance planning and monitoring necessary for the successful design, selection, and implementation of the projects authorized under that program. This subdivision does not otherwise restrict funds ordinarily used by an agency or department for preliminary plans, working drawings, and construction as defined in the annual Budget Act for a capital outlay project or grant project.

(f) The body awarding a contract for a public works project financed in part from funds made available pursuant to this division shall adopt and enforce, or contract with a third party to enforce, a labor compliance program pursuant to subdivision (b) of Section 1771.5 of the Labor Code that shall be applicable to that public works project.

(g) Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code does not apply to the development and adoption of program guidelines and selection criteria adopted pursuant to this division.

(h) The chair of the council or his or her designee shall provide for an annual independent audit of expenditures pursuant to this division to ensure that all moneys are expended in accordance with this division.

26205.5. The provisions of this division are severable. If any provision of this division or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

CHAPTER 4. FISCAL PROVISION

26206. Bonds in the total of three billion dollars (\$3,000,000,000), or so much thereof as is necessary, not including the amount of any refunding bonds, or so much thereof as is necessary, may be issued and sold to provide a fund to be used for carrying out the purposes expressed in this division and to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The bonds, when sold, shall be and constitute a valid and binding obligation of the State of

received from the sale of bonds for the purpose of carrying out this division.

26213. All money deposited in the fund that is derived from premium and accrued interest on bonds sold shall be reserved in the fund and shall be available for transfer to the General Fund as a credit to expenditures for bond interest.

26214. Pursuant to Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code, the cost of bond issuance shall be paid out of the bond proceeds. These costs shall be shared proportionally by each program funded through this bond act.

26215. The board may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account, including other authorized forms of interim financing that include, but are not limited to, commercial paper, in accordance with Section 16312 of the Government Code, for purposes of carrying out this division. The amount of the request shall not exceed the amount of the unsold bonds that the committee, by resolution, has authorized to be sold for the purpose of carrying out this division. The board shall execute any documents required by the Pooled Money Investment Board to obtain and repay the loan. Any amounts loaned shall be deposited in the fund to be allocated in accordance with this division.

26216. The bonds may be refunded in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of the Government Code, which is a part of the State General Obligation Bond Law. Approval by the voters of the state for the issuance of the bonds described in this division includes the approval of the issuance of any bonds issued to refund any bonds originally issued under this division or any previously issued refunding bonds.

26217. Notwithstanding any other provision of this division, or of the State General Obligation Bond Law, if the Treasurer sells bonds pursuant to this division that include a bond counsel opinion to the effect that the interest on the bonds is excluded from gross income for federal tax purposes, subject to designated conditions, the Treasurer may maintain separate accounts for the investment of bond proceeds and for the investment of earnings on those proceeds. The Treasurer may use or direct the use of those proceeds or earnings to pay any rebate, penalty, or other payment required under federal law or take any other action with respect to the investment and use of those bond proceeds required or desirable under federal law to maintain the tax exempt status of those bonds and to obtain any other advantage under federal law on behalf of the funds of this state.

26218. The Legislature hereby finds and declares that, inasmuch as the proceeds from the sale of bonds authorized by this division are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, the disbursement of these proceeds is not subject to the limitations imposed by that article.

SEC. 2. Section 1 of this act shall take effect only upon the approval by the voters of the Renewable Energy, Climate Change, Career Technical Education, and Clean Technology Job Creation Bond Act of ~~201~~ 2010, as set forth in Section 1 of this act.

SEC. 3. Section 1 of this act shall be submitted to the voters at the ~~201~~ 2010, ___ election in accordance with provisions of the Government Code and the Elections Code governing the submission of a statewide measure to the voters.

SEC. 4. (a) Notwithstanding any other provision of law, all ballots of the election shall have printed thereon and in a square thereof, the words: "Renewable Energy, Climate Change, Career

