
SENATE COMMITTEE ON ENVIRONMENTAL QUALITY

Senator Allen, Chair

2021 - 2022 Regular

Bill No: AB 39
Author: Chau
Version: 3/25/2021
Urgency: No
Consultant: Eric Walters

Hearing Date: 6/14/2021
Fiscal: Yes

SUBJECT: California-China Climate Institute

DIGEST: Permits the Regents of the University of California (UC) to establish the California-China Climate Institute (CCCI), with specified duties, research directions, and partnerships.

ANALYSIS:

Existing law establishes the UC as a public trust to be administered by the UC Regents with full powers of organization and government, subject only to such legislative control as may be necessary to insure the security of its funds and compliance with the terms of the endowments of the university and such competitive bidding procedures as may be made applicable to the university by statute for the letting of construction contracts, sales of real property, and purchasing of materials, goods, and services. (California Constitution, article IX, section 9)

This bill:

- 1) Authorizes the UC Regents to establish the CCCI, a UC-wide initiative to accelerate climate action through cooperative efforts and exchange between California and China.
- 2) Requires CCCI to work closely with UC campuses, departments, and leaders to accomplish its work.
- 3) Requires CCCI to operate in partnership with the Institute of Climate Change and Sustainable Development at Tsinghua University and other entities in China and California.
- 4) Provides CCCI will, to the extent possible, receive guidance and support from expert policy, government, business, academic, and climate leaders and advisory committees, including the Assembly, the Senate, the Governor's

office, the California Environmental Protection Agency, the Natural Resources Agency, and the UC.

5) Prescribes the following duties for CCCI:

- a) Fostering collaboration among government, business, academic institutions, and civil society to inform and shape national and subnational climate policy and advance the goals of the Paris Agreement.
- b) Advancing joint policy research on major climate issues, including but not limited to: low-carbon transportation and zero-emission vehicles, carbon pricing, climate adaptation and resilience, sustainable land use and climate-smart agriculture, carbon capture and storage, and long-term climate goal setting and policy enforcement.
- c) Supporting high-level subnational climate dialogue between top government, business, and climate leaders from throughout the United States and China with respect to climate policy, investment, and finance.
- d) Providing training to Californian and Chinese researchers, scientists, technical experts, policymakers, and other leaders to advance critical climate and environmental policies, including, but not necessarily limited to, air quality, carbon pricing, carbon emissions, clean energy, and innovation.

Background

- 1) *US-China climate relations.* Both China and the United States (and by extension, California) occupy especially important roles in worldwide climate discussions because of the volume of their emissions. According to 2020 data from the International Energy Agency, China contributes 28% of global greenhouse gas (GHG) emissions, and the US 15%, for a combined 43% of total global emissions between the two highest-emitting countries.

Under the Trump administration, climate diplomacy between the two nations was effectively on hiatus, with the US removing itself from the Paris Agreement. However, under the Biden administration the US has initiated rejoining the agreement and is in the process of determining new, more ambitious nationally determined contributions to GHG emission reductions. Moreover, in February of 2020, Xie Zhenhua, who had served as China's chief negotiator 2007-2018 during key climate meetings in Copenhagen and Paris,

was appointed as China's new special climate envoy. The countries' two envoys—Xie Zhenhua and John Kerry—met in April of this year and released a joint statement affirming their intention to cooperate internationally to enhance climate actions and strengthen implementation of the Paris Agreement.

- 2) *The CCCI*. The CCCI was launched in September 2019 by former governor Jerry Brown, to spur further climate action through joint research, training and dialogue in California and China. The CCCI was created to inform national policy makers, foster dialogue and cooperation, and promote the implementation of climate solutions at all levels. Its organizational structure includes an executive team (featuring Jerry Brown as chair, Mary Nichols as vice chair, and a number of other advisors), as well as administrative staff, an academic advisory committee with mainly UC Berkeley and Lawrence Livermore National Labs researchers, and research affiliates from other backgrounds and institutions.

Since its inception in 2019, the CCCI has worked to foster communication and unified policy recommendations for the two countries. The CCCI has released several China Climate Policy Briefings, published a number of studies and reports, convened meetings with international experts and stakeholders, and provided policy research opportunities for undergraduate and graduate students.

Comments

- 1) *Purpose of Bill*. According to the author, "In September 2019, former California Governor Edmund G. Brown Jr. helped launch the California-China Climate Institute to promote climate action through joint research, training and dialogue between two of the world's largest economic powers, and major emitters of greenhouse gases, California and China. The Institute is jointly located at the University of California (UC) Berkeley, School of Law and the UC Berkeley College of Natural Resources. It has a partnership with the Institute of Climate Change and Sustainable Development at Tsinghua University in China and is tasked with informing policy makers, promoting communication and cooperation, and advancing the implementation of climate solutions at all levels government and society. The Institute will advance joint policy research on major climate issues, including, but not limited to, low-carbon transportation and zero emission vehicles; carbon pricing; climate adaptation and resilience; sustainable land use and climate-smart agriculture; carbon capture and storage, and long-term climate goal setting and policy enforcement. By enacting AB 39 and formalizing the institute in state law, the

Legislature can send a strong message that California will continue to lead the way to reverse climate change by advancing joint climate research through collaboration between the institute and Chinese and American officials.”

- 2) *A supportive role.* This bill states, in part, that the mission of the CCCI is to support subnational climate dialogue between top government, business, and climate leaders from throughout the United States and China with respect to climate policy, investment, and finance. By providing research and fostering connections (while not actively entering into any treaty or agreement that would be the purview of the federal government), the CCCI serves a valuable and appropriate support role as further federal negotiations and discussions continue.

Former Governor Jerry Brown further describes this supportive role of CCCI, writing the following in support: “As chair of the (CCCI), housed at UC Berkeley, I write to express my strong support for AB 39. This bill recognizes – and codifies – the critical work of the Institute, which seeks to spur further climate action through joint research, training and dialogue between two of the world’s top economic powers: California and China.

“If the COVID-19 pandemic has taught us anything, it is that we are mutually vulnerable. The serious threats we face don’t respect borders and they don’t wait for nationalistic rivalries to abate.

“To confront the climate threat and start reducing carbon emissions, it is imperative that we build strong partnerships and seek ever more durable solutions. The Institute, which is partnering with the Institute of Climate Change and Sustainable Development at Tsinghua University in Beijing, establishes a platform for doing just that.

“The Institute is fortunate to have broad support from the Newsom Administration and the entire (UC) system. And by passing this bill, the California State Legislature can send a forceful message that the Golden State is united in the fundamental work of reversing global warming and making our environment truly sustainable.

“Either we turn the tide together and put the world on the path to zero carbon emissions, or it won’t be done. Please join me in supporting AB 39.”

Related/Prior Legislation

AB 2585 (Chau, 2020) was identical to AB 39 as introduced, and was held in Assembly Higher Education Committee.

SOURCE: Author

SUPPORT:

Honorable Edmund G. Brown Jr., Governor of California, 1975-83, 2011-2019
Elders Climate Action
Environmental Defense Fund
Natural Resources Defense Council
The Climate Center
The Nature Conservancy

OPPOSITION:

None received

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