
THIRD READING

Bill No: AB 39
Author: Chau (D)
Amended: 9/1/21 in Senate
Vote: 21

SENATE EDUCATION COMMITTEE: 5-1, 6/9/21
AYES: Leyva, Cortese, Glazer, McGuire, Pan
NOES: Dahle
NO VOTE RECORDED: Ochoa Bogh

SENATE ENVIRONMENTAL QUALITY COMMITTEE: 5-2, 6/14/21
AYES: Allen, Gonzalez, Skinner, Stern, Wieckowski
NOES: Bates, Dahle

SENATE APPROPRIATIONS COMMITTEE: 5-2, 8/26/21
AYES: Portantino, Bradford, Kamlager, Laird, McGuire
NOES: Bates, Jones

ASSEMBLY FLOOR: 50-16, 5/13/21 - See last page for vote

SUBJECT: California-China Climate Institute

SOURCE: Author

DIGEST: This bill authorizes the Regents of the University of California (UC) to establish the California-China Climate Institute in partnership with the Institute of Climate Change and Sustainable Development at Tsinghua University and other entities and institutions in China and California.

Senate Floor Amendments of 9/1/21 add the Department of Food and Agriculture among the state entities that may provide guidance and support to the California-China Climate Institute.

ANALYSIS:

Existing law:

- 1) Establishes the UC, under the California Constitution, as a public trust to be administered by the Regents of the UC 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 for construction contracts, selling real property, and purchasing materials, goods and services. (Constitution of California, Article IX, Section 9).
- 2) States, under the California Constitution, that the university be entirely independent of all political or sectarian influence and kept free therefrom in the appointment of its regents and in the administration of its affairs. (Constitution of California, Article IX, Section 9 (f)).
- 3) Provides that statutes related to the UC (and most other aspects of the governance and operation of the UC) are applicable only to the extent that the Regents of the UC make such provisions applicable. (EC § 67400)
- 4) Declares the UC as the primary state-supported academic agency for research. (EC § 66010.4 (c))

This bill:

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

5) Specifies the following duties of the Institute:

- 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, as specified.
- 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, policy makers, 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.

Comments

- 1) *Need for this bill.* According to the author, “The California-China Climate Institute was created through private agreements. It is not statutorily created and can be dissolved despite its important research and without any involvement of the legislature that has placed a high priority on addressing climate change issues. AB 39 will formalize in statute the California-China Climate Institute to make this important research institute permanent.”
- 2) *About the California-China Climate Institute.* 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 California and China. The Institute is jointly located at the UC Berkeley, School of Law and the College of Natural Resources. The Institute has a partnership with the Institute of Climate Change and Sustainable Development at Tsinghua University in China.

Governor Brown leads the institute in partnership with Xie Zhenhua, China’s Special Representative for Climate Change Affairs. Governing the institute is a board of top university and government officials, and a network of expert policy and operations staff, business, academic and climate advisory committees helps provide guidance and support.

This Institute is tasked with informing policy makers, promote communication and cooperation, and advance the implementation of climate solutions at all levels government and society. It will provide strategic advice for California's general engagement with China on climate, energy and environment, as well as cover economic development, cultural and education matters by linking climate research with national and subnational climate decision-making processes. This bill essentially codifies existing practice of the California China Climate Institute at the UC. The Institute is currently funded with private funds.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee, this bill provides that the Institute is subject to the availability of private funds so it is not expected to result in additional costs to the state.

SUPPORT: (Verified 8/26/21)

Elders Climate Action, Norcal and Socal Chapters
The Climate Center
The Nature Conservancy

OPPOSITION: (Verified 8/26/21)

None received

ASSEMBLY FLOOR: 50-16, 5/13/21

AYES: Aguiar-Curry, Arambula, Bennett, Berman, Bloom, Burke, Calderon, Carrillo, Chau, Chiu, Daly, Frazier, Friedman, Gabriel, Cristina Garcia, Eduardo Garcia, Gipson, Lorena Gonzalez, Gray, Grayson, Holden, Irwin, Jones-Sawyer, Kalra, Low, Maienschein, Medina, Mullin, Muratsuchi, O'Donnell, Petrie-Norris, Quirk, Quirk-Silva, Ramos, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Salas, Santiago, Stone, Ting, Valladares, Villapudua, Ward, Akilah Weber, Wicks, Wood, Rendon

NOES: Bigelow, Choi, Cooley, Cunningham, Megan Dahle, Davies, Gallagher, Kiley, Lackey, Levine, Nguyen, Patterson, Seyarto, Smith, Voepel, Waldron

NO VOTE RECORDED: Bauer-Kahan, Boerner Horvath, Cervantes, Chen, Cooper, Flora, Fong, Lee, Mathis, Mayes, McCarty, Nazarian

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