

AMENDED IN ASSEMBLY MAY 07, 2020

AMENDED IN ASSEMBLY MAY 04, 2020

CALIFORNIA LEGISLATURE— 2019–2020 REGULAR SESSION

## **ASSEMBLY BILL**

**NO. 1839**

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**Introduced by Assembly Members Bonta, Chiu, Kalra, Reyes, and Weber  
(Coauthors: Assembly Members Berman, Bloom, Chu, Gloria, McCarty, Robert Rivas,  
Mark Stone, and Wicks)**

**January 06, 2020**

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An act to add Part 8 (commencing with Section 71440) to Division 34 of, and to repeal Chapter 4 (commencing with Section 71445) of Part 8 of Division 34 of, the Public Resources Code, relating to climate change.

## **LEGISLATIVE COUNSEL'S DIGEST**

AB 1839, as amended, Bonta. Climate change: California Green New Deal: California Green New Deal Task Force: report.

Existing law establishes various environmental and economic policies.

This bill would enact the California Green New Deal. The bill would make a series of legislative findings and declarations pertaining to various environmental, social, and economic conditions in the state, including an enumeration of specified rights that all residents of the state have. The bill would state that the Legislature establishes specified goals that would improve the quality of many aspects of life for residents of the state, including, among other things, health care, employment

training and transition, worker rights, climate change effects assistance, affordable housing, environmental conditions such as air quality, land use decisionmaking, and racial equity.

The bill would create, within the Strategic Growth Council, the California New Green Deal Task Force, with a membership of state officials and public representatives, as specified. The bill would require that the task force's meetings be open to the public and subject to specified open meeting laws and that the task force meet with the Strategic Growth Council no less than 4 times per year. The bill would authorize the task force to sponsor conferences, symposia, and other public forums to seek a broad range of advice regarding local, regional, and natural resource planning, sustainable development, and other strategies to fulfill the California Green New Deal.

The bill would require the task force to prepare, after holding public workshops and conducting public outreach, as prescribed, a report to be submitted by the Strategic Growth Council to the Legislature no later than January 1, 2022. The bill would require the report to recommend policies that would achieve the goals of the California Green New Deal by 2045, as prescribed, including explicit benchmarks for 2030.

The bill would require specified state officials to engage and provide technical assistance to populations and communities most impacted by pollution to promote meaningful involvement by those populations and communities in environmental and land use decisionmaking processes, and would require those state officials to consider those recommendations in their environmental and land use decisionmaking.

## DIGEST KEY

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

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## BILL TEXT

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

### SECTION 1.

Part 8 (commencing with Section 71440) is added to Division 34 of the Public Resources Code, to read:

#### **PART 8. CALIFORNIA GREEN NEW DEAL**

##### **CHAPTER 1. General Provisions**

###### **71440.**

This part shall be known, and may be cited, as the California Green New Deal.

###### **71441.**

(a) It is the intent of the Legislature that the state adopt a policy framework with principles and goals committing to do all of the following:

(a) Reduce severe climate change impacts while protecting the public health, supporting organized labor, and advancing equity in California.

(b) Begin a rapid managed decline of the use of fossil fuels.

(c) Provide a blueprint for a just transition that would guarantee equal jobs and benefits for workers in a new green economy.

(d) Eliminate the state's production of, and demand for, fossil fuels and polluting energy sources.

(e) Overcome systemic racial injustice.

(f) Ensure all state residents enjoy a 21st-century standard of living without regard to their wealth or income

##### **CHAPTER 2. Findings and Declarations**

**71442.**

The Legislature finds and declares all of the following:

(a)

(d) The state will continue to experience significant climate change impacts by 2050 that include human illness, injuries, and mortality, coastal degradation, extreme droughts, wildfires, flooding, and increased air pollution. By 2100, if emissions of greenhouse gases continue to rise at current rates through 2030, the increasing frequency of extreme weather will have dramatic impacts on all facets of living in the state. The impacts from wildfires will increase significantly by the end of the century, based on recent moderate estimates. Sea level rise will destroy coastlines and beaches, degrade groundwater resources, and damage public and private property, including airports and freeways. Droughts will be longer and more frequent than previously experienced, which will reduce the amount of water available for residential, industrial, and agricultural needs. Climate-related health risks will lead to increases in adverse reproductive outcomes, respiratory and cardiovascular disease, vector borne and infectious diseases, mental health impacts, and premature mortality, particularly for the most vulnerable populations in the state.

(b)

(e) The state has committed to reducing emissions of greenhouse gases to 40 percent below 1990 levels by 2030 (Chapter 249 of the Statutes of 2016 (Senate Bill 32)). Furthermore, a majority of Californians have said it is important for the state to be a leader on climate change. The international body of scientists tracking climate change has determined that temperatures are rising faster than anticipated and climate impacts are accelerating sooner than expected. The international community, including California, must reduce emissions of greenhouse gases faster and more dramatically than previously believed to avoid a climate catastrophe.

(c)

(f) Over the past decade and especially recently, organized labor has been the target of numerous campaigns designed to weaken worker protections. California is home to approximately 2,500,000 union members, and a significant portion will need to transition into a new, green economy where few guarantees exist for livable wages, pensions for those aging workers, and retirement assurances that ensure the dignity and respect for all in the state.

(d)

(g) The anticipated costs in the state from the impacts of climate change by 2050, from human health impacts to infrastructure damage, are on the order of hundreds of billions of dollars. Efforts and resources to prepare and adapt communities to minimize climate change impacts, particularly disadvantaged communities, need to be prioritized to ensure the resiliency of vulnerable populations in the state.

(e)

(h) California was one of the first states in the nation to enact environmental justice reforms. Environmental justice is the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental and land use laws, regulations, and policies.

(f)

(i) The state has among the highest costs of living, rates of homelessness, and levels of childhood poverty of any state in the nation. Income inequality is widening throughout the state. Wage stagnation persists for many workers. Low-income populations are the most likely to suffer from extreme weather, fires, and other impacts of climate change.

(g)

(j) The state's social compact of the 1950s and 1960s promised that every child who studied hard would have access to an affordable college education. It promised that no state resident would be without shelter. It promised that all state residents would share in bearing the costs of this compact in an equitable way because all state residents and state business enterprises would benefit. That

compact was weakened in the 1970s, 1980s, and 1990s. Beginning in the 2000s, the Legislature slowly began to restore the compact. Those efforts must accelerate to reduce the state's poverty rate, increase equity, restore educational and job opportunities, and protect public health and the environment.

(h)

(k) American cities are among the epicenters of climate pollution, suffer the consequences of associated air pollutants, and are some of the largest pollution sources in the world, making them well suited both to implement, and to benefit from, decarbonization. While California has made progress on numerous environmental goals, this part would provide a blueprint for a just transition that would guarantee equal jobs and benefits for workers in a new green economy.

71443.

The Legislature further finds and declares that all residents of the state have the right to all of the following:

(a) The opportunity to contribute to, and be paid a living wage for, services or other meaningful work in advancement of the public good.

(b) A just transition in California that includes the right to organize, income and wage guarantees, pension and worker benefit supports, and retirement guarantees that promote respect and dignity for all workers.

(c) Enhanced worker protection standards that establish the strongest workforce development plan for a just transition in the United States.

(d) An abundantly funded public sector with greater contributions from the polluting industries that have contributed to the climate crisis.

(e) Access to clean, affordable, and zero-emission renewable electricity and telecommunications.

(f) Access to justice and reconciliation for the communities most severely impacted by institutional racism, including environmental racism, from the founding of this nation to the present.

(g) A just society with the full inclusion and equality of immigrant and refugee communities.

(h) Access to affordable housing in a healthy and sustainable community.

(i) Mobility within and between communities, including safe, affordable, reliable, healthy, and zero-emission electric transportation systems, including public and active transportation.

(j) Clean air, clean drinking water, healthy and sustainably grown food, access to nature and natural outdoor spaces, and a stable climate that will phase out the use and production of fossil fuels.

(k) Protection from current and increasing climate change impacts.

(l) Equal opportunities to influence the decisions that affect our communities and workplaces, regardless of wealth or status.

(m) Access to tuition and fee-free quality public education from preschool through college, including job training for those seeking to transition to new clean economy jobs.

(n) Comprehensive, universal single-payer health care.

(o) Recognition of, and adherence to, indigenous peoples' rights, including self-determination, sovereignty, and stewardship and governance of their ancestral lands.

(p) Recovery of just compensation and restitution from polluters and corporations for any damages suffered.

### **CHAPTER 3. California Green New Deal Goals**

71444..

The Legislature establishes the following goals to realize Section 71443:

(a) Enacting measures to ensure a just transition for workers and communities in California impacted by the phasing out of polluting fossil fuels and the negative impacts of climate change, including, but not limited to, income and wage guarantees, the right to organize, pension and benefit supports, job and skill retraining, early retirement assistance, and investments in local communities where industries shift.

(b) Ensuring that the jobs created or maintained by climate policy are good, family-supporting jobs, safe and free from abuse, and that they provide career ladders, benefits, and protections for workers' rights to organize, including labor peace agreements, and that pipelines into these jobs are created for workers from historically disadvantaged communities as recommended by the climate labor report prepared pursuant to Section 38591.3 of the Health and Safety Code.

(c) Adopting, except where affordable housing and sustainable communities and transformative climate communities projects would be impacted, the following policies and measures, among others, on all projects supported in whole or in part with public funds or resources, including those involving construction, alteration, demolition, installation, repair, or maintenance work:

(1) Requiring the prevailing wage and apprenticeship requirements of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

(2) Requiring use of skilled and trained workforces, as defined by Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.

(3) Ensuring that public funds and resources are not used to support projects costing in excess of five hundred thousand dollars (\$500,000), unless the project is covered by a project labor agreement, as defined by subdivision (b) of Section 2600 of the Public Contract Code, that includes provisions for the recruitment and hiring of disadvantaged workers, including individuals previously in foster care or the criminal justice system.

(4) Public resources and funding are not used to support projects without project labor agreements that meet average cost thresholds specific or unique to the areas of commercial, industrial, agricultural, and residential construction. Projects for residential construction may meet a lower threshold of forty thousand dollars (\$40,000) and above.

(5) Public resources and funding are not to be used for projects in excess of five hundred thousand dollars (\$500,000) unless service workers are paid a living wage with full benefits, health care, and retirement security.

(d) Increasing, by 25 percent by 2030, funding for measures to assist workers and community members whose health, safety, and livelihoods are impacted by the effects of climate change, including, but not limited to, floods, fires, heat waves, sea level rise, droughts, and disease, with priority given to disadvantaged communities and vulnerable populations.

(e) Increasing affordable housing units and stock availability by doubling their current levels while also reducing homelessness by 75 percent and eliminating unsheltered homelessness.

(f) Enacting measures that prepare for a transition from polluting, fuel-based models of agriculture to nonpolluting, energy-efficient models that support and protect the environment, workers, local communities, and certified organic farmers, including small and socially disadvantaged farms.

(g) Increasing the percentage of California's agricultural land that is certified organic to 100 percent by 2040.

(h) Prioritizing the transition away from fossil fuel projects and related polluting operations in proximity to homes, schools, and the places where such projects can adversely impact human health and safety.

(i) Reducing greenhouse gas emissions from the state's transportation sector by at least 50 percent below 1990 levels by 2030 with possible examples including the replacement of remaining gasoline and diesel vehicles with electric vehicles, significantly reducing vehicle miles traveled, and doubling the number of public transportation passengers.

(j) Transitioning away from the production of, and reliance on, fossil fuels in California at a pace consistent with the findings of the United Nations Intergovernmental Panel on Climate Change that temperature rise must be kept below 1.5 degrees Celsius.

(k) Identifying existing policies and practices in the state that contribute to, uphold, or exacerbate racial disparities.

(l) Enacting measures to support capacity building and provide technical assistance for state agencies to invest in strategies for racial equity, including employee training and support,

development of racial equity programming, and assistance to departments to change departmental policies and practices to improve racial equity outcomes.

#### 4. California Green New Deal Task Force 71445.

(a) The California Green New Deal Task Force is hereby established as a task force within the Strategic Growth Council.

(b) The California Green New Deal Task Force shall be composed of the following members:

(1) The Director of State Planning and Research, or the director's designee.

(2) The Secretary of the Natural Resources Agency, or the secretary's designee.

(3) The Secretary for Environmental Protection, or the secretary's designee.

(4) The Secretary of Transportation, or the secretary's designee.

(5) The Secretary of California Health and Human Services, or the secretary's designee.

(6) The Secretary of Business, Consumer Services, and Housing, or the secretary's designee.

(7) The Secretary of Food and Agriculture, or the secretary's designee.

(8) The Secretary of Labor and Workforce Development, or the secretary's designee.

(9) Eleven public members selected and appointed by the Governor and composed of the following representatives:

(A) A representative of a statewide environmental justice organization.

(B) A representative of a local or regional group that works on environmental issues affecting frontline communities.

(C) A representative of an environmental organization that has demonstrated expertise on climate and air pollution reduction strategies.

(D) A representative from the scientific community selected on the basis of being best able to represent the findings of the United Nations Intergovernmental Panel on Climate Change and other best available peer-reviewed climate science.

(E) A representative of an organization with demonstrated expertise in housing.

(F) A representative with demonstrated expertise in educational justice.

(G) A representative from the State Building and Construction Trades Council of California.

(H) A representative of an organization with demonstrated expertise in job and workforce development.

(I) A representative from a labor union that is not part of the State Building and Construction Trades Council of California.

(J) A representative from a tribal community in the state.

(K) A resident from a disadvantaged community or vulnerable population.

(c) For purposes of this section, "demonstrated expertise" means documented leadership in the specified subject area.

#### 71446.

(a) The Strategic Growth Council shall be responsible for establishing the California Green New Deal Task Force and implementing the goals set forth in Section 71444.

(b) The California Green New Deal Task Force shall prepare a report and submit the report to the Strategic Growth Council on or before \_\_\_\_\_. The report shall make recommendations on appropriate policies, including recommending state legislative and administrative actions, to achieve the goals of Section 71444 no later than 2045, with explicit, binding benchmarks for 2030, and to secure the rights enumerated in Section 71443 for all California residents. The California Green New Deal Task Force shall develop the report through transparent and inclusive consultation, collaboration, and partnership with frontline communities and vulnerable populations, labor unions, worker cooperatives, civil society groups, academia, and businesses. The California Green New Deal Task Force shall rely on the best use of up-to-date climate science in developing the report and consult with state boards and commission experts in all relevant issue areas.

(c)The California Green New Deal Task Force shall conduct all of the following public engagement activities in preparing and disseminating the report required by this section:

(1)Post the report, and any drafts, on the task force's internet website and solicit public comments for a period of at least 60 days after any material is posted. The task force shall allow the public to submit comments electronically, in writing, or orally at public workshops that it convenes.

(2)Translate the report and disseminate the report to localities and community-based organizations.

(3)Hold a series of public workshops, with appropriate and complete interpretation accommodations, to solicit public comments while preparing the report and another series of workshops after finalizing the report, with at least two workshops in each of the following regions in California:

(A)Northern California.

(B)Southern California.

(C)San Joaquin Valley.

(D)Sacramento Valley.

(E)Central coast.

(F)San Francisco Bay area.

(G)Inland Empire.

(d)No later than January 1, 2022, the Strategic Growth Council shall submit, in compliance with Section 9795 of the Government Code, the report prepared by the California Green New Deal Task Force pursuant to this section to the Legislature.

(e)The preparation or issuance of the report required pursuant to this section shall not preclude or delay the Legislature from enacting other measures to establish the California Green New Deal or to secure the rights enumerated in Section 71443 for all residents of the state.

71447.

(a)The California Green New Deal Task Force shall meet with the Strategic Growth Council as needed, but not less than four times annually.

(b)The California Green New Deal Task Force's meetings shall be open to the public and shall be subject to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code).

(c)The California Green New Deal Task Force may sponsor conferences, symposia, and other public forums to seek a broad range of public advice regarding local, regional, and natural resource planning, sustainable development, and strategies to fulfill the requirements of this part.

71448.

(a)The Director of State Planning and Research, the Secretary of the Natural Resources Agency, the Secretary for Environmental Protection, the Secretary of Transportation, the Secretary of California Health and Human Services, the Secretary of Business, Consumer Services, and Housing, and the Secretary of Food and Agriculture, or their designees, shall engage and provide technical assistance to populations and communities most impacted by pollution to promote meaningful involvement by those populations and communities in all phases of their environmental and land use decisionmaking processes.

(b)The Director of State Planning and Research, the Secretary of the Natural Resources Agency, the Secretary for Environmental Protection, the Secretary of Transportation, the Secretary of California Health and Human Services, the Secretary of Business, Consumer Services, and Housing, and the Secretary of Food and Agriculture shall consider in their environmental and land use decisions the recommendations of the populations and communities most impacted by pollution.

71449.

This chapter shall remain in effect only until \_\_\_, and as of that date is repealed.