



DATE: June 28, 2023

TO: Energy Council

FROM: Jennifer West, Program Manager

SUBJECT: Legislative Positions Update for 2023 – Energy-Related Bills

SUMMARY:

At the [March 22](#) and the [May 24, 2023](#), meetings, the Waste Management Authority (WMA) Board adopted several bill positions for the current state legislative cycle. On May 24, the Board also directed staff to prepare summaries of three additional bills so the Energy Council Board could consider taking positions on those bills at its June 28 meeting. Each of the three bills relate to increasing access to clean electricity. Summaries of the bills and recommended positions are included below.

DISCUSSION:

At its January 2023 meeting, the Waste Management Authority adopted five legislative priorities for 2023:

1. Common sense adjustments to SB 1383 requirements
2. Decarbonization/electrification in the built environment to reduce reliance on carbon-intensive energy and materials in our communities
3. “Circular economy” solutions and plastic pollution prevention
4. Clear product information for consumers
5. Building healthy food systems

Working with Shaw Yoder Antwih Schmelzer and Lange (our contract lobbyist in Sacramento), StopWaste provides input on priority bills throughout the legislative process, consistent with these priorities and the Agency’s mission.

At this point in the current legislative cycle, bills are being considered in the second house – either the Assembly or the Senate. Bills must be passed by the Legislature and sent to the Governor by September 14, to be signed or vetoed by October 14.

The three bills that the WMA Board requested to review at the June meeting are summarized below. Because the bills focus on energy issues this is being presented for review by the Energy Council Board. Staff recommends that the Energy Council remain neutral on these bills. The rationale for this recommendation is that the bills focus on issues related to accelerating clean

electricity transmission as well as battery storage. These are important issues and, based on staff understanding, have the potential to help the state accelerate the transition to clean electricity, among other benefits. However, the bills focus on issues that fall outside of the Agency’s strategic priorities and main expertise. There are other agencies who focus more squarely on these issues. While StopWaste does advance work related to electrification, which depends on adequate supply of clean electricity, our Agency’s role focuses on building-level policies and programs, such as incentives and home energy assessments. East Bay Clean Energy is not taking a position on these bills.

StopWaste bill positions:

Support	Support positions can range from signing joint support letters, submitting our own support letters, testifying in committees, and/or providing input on bill language
Watch, Support if Amended	Letters of support with recommended amendments; indicates that bill language and details are still evolving, and we will continue to watch and provide input and take a support/oppose position where appropriate
Oppose Unless Amended	Letters of opposition unless the measure includes recommended amendments to address concerns
Oppose	Opposition to bill

SUMMARY OF BILLS AND PROPOSED STOPWASTE BILL POSITIONS

[SB 233 \(Skinner\) Electric vehicles and electric vehicle supply equipment: bidirectional capability.](#)

This bill requires all electric vehicles (EVs) offered for sale to be capable of bidirectional charging, starting with the 2030 vehicle model year. This bill also requires the California Energy Commission (CEC) to convene a stakeholder workgroup to examine challenges and opportunities associated with bidirectional charging. According to this measure, “bidirectional charging” means charging capability that enables an EV to either be charged by the electrical grid or an onsite energy resource, or discharge stored energy capacity to the electrical grid or to serve an adjacent home or building.

Recommended Agency Position: Neutral

Support: The Climate Center, 350 Bay Area, Alameda County Democratic Party, California Environmental Voters, Environment California

Opposition: Alliance for Automotive Innovation, California Chamber of Commerce, CALSTART, California Electric Transportation Coalition, Silicon Valley Leadership Group

Cost to local governments: None

[SB 420 \(Becker\) Electricity: electrical transmission facility projects.](#)

This bill would require the Governor to identify a primary agency to monitor clean energy and electrical transmission facility planning and deployment, and require that the agency identify those electrical transmission facility projects necessary to maintain system reliability and to meet specific targets. The bill would also allow certain transmission projects to become “environmental leadership development projects,” eligible for streamlined judicial review under CEQA.

Agency Position: Neutral

Support: American Clean Power Association, California Environmental Voters, Climate Action California

Opposition: None listed

Cost to local governments: None

[SB 619 \(Padilla\) State Energy Resources Conservation and Development Commission: certification of facilities: electrical transmission lines.](#)

This bill would build on last year's AB 205, which authorized the California Energy Commission (CEC) to certify large clean electricity transmission projects in lieu of any approval required by any state, local, or regional agency, or federal agency, including charter cities. The bill would broaden the types of transmission projects that are eligible for CEC certification.

Agency Position: Neutral

Support: Clean Air Task Force, Clean Power Campaign

Opposition: None listed

Cost to local governments: None

Next Steps/Key Dates:

- June: The state budget for 2023-24 must be passed.
- September: Deadline for bills to pass the Legislature.
- October: Deadline for Governor to sign or veto bills.
- November: Status update provided to Board after Governor takes action.

RECOMMENDATION:

Adopt positions on the bills listed above.