AB-2046 University of California, Merced, and University of California, Riverside. (2021-2022)

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Assembly Bill No. 2046

CHAPTER 526

An act to add Article 8 (commencing with Section 92180) to Chapter 2 of Part 57 of Division 9 of Title 3 of the Education Code, relating to the University of California.

[Approved by Governor September 25, 2022. Filed with Secretary of State September 25, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2046, Medina. University of California, Merced, and University of California, Riverside.

Existing law establishes the University of California, under the administration of the Regents of the University of California, as one of the segments of postsecondary education in this state. The University of California comprises 10 institutions of higher education, which are located in the Cities of Berkeley, Davis, Irvine, Los Angeles, Merced, Riverside, San Diego, San Francisco, Santa Barbara, and Santa Cruz.

This bill would require certain moneys appropriated by the Legislature during the 2022–23 to 2024–25, inclusive, fiscal years to directly support campus expansion projects or University of California climate initiatives, or both, at the University of California, Riverside, and the University of California, Merced, to supplement and not supplant any current or future funding, as provided. The bill would place certain wage and workforce requirements on projects that receive this funding. The bill would, commencing July 1, 2023, require the University of California to submit an annual report to the Legislature and the Department of Finance regarding these funds, as provided.

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

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

SECTION 1. The Legislature finds and declares all of the following:

(a) California is the fifth largest economy in the world, but these economic benefits are not shared equally by all regions of the state. Most notably, the Inland Empire and central valley are among the lowest in educational attainment levels and per-capita income. The regions' universities support the state's highest proportion of California undergraduate, low-income, first-generation students, and state investment would support more equitable outcomes for these students and their communities. Therefore, the University of California Riverside and Merced campuses are uniquely positioned to contribute to the economic vitality of California's inland regions through economic development, research innovation, and continuing enrollment growth of undergraduate, professional, and graduate students.

(b) Importantly, while climate change affects everyone, there are more significant negative impacts among Inland Empire and central valley residents and their local industries. Agriculture and warehousing, in particular, are low-wage industries that contribute to and are susceptible to the detrimental impacts of smog and climate change. Similarly, Inland Empire and central valley citizens face chronic diseases that disproportionately burden low-income communities and people of color. Access to health care providers is very limited, a condition which will worsen as these regions' populations are expected to grow, as the Inland Empire is one of the fastest growing regions in the United States.

(c) A timely, transformational investment at the University of California's two most diverse campuses, University of California, Riverside (UCR), and University of California, Merced (UCM), is key to spurring economic development in the Inland Empire and central valley. Strategically raising the impact and stature of these two leading universities will (1) accelerate economic development and innovation in the areas of air pollution, clean technology, and sustainable agriculture, and (2) significantly improve health outcomes in these communities, as a means of increasing overall equity and per-capita income in these regions of the state.

(d) Moreover, such an investment will result in UCR becoming the first inland Association of American Universities (AAU) institution, placing it among the nation's top universities; and UCM will become the first Research I (R1) institution in the central valley. Top-ranked AAU and R1 universities optimize benefits to California and their local communities by attracting new talent and dollars, as illustrated by the impact of the University of California, Berkeley, and Stanford University in Silicon Valley and the University of California, San Francisco's, pioneering innovations in biotechnology. Therefore, strategically advancing the stature of these two "anchor" institutions will dramatically increase the economic impact of these universities within their local communities and across the state and nation.

(e) Through state support, UCR will leverage their existing strengths in social mobility, clean technology, and air pollution research to advance sustainability, innovation, and social inclusion, and UCM will significantly expand their research on the future of agriculture, including agricultural technology, limited pesticide use, and better water usage. Both campuses also have plans to grow their own health care providers, by advancing medical education in the Inland Empire and central valley and by developing intentional research programs that address the regions' distinctive health challenges, including valley fever and respiratory diseases.

SEC. 2. Article 8 (commencing with Section 92180) is added to Chapter 2 of Part 57 of Division 9 of Title 3 of the Education Code, to read:

Article 8. Campus Expansion Projects and Climate Initiatives

92180. (a) (1) Moneys appropriated by the Legislature for purposes of this section in the annual Budget Act during the 2022–23 to 2024–25, inclusive, fiscal years to directly support one or both of the following at the University of California, Riverside, and the University of California, Merced, shall comply with the provisions of paragraph (2):

(A) Campus expansion projects, which may include, but are not limited to, related capital projects.

(B) University of California climate initiatives, which may include, but are not limited to, related capital projects.

(2) These funds shall supplement and not supplant any current or future funding.

(b) Projects that receive funding pursuant to subdivision (a) are a public work for which prevailing wages shall be paid for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

(c) (1) For projects that receive funding pursuant to subdivision (a), the University of California shall obtain an enforceable commitment from any contractor performing work in an apprenticeable occupation in the building and construction trades that the contractor and its subcontractors at every tier will individually use a skilled and trained workforce to complete the work.

(2) Paragraph (1) shall not apply if all contractors and subcontractors at every tier performing the work will be bound by a project labor agreement that requires the use of a skilled and trained workforce and provides for enforcement of that obligation through an arbitration procedure.

(3) For purposes of this subdivision, the following definitions apply:

(A) "Project labor agreement" has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.

(B) "Skilled and trained workforce" has the same meaning as set forth in Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.

(d) The University of California may use moneys appropriated pursuant to subdivision (a) for capital outlay projects, as defined in subdivision (b) of Section 92494, only if, for any affected project, facility, building, or other property, the University of California complies with the requirements of subdivision (d) of Section 92495.

(e) Commencing July 1, 2023, the University of California shall submit an annual report to the Legislature, pursuant to Section 9795 of the Government Code, and the Department of Finance on the amount of moneys allocated pursuant to subdivision (a) to the University of California, Riverside, and the University of California, Merced, how these funds were used, and outcomes resulting from the use of these funds.