



August 11, 2011

The Honorable Felipe Fuentes  
Chair, Assembly Appropriations Committee  
State Capitol, Room 2114  
Sacramento, CA 95814

**Senate Bill 136 (Yee)**  
**OPPOSE UNLESS AMENDED**

Dear Assembly Member Fuentes:

The School Energy Coalition (SEC), an organization made up of K-12 schools, community colleges, architects and school construction consultants with a focus on energy efficiency and renewable generation facility projects for California's students, respectfully opposes the proposed amendments to Senate Bill 136 (Yee), unless the bill is amended. The bill is scheduled to be heard by the Assembly Appropriations Committee on Wednesday, August 17, 2011.

As proposed to be amended, SB 136 (Yee) would be very similar, but not identical, to Assembly Bill 436 (Solorio) which addresses prevailing wage for K-12 school energy projects. However, unlike AB 436, SB 136 adds an energy threshold for purchasing generation or efficiency savings.

SEC believes that energy projects funded by taxpayer dollars on school property should be considered public works projects for the purposes of prevailing wage and has supported that idea in previous discussions with Senator Yee's staff.

The proposed amendments add an additional dimension that has not been discussed and would most likely result in additional costs to third party agreements with private companies who sell power to schools through power purchase agreements. In addition, it is not clear which statute schools would fall under if both SB 136 and AB 436 were to become law.

We would therefore respectfully request that SB 136 be amended to remove the provisions proposed in the new section 1720.6 (c) that refers to energy purchase or savings.

Sincerely,

Anna Ferrera

cc: The Honorable Leland Yee  
Chuck Nicol, Assembly Appropriations Committee  
Ben Ebbink, Assembly Labor & Employment Committee