

Second Regular Session  
Sixty-seventh General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 10-0672.01 Troy Bratton

HOUSE BILL 10-1333

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**HOUSE SPONSORSHIP**

**Vigil**, Todd, Apuan, Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi, Hullinghorst, Kagan, Kefalas, Levy, Massey, McFadyen, McKinley, Middleton, Miklosi, Pace, Peniston, Pommer, Riesberg, Ryden, Scanlan, Schafer S., Solano, Soper, Tyler

**SENATE SPONSORSHIP**

**Schwartz and Newell**,

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**House Committees**

Business Affairs and Labor

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE CREATION OF THE GREEN JOBS COLORADO**  
102            **TRAINING PROGRAM IN THE OFFICE OF THE GOVERNOR, AND, IN**  
103            **CONNECTION THEREWITH, CREATING THE GREEN JOBS**  
104            **COLORADO ADVISORY COUNCIL AND THE GREEN JOBS**  
105            **COLORADO TRAINING FUND.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)*

The bill creates in the office of the governor the green jobs

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

Colorado training program, which is a 2-year pilot program. The pilot program will offer grants to applicants who train individuals for jobs in the wind, solar, renewable energy, and energy efficiency industries.

The bill also creates the green jobs Colorado advisory council, which will review grant applications and award grants to applicants who meet the requirements specified in the bill.

The bill specifies that the pilot program is to be funded by federal funds received by the department of labor and employment for the purposes of the pilot program and by funds received from the governor's energy office.

Finally, the bill requires the executive director of the department of labor and employment to evaluate the green jobs Colorado training program and report his or her findings to the governor and the legislative committees of reference assigned in the bill.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** Title 24, Colorado Revised Statutes, is amended BY  
3 THE ADDITION OF A NEW ARTICLE to read:

4 **ARTICLE 38.9**

5 **Green Jobs Colorado Training Program**

6 **24-38.9-101. Legislative declaration.** THE GENERAL ASSEMBLY  
7 FINDS, DETERMINES, AND DECLARES THAT AS COLORADO CONTINUES TO  
8 EXPAND ITS NEW ENERGY ECONOMY, THE STATE MUST ENSURE THAT  
9 COLORADO CITIZENS HAVE ACCESS TO THE NECESSARY SKILLS IN ORDER  
10 TO COMPETE FOR JOBS IN THE NEW ENERGY MARKET. THE GENERAL  
11 ASSEMBLY FURTHER FINDS, DETERMINES, AND DECLARES THAT A SKILLED  
12 WORKFORCE IS ONE OF THE MOST IMPORTANT DRIVERS IN DETERMINING  
13 THE FUTURE GLOBAL COMPETITIVENESS OF COLORADO. THEREFORE, THE  
14 GENERAL ASSEMBLY FINDS THAT THE PURPOSE OF THE GREEN JOBS  
15 COLORADO TRAINING PROGRAM IS TO MAINTAIN COLORADO'S  
16 COMPETITIVE ADVANTAGE AND ENSURE THAT FUTURE WORKFORCE SUPPLY  
17 CAN MEET THE ONCOMING DEMAND FOR GREEN JOB SKILLS IN THE NEW

1 ENERGY ECONOMY.

2 **24-38.9-102. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE  
3 CONTEXT OTHERWISE REQUIRES:

4 (1) "APPLICANT" MEANS A REGIONAL, INDUSTRY-BASED  
5 PARTNERSHIP COMPRISED OF A LEAD APPLICANT AND REPRESENTATIVES  
6 FROM ONE OR MORE OF THE FOLLOWING GROUPS:

7 (a) WORKFORCE DEVELOPMENT ORGANIZATIONS;

8 (b) EMPLOYERS;

9 (c) EDUCATORS;

10 (d) TRAINING PROVIDERS;

11 (e) ECONOMIC DEVELOPMENT ORGANIZATIONS; OR

12 (f) OTHER GROUPS CONVENED TO ANALYZE AND SOLVE  
13 INDUSTRY-SPECIFIC WORKFORCE PROBLEMS.

14 (2) "COUNCIL" MEANS THE GREEN JOBS ADVISORY COUNCIL  
15 CREATED IN SECTION 24-38.9-103.

16 (3) "GREEN JOBS" MEANS OCCUPATIONS OR EMPLOYMENT  
17 POSITIONS IN THE WIND, SOLAR, ENERGY EFFICIENCY, OR RENEWABLE  
18 ENERGY INDUSTRIES.

19 (4) "LEAD APPLICANT" MEANS A CERTIFIED TRAINING PROVIDER  
20 INCLUDING, BUT NOT LIMITED TO:

21 (a) A COMMUNITY COLLEGE; OR

22 (b) AN APPRENTICESHIP PROGRAM RECOGNIZED BY THE UNITED  
23 STATES DEPARTMENT OF LABOR OFFICE OF APPRENTICESHIP, OR ITS  
24 SUCCESSOR.

25 (5) "PILOT PROGRAM" MEANS THE GREEN JOBS COLORADO  
26 TRAINING PROGRAM CREATED IN SECTION 24-38.9-105.

27 **24-38.9-103. Green jobs Colorado advisory council - creation**

1    **- appointments.** (1) THERE IS HEREBY CREATED IN THE OFFICE OF THE  
2    GOVERNOR THE GREEN JOBS COLORADO ADVISORY COUNCIL.

3           (2) THE COUNCIL SHALL CONSIST OF NINE MEMBERS, SIX OF WHOM  
4    SHALL BE APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT  
5    OF LABOR AND EMPLOYMENT, WHO SHALL APPOINT AT LEAST ONE MEMBER  
6    FROM EACH OF THE FOLLOWING: A NONPROFIT ORGANIZATION, A  
7    WORKFORCE TRAINING ORGANIZATION, A COMMUNITY COLLEGE, A  
8    BUSINESS ORGANIZATION, AND A LABOR ORGANIZATION. MEMBERS SHALL  
9    POSSESS RELEVANT EXPERIENCE RELATED TO GREEN JOBS OR GREEN JOB  
10   TRAINING. THE REMAINING THREE MEMBERS SHALL BE THE DIRECTOR OF  
11   THE GOVERNOR'S ENERGY OFFICE, THE DIRECTOR OF THE COLORADO  
12   OFFICE OF ECONOMIC DEVELOPMENT, AND THE DIRECTOR OF THE DIVISION  
13   OF LABOR IN THE DEPARTMENT OF LABOR AND EMPLOYMENT.

14           (3) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LABOR AND  
15   EMPLOYMENT SHALL APPOINT THE INITIAL COUNCIL MEMBERS AS  
16   DESCRIBED IN SUBSECTION (2) OF THIS SECTION ON OR BEFORE AUGUST 1,  
17   2010. THE EXECUTIVE DIRECTOR SHALL APPOINT THE COUNCIL CHAIR AT  
18   THE TIME OF APPOINTMENT OF THE COUNCIL. THE MEMBERS SHALL SERVE,  
19   AND THE TERMS OF THE COUNCIL MEMBERS SHALL EXPIRE, AT THE  
20   PLEASURE OF THE EXECUTIVE DIRECTOR. UPON THE EXPIRATION OF A  
21   COUNCIL MEMBER'S TERM, THE COUNCIL MEMBER SHALL CONTINUE TO  
22   SERVE UNTIL A SUCCESSOR IS APPOINTED AS PROVIDED IN SUBSECTION (4)  
23   OF THIS SECTION.

24           (4) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LABOR AND  
25   EMPLOYMENT SHALL APPOINT A QUALIFIED PERSON TO FILL A VACANCY ON  
26   THE COUNCIL FOR THE REMAINDER OF ANY UNEXPIRED TERM. IF THE  
27   EXECUTIVE DIRECTOR DOES NOT APPOINT A PERSON TO FILL THE VACANCY

1        WITHIN SIXTY DAYS AFTER THE DATE THE VACANCY OCCURS, THE  
2        COUNCIL, BY A MAJORITY VOTE, SHALL APPOINT A QUALIFIED PERSON TO  
3        FILL THE VACANCY.

4            (5) THE COUNCIL SHALL CONVENE ITS FIRST MEETING NO LATER  
5        THAN SEPTEMBER 1, 2010, AND SHALL MEET AT LEAST QUARTERLY  
6        THEREAFTER; EXCEPT THAT THE CHAIR, UPON PROVIDING ADEQUATE  
7        NOTICE, MAY CANCEL A MEETING IF THERE IS NO BUSINESS BEFORE THE  
8        COUNCIL. THE MEETINGS OF THE COUNCIL SHALL ALSO BE HELD UPON  
9        CALL OF THE CHAIR OR AT THE REQUEST OF AT LEAST THREE MEMBERS OF  
10       THE COUNCIL.

11           (6) COUNCIL MEMBERS SHALL NOT RECEIVE COMPENSATION FOR  
12        THEIR TIME BUT MAY BE REIMBURSED FOR ACTUAL AND NECESSARY  
13        EXPENSES INCURRED IN THE DISCHARGE OF THEIR OFFICIAL DUTIES,  
14        INCLUDING AN ALLOWANCE FOR MILEAGE AS PROVIDED IN SECTION  
15        24-9-104 (2) (d).

16           **24-38.9-104. Powers and duties of the council.** (1) THE  
17        COUNCIL SHALL HAVE THE FOLLOWING POWERS, FUNCTIONS, AND DUTIES:

18           (a) ADMINISTERING THE PILOT PROGRAM ESTABLISHED IN SECTION  
19        24-38.9-105;

20           (b) RECEIVING AND REVIEWING APPLICATIONS FOR GRANTS FROM  
21        APPLICANTS;

22           (c) AWARDING GRANTS TO APPLICANTS WHO MEET THE CRITERIA  
23        SPECIFIED IN SECTION 24-38.9-105;

24           (d) ESTABLISHING REPORTING REQUIREMENTS FOR APPLICANTS  
25        WHO ARE AWARDED GRANTS; AND

26           (e) DEVELOPING PROCEDURES RELATING TO THE COUNCIL'S  
27        INTERNAL OPERATIONS.

1                   **24-38.9-105. Green jobs Colorado training program - creation**  
2                   **- grants - training - priority.** (1) THE GREEN JOBS COLORADO TRAINING  
3 PROGRAM IS HEREBY CREATED. THE PILOT PROGRAM SHALL OFFER  
4 GRANTS TO APPLICANTS THAT FOCUS ON DEVELOPING TRAINING  
5 PROGRAMS, STRATEGIES, AND CURRICULA FOR OCCUPATIONS IN THE WIND,  
6 SOLAR, ENERGY EFFICIENCY, AND RENEWABLE ENERGY INDUSTRIES.  
7 GRANTS AWARDED TO APPLICANTS SHALL BE USED FOR EITHER THE  
8 DEVELOPMENT OF A NEW PROGRAM OR THE IMPLEMENTATION OR  
9 EXPANSION OF AN EXISTING PROGRAM. THE PILOT PROGRAM SHALL BE  
10 SUBJECT TO REVIEW AS SPECIFIED IN SECTION 24-38.9-107.

11                   (2) APPLICANTS FOR GRANTS SHALL SUBMIT APPLICATIONS TO THE  
12 COUNCIL. SUBMITTED APPLICATIONS SHALL:

13                   (a) SEEK TO PROVIDE AT LEAST ONE OF THE FOLLOWING TRAINING  
14 METHODS:

15                   (I) CERTIFICATE PROGRAMS THAT MEET INDUSTRY-RECOGNIZED  
16 STANDARDS, AS DETERMINED BY THE COUNCIL, IN THE WIND, SOLAR,  
17 ENERGY EFFICIENCY, OR RENEWABLE ENERGY INDUSTRIES;

18                   (II) ON-THE-JOB TRAINING PROGRAMS THAT COMBINE WORKPLACE  
19 TRAINING WITH RELATED INSTRUCTION BY PERSONS QUALIFIED OR  
20 LICENSED IN THE FIELD OR TRADE. SUCH TRAINING MAY INCLUDE PAID  
21 COOPERATIVE EDUCATION PROGRAMS.

22                   (III) SKILL UPGRADING OR RETRAINING, WITH A COMMITMENT BY  
23 AN EMPLOYER OR GROUP OF EMPLOYERS TO EMPLOY A QUALIFIED  
24 INDIVIDUAL WHO SUCCESSFULLY COMPLETES THE TRAINING.

25                   (b) SEEK TO CREATE OR EXPAND PROGRAMS THAT MEET STATE- OR  
26 NATIONALLY RECOGNIZED INDUSTRY STANDARDS;

27                   (c) ENSURE COMPLIANCE WITH ANY REPORTING REQUIREMENTS

1 ESTABLISHED BY THE COUNCIL; AND

2 (d) ENSURE COMPLIANCE WITH COMPETENCY STANDARDS  
3 PURSUANT TO STATE LAW.

4 (3) THE COUNCIL SHALL GIVE PRIORITY TO APPLICATIONS THAT:

5 (a) DEMONSTRATE THE HIGH LIKELIHOOD OF JOB OFFERS TO  
6 INDIVIDUALS THAT COMPLETE A TRAINING PROGRAM; AND

7 (b) FOCUS ON CERTIFICATE PROGRAMS OR CURRICULA THAT  
8 TARGET LOW-INCOME ADULTS AND YOUTH, ENTRY-LEVEL OR INCUMBENT  
9 WORKERS, AND DISLOCATED WORKERS IN DECLINING INDUSTRIES.

10 (4) IN ADDITION TO MEETING THE APPLICATION REQUIREMENTS  
11 SPECIFIED IN SUBSECTION (2) OF THIS SECTION, ALL APPLICANTS SHALL  
12 PLEDGE TO PROVIDE AT LEAST TWENTY PERCENT OF THE OVERALL COSTS  
13 OF A TRAINING PROGRAM.

14 **24-38.9-106. Funding.** THE PILOT PROGRAM MAY BE FUNDED BY  
15 THE USE OF FEDERAL MONEYS RECEIVED BY THE DEPARTMENT OF LABOR  
16 AND EMPLOYMENT FOR THE PURPOSES OF THE PILOT PROGRAM AND BY THE  
17 USE OF MONEYS FROM THE GOVERNOR'S ENERGY OFFICE.

18 **24-38.9-107. Review of program - report to governor and**  
19 **legislature.** (1) UPON COMPLETION OF THE PILOT PROGRAM, THE  
20 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LABOR AND EMPLOYMENT  
21 SHALL CONDUCT AN EVALUATION OF THE PILOT PROGRAM AND SHALL  
22 REPORT THE FINDINGS TO THE GOVERNOR, THE BUSINESS AFFAIRS AND  
23 LABOR COMMITTEE IN THE HOUSE OF REPRESENTATIVES, AND THE  
24 BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE IN THE SENATE, OR ANY  
25 SUCCESSOR COMMITTEES. FOR PURPOSES OF THE REPORT TO THE  
26 LEGISLATIVE COMMITTEES, THE BUSINESS AFFAIRS AND LABOR COMMITTEE  
27 IN THE HOUSE OF REPRESENTATIVES AND THE BUSINESS, LABOR AND

1 TECHNOLOGY COMMITTEE IN THE SENATE MAY HOLD A JOINT HEARING.

2 (2) THE REPORT REQUIRED BY SUBSECTION (1) OF THIS SECTION  
3 SHALL INCLUDE THE FOLLOWING:

4 (a) THE NAME AND GEOGRAPHICAL AREA OF GRANT RECIPIENTS;

5 (b) THE AMOUNT OF GRANT MONEYS DISTRIBUTED TO EACH  
6 ENTITY;

7 (c) THE NUMBER OF INDIVIDUALS WHO RECEIVED OR ARE  
8 RECEIVING TRAINING SERVICES UNDER THE PILOT PROGRAM;

9 (d) THE DEMOGRAPHICS, AS AVAILABLE, OF THE INDIVIDUALS WHO  
10 RECEIVED OR ARE RECEIVING TRAINING SERVICES UNDER THE PILOT  
11 PROGRAM;

12 (e) THE TYPE OF TRAINING SERVICES PROVIDED;

13 (f) THE NAME OF THE SPECIFIC ORGANIZATION PROVIDING THE  
14 TRAINING;

15 (g) THE NUMBER OF INDIVIDUALS PLACED IN FULL-TIME  
16 EMPLOYMENT AS A RESULT OF THE TRAINING AND THE LENGTH OF TIME  
17 THAT THEY HAVE BEEN EMPLOYED IN A GREEN JOB; AND

18 (h) ANY RECOMMENDATIONS FOR PILOT PROGRAM IMPROVEMENT  
19 SUGGESTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LABOR  
20 AND EMPLOYMENT.

21 (3) THE GOVERNOR, IN CONSULTATION WITH THE LEGISLATIVE  
22 COMMITTEES SPECIFIED IN SUBSECTION (1) OF THIS SECTION, SHALL  
23 REVIEW THE FINDINGS AND RECOMMENDATIONS OF THE REPORT REQUIRED  
24 BY SAID SUBSECTION (1) TO DETERMINE THE OVERALL EFFECTIVENESS OF  
25 THE PILOT PROGRAM. OVERALL EFFECTIVENESS SHALL BE BASED, AT A  
26 MINIMUM, ON REGIONAL IMPACT, THE NUMBER OF INDIVIDUALS TRAINED  
27 AND PLACED INTO EMPLOYMENT, AND THE LENGTH OF TIME EACH



1 INDIVIDUAL WAS EMPLOYED IN A GREEN JOB.

2 **24-38.9-108. Repeal of article.** THIS ARTICLE IS REPEALED,  
3 EFFECTIVE JUNE 30, 2012.

4 **SECTION 2. Safety clause.** The general assembly hereby finds,  
5 determines, and declares that this act is necessary for the immediate  
6 preservation of the public peace, health, and safety.