

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 19-1050.01 Thomas Morris x4218

HOUSE BILL 19-1314

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A BILL FOR AN ACT

101 **CONCERNING A JUST TRANSITION FROM A COAL-BASED ELECTRICAL**
102 **ENERGY ECONOMY, AND, IN CONNECTION THEREWITH, MAKING**
103 **AN APPROPRIATION.**

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://leg.colorado.gov>.)

The bill creates the just transition office in the division of employment and training in the department of labor and employment. Beginning in 2025, the office, led by a director, will administer the following:

! Benefits to coal transition workers to enable them to

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

HOUSE
3rd Reading Unamended
April 23, 2019

HOUSE
Amended 2nd Reading
April 22, 2019

1 SOURCES HAS DOUBLED SINCE 2010 TO APPROXIMATELY TWENTY-FIVE
2 PERCENT OF COLORADO'S POWER GENERATION IN 2017.

3 (b) DETERMINES THAT:

4 (I) IN ADDITION TO THE CHANGING ECONOMICS OF POWER
5 GENERATION, THERE IS A SCIENTIFIC CONSENSUS THAT GREENHOUSE GAS
6 EMISSIONS, WHICH ARE PRIMARILY THE RESULT OF FOSSIL FUEL
7 COMBUSTION, MUST BE REDUCED IN ORDER TO MITIGATE THE WORST
8 EFFECTS OF CLIMATE CHANGE. THESE EFFECTS ARE ALREADY BEING
9 EXPERIENCED BY COLORADANS IN FORMS THAT INCLUDE MORE EXTREME
10 WEATHER, SNOW PACK MELT, AND HIGHER TEMPERATURES.

11 (II) THE EFFECTS OF COAL PLANT CLOSURES ON WORKERS AND
12 COMMUNITIES HAVE THE POTENTIAL TO BE SIGNIFICANT AND
13 DEVASTATING IF NOT MANAGED CORRECTLY. THE JOBS ARE HIGH-QUALITY
14 JOBS, WHICH PROVIDE FAMILY-SUPPORTING WAGES AND BENEFITS. THEY
15 HAVE BEEN AMONG THE BEST JOBS IN THE COMMUNITIES IN WHICH THESE
16 WORKERS LIVE AND WORK, AND ARE EXTREMELY DIFFICULT TO REPLACE.
17 THE COMMUNITIES THAT HOST RETIRING POWER PLANTS LOSE PRINCIPAL
18 CONTRIBUTORS TO THEIR TAX BASE AND REVENUE FOR VITAL MUNICIPAL
19 SERVICES; FOR EXAMPLE, NUCLA'S SCHOOL AND FIRE DISTRICTS ARE
20 FACING A FIFTY-SIX-PERCENT REDUCTION IN THEIR BUDGETS AS A RESULT
21 OF THE RETIREMENT OF THE POWER PLANT AND THE COAL MINE THAT
22 SUPPLIED IT.

23 (III) THE CLOSURE OF COAL-FIRED PLANTS NATIONWIDE IS LIKELY
24 TO HAVE A SERIOUS IMPACT ON EMPLOYMENT IN THE STATE'S COAL MINES
25 AND THE TRANSPORTATION AND LOGISTICS SUPPLY CHAINS THAT MOVE
26 COAL FROM MINE TO MARKET.

27 (IV) WHILE COLORADO COMPANIES AND POLICYMAKERS HAVE

1 WORKED TO DRIVE NEW INVESTMENT FROM THE CLEAN ENERGY ECONOMY
2 INTO TRANSITIONING COMMUNITIES AND RURAL PARTS OF THE STATE,
3 THERE DOES NOT EXIST AT THE STATE OR FEDERAL LEVEL SUFFICIENT
4 RESOURCES TO ASSIST WORKERS AND COMMUNITIES IMPACTED BY
5 CHANGES IN COLORADO'S COAL ECONOMY, AND THERE DOES NOT EXIST
6 COORDINATED LEADERSHIP WITHIN COLORADO'S STATE GOVERNMENT TO
7 ALIGN AND DELIVER ASSISTANCE TO THESE COAL COMMUNITIES AND
8 WORKERS; AND

9 (c) DECLARES THAT:

10 (I) A STRONG AND COMPREHENSIVE POLICY IS ALSO NEEDED TO
11 INVEST NEW FINANCIAL RESOURCES IN COAL COMMUNITIES THAT ARE
12 SEEKING TO DIVERSIFY AND GROW THEIR LOCAL AND REGIONAL
13 ECONOMIES IN A MANNER THAT IS BOTH SUSTAINABLE AND EQUITABLE;
14 AND

15 (II) COLORADO MUST ENSURE THAT THE CLEAN ENERGY ECONOMY
16 FULFILLS A MORAL COMMITMENT TO ASSIST THE WORKERS AND
17 COMMUNITIES THAT HAVE POWERED COLORADO FOR GENERATIONS, AND
18 TO THEREBY SUPPORT A JUST AND INCLUSIVE TRANSITION.

19 **8-83-402. Definitions.** AS USED IN THIS PART 4, UNLESS THE
20 CONTEXT OTHERWISE REQUIRES:

21 (1) "COAL TRANSITION COMMUNITY" MEANS A MUNICIPALITY,
22 COUNTY, OR REGION THAT HAS BEEN AFFECTED IN THE PREVIOUS TWELVE
23 MONTHS, OR THAT DEMONSTRATES IT WILL BE IMPACTED IN THE NEXT
24 THIRTY-SIX MONTHS, BY THE LOSS OF FIFTY OR MORE JOBS IN TOTAL FROM
25 A COAL MINE, COAL-FUELED ELECTRICAL POWER GENERATING PLANT, OR
26 THE MANUFACTURING AND TRANSPORTATION SUPPLY CHAINS OF EITHER.

27 (2) "COAL TRANSITION WORKER" MEANS A COLORADO WORKER

1 LAID OFF FROM EMPLOYMENT ON OR AFTER THE EFFECTIVE DATE OF THIS
2 SECTION IN A COAL MINE, COAL-FUELED ELECTRICAL POWER GENERATING
3 PLANT, OR THE MANUFACTURING AND TRANSPORTATION SUPPLY CHAINS
4 OF EITHER.

5 (3) "DIRECTOR" MEANS THE DIRECTOR OF THE OFFICE.

6 (4) "ELIGIBLE ENTITY" MEANS THE FOLLOWING ENTITIES THAT
7 SERVE A COAL TRANSITION COMMUNITY AND THAT MAY APPLY FOR A
8 GRANT:

9 (a) AN ECONOMIC DEVELOPMENT DISTRICT;

10 (b) A COUNTY, MUNICIPALITY, CITY AND COUNTY, OR OTHER
11 POLITICAL SUBDIVISION OF THE STATE;

12 (c) AN INDIAN TRIBE;

13 (d) AN APPRENTICESHIP PROGRAM THAT IS REGISTERED WITH THE
14 UNITED STATES DEPARTMENT OF LABOR OR A STATE APPRENTICESHIP
15 COUNCIL;

16 (e) AN INSTITUTION OF HIGHER EDUCATION; AND

17 (f) A PUBLIC OR PRIVATE NONPROFIT ORGANIZATION OR
18 ASSOCIATION.

19 (5) "FUND" MEANS THE JUST TRANSITION CASH FUND CREATED IN
20 SECTION 8-83-404.

21 (6) "GRANT" MEANS A JUST TRANSITION GRANT AWARDED
22 PURSUANT TO SECTION 8-83-406.

23 (7) "OFFICE" MEANS THE JUST TRANSITION OFFICE CREATED IN
24 SECTION 8-83-403 (1).

25 (8) "WAGE DIFFERENTIAL BENEFIT" MEANS SUPPLEMENTAL
26 INCOME COVERING THE DIFFERENCE BETWEEN AN INDIVIDUAL'S PREVIOUS
27 EMPLOYMENT IN A COAL MINE, COAL-FUELED ELECTRICAL POWER

1 GENERATING PLANT, OR THE MANUFACTURING AND TRANSPORTATION
2 SUPPLY CHAINS OF EITHER AND NEW EMPLOYMENT OR SUPPLEMENTAL
3 INCOME DURING JOB RETRAINING.

4 **8-83-403. Just transition office - advisory committee - repeal.**

5 (1) THERE IS HEREBY CREATED WITHIN THE DIVISION A JUST TRANSITION
6 OFFICE. THE OFFICE SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES
7 AND FUNCTIONS UNDER THE DEPARTMENT AS IF THE OFFICE WERE
8 TRANSFERRED TO THE DEPARTMENT BY A **TYPE 2** TRANSFER AS DEFINED
9 IN SECTION 24-1-105.

10 (2) THE DIRECTOR OF THE DIVISION SHALL APPOINT THE DIRECTOR
11 OF THE OFFICE. THE DIRECTOR SHALL MANAGE THE OPERATIONS OF THE
12 OFFICE.

13 (3) IT IS THE PURPOSE OF THE OFFICE TO:

14 (a) IDENTIFY OR ESTIMATE, TO THE EXTENT PRACTICABLE, THE
15 TIMING AND LOCATION OF FACILITY CLOSURES AND JOB LAYOFFS IN
16 COAL-RELATED INDUSTRIES AND THEIR IMPACT ON AFFECTED WORKERS,
17 BUSINESSES, AND COAL TRANSITION COMMUNITIES AND MAKE
18 PRELIMINARY RECOMMENDATIONS AS TO HOW THE OFFICE CAN MOST
19 EFFECTIVELY RESPOND TO THESE ECONOMIC DISLOCATIONS;

20 (b) ALIGN AND TARGET STATE AND FEDERAL RESOURCES AND
21 LEVERAGE ADDITIONAL RESOURCES INTO THE FUND TO INVEST IN
22 COMMUNITIES AND WORKERS WHOSE COAL-RELATED INDUSTRIES ARE
23 SUBJECT TO SIGNIFICANT ECONOMIC TRANSITION;

24 (c) ESTABLISH BENEFITS PURSUANT TO SECTION 8-83-405 FOR
25 COAL TRANSITION WORKERS TO ENABLE THEM TO SUPPORT THEMSELVES
26 AND THEIR FAMILIES AND TO ACCESS AND COMPLETE EDUCATION AND
27 TRAINING, RESULTING IN BEING HIRED FOR HIGH-QUALITY JOBS;

1 (d) ESTABLISH CRITERIA AND AMOUNTS FOR GRANTS, PURSUANT
2 TO SECTION 8-83-406, TO ELIGIBLE ENTITIES IN COAL TRANSITION
3 COMMUNITIES THAT SEEK TO CREATE A MORE DIVERSIFIED, EQUITABLE,
4 AND VIBRANT ECONOMIC FUTURE FOR THOSE COMMUNITIES; AND

5 (e) PARTICIPATE IN THE DEPARTMENT'S PRESENTATION TO THE
6 GENERAL ASSEMBLY DURING THE "STATE MEASUREMENT FOR
7 ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART)
8 GOVERNMENT ACT" HEARINGS, HELD PURSUANT TO PART 2 OF ARTICLE 7
9 OF TITLE 2, REGARDING REQUIREMENTS FOR FULLY FINANCING GRANTS,
10 BENEFITS, AND THE ADMINISTRATION OF THIS PART 4 AND THE EXPECTED
11 RESULTS.

12 (4) TO FURTHER THE PURPOSES OF THE OFFICE CREATED IN THIS
13 PART 4, THE DIRECTOR SHALL ENGAGE IN RELEVANT ADMINISTRATIVE
14 PROCEEDINGS, SUCH AS MATTERS BEFORE THE PUBLIC UTILITIES
15 COMMISSION AND THE AIR QUALITY CONTROL COMMISSION.

16 (5) (a) THERE IS HEREBY CREATED THE JUST TRANSITION
17 ADVISORY COMMITTEE TO ADVISE THE DIRECTOR REGARDING
18 IMPLEMENTATION OF BENEFITS, GRANTS, AND TRANSITION PLANS
19 PURSUANT TO THIS PART 4. THE ADVISORY COMMITTEE CONSISTS OF THE
20 FOLLOWING MEMBERS:

21 (I) EX OFFICIO MEMBERS AS FOLLOWS:

22 (A) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LABOR
23 AND EMPLOYMENT OR A DESIGNEE;

24 (B) THE DIRECTOR OF THE OFFICE OF ECONOMIC DEVELOPMENT OR
25 A DESIGNEE;

26 (C) THE DIRECTOR OF THE COLORADO ENERGY OFFICE OR A
27 DESIGNEE;

1 (D) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL
2 AFFAIRS OR A DESIGNEE; AND

3 (E) A REPRESENTATIVE OF THE OFFICE OF THE GOVERNOR;

4 (II) ONE MEMBER OF THE SENATE, APPOINTED BY THE PRESIDENT
5 OF THE SENATE, AND ONE MEMBER OF THE HOUSE OF REPRESENTATIVES,
6 APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES; AND

7 (III) THE FOLLOWING MEMBERS APPOINTED BY THE DIRECTOR:

8 (A) THREE REPRESENTATIVES OF COAL TRANSITION WORKERS;

9 (B) THREE REPRESENTATIVES FROM DIFFERENT COUNTIES THAT
10 EACH HAVE AT LEAST FIFTY COAL-IMPACTED EMPLOYEES;

11 (C) THREE REPRESENTATIVES OF THE GENERAL PUBLIC; AND

12 (D) TWO REPRESENTATIVES OF UTILITIES THAT, ON THE EFFECTIVE
13 DATE OF THIS SECTION, OPERATED A COAL-FUELED ELECTRIC GENERATING
14 UNIT.

15 (b) THE TERM OF APPOINTMENT OR DESIGNATION IS FOUR YEARS;
16 EXCEPT THAT THE INITIAL TERM OF MEMBERS APPOINTED PURSUANT TO
17 SUBSECTION (5)(a)(II) OF THIS SECTION IS TWO YEARS AND THE INITIAL
18 TERM OF MEMBERS APPOINTED PURSUANT TO SUBSECTION (5)(a)(III) OF
19 THIS SECTION IS THREE YEARS. EACH LEGISLATIVE MEMBER IS ENTITLED
20 TO RECEIVE PAYMENT OF A PER DIEM AND REIMBURSEMENT FOR ACTUAL
21 AND NECESSARY EXPENSES AS AUTHORIZED IN SECTION 2-2-326,
22 APPOINTED MEMBERS ARE ENTITLED TO THE SAME PER DIEM AND EXPENSE
23 REIMBURSEMENT, AND EX OFFICIO MEMBERS ARE ENTITLED TO THE SAME
24 EXPENSE REIMBURSEMENT; EXCEPT THAT ALL PAYMENTS AUTHORIZED BY
25 THIS SUBSECTION (5)(b) ARE AT A RATE FIFTY PERCENT LESS THAN THAT
26 AUTHORIZED BY LAW.

27 (c) THE ADVISORY COMMITTEE SHALL ELECT A CHAIR FROM

1 AMONG ITS MEMBERS TO SERVE FOR A TERM NOT TO EXCEED TWO YEARS,
2 AS DETERMINED BY THE ADVISORY COMMITTEE. THE ADVISORY
3 COMMITTEE SHALL MEET AT LEAST ONCE EVERY QUARTER. THE CHAIR
4 MAY CALL SUCH ADDITIONAL MEETINGS AS ARE NECESSARY FOR THE
5 ADVISORY COMMITTEE TO COMPLETE ITS DUTIES.

6 (d) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE SEPTEMBER 1,
7 2025. BEFORE THE REPEAL, THIS SUBSECTION (5) IS SCHEDULED FOR
8 REVIEW IN ACCORDANCE WITH SECTION 2-3-1203.

9 **8-83-404. Just transition cash fund.** (1) THERE IS HEREBY
10 CREATED IN THE STATE TREASURY THE JUST TRANSITION CASH FUND. THE
11 FUND CONSISTS OF MONEY CREDITED TO THE FUND AND ANY OTHER
12 MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER
13 TO THE FUND. THE DIRECTOR SHALL ENGAGE WITH OTHER DEPARTMENTS
14 AND AGENCIES TO OBTAIN A SUSTAINABLE SOURCE OF REVENUE FOR THE
15 FUND. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME
16 DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO
17 THE FUND. SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
18 ASSEMBLY, THE OFFICE MAY EXPEND MONEY FROM THE FUND FOR
19 PURPOSES SPECIFIED IN THIS PART 4, INCLUDING PAYING FOR THE OFFICE'S
20 DIRECT AND INDIRECT COSTS IN ADMINISTERING THIS PART 4.

21 (2) THE GENERAL ASSEMBLY MAY APPROPRIATE MONEY FROM THE
22 GENERAL FUND FOR THE PURPOSES SPECIFIED IN THIS PART 4. THE OFFICE
23 MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM
24 PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS PART 4.

25 (3) THE OFFICE AND THE DIRECTOR SHALL BEGIN TO TAKE THE
26 ACTIONS SPECIFIED IN SECTION 8-83-405 (3) AND 8-83-406 (1) AND (3) ON
27 THE EARLIER OF:

- 1 (a) JANUARY 1, 2023; OR
- 2 (b) THE DATE, AS DETERMINED BY THE DIRECTOR, WHEN
- 3 SUFFICIENT MONEY IS AVAILABLE IN THE FUND TO AWARD JUST
- 4 TRANSITION BENEFITS OR JUST TRANSITION GRANTS, AS APPLICABLE.

5 **8-83-405. Just transition benefits for coal transition workers.**

6 (1) THE OFFICE SHALL:

7 (a) TASK THE RAPID RESPONSE PROGRAM WITHIN THE DEPARTMENT

8 WITH EDUCATING DISLOCATED WORKERS WHO COULD BE ELIGIBLE FOR

9 JUST TRANSITION BENEFITS REGARDING HOW TO APPLY FOR THE BENEFITS;

10 IN COLLABORATION WITH EMPLOYERS OF DISLOCATED WORKERS AND

11 RELEVANT LABOR UNIONS;

12 (b) DETERMINE WHO QUALIFIES AS A COAL TRANSITION WORKER.

13 ONCE SUCH A DETERMINATION IS MADE, A COAL TRANSITION WORKER IS

14 ELIGIBLE, UPON APPLICATION TO THE OFFICE, FOR:

15 (I) JUST TRANSITION BENEFITS EQUIVALENT IN TYPE, AMOUNT, AND

16 DURATION TO FEDERAL BENEFITS AVAILABLE PURSUANT TO 20 CFR

17 617.20 TO 617.49, BASED ON FUNDING AVAILABLE WHEN SEPARATION

18 OCCURS; AND

19 (II) WAGE DIFFERENTIAL BENEFITS FOR THREE YEARS.

20 (c) PROVIDE EMPLOYMENT AND TRAINING SERVICES ASSOCIATED

21 WITH THE BENEFITS SPECIFIED IN SUBSECTION (1)(b) OF THIS SECTION.

22 (2) THE DIRECTOR SHALL ESTABLISH BENEFIT APPLICATION

23 REQUIREMENTS AND PROCEDURES AND FACTORS RELEVANT TO THE

24 DETERMINATION OF WHETHER AN INDIVIDUAL IS A COAL TRANSITION

25 WORKER.

26 (3) BEGINNING ON THE DATE DETERMINED PURSUANT TO SECTION

27 8-83-404(3), THE DIRECTOR SHALL AWARD JUST TRANSITION BENEFITS TO

1 COAL TRANSITION WORKERS TO THE EXTENT THAT MONEY IS AVAILABLE
2 IN THE FUND.

3 **8-83-406. Just transition grants to coal transition**
4 **communities.** (1) BEGINNING ON THE DATE DETERMINED PURSUANT TO
5 SECTION 8-83-404 (3):

6 (a) THE OFFICE SHALL ANNUALLY DETERMINE THE TOTAL AMOUNT
7 OF MONEY IN THE FUND THAT IS AVAILABLE FOR GRANTS AFTER THE
8 OFFICE HAS CALCULATED AN ESTIMATE OF THE COST EACH YEAR OF
9 PROVIDING BENEFITS TO COAL TRANSITION WORKERS PURSUANT TO
10 SECTION 8-83-405; AND

11 (b) IF MONEY FROM THE FUND IS AVAILABLE AS DETERMINED
12 PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION, THE OFFICE SHALL
13 ANNUALLY ISSUE REQUESTS FOR PROPOSALS TO ELIGIBLE ENTITIES FOR THE
14 AWARD OF JUST TRANSITION GRANTS TO ELIGIBLE ENTITIES.

15 (2) THE DIRECTOR SHALL ESTABLISH GRANT APPLICATION
16 REQUIREMENTS AND PROCEDURES, REVIEW AND SELECTION CRITERIA, AND
17 FACTORS RELEVANT TO THE DETERMINATION OF WHETHER THE OFFICE
18 SHOULD AWARD A GRANT, INCLUDING AT A MINIMUM A DEMONSTRATION
19 THAT THE GRANT PROPOSAL IS:

20 (a) CONSISTENT WITH LOCAL OR REGIONAL ECONOMIC
21 DEVELOPMENT PLANS, SUCH AS A COMPREHENSIVE ECONOMIC
22 DEVELOPMENT STRATEGY; AND

23 (b) REPRESENTATIVE OF A PARTNERSHIP OF DIVERSE
24 STAKEHOLDERS, INCLUDING REPRESENTATIVES OF WORKERS AND
25 LOW-INCOME COMMUNITY MEMBERS, WHO HAVE COLLABORATIVELY
26 DESIGNED THE PROPOSAL.

27 (3) BEGINNING ON THE DATE DETERMINED PURSUANT TO SECTION

1 8-83-404 (3), THE DIRECTOR SHALL COMPETITIVELY AWARD GRANTS TO
2 ELIGIBLE ENTITIES THAT HAVE APPLIED FOR A GRANT FOR ECONOMIC AND
3 WORKFORCE DEVELOPMENT PROJECTS AND ACTIVITIES THAT WILL
4 PRODUCE ONE OR MORE OF THE FOLLOWING OUTCOMES:

5 (a) ECONOMIC DIVERSIFICATION OF THE COMMERCIAL OR
6 INDUSTRIAL BASES OF LOCAL AND REGIONAL ECONOMIES;

7 (b) CREATION OF HIGH-QUALITY JOBS IN NEW OR EXISTING
8 INDUSTRIES;

9 (c) REEMPLOYMENT OF COAL TRANSITION WORKERS;

10 (d) ECONOMIC DEVELOPMENT TARGETED TO NEIGHBORHOODS
11 WITHIN COAL TRANSITION COMMUNITIES THAT HAVE BEEN MOST
12 DISPROPORTIONATELY AFFECTED BY COAL-RELATED POLLUTION;

13 (e) LEVERAGING OF NEW SOURCES OF PUBLIC AND PRIVATE JOB
14 AND WEALTH-CREATING INVESTMENT; AND

15 (f) PROVISION OF A RANGE OF WORKFORCE SERVICES AND SKILLS
16 TRAINING, INCLUDING ON-THE-JOB APPRENTICESHIP TRAINING, RESULTING
17 IN INDUSTRY-RECOGNIZED CREDENTIALS FOR HIGH-QUALITY, IN-DEMAND
18 OCCUPATIONS AND ACCESSIBLE, DEFINED CAREER PATHWAYS FOR COAL
19 TRANSITION WORKERS AND LOW-INCOME WORKERS RESIDING IN COAL
20 TRANSITION COMMUNITIES.

21 (4) THE DIRECTOR SHALL ENSURE THAT EACH LABORER AND
22 MECHANIC EMPLOYED BY A CONTRACTOR OR SUBCONTRACTOR IN
23 CONNECTION WITH A CONSTRUCTION PROJECT FINANCED, IN WHOLE OR IN
24 PART, BY A JUST TRANSITION GRANT IS PAID WAGES AT A RATE OF NOT
25 LESS THAN THE PREVAILING WAGES FOR THE SAME TYPE OF WORK ON
26 SIMILAR CONSTRUCTION IN THE IMMEDIATE LOCALITY, AS DETERMINED BY
27 THE FEDERAL SECRETARY OF LABOR IN ACCORDANCE WITH 40 U.S.C. SEC.

1 3141 TO 3148.

2 **8-83-407. Utility workforce transition plans - reemployment**

3 **of affected workers.** (1) NO LESS THAN NINETY DAYS BEFORE THE
4 ACCELERATED RETIREMENT OF AN ELECTRIC COAL-FUELED GENERATING
5 UNIT THAT HAS A NAMEPLATE CAPACITY OF AT LEAST FIFTY MEGAWATTS,
6 THE OWNER OR OPERATING AGENT OF THAT UNIT SHALL SUBMIT TO THE
7 OFFICE A WORKFORCE TRANSITION PLAN.

8 (2) TO THE EXTENT PRACTICABLE, A WORKFORCE TRANSITION
9 PLAN MUST INCLUDE ESTIMATES OF:

10 (a) THE NUMBER OF WORKERS EMPLOYED BY THE ELECTRIC
11 UTILITY OR A CONTRACTOR OF THE UTILITY AT THE COAL-FUELED
12 ELECTRIC GENERATING FACILITY, WHICH NUMBER MUST INCLUDE ALL
13 WORKERS THAT DIRECTLY DELIVER COAL TO THE ELECTRIC UTILITY;

14 (b) THE TOTAL NUMBER OF WORKERS WHOSE EXISTING JOBS, AS A
15 RESULT OF THE RETIREMENT OF THE COAL-FUELED ELECTRIC GENERATING
16 FACILITY:

17 (I) WILL BE RETAINED; AND

18 (II) WILL BE ELIMINATED;

19 (c) WITH RESPECT TO THE WORKERS WHOSE EXISTING JOBS WILL
20 BE ELIMINATED DUE TO THE RETIREMENT OF THE COAL-FUELED ELECTRIC
21 GENERATING FACILITY, THE TOTAL NUMBER AND THE NUMBER BY JOB
22 CLASSIFICATION OF WORKERS:

23 (I) WHOSE EMPLOYMENT WILL END WITHOUT THEM BEING
24 OFFERED OTHER EMPLOYMENT;

25 (II) WHO WILL RETIRE AS PLANNED, BE OFFERED EARLY
26 RETIREMENT, OR LEAVE ON THEIR OWN;

27 (III) WHO WILL BE RETAINED BY BEING TRANSFERRED TO OTHER

1 ELECTRIC GENERATING FACILITIES OR OFFERED OTHER EMPLOYMENT BY
2 THE ELECTRIC UTILITY; AND

3 (IV) WHO WILL BE RETAINED TO CONTINUE TO WORK FOR THE
4 ELECTRIC UTILITY IN A NEW JOB CLASSIFICATION; AND

5 (d) IF THE ELECTRIC UTILITY IS REPLACING THE COAL-FUELED
6 ELECTRIC GENERATING FACILITY BEING RETIRED WITH A NEW ELECTRIC
7 GENERATING FACILITY, THE NUMBER OF:

8 (I) WORKERS FROM THE RETIRED COAL-FUELED ELECTRIC
9 GENERATING FACILITY WHO WILL BE EMPLOYED AT THE NEW ELECTRIC
10 GENERATING FACILITY; AND

11 (II) JOBS AT THE NEW ELECTRIC GENERATING FACILITY THAT WILL
12 BE OUTSOURCED TO CONTRACTORS OR SUBCONTRACTORS.

13 (3) THIS SECTION DOES NOT APPLY TO AN ELECTRIC COAL-FUELED
14 GENERATING UNIT OWNED IN WHOLE OR IN PART BY A QUALIFYING RETAIL
15 UTILITY FOR WHICH THE QUALIFYING RETAIL UTILITY, AS THAT TERM IS
16 USED IN SECTION 40-2-124, HAS SUBMITTED A WORKFORCE TRANSITION
17 PLAN IN AN ELECTRIC RESOURCE PLAN FILED WITH THE PUBLIC UTILITIES
18 COMMISSION.

19 **8-83-408. Report - recommendations - repeal.** (1) NO LATER
20 THAN JANUARY 1, 2024, THE DIRECTOR SHALL PROVIDE WRITTEN
21 RECOMMENDATIONS TO THE GENERAL ASSEMBLY AND THE GOVERNOR
22 ABOUT CHANGES TO THIS PART 4 THAT SHOULD BE CONSIDERED IN ORDER
23 TO BETTER ACHIEVE THE PURPOSES OF THIS PART 4. THE DIRECTOR SHALL
24 ALSO MAKE RECOMMENDATIONS REGARDING WHETHER THE OFFICE
25 SHOULD BE ENABLED TO PROVIDE BENEFITS AND GRANTS TO OTHER
26 WORKERS AND COMMUNITIES AFFECTED BY CHANGES IN COLORADO'S
27 ENERGY ECONOMY.

1 (2) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2025.

2 **SECTION 2.** In Colorado Revised Statutes, 2-3-1203, **add**
3 (16)(a)(IV) as follows:

4 **2-3-1203. Sunset review of advisory committees - legislative**
5 **declaration - definition - repeal.** (16) (a) The following statutory
6 authorizations for the designated advisory committees will repeal on
7 September 1, 2025:

8 (IV) THE JUST TRANSITION ADVISORY COMMITTEE CREATED IN
9 SECTION 8-83-403 (5).

10 **SECTION 3. Appropriation.** (1) For the 2019-20 state fiscal
11 year, \$163,010 is appropriated to the just transition cash fund created in
12 section 8-83-404, C.R.S. This appropriation is from the general fund. The
13 department of labor and employment is responsible for the accounting
14 related to this appropriation.

15 (2) For the 2019-20 state fiscal year, \$163,010 is appropriated to
16 the department of labor and employment for use by the division of
17 employment and training. This appropriation is from reappropriated funds
18 in the just transition cash fund under subsection (1) of this section and is
19 based on the assumption that the division will require an additional 1.8
20 FTE. To implement this act, the division may use the appropriation for
21 the just transition office.

22 (3) For the 2019-20 state fiscal year, \$1,838 is appropriated to the
23 legislative department for use by the general assembly. This appropriation
24 is from the general fund.

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