

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

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 19-1050.01 Thomas Morris x4218

HOUSE BILL 19-1314

HOUSE SPONSORSHIP

Becker and Galindo, Bird, Buckner, Cutter, Duran, Esgar, Froelich, Gonzales-Gutierrez, Hansen, Herod, Hooton, Jackson, Lontine, Michaelson Jenet, Roberts, Singer, Sirota, Sullivan, Weissman

SENATE SPONSORSHIP

Winter and Donovan,

House Committees

Business Affairs & Labor
Legislative Council
Appropriations

Senate Committees

State, Veterans, & Military Affairs
Appropriations

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.*

SENATE
Amended 2nd Reading
April 30, 2019

HOUSE
3rd Reading Unamended
April 23, 2019

HOUSE
Amended 2nd Reading
April 22, 2019

support themselves and their families and to access and complete education and training, resulting in being hired for high-quality jobs; and

! Grants to eligible entities in coal transition communities that seek to create a more diversified, equitable, and vibrant economic future for those communities.

An electric utility that proposes to retire a coal-fueled electric generating facility shall submit to the office a workforce transition plan at least 90 days before the retirement of the facility.

The bill creates a just transition advisory committee to advise the director regarding implementation of the bill.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 4 to article
3 83 of title 8 as follows:

4 **PART 4**

5 **JUST TRANSITION SUPPORT**

6 **FOR COAL-RELATED JOBS**

7 **8-83-401. Legislative declaration.** (1) THE GENERAL ASSEMBLY
8 HEREBY:

9 (a) FINDS THAT:

10 (I) COAL PROVIDES MORE THAN HALF OF COLORADO'S NET POWER
11 GENERATION, WHILE NATURAL GAS PROVIDES ALMOST ONE-FOURTH.
12 THERE WERE APPROXIMATELY ONE THOUSAND THREE HUNDRED WORKERS
13 EMPLOYED IN COLORADO COAL MINES AT THE END OF 2018, AND HALF OF
14 THE DOMESTIC CONSUMPTION OF COLORADO'S MINED COAL IS FOR POWER
15 GENERATION WITHIN THE STATE.

16 (II) COLORADO'S POWER SECTOR, AND THE NATION'S, IS MOVING
17 AWAY FROM COAL AS A FUEL SOURCE BASED ON CONSUMER DEMAND FOR
18 CLEANER POWER AND THE DECLINING COST OF NATURAL GAS AND
19 RENEWABLE RESOURCES. ELECTRICITY GENERATED FROM RENEWABLE

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 LOCAL
19 GOVERNMENT SERVICES; FOR EXAMPLE, NUCLA'S SCHOOL AND FIRE
20 DISTRICTS ARE FACING A FIFTY-SIX-PERCENT REDUCTION IN THEIR
21 BUDGETS AS A RESULT OF THE RETIREMENT OF THE POWER PLANT AND THE
22 COAL MINE THAT 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 (II) COLORADO MUST ENSURE THAT THE CLEAN ENERGY ECONOMY
15 FULFILLS A MORAL COMMITMENT TO ASSIST THE WORKERS AND
16 COMMUNITIES THAT HAVE POWERED COLORADO FOR GENERATIONS, AS
17 WELL AS THE DISPROPORTIONATELY IMPACTED COMMUNITIES WHO HAVE
18 BORNE THE COSTS OF COAL POWER POLLUTION FOR DECADES, AND TO
19 THEREBY SUPPORT A JUST AND INCLUSIVE TRANSITION; AND

20 (III) IT IS IMPERATIVE FOR COAL TRANSITION COMMUNITIES TO
21 PLAN AND PREPARE FOR ECONOMIC CHANGE, AND THE DEPARTMENT OF
22 LOCAL AFFAIRS HAS AN ESSENTIAL ROLE IN THIS PROCESS. FURTHERMORE,
23 THE DEPARTMENT OF LOCAL AFFAIRS IS ENCOURAGED TO USE THE LOCAL
24 GOVERNMENT MINERAL IMPACT FUND CREATED IN SECTION 34-63-102 TO
25 ASSIST WITH PLANNING AND MITIGATION EFFORTS IN COAL TRANSITION
26 COMMUNITIES.

27 **8-83-402. Definitions.** AS USED IN THIS PART 4, UNLESS THE

1 CONTEXT OTHERWISE REQUIRES:

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

8 (2) "COAL TRANSITION WORKER" MEANS A COLORADO WORKER
9 LAID OFF FROM EMPLOYMENT ON OR AFTER THE EFFECTIVE DATE OF THIS
10 SECTION IN A COAL MINE, COAL-FUELED ELECTRICAL POWER GENERATING
11 PLANT, OR THE MANUFACTURING AND TRANSPORTATION SUPPLY CHAINS
12 OF EITHER.

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

14 (4) DISPROPORTIONATELY IMPACTED COMMUNITY" MEANS ANY
15 COMMUNITY OF COLOR, LOW-TO-MIDDLE INCOME COMMUNITY, OR
16 INDIGENOUS COMMUNITY THAT IS OR HAS BEEN DIRECTLY IMPACTED BY
17 COAL POLLUTION.

18 (5) "ELIGIBLE ENTITY" MEANS THE FOLLOWING ENTITIES THAT
19 SERVE A COAL TRANSITION COMMUNITY AND THAT MAY APPLY FOR A
20 GRANT:

21 (a) AN ECONOMIC DEVELOPMENT DISTRICT;

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

24 (c) AN INDIAN TRIBE;

25 (d) AN APPRENTICESHIP PROGRAM THAT IS REGISTERED WITH THE
26 UNITED STATES DEPARTMENT OF LABOR OR A STATE APPRENTICESHIP
27 COUNCIL;

1 (e) AN INSTITUTION OF HIGHER EDUCATION; AND

2 (f) A PUBLIC OR PRIVATE NONPROFIT ORGANIZATION OR
3 ASSOCIATION.

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

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

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

10 (9) "WAGE DIFFERENTIAL BENEFIT" MEANS SUPPLEMENTAL
11 INCOME COVERING THE DIFFERENCE BETWEEN AN INDIVIDUAL'S PREVIOUS
12 EMPLOYMENT IN A COAL MINE, COAL-FUELED ELECTRICAL POWER
13 GENERATING PLANT, OR THE MANUFACTURING AND TRANSPORTATION
14 SUPPLY CHAINS OF EITHER AND NEW EMPLOYMENT OR SUPPLEMENTAL
15 INCOME DURING JOB RETRAINING.

16 **8-83-403. Just transition office - advisory committee - repeal.**

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

22 (2) THE DIRECTOR OF THE DIVISION SHALL APPOINT THE DIRECTOR
23 OF THE OFFICE. THE DIRECTOR SHALL MANAGE THE OPERATIONS OF THE
24 OFFICE.

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

26 (a) IDENTIFY OR ESTIMATE, TO THE EXTENT PRACTICABLE, THE
27 TIMING AND LOCATION OF FACILITY CLOSURES AND JOB LAYOFFS IN

1 COAL-RELATED INDUSTRIES AND THEIR IMPACT ON AFFECTED WORKERS,
2 BUSINESSES, AND COAL TRANSITION COMMUNITIES AND MAKE
3 PRELIMINARY RECOMMENDATIONS AS TO HOW THE OFFICE CAN MOST
4 EFFECTIVELY RESPOND TO THESE ECONOMIC DISLOCATIONS;

5 (b) ALIGN AND TARGET STATE AND FEDERAL RESOURCES AND
6 LEVERAGE ADDITIONAL RESOURCES INTO THE FUND TO INVEST IN
7 COMMUNITIES AND WORKERS WHOSE COAL-RELATED INDUSTRIES ARE
8 SUBJECT TO SIGNIFICANT ECONOMIC TRANSITION;

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

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

17 (e) PARTICIPATE IN THE DEPARTMENT'S PRESENTATION TO THE
18 GENERAL ASSEMBLY DURING THE "STATE MEASUREMENT FOR
19 ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART)
20 GOVERNMENT ACT" HEARINGS, HELD PURSUANT TO PART 2 OF ARTICLE 7
21 OF TITLE 2, REGARDING REQUIREMENTS FOR FULLY FINANCING GRANTS,
22 BENEFITS, AND THE ADMINISTRATION OF THIS PART 4 AND THE EXPECTED
23 RESULTS.

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

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

6 (I) EX OFFICIO MEMBERS AS FOLLOWS:

7 (A) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LABOR
8 AND EMPLOYMENT OR A DESIGNEE;

9 (B) THE DIRECTOR OF THE OFFICE OF ECONOMIC DEVELOPMENT OR
10 A DESIGNEE;

11 (C) THE DIRECTOR OF THE COLORADO ENERGY OFFICE OR A
12 DESIGNEE;

13 (D) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL
14 AFFAIRS OR A DESIGNEE; AND

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

16 (II) ONE MEMBER OF THE SENATE, APPOINTED BY THE PRESIDENT
17 OF THE SENATE, AND ONE MEMBER OF THE HOUSE OF REPRESENTATIVES,
18 APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES; AND

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

20 (A) THREE REPRESENTATIVES OF COAL TRANSITION WORKERS;

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

23 (C) ONE REPRESENTATIVE OF THE PUBLIC INTEREST;

24 (D) TWO REPRESENTATIVES OF DISPROPORTIONATELY IMPACTED
25 COMMUNITIES; AND

26 (E) TWO REPRESENTATIVES OF UTILITIES THAT, ON THE EFFECTIVE
27 DATE OF THIS SECTION, OPERATED A COAL-FUELED ELECTRIC GENERATING

1 UNIT.

2 (b) THE TERM OF APPOINTMENT OR DESIGNATION IS FOUR YEARS;
3 EXCEPT THAT THE INITIAL TERM OF MEMBERS APPOINTED PURSUANT TO
4 SUBSECTION (5)(a)(II) OF THIS SECTION IS TWO YEARS AND THE INITIAL
5 TERM OF MEMBERS APPOINTED PURSUANT TO SUBSECTION (5)(a)(III) OF
6 THIS SECTION IS THREE YEARS. EACH LEGISLATIVE MEMBER IS ENTITLED
7 TO RECEIVE PAYMENT OF A PER DIEM AND REIMBURSEMENT FOR ACTUAL
8 AND NECESSARY EXPENSES AS AUTHORIZED IN SECTION 2-2-326,
9 APPOINTED MEMBERS ARE ENTITLED TO THE SAME PER DIEM AND EXPENSE
10 REIMBURSEMENT, AND EX OFFICIO MEMBERS ARE ENTITLED TO THE SAME
11 EXPENSE REIMBURSEMENT; EXCEPT THAT ALL PAYMENTS AUTHORIZED BY
12 THIS SUBSECTION (5)(b) ARE AT A RATE FIFTY PERCENT LESS THAN THAT
13 AUTHORIZED BY LAW.

14 (c) THE ADVISORY COMMITTEE SHALL ELECT A CHAIR FROM
15 AMONG ITS MEMBERS TO SERVE FOR A TERM NOT TO EXCEED TWO YEARS,
16 AS DETERMINED BY THE ADVISORY COMMITTEE. THE ADVISORY
17 COMMITTEE SHALL MEET AT LEAST ONCE EVERY QUARTER. THE CHAIR
18 MAY CALL SUCH ADDITIONAL MEETINGS AS ARE NECESSARY FOR THE
19 ADVISORY COMMITTEE TO COMPLETE ITS DUTIES.

20 (d) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE SEPTEMBER 1,
21 2025. BEFORE THE REPEAL, THIS SUBSECTION (5) IS SCHEDULED FOR
22 REVIEW IN ACCORDANCE WITH SECTION 2-3-1203.

23 **8-83-404. Just transition cash fund.** (1) THERE IS HEREBY
24 CREATED IN THE STATE TREASURY THE JUST TRANSITION CASH FUND. THE
25 FUND CONSISTS OF MONEY CREDITED TO THE FUND AND ANY OTHER
26 MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER
27 TO THE FUND. THE DIRECTOR SHALL ENGAGE WITH OTHER DEPARTMENTS

1 AND AGENCIES TO OBTAIN A SUSTAINABLE SOURCE OF REVENUE FOR THE
2 FUND. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME
3 DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO
4 THE FUND. SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
5 ASSEMBLY, THE OFFICE MAY EXPEND MONEY FROM THE FUND FOR
6 PURPOSES SPECIFIED IN THIS PART 4, INCLUDING PAYING FOR THE OFFICE'S
7 DIRECT AND INDIRECT COSTS IN ADMINISTERING THIS PART 4.

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

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

15 (a) JANUARY 1, 2023; OR

16 (b) THE DATE, AS DETERMINED BY THE DIRECTOR, WHEN
17 SUFFICIENT MONEY IS AVAILABLE IN THE FUND TO AWARD JUST
18 TRANSITION BENEFITS OR JUST TRANSITION GRANTS, AS APPLICABLE.

19 **8-83-405. Just transition benefits for coal transition workers.**

20 (1) THE OFFICE SHALL:

21 (a) TASK THE RAPID RESPONSE PROGRAM WITHIN THE DEPARTMENT
22 WITH EDUCATING DISLOCATED WORKERS WHO COULD BE ELIGIBLE FOR
23 JUST TRANSITION BENEFITS REGARDING HOW TO APPLY FOR THE BENEFITS;
24 IN COLLABORATION WITH EMPLOYERS OF DISLOCATED WORKERS AND
25 RELEVANT LABOR UNIONS AND LOCAL GOVERNMENTS;

26 (b) DETERMINE WHO QUALIFIES AS A COAL TRANSITION WORKER.
27 ONCE SUCH A DETERMINATION IS MADE, A COAL TRANSITION WORKER IS

1 ELIGIBLE, UPON APPLICATION TO THE OFFICE, FOR:

2 (I) JUST TRANSITION BENEFITS EQUIVALENT IN TYPE, AMOUNT, AND
3 DURATION TO FEDERAL BENEFITS AVAILABLE PURSUANT TO 20 CFR
4 617.20 TO 617.49, BASED ON FUNDING AVAILABLE WHEN SEPARATION
5 OCCURS; AND

6 (II) WAGE DIFFERENTIAL BENEFITS FOR THREE YEARS.

7 (c) PROVIDE EMPLOYMENT AND TRAINING SERVICES ASSOCIATED
8 WITH THE BENEFITS SPECIFIED IN SUBSECTION (1)(b) OF THIS SECTION.

9 (2) THE DIRECTOR SHALL ESTABLISH BENEFIT APPLICATION
10 REQUIREMENTS AND PROCEDURES AND FACTORS RELEVANT TO THE
11 DETERMINATION OF WHETHER AN INDIVIDUAL IS A COAL TRANSITION
12 WORKER.

13 (3) BEGINNING ON THE DATE DETERMINED PURSUANT TO SECTION
14 8-83-404 (3), THE DIRECTOR SHALL AWARD JUST TRANSITION BENEFITS TO
15 COAL TRANSITION WORKERS TO THE EXTENT THAT MONEY IS AVAILABLE
16 IN THE FUND.

17 **8-83-406. Just transition grants to coal transition**
18 **communities.** (1) BEGINNING ON THE DATE DETERMINED PURSUANT TO
19 SECTION 8-83-404 (3):

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

25 (b) IF MONEY FROM THE FUND IS AVAILABLE AS DETERMINED
26 PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION, THE OFFICE SHALL
27 ANNUALLY ISSUE REQUESTS FOR PROPOSALS TO ELIGIBLE ENTITIES FOR THE

1 AWARD OF JUST TRANSITION GRANTS TO ELIGIBLE ENTITIES.

2 (2) THE DIRECTOR SHALL ESTABLISH GRANT APPLICATION
3 REQUIREMENTS AND PROCEDURES, REVIEW AND SELECTION CRITERIA, AND
4 FACTORS RELEVANT TO THE DETERMINATION OF WHETHER THE OFFICE
5 SHOULD AWARD A GRANT, INCLUDING AT A MINIMUM A DEMONSTRATION
6 THAT THE GRANT PROPOSAL IS:

7 (a) CONSISTENT WITH LOCAL OR REGIONAL ECONOMIC
8 DEVELOPMENT PLANS, SUCH AS A COMPREHENSIVE ECONOMIC
9 DEVELOPMENT STRATEGY; AND

10 (b) REPRESENTATIVE OF A PARTNERSHIP OF DIVERSE
11 STAKEHOLDERS, INCLUDING REPRESENTATIVES OF WORKERS AND
12 LOW-INCOME COMMUNITY MEMBERS, WHO HAVE COLLABORATIVELY
13 DESIGNED THE PROPOSAL.

14 (3) BEGINNING ON THE DATE DETERMINED PURSUANT TO SECTION
15 8-83-404 (3), THE DIRECTOR SHALL COMPETITIVELY AWARD GRANTS TO
16 ELIGIBLE ENTITIES THAT HAVE APPLIED FOR A GRANT FOR ECONOMIC AND
17 WORKFORCE DEVELOPMENT PROJECTS AND ACTIVITIES THAT WILL
18 PRODUCE ONE OR MORE OF THE FOLLOWING OUTCOMES:

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

21 (b) CREATION OF HIGH-QUALITY JOBS IN NEW OR EXISTING
22 INDUSTRIES;

23 (c) REEMPLOYMENT OF COAL TRANSITION WORKERS;

24 (d) ECONOMIC DEVELOPMENT TARGETED TO NEIGHBORHOODS
25 WITHIN COAL TRANSITION COMMUNITIES THAT HAVE BEEN MOST
26 DISPROPORTIONATELY AFFECTED BY COAL-RELATED POLLUTION;

27 (e) LEVERAGING OF NEW SOURCES OF PUBLIC AND PRIVATE JOB

1 AND WEALTH-CREATING INVESTMENT; AND

2 (f) PROVISION OF A RANGE OF WORKFORCE SERVICES AND SKILLS
3 TRAINING, INCLUDING ON-THE-JOB APPRENTICESHIP TRAINING, RESULTING
4 IN INDUSTRY-RECOGNIZED CREDENTIALS FOR HIGH-QUALITY, IN-DEMAND
5 OCCUPATIONS AND ACCESSIBLE, DEFINED CAREER PATHWAYS FOR COAL
6 TRANSITION WORKERS AND LOW-INCOME WORKERS RESIDING IN COAL
7 TRANSITION COMMUNITIES.

8 (4) THE DIRECTOR SHALL ENSURE THAT EACH LABORER AND
9 MECHANIC EMPLOYED BY A CONTRACTOR OR SUBCONTRACTOR IN
10 CONNECTION WITH A CONSTRUCTION PROJECT FINANCED, IN WHOLE OR IN
11 PART, BY A JUST TRANSITION GRANT IS PAID WAGES AT A RATE OF NOT
12 LESS THAN THE PREVAILING WAGES FOR THE SAME TYPE OF WORK ON
13 SIMILAR CONSTRUCTION IN THE IMMEDIATE LOCALITY, AS DETERMINED BY
14 THE FEDERAL SECRETARY OF LABOR IN ACCORDANCE WITH 40 U.S.C. SEC.
15 3141 TO 3148.

16 **8-83-407. Utility workforce transition plans - reemployment**
17 **of affected workers.** (1) NO LESS THAN NINETY DAYS BEFORE THE
18 ACCELERATED RETIREMENT OF AN ELECTRIC COAL-FUELED GENERATING
19 UNIT THAT HAS A NAMEPLATE CAPACITY OF AT LEAST FIFTY MEGAWATTS,
20 THE OWNER OR OPERATING AGENT OF THAT UNIT SHALL SUBMIT TO THE
21 OFFICE AND TO THE AFFECTED COMMUNITY A WORKFORCE TRANSITION
22 PLAN.

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

25 (a) THE NUMBER OF WORKERS EMPLOYED BY THE ELECTRIC
26 UTILITY OR A CONTRACTOR OF THE UTILITY AT THE COAL-FUELED
27 ELECTRIC GENERATING FACILITY, WHICH NUMBER MUST INCLUDE ALL

1 WORKERS THAT DIRECTLY DELIVER COAL TO THE ELECTRIC UTILITY;

2 (b) THE TOTAL NUMBER OF WORKERS WHOSE EXISTING JOBS, AS A
3 RESULT OF THE RETIREMENT OF THE COAL-FUELED ELECTRIC GENERATING
4 FACILITY:

5 (I) WILL BE RETAINED; AND
6 (II) WILL BE ELIMINATED;

7 (c) WITH RESPECT TO THE WORKERS WHOSE EXISTING JOBS WILL
8 BE ELIMINATED DUE TO THE RETIREMENT OF THE COAL-FUELED ELECTRIC
9 GENERATING FACILITY, THE TOTAL NUMBER AND THE NUMBER BY JOB
10 CLASSIFICATION OF WORKERS:

11 (I) WHOSE EMPLOYMENT WILL END WITHOUT THEM BEING
12 OFFERED OTHER EMPLOYMENT;
13 (II) WHO WILL RETIRE AS PLANNED, BE OFFERED EARLY
14 RETIREMENT, OR LEAVE ON THEIR OWN;
15 (III) WHO WILL BE RETAINED BY BEING TRANSFERRED TO OTHER
16 ELECTRIC GENERATING FACILITIES OR OFFERED OTHER EMPLOYMENT BY
17 THE ELECTRIC UTILITY; AND
18 (IV) WHO WILL BE RETAINED TO CONTINUE TO WORK FOR THE
19 ELECTRIC UTILITY IN A NEW JOB CLASSIFICATION; AND

20 (d) IF THE ELECTRIC UTILITY IS REPLACING THE COAL-FUELED
21 ELECTRIC GENERATING FACILITY BEING RETIRED WITH A NEW ELECTRIC
22 GENERATING FACILITY, THE NUMBER OF:

23 (I) WORKERS FROM THE RETIRED COAL-FUELED ELECTRIC
24 GENERATING FACILITY WHO WILL BE EMPLOYED AT THE NEW ELECTRIC
25 GENERATING FACILITY; AND
26 (II) JOBS AT THE NEW ELECTRIC GENERATING FACILITY THAT WILL
27 BE OUTSOURCED TO CONTRACTORS OR SUBCONTRACTORS.

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

7 **8-83-408. Report - recommendations - repeal.** (1) NO LATER
8 THAN JANUARY 1, 2024, THE DIRECTOR SHALL PROVIDE WRITTEN
9 RECOMMENDATIONS TO THE GENERAL ASSEMBLY AND THE GOVERNOR
10 ABOUT CHANGES TO THIS PART 4 THAT SHOULD BE CONSIDERED IN ORDER
11 TO BETTER ACHIEVE THE PURPOSES OF THIS PART 4. THE DIRECTOR SHALL
12 ALSO MAKE RECOMMENDATIONS REGARDING WHETHER THE OFFICE
13 SHOULD BE ENABLED TO PROVIDE BENEFITS AND GRANTS TO OTHER
14 WORKERS AND COMMUNITIES AFFECTED BY CHANGES IN COLORADO'S
15 ENERGY ECONOMY.

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

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

19 **2-3-1203. Sunset review of advisory committees - legislative**
20 **declaration - definition - repeal.** (16) (a) The following statutory
21 authorizations for the designated advisory committees will repeal on
22 September 1, 2025:

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

25 **SECTION 3. Appropriation.** (1) For the 2019-20 state fiscal
26 year, \$155,758 is appropriated to the department of labor and employment
27 for use by the division of employment and training. This appropriation is

1 from the general fund and is based on an assumption that the division will
2 require an additional 1.8 FTE. To implement this act, the division may
3 use this appropriation for the just transition office.

4 (2) For the 2019-20 state fiscal year, \$920 is appropriated to the
5 legislative department for use by the general assembly. This appropriation
6 is from the general fund.

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