After consideration on the merits, the Committee recommends the following:

HB21-1149 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, strike everything below the enacting clause and substitute:

"SECTION 1. In Colorado Revised Statutes, 24-46.3-104, add (5.5) as follows:

24-46.3-104. Career pathways - design - legislative declaration - definitions. (5.5) (a) As used in this subsection (5.5), "energy sector" means current and emerging establishments and partnerships engaged in electromechanical generation and maintenance, electrical energy transmission and distribution, energy efficiency and environmental technology, and renewable energy production. The energy sector includes but is not limited to occupations and activities relating to the development, installation, and maintenance of products or technologies in the areas of carbon capture, energy storage, building electrification, electric vehicles, charging infrastructure, hydrogen fuel cell technology, and renewable natural gas.

(b) The state council and partners, including the department of natural resources, shall create an industry-driven energy sector career pathway for implementation by or before the 2022-23 academic year. The state council shall comply with the provisions of this section, including career pathway design, components, implementation,
INDUSTRY REVIEW, AND PROMOTION OF THE ENERGY SECTOR CAREER PATHWAY.

(c) THE STRENGTHENING PHOTOVOLTAIC AND RENEWABLE CAREERS (SPARC) WORKFORCE DEVELOPMENT PROGRAM, CREATED IN PART 5 OF THIS ARTICLE 46.3, SHALL PROVIDE MONEY AND OTHER SUPPORTS FOR IN-DEMAND AND GROWING OCCUPATIONS IN THE ENERGY SECTOR CAREER PATHWAY CREATED PURSUANT TO THIS SUBSECTION (5.5).

SECTION 2. In Colorado Revised Statutes, add part 5 of article 46.3 of title 24 as follows:

PART 5
STRENGTHENING PHOTOVOLTAIC AND RENEWABLE CAREERS (SPARC)
WORKFORCE DEVELOPMENT PROGRAM

24-46.3-501. Legislative declaration. (1) The general assembly finds and declares that:

(a) The State Workforce Development Council selected energy as a target industry for career pathway systems development;

(b) The selection of energy as a target industry for career pathway systems development is in alignment with the statewide goal to position Colorado as a leader in the clean energy economy by setting a path to reach one hundred percent renewable energy for the electric grid by 2040;

(c) The federal government has indicated its intent to take aggressive action on climate change by rejoining the Paris Climate Agreement, achieving a carbon-pollution-free power sector by 2035, and ensuring the United States is on a path to a net-zero economy by 2050;

(d) In passing House Bill 19-1261, the general assembly established statewide, science-based greenhouse gas emissions reductions goals of at least twenty-six percent by 2025, fifty percent by 2030, and ninety percent by 2050, of emissions levels from 2005;

(e) The Colorado Energy Office, Colorado Department of Public Health and Environment, Colorado Department of Transportation, Colorado Department of Natural Resources, and Colorado Department of Agriculture released the "Greenhouse Gas Pollution Reduction Roadmap" in January of 2021 to establish a statewide strategy for each sector to meet the greenhouse gas reduction targets specified in House Bill 19-1261;
(f) The Colorado energy office released the "Colorado Electric Vehicle Plan 2020" to guide a large-scale transition of the state’s transportation system to zero-emission vehicles, including a goal of nine hundred forty thousand electric vehicles on our roads by 2030 and nearly one hundred percent of all vehicles by 2050;

(g) The Colorado air quality control commission adopted the zero-emission vehicle rule, establishing the Colorado zero-emission vehicle program to increase the availability of electric vehicles in the state, which will require additional investment in electric vehicle charging systems;

(h) Additionally, more than fifty local jurisdictions throughout the state have adopted the 2018 International Energy Conservation Code to help existing buildings adapt to new technologies and improve energy efficiencies in new construction;

(i) These federal and state commitments to address the climate crisis will lead to significant investments in the energy sector, which will require a diverse and well-trained workforce;

(j) Further, launching regional energy partnerships will create a foundation of strong industry leadership, collaboration, and investment to support an industry-driven energy sector career pathway;

(k) In 2019, there were sixty-two thousand four hundred twenty full-time clean energy employees in Colorado. Between 2014 and 2019 there was a fifteen percent growth in all energy jobs in Colorado, and these jobs are projected to grow another nine percent from 2019 to 2024.

(l) The state median hourly earnings for clean energy occupations in Colorado provides an above-average living wage;

(m) Money to provide training under the SPARC program should prioritize individuals directly impacted by job loss due to the COVID-19 pandemic or due to an industry decline since January 1, 2019;

(n) Further, black communities, indigenous communities, communities of color, and low-income communities have endured the environmental impacts of polluting industries within their communities for many years; and

(o) Therefore, while Colorado begins to work toward equity and environmental justice, these populations and
COMMUNITIES SHOULD BE PRIORITIZED FOR TRAINING WITHIN THE ENERGY
SECTOR CAREER PATHWAY.

(2) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT THE
CREATION OF AN INDUSTRY-DRIVEN ENERGY SECTOR CAREER PATHWAY
PURSUANT TO SECTION 24-46.3-104, IMPLEMENTED AND SUPPORTED
THROUGH THE SPARC PROGRAM CREATED IN THIS PART 5, IS A
SIGNIFICANT STEP TOWARD ESTABLISHING COLORADO AS A LEADER IN THE
CLEAN ENERGY ECONOMY, PROVIDING HIGH-QUALITY EDUCATION AND
TRAINING, CREATING HIGH-PAYING JOBS, AND PROTECTING COLORADO'S
ENVIRONMENT.

24-46.3-502. Definitions. As used in this Part 5, unless the
context otherwise requires:

(1) "DEPARTMENT" MEANS THE DEPARTMENT OF LABOR AND
EMPLOYMENT CREATED IN SECTION 24-1-121.

(2) "DEPARTMENT OF HIGHER EDUCATION" MEANS THE
DEPARTMENT OF HIGHER EDUCATION CREATED IN SECTION 24-1-114.

(3) "ENERGY SECTOR" HAS THE SAME MEANING AS DEFINED IN
SECTION 24-46.3-104 (5.5).

(4) "ENERGY SECTOR CAREER PATHWAY" MEANS THE ENERGY
SECTOR CAREER PATHWAY CREATED PURSUANT TO SECTION 24-46.3-104
(5.5).

(5) "SPARC PROGRAM" MEANS THE STRENGTHENING
PHOTOVOLTAIC AND RENEWABLE CAREERS (SPARC) WORKFORCE
DEVELOPMENT PROGRAM CREATED IN SECTION 24-46.3-503.

(6) "SPARC PROGRAM FUND" MEANS THE SPARC PROGRAM FUND
CREATED IN SECTION 24-46.3-505.

(7) "STATE BOARD FOR COMMUNITY COLLEGES AND
OCCUPATIONAL EDUCATION" MEANS THE STATE BOARD FOR COMMUNITY
COLLEGES AND OCCUPATIONAL EDUCATION CREATED IN SECTION
23-60-104.

(8) "STATE COUNCIL" MEANS THE STATE WORK FORCE
DEVELOPMENT COUNCIL CREATED IN SECTION 24-46.3-101.

24-46.3-503. Strengthening photovoltaic and renewable
careers (SPARC) workforce development program - creation - use of
funds. (1) THERE IS CREATED IN THE DEPARTMENT THE STRENGTHENING
PHOTOVOLTAIC AND RENEWABLE CAREERS (SPARC) WORKFORCE
DEVELOPMENT PROGRAM AS AN INITIATIVE OF THE DEPARTMENT, THE
STATE COUNCIL, THE STATE BOARD FOR COMMUNITY COLLEGES AND
OCCUPATIONAL EDUCATION, AND THE DEPARTMENT OF HIGHER
EDUCATION.

(2) THE PURPOSE OF THE SPARC PROGRAM IS TO CREATE
CAPACITY FOR AND BOLSTER TRAINING, APPRENTICESHIP, AND EDUCATION
PROGRAMS IN THE ENERGY SECTOR CAREER PATHWAY TO INCREASE
EMPLOYMENT IN THE ENERGY SECTOR, PRIORITIZING IN-DEMAND AND
GROWING OCCUPATIONS IN THE ENERGY SECTOR, WHERE INSUFFICIENT
TRAINING, EDUCATION, AND APPRENTICESHIP PROGRAMS EXIST TO MEET
GROWING DEMAND. THE SPARC PROGRAM WILL CAPITALIZE ON THE
COMPONENTS OF THE ENERGY SECTOR CAREER PATHWAY, INCLUDING
COMPETENCY-BASED EDUCATION AND ASSESSMENT, MODULARIZED
CURRICULA, INTEGRATED CREDIT AND NONCREDIT PROGRAMS, STACKED
AND LATTICED CREDENTIALS, APPRENTICESHIP PROGRAMS, AND
COMPREHENSIVE, PERSONALIZED STUDENT SUPPORT AND CAREER
GUIDANCE.

(3) IN ANY STATE FISCAL YEAR IN WHICH THE GENERAL ASSEMBLY
APPROPRIATES MONEY FOR THE SPARC PROGRAM, THE DEPARTMENT, THE
STATE COUNCIL, THE STATE BOARD FOR COMMUNITY COLLEGES AND
OCCUPATIONAL EDUCATION, AND THE DEPARTMENT OF HIGHER
EDUCATION SHALL USE THE MONEY APPROPRIATED TO EXPAND THE
CAPACITY OF TRAINING PROGRAMS AND FOR THE FOLLOWING PURPOSES,
AS APPLICABLE, TO SUPPORT APPRENTICESHIPS, TRAINING, AND
EDUCATION IN THE ENERGY SECTOR CAREER PATHWAY:

(a) CAREER AND TRAINING COUNSELING;
(b) CAREER AND ACADEMIC EXPLORATION AND PLANNING;
(c) SCHOLARSHIPS;
(d) EMPLOYER-PROVIDED TRAINING;
(e) APPRENTICESHIPS;
(f) CAREER AND TECHNICAL EDUCATION;
(g) WORK-BASED TRAINING OPPORTUNITIES;
(h) NEED-BASED SERVICES;
(i) TRANSPORTATION;
(j) EQUIPMENT AND SUPPLIES;
(k) RETENTION SERVICES;
(l) TRAINING PROGRAM DEVELOPMENT AND IMPLEMENTATION;
(m) SPARC PROGRAM IMPLEMENTATION AND ADMINISTRATION,
INCLUDING REPORTING ACTIVITIES; AND

(n) OTHER PURPOSES AS DETERMINED BY THE DEPARTMENT, THE
STATE COUNCIL, THE STATE BOARD FOR COMMUNITY COLLEGES AND
OCCUPATIONAL EDUCATION, AND THE DEPARTMENT OF HIGHER
EDUCATION THAT ACHieve THE PURPOSES OF THIS PART 5.

(4) SUBJECT TO AVAILABLE APPROPRIATIONS, THE DEPARTMENT,
IN CONSULTATION WITH THE STATE COUNCIL, THE STATE BOARD FOR
COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION, AND THE
DEPARTMENT OF HIGHER EDUCATION, SHALL DETERMINE THE AMOUNT OF
FUNDING ALLOCATED FOR THE PURPOSES DESCRIBED IN SUBSECTION (3) OF
THIS SECTION FOR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN
COLORADO, LOCAL WORKFORCE DEVELOPMENT AREAS, AND OTHER
PARTNERS, INCLUDING COMMUNITY-BASED NONPROFIT ORGANIZATIONS.
NOTWITHSTANDING ANY OTHER LAW TO THE CONTRARY, THE
DEPARTMENT, THE STATE COUNCIL, THE STATE BOARD FOR COMMUNITY
COLLEGES AND OCCUPATIONAL EDUCATION, AND THE DEPARTMENT OF
HIGHER EDUCATION, AS WELL AS EXPENDITURES OF MONEY FROM THE
FUND, ARE NOT SUBJECT TO THE PROVISIONS OF THE "PROCUREMENT
CODE", ARTICLES 101 TO 112 OF TITLE 24.

(5) (a) SPARC PROGRAM ACTIVITIES OR EXPENDITURES
AUTHORIZED PURSUANT TO THIS PART 5 MUST NOT:

(I) CIRCUMVENT ANY STATUTORY REQUIREMENTS RELATED TO
THE ACQUISITION OF A PLUMBING OR ELECTRICAL LICENSE OR THE
PROFESSIONAL PRACTICE ACT OF EITHER THE PLUMBING OR ELECTRICAL
INDUSTRY OR ANY STATUTE THAT SPECIFICALLY DEFINES ANY RENEWABLE
ENERGY WORK AS WITHIN THE SCOPE OF LICENSED PLUMBERS OR
ELECTRICIANS OR PROPERLY SUPERVISED APPRENTICES; OR

(II) CIRCUMVENT ANY ESTABLISHED INDUSTRY STANDARD FOR
ON-THE-JOB TRAINING REQUIREMENTS OR CLASSROOM EDUCATION
REQUIREMENTS OF THE ESTABLISHED COLORADO APPRENTICESHIP
PROGRAMS REGISTERED THROUGH THE UNITED STATES DEPARTMENT OF
LABOR OFFICE OF APPRENTICESHIP TRAINING OR A STATE APPRENTICESHIP
COUNCIL RECOGNIZED BY THAT OFFICE.

(b) TO THE EXTENT POSSIBLE, THE SPARC PROGRAM MUST
SUPPORT ACTIVITIES THAT SUPPORT PARTICIPATION IN COLORADO
APPRENTICESHIP PROGRAMS REGISTERED THROUGH THE UNITED STATES
DEPARTMENT OF LABOR OFFICE OF APPRENTICESHIP TRAINING OR A STATE
APPRENTICESHIP COUNCIL RECOGNIZED BY THAT OFFICE AND PRIORITIZE
PROGRAMS THAT SEEK TO HELP WORKERS ATTAIN A PROFESSIONAL
CREDENTIAL, AN INDUSTRY STANDARD CERTIFICATION, OR A
PROFESSIONAL LICENSE.

24-46.3-504. Reporting requirements. (1) On or before
November 1, 2022, and on or before November 1 each year
thereafter until the repeal of the SPARC program, the state
council shall submit a report to the house of representatives
business affairs and labor committee, the house of
representatives energy and environment committee, the house
of representatives education committee, the senate business,
labor, and technology committee, the senate transportation
AND ENERGY COMMITTEE, AND THE SENATE EDUCATION COMMITTEE, OR THEIR SUCCESSOR COMMITTEES. AT A MINIMUM, THE REPORT MUST INCLUDE A SUMMARY OF THE ENERGY SECTOR CAREER PATHWAY AND ITS IMPLEMENTATION AND THE SPARC PROGRAM, INCLUDING AN ACCOUNTING OF HOW MONEY WAS USED PURSUANT TO THIS PART 5 TO EXPAND OR SUPPORT TRAINING, APPRENTICESHIP, AND EDUCATION PROGRAMS IN THE ENERGY SECTOR CAREER PATHWAY TO INCREASE EMPLOYMENT IN THE ENERGY SECTOR.

(2) THE DEPARTMENT SHALL ALSO PRESENT AN EXECUTIVE SUMMARY OF THE ANNUAL REPORT ON THE SPARC PROGRAM AT THE DEPARTMENT'S ANNUAL PRESENTATION TO THE LEGISLATIVE COMMITTEE OF REFERENCE PURSUANT TO THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT", CREATED IN PART 2 OF ARTICLE 7 OF TITLE 2.

(3) FOR PURPOSES OF THE REPORTING REQUIREMENT SET FORTH IN THIS SECTION, THE DEPARTMENT MAY REQUEST DATA AND INFORMATION FROM ENTITIES RECEIVING OR USING MONEY APPROPRIATED FOR PURPOSES OF THIS PART 5.

(4) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REPORTING REQUIREMENT SET FORTH IN THIS SECTION CONTINUES UNTIL THE SPARC PROGRAM REPEALS PURSUANT TO SECTION 24-46.3-506.

24-46.3-505. SPARC program fund - creation - appropriations from the fund. (1) THE SPARC PROGRAM FUND, REFERRED TO IN THIS SECTION AS THE "FUND", IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY TRANSFERRED TO THE FUND PURSUANT TO SUBSECTION (2) OF THIS SECTION AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND. IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE GENERAL FUND.

(2) ON JULY 1, 2021, THE STATE TREASURER SHALL TRANSFER FIVE MILLION DOLLARS FROM THE GENERAL FUND TO THE FUND.


(b) ANY MONEY APPROPRIATED PURSUANT TO THIS SECTION IN A STATE FISCAL YEAR THAT IS NOT ENCUMBERED OR EXPENDED AT THE END OF THAT STATE FISCAL YEAR REMAINS AVAILABLE FOR EXPENDITURE IN
THE NEXT FISCAL YEAR FOR THE SAME PURPOSES WITHOUT FURTHER
APPROPRIATION.

(c) THE GENERAL ASSEMBLY MAY APPROPRIATE MONEY FROM THE
FUND TO PAY THE DIRECT AND INDIRECT COSTS INCURRED TO ADMINISTER
THE SPARC PROGRAM.

(4) THE STATE TREASURER SHALL TRANSFER ALL UNEXPENDED
AND UNENCUMBERED MONEY IN THE FUND ON JUNE 30, 2026, TO THE
GENERAL FUND.

24-46.3-506. Repeal of part. THIS PART IS REPEALED, EFFECTIVE
JULY 1, 2026.

SECTION 3. Safety clause. The general assembly hereby finds,
determines, and declares that this act is necessary for the immediate
preservation of the public peace, health, or safety.".

** *** ** *** **