

By: Ellis, et al.

S.B. No. 108

Substitute the following for S.B. No. 108:

By: Strama

C.S.S.B. No. 108

A BILL TO BE ENTITLED

AN ACT

relating to the establishment and funding of a green job skills training program that includes training for certain youths and young veterans.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle B, Title 4, Labor Code, is amended by adding Chapter 303A to read as follows:

CHAPTER 303A. GREEN JOB SKILLS DEVELOPMENT FUND AND TRAINING

PROGRAM

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 303A.001. PURPOSE. The purpose of this chapter is to:

(1) promote green industry employment opportunities, including through the establishment of training programs to enhance green job skills and create career opportunities that result in high-wage jobs;

(2) foster regional collaboration for the development of green industry employment opportunities;

(3) assist in the development of a highly skilled, high-wage, and productive workforce in the green industry; and

(4) assist workers, including youth and young veterans, with obtaining education, skills training, and labor market information to enhance their employability, earnings, and standard of living.

Sec. 303A.002. DEFINITIONS. In this chapter:

1 (1) "Development fund" means the Texas green job
2 skills development fund.

3 (2) "Green job" means a job in the field of renewable
4 energy or energy efficiency, including a job relating to:

5 (A) energy-efficient building, construction, and
6 retrofitting;

7 (B) renewable energy, including biomass,
8 hydroelectric, geothermal, and ocean energy, and wind and solar
9 power;

10 (C) research and development or manufacturing of
11 advanced battery or energy storage technologies;

12 (D) biofuels from non-feed food stocks;

13 (E) techniques to reduce, reuse, or recycle
14 waste;

15 (F) techniques to recycle products and convert
16 used materials into new products;

17 (G) energy efficiency assessments;

18 (H) manufacturing of sustainable products using
19 sustainable processes and materials; and

20 (I) water conservation and water efficiency.

21 (3) "Recycle" means the process of extracting
22 resources or value from waste by recovering or reusing the
23 material, including the collection and reuse of everyday waste
24 materials.

25 [Sections 303A.003-303A.020 reserved for expansion]

26 SUBCHAPTER B. GREEN JOB SKILLS DEVELOPMENT FUND

27 Sec. 303A.021. TEXAS GREEN JOB SKILLS DEVELOPMENT FUND.

1 (a) The Texas green job skills development fund is an account in
2 the general revenue fund. The account is composed of:

3 (1) legislative appropriations;

4 (2) gifts, grants, donations, and matching funds
5 received under Subsection (b); and

6 (3) other money required by law to be deposited in the
7 account.

8 (b) The commission may solicit and accept gifts, grants, and
9 donations of money from the federal government, local governments,
10 private corporations, or other persons to be used for the purposes
11 of this chapter.

12 (c) Income from money in the account shall be credited to
13 the account.

14 (d) Money in the development fund may be used only for the
15 purposes of this chapter.

16 [Sections 303A.022-303A.030 reserved for expansion]

17 SUBCHAPTER C. GREEN JOB SKILLS GRANT PROGRAM

18 Sec. 303A.031. ESTABLISHMENT OF GREEN JOB SKILLS GRANT
19 PROGRAMS. (a) The commission shall establish a green job skills
20 grant program, funded by the development fund under Section
21 303A.021, through which the commission may award grants for the
22 implementation, expansion, and operation of green job skills
23 training programs.

24 (b) As part of the green jobs skills grant program, the
25 commission shall develop a youth training program that promotes the
26 economic self-sufficiency of youth and young veterans by providing
27 those persons with opportunities to acquire green job skills while

1 performing community service activities.

2 Sec. 303A.032. PARTICIPANT ELIGIBILITY. (a) To be
3 eligible to participate in the youth training program developed
4 under Section 303A.031(b), a participant must be an individual who
5 is at least 16 years of age but not older than 24 years of age on the
6 date of enrollment in a project and who:

7 (1) is not attending high school and has not received a
8 high school diploma or high school equivalency certificate; or

9 (2) is:

10 (A) attending high school or a program leading to
11 a high school equivalency certificate but is at risk of dropping out
12 of high school or the equivalency certification program; and

13 (B) recommended for enrollment in the project by
14 the high school or the equivalency certification program.

15 (b) In addition to meeting the requirements of Subsection
16 (a), a program participant must be:

17 (1) an individual who is:

18 (A) a member of a household that receives public
19 assistance and earns not more than 80 percent of the area median
20 income;

21 (B) educationally disadvantaged, as defined by
22 commission rule; or

23 (C) referred to the program by a school district,
24 state agency, or court; or

25 (2) a veteran who is not older than 24 years of age on
26 initial participation in the program.

27 Sec. 303A.033. GRANT PROGRAM REQUIREMENTS. (a) A training

1 program described by Section 303A.031 funded through a grant
2 awarded under this subchapter must:

3 (1) be hosted by a regional partnership that presents
4 a plan to implement training programs that lead trainees to
5 economic self-sufficiency and career pathways and includes at
6 least:

7 (A) one university, college, technical school,
8 or other nonprofit workforce training provider;

9 (B) one chamber of commerce, local workforce
10 agency, local employer, or other public or private participating
11 entity;

12 (C) one economic development authority; and

13 (D) one community or faith-based nonprofit
14 organization that works with one or more targeted populations;

15 (2) assist an eligible individual in obtaining
16 education, skills training, and labor market information to enhance
17 the individual's employability in green industries; and

18 (3) assist in the development of a highly skilled and
19 productive workforce in green industries.

20 (b) Except as provided by Section 303A.032, a training
21 program awarded a grant under this subchapter shall target a
22 population of eligible individuals for training that includes:

23 (1) workers in high-demand green industries who are in
24 or are preparing for high-wage occupations;

25 (2) workers in declining industries who may be
26 retrained for high-wage occupations in a high-demand green
27 industry;

1 (3) agriculture, timber, or energy sector workers who
2 may be retrained for high-wage occupations in a high-demand green
3 industry;

4 (4) veterans or past or present members of the armed
5 forces of the United States, including the state military forces,
6 or a reserve component of the armed forces or the national guard;

7 (5) unemployed workers;

8 (6) low-income workers, unemployed youth and adults,
9 individuals who did not complete high school, or other underserved
10 sectors of the workforce in high poverty areas; or

11 (7) individuals otherwise determined by the
12 commission to be disadvantaged and in need of training to obtain
13 employment.

14 (c) A training program may receive funding under this
15 chapter for a period not to exceed three years.

16 (d) A training program may use grant funds for support
17 services, including basic skills, literacy, GED, English as a
18 second language, and job readiness training, career guidance, and
19 referral services.

20 (e) A percentage of the grant, to be determined by the
21 commission, must be devoted to administrative costs, costs related
22 to hiring instructors and purchasing equipment, and tuition
23 assistance.

24 Sec. 303A.034. APPLICATION. (a) A regional partnership,
25 as described by Section 303A.033, may apply for a grant under this
26 subchapter in the manner prescribed by the commission.

27 (b) The grant application must require the applicant to

1 provide to the commission the applicant's plan to continue to
2 operate the training program after the grant expires.

3 Sec. 303A.035. ADDITIONAL CONSIDERATIONS IN AWARDING
4 GRANTS. (a) In addition to the factors described by Sections
5 303A.033 and 303A.034, in determining whether to award a grant to an
6 applicant under this subchapter, the commission shall give
7 preference to a training program that:

8 (1) provides certification and a career advancement
9 mechanism to a worker who receives green job skills training under
10 the program; and

11 (2) leverages additional public and private resources
12 to fund the program, including cash or in-kind matches.

13 (b) Grants shall be awarded in a manner that ensures
14 geographic diversity.

15 Sec. 303A.036. RESERVATION FOR CERTAIN PROGRAMS. Twenty
16 percent of the funds available for grant programs under this
17 chapter must be reserved for job skills training programs that
18 serve the unemployed and individuals whose incomes are at or below
19 200 percent of the federal poverty level.

20 Sec. 303A.037. PROJECT REQUIREMENTS; SERVICES TO
21 PARTICIPANTS. A project for which a grant is received under the
22 youth training program must provide to a participant integrated
23 green job occupational skills training and education, divided
24 between:

25 (A) practical, hands-on work experience at
26 project sites; and

27 (B) if the participant has not received a high

1 school diploma or high school equivalency certificate, academic and
2 project-based instruction designed to result in the attainment of a
3 high school diploma or high school equivalency certificate, of
4 which at least 50 percent of the instruction is devoted to applied
5 academic instruction.

6 Sec. 303A.038. TRAINING STIPEND. (a) To the extent
7 authorized by federal law and regulations, a project for which a
8 grant is received under the youth training program must provide a
9 training stipend to each participant enrolled in the project. A
10 training stipend under this section must be:

11 (1) in an amount determined by commission rule;
12 (2) provided for a period not to exceed two years; and
13 (3) conditioned on the demonstration by the
14 participant of improved job performance and personal
15 responsibility as determined by commission rule.

16 (b) To the extent authorized by federal law and regulations,
17 a stipend provided under this section does not count as income or
18 resources for purposes of determining the eligibility of the
19 participant or the participant's household for any form of public
20 assistance or in determining the amount of that assistance.

21 (c) A stipend provided under this section may include a plan
22 for incentives under which additional compensation is provided to a
23 participant who demonstrates excellent attendance and performance.

24 Sec. 303A.039. REPORTS. (a) Not later than the 30th day
25 after the date funding for a grant under this chapter ends, the
26 grant recipient shall submit a report to the commission that
27 contains the following information:

1 (1) the number of participants who entered the
2 program;

3 (2) the demographics of the participants, including
4 race, gender, age, and significant barriers to education such as
5 limited English proficiency, a criminal record, or a physical or
6 mental disability;

7 (3) services received by participants, including
8 training, education, and support services;

9 (4) the amount of program spending per participant;

10 (5) program completion rates;

11 (6) factors determined to interfere significantly
12 with program participation or completion;

13 (7) the average wage at placement, including benefits,
14 and the rate of average wage increases after one year; and

15 (8) any post-employment support services provided.

16 (b) Not later than October 1 of each even-numbered year, the
17 commission shall submit a report to the governor, the lieutenant
18 governor, and the speaker of the house of representatives that
19 includes a summary of all information submitted under Subsection
20 (a).

21 (c) In the report submitted under Subsection (b), the
22 commission shall include the following information for grants
23 awarded under the youth training program:

24 (1) the number of grants awarded;

25 (2) the total dollar amount of grants awarded;

26 (3) the geographical distribution of grants awarded;

27 (4) the number of youths and other participants

1 enrolled in projects funded by grants;

2 (5) the number of youths and other participants who
3 are projected to secure full-time jobs at the conclusion of
4 participation in projects funded by grants;

5 (6) the number of youths who are projected to graduate
6 from high school or receive a high school equivalency certificate
7 while participating in the program; and

8 (7) the estimated dollar savings due to improved
9 energy efficiency in projects funded by grants.

10 Sec. 303A.040. STANDARDS. The commission by rule shall
11 adopt standards for the green job skills training program and youth
12 training program established under this subchapter.

13 SECTION 2. The Texas Workforce Commission shall adopt rules
14 for the program under Chapter 303A, Labor Code, as added by this
15 Act, not later than March 1, 2010.

16 SECTION 3. (a) Subchapter B, Chapter 303A, Labor Code, as
17 added by this Act, takes effect September 1, 2009.

18 (b) Except as provided by Subsection (a) of this section,
19 the Texas Workforce Commission is required to implement the green
20 job skills grant program under Chapter 303A, Labor Code, as added by
21 this Act, only if:

22 (1) the legislature appropriates money for that
23 purpose; or

24 (2) funds are received from the federal government for
25 the implementation of the program.

26 SECTION 4. This Act takes effect September 1, 2009.