

1-1 By: Ellis, et al. S.B. No. 108
1-2 (In the Senate - Filed November 10, 2008; February 10, 2009,
1-3 read first time and referred to Committee on Economic Development;
1-4 April 29, 2009, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 5, Nays 0; April 29, 2009,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 108 By: Watson

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the establishment and funding of a green job skills
1-11 training program.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subtitle B, Title 4, Labor Code, is amended by
1-14 adding Chapter 303A to read as follows:

1-15 CHAPTER 303A. GREEN JOB SKILLS DEVELOPMENT FUND AND TRAINING
1-16 PROGRAM

1-17 SUBCHAPTER A. GENERAL PROVISIONS

1-18 Sec. 303A.001. PURPOSE. The purpose of this chapter is to:

1-19 (1) promote green industry employment opportunities,
1-20 including through the establishment of training programs to enhance
1-21 green job skills and create career opportunities that result in
1-22 high-wage jobs;

1-23 (2) foster regional collaboration for the development
1-24 of green industry employment opportunities;

1-25 (3) assist in the development of a highly skilled,
1-26 high-wage, and productive workforce in the green industry; and

1-27 (4) assist workers with obtaining education, skills
1-28 training, and labor market information to enhance their
1-29 employability, earnings, and standard of living.

1-30 Sec. 303A.002. DEFINITIONS. In this chapter:

1-31 (1) "Development fund" means the Texas green job
1-32 skills development fund.

1-33 (2) "Green job" means a job in the field of renewable
1-34 energy or energy efficiency, including a job relating to:

1-35 (A) energy-efficient building, construction, and
1-36 retrofitting;

1-37 (B) renewable energy, including biomass,
1-38 hydroelectric, geothermal, and ocean energy, and wind and solar
1-39 power;

1-40 (C) research and development or manufacturing of
1-41 advanced battery or energy storage technologies;

1-42 (D) biofuels from non-feed food stocks;

1-43 (E) techniques to reduce, reuse, or recycle
1-44 waste;

1-45 (F) techniques to recycle products and convert
1-46 used materials into new products;

1-47 (G) energy efficiency assessments;

1-48 (H) manufacturing of sustainable products using
1-49 sustainable processes and materials; and

1-50 (I) water conservation and water efficiency.

1-51 (3) "Recycle" means the process of extracting
1-52 resources or value from waste by recovering or reusing the
1-53 material, including the collection and reuse of everyday waste
1-54 materials.

1-55 [Sections 303A.003-303A.020 reserved for expansion]

1-56 SUBCHAPTER B. GREEN JOB SKILLS DEVELOPMENT FUND

1-57 Sec. 303A.021. TEXAS GREEN JOB SKILLS DEVELOPMENT FUND.

1-58 (a) The Texas green job skills development fund is an account in
1-59 the general revenue fund. The account is composed of:

1-60 (1) legislative appropriations;

1-61 (2) gifts, grants, donations, and matching funds
1-62 received under Subsection (b); and

1-63 (3) other money required by law to be deposited in the

2-1 account.

2-2 (b) The commission may solicit and accept gifts, grants,
2-3 and donations of money from the federal government, local
2-4 governments, private corporations, or other persons to be used for
2-5 the purposes of this chapter.

2-6 (c) Income from money in the account shall be credited to
2-7 the account.

2-8 (d) Money in the development fund may be used only for the
2-9 purposes of this chapter.

2-10 [Sections 303A.022-303A.030 reserved for expansion]

2-11 SUBCHAPTER C. GREEN JOB SKILLS GRANT PROGRAM

2-12 Sec. 303A.031. ESTABLISHMENT OF GREEN JOB SKILLS GRANT
2-13 PROGRAM. The commission shall establish a green job skills grant
2-14 program, funded by the development fund under Section 303A.021,
2-15 through which the commission may award grants for the
2-16 implementation, expansion, and operation of green job skills
2-17 training programs.

2-18 Sec. 303A.032. GRANT PROGRAM REQUIREMENTS. (a) A
2-19 training program funded through a grant awarded under this
2-20 subchapter must:

2-21 (1) be hosted by a regional partnership that presents
2-22 a plan to implement training programs that lead trainees to
2-23 economic self-sufficiency and career pathways and includes at
2-24 least:

2-25 (A) one university, college, technical school,
2-26 or other nonprofit workforce training provider;

2-27 (B) one chamber of commerce, local workforce
2-28 agency, local employer, or other public or private participating
2-29 entity;

2-30 (C) one economic development authority; and

2-31 (D) one community or faith-based nonprofit
2-32 organization that works with one or more targeted populations;

2-33 (2) assist an eligible individual in obtaining
2-34 education, skills training, and labor market information to enhance
2-35 the individual's employability in green industries; and

2-36 (3) assist in the development of a highly skilled and
2-37 productive workforce in green industries.

2-38 (b) A training program awarded a grant under this subchapter
2-39 shall target a population of eligible individuals for training that
2-40 includes:

2-41 (1) workers in high-demand green industries who are in
2-42 or are preparing for high-wage occupations;

2-43 (2) workers in declining industries who may be
2-44 retrained for high-wage occupations in a high-demand green
2-45 industry;

2-46 (3) agriculture, timber, or energy sector workers who
2-47 may be retrained for high-wage occupations in a high-demand green
2-48 industry;

2-49 (4) veterans or past or present members of the armed
2-50 forces of the United States, including the state military forces,
2-51 or a reserve component of the armed forces or the national guard;

2-52 (5) unemployed workers;

2-53 (6) low-income workers, unemployed youth and adults,
2-54 individuals who did not complete high school, or other underserved
2-55 sectors of the workforce in high poverty areas; or

2-56 (7) individuals otherwise determined by the
2-57 commission to be disadvantaged and in need of training to obtain
2-58 employment.

2-59 (c) A training program may receive funding under this
2-60 chapter for a period not to exceed three years.

2-61 (d) A training program may use grant funds for support
2-62 services, including basic skills, literacy, GED, English as a
2-63 second language, and job readiness training, career guidance, and
2-64 referral services.

2-65 (e) A percentage of the grant, to be determined by the
2-66 commission, must be devoted to administrative costs, costs related
2-67 to hiring instructors and purchasing equipment, and tuition
2-68 assistance.

2-69 Sec. 303A.033. APPLICATION. (a) A regional partnership,

3-1 as described by Section 303A.032, may apply for a grant under this
 3-2 subchapter in the manner prescribed by the commission.

3-3 (b) The grant application must require the applicant to
 3-4 provide to the commission the applicant's plan to continue to
 3-5 operate the training program after the grant expires.

3-6 Sec. 303A.034. ADDITIONAL CONSIDERATIONS IN AWARDING
 3-7 GRANTS. (a) In addition to the factors described by Sections
 3-8 303A.032 and 303A.033, in determining whether to award a grant to an
 3-9 applicant under this subchapter, the commission shall give
 3-10 preference to a training program that:

3-11 (1) provides certification and a career advancement
 3-12 mechanism to a worker who receives green job skills training under
 3-13 the program; and

3-14 (2) leverages additional public and private resources
 3-15 to fund the program, including cash or in-kind matches.

3-16 (b) Grants shall be awarded in a manner that ensures
 3-17 geographic diversity.

3-18 Sec. 303A.035. RESERVATION FOR CERTAIN PROGRAMS. Twenty
 3-19 percent of the funds available for grant programs under this
 3-20 chapter must be reserved for job skills training programs that
 3-21 serve the unemployed and individuals whose incomes are at or below
 3-22 200 percent of the federal poverty level.

3-23 Sec. 303A.036. REPORT. (a) Not later than the 30th day
 3-24 after the date funding for a grant under this chapter ends, the
 3-25 grant recipient shall submit a report to the commission that
 3-26 contains the following information:

3-27 (1) the number of participants who entered the
 3-28 program;

3-29 (2) the demographics of the participants, including
 3-30 race, gender, age, and significant barriers to education such as
 3-31 limited English proficiency, a criminal record, or a physical or
 3-32 mental disability;

3-33 (3) services received by participants, including
 3-34 training, education, and support services;

3-35 (4) the amount of program spending per participant;

3-36 (5) program completion rates;

3-37 (6) factors determined to interfere significantly
 3-38 with program participation or completion;

3-39 (7) the average wage at placement, including benefits,
 3-40 and the rate of average wage increases after one year; and

3-41 (8) any post-employment support services provided.

3-42 (b) Not later than October 1 of each even-numbered year, the
 3-43 commission shall submit a report to the governor, the lieutenant
 3-44 governor, and the speaker of the house of representatives that
 3-45 includes a summary of all information submitted under Subsection
 3-46 (a).

3-47 Sec. 303A.037. STANDARDS. The commission by rule shall
 3-48 adopt standards for a green job skills training program awarded a
 3-49 grant under this subchapter.

3-50 SECTION 2. The Texas Workforce Commission shall adopt rules
 3-51 for the program under Chapter 303A, Labor Code, as added by this
 3-52 Act, not later than March 1, 2010.

3-53 SECTION 3. The Texas Workforce Commission is required to
 3-54 implement the program under Chapter 303A, Labor Code, as added by
 3-55 this Act, only if the legislature appropriates money specifically
 3-56 for that purpose. If the legislature does not appropriate money
 3-57 specifically for that purpose, the commission may, but is not
 3-58 required to, implement Chapter 303A, Labor Code, as added by this
 3-59 Act, using other appropriations available for the purpose.

3-60 SECTION 4. This Act takes effect immediately if it receives
 3-61 a vote of two-thirds of all the members elected to each house, as
 3-62 provided by Section 39, Article III, Texas Constitution. If this
 3-63 Act does not receive the vote necessary for immediate effect, this
 3-64 Act takes effect September 1, 2009.

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