

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

REREVISED

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

LLS NO. 19-1050.01 Thomas Morris x4218

HOUSE BILL 19-1314

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House Committees

Business Affairs & Labor
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Appropriations

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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 3rd Reading
May 2, 2019

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. THERE WERE APPROXIMATELY ONE THOUSAND THREE
12 HUNDRED WORKERS EMPLOYED IN COLORADO COAL MINES AT THE END OF
13 2018, AND HALF OF THE DOMESTIC CONSUMPTION OF COLORADO'S MINED
14 COAL IS FOR POWER GENERATION WITHIN THE STATE.

15 (II) COLORADO'S POWER SECTOR, AND THE NATION'S, IS MOVING
16 AWAY FROM COAL AS A FUEL SOURCE BASED ON CONSUMER DEMAND FOR
17 CLEANER POWER AND THE DECLINING COST OF NATURAL GAS AND
18 RENEWABLE RESOURCES. ELECTRICITY GENERATED FROM RENEWABLE
19 SOURCES HAS DOUBLED SINCE 2010 TO APPROXIMATELY TWENTY-FIVE

1 PERCENT OF COLORADO'S POWER GENERATION IN 2017.

2 (b) DETERMINES THAT:

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

10 (II) THE EFFECTS OF COAL PLANT CLOSURES ON WORKERS AND
11 COMMUNITIES HAVE THE POTENTIAL TO BE SIGNIFICANT IF NOT
12 MANAGED CORRECTLY. THE CLOSURE OF COAL-FIRED PLANTS NATIONWIDE
13 IS ALSO LIKELY TO HAVE A SERIOUS IMPACT ON EMPLOYMENT IN THE
14 STATE'S COAL MINES AND THE TRANSPORTATION AND LOGISTICS SUPPLY
15 CHAINS THAT MOVE COAL FROM MINE TO MARKET. MANY OF THESE JOBS
16 PROVIDE FAMILY-SUPPORTING WAGES AND BENEFITS. THE COMMUNITIES
17 THAT HOST RETIRING POWER PLANTS MAY LOSE PRINCIPAL CONTRIBUTORS
18 TO THEIR TAX BASE AND REVENUE FOR VITAL LOCAL GOVERNMENT
19 SERVICES. THE ENACTMENT OF THIS PART 4 WILL HELP ALLEVIATE THESE
20 IMPACTS.

21 (III) WHILE COLORADO COMPANIES AND POLICYMAKERS HAVE
22 WORKED TO DRIVE NEW INVESTMENT FROM THE CLEAN ENERGY ECONOMY
23 INTO TRANSITIONING COMMUNITIES AND RURAL PARTS OF THE STATE,
24 THERE DOES NOT EXIST AT THE STATE OR FEDERAL LEVEL SUFFICIENT
25 RESOURCES TO ASSIST WORKERS AND COMMUNITIES IMPACTED BY
26 CHANGES IN COLORADO'S COAL ECONOMY, AND THERE DOES NOT EXIST
27 SUFFICIENT COORDINATED LEADERSHIP WITHIN COLORADO'S STATE

1 GOVERNMENT TO ALIGN AND DELIVER ASSISTANCE TO THESE COAL
2 COMMUNITIES AND WORKERS; AND

3 (c) DECLARES THAT:

4 (I) A STRONG AND COMPREHENSIVE POLICY IS ALSO NEEDED TO
5 INVEST NEW FINANCIAL RESOURCES IN COAL COMMUNITIES THAT ARE
6 SEEKING TO DIVERSIFY AND GROW THEIR LOCAL AND REGIONAL
7 ECONOMIES IN A MANNER THAT IS BOTH SUSTAINABLE AND EQUITABLE;
8 AND ==

9 (II) COLORADO MUST ENSURE THAT THE CLEAN ENERGY ECONOMY
10 FULFILLS A MORAL COMMITMENT TO ASSIST THE WORKERS AND
11 COMMUNITIES THAT HAVE POWERED COLORADO FOR GENERATIONS, AS
12 WELL AS THE DISPROPORTIONATELY IMPACTED COMMUNITIES WHO HAVE
13 BORNE THE COSTS OF COAL POWER POLLUTION FOR DECADES, AND TO
14 THEREBY SUPPORT A JUST AND INCLUSIVE TRANSITION.

15 ==

16 **8-83-402. Definitions.** AS USED IN THIS PART 4, UNLESS THE
17 CONTEXT OTHERWISE REQUIRES:

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

24 (2) "COAL TRANSITION WORKER" MEANS A COLORADO WORKER
25 LAID OFF FROM EMPLOYMENT ON OR AFTER THE EFFECTIVE DATE OF THIS
26 SECTION IN A COAL MINE, COAL-FUELED ELECTRICAL POWER GENERATING
27 PLANT, OR THE MANUFACTURING AND TRANSPORTATION SUPPLY CHAINS

1 OF EITHER.

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

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

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

10 (a) AN ECONOMIC DEVELOPMENT DISTRICT;

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

13 (c) AN INDIAN TRIBE;

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

17 (e) AN INSTITUTION OF HIGHER EDUCATION; AND

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

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

22 (7) "JUST TRANSITION PLAN" MEANS THE PLAN, IN DRAFT OR FINAL
23 FORM, PREPARED BY THE JUST TRANSITION ADVISORY COMMITTEE AS
24 OUTLINED IN SECTION 8-83-403 (6) AND SUBMITTED BY THE DIRECTOR AS
25 OUTLINED IN SECTION 8-83-403 (4).

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

1 (9) "WAGE DIFFERENTIAL BENEFIT" MEANS SUPPLEMENTAL
2 INCOME COVERING ALL OR PART OF THE DIFFERENCE BETWEEN AN
3 INDIVIDUAL'S PREVIOUS EMPLOYMENT IN A COAL MINE, COAL-FUELED
4 ELECTRICAL POWER GENERATING PLANT, OR THE MANUFACTURING AND
5 TRANSPORTATION SUPPLY CHAINS OF EITHER AND NEW EMPLOYMENT OR
6 SUPPLEMENTAL INCOME DURING JOB RETRAINING.

7 **8-83-403. Just transition office - advisory committee - repeal.**

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

13 (2) THE DIRECTOR OF THE DIVISION SHALL APPOINT THE DIRECTOR
14 OF THE OFFICE. THE DIRECTOR SHALL MANAGE THE OPERATIONS OF THE
15 OFFICE.

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

17 (a) IDENTIFY OR ESTIMATE, TO THE EXTENT PRACTICABLE, THE
18 TIMING AND LOCATION OF FACILITY CLOSURES AND JOB LAYOFFS IN
19 COAL-RELATED INDUSTRIES AND THEIR IMPACT ON AFFECTED WORKERS,
20 BUSINESSES, AND COAL TRANSITION COMMUNITIES AND MAKE
21 RECOMMENDATIONS TO THE JUST TRANSITION ADVISORY COMMITTEE, AS
22 PART OF ITS WORK OUTLINED IN SUBSECTION (6) OF THIS SECTION, AS TO
23 HOW THE OFFICE CAN MOST EFFECTIVELY RESPOND TO THESE ECONOMIC
24 DISLOCATIONS;

25 (b) PROVIDE ADMINISTRATIVE, LOGISTICAL, RESEARCH, AND
26 POLICY SUPPORT TO THE JUST TRANSITION ADVISORY COMMITTEE'S WORK
27 AS OUTLINED IN SUBSECTION (6) OF THIS SECTION; AND

1 (c) PARTICIPATE IN THE DEPARTMENT'S PRESENTATION TO THE
2 GENERAL ASSEMBLY DURING THE "STATE MEASUREMENT FOR
3 ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART)
4 GOVERNMENT ACT" HEARINGS, HELD PURSUANT TO PART 2 OF ARTICLE 7
5 OF TITLE 2, REGARDING REQUIREMENTS FOR FINANCING COMPONENTS OF
6 THE JUST TRANSITION PLAN, THE ADMINISTRATION OF THIS PART 4, AND
7 THE EXPECTED RESULTS.

8 (4) BASED ON THE DRAFT JUST TRANSITION PLAN RECOMMENDED
9 BY THE ADVISORY COMMITTEE PURSUANT TO SUBSECTION (6) OF THIS
10 SECTION, AND WITH THE APPROVAL OF THE EXECUTIVE DIRECTOR OF THE
11 DEPARTMENT AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
12 LOCAL AFFAIRS, ON OR BEFORE DECEMBER 31, 2020, THE DIRECTOR SHALL
13 SUBMIT TO THE GOVERNOR AND THE GENERAL ASSEMBLY A FINAL JUST
14 TRANSITION PLAN FOR COLORADO. THIS FINAL PLAN MUST INCLUDE, AT A
15 MINIMUM:

16 (a) BENEFITS, GRANTS, AND OTHER COMPONENTS THAT THE
17 OFFICE, THE DEPARTMENT, OR THE DEPARTMENT OF LOCAL AFFAIRS SHALL
18 COORDINATE AND IMPLEMENT UNDER EXISTING AUTHORITY;

19 (b) BENEFITS, GRANTS, AND OTHER COMPONENTS THAT REQUIRE
20 ADDITIONAL LEGISLATIVE AUTHORITY TO IMPLEMENT;

21 (c) SOURCES OF FUNDING THAT MAY BE ACCESSED FROM FEDERAL,
22 STATE, LOCAL, AND OTHER SOURCES WITHOUT ADDITIONAL LEGISLATIVE
23 AUTHORITY OR APPROVAL; AND

24 (d) SOURCES OF FUNDING THAT REQUIRE LEGISLATIVE OR VOTER
25 APPROVAL.

26 (5) TO FURTHER THE PURPOSES OF THE OFFICE CREATED IN THIS
27 PART 4, THE DIRECTOR SHALL ENGAGE IN RELEVANT ADMINISTRATIVE

1 PROCEEDINGS, SUCH AS MATTERS BEFORE THE PUBLIC UTILITIES
2 COMMISSION AND THE AIR QUALITY CONTROL COMMISSION.

3 (6) (a) THERE IS HEREBY CREATED THE JUST TRANSITION
4 ADVISORY COMMITTEE TO DEVELOP AND RECOMMEND A JUST TRANSITION
5 PLAN FOR THE STATE OF COLORADO.

6 (b) ON OR BEFORE JULY 1, 2020, THE ADVISORY COMMITTEE SHALL
7 PRESENT A DRAFT JUST TRANSITION PLAN TO THE EXECUTIVE DIRECTOR OF
8 THE DEPARTMENT AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
9 LOCAL AFFAIRS.

10 (c) IN DEVELOPING THE DRAFT JUST TRANSITION PLAN, THE
11 ADVISORY COMMITTEE SHALL CONSIDER OPTIONS TO:

12 (I) ALIGN AND TARGET LOCAL, STATE, AND FEDERAL RESOURCES
13 AND LEVERAGE ADDITIONAL RESOURCES TO INVEST IN COMMUNITIES AND
14 WORKERS WHOSE COAL-RELATED INDUSTRIES ARE SUBJECT TO
15 SIGNIFICANT ECONOMIC TRANSITION;

16 (II) ALIGN AND TARGET EXISTING LOCAL, STATE, AND FEDERAL
17 PROGRAMMING AND ESTABLISH ADDITIONAL PROGRAMMING TO SUPPORT
18 COMMUNITIES AND WORKERS WHOSE COAL-RELATED INDUSTRIES ARE
19 SUBJECT TO SIGNIFICANT ECONOMIC TRANSITION;

20 (III) ESTABLISH BENEFITS FOR COAL TRANSITION WORKERS,
21 INCLUDING CONSIDERATION OF:

22 (A) BENEFITS SIMILAR IN TYPE, AMOUNT, AND DURATION TO
23 FEDERAL BENEFITS AVAILABLE PURSUANT TO 20 CFR 617.20 TO 617.49;
24 AND

25 (B) WAGE DIFFERENTIAL BENEFITS FOR AFFECTED WORKERS,
26 INCLUDING CONSIDERATION OF ELIGIBILITY AND THE DURATION OF THE
27 BENEFITS;

1 (IV) EDUCATE DISLOCATED WORKERS, IN COLLABORATION WITH
2 EMPLOYERS OF DISLOCATED WORKERS AND RELEVANT LABOR UNIONS,
3 REGARDING HOW TO APPLY FOR JUST TRANSITION BENEFITS; AND

4 (V) ESTABLISH AND STRUCTURE A GRANT PROGRAM AND OTHER
5 POTENTIAL PROGRAMMATIC SUPPORT FOR COAL TRANSITION COMMUNITIES
6 AND ORGANIZATIONS THAT SUPPORT COAL TRANSITION COMMUNITIES,
7 INCLUDING ELIGIBLE ENTITIES.

8 (d) IN DEVELOPING THE DRAFT JUST TRANSITION PLAN, THE
9 ADVISORY COMMITTEE SHALL IDENTIFY AND CONSIDER:

10 (I) THE PROJECTED SHORT-TERM AND LONG-TERM COSTS AND
11 BENEFITS TO THE STATE OF EACH PLAN COMPONENT, INCLUDING WORKER
12 BENEFITS, GRANT PROGRAMS, AND OTHER SUPPORTS;

13 (II) POTENTIAL SOURCES FOR SUSTAINABLE SHORT-TERM AND
14 LONG-TERM FUNDING FOR A JUST TRANSITION PLAN AND ITS COMPONENTS;

15 (III) THE POTENTIAL FISCAL, ECONOMIC, WORKFORCE, AND OTHER
16 IMPLICATIONS OF EXTENDING COMPONENTS OF THE JUST TRANSITION PLAN
17 TO OTHER SECTORS AND INDUSTRIES AFFECTED BY SIMILAR ECONOMIC
18 DISRUPTIONS; AND

19 (IV) WHICH COMPONENTS OF THE JUST TRANSITION PLAN CAN BE
20 IMPLEMENTED BY THE DEPARTMENTS UNDER EXISTING AUTHORITY AND
21 WHICH REQUIRE ADDITIONAL LEGISLATION.

22 (e) THE ADVISORY COMMITTEE CONSISTS OF THE FOLLOWING
23 MEMBERS:

24 (I) EX OFFICIO MEMBERS AS FOLLOWS:

25 (A) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LABOR
26 AND EMPLOYMENT OR A DESIGNEE;

27 (B) THE DIRECTOR OF THE OFFICE OF ECONOMIC DEVELOPMENT OR

1 A DESIGNEE;

2 (C) THE DIRECTOR OF THE COLORADO ENERGY OFFICE OR A

3 DESIGNEE;

4 (D) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL

5 AFFAIRS OR A DESIGNEE; AND

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

7 (II) ONE MEMBER OF THE SENATE, APPOINTED BY THE PRESIDENT

8 OF THE SENATE, AND ONE MEMBER OF THE HOUSE OF REPRESENTATIVES,

9 APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES; AND

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

11 (A) THREE REPRESENTATIVES OF COAL TRANSITION WORKERS;

12 (B) THREE REPRESENTATIVES FROM COAL TRANSITION

13 COMMUNITIES;

14 (C) TWO REPRESENTATIVES WITH PROFESSIONAL ECONOMIC

15 DEVELOPMENT OR WORKFORCE RETRAINING EXPERIENCE;

16 (D) TWO REPRESENTATIVES OF DISPROPORTIONATELY IMPACTED

17 COMMUNITIES; AND

18 (E) TWO REPRESENTATIVES OF UTILITIES THAT, ON THE EFFECTIVE

19 DATE OF THIS SECTION, OPERATED A COAL-FUELED ELECTRIC GENERATING

20 UNIT.

21 (f) THE TERM OF APPOINTMENT OR DESIGNATION IS FOUR YEARS;

22 EXCEPT THAT THE INITIAL TERM OF MEMBERS APPOINTED PURSUANT TO

23 SUBSECTION (6)(e)(II) OF THIS SECTION IS TWO YEARS AND THE INITIAL

24 TERM OF MEMBERS APPOINTED PURSUANT TO SUBSECTION (6)(e)(III) OF

25 THIS SECTION IS THREE YEARS. EACH LEGISLATIVE MEMBER IS ENTITLED

26 TO RECEIVE PAYMENT OF A PER DIEM AND REIMBURSEMENT FOR ACTUAL

27 AND NECESSARY EXPENSES AS AUTHORIZED IN SECTION 2-2-326,

1 APPOINTED MEMBERS ARE ENTITLED TO THE SAME PER DIEM AND EXPENSE
2 REIMBURSEMENT, AND EX OFFICIO MEMBERS ARE ENTITLED TO THE SAME
3 EXPENSE REIMBURSEMENT; EXCEPT THAT ALL PAYMENTS AUTHORIZED BY
4 THIS SUBSECTION (6)(f) ARE AT A RATE FIFTY PERCENT LESS THAN THAT
5 AUTHORIZED BY LAW.

6 (g) THE ADVISORY COMMITTEE SHALL ELECT A CHAIR FROM
7 AMONG ITS MEMBERS TO SERVE FOR A TERM NOT TO EXCEED TWO YEARS,
8 AS DETERMINED BY THE ADVISORY COMMITTEE. THE ADVISORY
9 COMMITTEE SHALL MEET AT LEAST ONCE EVERY QUARTER. THE CHAIR
10 MAY CALL SUCH ADDITIONAL MEETINGS AS ARE NECESSARY FOR THE
11 ADVISORY COMMITTEE TO COMPLETE ITS DUTIES.

12 (h) THE ADVISORY COMMITTEE MAY ENGAGE ADDITIONAL
13 NONVOTING MEMBERS OR ADVISORS TO PROVIDE ADDITIONAL EXPERTISE
14 AS NEEDED.

15 (i) THIS SUBSECTION (6) IS REPEALED, EFFECTIVE SEPTEMBER 1,
16 2025. BEFORE THE REPEAL, THIS SUBSECTION (6) IS SCHEDULED FOR
17 REVIEW IN ACCORDANCE WITH SECTION 2-3-1203.

18 **8-83-404. Just transition cash fund.** (1) THERE IS HEREBY
19 CREATED IN THE STATE TREASURY THE JUST TRANSITION CASH FUND. THE
20 FUND CONSISTS OF MONEY CREDITED TO THE FUND AND ANY OTHER
21 MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER
22 TO THE FUND. THE STATE TREASURER SHALL CREDIT ALL
23 INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF
24 MONEY IN THE FUND TO THE FUND. SUBJECT TO ANNUAL APPROPRIATION
25 BY THE GENERAL ASSEMBLY, THE OFFICE MAY EXPEND MONEY FROM THE
26 FUND FOR PURPOSES SPECIFIED IN THIS PART 4, INCLUDING PAYING FOR THE
27 OFFICE'S DIRECT AND INDIRECT COSTS IN ADMINISTERING THIS PART 4.

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

5 == ==
6 (3) EACH CONSTRUCTION PROJECT FINANCED THROUGH THE FUND
7 MUST COMPLY WITH SECTIONS 24-92-115 AND 24-92-201.

8 **8-83-405. Utility workforce transition plans - reemployment**
9 **of affected workers.** (1) WITHIN THIRTY DAYS AFTER THE APPROVAL TO
10 ACCELERATE RETIREMENT OF A GENERATING UNIT BY THE UTILITY'S
11 GOVERNING BODY AND IN NO CASE LESS THAN SIX MONTHS BEFORE THE
12 RETIREMENT OF AN ELECTRIC COAL-FUELED GENERATING UNIT THAT HAS
13 A NAMEPLATE CAPACITY OF AT LEAST FIFTY MEGAWATTS, THE OWNER OR
14 OPERATING AGENT OF THAT UNIT SHALL SUBMIT TO THE OFFICE AND TO
15 THE AFFECTED COMMUNITY A WORKFORCE TRANSITION PLAN.

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

18 (a) THE NUMBER OF WORKERS EMPLOYED BY THE ELECTRIC
19 UTILITY OR A CONTRACTOR OF THE UTILITY AT THE COAL-FUELED
20 ELECTRIC GENERATING FACILITY, WHICH NUMBER MUST INCLUDE ALL
21 WORKERS THAT DIRECTLY DELIVER COAL TO THE ELECTRIC UTILITY;

22 (b) THE TOTAL NUMBER OF WORKERS WHOSE EXISTING JOBS, AS A
23 RESULT OF THE RETIREMENT OF THE COAL-FUELED ELECTRIC GENERATING
24 FACILITY:

25 (I) WILL BE RETAINED; AND

26 (II) WILL BE ELIMINATED;

27 (c) WITH RESPECT TO THE WORKERS WHOSE EXISTING JOBS WILL

1 BE ELIMINATED DUE TO THE RETIREMENT OF THE COAL-FUELED ELECTRIC
2 GENERATING FACILITY, THE TOTAL NUMBER AND THE NUMBER BY JOB
3 CLASSIFICATION OF WORKERS:

4 (I) WHOSE EMPLOYMENT WILL END WITHOUT THEM BEING
5 OFFERED OTHER EMPLOYMENT;

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

8 (III) WHO WILL BE RETAINED BY BEING TRANSFERRED TO OTHER
9 ELECTRIC GENERATING FACILITIES OR OFFERED OTHER EMPLOYMENT BY
10 THE ELECTRIC UTILITY; AND

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

13 (d) IF THE ELECTRIC UTILITY IS REPLACING THE COAL-FUELED
14 ELECTRIC GENERATING FACILITY BEING RETIRED WITH A NEW ELECTRIC
15 GENERATING FACILITY, THE NUMBER OF:

16 (I) WORKERS FROM THE RETIRED COAL-FUELED ELECTRIC
17 GENERATING FACILITY WHO WILL BE EMPLOYED AT THE NEW ELECTRIC
18 GENERATING FACILITY; AND

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

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

27 **8-83-406. Report - recommendations - repeal.** (1) NO LATER

1 THAN JANUARY 1, 2024, THE DIRECTOR SHALL PROVIDE WRITTEN
2 RECOMMENDATIONS TO THE GENERAL ASSEMBLY AND THE GOVERNOR
3 ABOUT CHANGES TO THIS PART 4 THAT SHOULD BE CONSIDERED IN ORDER
4 TO BETTER ACHIEVE THE PURPOSES OF THIS PART 4. ==

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

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

8 **2-3-1203. Sunset review of advisory committees - legislative**
9 **declaration - definition - repeal.** (16) (a) The following statutory
10 authorizations for the designated advisory committees will repeal on
11 September 1, 2025:

12 (IV) THE JUST TRANSITION ADVISORY COMMITTEE CREATED IN
13 SECTION 8-83-403 (6).

14 **SECTION 3. Appropriation.** (1) For the 2019-20 state fiscal
15 year, \$155,758 is appropriated to the department of labor and employment
16 for use by the division of employment and training. This appropriation is
17 from the general fund and is based on an assumption that the division will
18 require an additional 1.8 FTE. To implement this act, the division may
19 use this appropriation for the just transition office.

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

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