

Amendment No. _____

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Signature of Sponsor

AMEND Senate Bill No. 3120*

House Bill No. 3654

by deleting all language following the enacting clause and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Title 50, is amended by adding the following as a new chapter thereto:

§ 50-10-101. This chapter shall be known and may be cited as the "Green Jobs Act."

§ 50-10-102. As used in this chapter, unless the context otherwise requires:

(1) "Department" means the department of economic and community development;

(2) "Fund" means the green jobs fund;

(3) "Green industries" means industries that contribute directly to preserving or enhancing environmental quality by reducing greenhouse gases, waste and pollution, or by producing sustainable products using sustainable processes and materials, and that provide opportunities for advancement along a career track of increasing skills and wages. Green industries include:

(A) Energy system retrofits to increase energy efficiency and conservation;

(B) Production and distribution of biofuels, including vehicle retrofits for biofuels;



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(C) Building design and construction that meet the equivalent of best available technology in energy and environmental design standards;

(D) Organic and community food production;

(E) Manufacture of products from nontoxic, environmentally certified or recycled materials;

(F) Manufacture and production of sustainable technologies, including solar panels, wind turbines and fuel cells;

(G) Solar technology installation and maintenance;

(H) Recycling, green composting and large scale reuse of construction and demolition materials and debris; and

(I) Water retrofits to increase water efficiency and conservation;

(4) "Green jobs programs" means those programs implemented by educational institutions, small businesses, and non-profit organizations, which are related to training individuals to work in green industries and to ensure that appropriate support services are provided;

(5) "Target populations" means disadvantaged individuals, including:

(A) Individuals living in low-income urban areas;

(B) Veterans;

(C) Formerly incarcerated persons seeking new opportunities for responsible citizenship and economic self-sufficiency;

(D) Rural constituencies;

(E) Workers adversely affected by changing national or state energy policy;

(F) At-risk youth and young adults, ages sixteen (16) to twenty-four (24) years of age;

(G) Unemployed youth and adults;

(H) High school dropouts; and

(I) Single mothers; and

(6) "Wraparound services" means those services that provide trainees with the opportunity to participate in green jobs training programs, including:

(A) Child care;

(B) Tuition;

(C) Materials needed for training programs;

(D) Counseling and mentoring services;

(E) Internships and job placement programs; and

(F) Assistance with driver's license restoration and other transportation assistance.

§ 50-10-103.

(a) The department, in coordination with existing apprenticeship programs administered by the department and Tennessee higher education commission, as well as family support and housing programs administered by the department of human services, shall develop a state plan for the development of green jobs programs with a focus on urban and rural communities experiencing chronic underemployment and unemployment as well as communities with a poverty rate of at least fifteen percent (15%) as designated by the United States department of labor's Public Microdata Areas Classification. The plan shall be developed with funds obtained for the green jobs fund and shall not be developed through the use of funds from the general fund. The plan is intended to complement existing apprenticeship and training programs

and in no way replace such programs currently funded. The plan shall include a schedule for funding and implementation that gives priority to programs directed at target populations and quick start projects that can lead to immediate job creation and growth. The department shall, at the discretion of the commissioner of economic and community development, develop the plan:

(1) For coordination of a state research program with the employment security division in which labor market data shall be collected and analyzed to track work force trends from renewable energy and energy-efficiency industries and energy-related initiatives;

(2) For a municipal energy training partnership program in which the department shall award competitive grants to higher education institutions, small businesses, non-profit organizations engaged in workforce development in partnerships with cities, towns, and counties to administer green jobs training programs;

(3) For a pathways out of poverty program in which the department shall award competitive grants to higher education institutions, small businesses, non-profit organizations engaged in workforce development to administer green jobs training programs directed specifically at disadvantaged target populations;

(4) For environmental equity and sustainability programs in which the department shall award competitive grants to higher education institutions, small businesses, non-profit organizations that provide immediate employment opportunities, skill development and supportive services to the target populations;

(5) For assessing the viability of municipal-based, both city and county, workforce agreements that stimulate job creation in

renewable energy and energy-efficiency industries and energy-related initiatives; and

(6) For assessing innovative business opportunities in which the department shall award competitive grants to support bridge financing and micro-loans for economic development projects in the clean energy economy, which help to stimulate job creation for the target populations.

(b) In order to receive funding awards through the green jobs fund described in § 50-10-104, higher education institutions, local governments, small businesses, and non-profit organizations shall cooperate, to the extent practicable, with the department in the development and implementation of the plan.

(c) Coordination or development of the plan may be transferred to other state agencies at the recommendation of the governor. The department shall not hire additional staff to implement or administer the green jobs fund until sufficient funds are available to fund said hires from the green jobs fund. Any such positions shall only be funded through funds in the green jobs fund and shall cease to be authorized if there are insufficient funds in the green jobs fund to fund such positions.

§ 50-10-104.

(a) The green jobs fund is created in the state treasury and shall consist of money transferred to the fund pursuant to federal dollars, federal transfers, appropriations, distributions, gifts, grants, and donations made to the state for the purpose of funding green jobs training programs. Any earnings of the fund shall be credited to the fund. Balances in the fund at the end of any fiscal year shall remain in the fund. No funds shall be appropriated from the state general fund to the green jobs fund.

(b) Money in the fund shall be used only for the purpose of administering and implementing the plan and making grants for the administration of green jobs training programs pursuant to this chapter.

(c) Payments shall be made from the green jobs fund upon warrants drawn by the secretary of the treasury pursuant to vouchers signed by the participating entities: representatives of higher education institutions, small businesses, local governments, non-profits organizations with priority given to entities that can link workforce training programs with existing employment opportunities. Such payments shall be made for the costs and administration of this chapter. Any unexpended or unencumbered balance remaining at the end of a fiscal year shall not revert to the general fund.

§ 50-10-105. Following the funding of the green jobs fund, the department shall annually report to the legislature and to the governor on its activities during the previous fiscal year in administering the provisions of this chapter. The report may include:

(1) Details concerning all grants made for the administration of green jobs training programs;

(2) Details concerning all expenditures made in administering this chapter;

(3) A list of all higher education institutions, small businesses, local governments, non-profit organizations in which green jobs training programs were developed and funded;

(4) An analysis of whether the green jobs training programs have been cost-effective;

(5) A report showing progress made in complying with the plan developed pursuant to the this chapter, and, if in noncompliance, a plan for achieving compliance in the future;

(6) A summary of activities being conducted during the present fiscal year; and

(7) Any additional information that will assist the legislature and the governor in evaluating the program.

SECTION 2. For purposes of developing a state plan for the development of green jobs programs required pursuant to § 50-10-103, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect September 1, 2010, the public welfare requiring it.