

AN ACT relating to economic and workforce development and making an appropriation therefor.

WHEREAS, the General Assembly finds and declares that coal mining jobs in Kentucky are decreasing at an alarming rate. Over 6,000 coal jobs were lost in Kentucky in 2015 alone. Since 2011, over one-half of all Kentucky coal jobs have been eliminated, with many of the mine layoffs concentrated in eastern Kentucky; and

WHEREAS, many individuals formerly employed in the coal industry have found themselves displaced from the workforce and will require assistance in obtaining and improving the knowledge and skills necessary to fully participate in Kentucky's workforce; and

WHEREAS, in his biennial budget recommendations, Governor Matthew Bevin has recommended a 100-million-dollar bond issue for the Education and Workforce Development Cabinet to invest with local communities experiencing a growing demand for high-skill jobs; and

WHEREAS, Representative Hal Rogers has sponsored the RECLAIM Act of 2016 in the United States House of Representatives, which would accelerate one billion dollars in funding to assist coal communities hit hardest by the downturn of the coal industry through economic development and job creation; and

WHEREAS, the General Assembly must be committed to assisting all dislocated coal workers with education and retraining necessary to reenter the workforce and look to create new programs to provide this assistance;

NOW, THEREFORE,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 151B IS CREATED TO READ AS FOLLOWS:

(1) The Education and Workforce Development Cabinet shall develop and implement a program to assist in the education, retraining, and reemployment of

dislocated coal industry workers.

(2) The secretary of the Education and Workforce Development Cabinet shall promulgate administrative regulations in accordance with KRS Chapter 13A on or before December 31, 2016, necessary for the proper development and implementation of the program.

(3) The secretary of the Education and Workforce Development Cabinet shall prepare and submit to the Legislative Research Commission annual reports of the operations of the program set forth in this section. The annual report shall be submitted on or before October 1 of each year, and shall provide information from the previous fiscal year.

→SECTION 2. A NEW SECTION OF KRS CHAPTER 18A IS CREATED TO READ AS FOLLOWS:

(1) As used in this section, "coal miner" means any person who has performed a duty in a mine pursuant to KRS Chapter 351.

(2) A coal miner with at least five (5) years of surface or underground coal mining experience shall have five (5) points added to his or her entrance examination score for classified positions.

(3) The preference points granted by subsection (2) of this section shall be added to entrance examination scores for classified positions only if the score is determined by the secretary to be a passing score and after verification of the required experience. The total of the entrance examination score and the preference points may exceed one hundred (100).

(4) (a) When a register certificate is transmitted to a state agency for employment consideration, that certificate shall clearly identify all individuals entitled to preference points under subsection (2) of this section, whether or not an examination is actually a part of the selection method. Regardless of the selection method used to fill a vacancy, these individuals shall be clearly

identified.

- (b) 1. If the number of individuals identified in paragraph (a) of this subsection is less than five (5), the employing agency shall offer an interview to all individuals identified in paragraph (a) of this subsection, including individuals presently employed by the Commonwealth of Kentucky and applying for another classified position within state government.
2. If the number of individuals identified in paragraph (a) of this subsection equals or exceeds five (5), the employing agency shall offer an interview to no fewer than five (5).

➔SECTION 3. A NEW SECTION OF KRS CHAPTER 198A IS CREATED TO READ AS FOLLOWS:

(1) The Kentucky Housing Corporation, either through the Kentucky Home Performance program, or through creation of a separate program or programs, shall:

- (a) Provide subsidies and low-interest loans for home energy efficiency programs based upon whole-house improvements;
- (b) Provide training, through a program with the Kentucky Community and Technical College System, in energy auditing and energy efficient contracting certification, with a special emphasis upon retraining workers displaced from coal industry and coal-related employment to serve as contractors under the Kentucky Home Performance program;
- (c) Provide low-interest and no-interest loans to homeowners and owners of rental units for investments in energy efficiency improvements; and
- (d) Provide subsidized energy efficient improvements for homeowners living below specified income thresholds through a program managed by local Community Action Agencies. The Kentucky Housing Corporation, in

conjunction with the Community Action Agencies, shall create a process of identifying eligible homeowners for these services.

- (2) (a) Beginning July 1, 2017, the programs listed in subsection (1) of this section shall be funded with coal severance tax receipts collected pursuant to KRS 143.020, in an annual amount equal to one percent (1%) of the coal severance tax receipts remaining in the general fund after the transfers required by KRS 42.4582 have been made.
- (b) The Kentucky energy efficiency fund is hereby created as a separate restricted fund in the State Treasury. The Kentucky energy efficiency fund shall be administered by the Finance and Administration Cabinet. Interest earned on any money in the account shall accrue to the Kentucky energy efficiency fund. Funding set forth in this subsection shall become part of the Kentucky energy efficiency fund. Moneys deposited into the Kentucky energy efficiency fund shall not be appropriated or transferred by the General Assembly for any other purpose.
- (c) Transfers to the Kentucky energy efficiency fund shall be made quarterly, based on the revenue estimates in place at the time each quarterly transfer is made, with any adjustments to reflect actual receipts made in the first quarterly transfer following the close of the prior fiscal year.
- (d) All amounts transferred to the Kentucky energy efficiency fund under this subsection shall be used only for the purposes set forth in this section. Notwithstanding KRS 45.229, any moneys remaining in the fund at the close of a fiscal year shall not lapse, but shall be carried forward into the succeeding fiscal year for the purposes established by this section.