

SENATE BILL 3120

By Berke

AN ACT to amend Tennessee Code Annotated, Title 4;  
Title 49; Title 50 and Title 68, relative to  
environmental industries.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

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 labor and workforce  
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;
  - (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 and labor 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 no later than September 1, 2010. The plan is intended to complement existing apprenticeship and training programs and in no way replace such programs currently funded with state money. 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 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 and labor 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 and labor 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 and labor 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) The plan shall be followed by interested higher education institutions, small business, and non-profit and labor organizations engaged in workforce development and job creation in this state, and such entities shall cooperate with the department in the development and the implementation of the plan.

(c) Coordination or development of the plan may be transferred to other state agencies at the recommendation of the governor.

§ 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, including the temporary assistance for needy families emergency fund and the temporary assistance for needy families emergency contingency fund, also known as the "emergency funds", both of which may be used for subsidized employment for non-TANF families. Additional dollars may include other federal transfers, appropriations, distributions, gifts, grants, and donations to the fund made 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.

(b) Money in the fund shall be administered by the department of finance and administration and shall be used only for the purpose of 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, non-profits

and labor 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. No later than December 1 of each year, the department shall 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 shall 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, non-profit and labor 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 state 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. This act shall take effect September 1, 2010, the public welfare requiring it.